



**CONSIDER AN APPLICATION FOR CONDITIONAL ZONING AT COLUMBIA STREET ANNEX FROM RESIDENTIAL-2 (R-2) TO MIXED USE-VILLAGE-CONDITIONAL ZONING DISTRICT (MU-V-CZD)**

**STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Colleen Willger, Director  
 Judy Johnson, Assistant Director  
 Jake Lowman, Senior Planner

<b>PROPERTY ADDRESS</b> 1150 S. Columbia Street	<b>DATE</b> March 24, 2021	<b>APPLICANT</b> Wendi Ramsden, Coulter Jewell Thames on behalf of David Robert and C. H. Hotel Associates Limited Partnership
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**UPDATES SINCE THE FEBRUARY 24, 2021 PUBLIC HEARING**

Council requested revised Stormwater Management stipulations. Updated materials and Revised Ordinance A, including updated stipulations, are included with this packet. With the Future Land Use Map adoption, Resolution B, Land Use Plan Amendment has been removed.

At the [February 24, 2021](#)<sup>1</sup> Public Hearing, the applicant presented revised site drawings and elevations that:

- Reduced the height and broke up the massing of the building
- Stepped the height of the retaining wall in the rear
- Decreased the maximum residential and office floor area and increased the number of overall units
- Committed to stream restoration and stormwater mitigation requirements

**TOWN MANAGER RECOMMENDATION**

That the Council adopt Resolution A, Resolution of Consistency, and enact Revised Ordinance A, approving the proposal.

**ZONING**

*Current:* Residential-2 (R-2) (Approximately 4 acres)

*Proposed:* Mixed Use-Village-Conditional Zoning District (MU-V-CZD)

**PROCESS**

Conditional Zoning is a legislative process. It allows the Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties.

**PROJECT OVERVIEW**

The Columbia Street Annex project is located at the northwest corner of S. Columbia Street and the westbound on-ramp of NC 54. The proposed development includes:

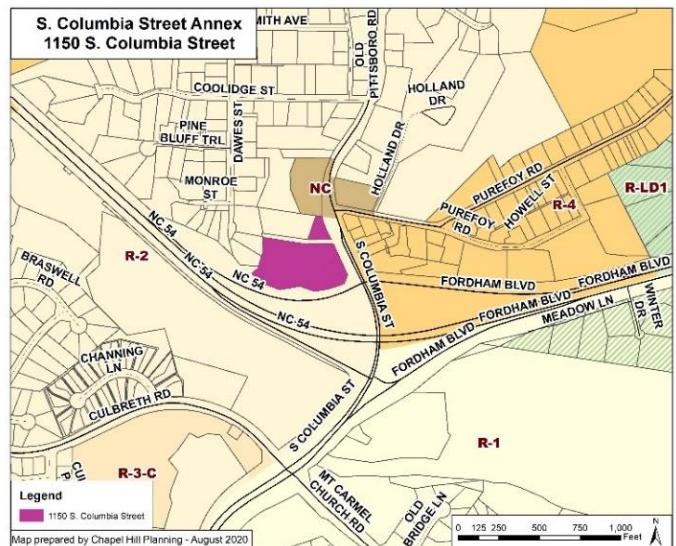
- 4-5-story building set into the slope west of S. Columbia Street.
- up to 54,000 sq. ft. of residential floor area, for a maximum of 60 units including 9 affordable units (15%).
- maximum of 3,000 sq. ft. of business/office space
- full-access driveway off S. Columbia Street with sidewalks and underground parking.

**DECISION POINTS**

The applicant requests the following modifications to regulations:

- Steep slope regulations
- Encroachment into the Resource Conservation District
- Reduced landscaping standards
- Mixed Use-Village land use mix standards

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Updates since the February 24 Public Hearing

<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804392&GUID=D594F7A1-0414-479E-BE0F-1C3AB2AE81FD&Options=&Search=>

