

**RESOLUTION B**

(Denying the Conditional Zoning Application)

**A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS FOR THE ASPEN CHAPEL HILL PROPERTY LOCATED AT 701 MARTIN LUTHER KING JR BLVD FROM NEIGHBORHOOD COMMERCIAL (NC) AND RESIDENTIAL-3 (R-3) TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (2023-03-08/R-6)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application submitted by McAdams, on behalf of contract purchaser York Acquisitions, LLC and property owners Capkov Ventures, Inc and Faye A. Johnson and Lukri Investments LLC, to rezone a 2.03-acre parcel located at 701 Martin Luther King Jr Blvd on property identified as Orange County Property Identifier Numbers 9789-30-2139 and 9789-30-2349 to Residential-6-Conditional Zoning District (R-6-CZD) 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 701 Martin Luther King Jr Blvd to Residential-6-Conditional Zoning District (R-6-CZD).

This the 8<sup>th</sup> day of March, 2023.