

Walgreens Pharmacy
1500 East Franklin Street
Chapel Hill, NC 27514

SPECIAL USE PERMIT MODIFICATION

STATEMENT OF JUSTIFICATION

Standards and Findings of Fact

Section 4.5.2 of the Town of Chapel Hill's Land Use Management Ordinance states that "*No Special Use Permit shall be recommended by the Town Manager or Planning Board for approval and no Special Use Permit shall be approved by the Town Council unless each of the following findings is made concerning the proposed special use or planned development:*

- (1) *That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;*
- (2) *That the use or development complies with all required regulations and standards of this Chapter, including all applicable provisions of Articles 3 and 5, the applicable specific standards contained in the Supplemental Use Regulations (Article 6), and with all other applicable regulations;*
- (3) *That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and*
- (4) *That the use or development conforms with the general plans for the physical development of the Town as embodied in this Chapter and in the Comprehensive Plan."*

The applicant hereby submits the following evidence that the proposed Walgreens Pharmacy at 1500 East Franklin Street meets the standards and findings of fact necessary for approval by the

Town of Chapel Hill, as identified in Section 4.5.2 of the Town's Land Use Management Ordinance.

Finding # 1: *"That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare."*

- The site is located such that it has direct access to two public streets and the proposed site plan has been designed so that citizens will be able to readily access the proposed use by car, bus, bicycle, or on foot.
- Access and circulation for the existing site currently occurs through four (4) full-access driveways. The proposed site plan closes the two full-access driveways that are closest to the East Franklin Street/South Estes Drive intersection, and converts the other two full-access driveways into right-in/right-out points of ingress and egress by utilizing four-foot wide monolithic concrete median on both East Franklin Street and South Estes Drive to limit turning movements.

The removal of the two full-access driveways that are closest to the East Franklin Street/South Estes Drive intersection will not only improve the safety of vehicles traveling through the intersection, but will also increase pedestrian safety by eliminating turning movements and providing a much longer, continuous sidewalk network in this quadrant of the intersection for pedestrian circulation. The conversion of the remaining two full-access driveways to right-in/right-out points of ingress and egress will also improve safety by preventing left-turn movements from vehicles accessing or departing the site.

Consequently, by design, the proposed development's access and circulation patterns will serve to improve and promote the public health, safety and general welfare.

- Two bus stops are currently located within 300 feet of the site, and two additional bus stops are located within one-quarter mile of the site. Consequently, the site is located in a manner that maximizes mass transit opportunities, thereby promoting public health, safety and general welfare by reducing automobile trips related to the project.
- Bicycle parking, which is not currently provided on the existing site, will be provided in a convenient location near the building's entrance, maximizing opportunities for citizens who wish to ride their bicycles to the site.
- The existing development on the site is 95.2% impervious surface (net land area), and does not have any stormwater management facilities. The proposed site plan reduces the amount of impervious surface by over 20% (to 74.4% of net land area), and the developer is voluntarily proposing to install a Stormceptor® unit

that would be located within the lower portion of the site in order to improve the water quality of the stormwater runoff from the parking lot and access drive areas. Accordingly, the proposed development is designed and proposed to be operated in a manner that will significantly improve the quality of stormwater leaving the site.

- The existing development on the site does not include landscaped buffers along East Franklin Street or South Estes Drive (the two crepe myrtles and grass along East Franklin Street are located in the public right-of-way). The proposed site plan is designed to create 20-foot wide landscaped buffers along both the site's East Franklin and South Estes Drive frontages. The addition of new trees and landscape plantings in these buffer areas will serve to promote public health and enhance general welfare.

Finding # 2: *“That the use or development complies with all required regulations and standards of this Chapter, including all applicable provisions of Articles 3 and 5, the applicable specific standards contained in the Supplemental Use Regulations (Article 6), and with all other applicable regulations.”*

- The proposed Walgreens Pharmacy at 1500 East Franklin Street is in compliance with all of the required regulations and standards of the Land Use Management Ordinance, with the exception of the following requested modifications:

(1) Minimum Parking Space Requirement

In accordance with the site's existing Community Commercial (CC) zoning district, as regulated in Article 5 of the Land Use Management Ordinance, for an “Other Convenience Business” use, a minimum of one parking space is required for every 375 square feet of floor area. Consequently, based on a combined floor area of 13,650 square feet (includes downstairs retail area and storage space as well as upstairs inventory storage), Section 5.9.7 of the Ordinance requires that a minimum of 36 parking spaces be provided for the site.

