



ZONING ATLAS AMENDMENT ANALYSIS: PUTT PUTT FUN CENTER

The following Technical Report provides a staff analysis of the Zoning Atlas amendment based on long-range planning considerations, identifying arguments in favor and arguments opposed. The proposal would effect a change to the current zoning and permitted types and intensities of land uses.

GENERAL INFO		
PROPERTY ADDRESS 115/125 Chapel Point Rd or 2200 Eubanks Rd		APPLICANT Coulter Jewell Thames PA
CURRENT ZONING DISTRICT MU-R-1		PROPOSED ZONING DISTRICT CC-CZD and OI-2-CZD
2050 FUTURE LAND USE MAP (FLUM) ELEMENTS		
FOCUS AREA & SUB-AREA North MLK Boulevard Sub-Area B 6 stories typical height	APPROPRIATE USES Multifamily/Shops/Offices Multifamily Residential Parks and Green/Gathering Spaces Institutional/Civic Commercial/Office Townhouses/Residences Light Industrial	OTHER Future Parks & Open Space Proposed Multiuse Paths/Trails
OTHER APPLICABLE ADOPTED SMALL AREA PLANS None		
SUMMARY OF ANALYSIS:		
<u>Supporting Factors</u> <ul style="list-style-type: none"> • Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties. • The proposed zoning would allow the same development intensity, or even somewhat less intensity, compared to existing zoning. • The site has access to existing bus service and a proposed future BRT line. • The site is surrounded by mixed-use zoning districts, multifamily housing, and planned commercial sites that appear to transition well to the site. I-40 separates the site from uses to the north and east. • Recent development surrounding the site, including Carraway Village and the Millhouse Enterprise Zone, represents changing conditions in the area. • The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses. • Height limits proposed in the application are consistent with FLUM guidance. • The multiuse path corridor shown on the Mobility Plan, with connections to adjacent sites, could support more intense development by supporting various modes of travel. 		
<u>Other Considerations</u> <ul style="list-style-type: none"> • Commercial uses on the site would not have immediate thoroughfare access. The potential for negative traffic impacts on adjacent sites along Myrica St should be considered. • Zoning conditions would be useful to ensure that the northern portion of the site remains protected open space, consistent with guidance on the Future Land Use Map. 		

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APPLICANT PROPOSAL

The applicant proposes a mix of recreation facilities, both indoor and outdoor, along with a self-storage building. The Project Narrative states that “the conditional zoning being requested is Community Commercial [CC] for the recreation center, and OI-2 [Office-Institutional-2] for the self-storage building.”

The application submitted is for a Conditional Zoning, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. A -CZD suffix would be applied to both proposed districts to acknowledge approval of conditions.

The analysis provided here focuses on the reasonableness of the proposed zoning districts, along with the consistency of the districts and overall proposed use program with Chapel Hill’s Comprehensive Plan. Specific characteristics of the development proposal, along with appropriate conditions to address potential impacts of the development, will be evaluated separately.

The table below compares the standards of the CC district with existing zoning and with the applicant’s proposal.

	LUMO Standard for CC	Staff Evaluation
DISTRICT INTENT	Section 3.3.2: The community commercial (CC) district is intended to provide for the development of high-intensity commercial and service centers that serve community-wide or regional commercial and service needs.	Based on the uses proposed, the applicant’s proposal generally meets the intent statement of CC for more intense commercial activity serving the community.
PERMITTED USES	Table 3.7-1: Permitted uses in the CC district include (but are not limited to) various types of retail, services and businesses; commercial recreation; office; hotel/motel; single-family and multifamily residential; research activities and light manufacturing; and public/institutional facilities. Outdoor commercial recreation is allowed as a Special Use.	The associated Conditional Zoning application proposes Commercial Recreation uses (both indoor and outdoor) on the portion of the site to be zoned CC-CZD. The existing MU-R-1 zoning allows a wide range of office, commercial, and residential uses, provided such uses are in a qualifying mixed-use development with 60-85% of floor area devoted to office.

