

RESOLUTION B
Denying the Conditional Zoning Application

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE BARBEE CHAPEL APARTMENTS TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (2023-05-24/R-16)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by McAdams, on behalf of contract purchaser Toll Brothers Apartment Living and property owners Don W Pendergraft, Frank Herlant, Stephen D Pendergraft, Sandy L Pendergraft, Square Wheel Ventures LLC, Quentin Todd Krantz, Donna Roberson Sayers, Roderick Lane Roberson, and Elmdale and Pearl Lane LLC, to rezone a 10.46-acre collection of parcels located at 5101 Barbee Chapel Drive on property identified as Durham County Property Identifier Numbers 9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550, if rezoned to Residential-6-Conditional Zoning District (R-6-CZD) according to the rezoning plan dated February 21, 2023, and the conditions listed would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to rezone the Barbee Chapel Apartments to Residential-6-Conditional Zoning District (R-6-CZD).

This the 24th day of May 2023.