However, this requirement does not distinguish as to the type of floor area for which parking is being provided. A detailed examination of the preliminary floor plan reveals that the rear portion of the ground floor and the entire upstairs mezzanine area are proposed for inventory storage rather than retail sales area. Therefore, based on the intended purpose of the minimum parking space requirement (matching the amount of provided parking to the amount of needed parking), one-third of the required minimum of 36 parking spaces are not needed since only approximately two-thirds of the building's overall floor area will actually be used for retail sales. Therefore, only 24

parking spaces are needed to serve the real parking need generated by the building's actual retail floor area.

Accordingly, the site plan alternatively proposes to provide 24 parking spaces for the proposed use. The developer believes that this ratio, one parking space for every 400 SF of ground-level retail floor area (a portion of which is used for inventory handling) is a more desirable allocation and appropriate fit for the proposed land use in this specific location. In particular, this location (1) has excellent sidewalk access for both pedestrians and bicyclists, (2) has two bus stops that are located within 300 feet of the site, and (3) has two more bus stops that are located within one-quarter of a mile of our site. These site specific characteristics serve to maximize the chances that patrons will utilize alternative forms of transportation to access the site.

Therefore, in accordance with Section 4.5.6 of the Land Use Management Ordinance, Walgreens requests that the Town Council modify the required amount of parking for the site by making the finding that public purposes are satisfied to an equivalent or greater degree based on the nature of the proposed land use, the nearby availability of mass transit opportunities, and the high accessibility of the site for pedestrians and bicyclists.

(2) Minimum Street Setback for South Estes Property Line

Per the site's existing Community Commercial (CC) zoning district, as regulated in Table 3.8-1 of the Land Use Management Ordinance, a minimum Street Setback of 22 feet is required for this site. Therefore, the building is required to be set back 22 feet from the edge of the public right-of-way for both East Franklin Street and South Estes Drive.

We note however, that the Town and NCDOT staffs have recommended preserving sufficient right-of-way that intersection improvements (the installation of dual left-turn lanes) could potentially be made in the future if desired by the Town Council and NCDOT. Our detailed analysis of the existing right-of-way and desired cross-section indicates that sufficient right-of-way currently exists on East Franklin Street to make such symmetrical improvements in the future. However, our detailed analysis also indicates that an additional two (2) feet of right-of-way is desirable on South Estes Drive in order to preserve the capability to make such symmetrical improvements in the future.

In exchange for agreeing to dedicate two (2) feet of additional public right-of-way along South Estes Drive to ensure that potential intersection improvements can be made in the future if desired, Walgreens will need the Town Council to modify the required minimum street setback from 22 feet to 20 feet for the site's South Estes Drive frontage by making the finding that public purposes are satisfied to an equivalent or greater degree as a

potentially expensive strip of right-of-way is obtained by the Town at no cost to be used for public benefit without noticeably changing the spatial relationship between the proposed building and the street.

(3) Minimum Street Setback & Corner Property Line

Rather than meeting at a common point, the site's East Franklin Street property line and South Estes property line stop short of intersecting with each other and alternatively have another property line segment (a chord) connecting them. The result is a short diagonal property line (about 20 feet long) that is located at the corner of the property that faces the intersection.

In the Community Commercial (CC) zoning district, as regulated in Table 3.8-1 of the Land Use Management Ordinance, a minimum Street Setback of 22 feet is required for this corner property line. Therefore, the building is required to be set back 22 feet from the edge of the public right-of-way for both East Franklin Street and South Estes Drive and is also required to be set back 22 feet from the edge of this corner property line.

If the building is built to the street setbacks (which is what is being proposed in this case in accordance with Town Design Guidelines), the result of literally applying this street setback to the corner property line is that it prevents the East Franklin and South Estes building facades from intersecting in a point, and alternatively dictates that a short additional side (about 7 feet long) is needed at the corner of the building facing the intersection. The required setback and resulting building envelope are illustrated in Exhibit 'A.'

Walgreens would like to have the opportunity to build at the proposed setbacks on East Franklin Street (22') and on South Estes Drive (20') and have these two facades meet at a common point rather than being truncated by the application of the required minimum street setback from this somewhat unusual corner property line. In order to have these two facades meet at a common point, the street setback from the corner property line would need to be reduced from 22 feet to 19.6 feet. The result of this change would be an increase of 8.3 square feet of floor area for the building and the ability to avoid having to join the building's two major street façades with a short façade that would only be about seven (7) feet wide. The proposed building design and setback modification is illustrated in Exhibit 'B.'

