



**ZONING ATLAS AMENDMENT ANALYSIS:  
Hillmont at 138 Stancell Drive**

The following staff analysis of the Zoning Atlas Amendment is based on long-range planning considerations. An amendment to the Zoning Atlas changes the permitted types and intensities of land uses allowed for a site.

Aspects of the application evaluated in this report include:

- **Consistency with the Comprehensive Plan**, based on the applicant’s proposed zoning district and overall proposed use program.
- **Reasonableness** of the change in zoning, based on the same considerations.
- **Findings of Fact** that provide arguments for or against a zoning amendment in accordance with Section 4.4 of the Land Use Management Ordinance (LUMO).

The Town Council must make findings on each of these three items as part of a Zoning Atlas Amendment action.

GENERAL INFO	
<b>PROPERTY ADDRESS</b> 138 Stancell Drive	<b>APPLICANT</b> Jessie Hardesty, McAdams
<b>CURRENT ZONING DISTRICT</b> MU-V	<b>PROPOSED ZONING DISTRICT</b> R-6-CZD

**CONSISTENCY WITH THE COMPREHENSIVE PLAN**

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>1</sup>, the standards of the [Land Use Management Ordinance](#)<sup>2</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>3</sup> and believes the proposal complies with several themes of the 2020 Comprehensive Plan:

2050 FUTURE LAND USE MAP (FLUM) ELEMENTS		
<b>FOCUS AREA &amp; SUB-AREA</b> NC 54 Corridor + Sub-Area A  FLUM reflects the previous Woodmont Master Land Use Plan (MLUP) and Special Use Permit (SUP) approved in 2008, calling for commercial and high-density residential development.	<b>APPROPRIATE USES</b> Multifamily residential, shops and offices, commercial/office space	<b>OTHER</b> Providing diverse and affordable housing options that support transit and multi-modal systems. Special consideration for developing activated street frontages.  The site was part of the Woodmont MLUP that approved 427,100 square feet of office-type business,

<sup>1</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>2</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALOUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA)

<sup>3</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

	150,400 square feet of residential, and 23,500 square feet of general/convenience business uses.
<b>OTHER APPLICABLE ADOPTED SMALL AREA PLANS</b>	
Goals for the NC 54 East Entranceway (1995)	

North Carolina General Statute 160D-605 requires the Town Council to consider a statement of Plan consistency when reviewing any Zoning Atlas Amendment. Staff provides the following evaluation of this application’s consistency with the 2050 Future Land Use Map and other adopted components of the Chapel Hill 2020 Comprehensive Plan:

Description of Plan Element	Staff Evaluation
<p><b>Future Land Use Map (FLUM)</b></p> <ul style="list-style-type: none"> <li>• Located in the NC 54 Focus Area, Sub-Area A.</li> <li>• Designates the site for multi-story, mixed-use buildings with smaller multi-family buildings near residential frontages.</li> <li>• Encourages greater pedestrian and cyclist-friendly routes along tree-lined activated street frontages and discourages parking along streetscapes.</li> <li>• Encourages multimodal connections and cross-connectivity between sites to accommodate pedestrians, bicycles, and transit where appropriate.</li> <li>• Seeks mixed-income housing near transit, height and density transitions between new and existing development, and buffered protections between new development and lower intensity development and single-family neighborhoods.</li> <li>• Calls for new streets and activated street frontages within Sub-Area A extending from Pearl Lane through to Little John Road. It also shows a new street running north to south, breaking up the block between Barbee Chapel and Little John on Stancell Drive. There is also a second proposed connection from Little John to Barbee Chapel.</li> </ul>	<p>The proposed rezoning is largely consistent with the character envisioned by the FLUM as the proposal emphasizes providing multifamily residential. The applicant has located two apartment buildings along Stancell Drive, siting most of the parking areas away from the road. The street façade design of the new multi-family buildings will need to engage with the street and encourage activity along the street front to comply with the FLUM.</p> <p>Adding density to this area will support future transit stops and routes. A new 10 ft. wide multi-modal path is proposed along the Stancell Drive and Barbee Chapel Road frontages of this site, contributing to alternative forms of transportation.</p> <p>The FLUM calls for activated street frontages in this focus area. These are defined as, “Activated street frontages are frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings or in civic spaces, with no off-street parking between the street frontage and the building/civic space, and lively internal uses visible and accessible from the activated space.” Staff finds that the</p>

