



**OPEN THE PUBLIC HEARING: APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION
WEGMANS FOOD MARKET STREET IMPROVEMENTS, 1810 FORDHAM BOULEVARD**

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Judy Johnson, Interim Director
Michael Sudol, Planner II

PROPERTY ADDRESS 1810 Fordham Boulevard	DATE October 30, 2019	APPLICANT Justin Brown, Pennoni on behalf of LG1810 Fordham Blvd, LLC
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STAFF RECOMMENDATION

That the Council open the public hearing, receive evidence on the proposed Special Use Permit Modification, and recess the Public Hearing to November 13, 2019.

STAFF ANALYSIS

The Council adopted a [resolution](#)¹ on October 2, 2019 limiting the scope of the Special Use Permit Modification to the new road access. See attached Key Considerations for additional information.

PROCESS

The application before Council is for approval of a Special Use Permit Modification. The Council must consider the **four findings** for approval, which indicate that the use or development:

1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. would comply with all required regulations and standards of the Land Use Management Ordinance;
3. is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and
4. conforms to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan.

DECISION POINTS

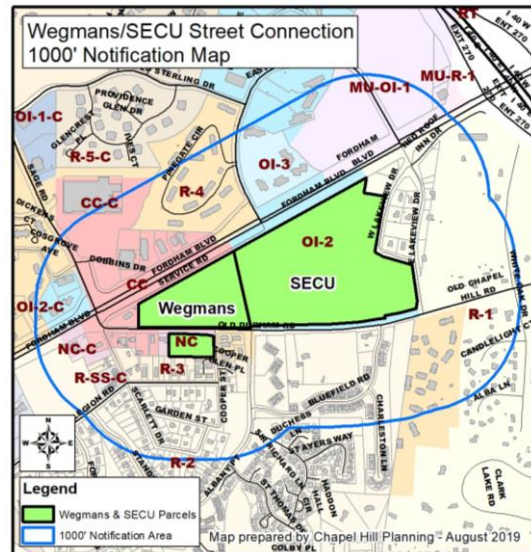
- Does the proposal satisfy the four findings of fact required for the Council to approve a Special Use Permit Modification?
- The revised Transportation Impact Analysis indicates the traffic will be accommodated with the proposed Service Road connection.
- Neighborhood traffic calming information will be brought for the Council’s consideration at the November 13, 2019 meeting as well.

PROJECT OVERVIEW

The applicant proposes a realignment of the US 15-501 Service Road across the adjacent State Employees Credit Union property, creating a full-access connection from the Wegmans development at 1810 Fordham Boulevard to US 15-501. The former Service Road location would be repurposed as a multi-use path.

Additional information from the [Transportation Impact Analysis](#)² will be provided at the Public Hearing on October 30, 2019.

PROJECT LOCATION



ATTACHMENTS

1. Key Considerations and Technical Report
2. Draft Staff Presentation
3. Resolution A
4. Resolution B
5. Advisory Board Recommendations
6. Applicant’s Materials
7. Submitted Plans

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4148998&GUID=EDE1C694-F720-454F-92AE-5D70AF54B821&Options=&Search=>

² <https://www.townofchapelhill.org/home/showdocument?id=44212>

KEY CONSIDERATIONS

Planning Commission Recommendation:

At its October 15, 2019 meeting, the Planning Commission recommended approval adding a condition to include the Transportation and Connectivity Advisory Board's recommendation for a fourth crosswalk at the intersection of Eastowne Drive and US 15-501.

Staff response: We agree and have added the following stipulation to Resolution A:

Transportation and Connectivity Advisory Board Recommendation:

At its September 24, 2019 meeting, the Transportation and Connectivity Advisory Board recommended approval with the following condition:

- That the applicant add a fourth crosswalk on the western side of the Eastowne Drive and US 15-501 signalized intersection.

Staff response: We agree and have added the following stipulation to Resolution A:

Pedestrian Crosswalk: Prior to issuance of a Zoning Final Inspection, the developer shall add a pedestrian crosswalk on the western side of Eastowne Drive and US 15-501 intersection.

TECHNICAL REPORT

- October 25, 2017 Council approved a Special Use Permit Modification for construction of a 130,000 square foot grocery store and 750 parking spaces.
- September 22, 2019 Council heard and provided comments on a Concept Plan for a Special Use Permit Modification to provide access to the Wegmans site from US 15-501.
- October 2, 2019 Council adopted a resolution to limit the scope of a Special Use Permit Modification to the realignment of the US 15-501 Service Road across the State Employees Credit Union property; connection from the Wegmans development at 1810 Fordham Boulevard to the realigned Service Road; and review by the Transportation and Connectivity Advisory Board and the Planning Commission.

