



OPEN LEGISLATIVE HEARING FOR MODIFICATION TO CONDITIONAL REZONING AT 800 MERRITT MILL ROAD

STAFF SUMMARY

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
 Colleen Willger, Planning Director
 Judy Johnson, Assistant Planning Director
 Anya Grahn, Principal Planner

PROPERTY ADDRESS 800 S. Merritt Mill Road	DATE October 19, 2022	APPLICANT Jess Brandes, CASA on behalf of Merritt Mill Apartments, LLC
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STAFF RECOMMENDATION

That the Council open the legislative hearing, receive comments and recommendations on the proposed modification to the Conditional Zoning Ordinance, and continue the hearing to November 2, 2022.

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. Modifications to an approved Conditional Zoning Ordinance may be approved by the Town Council.

At the [October 12, 2022 Council meeting](#), the Council limited the scope of review of the Conditional Zoning Modification in response to a petition from CASA.

The previous Council approval was for a Special Use Permit with a Conditional Zone. The proposal before Council this evening is modifications to a Conditional Zoning due to changes to Chapter 160D of the General Statutes.

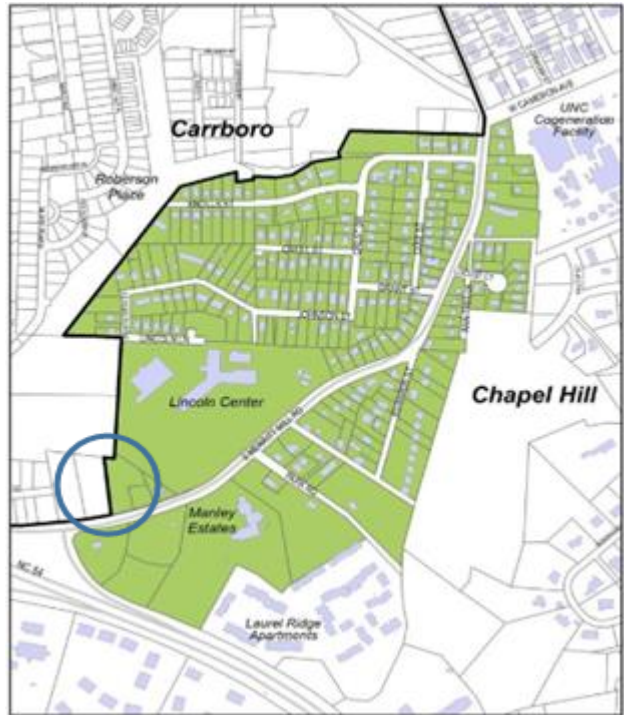
PROJECT OVERVIEW

The site straddles the Town limit line between Chapel Hill and Carrboro. The 2018 Special Use Permit entitles 24 affordable dwelling units within the 1.2-acre Chapel Hill portion of the site. An additional 24 units were approved within the Carrboro’s jurisdiction. The project is under construction with an estimated completion date of early 2023.

DECISION POINTS

Town staff understands that the North Carolina Department of Transportation (NCDOT) plans to repave Merritt Mill Road in the next year and engaged Town staff to design the lane allocations to include bicycle lanes on both sides of the street. Since the proposed NCDOT improvements would include bicycle lanes, CASA requests modifying the Conditional Zoning Ordinance to remove two stipulations related to constructing a bicycle lane along the project’s Merritt Mill Road frontage. Removing this requirement would save the project more than \$200,000.

PROJECT LOCATION



ATTACHMENTS

1. Draft Staff Presentation
2. Resolution A (Resolution of Reasonableness and Consistency)
3. Ordinance A (Approving the Application)
4. Resolution B (Denying the Application)
5. Planning Commission Recommendation (*October 18, 2022 meeting - to be added*)
6. Applicant’s Materials