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|  | <ol style="list-style-type: none"><li>4. Resolution A (Resolution of Consistency)</li><li>5. Revised Ordinance A (Enacting the Ordinance)</li><li>6. Resolution B (Denying the Application)</li><li>7. Advisory Board recommendations</li><li>8. Revised Planning Commission Recommendation January 19, 2021</li><li>9. Applicant Materials</li><li>10. Applicant Materials for February 24, 2021</li><li>11. Traffic Impact Study Executive Summary</li><li>12. Town of Chapel Hill Stormwater Vegetative Riparian Buffer and Stream Classification</li><li>13. State Stream Determination Letter dated June 19, 2018</li><li>14. Council Questions with Staff Response</li><li>15. Emails from the Public</li></ol> |
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# TECHNICAL REPORT

## KEY CONSIDERATIONS

**Planning Commission:** At the [October 20, 2020 meeting](#), the Planning Commission recommended approval with the following modifications to Ordinance A:

- Bicycle parking should be significantly increased on-site.

*Staff Response:* The applicant has provided the minimum number of bicycle parking on site.

- If we want people to use transit they need to be able to reach it as safely and efficiently as possible, then the existing pedestrian crosswalk by the bus stop should be retained- the southern cross walk is the more direct route to current bus stop and likely location of future BRT stop.

*Staff Response:* The current crosswalk will be moved to construct the left turn lane into the site, per NCDOT and Town. Staff recommends that a second crosswalk be installed at the NC 54 intersection with S. Columbia Street. The following stipulation is included in Revised Ordinance A:

*Pedestrian Improvements:* Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans for a pedestrian-activated signal with Rectangular Rapid Flashing Beacons for the crosswalk north of Purefoy Road on S. Columbia Street. The plans shall include ADA ramps aligned to serve the crosswalk location. The developer shall also provide a pedestrian crosswalk north of the 54 Bypass intersection with S. Columbia Street. The design of the crosswalks must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit.

- This is a terrible intersection - having both a southern and northern crossing signals to cars that they should slow down

*Staff Response:* Staff recommends the applicant work with NCDOT for appropriate signage along S. Columbia Street.

**Transportation and Connectivity Advisory Board:** At the [September 22, 2020 meeting](#), the Transportation and Connectivity Advisory Board recommended denial, and asked that Council consider the following:

- 50 percent reduction of total parking spaces.

*Staff Response:* The Mixed Use-Village (MU-V) district allows for a 50 percent reduction in the minimum number of parking spaces, and the developer has identified that they may reduce the parking further than what is projected currently.

- Dedicate transportation network company (TNC) parking spaces.

*Staff Response:* There are loading spaces at the back of the structure. Staff recommends that these parking spaces be considered for use by transportation network companies (such as Uber or Lyft).

- No Right on Red movements when the pedestrian signals are activated.

*Staff Response:* The following stipulation is included in Revised Ordinance A:

*Right Turn on Red Restrictions: If the pedestrian signals are activated, the signal design include a restricted right-turn on red movement subject to review and approval by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit.*

- Install a crosswalk north of the S. Columbia Street and NC 54 Bypass intersection and install a crosswalk south of the S. Columbia Street and Purefoy Road intersection.

*Staff Response:* The following stipulation is included in Revised Ordinance A:

*Pedestrian Improvements: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans for a pedestrian-activated signal with Rectangular Rapid Flashing Beacons for the crosswalk north of Purefoy Road on S. Columbia Street. The plans shall include ADA ramps aligned to serve the crosswalk location. The developer shall also provide a pedestrian crosswalk north of the 54 Bypass intersection with S. Columbia Street. The design of the crosswalks must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit.*

- Coordinate with Town Staff on the NS BRT station location to ensure safe and convenient access for pedestrians.

*Staff Response:* Additional traffic counts, to be completed prior to issuance of a Final Plan Zoning Compliance Permit, will include the impacts of the North-South Bus Rapid Transit (BRT). The following stipulation is included in Revised Ordinance A:

*Traffic Counts: Prior to issuance of a Zoning Compliance Permit, additional traffic counts shall be conducted at locations to be review and approval by NCDOT and the Town. The report shall address the North-South Bus Rapid Transit project.*

- Provide improved lighting at the crosswalks.