Accordingly, Walgreens requests that the Town Council modify the required minimum street setback from 22 feet to 19.6 feet for the corner property line that faces the intersection by making the finding that public purposes are satisfied to an equivalent or greater degree as the building's East Franklin and South Estes façades will have a conventional and more aesthetically pleasing appearance from the adjoining streets without significantly changing the spatial relationship between the proposed building and the intersection.

(4) Minimum Street Setbacks & Architectural Elements (e.g. Awnings, Cantilevered Overhangs, Trellis or Greenscreen®-like product)

Per the definition in Appendix A of the Land Use Management Ordinance, the Street Setback is “the horizontal distance between the street lot line of a zoning lot and any structure on such zoning lot, measured perpendicular to the street lot line.” Accordingly, the street setback helps determine the closest point that any structure (e.g. building) can be to the property line.

Section 3.8.3 of the Land Use Management Ordinance addresses permissible exceptions to the setback requirements, and does specifically note that “roof overhangs which do not exceed 36 inches in length” are allowed to protrude into the setback. Free-standing signs and fences (not exceeding 6’ in height) are examples of other features that are also not subject to the required minimum setbacks.

This particular Walgreens is proposing customized architecture, and will not look like a prototypical store. As part of the store’s conceptual building design exercises, we do not anticipate that the building will have traditional roof overhangs or eaves. Alternatively, we do anticipate that the building may utilize one or more of the following design elements (awnings, cantilevered overhangs, trellis, or Greenscreen®-like product) in order to provide visual and aesthetic interest to the building. We note that these architectural elements do protrude from the building in a manner very similar to roof overhangs (up to but not more than 36 inches), although these architectural features are not specifically identified in the LUMO’s list of permissible exceptions to the setback requirements.

Accordingly, Walgreens requests that the Town Council modify the minimum street setbacks for this site to allow these architectural design elements, which do not extend more than 36 inches from the building façade, to occur in the street setback, subject to the approval of the Community Design Commission. This modification is supported by the finding that public purposes are satisfied to an equivalent or greater degree as the building’s East Franklin and South Estes facades will have a more aesthetically pleasing appearance from the adjoining streets and can also utilize architectural design elements that will incorporate green building techniques, promote greater energy efficiency, and help with late afternoon sun angles without changing the spatial relationship between the proposed wall of the building and the street.

(5) Minimum Street Setbacks & Bicycle Racks

The Land Use Management Ordinance defines a structure as “anything constructed or erected which requires location on the ground or attachment to something having a fixed location on the ground, including but not limited to principal and accessory buildings, signs, fences, walls, bridges, monuments,

flagpoles, antennas, and transmission poles, towers, and cables.” The Ordinance further defines an Accessory Structure as “a subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.”

Based on these definitions and our conversations with Town staff, we believe that the proposed bicycle parking rack (standard ‘U’ rack) for the Walgreens Pharmacy may meet the definition of an Accessory Structure.

Per the definition in Appendix A of the Land Use Management Ordinance, the Street Setback is “the horizontal distance between the street lot line of a zoning lot and any structure on such zoning lot, measured perpendicular to the street lot line.” Accordingly, the street setback helps determine the closest point that any structure (e.g. building) can be to the property line.

Section 3.8.3 of the Land Use Management Ordinance does address permissible exceptions to the setback requirements, and specifically notes that free-standing signs and fences (not exceeding 6’ in height) are examples of features that are not subject to the required minimum setbacks. However, in no place does the Ordinance expressly exempt accessory structures such as bicycle parking racks from the setback requirements.

Walgreens would like to make bicycle parking as convenient and as accessible as possible to customers in order to encourage this alternative form of transportation. Accordingly, Walgreens is proposing to locate a standard ‘U’ rack for bicycle parking in the East Franklin Street Setback near the store’s proposed front door. This specific location is proposed for the following reasons:

- Maximizes proximity to the store’s entrance, and provides parking for bicycles that is closer to the entrance than the closest regular (non-handicap) vehicular parking space;
- Provides easy access to E. Franklin Street sidewalk and driveway entrance, thereby maximizing convenience while minimizing conflicts between bicycles and vehicular traffic in the parking lot;
- Offers the ability to shade the proposed location with a large shade tree in order to protect bicycles from the sun; and
- Being situated in the northern corner of the site, offers the ability for the building to shade the proposed location from the sun during late afternoon and evening hours.

Accordingly, Walgreens requests that the Town Council modify the minimum street setbacks for this site to allow bicycle parking to occur in the portion of the street setback near the store entrance as illustrated in the plans, by making the finding that public purposes are satisfied to an equivalent or greater degree by providing bicycle parking in close proximity to the

building's entrance, enhancing and promoting an alternative form of transportation, and maximizing public safety by minimizing the likelihood of bicycle/vehicular interaction in the proposed parking lot.