		<p>applicant is proposing ground-level residential units abutting parking areas that do not contribute to activated street frontages.</p> <p>It also recommends improving connectivity between sites with connected streets. The applicant has demonstrated that the mixed use Woodmont MLUP proposal is no longer feasible and the street network in the FLUM reflects this prior entitlement. Nevertheless, the applicant is not providing internal connections to adjacent developments including Barbee Chapel Apartments, Morgan Apartments, and Little John Road. New connections to adjacent public right-of-way on Barbee Chapel Road and Stancell Drive are proposed.</p> <p>Finally, the FLUM includes Guiding Statement #9 that supports maintaining Chapel Hill’s appearance and encouraging quality of design and development that the Town Desires through design guidelines. The purpose of the guiding statements is to serve as a reference when considering trade-offs and offer flexibility when guiding land use decisions. The block approach to this project offers flexibility to the applicant and use of design guidelines can help create a unique sense of place within this focus area and foster high-quality architectural and site design and construction.</p>
<p><b>Building Height</b></p>	<p>Up to 6 stories in Sub-Area A, each story measuring approximately 12 feet in height (About 72 ft. tall building)</p>	<p>Applicant proposes buildings measuring 4 to 6 stories in height, consistent with the FLUM. Some buildings will include a walk-out basement that will offer a building height of 60 ft. on the downhill elevation. The applicant has</p>

		requested a modification to regulations to address this.
<b>Mobility And Connectivity</b>	<ul style="list-style-type: none"> <li>• BikePed Intersection Improvements proposed for Barbee Chapel Road – NC-54 intersection.</li> <li>• New multi-modal paths on both sides of NC 54 are emphasized.</li> </ul>	New ten foot (10’)-wide multi-modal paths are proposed along the Stancell Drive and Barbee Chapel Road frontages.
<b>Greenways Master Plan</b>	<ul style="list-style-type: none"> <li>• The Greenways Master Plan encourages off-road pedestrian/bicycle paths along Highway 54 that can extend west towards the UNC campus and east to connect to the American Tobacco Trail.</li> </ul>	The applicant is proposing a 10’ multi-modal path along the Stancell Drive and Barbee Chapel Road frontages of the property.
<b>Chapel Hill Bike Plan (2014)</b>	<ul style="list-style-type: none"> <li>• Chapel Hill residents interested in greater connectivity.</li> <li>• Need to fill gaps in the bicycle network to “create a safer, connected transportation system.”</li> <li>• Calls for enhanced crossing at Barbee Chapel Road and NC-54/Raleigh Road. There is an existing shared use path on both sides of NC 54, to the west of Barbee Chapel Road.</li> </ul>	<p>The application proposes a multi-modal path along its Stancell Drive and Barbee Chapel Road frontages. The Barbee Chapel Road multi-modal path may in the future extend north to Raleigh Road. Internal pedestrian connections will connect the proposed development to future Blocks A, B, C, and D.</p> <p>The applicant also proposes a biking/hiking path internal to the site. Conditions should be incorporated to ensure that the biking/hiking path also connects to the multi-modal paths.</p>
<b>Climate Action and Response</b>	<ul style="list-style-type: none"> <li>• To reduce greenhouse gas (GHG) emissions, plan recommends creating walkable, bikeable, transit-served neighborhoods. It also calls for reducing Vehicle Miles Traveled (VMT) through high density development and connectivity.</li> <li>• To increase walking, biking, and transit use, it encourages better connectivity for all transportation modes.</li> <li>• It also proposes expanding transit availability and connectivity, wherever possible.</li> </ul>	<p>The site offers an opportunity for infill development next to an existing neighborhood, with access to transit stops within walking distance along NC-54, Finley Forest Drive, and at the Friday Center.</p> <p>The developer also proposes new multi-modal paths that could connect to future adjacent developments and multi-modal routes along NC-54.</p>
<b>Chapel Hill 2020 Goals</b>	<p>Opportunities for this application to support goals of Chapel Hill 2020 include:</p> <ul style="list-style-type: none"> <li>• The proposal meets the goal of providing a range of housing options for current and future residents (<i>A Place for Everyone</i>.3). The proposal is for a garden-style apartment community of no more than 374 units containing a mix of one-, two-, and three-bedroom apartments with the potential for an additional 126 multi-family units on Blocks A, B, and C in the future (Total 500 units possible).</li> </ul>	

