



**CONSIDER AN APPLICATION FOR CONDITIONAL ZONING –  
S. COLUMBIA STREET ANNEX, 1150 S. COLUMBIA STREET**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Judy Johnson, Interim Director  
Jake Lowman, Senior Planner

<b>PROPERTY ADDRESS</b> 1150 S. Columbia Street	<b>MEETING DATE(S)</b> September 8, 2020 – HAB September 14, 2020 – ESAB September 22, 2020 – TCAB and CDC October 6, 2020 - Planning Commission	<b>APPLICANT</b> Wendi Ramsden, Coulter Jewel Thames
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**STAFF RECOMMENDATION**

That the Housing Advisory Board, Environmental Stewardship Advisory Board, Community Design Commission, Transportation and Connectivity Advisory Board, and Planning Commission review and make comments and recommendations on the application to the Town Council.

**ZONING**

*Current:* Residential-2 (R-2) (Approximately 4 acres)  
*Proposed:* Mixed Use-Village-Conditional Zoning District (MU-V-CZD)

**PROCESS**

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties. If the proposed conditional zoning district is located in a Low Residential Land Use Category, the Town Council must approve a Land Use Plan Amendment prior to proceeding.

The applicant has submitted an accompanying Land Use Plan Amendment, which will be reviewed by the Council, to update the site’s designation to high-density residential.

**PROJECT OVERVIEW**

The S. Columbia Street Annex project is sited at the northwest corner of South Columbia Street and the westbound on-ramp of NC 54. The proposed development includes a 6-story building set into the steep slope west of South Columbia Street. The proposal includes up to 57,000 sq. ft. of residential floor area, for a maximum of 52 units; with 8 affordable units (15.3%). A maximum of 4,000 sq. ft. of business/office space is proposed. A full access driveway is proposed off S. Columbia Street with sidewalks and underground parking.

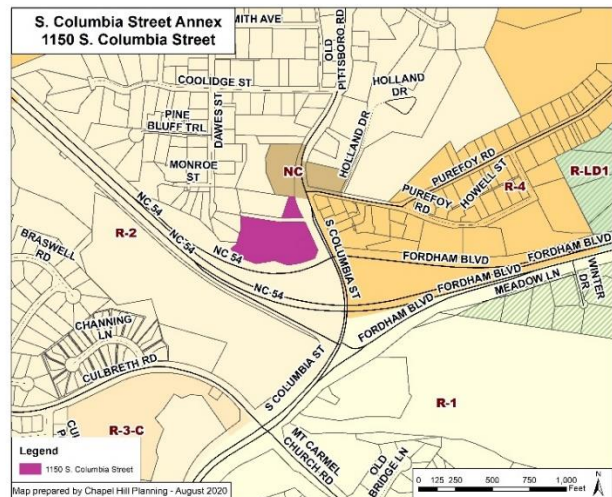
**DECISION POINTS**

This application for MU-V-CZD is tracking with proposed text amendments to the Land Use Management Ordinance regarding COVID-19, including changes to the establishment of an MU-V district, which is currently only allowed via the Special Use Permit Process. Due to remote hearing requirements for quasi-judicial proceedings, the text amendment would allow the establishment of a MU-V district through the legislative conditional zoning process. If the text amendment is not adopted by Town Council, the applicant will not be able to proceed forward using the proposed process.

The applicant is requesting the following modifications to regulations:

- Steep slope regulations
- Encroachment into the Resource Conservation District
- Reduced landscaping standards
- MU-V land use mix standards

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report
2. Project Details Table
3. Draft Ordinance A (Approving the Application)
4. Draft Resolution A
5. Draft Resolution B (Denying the Application)
6. Land Use Plan Amendment Technical Report *(to be added prior to Planning Commission)*

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| 7. Resolution of Land Use Plan Amendment (to be added prior to Planning Commission) |
| 8. Applicant Materials (including Land Use Plan Amendment application materials)    |

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 3.6.3 Resource Conservation District (RCD):** The Land Use Management Ordinance (LUMO) limits uses, land disturbance, and impervious surface area to specific percentages of the total land area in different zones of the RCD. The applicant is requesting three modifications to the RCD standards:

**Use: Table 3.6.3-2 Permitted Uses within Resource Conservation District:** The LUMO restricts uses within the stream side, managed use, and upland zones of the RCD. The applicant is requesting to place parking and building structure within the managed use and upland zones of the RCD.

*Staff Comment:* Staff believes that the Council could find a public purpose for the placement of the parking and building structure within the managed use and upland zones of the RCD as the site has limited buildable area. Additional, the applicant has offered to provide riparian buffer restoration or enhancement to mitigate impacts proposed within the RCD buffer including areas of channel degradation to be restored (degraded culverts in stream channel, fill placed in buffer, etc).

**Land Disturbance and Impervious Surface: Table 3.6.3-3 Dimensional Regulations in RCD:** The LUMO limits land disturbance and impervious surfaces to specific percentages of the total land area by the different zones of the RCD. The table below illustrates the LUMO standards and the applicant's requested land disturbance and impervious surfaces by the RCD zones.

RCD Zone	Total Area	Proposed Disturbance	LUMO standard	Proposed Impervious	LUMO standard
Streamside	35,935 sf	2,210 sf 6.2%	7,187 sf 20%	0	3,594 sf (10%)
Managed	38,618 sf	23,100 sf 59.8%	15,447 sf 40%	5,380 sf 13.9%	7,724 sf 20%
Upland	34,668 sf	18,300 sf 52.8%	13,867 sf 40%	13,650 sf 39.4%	6,934 sf 20%

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased land disturbance and impervious surfaces, as the project will minimize disturbance in the streamside zone and a majority of the construction and land disturbance will be located outside of the RCD.

- 2) Section 5.3.2 Steep Slopes:** The applicant is requesting a modification to LUMO section 5.3.2 to exceed the maximum 25 percent disturbance of the areas with slopes exceeding 25 percent. The applicant is proposing to disturb 100 percent of the slopes greater than 25 percent. The area of slope to be disturbed is 9,541 sq. ft

*Staff Comment:* Staff believes that the Council could find a public purpose for the steep slope disturbance as the development proposal is minimizing impacts in the RCD and preserving a significant portion of the site west of the stream.

- 3) Section 5.6 Landscaping Screening and Buffers:** The applicant is requesting a reduction of the width and plantings of the landscape buffer along South Columbia Street. The required buffer is a 30 foot Type 'D' buffer. The proposed buffer as will vary

in width between zero and 30 feet with an average width of 12 feet. The modification also requests a 70 percent reduction in plant material from the required 23 canopy trees, 47 understory trees and 156 shrubs to 7 canopy trees, 15 understory trees, and 50 shrubs within the project site.

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased reduced width and plantings as the application includes a pedestrian plaza at the street level to activate the street frontage.

- 4) Section 3.5.1(b) Permitted uses and development intensities-Mixed Use-Village (MU-V):** The applicant is requesting a modification to required use mix percentages in the Mixed Use-Village (MU-V) zoning district. The LUMO specifies that the Mixed Use-Village (MU-V) zoning district have a mix of at least 25 percent of the floor area devoted to residential uses and a minimum 25 percent floor area devoted to office/commercial uses. The developer is requesting a modification to the minimum non-residential component to allow as little as 6 percent non-residential uses.

*Staff Comment:* Staff believes that the Council could find a public purpose for the reduction in the use intensities as the development is designed as a live/work space.