

# CONDITIONAL ZONING APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd.  
(919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

## Section A: Project Information

Parcel Identifier Number (PIN): 9788962765 Date: Submitted 6/14/2021  
Revised 10/06/2021  
Revised 01/10/2022

Project Name: Gimghoul Castle

Property Address: 742 Gimghoul Road Zip Code: 27515

Use Groups (A, B, and/or C): B Existing Zoning District: R-1; HD-3

Project Description: Rezoning to OI-1 CZD; modernizing renovations and additions to Gimghoul Castle.

**Applicant Information** (to whom correspondence will be mailed):

## Section B: Applicant, Owner, and/or Contract Purchaser Information

Name: Gimghoul Corporation

Address: c/o John Bratton, Wake Stone Corp., P.O. Box 190

City: Knightdale State: NC Zip Code: 27545

Phone: (919) 819-7494 Email: johnrbratton@wakestonecorp.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: Jan 10 2022

**Owner/Contract Purchaser Information:**

Owner

Contract Purchaser

Name: Gimghoul Corporation

Address: P.O. Box 3670

City: Chapel Hill State: NC Zip Code: 27515

Phone: (919) 819-7494 Email: johnrbratton@wakestonecorp.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: Jan 10 2022



## CONDITIONAL ZONING

TOWN OF CHAPEL HILL  
Planning Department

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

**SIGNED CONDITIONS:** All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

**RECORDATION OF CONDITIONS:** After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.



**Section A: Project Information**

**Use Type:** (check/list all that apply)

- Office/Institutional   
  Residential   
  Mixed-Use   
  Other: OI-1 CZD - club, single family and offsite parking

**Overlay District:** (check all that apply)

- Historic District   
  Neighborhood Conservation District   
  Airport Hazard Zone

**Section B: Land Area**

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	93,849	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=		sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	9,385	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	103,234	sq. ft.

**Section C: Special Protection Areas, Land Disturbance, and Impervious Area**

**Special Protection Areas:** (check all those that apply)

- Jordan Buffer   
  Resource Conservation District   
  100 Year Floodplain   
  Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	18,500
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	24,602	596	4,298	28,304
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	23.81%	0.57%	4.16%	27.41%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	23.81%			



**Section D: Dimensions**

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1			1
Number of Floors	3			3
Recreational Space	N/A			

Residential Space				
Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)				
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space (Gross Floor Area in Square Feet)					
Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial					
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other	5,055	1,200			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
<b>Setbacks (minimum)</b>	Street	24'	365'	365'
	Interior (neighboring property lines)	8'	97'	97'
	Solar (northern property line)	11'	108'	108'
<b>Height (maximum)</b>	Primary	29'		---
	Secondary	60'		---
<b>Streets</b>	Frontages	40'	50'	50'
	Widths		Varies	Varies



**Section F: Adjoining or Connecting Streets and Sidewalks**

*Note: For approval of proposed street names, contact the Engineering Department.*

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Gimghoul Road	50'	Varies	2	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

**List Proposed Points of Access** (Ex: Number, Street Name):

\*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
N/A			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

**Section G: Parking Information**

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	None	None	20
Handicap Spaces	None	None	1
Total Spaces	None	None	21
Loading Spaces	None	None	N/A
Bicycle Spaces	None	None	4
Surface Type	Gravel		

**Section H: Landscape Buffers**

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	10'	10'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Eastern Property Lines	10'	10'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Western Property Lines	10'	10'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Southern Property Lines	10'	10'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes



**Section I: Land Use Intensity**

Existing Zoning District:  
 Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
01-1 CZD	.264	N/A			72,263	27,253	N/A
<b>TOTAL</b>							
RCD Streamside	0	0.01					
RCD Managed	0	0.019					
RCD Upland	0						

**Section J: Utility Service**

Check all that apply:

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Telephone</b>	<input type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning Department