	<ul style="list-style-type: none"> <li>• The proposal promotes a safe, vibrant, and connected (physical and person) community (<i>Community Prosperity and Engagement.3</i>) through its proximity to Meadowmont Village and Falconbridge Center, providing access to local businesses, restaurants, retail, and services.</li> <li>• The proposal meets the goals of contributing to a connected community that links neighborhoods, businesses, and schools through greenways, sidewalks, bike facilities, and public transportation (<i>Getting Around.1</i>) due to the site’s proximity to regional bus routes along NC-54, Meadowmont on the opposite side of NC-54, the Friday Center to the west, and adjacent residential neighborhoods. (<i>Getting Around.3, 5, 6</i>)</li> <li>• The project is adjacent to existing single- and multi-family development, contributing to a range of neighborhood types that addresses residential needs while also being in proximity to the Friday Center, Meadowmont, and the Falcon Center that provide commercial, social, and cultural needs and uses while building and evolving Chapel Hill’s character for residents, visitors, and students (<i>Good Places New Spaces.5</i>). Further, the proposal is consistent with the FLUM and provides higher density housing development that will strengthen the community, social equity, economic prosperity, and natural environment by providing a range of apartment sizes for different income levels and life stages. (<i>Good Places New Spaces.8</i>).</li> <li>• The proposal seeks to maintain and improve air quality and water quality, as well as manage stormwater to conserve biological ecosystems (<i>Nurturing Our Community.2</i>). The project seeks to minimize impact to the RCD except where necessary to provide sidewalk and roadway stream crossings. The proposal also proposes including trails and greenways throughout the development that connect to multi-modal paths along Stancell Drive and Barbee Chapel Road. All stormwaters will be detailed and treated onsite with multiple wet ponds and an underground control measure, limiting the impacts of the development on adjacent neighborhoods.</li> <li>• The proposed apartment development will provide housing for various residents, including students over age 21 and campus employees. Access to the S and G routes will provide direct connections to UNC via transit. This supports the Town’s goal of providing 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 (<i>Town and Gown Collaboration.4</i>) Additionally, the proposal promotes residents’ access to healthcare centers, public services, and active lifestyle opportunities (<i>Town and Gown Collaboration.6</i>).</li> </ul>
<p><b>Complete Communities</b></p>	<p>Opportunities for this proposal to support the Complete Communities strategy include:</p> <ul style="list-style-type: none"> <li>• Creating denser development that is less dependent on automobiles (Goal 2). The proposed project will build additional density by constructing up to 500 new housing units adjacent to a new internal system of trails, 10-foot multi-modal paths along Stancell Drive and Barbee Chapel Road, and within walking distance to transit stops along NC 54 and the Friday Center. The site’s proximity to multi-modal transportation options may reduce vehicular dependency.</li> <li>• The plan links adding density and sustainability by concentrating development along transit corridors, connected street networks, and within</li> </ul>

	<p>walkable neighborhoods (Goal 3). The site is near existing multi-modal transportation options, including transit routes that provide connections to downtown and surrounding neighborhoods.</p> <ul style="list-style-type: none"> <li>The applicant proposes to maintain 5.93 acres as dedicated open space for passive and active recreation. As proposed, the green space will be reserved for use of the residents of the multi-family housing development, but will not be publicly accessible.</li> </ul>
<p><b>Shaping Our Future</b></p>	<p>This project is in the NC-54 Focus Area of the Transit Oriented Development Plan. While outside of the BRT Corridor, NC 54 accommodates tens of thousands of people each day that travel to UNC Health, UNC Chapel Hill, and the downtown area. The FLUM envisioned compact, mixed-use developments along the corridor as well as linear greenspaces to transform the highway into an urban streetscape. The plan also specifically calls for a mix of higher density single-family homes, townhomes, and missing middle housing to the east of Barbee Chapel Road and identifies this site for podium or wrap apartments. The plan estimates that 800 new homes are needed in this area to meet Chapel Hill’s growth needs.</p> <p>The plan also calls for pedestrian and cycling enhancements including:</p> <ul style="list-style-type: none"> <li>Sidewalk extensions along the east side of Barbee Chapel Road</li> <li>Sidepath extension along the south side of NC 54/Raleigh Road to Downing Creek Pathway</li> </ul> <p>The proposed development is aligned with the goals of Shaping Our Future. The applicant proposes to construct a maximum of 500 units on the east side of Barbee Chapel Road. New 10-foot-wide multi-modal paths will be constructed along the Stancell Drive and Barbee Chapel Road frontages.</p> <p>Per the plan, podium apartments are anticipated to develop 50-60 net dwelling units per acre while wraparound apartments may generate 60-80 dwelling units per acre. The proposed development is anticipated to generate roughly 13.9 units per acre. The applicant could seek to add more density.</p>
<p><b>NC 54 East Entranceway (1995)</b></p>	<p>Though retired, the plan calls for:</p> <ul style="list-style-type: none"> <li>Variety of housing types within each neighborhood that address different income levels and life stages</li> <li>Office and retail that respond to neighborhood needs</li> <li>Clustered development that preserves green space while providing for community gathering spaces</li> <li>Pedestrian- and bike-friendly environments and connected street patterns that encourage the use of transit as well as reduce vehicle dependency</li> <li>Preservation of natural vistas and development that limits impacts to environmentally sensitive areas</li> </ul>

