

# CONDITIONAL ZONING APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning and Development Services**  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514  
phone (919) 969-5066 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9789297279 & 9789392409

Date: 12 / 03 / 2020

## Section A: Project Information

Project Name: 1200 MLK

Property Address: 1200 & 1204 Martin Luther King Jr. Blvd. Zip Code: 27514

Use Groups (A, B, and/or C): A & C Existing Zoning District: NC & R-4

Project Description: Replacement convenience store, new self storage building, & repositioned mobile homes  
Minimal disturbance to existing mobile home residences, approx. 16 units to be relocated onsite.

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

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

Name: Coulter Jewell Thames, PA – c/o Jeremy Anderson

Address: 111 West Main Street

City: Durham State: NC Zip Code: 27701

Phone: 919-682-0368 Email: JAnderson@cjtpa.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: 04-12-2019

### Owner/Contract Purchaser Information:

**Owner**

**Contract Purchaser**


Name: Jones Estates Group LLC - Peyton Anderson, Manager

Address: PO Box 14466

City: RTP State: NC Zip Code: 27709

Phone: 919-408-7150 Email: accounting@rentstackhouse.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: 02/22/2021

Click [here](#) for application submittal instructions.



# CONDITIONAL ZONING

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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: Commercial (Convenience store & self storage)

**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=	537,504 (OI-2) 68,740 (NC)	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=	16,250 (OI-2) 13,150 (NC)	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	n/a	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	553,754 (OI-2) 81,890 (NC)	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)	247,779 sf
Area of Land Disturbance within RCD	40,257 sf
Area of Land Disturbance within Jordan Buffer	4,960 sf

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	185,316	Per SIA	Per SIA	Per SIA
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%		Per SIA	Per SIA	Per SIA
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



**Section D: Dimensions**

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	57,100	4,742	5,000 + 134,400	139,400
Number of Floors	1		1 & 4	
Recreational Space				

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)	54,704	2,346	0	52,358
Total Square Footage of All Units	54,704	2,346		<b>52,358</b>
Total Square Footage of Affordable Units	54,704	2,346		<b>52,358</b>
Total Residential Density	5.9			5.9
Number of Dwelling Units	73		10	<b>83</b>
Number of Affordable Dwelling Units	73		10	<b>83</b>
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		139,400			
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
<b>Setbacks (minimum)</b>	Street	22	65	22
	Interior (neighboring property lines)	8	36	8
	Solar (northern property line)	9	35	9
<b>Height (maximum)</b>	Primary	34		34
	Secondary	60		60
<b>Streets</b>	Frontages			
	Widths			



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Services

**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
Martin Luther King Jr. Blvd.	100'	66'	5	<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
Martin Luther King Jr. Blvd.	5 and 6	Conc.	<input checked="" 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	57		43
Handicap Spaces	3		2
Total Spaces	60		45
Loading Spaces	2		4
Bicycle Spaces	10		10
Surface Type	Concrete or asphalt		

**Section H: Landscape Buffers**

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
West (MLK JR. BLVD.)	30'	30'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



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**Section I: Land Use Intensity**

Existing Zoning District: **NC & R4**  
 Proposed Zoning Change (if any): **NC & OI-2**

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
OI-2	.264	.046				146,191	25,473
N.C.	.264					21,619	
<b>TOTAL</b>						167,810	25,473
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

**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 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 type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



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TOWN OF CHAPEL HILL  
Planning and Development Services**

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) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

X	<b>Application fee (including Engineering Review fee) (refer to fee schedule)</b>	Amount Paid \$	See attached slip
2/4	<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>		
X	<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>		
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b>		
n/a	<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 \$	286.40
X	<b>Written Narrative describing the proposal, including proposed land uses</b>		
X	<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>		
x	<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)