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

X	<b>Application fee (including Engineering Review fee) (refer to fee schedule)</b>	Amount Paid \$	<input type="text"/>
X	<b>Pre-application meeting</b> –with appropriate staff		
X	<b>Digital Files</b> – provide digital files of all plans and documents		
X	<b>Recorded Plat or Deed of Property</b>		
X	<b>Project Fact Sheet</b>		
N/A	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
N/A	<b>Description of Public Art Proposal</b> , if applicable		
X	<b>Statement of Justification</b>		
---	<b>Response to Community Design Commission and Town Council Concept Plan comments</b> , if applicable		
---	<b>Affordable Housing Proposal</b> , if applicable		
X	<b>Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan</b>		
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)</b>		
X	<b>Mailing fee for above mailing list (mailing fee is double due to 2 mailings)</b>	Amount Paid \$	<input type="text"/>
X	<b>Written Narrative describing the proposal, including proposed land uses and proposed conditions</b>		
N/A	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> – necessary for all submittals		
N/A	<b>Jurisdictional Wetland Determination</b> – if applicable		
N/A	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>		
N/A	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>		
N/A	<b>Reduced Site Plan Set (reduced to 8.5" x 11")</b>		

**Stormwater Impact Statement (1 copy to be submitted)**

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm



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- r) 85% TSS removal for post-development stormwater runoff
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

**Plan Sets (10 copies to be submitted no larger than 24" x 36")**

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

**Cover Sheet**

- a) Include Project Name, Project fact information, PIN, and Design Team

**Area Map**

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
- f) 1,000' notification boundary

**Existing Conditions Plan**

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries





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**Detailed Site Plan**

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

**Stormwater Management Plan**

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

**Landscape Protection Plan**

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection/silt fence location
- h) Pre-construction/demolition conference note
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable



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**Planting Plan**

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

**Steep Slope Plan**

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

**Grading and Erosion Control Plan**

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

**Streetscape Plan, if applicable**

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting detail

**Solid Waste Plan**

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



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**Construction Management Plan**

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

**Energy Management Plan**

- a) Description of how project will be 20% more energy efficient than ASHRAE standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

**Exterior Elevations**

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

STATEMENT OF JUSTIFICATION FOR REZONING FROM R-1, HD-3 TO OI-1 CZD

Introduction/Background.

Gimghoul Corporation owns a 2.15-acre tract at 742 Gimghoul Road. Gimghoul Castle is on the tract. Constructed in 1926, the Castle is listed on the National Register of Historic Places and has been used by the Order of Gimghoul, a collegiate society founded in 1889 and headquartered at the Castle, for 95 years. The Order sold approximately 35 acres of property to finance the construction of the Castle. Those acres became the Gimghoul Neighborhood, one of Chapel Hill's three historic districts. The Castle is at the end of Gimghoul Road.

The Order has determined it needs to construct accessible bathrooms and add features to bring accessibility to the Castle. After designing the improvements and submitting the proposal to the Historic District Commission for concept plan review (which was favorable), Gimghoul Corporation learned they could not proceed with their proposed renovations because the Castle property is zoned R-1 and their 95-year club use is considered a non-conforming use under Chapel Hill's Land Use Management Ordinance ("LUMO"). After consultation with Town of Chapel Hill Planning Staff, Gimghoul Corporation determined the appropriate means to address this issue is to seek a rezoning to make the use in place since 1926 conforming. Using the conditional zoning tool, the uses proposed follow the actual and historic use. No other uses are sought.

Gimghoul Corporation applied for a Certificate of Appropriateness for the modifications sought in the event the conditional rezoning is granted. A Certificate of Appropriateness was granted by the Historic District Commission for this modernization project on April 13, 2021.

Justification for Rezoning Requests.

Under current zoning, Gimghoul Corporation's use of the Castle property in the way it has been used historically is non-conforming. While Gimghoul Corporation could develop the property for residential use in the R-1 zone, it cannot modernize its facility without a zoning amendment. Gimghoul Corporation is not sure when the property was zoned R-1. It appears from the zoning map that the property is simply included in the general residential zoning for the adjoining Gimghoul Neighborhood. We do not believe it was the intent of the Town of Chapel Hill to make Gimghoul Castle a non-conforming use or for it to be zoned in a way that does not allow its continued historic use.

This is a request for a conditional zoning under Section 4.4.1(c) of LUMO to OI-1 CZD. This application is being made by the owner of all the property in the area proposed to be rezoned. The request includes a request to limit the uses allowed to the club use, accessory residential use (to allow for a caretaker's apartment inside the Castle) and off-street parking.