**REASONABLENESS OF THE ZONING ATLAS AMENDMENT**

Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The analysis below considers the applicant’s proposed zoning district and overall proposed use program. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

**SUMMARY OF ANALYSIS FOR REASONABLENESS**

**Supporting Factors**

- The proposed zoning is consistent with the Land Use Category shown on the Future Land Use Map, provided that zoning conditions are applied to ensure a compatible density.
- Rezoning to accommodate redevelopment may be considered reasonable.
- The proposed zoning allows only residential uses, which is consistent with other existing residential uses in the surrounding area.
- Provision of affordable housing in this location aligns with multiple themes of Chapel Hill 2020.
- Zoning conditions provide an opportunity address any impacts on surrounding properties.

**Other Considerations**

- The current Mixed Use-Village (MU-V) (Collector) zoning allows for a density of 15 units per acre. The MU-V zoning encourages vertical mixed-use buildings that include at least 25% office/commercial and 25% residential uses. The applicant proposes a Residential-6-Conditional Zoning District (R-6-CZD). The R-6 underlying zoning allows a density of 15 units per acre, and the applicant proposes a density of 13.9 units per acre.
- The MU-V zone emphasizes multi-modal transportation and reduced car dependency. It calls for linking separate land uses by a continuous system of sidewalks or trails. It seeks to reduce the minimum parking requirements by 50% and creation of bus stops within one-half (1/2) mile of dwelling units and office buildings. While bus stops are available along NC 54, Finley Forest Drive, and at the Friday Center, this site’s location remains auto dependent.
- The MU-V (Collector) zoning district restricts the floor area ratio (FAR) to 0.500 and R-6 would permit a reduced FAR at 0.303. As proposed, the applicant’s FAR of 0.403 is about one-third larger than what is currently contemplated for the R-6 zoning district and the FAR is more consistent with the higher densities anticipated for this area by the FLUM and Shaping Our Future.
- The FLUM anticipated that future transit service would help connect established and expected compact, mixed-use development, but warned that densities and intensities should be reconsidered if transit is not constructed. The NC-54 Corridor Focus Area envisioned the Town’s transit system connecting existing developments at Glen Lennox and Meadowmont as well as future transit-oriented, higher density development. Transit has not yet been improved along NC-54. This development and other projects underway at adjacent sites propose to significantly increase in the number of residents along this road and greater demand for transit than the SFRES development that has previously characterized this neighborhood.
- Further analysis and/or zoning conditions may be needed to determine whether adequate pedestrian connectivity, vehicular access, and transit service are in place to support the proposed zoning.
- Existing regulations include measures for protecting environmental features such as steep slopes and the Resource Conservation District. Zoning conditions are useful for enhanced protection, if warranted by further environmental analysis.

**APPLICANT PROPOSAL**

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<b>Project Description</b>	The applicant proposes to construct a maximum of 500 units distributed through residential villages created by apartments, townhouses, and/or single-family rental units.	
<b>Proposed Zoning Atlas Amendment (ZAA)</b>	From MU-V (Collector) for the Woodmont development to Residential-6-Conditional Zoning District (R-6-CZD)	<p><b>Notes:</b> The submittal of a Conditional Zoning application allows review of the development proposal in conjunction with the rezoning and allows site-specific standards to be formulated and applied as conditions through a legislative process.</p> <p>A -CZD suffix would be applied to acknowledge approval of conditions.</p>
<b>Applicant Reasoning for ZAA</b>	To abandon the existing MLUP and SUP and allow redevelopment of a 11 single family parcels into a 500-unit development containing multi-family buildings, townhouses, and potentially single-family units.	

