

ORDINANCE A

(Approving the Conditional Zoning Modification Application)

AN ORDINANCE MODIFYING THE CONDITIONAL ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 1751 DOBBINS DRIVE (PROJECT #21-023)

WHEREAS, the Council of the Town of Chapel Hill has considered an application submitted by Keith Shaw AIA, Shaw Design Associates, on behalf of James R. and Melissa A. Miller, LLC for a modification to a Conditional Zoning Ordinance approved on November 13, 2019 for a 0.5-acre parcel located at 1751 Dobbins Drive on property identified as Orange County Property Identifier Number 9799-58-6643 to allow up to 7,500 square feet of office use and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities (*Goal A Place for Everyone.4*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal Community Prosperity & Engagement.1*)
- Foster success of local businesses (*Goal Community Prosperity & Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal Community Prosperity & Engagement.3*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal Good Places New Spaces.8*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal Nurturing Our Communities.8*)

WHEREAS, the application, if modified according to the plan dated March 19, 2021, and the conditions listed below would:

- 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

MODIFICATION TO CONDITIONAL ZONING ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Conditional Zoning Ordinance approved on November 13, 2019 to rezone a 0.5-acre parcel located at 1751 Dobbins Drive on property identified as Orange County Property Identifier Number 9799-58-6643 from Residential-4 (R-4) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) be modified as follows:

SECTION I

The first paragraph on the first page shall be revised to read as follows:

“WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment submitted by Aaron Frank, Womble Bond Dickinson LLP on behalf of James R. and Melissa A. Miller, LLC, to rezone a 0.5-acre parcel located at 1751 Dobbins Drive on property identified as Orange County Property Identifier Number 9799-58-6643, to allow ~~5,747~~ 7,500 square feet of office use and finds that the amendment if enacted, is reasonable and in the public’s interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:”

SECTION II

The second paragraph under the section CONDITIONAL USES shall be revised to read as follows:

“Business, Office Type, subject to the condition below.

- That the total square footage of business, general and business, office type uses is limited to no more than ~~5,747~~ 7,500 square feet of floor area.”

SECTION III

Numbered paragraph 2 under Section II shall be revised to read as follows:

“2. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Use: Business, Office Type	
Maximum Floor Area	5,757 7,500 sq. ft.”

SECTION IV

Except as modified herein, all other portions of Conditional Zoning Ordinance dated November 19, 2019, on file at the Town of Chapel Hill Planning Department, remains in effect.

This the _____ day of _____, 2021.