(6) Minimum Interior & Solar Setbacks and the Dumpster/Recycling Fence

Per the definition in Appendix A of the Land Use Management Ordinance, an Interior Setback is "the horizontal distance between the interior lot line of a zoning lot and any structure on such zoning lot, measured perpendicular to the interior lot line." Appendix A of the Ordinance similarly describes a Solar Setback as being "the horizontal distance between the interior lot line of a zoning lot and any structure on such zoning lot, measured perpendicular to the interior lot line." Accordingly, the interior and solar setbacks help determine the closest point that any structure (e.g. building) can be to the applicable property line.

Section 3.8.3 of the Land Use Management Ordinance does address permissible exceptions to the setback requirements, and specifically notes that free-standing signs and fences (not exceeding 6' in height) are examples of features that **are not** subject to the required minimum setbacks. However, the Town's Design Guidelines for Solid Waste Management Areas actually require the screening (fencing) for a refuse and recycling collection area to be a minimum of seven (7) feet in height.

Walgreens is proposing to locate the store's refuse and recycling collection area in the northeast corner of the property, in close proximity to the dumpster that serves the restaurant on the adjoining property. As proposed, the two facilities would be within 20 feet of each other. The fencing around Walgreens' proposed collection area would be five (5) feet off of the northern property line (where a 9-foot solar setback is normally required, and five (5) feet off of the eastern property line (where an 8-foot interior setback is normally required). If the fencing were 6 feet or less in height, this would be a permissible exception per the Ordinance, however because Town Guidelines require a minimum of a 7-foot tall fence, the proposed fencing is not in compliance with the Ordinance's requirements

We note that even though the restaurant's dumpster on the adjoining property is very close to the proposed collection area for Walgreens store, Walgreens is still proposing to install a 5-foot alternative buffer between the fencing for its refuse and recycling collection area and the shared northern property line between these two similar facilities. Walgreens is also proposing to voluntarily install a 5-foot wide buffer along the eastern property line to provide additional screening to supplement the existing 20-foot buffer previously provided by the Chapel Hill Center on the adjoining property (a 10-foot buffer is actually the Ordinance-required buffer between these non-residential uses).

Accordingly, Walgreens requests that the Town Council modify the minimum interior and solar setbacks for the northeast corner of the site to allow the fencing for the refuse and recycling collection area (which will exceed the exempted 6-foot height requirement by the minimum amount needed to receive approval from the Town staff and Orange County Solid Waste) to be located five feet off of the northern and eastern property lines. This modification is supported by making the finding that public purposes are satisfied to an equivalent or greater degree by minimizing the view of this collection area from East Franklin Street and South Estes Drive, by locating this facility in very close proximity to an identical facility on the adjoining property, and by providing a voluntary 5-foot buffer along the eastern property line to supplement the existing 20-foot buffer on the adjacent property and collectively provide a 25-foot buffer in an area where only a 10-foot buffer is required by the Ordinance.

- With approval of the requested modifications, the proposed Walgreens Pharmacy at 1500 East Franklin Street is in compliance with all of the required regulations and standards of the Land Use Management Ordinance as demonstrated by the following illustrative examples:
 - The proposed lot complies with the dimensional requirements listed in Table 3.8-1.
 - The proposed building size does not exceed the maximum permitted floor area designated in Table 3.8-1.
 - The proposed building complies with the primary and secondary height requirements identified in Table 3.8-1.
 - The proposed development does not add any new impervious surface to the site, and actually reduces the amount of existing impervious surface on the site by approximately 20%. Consequently, the proposed development conforms to the limitations regarding new impervious surface for non-residential uses as delineated in Table 3.8-1.
 - The site is designed in conformance with the design and development standards prescribed in Article 5 of the Land Use Management Ordinance. In particular, the development seeks to follow steep slope regulations prescribed in Section 5.3.2 of the Ordinance
 - Landscaping, screening and buffering are provided in accordance with the requirements and options discussed in Section 5.6 of the Land Use Management Ordinance.

- Access, circulation, and off-street parking are proposed in accordance with Sections 5.8 and 5.9 of the Land Use Management Ordinance.
- Parking lot landscaping and screening is proposed in conformance with Section 5.9.6 of the Ordinance.