Connections to other Documents:







Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)³, the standards of the [Land Use Management Ordinance](#)⁴, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)⁵ and offers the following evaluation:

Comprehensive Plan Themes: The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

³ <http://www.townofchapelhill.org/home/showdocument?id=15001>

⁴ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA

⁵ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input checked="" type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input checked="" type="checkbox"/>		Grow Town and Gown Collaboration

Staff believes the Wegmans Special Use Permit Modification proposal complies with the above themes of the 2020 Comprehensive Plan.

Land Use Plan: The [2020 Land Use Plan](#)⁶, a component of the 2020 Comprehensive Plan, designates this site for Commercial use. The site is also included in Future Focus Area 5: North 15-501.

⁶ <http://www.townofchapelhill.org/home/showdocument?id=1215>











Project Details


Overview

Site Description	
Project Name	Wegmans Food Market Street Improvements
Address	1810 Fordham Boulevard
Property Description	640,824 sq. ft. (14.7 acres)
Existing	Grocery store under construction (previous site of Performance Auto Mall)
Orange County Parcel Identifier Numbers	9799-78-2879 & 9799-78-1484
Zoning	Office/Institutional-2 (OI-2) and Community Commercial-Conditional (CC-C)
	No change proposed.

Development Intensity		
Topic	Comment	Status
Use/Density (Sec. 3.7)	No change proposed.	✓
Dimensional Standards (Sec. 3.8)	No change proposed.	✓
Floor area (Sec. 3.8)	No change proposed.	✓
Modifications to Regulations (Sec. 4.5.6)	No new modifications proposed.	✓
Adequate Public Schools (Sec. 5.16)	Not applicable	N/A
Inclusionary Zoning (Sec. 3.10)	Not applicable	N/A
Landscape		
Buffer – North (Sec. 5.6.2)	No change proposed.	N/A
Buffer – East (Sec. 5.6.2)	No change proposed.	N/A
Buffer – South (Sec. 5.6.2)	No change proposed.	N/A
Buffer - West (Sec. 5.6.2)	No change proposed.	N/A
Tree Canopy (Sec. 5.7)	No change proposed.	N/A
Landscape Standards (Sec. 5.9.6)	No change proposed.	N/A

Environment		
Resource Conservation District (Sec. 3.6)	Not applicable	N/A
Erosion Control (Sec. 5.3.1)	More than 1 acre of land disturbance proposed; Performance bond required.	FP
Steep Slopes (Sec. 5.3.2)	No change proposed.	N/A
Stormwater Management (Sec. 5.4)	No change proposed.	N/A
Land Disturbance	256,377 sq. ft. (Off-site work)	
Impervious Surface (Sec. 3.8)	No change proposed onsite; all new impervious will be within NCDOT Right-of-Way.	
Solid Waste & Recycling	No change proposed.	N/A
Jordan Riparian Buffer (Sec. 5.18)	Not applicable	N/A
Access and Circulation		
Road Improvements (Sec. 5.8)	Realignment of US 15-501 Service Road and construction of multi-use path.	
Vehicular Access (Sec. 5.8)	New access point at US 15-501/Eastowne Dr. intersection.	
Bicycle Improvements (Sec. 5.8)	Multi-use path proposed along current Service Road alignment.	
Pedestrian Improvements (Sec. 5.8)	Sidewalk along Service Road realignment and multi-use path along current alignment.	
Traffic Impact Analysis (Sec. 5.9)	Under Review.	
Transit (Sec. 5.8)	No change proposed.	N/A
Bicycle Parking (Sec. 5.9)	No change proposed.	N/A
Parking Lot Standards (Sec. 5.9)	No change proposed.	N/A
Technical		
Fire	No change proposed.	N/A
Site Improvements	Driveway access and connection to adjoining SECU property.	
Recreation Area (Sec. 5.5)	Not applicable	N/A
Lighting Plan (Sec. 5.11)	No change proposed.	N/A
Homeowners Association (Sec. 4.6)	Not applicable	N/A

Project Summary Legend

Symbol	Meaning	Symbol	Meaning
	Meets Requirements	CDC	Community Design Commission
M	Seeking Modification	HAB	Housing Advisory Board
C	Requires Council Endorsement	TCAB	Transportation and Connectivity Board
FP	Required at Final Plan;	ESAB	Environmental and Sustainability Board
NA	Not Applicable	OCSW	Orange County Solid Waste
PC	Planning Commission	NCDOT	North Carolina Department of Transportation