*Staff Response:* Staff recommends the following stipulation in Revised Ordinance A:

*Pedestrian Crossings Lighting: Prior to issuance of a Zoning Inspection Final, adequate lighting shall be provided at both pedestrian crosswalks on S. Columbia Street. Designs shall be reviewed and approved by NCDOT and the Town Manager prior to issuance of a Zoning Compliance Permit.*

- Provide a current traffic impact analysis study.

*Staff Response:* Please see comment above.

**Environmental Stewardship Advisory Board:** At the [September 14, 2020 meeting](#), the Environmental Stewardship Advisory Board recommended approval with the following modifications to Ordinance A:

- Request that the Stormwater Management Utility Advisory Board make recommendations on the applicant's proposal for stream restoration, including more details about flora and fauna.

*Staff Response:* The Council has not required the applicant to present to the Stormwater Management Utility Advisory Board, and the applicant has not volunteered to attend at this time.

- A traffic study with particular attention to carbon impacts from vehicle idling, as well as commuter traffic and congestion.

*Staff Response:* Additional traffic counts will be conducted prior to issuance of a Final Plan Zoning Compliance Permit. The additional analysis would not include an evaluation of these environmental impacts.

- Because an all-electric building is proposed, strong consideration must be given to installing a rooftop solar PV system

*Staff Response:* Staff recommend that Council consider the request, with applicant's acceptance of any requested changes.

- Comply with the Transportation and Connectivity Advisory Board's recommended guidance for EV stations

*Staff Response:* Staff recommend that Council consider the request, with applicant's acceptance of any requested changes. Transportation and Connectivity Advisory Board recommends at least 3 percent of all parking should provide EV stations and 20 percent of all total parking spaces should be made "EV Ready" which includes the dedicated installation of electrical circuits and underground conduit.

**Housing Advisory Board:** At the [September 8, 2020 meeting](#), the Housing Advisory Board recommended approval with the following modifications to Ordinance A:

- That the applicant reach out to the Community Home Trust to confirm that its affordable housing plan aligns with their current and projected housing needs.

*Staff Response:* The applicant consulted with the Community Home Trust and received the following response from Kimberly Sanchez, Executive Director: "*Developer Roland Gammon has shared his plans for the Columbia Street Annex with Community Home Trust. We have reviewed his plans and designs. We understand he has proposed to provide eight total units of his total 52 units in the building as Affordable--four at 65% AMI and four at 80% AMI. This satisfies the 15% TOCH Inclusionary Housing Ordinance. Of the eight, four would be 1BR of ~576 SF and four would be 2BR of ~864 SF. The eight units would be spread among floors 1-3 of the building.*

*Mr. Gammon has agreed that he is further willing to establish the HOA dues for the eight affordable units at a reduced rate relative to all other units. We have shared language that has been used successfully in other projects in Town that provides for enduring protection for the affordability of assessments. He has also agreed to establishing a Town Mandated*

*Transfer Fee in the ownership documents. To achieve these goals, he has agreed that he would work with the CHT team to determine (1) final unit pricing of the affordable units (2) reduced and affordable monthly HOA dues and (3) an appropriate Town Mandated Transfer Fee for the project.*

*We have experienced good demand for the types of units suggested as affordable and consider their proposed distribution within the building a sensible plan and are supportive of the project”.*

## **PROJECT OVERVIEW**

The application proposes a Mixed Use-Village-Conditional Zoning District (MU-V-CZD) to accommodate 60 residential dwelling units and approximately 3,000 square feet of commercial office space. The existing vacant site is located adjacent to westbound on-ramp for NC 54 and S. Columbia Street. The Statement of Justification explains that the applicant is seeking a Conditional Zoning to develop the site to a greater intensity than what is allowed by the existing Residential-2 (R-2) zoning district. More details about the proposed development can be found in the applicant’s narrative and Statement of Justification (Attachment 10).

Information about the site and proposed zoning district can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project’s consistency with the Comprehensive Plan and relevant Findings of Fact.