The Town Council's decision on a rezoning is based on these criteria:

- a. The conformity of the application with the applicable provisions of LUMO and the Town Code,
- b. The conformity of the application with the comprehensive plan,
- c. The compatibility of the proposed application with adjoining uses,
- d. The impacts of the proposed application on the surrounding properties and Town as a whole,
- e. The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage and other public services and facilities, and
- f. The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.

Conformity of Application with the Applicable Provisions of the Land Use Management Ordinance and Town Code.

Gimghoul Corporation proposes to continue using the property as it has been used since the Castle was built in 1926. The uses proposed are limited to existing club use, an accessory living opportunity (for a caretaker) and use of off-street parking. Because the caretaker's apartment is within the Castle and included in the total square footage of the Castle, its dimensions are included in the overall existing building dimensions and not as a separate entry on the Project Fact Sheet. Gimghoul Corporation believes the Castle has had a caretaker in residence for at least seventy years.

Conformity of the Application with the Comprehensive Plan.

Chapel Hill 2020 Comprehensive Plan notes at page 13, "[t]hroughout its history and continuing today, Chapel Hill has retained its small-town friendliness; its sense of place in historic roots; evidence of care for the natural environment; the thoughtful integration of commercial areas with the fabric of the Town; and the youthful exuberance and interchange of ideas that are fostered by the University."

Gimghoul Castle is a deep historic root of the Town of Chapel Hill and provides, particularly for the Gimghoul Historic District, a sense of place. The attention by Gimghoul Corporation to the natural environment surrounding the Castle and their having deeded land to the

University of North Carolina to maintain the natural area around the Castle are evidence of care for the natural environment. The Castle is the essence of the outcome of youthful exuberance as it was developed by a group of students with foresight that has allowed it to exist for almost 100 years. Allowing the long-term preservation of the Castle meets one of the Comprehensive Plan themes of good places, new spaces for balancing respect for the old (p. 27). Conditional zoning to allow the Castle to continue as a conforming use promotes the Castle's continued care and assures this historic landmark will be maintained.

Compatibility of the Proposed Application with Adjoining Uses.

The proposed conditional zone is limited to the three existing uses of Gimghoul Castle. The Castle has been compatible with the Gimghoul Neighborhood throughout its history and the proposed conditional rezoning simply makes the uses that have been compatible conforming. Therefore, this criterion is met.

Impacts of the Proposed Application on the Surrounding Properties and the Town as a Whole.

The proposed conditional zoning simply brings Gimghoul Castle's underlying zoning into conformity with its use. The conditional use proposed is limited to the existing historic uses of the Castle. The applicant does not believe the Town intends for the historic use of the Castle to end and for it to be replaced with single-family housing. The application's impact on the surrounding properties and the Town as a whole is to maintain the historic Gimghoul Castle and to allow the Order to provide accessibility features and otherwise engage in activities that will assure the longevity of this historic structure. The renovations proposed by the Order have no impact on surrounding properties or on the Town as a whole and have been approved by the Historic District Commission as congruous with the Gimghoul Historic District.

The Relationship of the Application to Existing and Proposed Built Systems Including Utility Infrastructure, Transportation Facilities, Police and Fire Coverage and Other Public Service Facilities.

The relationship of the Gimghoul Castle property to existing and proposed built systems is not affected or changed. The proposed renovations to the Castle and will not place additional burdens on the existing or proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities. The proposed renovations will make the Castle a safer place for visitors. Annually, the Order allows the Gimghoul Neighborhood to use the Castle property for a neighborhood meeting. The renovations proposed will allow access to restroom facilities to those visitors to the outside of the Castle property. The proposal does not affect the relationship of the property to existing and proposed built systems.

Included with the application is an email from Kumar Neppalli confirming that the property does not need a TIA exemption because the proposal does not generate enough vehicle trips to have impact.

The Relationship of the Application to Natural Systems Such as Hydrology, Topography, and Other Environmental Constraints.

The relationship of the property to natural systems will not be affected by the proposed conditional zoning. The conditional zoning simply brings into zoning compliance uses that have been in effect for 100 years. The Castle is already in existence and the proposal does not change its relationship to natural systems. Applicant has provided a Stormwater Impact Statement as part of its application.

