

Proposed Development Conditions

The applicant hereby requests the Zebulon Board of Commissioners, pursuant to Section 3.3.5 of the Unified Development Ordinance, approve the Proposed Planned Development, subject to the following conditions:

1. The fuel pump canopy island shall be located between the proposed building and N. Arendell Avenue (NC 96).

Summary of Proposed Condition: This condition is proposed following extensive review with staff and Applicant's discussion with surrounding property owners. The subject property is unique insofar as it not only sits at the intersection of Pearces Road and North Arendell Avenue – but also the property boundary and intersection configuration creates an acute angle as North Arendell Avenue runs southwest along the boundary line. This creates significant limitations on the location of the fuel pump canopy island – with the proposed option as shown on the site plan being preferable to promote (and not inhibit) site circulation. Additionally, it places a key activity center towards the intersection – and away from the neighboring properties (including an adjacent townhome/residential property) in an effort to minimize any effect of this redevelopment.

2. No more than sixty percent (60%) of off-street parking will be located between the proposed structure's primary façade and North Arendell Avenue.

Summary of Proposed Condition: As reflected in the site plan, Applicant is proposing forty-five (45) total parking spaces. Nineteen (19) of those spaces are located on/along the sides of the primary structure with twenty-six (26) spaces located along the frontage of the building and to the right of the fuel pump canopy. This total is actually 57.78% of the total parking and a slight increase above the requirement in the ordinance of no more than fifty percent (50%) located between the primary façade and the adjoining street.

This request is needed to focus site activity on the middle of the site and at the access points, which will promote safe, effective, and efficient ingress and egress. It will minimize any impacts to the adjoining properties – including the townhome/residential property adjoining this site. Additionally, this parking configuration is necessary to avoid any conflicts with the proposed pick-up lane – which significantly limits/restricts the rear area of the subject site for parking.

3. The proposed dumpster enclosure shall be located as shown on the site plan. The proposed dumpster shall be fully screened and enclosed. The enclosure shall be built consistent with the elevations, attached hereto and made a condition hereof. The enclosure shall be constructed with brick, concrete masonry, and pressure

treated wood (or reasonably similar quality materials) to ensure aesthetic consistency with the primary structure.

Summary of Proposed Condition: Applicant consulted with the adjacent residential property owners and property owners' association. In those discussions, the location of the proposed dumpster enclosure was a focal point. The adjacent residential property owners specifically requested that the dumpster enclosure be located/relocated away from the shared property boundary. In an effort to address those concerns, Applicant has proposed this location as shown on the site plan – which will be fully screened from view of any right-of-way and composed of masonry, brick, wood, or similar materials (as shown in the elevation). These materials match the aesthetic of the proposed primary structure.

4. The primary wall/façade (facing North Arendell Avenue) will be occupied by no less than twenty-seven percent (27%) of visually transparent windows or doors. Applicant shall supplement with additional false/opaque windows and/or articulated wall forms.

Summary of Proposed Condition: Applicant seeks a slight adjustment from Section 5.3.1.F.7(a) of the Commercial Design Standards for fenestration for the primary façade facing North Arendell Avenue. As shown on the elevations and proposed designs for this site, Applicant provides significant fenestration and transparent windows and doors along the primary façade. The proposed percentage in this condition is the maximum Applicant is able to reasonably provide, given that Applicant cannot (for security and safety reasons) place transparent windows and doors where interior bathrooms or storage areas are located. Applicant will supplement the primary façade with false/opaque windows and/or articulated wall forms to meet the intent of the fenestration design standards.

5. The secondary wall/façade (facing Pearces Road) will be occupied by no less than twenty-four (24%) of visually transparent windows or doors, false or opaque windows, or articulated wall forms.

Summary of Proposed Condition: Applicant seeks a slight adjustment from Section 5.3.1.F.7(b) of the Commercial Design Standards for fenestration for the secondary façade facing Pearces Road. As shown on the elevations and proposed designs for this site, Applicant provides significant fenestration and transparent windows and doors along the secondary façade facing Pearces Road. The proposed percentage in this condition is the maximum Applicant is able to reasonably provide, given that Applicant cannot (for security and safety reasons) place transparent windows and doors where interior bathrooms or storage areas are located. Where possible, Applicant will supplement the secondary façade with

false/opaque windows and/or articulated wall forms to meet the intent of the fenestration design standards.

6. The street setback for Pearces Road shall be ten (10) feet for the dumpster enclosure.

Summary of Proposed Condition: Applicant seeks a slight adjustment from the street setback requirement for Pearces Road, as detailed in Section 3.4.4(C). Specifically, the requested street setback for Pearces Road of ten (10) feet is primarily to facilitate the proposed location of the dumpster enclosure. This is a narrow request, insofar as the structures, the fuel pumps, and parking are all compliant with the thirty (30) foot street setback from Pearces Road.

7. The side perimeter buffer for the boundary adjoining the property located at 1420 North Arendell Avenue (PIN: 1796919353) shall be three (3) feet.

Summary of Proposed Condition: Applicant requests a three-foot side perimeter buffer for the boundary adjoining the property located at 1420 North Arendell Avenue (PIN: 1796919353). Applicant will maintain a three-foot perimeter buffer at this location – which will supplement and enhance existing buffering located on the adjoining commercial property. This request is appropriate given site limitations for increased buffering along that boundary line – specifically, given the drive access that connects the two sites and the need for an adequate drive aisle for ingress, egress, and circulation. This proposed condition also aligns with the existing curb lines at the subject property.

8. The streetscape buffer along North Arendell Avenue and Pearces Road shall be zero (0) feet.

Summary of Proposed Condition: Applicant requests the elimination of the streetscape buffer requirement along North Arendell Avenue and Pearces Road. Applicant is arguably exempt from that requirement, pursuant to Section 5.6.12(C)(1), where the primary building façade "is visible from the arterial or collector street right-of-way." Here, the primary façade is directly visible from the rights-of-way for Pearces Road and North Arendell Avenue. Additionally, Applicant proposes this condition, given the site layout and to ensure safe visibility to and from the site, and to maintain the existing curb lines.

Additionally, Applicant proposes this condition because the proposed plantings and landscaping, as shown on the landscape plan, is the maximum Applicant is reasonably able to provide, given the location of rights-of-way, easements, and a retaining wall, all of which significantly constrain Applicant's ability to include additional streetscape buffering beyond what is shown. Applicant is planting additional trees and landscaping beyond what is required in other areas of the

subject property and is willing to consider further supplementation in those areas, as needed.

9. Parking spaces 11, 12, 13, and 14 (as shown on the site plan) shall be permitted to be further than fifty (50) feet from the trunk of a canopy tree. Planters shall be located along the sidewalk at the storefront to enhance landscaping for the parking area and for the parking spaces 11, 12, 13, and 14.

Summary of Proposed Condition: More than 90% of the proposed parking spaces will be within fifty (50) feet of the trunk of a canopy tree, which complies with the landscape requirements of the Town's ordinances. The parking spaces directly in front of the primary façade/entry for the subject property are slightly beyond that fifty (50) foot distance and Applicant has reasonably located proposed canopy trees as close to those spaces as reasonably practicable. To supplement the landscaping for the parking area, Applicant shall locate planters along the walkway adjoining those front spaces (including parking spaces 11, 12, 13, and 14).