### **PROJECT HISTORY**

1997	Special Use Permit and Zoning Atlas Amendment for 27 apartment units and ultimately denied in 1999.
2007	Concept Plan proposal for construction of 87,000 square feet of floor area in four buildings. A total of 32 dwelling units and 12,000 square feet of retail and office space with parking for 80 vehicles was proposed.
2013	Revised Concept Plan submitted with 44 dwelling units, 8,000 square feet of retail and office space with parking for 64 vehicles proposed.
2014	Special Use Permit and Zoning Atlas Amendment application submitted and subsequently withdrawn. The project was delayed while NCDOT reviewed options for improvements to the NC 54/US 15-501/S. Columbia Street interchange.
2017	Revised Concept Plan submitted with 39 dwelling units, 7,150 square feet of retail and office space with parking for 68 vehicles proposed.
2018	Special Use Permit and Zoning Atlas Amendment application submitted (converted to a Conditional Zoning application in 2020)

## **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 S. Columbia Street.
- Other property surrounding the site is zoned under a residential district, either Residential-2 (R-2) or Residential-4 (R-4).
- The elevation of the site drops considerably from S. Columbia Street to a stream running through the site. The applicant materials for the associated Conditional Zoning 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 S. Columbia Street 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."

## PROPOSED ZONING

The applicant proposes applying the Mixed Use-Village-Conditional Zoning District (MU-V-CZD) 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 Residential-2 (R-2) which permits only single family residential and duplexes, with a maximum FAR of 0.093."

Recent changes to the Land Use Management Ordinance allow Mixed Use-Village (MU-V) to be approved as a Conditional Zoning District. The conditions of the rezoning would become part of the site's zoning entitlement upon approval.

The Mixed Use-Village (MU-V-CZD) 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."
- **USES:** Permitted uses for Mixed Use (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 Mixed Use-Village (MU-V) district specifically, LUMO 3.5.1(b) further establishes that multiple uses must be either mixed horizontally with 25 percent floor area minimums for residential and nonresidential uses, or mixed vertically. The Conditional Zoning application proposes limiting uses to commercial, office, and multifamily residential. The existing Residential (R-2) zoning generally limits uses to single-family or two-family residential; or selected other uses include place of worship and schools.

- **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 Mixed Use-Village (MU-V) arterial include a maximum residential density of 20.0 units/acre, 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 Residential-2 (R-2) zoning has substantially larger required setbacks, lower permitted heights, lower allowable density (4.0 units/acre), and lower allowable Floor Area Ratio (0.093). Based on the comparison of dimensional standards, the proposed rezoning would allow a significant increase in the amount of development potential for the site.
- **DESIGN AND DEVELOPMENT STANDARDS:** Most of the standards are established in LUMO Article 5 and are the same for both the Mixed Use-Village (MU-V) and Residential-2 (R-2) districts. Parking is handled differently, with the Mixed Use-Village (MU-V) district requiring only 50 percent of the minimum parking ratios applied in other districts. Buffers are also not required internal to the district. The Mixed Use-Village (MU-V) district establishes additional development standards for: phasing plan review, outparcel design criteria, and bus stop provision.
- The associated Conditional Zoning 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.

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) **Section 3.6.3 Resource Conservation District (RCD):** The Land Use Management Ordinance (LUMO) limits uses, land disturbance, and impervious surface area to specific percentages of the total land area in different zones of the RCD. The applicant is requesting three modifications to the RCD standards:

**Section 3.6.3(e) Permitted uses and activities in resource conservation district:** The LUMO restricts uses within the stream side, managed use, and upland zones of the RCD. The applicant is requesting to place parking and building structure within the managed use and upland zones of the RCD.

*Staff Comment:* Staff believes that the Council could find a public purpose for the placement of the parking and building structure within the managed use and upland zones of the RCD. The site has limited buildable area outside the RCD as well as a large tree save west of the stream. The applicant is providing riparian buffer restoration and/or enhancement to improve the current poor stream conditions to mitigate impacts proposed within the RCD buffer.

**Section 3.6.3(f) Dimensional regulations:** The LUMO limits land disturbance and impervious surfaces to specific percentages of the total land area by the different zones of the RCD. The table below illustrates the LUMO standards and the applicant's requested land disturbance and impervious surfaces by the RCD zones.



