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April 25, 2024

Town of Chapel Hill
Office of Planning and Sustainability
405 Martin Luther King Jr. Boulevard
Chapel Hill, North Carolina 27514

Re: Conditional Zoning Application for Conditional Zoning District in 307 E. Franklin Street

To Whom It May Concern:

Please find the formal application and subsequent materials submitted on behalf of Delta Delta LLC, hereinafter, the (“Owner”), regarding 307 E. Franklin Street (hereinafter, the “Subject Property”). In addition to the online application, a survey is included, as well as a brief explanation of the property and intended use for the site. This is a request for a conditional zoning change under Land Use Management Ordinance (hereinafter, “LUMO”) 4.4.7, from R-6 to OI-3-CZD. The request includes a change in use from a Fraternity Dwelling, to a Fraternity Dwelling, Club, and Lodging in order for Owner to use the Subject Property as a Sorority dwelling to complete the lease term with the current tenant and then as a sorority national headquarters office and occasional lodging.

The chapter house on the property was built in 1930 and subsequently transferred to Chapel-Hill Durham Alumnae House Corporation of Sigma Sigma Sigma in 1972 to be used as a sorority house by members of the Sigma Sigma Sigma Sorority. In July 1997, the Town of Chapel Hill issued a Special Use Permit (hereinafter, “SUP”) to Sigma Sigma Sigma, Inc., for the use and development of the property. The construction was to be completed three years later, in 2000, for the sorority to provide residence for no more than 45 people. This included improvements to the site, such as paving the gravel drive, accommodation for the fire line, landscaping, and bicycle parking. This SUP will be abandoned upon the approval and effective date of the change in zoning, as the use authorized by the permit or modification would no longer require a special use under OI-3-CZD. Nonetheless, the SUP has allowed the site to be developed as a fraternity

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dwelling and meeting space in order to further serve Sigma Sigma Sigma Sorority's club purposes.

In September 2022 the Subject Property was transferred from Chapel-Hill Durham Alumnae House Corporation of Sigma Sigma Sigma to Delta Delta, LLC, a Virginia limited liability company, and has continued to be used as a Fraternity dwelling. Sigma Sigma Sigma Sorority is the sole member of Delta Delta, LLC. However, Owner now desires to change the use of the property from Fraternity dwelling to a Fraternity dwelling and Fraternity National Headquarters with occasional temporary lodging. More specifically, Owner desires to complete the term of the current lease using the Subject Property as a Fraternity Dwelling. In order to accomplish same, Applicant requests that the allowance of up to 45 residents included in the Special Use Permit be incorporated into the conditional zoning for the Property as well as the minimum required number of 9 parking spaces.

After the Lease term, Owner intends to use the first floor primarily for offices and meeting spaces in conformance with a Club use. Specifically, Sigma Sigma Sigma National Sorority will utilize the first floor as three office spaces, a boardroom, a flexible work space, a leadership and training center and the National Archives on display. Owner intends to remove the industrial kitchen equipment that is currently on the first floor after it begins utilizing the space as the Sigma Sigma Sigma Sorority national headquarters. Additionally, the second floor would contain the Executive Director's office, meeting rooms, flex office space and a few bedrooms for traveling staff/short term guests while the third floor would remain all bedrooms. Regarding the bedrooms on the second and third floors, the Owner intends to have a total of 6-9 bedrooms utilized for temporary lodging with an intended length of stay for less than one week. Also, there are two communal restrooms on the second floor and two additional communal restrooms on the third floor that will remain for overnight staff. Temporary lodging will be exclusively for individuals associated with Sigma Sigma Sigma Sorority and Sigma Sigma Sigma Sorority business, it will not be utilized by the general public. There are no structural modifications proposed on the exterior or interior of the Subject Property, but a change in zoning is required to accommodate the change in use of the property.

In the beginning of 2023, Applicant began discussions, along with the Town of Chapel Hill, to transition this property from a sorority house to the Sigma Sigma Sigma Sorority National Sorority headquarters. This Concept Plan Application was submitted as the first step in changing the Subject Property's primary use, by rezoning from residential (R-6), to an Office/Institutional – 3 Conditional Zoning District (OI-3-CZD). The Concept Plan was reviewed by the Historic District Commission at the October 10, 2023 Historic District Commission meeting. There was general support for bringing a national chapter to the community and reusing the house while maintaining the historic building and its character. There were concerns and interest about maintaining the residential character of the street as well as a recommendation that the building be prohibited to be used as short term rentals during university weekend events. To address those concerns, Owner has included a limitation that the temporary lodging will be exclusively for individuals associated with Sigma Sigma Sigma Sorority and Sigma Sigma Sigma Sorority business, it will not be utilized by the general public.

