

ZP NO. 187, LLC

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This request for a Conditional Zoning application will allow for the conversion of the long-vacant retail space into 6 additional multifamily units. Importantly, the proposed rezoning will not entail any alterations to the current site plan; rather, it seeks to repurpose the underutilized existing retail space.

Concept Plan review criteria are established in LUMO Sec. 4.3.3, and include: “appropriate descriptions and explanations of the relationship and balance among site elements, the relationship of the development to natural features, neighboring developments and undeveloped land, access and circulation systems, retention of natural vegetation, minimal alteration of natural topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts.

The justification for this conditional rezoning is set forth as follows.

- i. **Vacancy and Market Challenges:** The extended vacancy of the retail space can be attributed to several factors identified through feedback received over the years, including:
 - **Lack of Visibility:** The retail space suffers from insufficient visibility.
 - **Limited Pedestrian Appeal:** The location does not promote pedestrian activity.
 - **Parking Constraints:** The existing parking configuration limits the feasibility of restaurant or café establishments.
 - **Absence of Drive-Through Access:** The lack of drive-through facilities further restricts the potential for certain types of businesses to operate successfully within the space.

- ii. **Consistency with Comprehensive Plan:** The conversion aligns with sound planning principles and the objectives outlined in the comprehensive plan, as it introduces residential space in proximity to existing commercial and office developments. The proposed conditional zoning is consistent with several of the goals established in the Chapel Hill 2020 Comprehensive Plan. Specifically, it is consistent with, among other things, the following goals:
 - **PFE.3.** This goal seeks to facilitate the provision of “[a] range of housing options for current and future residents.” The proposed conditional rezoning is intended to provide additional multifamily housing options for current and future residents.
 - **PFE.4.** This goal seeks to facilitate the provision of “[a] welcoming and friendly community that provides all people with access to opportunities.” The location of the proposed multifamily units is convenient and accessible to commercial and community amenities.
 - **PFE.5.** This goal seeks to foster “[a] community of high civic engagement and participation.” This proposed multifamily units are located within walking distance of community amenities, which will promote community engagement and participation.
 - **CPE.2.** This goal seeks to “[f]oster success of local businesses.” The proposed conditional rezoning will allow for additional dwelling units to complement nearby commercial use, which will contribute to the success of local businesses.

- **CPE.3.** This goal seeks to “[p]romote a safe, vibrant, and connected (physical and person) community.” For the same reasons discussed regarding PFE.4 and PFE.5, the proposed conditional zoning will contribute toward a vibrant and connected community.
 - **GA.6.** This goal seeks to create “[a] transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation.” The proposed rezoning is intended to reduce traffic congestion associated with the currently-underutilized commercial designation for the site.
 - **GPNS.5.** This goal seeks to promote “[a] range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill’s character for residents, visitors, and students.” The proposed conditional rezoning is intended to help promote a range of neighborhood types by increasing the community’s access to multifamily housing in the vicinity of the intersection of MLK Jr. Blvd. and Weaver Dairy Road.
 - **NOC.1.** This goal seeks to make Chapel Hill a “model for North Carolina and beyond in wisely and justly reducing waste in a way that minimizes local environmental impact without imposing upon the environmental and social rights of others.” The proposed conditional rezoning is intended to minimize wasted building space by repurposing underutilized commercial space for multifamily residential use.
 - **NOC.8.** This goal seeks to “[p]rotect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic.” The proposed rezoning will accomplish this goal by providing additional multifamily housing within the community without creating additional development impacts on neighbors.
 - **TGC.4.** This goal seeks to facilitate the provision of “[h]ousing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community.” The proposed conditional rezoning is intended to help provide safe, sound, affordable housing to the community, including students.
- iii. **Consistency with Existing Use:** The proposed addition of 6 residential units aligns with the property's current use as a multifamily development, further integrating residential density within the established framework.
- iv. **Reduction in Traffic Trips:** The conversion will significantly decrease traffic generation. The current commercial space permits up to 802 vehicle trips per day, whereas the proposed 6 multifamily units would generate approximately 5 vehicle trips per day.
- v. **Meeting Housing Needs:** This conversion not only addresses the ongoing local housing demands but also enhances the overall functionality of the area.

In conclusion, the proposed Conditional Zoning application represents a strategic response to the challenges facing the existing retail space while aligning with broader community goals and planning initiatives.