Finding # 3: *“That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.”*

- The value of contiguous property is currently based on the presence of the existing service station and car wash, which were built on the site in the late 1960’s and have been operating on the site since that time. The replacement of the existing service station and car wash with another retail business use will serve to maintain or enhance the value of contiguous property.
- The replacement of the existing service station (with six gas pump locations, three open service bays, and four car wash bays) with an enclosed business operation should serve to reduce noise for adjoining property owners, thereby maintaining or enhancing the value of contiguous property.
- New 20-foot wide landscaped buffers will be created along the site’s East Franklin and South Estes Drive frontages (where there are currently no landscaped buffer areas), thereby enhancing the value of contiguous property.
- Adjacent landscape buffers for the adjacent properties to the north and east will be supplemented with additional landscape area, thereby enhancing the value of these contiguous properties.

Finding # 4: *“That the use or development conforms with the general plans for the physical development of the Town as embodied in this Chapter and in the Comprehensive Plan.”*

- The Town’s Land Use Plan, which is a component of the approved 2000 Comprehensive Plan (Figure 11), specifically identifies this site as being appropriate for commercial land uses.

Applicant’s Response: The proposed site plan includes a commercial land use in conformance with this land use designation.

- Section 2.0 of the Comprehensive Plan includes several major themes reflecting identified community values, and, using those themes, seeks to form a strategy

for future growth and development in the community. The proposed Walgreens supports several of these themes, as identified below:

➤ *“Encourage desirable forms of non-residential development”*

Applicant’s Response: The existing service station, which was built in the late 1960s, is the antithesis of the Town’s Design Guidelines (which in all fairness, did not come along until the mid-1980s). The existing development includes a building located in the rear of the site, with parking located between the building and the street. Furthermore, the existing site is 95% impervious surface; with no landscape buffers along East Franklin Street or South Estes Drive (the two small crape myrtles and small areas of grass are actually located in the right-of-way)

The proposed Walgreens building is located near both streets and places parking behind the building in an effort to screen it from the view of each street. The proposed store will be non-prototypical in appearance, incorporate desirable energy efficiency elements, and will have a custom design that will be approved by the Town’s Community Design Commission. The proposed site plan also includes 20-foot buffers (except for a short 19.6-foot segment at the corner) along East Franklin Street and South Estes Drive, which will provide a landscaped edge and significantly improve the appearance of the site.

In addition, the proposed site plan reduces the impervious surface to 74.5% of the site, and converts over 6,800 square feet (0.16 acres) of impervious surface into pervious landscaped areas. This reduction in impervious surface (over 20% of the site) will improve stormwater quality. The voluntary provision of an inline Stormceptor® unit will also further serve to improve stormwater quality.

In summary, the proposed Walgreens will redevelop an existing commercial site with a new commercial use that will be designed and built in accordance with the Town’s Design Standards, improving both the aesthetic appearance and environmental functionality of the site.

➤ *“Work towards a balanced transportation system”*

Applicant’s Response: The proposed Walgreens site is located in close proximity to several bus stops along East Franklin Street that serve multiple routes. Recognizing the proximity of multiple bus routes, Walgreens is proposing a reduction in the number of minimum vehicular parking spaces required by the Land Use Management Ordinance. By providing a reduced number of parking spaces and placing bicycle

parking spaces in very close proximity to the store's entrance, Walgreens is attempting to promote alternative forms of transportation and work towards a balanced transportation system.

➤ *“Complete the bikeway/greenway/sidewalk systems”*

Applicant's Response: The existing service station site currently has four full-access driveway entrances along its East Franklin and South Estes frontages. By removing the two driveway entrances closest to the intersection, the proposed development will not only improve vehicular safety, it will also add more continuous sidewalk along the site's frontage, improving the existing sidewalk system and providing a more complete and safer pedestrian environment. The addition of a landscaped buffer where none currently exists, will also improve the quality of this pedestrian experience.

South Estes Drive is also a designated bicycle corridor on the Town's adopted bicycle facilities plan. Since additional lane space for bicycles does not exist along this portion of the corridor, Walgreens is proposing to construct a wide outside lane along its South Estes frontage in order to help complete this portion of the Town's bicycle system.

➤ *“Provide quality facilities and services”*

Applicant's Response: The proposed Walgreens will not only offer attractive customized architecture at a prominent street corner in Chapel Hill; it will bring an established and successful store that offers quality pharmaceutical goods and associated services to the greater Chapel Hill community. In particular, the store is situated and designed to maximize the opportunity to utilize alternative forms of transportation and also offers handicap parking within 25 feet of the store's entrance for the segment of the community's population that has limited mobility.