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DIMENSIONAL STANDARDS	<p>Table 3.8-1: Standards for the CC district include:</p> <ul style="list-style-type: none"> • Maximum Residential Density of 15.0 units/acre • Maximum Building Height of 34 ft at the setback line and 60 ft at the site core • Minimum Street Setbacks of 22 ft • Maximum Floor Area Ratio of .429 	<p>The associated Conditional Zoning application proposes:</p> <ul style="list-style-type: none"> • No residential development – maximum density not applicable • Maximum Building Height is not specified in feet • Minimum Setbacks exceeding the requirements of the zoning district • Maximum Floor Area Ratio of .429, or lower based on square footage proposed <p>The existing MU-R-1 zoning, for a qualifying mixed-use development as described above, has the following standards:</p> <ul style="list-style-type: none"> • Equal maximum Residential Density of 15.0 units per acre • Somewhat higher maximum Building Height, 29 ft at the setback line and 90 ft at the site core • Minimum Perimeter Setbacks of 50 ft • Equal maximum Floor Area Ratio of .429 <p>Based on the comparison of Floor Area Ratio and Residential Density, CC allows the same amount of development potential that currently exists for the site.</p>
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The table below compares the standards of the OI-2 district with existing zoning and with the applicant's proposal.

	LUMO Standard for OI-2	Staff Evaluation
DISTRICT INTENT	Section 3.3.6: The Office/Institutional-2 (OI-2) district is intended to provide for medium-intensity office and institutional development.	The proposed self-storage use differs from the intent statement of OI-2. However, staff understands that OI-2 is one of few zoning districts where self-storage is allowed.
PERMITTED USES	<p>Table 3.7-1: Permitted uses in the OI-2 district include (but are not limited to) offices and research activities; limited types of services and businesses; single-family and multifamily residential; and public/institutional facilities.</p> <p>Conditional self-storage facilities are allowed as a Special Use.</p>	<p>The associated Conditional Zoning application proposes conditioned self-storage for the portion of the site to be zoned OI-2-CZD.</p> <p>The existing MU-R-1 zoning allows a wide range of office, commercial, and residential uses, provided such uses are in a qualifying mixed-use development with 60-85% of floor area devoted to office.</p>

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DIMENSIONAL STANDARDS	<p>Table 3.8-1: Standards for the OI-2 district include:</p> <ul style="list-style-type: none">• Maximum Residential Density of 15.0 units/acre• Maximum Building Height of 34 ft at the setback line and 60 ft at the site core• Minimum Street Setbacks of 22 ft• Maximum Floor Area Ratio of .264	<p>The associated Conditional Zoning application proposes:</p> <ul style="list-style-type: none">• No residential development – maximum density not applicable• Maximum Building Height is not specified in feet• Minimum Setbacks exceeding the requirements of the zoning district• Maximum Floor Area Ratio of .264, or lower based on square footage proposed <p>Standards for the existing MU-R-1 zoning, for a qualifying mixed-use development, are noted in the table above.</p> <p>Based on the comparison of Floor Area Ratio, OI-2 allows a somewhat lower amount of development potential than currently exists for the site.</p>
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Design and Development Standards

Many other standards, including environmental protection, are established in LUMO Article 5 and are applicable to the proposed CC and OI-2 districts and to the existing MU-R-1 district. However, a few special standards apply in the MU-R-1 district for a qualifying mixed-use development:

- Parking: The MU-R-1 district requiring only 80% of the minimum parking ratios applied in other districts.
- Buffers: A minimum Type “C” buffer is required at the perimeter of development in the MU-R-1 district. Buffers are not required between internal uses..
- Outparcels: The MU-R-1 district establishes additional development standards for outparcel design.

The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans.

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 a single parcel that is currently vacant and wooded. It is immediately adjacent to I-40 and to the Carraway Village development.
- The site is adjacent to the following zoning districts and land uses:
 - MU-OI-1 to the south (apartments and vacant, graded area for future phases of Carraway Village)
 - MU-R-1 to the west (vacant, graded area for future phases of Carraway Village)
 - I-40 to the northeast
- The proposed CC and OI-2 zoning can be considered generally compatible with the mixed-use zoning to the south and west. The 250+ feet of interstate right-of-way provides significant separation from uses and zoning to the north and east.
- Existing development surrounding the site is predominately multifamily housing at fairly high density. Vacant sites are approved for various nonresidential uses, including self-storage and retail space.

