



# CONSIDER RESPONSE TO PETITION FOR LIMITED SCOPE REVIEW OF A CONDITIONAL ZONING MODIFICATION APPLICATION FOR 1751 DOBBINS DRIVE

## STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Colleen Willger, Director  
Judy Johnson, Assistant Director

### PROJECT LOCATION

1751 Dobbins Drive

### MEETING DATE

March 10, 2021

### STAFF'S RECOMMENDATION

That the Council consider adopting Resolution A, limiting the scope of the modified Conditional Zoning application and reducing the application fee.

### OVERVIEW

The applicant petitioned the Council at the [February 24, 2021 meeting](#)<sup>1</sup> requesting a limited scope review of the proposed Conditional Zoning application and requested the Council waive the application fee.

### BACKGROUND

The project at 1751 Dobbins Drive received a Conditional Zoning approval by the Council at the [November 13, 2019 Council meeting](#)<sup>2</sup>. The approval was for construction of a 5,747 sq. ft. office building with 21 parking spaces. The applicant has recently received a Final Plan Zoning Compliance Permit.

In the petition, the applicant states the difficulty obtaining financing based on the building's cost per square foot. The applicant has requested a modification to the Conditional Zoning approval to increase the size of the building. The Land Use Management Ordinance (LUMO) Section 4.4 limits a minor change to an increase in floor area of up to 10 percent. The request in this case is to increase the size of the office building from 5,747 sq. ft. to 7,500 sq. ft., an increase of 26 percent.

The only change to the project would be to increase the height of the rear of the building to two full stories. Staff believes a limited scope review is appropriate because the proposed site changes are minimal. Staff recommends limiting advisory board review to only the Planning Commission.

The applicant has also requested:

- A fee waiver. The fee for a Conditional Zoning application has a base fee of \$8,585 plus \$30 per 100 sq. ft. of floor area.
- The Town's fees are calculated to reflect the cost of Town services associated with review of the conditional zoning modification application.
- As the project recently received Council approval and the scope of review of the modification to the project would be limited, less staff time would be required to review this application.
- For this particular case, staff believes the Council could reduce the fee by omitting the base fee and calculating the fee based on the incremental increase in project square footage.
- The fee for the proposed additional 1,753 sq. ft. calculated at \$30 per 100 sq. ft. would be \$5,259

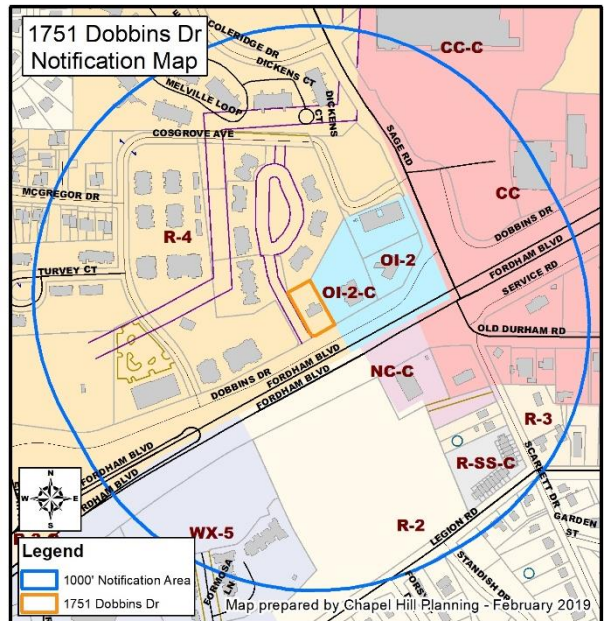
### DECISION POINTS

The Council can limit the scope of their review of the proposed Conditional Zoning Modification application if they choose.

The Town currently waives fees associated with affordable housing projects, Town projects, and service projects associated with non-profit organizations.

The attached resolution would limit the scope of the Conditional Zoning Modification to the listed items as well as limit the advisory board review to the Planning Commission.

### PROJECT LOCATION



<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804638&GUID=F91B9FA2-52CA-425E-BFA6-8C0F59095C67>

<sup>2</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4224798&GUID=2DE275C0-A181-4EF8-8D24-C41DDAF4F8AA>

**ATTACHMENT**

1. Draft Staff Presentation
2. Resolution A
3. Petition dated February 24. 2021