- The Comprehensive Plan identifies the goal to *“increase employment opportunities for residents and satisfy local demand for commercial and retail services.”*

Applicant's Response: The proposed Walgreens will increase employment opportunities in Chapel Hill. With several condominium and apartment communities located within one-fourth of a mile of the site (Wilshire Place, Sherwood Colony, Winchester Court, Sunstone Apartments, Camelot Village, and Camelot Village), this proposed use will provide employment opportunities for nearby residents who can actually walk or bicycle to work. Four (4) bus stops within a one-quarter mile radius also provide opportunities for employees who may live elsewhere in town to ride the bus to and from work.

The proposed Walgreens will also help satisfy local demand for commercial and retail services, by providing a store that offers a drugstore items and a pharmacy, photography supplies and film development, a limited selection of food products, and other general convenience retail items under one roof. This development will also introduce a new retail tenant that does not currently exist in the Chapel Hill market.

- One of the objectives identified in the Comprehensive Plan is to move “*towards a more balanced transportation system that improves mobility and choice for residents.*”

Applicant’s Response: The proposed site plan proposes to close two full-access driveways and replace them with curb and gutter and sidewalk. In addition, the site plan proposes to convert the remaining two full-access driveways into right-in/right-out points of ingress and egress, utilizing physically raised medians on both East Franklin Street and South Estes Drive to limit turning movements.

These physical improvements will eliminate certain turning movements and provide a much longer, continuous sidewalk network on this site. All of these changes will significantly improve mobility for the southeast quadrant of this intersection, while also greatly increasing pedestrian and bicycle safety.

The site plan also incorporates a bicycle parking area adjacent to the front door of the building, in order to improve mobility and offer transportation choices to potential customers, especially those who live near the site.

Furthermore, by locating this land use in an area with two existing bus stops within 300 feet of the site and two more bus stops within one-quarter mile of the site, the use of mass transit as a means of accessing the retail services offered by this land use is feasible and convenient, thereby improving mobility and choice for residents.

- One of the strategies noted in the Comprehensive Plan is to “*improve existing stormwater management practices.*”

Applicant’s Response: This development proposes to take a site that is currently 95.2% impervious surface (net land area) with no stormwater management facilities, and reduce impervious surface by 6,829 SF (a reduction of over 20%) while also simultaneously installing a stormwater management device that will improve the water quality of the stormwater runoff from the parking lot and access drive areas, thereby improving existing stormwater management practices (or lack thereof) on the site.

- The Comprehensive Plan also discusses the need for “*comprehensive parking strategies that balance parking supply with demand.*”

Applicant’s Response: Recognizing that the minimum of 36 parking spaces that is required by the Town’s Land Use Management Ordinance based on the store’s overall floor area exceeds the actual needs for this site, the site plan proposes to provide parking (24 spaces) at a level that is commensurate with the store’s anticipated amount of retail floor area (approximately one-third of the proposed floor area is for inventory and storage purposes). Accordingly, the developer is seeking to “balance parking supply with demand.” In addition, the developer is seeking to promote alternative modes of transportation by providing bicycle parking adjacent to the front door, in order to help further reduce demand for vehicular parking spaces.

- The Master Plan for Entranceway Corridors, which is an adopted component of the Town’s Comprehensive Plan, identifies the portion of East Franklin Street between Eastgate Shopping Center and the Bolin Creek Bridge as a “*Developed Corridor.*” This document acknowledges that Developed Corridors “*represent the most difficult streetscape image problem to resolve*” due to the “*incremental nature*” of new development and redevelopment. Furthermore, “*a narrow planting strip [between the sidewalk and the curb], overhead utilities, existing sidewalks and other infrastructure severely limit the ability to make significant landscape improvements within the existing public right-of-way.*”

Recognizing that existing development in this area “*has created a streetscape which displays little connection with the traditional Chapel Hill character,*” the plan notes that “*the ultimate objective is to create some degree of visual unification and consistent streetscape improvements which will bring these areas back into a condition at least compatible with other more attractive streetscapes in Chapel Hill.*”