**Comparing Proposed Permissible Development to Existing**

The property is currently encumbered by the Woodmont Master Land Use Plan (MLUP). The 2008 approval called for traffic light and street improvements along Barbee Chapel Road, Stancell Road, and Little John Road. It also required greenway and bike path extensions and improvements, the construction of a new internal street system, and payments-in-lieu for transit and park-ride. These improvements supported the proposed development of 601,000 square feet, including 427,100 square feet of office-type business, 150,400 square feet of residential, and 23,500 square feet of general/convenience business uses. The Mixed Use-Village (MU-V) Collector zoning limits density to 15 units per acre.

The R-6-CZD zoning district is sought to reflect a revised proposal to construct residential villages containing a maximum of 500 of for-rent garden-style flats to multi-story townhomes.

The R-6 zoning district allows multi-family developments up to 15 units per acre, but, unlike the MU-V Local zoning district, does not allow a mix of office, commercial, and residential uses. As proposed, the applicant is requesting a density of 13.9 units per acre. The R-6-CZD zoning district allows for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatible with surrounding development.

	<b>LUMO Standard for R-6-CZD</b>	<b>Staff Evaluation</b>
<b>District Intent</b>	<p><u>Section 3.3.9:</u> The R-6 zoning district is intended to provide for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development.</p>	<p>The proposed multi-family development meets the intent of the proposed zoning district. Adjacent land uses include existing single-family residential and multi-family developments along Barbee Chapel Road as well as a gas station and car wash closer to NC-54.</p> <p>Sidewalk connections are limited in this area and currently only exist along the Finley Forest and Morgan Reserve Apartments frontages.</p>



		Zoning conditions would be useful to ensure that performance expectations for multi-modal transportation and affordable housing are achieved.
<b>Permitted Uses</b>	<p><u>Table 3.7-1</u>: Permitted uses in R-6-CZD include the full range of single-family and multifamily dwelling types. Other uses, including essential services, places of worship, public cultural facilities, and public facilities are permitted uses.</p> <p>Business and retail uses are not allowed.</p>	The associated Conditional Zoning application proposes a mix of multi-family, townhouse, and potentially single-family units, the density of which is only slightly larger than what is already allowed by the R-6 zoning district.
<b>Dimensional Standards</b>	<p><u>Table 3.8-1</u>: Standards for R-6-zone are broadly permissive for development. The main factor limiting development intensity is the density and floor area ratio.</p> <ul style="list-style-type: none"> <li>• Density limits of 15 units/acre</li> <li>• Maximum Building Height of 39 ft at the setback line and 60 ft at the site core</li> <li>• Minimum Street Setback of 20 ft</li> <li>• Maximum Floor Area Ratio (FAR) of 0.303</li> </ul>	<p>The associated Conditional Zoning application proposes:</p> <ul style="list-style-type: none"> <li>• Maximum of 500 dwelling units, resulting in a Residential Density of 13.9 units/acre</li> <li>• Maximum Building Height of 35 ft at the setback line and 60 ft at the site core</li> <li>• Minimum Street Setback of 20 ft</li> <li>• 476,360 sq ft, resulting in a Floor Area Ratio of 0.403</li> </ul> <p>Zoning conditions would be useful to ensure appropriate development intensity.</p>

**Design and Development Standards**

Other standards (including landscape buffers, parking spaces, stormwater treatment, etc.) are established in LUMO Article 5 and are applicable to both the existing MU-V zoning and the proposed R-6-CZD. A change in zoning district would not change how Article 5 standards apply.

The Conditional Zoning application provides an opportunity to establish conditions that modify development standards to address impacts reasonably expected to be generated by development.

**Consideration of the Site and its Surroundings**

	<b>Description</b>	<b>Staff Evaluation</b>
<b>Existing Use and Surroundings</b>	The site currently contains 11 single family houses and associated improvements. To the north is a service station and car wash, to the west is the proposed	Rezoning a developed site to support and accommodate redevelopment may be considered reasonable as the proposed redevelopment is consistent with the goals of the FLUM.

