



**ZONING AMENDMENT APPLICATION TECHNICAL REPORT:
INDEPENDENT SENIOR HOUSING CHAPEL HILL, 2217 HOMESTEAD ROAD**

The following Technical Report provides a staff analysis of the Zoning Atlas Amendment application.

<p>CURRENT ZONING DISTRICT Residential-2 (R-2)</p>	<p>PROPOSED ZONING DISTRICT Residential-5-Conditional Use (R-5-C)</p>
<p>2020 LAND USE PLAN DESIGNATION Medium Residential</p>	<p>2020 FUTURE FOCUS AREA S MLK Jr Blvd (Area 3)</p>
<p>OTHER APPLICABLE ADOPTED PLANS None identified</p>	
<p>SUMMARY OF ARGUMENTS IN FAVOR</p> <ul style="list-style-type: none"> • The applicant originally proposed a \$315,000 payment-in-lieu of providing affordable housing on-site consistent with a recommendation from the Housing Advisory Board. The applicant is now proposing 20 affordable on-site dwelling units for households earning up to 60 percent of the Area Median Income for thirty years. • The proposed zoning district and the 2020 Land Use Plan designation both call for residential uses on this site. Note that in accordance with state legislation, this rezoning approval would include a statement declaring the Land Use Plan to be amended, with the property to be designated as High Residential to maintain consistency with the density allowed under Residential-5-Conditional (R-5-C) zoning. • While the proposed zoning allows more intense development than current zoning, the concurrent SUP process provides an opportunity to establish standards that address any impacts on surrounding properties. • The proposed zoning is generally harmonious with the zoning of surrounding properties, including properties falling under the same zoning district and under similar residential districts. • Staff have not identified any significant environmental constraints on the property. • The location allows future development to take advantage of investment in an expanded transportation network including sidewalks, greenways, bike paths, streets, and transit, all of which could support more intense use. • The proposed zoning is consistent with the Future Focus Area designation, recent and proposed development nearby, and Town infrastructure projects nearby, which all suggest changing conditions in the area. • The development proposed under an associated SUP application achieves various purposes of the Comprehensive Plan such as increasing the diversity of housing types, promoting connectivity, and sustaining healthy neighborhoods. 	
<p>SUMMARY OF ARGUMENTS OPPOSED</p> <ul style="list-style-type: none"> • The proposed rezoning would authorize several new uses, including multi-family dwellings. • The property to the west (Courtyards of Homestead) of the proposed rezoning is currently zoned Residential-2 (R-2), which does not allow multi-family dwellings without a Special Use Permit. 	

CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

The property is located within the Comprehensive Plan Future Focus Area 3: South Martin Luther King Jr. Blvd./Homestead Road to Estes Drive. The 2020 Land Use Plan designates this property for Medium Residential, 4-8 dwelling units/acre.

FINDINGS OF FACT

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:

- A. To correct a manifest error in the chapter; or
- B. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- C. To achieve the purposes of the Comprehensive Plan.

Staff provides below an evaluation of this application based on the three findings. Further information may be presented for the Council’s consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

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

Arguments in Support	To date, no arguments in support have been submitted or identified by staff.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that there is no manifest error in the Town’s Zoning Atlas Amendment related to the project site.

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

Arguments in Support	<p>Staff notes that the site is located adjacent to a new neighborhood under construction and that multiple development projects are proposed, under construction, or recently completed along Homestead Rd.</p> <p>Staff notes that the Town project for pedestrian and bicycle facilities along Homestead Rd, with construction anticipated in 2019, could support more intense use.</p> <p>Staff notes that the site has reasonable proximity (just over 0.5 miles) to the future Bus Rapid Transit project along Martin Luther King Jr. Blvd., currently in design.</p>
Arguments in Opposition	Residents have indicated that the proposed rezoning upsets the rational and orderly character of 2020 Land Use Plan.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in the S MLK Jr Blvd Future Focus Area.

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

Arguments in Support	<p>The applicant’s Statement of Justification references the following elements of the Comprehensive Plan in discussing the impacts of the proposed development:</p> <ul style="list-style-type: none"> • A range of housing options for current and future residents (Goal-Place for Everyone.3) • Promote a safe, vibrant, and connected (physical and person) community (Goal-Community Prosperity and Engagement.3) • A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal-Getting Around.2) • Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (Goal-Getting Around.5) • A range of neighborhood types that addresses residential, commercial, social,
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	<p>and cultural needs and uses while building and evolving Chapel Hill’s character for residents, visitors, and students (Goal-Good Places, New Spaces.5)</p> <ul style="list-style-type: none"> • Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal-Good Places, New Spaces.8) • Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. These spaces could include, among other things, Significant Natural Heritage Areas (SNHA) lands adjacent to and connecting various properties such as riparian lands, etc. (Goal-Nurturing Our Community.3) • Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (Goal-Nurturing Our Community.4) • Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal-Nurturing Our Community.8) • Take full advantage of ideas and resources to create a thriving economy and incorporate and utilize the intellectual capital that the University and Town create (Goal-Town and Gown Collaboration.1) • Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Goal-Town and Gown Collaboration.6)
Arguments in Opposition	Residents have indicated that the proposed rezoning upsets the rational and orderly character of 2020 Land Use Plan.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.