

## Rosemary Street Parking Deck – Conditional Zoning

### Project Narrative

The Rosemary Street Parking Deck will create much needed parking for visitors, businesses and workers in downtown Chapel Hill and will be an integral component of the revitalization of East Rosemary Street. This redevelopment strategy for East Rosemary Street will create space for hundreds of new technology workers and researchers in the heart of downtown. The new deck will also create an attractive new arrival experience for visitors to downtown and will improve the streetscape on the southern frontage of Rosemary Street.

The new parking deck will be located on the site of the existing 'CVS' parking deck combined with the surface parking lot immediately to the east. Combining these parcels will create a combined parcel of approximately 1.6 acres. Grubb Properties controls these properties and is proposing to exchange these parcels with the Town of Chapel Hill for the land currently occupied by the Wallace Parking deck, a parcel of 1.49 acres which would be developed into a new research facility with labs and office space for business and institutional tenants.

The existing parking deck is a three-level structure and parks 276 cars. It was built over 40 years ago and has reached the end of its service life. The new parking deck will be a seven-level structure and will park approximately 1,100 cars.

In addition to new parking spaces the Rosemary Street frontage will be improved by widening the sidewalks to incorporate a 'retail porch' that will provide space for small business, artisans and food vendors to operate on an economical, short term basis.

### Statement of Justification – Conditional Zoning

This is a statement of justification to support the request for Conditional Zoning for 125 East Rosemary Street and the parcel immediately to the east. Both parcels are currently within the TC-2 zoning district. The Conditional Zoning is being requested to facilitate an open dialogue with the public and negotiations between the applicant and the Town of Chapel Hill.

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- 1) To correct a manifest error in the chapter; or
- 2) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- 3) To achieve the purposes of the Comprehensive Plan.

Below is the applicant's evaluation of this application based on these three findings.

- 1) **Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.

*Response: We do not believe there is error in the Town's Zoning Atlas Amendment related to the project site.*

- 2) **Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

*Response: We believe that the conditions have changed in the following respect: In recent years downtown Chapel Hill has undergone a loss of jobs and businesses which has adversely affected the economic vitality of Chapel Hill. One component of this problem is the lack of centralized public parking to support business and visitors, which this project addresses.*

**3) Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

*Response: The proposed rezoning would contribute to the following elements of the Comprehensive Plan:*

*Theme 2: Community Prosperity and Engagement*

- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1).
- Foster success of local businesses (CPE.2).

*Theme 3: Getting Around*

- A connected community that links neighborhoods, businesses and schools through the provision of greenways, sidewalks, bike facilities and public transportation (GA.2).

*Theme 4: Good Places, New Spaces*

- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential and cultural development and activity (GPNS.2).
- A community that welcomes and supports change and creativity (GPNS.6).

*Theme 6: Town and Gown Collaboration*

- Take full advantage of ideas and resources to create a thriving economy and incorporate the utilize the intellectual capital that the University and Town create (TGC.1).

**Modifications of Regulations:**

**Building Height, Setback** - LUMO Table 3.8-1 Dimensional Matrix limits the maximum building height at the setback line in the TC-2 zoning district to 44 feet. In order to provide the desired number of parking spaces, the deck will need to be 7 levels and will exceed the 44 feet maximum allowed. The applicant therefore requests that Council approve a modification approving a building height at the setback line of 73 feet.