



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Legislation Details (With Text)

**File #:** [21-0180]      **Version:** 1      **Name:**

**Type:** Zoning Atlas Amendment      **Status:** Passed

**File created:** 2/25/2021      **In control:** Town Council

**On agenda:** 3/10/2021      **Final action:** 3/10/2021

**Title:** Second Reading to Consider Application for Conditional Zoning - 1200 & 1204 Martin Luther King, Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD)(PROJECT #19-065).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Draft Staff Presentation, 3. Adopted Resolution of Consistency (2021-02-24/R-6), 4. Revised Ordinance A (Approval), 5. Resolution B (Revocation of Special Use Permits), 6. Resolution C (Denial), 7. Applicant materials, 8. Plan Set, 9. Restrictive Covenants - Stackhouse Properties, 10. Planning Commission Recommendation February 11, 2021, 11. Community Design Commission Recommendation February 23, 2021, 12. Staff Responses to Council Questions 02-24-21 (002), 13. Emails from the Public, 14. Council Questions with Staff & Applicant Responses 12.9.2020, 15. Supplemental Information to Council about Stackhouse (prepared by Applicant), 16. Stackhouse Rules for Mobile Home Parks, 17. Summary of Community Engagement Meeting, 18. Staff Presentation, 19. Council Questions with Staff Response, 20. Conditional Zoning Application Fact Sheet, 21. Emails from the Public, 22. AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO (NC-CZD) AND (OI-2-CZD) (2021-03-10/O-1) as Amended (Second Reading), 23. A RESOLUTION APPROVING THE REVOCATION OF 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. FROM THE EXISTING SPECIAL USE PERMITS (2021-03-10/R-3)

Date	Ver.	Action By	Action	Result
3/10/2021	1	Town Council	enacted	Pass
3/10/2021	1	Town Council	adopted	Pass

**Second Reading to Consider Application for Conditional Zoning - 1200 & 1204 Martin Luther King, Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD)(PROJECT #19-065).**

**Staff:**

Colleen Willger, Director  
 Judy Johnson, Assistant Director  
 Michael Sudol, Planner II

**Department:**

Planning

**Overview:** On [February 24, 2021 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804531&GUID=9FFF252C-413C-4B4A-BB1C-F608C9B93148&Options=&Search=>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804531&GUID=9FFF252C-413C-4B4A-BB1C-F608C9B93148&Options=&Search=>), the Town Council voted 5-3 on a proposed ordinance to rezone approximately 13.9 acres of a site located at 1200 and 1204 Martin Luther King Jr. Blvd. from Neighborhood Commercial (NC) and Residential-4 (R-4) to Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD). By State law, an ordinance must receive a 2/3 affirmative vote to be enacted on the first

reading. The language included on the proposed Conditional Zoning Ordinance is substantially the same as Revised Ordinance A from February 24, 2021. The ordinance today has incorporated minor edits as indicated at the February 24, 2021 meeting. Staff also recommends the Council adopt Resolution B which will revoke the Special Use Permits for the service station/convenience store and the manufactured home park.

Tonight, the rezoning ordinance is back before the Council for second reading. Attached are the agenda materials on the Conditional Zoning application from the February 24 Council meeting.



**Recommendation(s):**

That the Council enact Revised Ordinance A (approving the Conditional Zoning Application) and adopt Resolution B (revoking the Special Use Permits).



**Attachments:**

- Staff Report
- Staff Technical Report
- Project Fact Sheet
- Draft Staff Presentation
- Adopted Resolution of Consistency (2021-02-24/R-6)
- Revised Ordinance A (Approval)
- Resolution B (Revocation of Special Use Permits)
- Resolution C (Denial)
- Applicant materials
- Plan Set
- Restrictive Covenants (prepared by Applicant)
- Planning Commission Recommendation February 22, 2021
- Community Design Commission Recommendation February 23, 2021
- Council Questions with staff and applicant responses February 24, 2021
- Emails from the Public
- Council Questions with staff and applicant responses December 9, 2020
- Supplemental Information to Council about Stackhouse (prepared by Applicant)
- Stackhouse rules for Mobile Home Parks
- Summary of Community Engagement Meeting

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

PRESENTER: Michael Sudol, Planner II

RECOMMENDATION: That the Council enact Revised Ordinance A (approving the Conditional Zoning Application) and adopt Resolution B (revoking the Special Use Permits).