

**ORDINANCE A**

(Rezoning from Residential-3 (R-3) to Residential-Special Standards-Conditional (R-SS-C))

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS FOR MERRITT MILL EAST, MULTI-FAMILY DEVELOPMENT AT 800 S. MERRITT MILL ROAD (ORANGE COUNTY PARCEL IDENTIFIERS # 9778-93-3103 and 9778-93-4008) (PROJECT #17-098)(2018-04-25/O-1)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application from CASA NC to amend the Zoning Atlas to rezone property described in the accompanying rezoning application for the Merritt Mill East, Multi-family Development at 800 S. Merritt Mill Road from Residential-3 (R-3) to Residential-Special Standards-Conditional (R-SS-C) and finds that the amendment, if enacted, is in the public’s interest and is warranted to achieve the purposes of the comprehensive plan:

- Chapel Hill has a shortage of affordable rental units, particularly those under 50% AMI. This development will include 24 rental units that are affordable to household under that income level. (Place For Everyone.3)
- If a family cannot afford to live in Chapel Hill, they cannot experience access to opportunities. (Place For Everyone.4)
- The development will convert a vacant, underutilized urban infill lot into a vibrant residential community which connects tenants to walkable amenities in both downtown Chapel Hill and downtown Carrboro as well as convenient transit connectivity to the greater community. (Community Prosperity and Engagement.3)
- The development will activate a vacant urban lot, and the provision of sidewalks and bicycle parking facilities will create non-vehicular connections to the many nearby amenities. (Getting Around.2)
- In order to minimize sprawl outside urban areas, the Town must maximize density within urban areas. The development will be moderate density of approximately 15 units/acre. (Good Places, New Spaces.1)
- Providing more high-quality affordable housing in Chapel Hill is critical to strengthening social equity and economic prosperity for many Chapel Hill households. (GPNS.8)
- While this development will not provide housing to full-time students, it will help to fill a critical need in housing for the many employees of our local institutions who earn less than 60% of AMI (currently \$30,840 for a single individual or \$43,980 for a family of 4) such as grounds workers, cafeteria and food service workers, janitorial workers and nursing assistants. (Town Gown Collaboration.4)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

**SECTION I**

**LEGAL DESCRIPTION OF A 0.85 ACRE PARCEL BEING THE PROPERTY OF Greenstreet Builders (TM 7.100.C.17A)**

The Orange County parcel identified by Parcel Identification Number 9778-93-3103 along with one-half of the abutting right-of-way of S. Merritt Mill Road to be rezoned to Residential-Special Standards-Conditional (R-SS-C) and lying and being in Chapel Hill Township, Orange County North Carolina on the West side of Merritt Mill Road and being a part of Tract 5 of the Subdivision of the property of the National Munitions Corporation, as surveyed by J. Ralph Weaver of May 4, 1964 and more particularly described as BEGINNING at a stake in the centerline of Merritt Mill Road, the Southeast corner of the Jesse Lyons and Marie W. Lyons property; running thence with the centerline of Merritt Mill Road North 85 degrees East 40 feet to another point in the centerline; running thence North 72 degrees 02 minutes East 71.52 feet to a third point in the centerline of said road, a corner with Henry A. Atwater; running thence North 10 degrees 37 minutes West 21.38 feet to a stake in the northern margin of the road; running thence North 120 degrees 37 minutes West 131.30 feet to a stake; running thence North 86 degrees 59 minutes East 94.14 feet to a stake, a corner with Ed Carver; running thence with Carver's line North 20 degrees West 98.47 feet to a stake, a corner with the Town of Chapel Hill; running thence with the Town's line North 53 degrees 19 minutes 30 seconds West 34.60 feet to a stake; running thence North 81 degrees 58 minutes West 50.00 feet to a stake, a corner with Sturdivant and Lyons; running thence South 3 degrees 57 minutes 10 seconds 22.78 feet back to the point and place of BEGINNING and being a part of the property conveyed to Fred Watson by deed of K. B. Cole et al, dated May 16, 1946 and containing .905 acres according to the plan and survey by Clay V. Fulton R. L. S. dated January 6, 1977, entitled "Property of Columbus G. Watson." (TM 7.100.C.17A)

**LEGAL DESCRIPTION OF A 0.25 ACRE PARCEL BEING THE PROPERTY OF GREENSTREET BUILDERS (DB 4258, Page 502)**

The following metes and bounds within the Orange County parcel identified by Parcel Identifier Number (PIN) 9778-93-4008 along with one-half of the abutting right-of-way of S. Merritt Mill Road to be rezoned to Residential-Special Standards-Conditional (R-SS-C) one half of the certain lot or parcel of land situated, lying and being south of the Town of Carrboro, N.C. on the north side of Merritt Mill Road and being a part of Tract 5 of the subdivision of the property of National Munition Corporation as survey by Ralph Weaver on May 4, 1964, and more particularly described as:

Beginning at a stake or the southwest corner of Willie Carver's property thence running West with the North line of the front lot to a point comprising on half of the said front lot; thence running southward to the north of the right-of-way line of Merritt Mill Road; Thence running eastward with said line to the point and place of beginning, and being a part of the property conveyed to Fred Watson by deed of K. C. Cole et al dated May 16, 1946 then conveyed to Columbus Garrett Watson by deed, and as surveyed by Ralph Weaver, registered surveyor, on May 4, 1964 being also that property conveyed to Henry Anderson Atwater by deed recorded in Book 199, page 557, Orange County registry;

And being more particularly described as beginning at an iron stake located in the Northern margin of the right-of-way of Merritt Mill Road at the Southwest corner of the property of Edward Carver Jr. as described in Book 150, Page 375, Orange County registry (being a control corner, NAS 1983 [corps], N = 793,080.10 feet, E = 1,979,512.62 feet); running thence from such beginning point along the Northern margin of the right-of-way of Merritt Mill Road the following courses and distances; south 67 degrees, 43 minutes, 34 seconds West 51.95 feet to an iron stake and south 74 degrees, 45 minutes, 14 seconds west 56.47 feet to an iron stake; located on the Southeast corner of the property of Sustainable Living, Inc. and in the Northern margin of the right-of-way of Merritt Mill Road as described in Book

3962, Page 305, Orange County registry; running thence with the property of Sustainable Living, Inc. the following courses and distances: North 11 degrees, 57 minutes, 05 seconds West 110.77 feet to an iron stake and North 85 degrees, 31 minutes, 11 seconds East 94.08 feet to a pipe; running thence South 21 degrees, 20 minutes, 06 seconds East 87.15 feet to the point and place of beginning, containing 0.231 acres (10,055 square feet), according to the unrecorded survey prepared by Terry L. Westendorf, PLS, and dated February 24, 2010.

The property described hereon is subject to all rights-of-way, easements and restrictions of record.

## **SECTION II**

That all ordinances and portions of ordinances in conflict are hereby repealed.

This the 25th day of April, 2018.