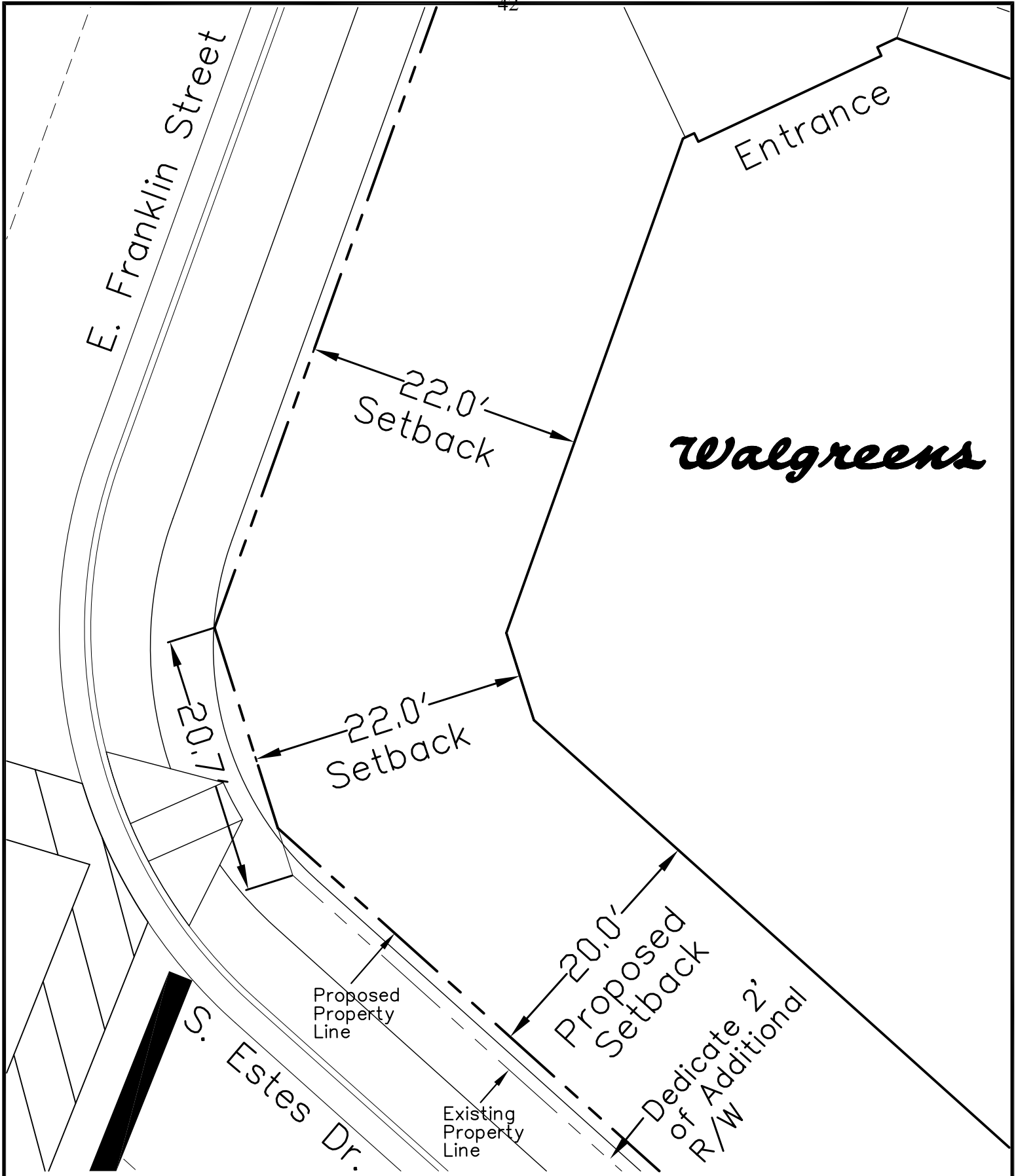
Applicant’s Response: The existing development on the site does not include any landscaped buffers along East Franklin Street. The proposed site plan incorporates a combination of street trees and smaller flowering trees as part of the site’s proposed 20-foot alternative buffer. The re-vegetation of this area and subsequent planting with landscaping materials utilized by other developments in this developed corridor will create a more attractive streetscape for this site and contribute towards the ultimate objective of creating some degree of visual unification and continuity of streetscape in this corridor.

- The Town’s Comprehensive Plan also identifies the objective to “*protect the visual character and design quality of entranceways into Chapel Hill.*”

Applicant's Response: Although we do not believe that the existing development on the site includes any visual character and design quality that warrants protection, we do believe that the proposed new building and its associated architectural character and appearance, when combined with the creation of a landscaped buffer will serve to enhance the visual character of this particular entranceway corridor.

Furthermore, the decision to move the building up close to the street and to locate (or screen) the parking behind the building achieves goals delineated in the Town's Design Guidelines and embodies the quality of design that is envisioned for entranceways into Chapel Hill.

The applicant hereby requests that the Town Council make the required findings of fact and approve the requested modifications of Town standards, as identified and justified above.