RCD Zone	Total Area	Proposed Disturbance	LUMO standard	Proposed Impervious	LUMO standard
Streamside	35,935 sf	2,210 sf 6.2%	7,187 sf 20%	0 sf	3,594 sf (10%)
Managed	38,618 sf	23,100 sf 59.8%	15,447 sf 40%	5,380 sf 13.9%	7,724 sf 20%
Upland	34,668 sf	18,300 sf 52.8%	13,867 sf 40%	13,650 sf 39.4%	6,934 sf 20%

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased land disturbance and impervious surfaces, as the project will minimize disturbance in the streamside zone, and the applicant has offered to provide riparian buffer restoration or enhancement to improve the current poor conditions of the stream and to mitigate impacts proposed within the RCD buffer, including areas of channel degradation to be restored.

- 2) Section 5.3.2 Steep slopes:** The applicant is requesting a modification to LUMO Section 5.3.2 to exceed the maximum 25 percent disturbance of the areas with slopes exceeding 25 percent. The applicant is proposing to disturb 100 percent of the slopes greater than 25 percent. The area of slope to be disturbed in 9,541 sq. ft.

*Staff Comment:* Staff believes that the Council could find a public purpose for the steep slope disturbance as the development proposal is minimizing impacts in the RCD and preserving a significant portion of the site west of the stream.

- 3) Section 5.6 Landscaping, screening and buffering:** The applicant is requesting a reduction of the width and plantings of the landscape buffer along South Columbia Street. The required buffer is a 30 foot Type 'D' buffer. The proposed buffer as will vary in width between zero and 30 feet with an average width of 12 feet. The modification also requests a 70 percent reduction in plant material from the required 23 canopy trees, 47 understory trees and 156 shrubs to 7 canopy trees, 15 understory trees, and 50 shrubs within the project site.

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased reduced width and plantings as the application includes a pedestrian plaza at the street level to activate the street frontage.

- 4) Section 3.5.1 Mixed Use-Village:** The applicant is requesting a modification to required use mix percentages in the Mixed Use-Village (MU-V) zoning district. The LUMO specifies that the Mixed Use-Village (MU-V) zoning district have a mix of a minimum of 25 percent of the floor area devoted to residential uses and a minimum 25 percent of the floor area devoted to office/commercial uses. The applicant is requesting a modification to the minimum non-residential component to allow as little as 6 percent non-residential uses.

*Staff Comment:* Staff believes that the Council could find a public purpose for the reduction in the use intensities as the development is designed as a live/work space.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.4.5 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular

case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer’s alternative is to revise the proposal to comply with the regulations.

For additional information on the proposed modifications and other considerations on timing and flexibility, please refer to the applicant’s attached materials.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>2</sup>, the standards of the [Land Use Management Ordinance](#)<sup>3</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>4</sup> and believes the Columbia Street Annex proposal complies with several themes of the 2020 Comprehensive Plan:

**Comprehensive Plan Themes:** The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input checked="" type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input checked="" type="checkbox"/>		Grow Town and Gown Collaboration

**Land Use Plan:** The [Future Land Use Map](#)<sup>5</sup>, a component of the 2020 Comprehensive Plan, designates this for future multifamily, shops & offices as well as parks and green space as the primary uses.

**Staff Evaluation:** 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 Mixed Use-Village (MU-Village) district notes coordinated development of office, commercial, and residential uses and their necessary support functions, which is consistent with the designation on the Future Land Use Map for the South Columbia Gateway.

- 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.

<sup>2</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>3</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>4</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<sup>5</sup> <https://online.flippingbook.com/view/26191/>

- 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 Findings of Fact 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.

**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. The current draft of the Future Land Use Map proposes character types that include Multifamily, shops and offices.</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 Columbia Gateway area.

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

<p>Arguments in Support</p>	<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"> <li>• A range of housing options for current and future residents (Goal-Place for Everyone.3)</li> <li>• Balance and sustain finances by increasing revenues and decreasing expenses (Goal-Community Prosperity and Engagement.1)</li> <li>• Promote a safe, vibrant, and connected (physical and person) community (Goal-Community Prosperity and Engagement.3)</li> <li>• A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal-Getting Around.2)</li> <li>• Make an adaptable transportation system to support both dense and suburban development (Goal-Getting Around.4)</li> <li>• A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal-Getting Around.8)</li> <li>• Low density, green Rural Buffers that exclude urban development and minimize sprawl (Goal-Good Places, New Spaces.1)</li> <li>• 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)</li> <li>• A community that welcomes and supports change and creativity (Goal-Good Places, New Spaces.6)</li> <li>• Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal-Good Places, New Spaces.8)</li> <li>• 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)</li> <li>• 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)</li> <li>• 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)</li> <li>• Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal-Nurturing Our Community.8)</li> </ul>
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	<ul style="list-style-type: none"> <li>Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (Goal-Town and Gown Collaboration.6)</li> </ul>
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.

