Based on this analysis and the proposed conditional zoning from R-1, HD-3 to OI-1 CZD, limited to club use, accessory residential and off-street parking, meets all criteria for approval described in Section 4.4.3(f)(2) of LUMO.

Written Narrative Describing the Proposal Including Proposed Land Uses and Conditions.

The applicant proposes this property at 742 Gimghoul Road be rezoned from R-1, HD-3 to OI-1 CZD. It proposes these conditions:

1. That the uses allowed in the OI-1 CZD zone are:
  - club use,
  - accessory residential use,
  - off-street parking.
2. That the dimensional requirements in the OI-1 CZD's zone will be those identified in the Project Fact Sheet.
3. That the parking requirements in this OI-1 CZD zone reflect the current parking at Gimghoul Castle plus the addition of a 4 bicycle rack under the information provided in the Project Fact Sheet and as shown on the attached Gimghoul site plan.
4. That the landscape buffers provided be as identified in the Project Fact Sheet.
5. That the floor area ratios, parking ratios, impervious surface ratios and other applicable restrictions reflect the size of the existing parcel to accommodate a future change if needed.

## LeAnn Nease Brown

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**From:** Kumar Neppalli <kneppalli@townofchapelhill.org>  
**Sent:** Monday, April 26, 2021 11:18 AM  
**To:** LeAnn Nease Brown  
**Cc:** Judy Johnson; Anya Grahn  
**Subject:** Re: Location for Conditional Zoning from R1 and HD3 to OI-CZD for Gimghoul Corporation (Sent on Behalf of LeAnn Nease Brown)

Hi LeAnn,

You do not need a TIA exemption for this as it does not generate enough vehicle trips. I have copied this email to Anya and Judy. Thanks.

Kumar

On Apr 21, 2021, at 6:12 PM, LeAnn Nease Brown <lnease@brownandbunch.com> wrote:

External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org) Good evening Kumar,

I am following up on my email below regarding an exemption of a Traffic Impact Analysis. I look forward to hearing from you.

Best,  
LeAnn

LeAnn Nease Brown  
Brown & Bunch, PLLC  
101 North Columbia Street  
Chapel Hill, NC 27514  
telephone: (919) 968-1111, ext. 141  
telefax: (919) 968-1444  
[lnease@brownandbunch.com](mailto:lnease@brownandbunch.com)<<mailto:lnease@brownandbunch.com>>

**From:** Marlene Lang <[mlang@brownandbunch.com](mailto:mlang@brownandbunch.com)>  
**Sent:** Monday, April 5, 2021 1:57 PM  
**To:** [kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)  
**Cc:** [jjohnson@townofchapelhill.org](mailto:jjohnson@townofchapelhill.org); [agrahn@townofchapelhill.org](mailto:agrahn@townofchapelhill.org); LeAnn Nease Brown <[lnease@brownandbunch.com](mailto:lnease@brownandbunch.com)>  
**Subject:** Location for Conditional Zoning from R1 and HD3 to OI-CZD for Gimghoul Corporation (Sent on Behalf of LeAnn Nease Brown)

April 5, 2021



via email, [kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)<mailto:kneppalli@townofchapelhill.org>

Kumar Neppalli, Traffic Engineering Manager

Public Works Department

Town of Chapel Hill

405 Martin Luther King Drive

Chapel Hill, NC 27514

Re: Location for Conditional Zoning from R1 and HD3 to

OI-CZD for Gimghoul Corporation

Dear Kumar:

I am following up on Anya Grahn's email of March 10. Our firm represents Gimghoul Corporation, the owner of a parcel of property at 742 Gimghoul Road in Chapel Hill. Since the 1920s, the property has been used as a club but current zoning does not reflect the actual and historic use. Gimghoul Corporation learned about the current zoning when it began the process of applying to make revisions to the property, the majority of which are to improve accessibility. After meeting with Judy Johnson and Anya Grahn, we determined the best course of action is to seek a conditional zoning to make the current club use conforming. The uses Gimghoul Corporation will seek with the OI-CZD are club use, single-family use (because there is a caretaker on site) and off-street parking.

Because the use to be sought is already in place and because the changes proposed do not increase existing utilization, I am writing to seek an exemption to the traffic impact analysis requirement in connection with the conditional zoning application.

