

RESOLUTION B
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 157 EAST ROSEMARY FROM TOWN CENTER-2 (TC-2) TO RESIDENTIAL-COMMUNITY PRIORITY-CONDITIONAL ZONING DISTRICT (R-CP-CZD)(PROJECT #CZD-23-4)(2023-11-29/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by George Retschle, Ballentine Associates, PA, on behalf of contract purchaser TJ Capital II LLC and property owner Paliouras Enterprises LLC, to rezone a 0.31-acre parcel located at 157 East Rosemary on property identified as Orange County Property Identifier Number 9788-37-9926, to allow development of a residential building with ground-floor retail according to the plans dated September 27, 2023, and the conditions listed below would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to rezone the property located at 157 East Rosemary Street to Residential-Community Priority-Conditional Zoning District (R-CP-CZD).

This the 29th day of November, 2023.