# PROJECT FACT SHEET

## Overview


Site Description	
<b>Project Name</b>	Columbia Street Annex
<b>Address</b>	1150 S. Columbia Street
<b>Property Description</b>	Approximately 4 Acres at the intersection of South Columbia and NC-54
<b>Existing</b>	Vacant/Wooded; Existing Monroe Street Right-of-Way
<b>Orange County Parcel Identifier Numbers</b>	9788204502;9788205716;9788206500
<b>Zoning</b>	Residential-2 (R-2)
<b>Proposed Zoning</b>	Mixed Use - Village - Conditional Zoning District (MU-V-CZD)

Topic	Comment	Status	
<b>Use/Density</b> ( <a href="#">Sec. 3.7</a> )	Applicant is proposing 4-5 stories of residential (approximately 60 units) and office space (3,000 sf) with parking below. Density is approximately 15 units per acre, based on gross land area		
<b>Dimensional Standards</b> ( <a href="#">Sec. 3.8</a> )			
	Building Height, Setback	Required: 70 feet Proposed: 70 feet	
	Building Height, Core	114 feet 84 feet	
	Street Setback (min. ft.)	0 feet 26 feet	
	Interior Setback (min. ft.)	0 feet 112 feet	
Solar Setback (min. ft.)	20 feet 170 feet		
<b>Floor area</b> ( <a href="#">Sec. 3.8</a> )	Maximum 104,817 sq. ft.      Proposed 57,000 sq. ft.		
<b>Modifications to Regulations</b> ( <a href="#">Sec. 4.5.6</a> )	Modifications: <ul style="list-style-type: none"> <li>• RCD encroachment use, land disturbance, and impervious surface)</li> <li>• Steep slope disturbance of more than 25%</li> <li>• Percent of floor area of residential and office/retail space</li> <li>• Landscape buffers</li> </ul>	<b>M</b>	
<b>Inclusionary Zoning</b> ( <a href="#">Sec. 3.10</a> )	15% affordable units, will provide 9 units		
<b>Landscape</b>			
<b>Buffer – North</b> ( <a href="#">Sec. 5.6.2</a> )	Required: 20' Type C Buffer Proposed: 20' Type C Buffer		
<b>Buffer – East</b> ( <a href="#">Sec. 5.6.2</a> )	Required: 30' Type D Buffer Proposed: Variable width and planting quantity buffer	<b>M</b>	
<b>Buffer – South</b> ( <a href="#">Sec. 5.6.2</a> )	Required: 30' Type D Buffer Proposed: 30' Type D Buffer		
<b>Buffer - West</b> ( <a href="#">Sec. 5.6.2</a> )	Required: 20' Type C Buffer Proposed: Type C- Alternate- Tree Save		