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Due to the uniqueness of the request, information that is requested in the Application (including the Site Plans and Stormwater Impact Statement) is omitted. In lieu of the Site Plans and Stormwater Impact Statement documents requested in the Application is a survey, which shows the current location of the Subject Property, the existing structure and site dimensions, as well as landscaping and parking, which has been previously approved by the Town. Because there is no request on behalf of the Applicant to modify the interior or exterior of the property or chapter house, this additional information would be irrelevant. The relevant information requested under each section is provided in this letter, as well as the Conditional Zoning Application.

Owner currently has a trash service and plans to keep a paid trash service pick up and haul off, including recycling. After the zoning is changed and the use becomes the National Headquarters, no anticipated changes will be made regarding solid waste.

The Subject Property will be used as a Fraternity Dwelling to complete the current lease term. The intended future use of the Subject Property is to conduct services that are customary to business, including providing office and meeting space for the sorority and its national organization. In addition to the Club use, lodging is proposed for members and other personnel, but will be minimal and temporary. As stated above, the temporary lodging will be exclusively for individuals associated with Sigma Sigma Sigma Sorority and Sigma Sigma Sigma Sorority business, it will not be utilized by the general public. As such, the proposed use of the Subject Property is similar in nature to its current use and the use of the adjacent fraternity and sorority property owners. Additionally, as defined in LUMO Appendix A, Fraternity Dwelling, Club and Lodging uses is an appropriate description for the proposed use of the property. A Conditional Zoning Designation is also proposed to accommodate for the change in use, specifically Lodging. As indicated above, Owner intends to maintain the third floor of the chapter house as lodging with potentially one or two rooms on the second floor for a total of six to nine lodging rooms.

Owner also requests that the Historic District Commission approve the modifications requested in the Modification to Regulation Request Form attached to the Application. These modifications include modification to the maximum floor area ratio requirement as there will be no exterior or interior modifications so the current dimensions will remain unchanged and preserve the historic character of the Subject Property. Additionally, Owner requests alternative landscape buffers for the eastern, western, and northern property lines as well as a modification to the tree canopy coverage requirement as Owner will maintain the mature trees on the Subject Property.

The requested zone change to accommodate the change in use for the property is in accordance with the Comprehensive Plan. On the cusp of Focus Area 1 in the Comprehensive Plan, the property will provide more office and residential uses, noted as a need by public comment.¹ Without any exterior or interior modifications, the proposed zone change will be low impact to surrounding area, and preserve the historic nature of the property. This is a central goal and desire within the Comprehensive Plan and Future Land Use Map, adopted in 2020.

¹ Chapel Hill 2020 Comprehensive Plan, p. 65

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While nestled within the Franklin Rosemary Historic District, no Certificate of Appropriateness (“COA”) will be required due to lack of exterior modifications. As mentioned in the Future Land Use Map, areas adjacent to the property are highlighted as “Traditional University Supportive Uses.”² The goals of the Town are to maintain traditional scale and historical character of the residential neighborhoods, as well as the small scale, existing commercial uses. By maintaining the relationship with the University and its own historic character, the proposed change in use and rezone will allow for continued service and connection with the campus, institution, and the students they serve. Moreover, the use of the Subject Property as a national headquarters will allow for greater connection to campus and students as the Subject Property could also be utilized as a space for educational training and lectures. Specifically, the Owner intends to host educational trainings and seminars for its collegiate members, chapter officers and volunteers both on the University’s campus and on the Property.

Further, the proposed rezone will not have any additional impact on traffic and congestion, as the fraternity dwelling use was approved in the SUP for up to 45 residents, both walking and driving through campus and downtown. After the lease term is completed, the proposed use will have substantially less residents using the space as a dwelling and the current headquarters staff intending to use the space includes only three to five individuals with occasional use by other staff and volunteers, though this number could increase in the future. Additionally, the Subject Property will include 9-15 parking spaces, which is ample parking for the amount of anticipated staff that will be utilizing the Subject Property.

In addition to the previous approval, surrounding uses include Fraternity dwellings, and office uses, which are no less impactful from the proposed use of the Subject Property. Furthermore, the national organizations of the adjacent fraternity and sorority landowners and neighbors are informed, and have not opposed this change in use as the adjacent landowners are fraternities and sororities with University offices and buildings also in close proximity.

The attached application describes the conditions on the property, as well as what is required by the zoning code. It is Applicant’s and Owner’s intention that the proposed rezone will fit the nature of the property, and adjacent uses.

Should the Town require further information, please contact me at amy.hebbeler@manleyburke.com, or 513-763-6743, or the Owner at msteele@trisigma.org, or 540-459-4212.

Sincerely,



Amy Hebbeler

² Future Land Use Map - Update to Chapel Hill 2020, p. 23-24