WALGREENS
Chapel Hill, North Carolina

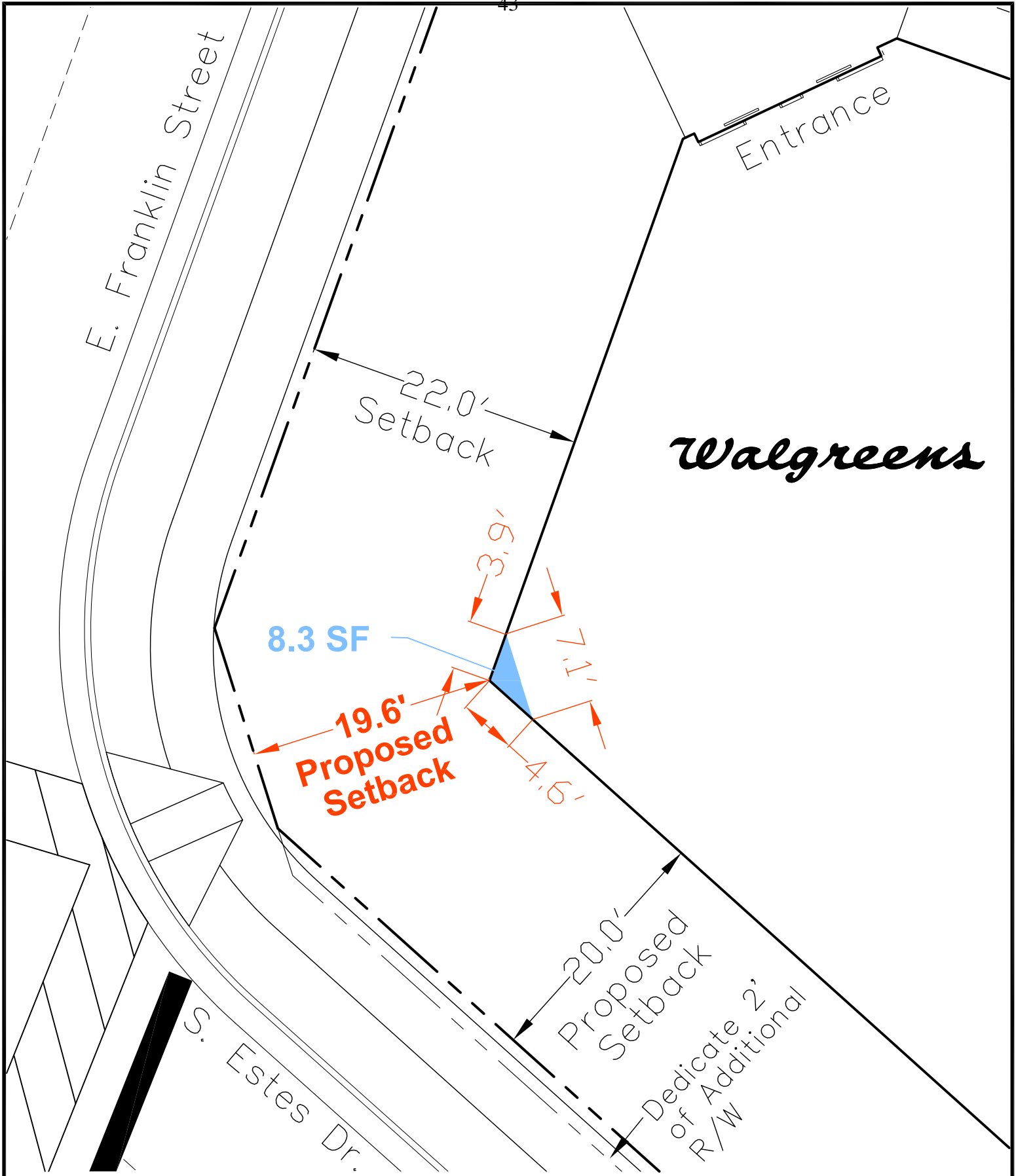
Setback for Corner Property Line



THE DESIGN RESPONSE
1616 Evans Road, Suite 205
Cary, NC 27513
(919) 678-8050 Fax (919) 678-8150

DATE:	12/23/08
SCALE:	1"=10'
DRAWN BY:	EJK
JOB NO.:	037-001
SHEET NO.:	1
OF 2	SHEETS





WALGREENS
Chapel Hill, North Carolina

Proposed Setback for Corner Property Line



THE DESIGN RESPONSE
1616 Evans Road, Suite 205
Cary, NC 27513
(919) 678-8050 Fax (919) 678-8150

DATE: 12/23/08
SCALE: 1"=10'
DRAWN BY: EJK
JOB NO.: 037-001
SHEET NO. 2 OF 2 SHEETS

