



## Chapel Hill Cooperative Preschool

Application	Site Plan Review (SPR) Project #16-088	Special Use Permit (SUP) Project #17-086
Submittal Date	August 25, 2016	December 28, 2017
Status	Approved* <i>Refer to Reverse side for details.</i>	Staff Review, Public Meetings This is the first step in the SUP application process. <i>Refer to reverse side for details.</i>
Application Contents	<ul style="list-style-type: none"> <li>Preschool building, parking lot, playground</li> <li>other related elements (i.e. stormwater)</li> </ul>	<ul style="list-style-type: none"> <li>Additional parking spaces (yellow, blue)</li> <li>Additional land disturbance "LOD" (pink)</li> </ul>
Visit <a href="http://chplan.us.17-086">http://chplan.us.17-086</a> for an exhibit comparing the approved SPR site plan to the proposed SUP site plan.		
Decision Body	Original Application: Planning Commission Appeal: Board of Adjustment	Town Council
# of Occupants	80 Students, 20 staff	100 Students, 22 staff
Total Floor Area	9,000 square feet	9,000 square feet
Number of Parking Spaces	31 (The minimum number required by NCDOT for a driveway permit)	44 (13 additional spaces compared to Approved Site Plan Review application)
Land Disturbance	39,942 square feet	50,150 square feet

**What is a Site Plan Review (SPR)?** A process for applications that propose less than 20,000 square feet of floor area, less than 40,000 square feet of land disturbance, and does not require rezoning. An SPR application is reviewed by staff and decided by the Planning Commission. Review and a decision on an SPR application must be based solely on its compliance with standards in Land Use Management Ordinance (LUMO) and Town Code.

**What Qualifies an Application for a Site Plan Review?** The Town is obligated to perform a review under this process according to the LUMO if an application stays under the thresholds for a Site Plan Review.

**What is a Special Use Permit (SUP)?** A quasi-judicial review process and decision by Town Council for applications that either exceed the thresholds described above, or require a rezoning. In order to approve a SUP application, the Town Council must make the four required findings of fact contained in section 4.5.2 of the LUMO. These findings concern both compliance with specific ordinance standards as well as more general policy considerations such as the effects of an application on the values of contiguous properties.

**What is Staff's Role?** Staff shares information on ordinance standards and policy considerations, reviews the application for compliance with the LUMO and Town Code, and produces a compliance report for residents, the applicant, advisory boards, and Town Council.

**\*Why did the Board of Adjustment Review the Preschool?** On February 24, 2017 an appeal was filed. The appeal was of the Planning Commission's January 25, 2017 decision to approve the Site Plan Review application that approved the preschool. The appellants included two claims in their appeal, summarized here:

1. A traffic impact analysis exemption was granted by the Town based on inaccurate trip information provided in the preschool's application.
2. The Town did not adequately account for or represent recommendations from a memo prepared by the NCDOT Municipal and School Transportation Assistance Program.

**\*What did the Board of Adjustment Decide?** On April 26, 2017 the Board of Adjustment conducted an appeal hearing and found insufficient evidence to support either claim. The Board upheld the Planning Commission's decision to approve the preschool and modified the approval by adding two conditions. The preschool appealed this decision.

1. That the minimum required vehicular parking shall be 31 spaces.
2. The maximum number of students and staff shall not exceed 80 and 20, respectively.

**\*What did the Orange County Superior Court Decide?** The court ruled that the appellants did not have standing to file an appeal to the Board of Adjustment. This decision leaves the Planning Commission's approval of the site plan in place, without the two conditions added by the Board of Adjustment. As a result, the Preschool has the right to construct its original plan, provided that it complies with the conditions of that approval.

**For More Information:** Visit the project's webpage: <http://chplan.us/17-086>

# Timeframe

## Site Plan Review

Project #16-088

## Special Use Permit

Project #17-086

Fall 2016

Winter 16-17

Spring 2017

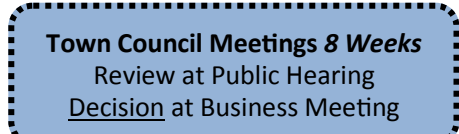
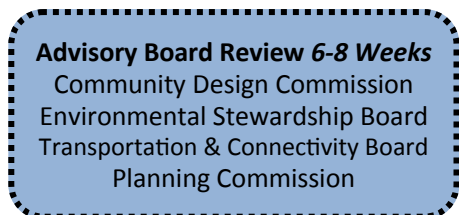
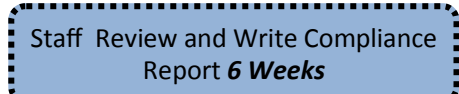
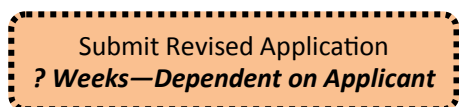
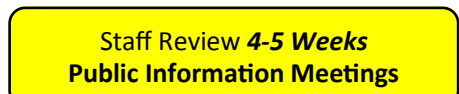
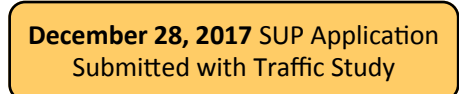
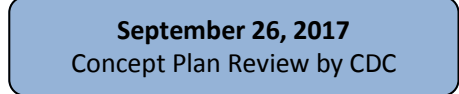
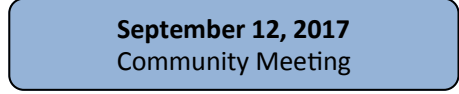
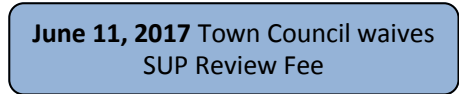
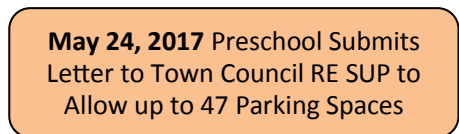
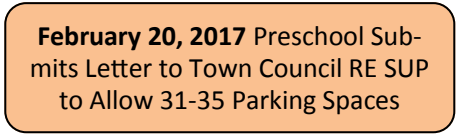
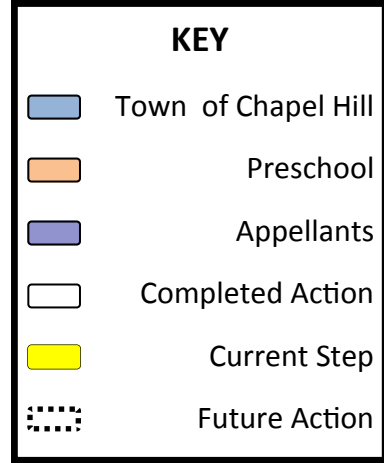
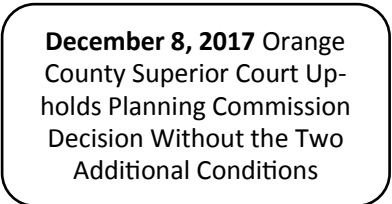
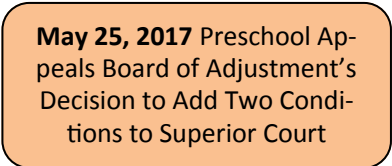
Fall 2017

NOW

FUTURE

Site Plan Review Process (LUMO 4.7)

Appeal Process (LUMO 4.10)



Special Use Permit Process (LUMO 4.5)