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- The site is close to Eubanks Park & Ride and within 1/8 mile of the bus pickup/dropoff area. The Park & Ride is the terminus of a frequent-service bus route. It is the proposed future terminus of the North-South BRT line.
- The site does not have immediate road frontage, but can be accessed from the end of a stub street (Chapel Point Rd) built as part of the Carraway Village development. The stub connects to Myrica St which in turn connects to Eubanks Rd. Commercial uses on the subject site would not have immediate thoroughfare access.
- An existing wide sidewalk/multiuse path extends along the north side of the stub street, terminating at the boundary of the subject site.
- The site is in close proximity to Old Field Creek, located to the northwest. A stream tributary of the Creek runs close to the I-40 right-of-way and then traverses the site east to west. The applicant has identified stream buffers applicable to the site. There appears to be no floodplain.
- The site slopes gently from the north and south ends towards the stream in the middle. The applicant indicates "fairly even 5% slope" across the site.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

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 2050 Future Land Use Map and other adopted components of the Comprehensive Plan:

	Description of Plan Element	Staff Evaluation
FOCUS AREA CHARACTER	The Future Land Use Map (FLUM) envisions the North MLK Jr Blvd Focus Area as a gateway to the town, with mixed use nodes, inviting streetscapes that blend the built environment with tree canopies, and improved east-west connectivity to link development to the future BRT corridor.	<p>The proposed rezoning appears to support the Focus Area vision by enhancing a developing mixed-use node at the northern end of the future BRT corridor.</p> <p>Zoning conditions would be useful to ensure quality streetscapes, integration with adjacent uses to create a mixture, and adequate connectivity with the transit network.</p>
APPROPRIATE USES	<p>The FLUM indicates a range of appropriate uses for the Sub-Area where this site is located.</p> <p>All use categories are either Primary (predominate) or Secondary (appropriate, but not predominant) in the Sub-Area.</p>	<p>CC-CZD and OI-2-CZD would allow a wide range of uses across the site. The districts are compatible with the wide range of appropriate uses identified by the FLUM.</p> <p>The Conditional Zoning application proposes uses that would fall under the Commercial/Office and Light Industrial categories.</p>
BUILDING HEIGHT	The FLUM calls for building heights of up to 6 stories across the site, without the need to step up or step down in height near any site boundaries.	<p>The CC and OI-2 districts, as a baseline, allow heights up to around 5 stories (60 ft). This is consistent with FLUM guidance.</p> <p>The Project Narrative indicates that buildings in the CC district are proposed at 1.5 stories, and in the OI-2 district at 4 stories. This is consistent with FLUM guidance.</p>

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PARKS & OPEN SPACE	<p>The FLUM shows the Old Field Creek corridor as an element of Future Parks & Open Space. While drawn schematically in the FLUM, this feature would likely overlap the northern corner of the subject site.</p> <p>The Comprehensive Parks Plan does not show any proposed parks in this general area.</p>	<p>Zoning conditions would be useful to ensure that the northern portion of the site remains protected open space.</p>
MOBILITY AND CONNECTIVITY	<p>The Mobility and Connectivity Plan shows a multi-use path running along the southern and western edges of the site, connecting to the wide sidewalk/multi-use path on the stub street (Chapel Point Rd) and supporting future extensions to the southeast and northwest.</p>	<p>A bike/ped corridor connecting this site to other destinations would support growth and development.</p> <p>Zoning conditions would be useful to ensure that the identified multi-use facilities are provided.</p>
COMPREHENSIVE PLAN GOALS	<p>The applicant's Statement of Consistency with the Comprehensive Plan emphasizes how commercial use of the site would offer new activities and employment opportunities for Chapel Hill residents (<i>Goals: A Place for Everyone, Community Prosperity and Engagement</i>).</p> <p>The Statement of Consistency also notes the opportunities for the site to integrate with surrounding transportation and utility networks, offer easy access from surrounding sites, and offer access to public transportation (<i>Goals: Getting Around, Good Places New Spaces</i>).</p> <p>More information on Comprehensive Plan Goals is provided in the next section under Finding of Fact #3.</p>	

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 related to the project site.

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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	Staff notes that recent development surrounding the site, including Carraway Village and the Millhouse Enterprise Zone, represents changing conditions in the area.
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 North MLK Jr Blvd Focus Area.

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

Arguments in Support	<p>The applicant's Statement of Consistency states that the application would contribute to the following elements of the Comprehensive Plan:</p> <ul style="list-style-type: none">• Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (<i>Goal: A Place for Everyone.1</i>)• Balance and sustain finances by increasing revenues and decreasing expenses (<i>Goal: Community Prosperity and Engagement.1</i>)• A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (<i>Goal: Getting Around.1</i>)• A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (<i>Goal: Getting Around.2</i>)• A community that welcomes and supports change and creativity (<i>Goal: Good Places, New Spaces.6</i>)• Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (<i>Goal: Good Places, New Spaces.8</i>)• Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (<i>Goal: Nurturing Our Community.2</i>)• 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. (<i>Goal: Nurturing Our Community.3</i>)
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.