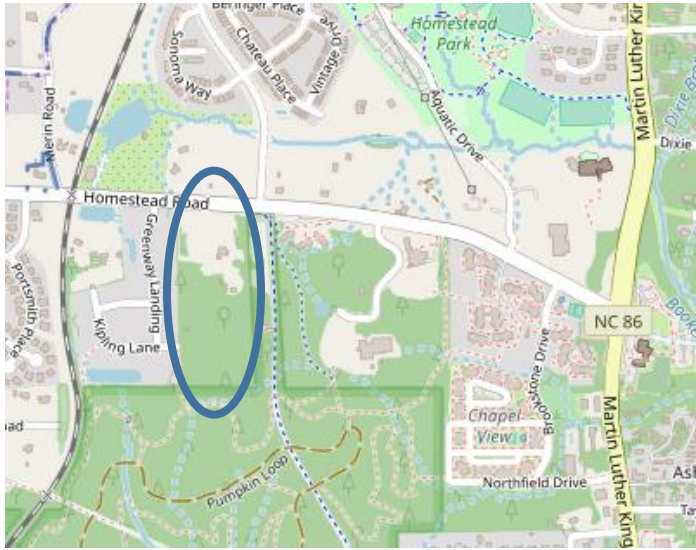




**OPEN THE PUBLIC HEARING: APPLICATION FOR ZONING ATLAS AMENDMENT – ACTIVE ADULT HOUSING, 2217 HOMESTEAD ROAD (PROJECT #17-107)**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES  
 Ben Hitchings, Director  
 Judy Johnson, Operations Manager

PROPERTY ADDRESS	PUBLIC HEARING DATE	APPLICANT
2217 Homestead Road	October 24, 2018	Gurlitz Architectural Group, PA
<p><b>STAFF RECOMMENDATION</b>            That the Council 1) open the public hearing; 2) receive public comment; and 3) continue the public hearing to November 28, 2018. Please see the attached Planning Commission recommendation.</p>		
<p><b>PROCESS</b></p> <p>The zoning designation of a property determines the range of land uses and development intensities permitted on the property. The Council may approve a Zoning Atlas Amendment for any of the following reasons:</p> <ul style="list-style-type: none"> <li>a) to correct a manifest error in the ordinance</li> <li>b) because of changed or changing conditions in a particular area or in the jurisdiction generally</li> <li>c) to achieve the purposes of the Comprehensive Plan</li> </ul> <p>In Chapel Hill, a rezoning may be requested as:</p> <ul style="list-style-type: none"> <li>• <b>General Use Rezoning</b> – to change the zoning to a different zoning district in which any of several kinds of developments and uses are permitted</li> <li>• <b>Rezoning Paired with Special Use Permit</b> – to limit the type of development and uses to that authorized by a Special Use Permit</li> <li>• <b>Conditional Zoning</b> – to change the zoning to a different zoning district with site-specific conditions</li> </ul>	<p><b>DECISION POINTS</b></p> <p>The Council has the discretionary authority to approve or deny a rezoning request. The specific proposal in the accompanying Special Use Permit (SUP) application is related to the rezoning request, and staff believes it is appropriate for the Council to consider the two together. If the Council does not find the SUP proposal to be an acceptable use of the property, staff would recommend that the Council not approve the rezoning request.</p> <p>The applicant is seeking to rezone the property from Residential-2 (R-2) to Residential-5-Conditional (R-5-C). The proposed development includes the following components, which are not allowed in the current zoning district. The change in the zoning would allow:</p> <ul style="list-style-type: none"> <li>• An increase in density from 4 units/acre to 15 units/acre;</li> <li>• An increase in floor area from 69,445 sq. ft. to 226,257 sq. ft.;</li> <li>• Several new potential uses, including multi-family dwellings;</li> <li>• Voluntary compliance with the Inclusionary Zoning density bonus, increasing the floor area to 232,000 sq. ft.</li> </ul>	
<p><b>PROJECT OVERVIEW</b></p> <p>The applicant proposes a rezoning to allow construction of a 190-unit, age-restricted multi-family residential development on 15.73 acres located south of Homestead Road. The project proposes:</p> <ul style="list-style-type: none"> <li>• 232,000 square feet of floor area;</li> <li>• 235 vehicular parking spaces;</li> <li>• 81 bicycle parking spaces; and</li> <li>• Affordable housing contribution of \$315,000 as a payment-in-lieu.</li> </ul> <p>The Planning Commission recommended the Council enact the proposed rezoning of the property.</p>	<p><b>PROJECT LOCATION</b></p> 	
<p><b>ATTACHMENTS</b></p>	<ol style="list-style-type: none"> <li>1. Technical Report</li> <li>2. Draft Staff Presentation</li> <li>3. Resolution of Consistency with the Comprehensive Plan</li> <li>4. Ordinance (Approving the Rezoning)</li> <li>5. Resolution B (Denying the Rezoning)</li> <li>6. Planning Commission Recommendation</li> <li>7. Applicant Materials</li> <li>8. Plan and Area Maps</li> </ol>	



## ZONING ATLAS AMENDMENT APPLICATION ANALYSIS: ACTIVE ADULT HOUSING, 2217 HOMESTEAD ROAD

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

<b>2020 LAND USE PLAN DESIGNATION</b> Medium Residential	<b>2020 FUTURE FOCUS AREA</b> S. Martin Luther King Jr. Blvd. (Area 3)
<b>OTHER APPLICABLE ADOPTED PLANS</b> None identified	
<b>SUMMARY OF CONSIDERATIONS IN FAVOR OF PROPOSED REZONING</b> <ul style="list-style-type: none"> <li>• The proposed 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 R-5-C zoning</li> <li>• 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</li> <li>• 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</li> <li>• The property is located at the intersection of Homestead Road and Weaver Dairy Extension. Properties on two of the other corners of this intersection are currently zoned R-5-C, similar to the proposed zoning designation for this project.</li> <li>• No significant environmental constraints have been identified that would suggest less intense development</li> <li>• 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</li> <li>• The Future Focus Area designation, recent and proposed development nearby, and Town infrastructure projects nearby suggest changing conditions in the area</li> <li>• 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</li> </ul>	
<b>SUMMARY OF CONSIDERATIONS OPPOSED TO PROPOSED REZONING</b> <ul style="list-style-type: none"> <li>• The proposed rezoning would authorize several new uses, including multi-family dwellings.</li> <li>• The property to the west of the proposed rezoning is currently zoned R-2, which does not allow multi-family dwellings. This adjacent property is located further away from the intersection of Homestead Road and Weaver Dairy Extension.</li> </ul>	

### 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 du/ac.

### 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.

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.