Please let me know next steps to seek the exemption.

Best regards.

Sincerely,

BROWN & BUNCH, PLLC

LeAnn Nease Brown

LNB/mjl

13624\01\1\026Neppalli

cc: Judy Johnson (via email, [jjohnson@townofchapelhill.org](mailto:jjohnson@townofchapelhill.org))

Anya Grahn (via email, [agrahn@townofchapelhill.org](mailto:agrahn@townofchapelhill.org)<<mailto:agrahn@townofchapelhill.org>>)

John Bratton (via email)

LeAnn Nease Brown  
BROWN & BUNCH, PLLC  
101 North Columbia Street  
Chapel Hill, NC 27514  
919.968.1111

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**RWC INC.** ROBERT WINSTON CARR, INC.  
ASSOCIATED ARCHITECTS  
P.O. BOX 1692 DURHAM, NORTH CAROLINA 27702  
~~301 E. CHAPEL HILL ST. DURHAM, NORTH CAROLINA 27701~~

~~919/688-6308~~  
~~FAX 919/682-0075~~  
~~rwc.architects@frontier.com~~

carrarchitecture39@gmail.com  
919.906.2496 J.C.

July 21, 2021

**Re: Project: Additions & Renovations to...**  
**Gimghoul Castle**  
**Chapel Hill, North Carolina**

**Subject: Conditional Zoning Application**  
**Energy Management Plan / Narrative**

The Project... **Additions & Renovations to the Gimghoul Castle** consists of...

- A. a Main Level addition w/ Basement below that totals 1,180 sq. ft. of gross conditioned area. When built the new conditioned area will represent 19% of the total gross conditioned area of the Castle. The new area use will be M & F Toilets @ the Main Level w/ Misc.Storage area below.
- B. an extension of an existing (non conditioned) "open air" Loggia
- C. an ADA compliant sidewalk to access the existing upper Terrace and Castle
- D. a new exterior Lower Terrace to compliment and expand the Upper Terrace use
- E. internally... an improved Bathroom for the existing Resident Apartment
- F. internally... a renovated but reduced area Kitchen w/ new kitchen and laundry appliances

.....

The following, in like order, are responses to the two page, sixteen points provided by the Town of Chapel Hill, Office of Planning and Sustainability, *Guidance for Creating an Energy Management Plan, June 2017*. (copy attached)

1. The Project will be designed utilizing high efficient heat pump systems and LED lighting to achieve 20% better energy performance than AHSRAE 90.1 standard.
2. A green building standard is not being pursued due to the limited energy use

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predicted by this Project.

3. The Project addresses water conservation by utilizing low flow plumbing fixtures. The savings are expected to be >20%.

4. The Project is not proposing any sustainable or renewable energy products.

5. Transportation related energy consumption is not applicable to this Project.

6. The existing Castle is located in a large forested area of Chapel Hill. (Re: Gimghoul Historic District) The nature, location and size of the proposed addition is negligible if an attempt were to be made regarding its impact on... *urban heat island effect*... concerns.

7. Though minimal... the Project necessitates that a few existing trees be removed. The Castle will remain a stone edifice located within a large and heavily wooded setting. An irrigation system does not exist.

8. The unique Natural Site and Location causes no concerns (Re: negligible impact) w/ regard to life-cycle and transportation related energy consumption.

9. All light fixtures are specified w/ low consumption LED lamps. All fixtures will be controlled w/ occupancy sensors and photocells.

10. Lighting: Due to limited need new lighting is minimal. All planned new light fixtures will feature high efficiency LED bulbs. The new Castle addition features windows within the exterior walls which will allow natural daytime light into all newly created spaces. This includes the newly created Storage Basement.

11. The Castle addition consists of two Toilet Rooms and a Storage Basement below. Both types of spaces have exterior windows that will emit daytime natural light.

12. The exterior walls of the Castle addition consist of... 8 inch and 12 inch thk. natural stone; 8 inch and 12 inch thk. concrete masonry units; 1 inch thk. extruded rigid insulation; 4 inch thk. wd. studs w/ batt insulation; w/ either water resistant backer board for receiving a tile finish or ½ thk. plywd. to receive ¾ inch T&G pine or cypress boards. Few buildings (none) have a mass component as described.

