



ZONING AMENDMENT APPLICATION ANALYSIS: COLUMBIA STREET ANNEX

The following Technical Report provides a staff analysis of the Zoning Atlas Amendment application based on long-range planning considerations, identifying arguments in favor and arguments opposed. The application would effect a change to the current zoning and permitted types and intensities of land uses.

PROPERTY ADDRESS 1150 S Columbia St	APPLICANT Wendi Ramsden, Coulter Jewell Thames PA
CURRENT ZONING DISTRICT R-2	PROPOSED ZONING DISTRICT MU-V
2020 LAND USE PLAN DESIGNATION Low Residential, 1-4 unit/acre	2020 FUTURE FOCUS AREA None
OTHER APPLICABLE ADOPTED PLANS None identified	
SUMMARY OF ARGUMENTS IN FAVOR <ul style="list-style-type: none"> • While the proposed zoning allows more intense development, the concurrent SUP process provides an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties • Topographical challenges may make it difficult to develop the uses allowed under current zoning • Frontage on an interchange may make it difficult to develop the uses allowed under current zoning • Project design would further Comprehensive Plan goals for environmental stewardship • Based on proximity to university, proposed housing would further Comprehensive Plan goals for town and gown collaboration • The site is located at the intersection of two arterial roads which are considered a gateway • Transportation infrastructure along Columbia St could support more intense use 	
SUMMARY OF ARGUMENTS OPPOSED <ul style="list-style-type: none"> • The proposed district allows significantly more intensity for the site compared to existing zoning • A Land Use Plan Amendment is needed prior to consideration of a rezoning. The higher intensity allowed under the proposed district is inconsistent with the 2020 Land Use Plan designation for Low Density. The uses allowed under the proposed district are not entirely consistent with the 2020 Land Use Plan designation (proposed residential is consistent, but not proposed commercial) 	

APPLICANT PROPOSAL

The applicant proposes applying the MU-V district in order to construct a proposed mixed use project with ground floor commercial and upper-story residences, as noted in the Statement of Justification: "The site is zoned R-2 which permits only single family residential and duplexes, with a maximum FAR of .093."

The Land Use Management Ordinance requires a Special Use Permit to be approved for any MU-V district. An SUP application has been submitted in conjunction with the Zoning Atlas Amendment. The conditions of the Special Use Permit would become part of the site's zoning entitlement upon approval.

The Mixed Use-Village (MU-V) Zoning District can be characterized by the following standards:

- **PURPOSE:** Section 3.5.1 of the Land Use Management Ordinance states that "The mixed use districts are intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections and transit corridors in Chapel Hill. They are designed to facilitate stated public policies to encourage design which emphasizes lively, people oriented environments and compatible, visually interesting development."

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- **USES:** Permitted uses for MU districts, as established in LUMO Table 3.7-1, include (but are not limited to) various types of retail, services and businesses; office; hotel/motel; single-family and multifamily residential; research activities; and public facilities. For the MU-V district specifically, LUMO 3.5.1(b) further establishes that multiple uses must be either mixed horizontally with 25% floor area minimums for residential and nonresidential uses, or mixed vertically. The associated Special Use Permit application proposes limiting uses to commercial, office, and multifamily residential. The existing R-2 zoning generally limits uses to single-family or two-family residential; or certain public facilities.
- **DIMENSIONAL STANDARDS:** Established in LUMO Table 3.8-1 and differentiated between different road types for the site's frontage. The subject site fronts on arterial roads. Standards for MU-V arterial include a maximum Residential Density of 20.0 u/ac, maximum Building Height of 70 (setback) to 114 (core) feet, minimum setbacks of 0 feet (except where a solar setback applies), and a maximum Floor Area Ratio of 1.2. The existing R-2 zoning has substantially larger required setbacks, lower permitted heights, lower allowable Density (4.0 u/ac), and lower allowable Floor Area Ratio (.093). Based on the comparison of dimensional standards, the proposed rezoning would allow roughly 5-10 times the amount of development potential for the site.
- **DESIGN AND DEVELOPMENT STANDARDS:** Most are established in LUMO Article 5, including environmental protection, and are the same for both the MU-V and R-2 districts. Parking is handled differently, with the MU-V district requiring only 50% of the minimum parking ratios applied in other districts. Buffers are also not required internal to the district. The MU-V district establishes additional development standards for: Special Use Permit and phasing plan review, outparcel design criteria, and bus stop provision.
- The associated SUP application provides an opportunity to establish a narrower range of uses for the site, along with tailored dimensional standards and development standards, to address potential impacts on surrounding properties in support of a finding that the permitted development would maintain public health, safety and welfare.