	<p>Barbee Chapel Hill and beyond is the Finley Forest Condominiums, and the Morgan Reserve and Morgan Chapel Hill apartments are to the south. Directly east of the site is single-family residential development along Little John Road.</p>	<p>Rezoning to support development of housing types that are compatible with and/or similar to surrounding housing types may be considered reasonable.</p>
<p><b>Adjacent Zoning Districts and Land Uses</b></p>	<p><u>North:</u> Residential-1 (R-1) directly opposite the development on the other side of NC 54. To the northwest is Meadowmont.</p> <p><u>East:</u> The east side of the property is bordered by single-family residential development along Little John Road.</p> <p><u>South:</u> Directly south of the development is the The Morgan at Chapel Hill Apartments.</p> <p><u>West:</u> Along Stancell Road, there is a mix of commercial uses including a photography studio, car wash, and fuel station. Adjacent to the property, the proposed Barbee Chapel Hill Apartments borders its west property line.</p>	<p>R-6-CZD is a zoning district that typically relies on zoning conditions (e.g. height, setbacks) to ensure compatibility with adjacent zoning districts. Because the surrounding neighborhood includes higher density development than what currently exists on the site, it's reasonable to rezone this property R-6-CZD to encourage higher density development that will support existing transit routes along NC-54 and Barbee Chapel Road.</p> <p>The surrounding area has seen a shift from single family residential on large lots to denser residential uses containing multiple multifamily and mixed-use developments. Zoning conditions would be useful to ensure that the scale of the proposed multi-family dwellings is compatible with the surrounding built environment.</p>
<p><b>Transit Service</b></p>	<p>Bus stops are available within the Finley Forest and Friday Center developments. These are serviced by the G and S bus routes. No new transit stop is proposed for this development.</p>	<p>Some available transit service is nearby. It is not clear at this time whether the existing level of service makes a change in zoning for more intense development reasonable.</p> <p>Zoning conditions would be useful to address contributions towards future transit improvements that support any expanded services required by this project and adjacent developments in the future.</p>
<p><b>Roads and Vehicular Access</b></p>	<p>Access to the site is from Stancell Drive and Barbee Chapel Road, both classified as NCDOT rights-of-way. The property has direct frontage on these streets.</p>	<p>For the initial phase of development, the block closest to Stancell Drive will be constructed. Stancell Drive is a private street. The applicant proposes constructing a private road running from Barbee Chapel Hill Road, a collector, east through the development and then north to connect to Stancell Drive.</p>

<p><b>Pedestrian &amp; Bike Facilities (existing)</b></p>	<p>Sidewalks currently exist only along the Barbee Chapel frontage of Finley Forest Condominiums and the Morgan Reserve Apartments.</p>	<p>The surrounding area has some elements of a multimodal network, and the applicant proposes to construct a new 10 ft. wide multi-modal path along their street frontage.</p> <p>Zoning conditions may be warranted to ensure adequate pedestrian connectivity.</p>
<p><b>Streams/ Wetlands/ Floodplain</b></p>	<p>No floodplain impacts the site. There is an intermittent stream located outside of the northeast corner of the site on adjacent property</p>	<p>RCD cuts across the northern portion of the site, running east to west, parallel to Stancell Drive.</p>
<p><b>Topography</b></p>	<p>The site slopes down towards the northeast corner of the site. Steep slope areas exist adjacent to the existing houses and Barbee Chapel Road.</p>	<p>Areas of steep slope are associated with the existing development and are located along the western edge of the site near the pond. Several slopes have been constructed around existing buildings as well as the access drive. Following removal of the existing building and the farm pond, these slopes will be regraded.</p>

**LAND USE MANAGEMENT ORDINANCE FINDINGS OF FACT**

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings are made.

<p><b>FINDING #1:</b> The proposed zoning amendment is necessary to correct a manifest error.</p>	
<p><b>Arguments</b></p>	<p>To date, no arguments in support or in opposition have been submitted or identified by staff.</p>
<p><b>Staff Evaluation</b></p>	<p>There appears to be no manifest error in the Town’s Zoning Atlas.</p>

<p><b>FINDING #2:</b> The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.</p>	
<p><b>Arguments</b></p>	<p>Staff notes that the FLUM envisions this area to be a denser, mixed-use area serving as a gateway along NC 54. A mixed-use office development was approved for this site in 2008, and this property is under consideration for a future multi-family housing development.</p> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<p><b>Staff Evaluation</b></p>	<p>The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in Chapel Hill.</p>

<b>FINDING #3:</b> The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	
<b>Arguments</b>	<p>Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following:</p> <ul style="list-style-type: none"> <li>• Facilitating development that implements the Land Use Category designated on the Future Land Use Map.</li> <li>• Supporting goals of Chapel Hill 2020 including <i>A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places-New Spaces, Getting Around, and Town and Gown Collaboration.</i></li> </ul> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

Further information may be presented for the Council’s consideration as part of the legislative hearing process. All information submitted at the legislative hearing will be included in the record of the hearing.