<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	Required: 40%	Proposed: 45%													
<b>Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Proposed 5' landscape buffer strip between building, landscaped interior islands, and other design elements to meet LUMO Standards		<b>FP</b>												
<b>Environment</b>															
<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	<table border="1"> <thead> <tr> <th>RCD Zone</th> <th>Land Disturbance</th> <th>Impervious Surface</th> </tr> </thead> <tbody> <tr> <td>Streamside</td> <td>2,210 sf 6.2%</td> <td>0</td> </tr> <tr> <td>Managed</td> <td>23,100 sf 59.8%</td> <td>5,380 sf 13.9%</td> </tr> <tr> <td>Upland</td> <td>18,300 sf 52.8%</td> <td>13,650 sf 39.4%</td> </tr> </tbody> </table>		RCD Zone	Land Disturbance	Impervious Surface	Streamside	2,210 sf 6.2%	0	Managed	23,100 sf 59.8%	5,380 sf 13.9%	Upland	18,300 sf 52.8%	13,650 sf 39.4%	<b>M</b>
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<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )		Orange County Erosion Control permit required													
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )		<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> Disturb 100% of steep slope area (9,541 sf)	<b>M</b>												
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )		Stormwater control measures proposed, including underground detention, and will be and designed to meet or exceed LUMO 5.4 standards.	<b>FP</b>												
<b>Land Disturbance</b>	71,635 sq. ft. disturbed (1.6 acres)														
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	48,950 sq. ft. (27.6% of gross land area)														
<b>Solid Waste &amp; Recycling</b>	Town services requested. Current proposal compliant with Orange County Solid Waste														
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	2,210 sq. ft. of disturbance proposed (6.1% of Jordan Buffer) for grading related to the driveway		<b>M</b>												
<b>Access and Circulation</b>															
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	Addition of left turn lane on South Columbia Street														
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	Abandonment of existing Monroe street right-of-way. Single full-access driveway proposed, with northbound left turn lane into the site														
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	Bicycle lane crossing striping along site frontage														
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	Installation of ADA ramps and pedestrian activated LED signal at the future South Columbia Street crosswalk														
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	TIA completed, revised traffic counts to be required at ZCP stage.														
<b>Parking</b> ( <a href="#">Sec. 5.9</a> )	Minimum: 67 Maximum: 111														

	MU-V allow a 50% reduction from the minimum parking standards	
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	Project location adjacent to potential BRT stop	
<b>Bicycle Parking</b> ( <a href="#">Sec. 5.9</a> )	Required: 21 Proposed: 21	
<b>Parking Lot Standards</b> ( <a href="#">Sec. 5.9</a> )	To be constructed to Town Standards	<b>FP</b>
<b>Technical</b>		
<b>Fire</b>	Meets Town Standards	<b>FP</b>
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	Required: 3,070 sq ft Proposed: 3,070 sq ft with 25% as a payment-in-lieu	<b>FP</b>
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	Maximum of 0.3 foot-candles at property line	<b>FP</b>
<b>Homeowners Association</b> ( <a href="#">Sec. 4.6</a> )	Not proposed at this time	
<b>Schools Adequate Public Facility</b> ( <a href="#">Sec. 5.16</a> )	Required at Final Plans	<b>FP</b>

## Project Summary Legend

Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plan;
<b>NA</b>	Not Applicable



# TECHNICAL REPORT



## **ZONING AMENDMENT APPLICATION ANALYSIS: COLUMBIA STREET ANNEX**

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The 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.

<b>PROPERTY ADDRESS</b> 1150 S. Columbia St.	<b>APPLICANT</b> Wendi Ramsden, Coulter Jewell Thames PA
<b>CURRENT ZONING DISTRICT</b> Residential-2 (R-2)	<b>PROPOSED ZONING DISTRICT</b> Mixed Use-Village-Conditional Zoning District (MU-V-CZD)
<b>2020 LAND USE PLAN DESIGNATION</b> Low Residential, 1-4 unit/acre	<b>2020 FUTURE FOCUS AREA</b> None
<b>OTHER APPLICABLE ADOPTED PLANS</b> None identified	
<b>SUMMARY OF ARGUMENTS IN FAVOR</b>	
<ul style="list-style-type: none"> <li>• While the proposed zoning allows more intense development, the concurrent Conditional Zoning process provides an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties</li> <li>• Topographical challenges may make it difficult to develop the uses allowed under current zoning</li> <li>• Frontage on an interchange may make it difficult to develop the uses allowed under current zoning</li> <li>• Project design would further Comprehensive Plan goals for environmental stewardship</li> <li>• Based on proximity to university, proposed housing would further Comprehensive Plan goals for town and gown collaboration</li> <li>• The site is located at the intersection of two arterial roads which are considered a gateway</li> <li>• Transportation infrastructure along Columbia St. could support more intense use</li> </ul>	
<b>SUMMARY OF ARGUMENTS OPPOSED</b>	
<ul style="list-style-type: none"> <li>• The proposed district allows significantly more intensity for the site compared to existing zoning</li> <li>• 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)</li> </ul>	