SITE CONTEXT

Staff have identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The site is adjacent to an area zoned Neighborhood Commercial (NC), which encompasses the parking lot to the north of the site and the Merritt's restaurant property on the other side of Columbia St.
- Other property surrounding the site is zoned under a residential district, either R-2 or R-4.
- The elevation of the site drops considerably from Columbia St to a stream running through the site. The applicant materials for the associated Special Use Permit note topographical conditions would make it challenging to develop single-family homes on the site, as allowed under current zoning and suggested by the 2020 Land Use Plan designation.
- The applicant describes the location as a gateway into town, based on the prominence of south Columbia St and proximity to UNC's campus.
- The applicant's Statement of Justification also notes that because of the site's frontage on an interchange, "the site is not conducive to being developed for the single family home use for which it is zoned."

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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.

Staff provides the following evaluation of this application’s consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the MU district notes coordinated development of office, commercial, and residential uses and their necessary support functions, which is not consistent with the Low Residential designation on the 2020 Land Use Plan.
- Considering the Special Use Permit application in conjunction with the proposed rezoning, there is a proposed residential focus for the project. This is somewhat more consistent with the Land Use Plan in terms of residential use, but is still inconsistent in intensity. The Low Residential designation supports a density of 1-4 u/ac. The MU-V arterial district allows up to 20 u/ac and the SUP application proposes up to 13.3 u/ac.
- The applicant’s Statement of Justification notes that the project design retains existing forest and is energy efficient in building design and orientation, furthering Comprehensive Plan goals for a green community.
- The Statement of Justification also notes that the site’s proximity to the university campus would allow the proposed housing to serve students and staff, furthering Comprehensive Plan goals for town & gown collaboration.
- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application.

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.

Staff provides below an evaluation of this application based on the three findings. 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.

Finding #1: The proposed zoning amendment is necessary to correct a manifest error.

Arguments in Support	To date, no arguments in support have been submitted or identified by staff.
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that there is no manifest error in the Town’s Zoning Atlas Amendment related to the project site.

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Finding #2: The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

Arguments in Support	<p>Staff notes that the site is located at the intersection of two arterial roads and at a prominent gateway into Chapel Hill that could be considered a place where more intense development activity is appropriate. Transportation infrastructure that has been added to Columbia St, including sidewalks, bike lanes, and bus routes, could support more intense use.</p> <p>Staff also notes that while the proposed intensity exhibits inconsistency with the Comprehensive Plan, this site is part of a gateway area identified for study through the Town of Chapel Hill’s Future Land Use Map update that is currently underway. This effort may result in a revised land use designation and/or identify additional changing conditions for the area.</p>
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in the S MLK Jr Blvd Future Focus Area.

Finding #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

Arguments in Support	<p>The applicant’s Statement of Justification states that the proposed development would contribute to the following elements of the Comprehensive Plan:</p> <ul style="list-style-type: none"> • A range of housing options for current and future residents (Goal-Place for Everyone.3) • Balance and sustain finances by increasing revenues and decreasing expenses (Goal-Community Prosperity and Engagement.1) • Promote a safe, vibrant, and connected (physical and person) community (Goal-Community Prosperity and Engagement.3) • A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal-Getting Around.2) • Make an adaptable transportation system to support both dense and suburban development (Goal-Getting Around.4) • A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal-Getting Around.8) • Low density, green Rural Buffers that exclude urban development and minimize sprawl (Goal-Good Places, New Spaces.1) • A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Goal-Good Places, New Spaces.2) • A community that welcomes and supports change and creativity (Goal-Good Places, New Spaces.6) • Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal-Good Places, New Spaces.8) • Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries (Goal-Nurturing Our Community.2) • Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. These spaces could include, among other things, Significant Natural Heritage Areas (SNHA) lands adjacent to and connecting various properties such as riparian lands, etc. (Goal-Nurturing Our Community.3)
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	<ul style="list-style-type: none">• Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (Goal-Nurturing Our Community.7)• Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal-Nurturing Our Community.8)• Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (Goal-Town and Gown Collaboration.4)• Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Goal-Town and Gown Collaboration.6)
Arguments in Opposition	To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.