The roof construction consists of 2 inch thk. T&G southern yellow pine w/ an average of 4 inches thk. sloped rigid insulation topped w/ a ½ inch thk. protection board and a 60 mil single ply roof membrane.

# RWC INC.

The addition is a small rectangular box w/ limited window penetrations. The thermal design is performance based... not prescriptive.

13. The Castle addition will not utilize any exotic or distant / far away haul materials. All materials are locally sourced. Concrete; steel; wood; natural stone; tile; windows; etc... There is limited need for painting. Paints and or stains will be low VOC products.

14. The specified mechanical equipment will be > 24 SEER (Seasonal Energy Efficiency Ratio) and 13.5 HSPF (Heating Season Performance Factor).

P15. Occupied areas will have Carbon Monoxide sensors.

16. N/A This Project will not be phased for construction.

END



## Town of Chapel Hill Guidance for Creating an Energy Management Plan

**Purpose:** The Energy Management Plan should explain what elements of a project's design will reduce or conserve energy, both for the building(s) and project site. Answers and supplemental information pertaining to the prompts below can serve as the narrative for the Energy Management Plan. For item #1, an energy model should be used to demonstrate the expected energy performance of the building(s) relative to the latest version of ASHRAE 90.1.

### Guidance:

1. The energy management plan should indicate how the project will meet the Council's policy expectation of an energy performance that is 20% better than ASHRAE 90.1 (e.g., pre and post construction energy models will be used to verify performance). The project is required to use the most recent version of ASHRAE 90.1 for its baseline to achieve the "20% more energy efficient" standard.
2. The energy management plan should indicate whether or not a green building standard is being used and whether or not the applicant is pursuing a particular level of certification for that standard (e.g., LEED Gold, SB 668 for State Buildings, EarthCraft House).
3. The energy management plan should describe the expected savings (as a percentage) from both building and site related water conservation measures (e.g., WaterSense fixtures and toilets, xeriscaping, cisterns, graywater reuse, constructed wetland, rain garden, soil and moisture irrigation sensors).
4. The energy management plan should indicate what forms of sustainable energy are being utilized in this project (e.g., solar hot water, geothermal, solar photovoltaics, radiant heating/cooling, thermal energy storage).
5. The energy management plan should describe how the project aims to lower transportation-related energy consumption (e.g., project will build a bus shelter with solar-powered LED lighting).
6. The energy management plan should describe how the design aims to mitigate the urban heat-island effect (e.g., project will include a vegetative roof).
7. The energy management plan should indicate how the site design will enhance water and/or energy conservation (e.g., xeriscaping, tree shading, solar orientation).

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Last Updated: June 2017

8. The energy management plan should indicate if the site is reducing life-cycle and transportation related energy consumption based on its location and previous condition (e.g., brownfield redevelopment, grayfield redevelopment, urban infill).
9. The energy management plan should describe how the design of the project demonstrates a commitment to long term energy efficiency and reduced greenhouse gas emissions (e.g., durable materials, high-efficiency equipment, xeriscaping).
10. The energy management plan should describe how the lighting design will reduce energy consumption (e.g., high efficiency interior/exterior lighting, clerestory, passive solar, photocells, occupancy sensors, automated shades).
11. The energy management plan should indicate what percentage of the occupied rooms/office will have direct access to a reasonable amount of natural light.
12. The energy management plan should describe how the building envelope will reduce energy consumption (e.g., low-e glazing, R-38 insulation in the attic, north-south glazing orientation, thermal massing).
13. The energy management plan should describe how the building materials reduce life-cycle energy costs by their sourcing location/condition (e.g., recycled, locally sourced, certified sustainable, low VOC, paints).
14. The energy management plan should indicate how the mechanical equipment will offer better energy performance than the minimum allowed by code (e.g., SEER 15 HVAC unit, enthalpy wheel).
15. The energy management plan should describe the various health and safety features that complement the energy efficient design (e.g., carbon dioxide monitors, frequency of air exchanges, access to natural light, low VOC building materials).
16. The energy management plan should describe what construction-phase steps will be taken to assure the building will perform as specified (e.g., envelope/duct air leakage test at dried in but unfinished phase, commissioning, etc.)

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