

ATTACHMENT 6

FINDINGS & STATEMENT OF JUSTIFICATION

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.

Statement of Justification Finding #1

1. The Imaging & Outpatient Facility will provide accessible, convenient hospital outpatient imaging and clinical services to the citizens of Chapel Hill and the surrounding area without adversely impacting the traffic in the vicinity.
2. The site has all of the services and utilities required for the development including sewer, water, electric, garbage collection and fire protection.
3. The development site provides parking and excellent access to alternate transportation systems that currently serve the area. Existing bus routes include stops along Highway 54 that provide convenient access to the University, UNC Hospitals and Chapel Hill Town Center. The proposed regional transit route will be approximately ¼ mile to the south of the site. Facilities for bicycle storage will be provided on the site as an integral part of the development.
4. The management of the storm water runoff from the site will be part of the proposed development. Proposed storm water management will be accomplished by pervious pavement areas and potential retainage; see Sheet C201 and the Stormwater Impact Statement.

Finding #2: That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of Article 3, 4, and 5 and the applicable specific standards contained in Section 6, and with all other applicable regulations.

Statement of Justification Finding #2

- Existing Site
 - The current site is almost completely impervious, with a large parking area located in front of the existing building. A small outbuilding or garage also sits on the property. In the mid 1990's an easement was granted to OWASA to extend public sanitary sewer force main across a portion of the site to serve the community. Most of the site is void of vegetation except for a stand of large trees along a portion of Finley Gold Course Road boundary and a line of trees along the western perimeter. See photos 1-4 below.
- Proposed Site
 - The proposed development will respect the long established tree lined entryway character of Highway 54 into Chapel Hill. A portion of the existing line of large trees will form the backdrop for the Imaging & Outpatient facility. New screen planting, landscaping and the building setback will reinforce the desired streetscape and town entryway character.
 - Patients coming to the site require close-by parking. The visual impact of the parking area will be minimized by the building position on the site and landscape screening in a manner consistent with the Town's Development Ordinance.
 - An alternate landscape buffer is being proposed along Highway 54 to help retain and reinforce the existing tree lined entryway character. The proposal changes the required buffer from 30 feet to 22 feet and is in response to the Town Council's request to provide more of a streetscape along Highway 54 and to preserve more of the existing grove of trees. The building was shifted on the site pushing it as close as possible to

Highway 54 and Finley Golf Course Road to accommodate the alternate buffer. The proposed structure will provide screening to reinforce the alternate landscape buffer. The alternate landscape buffer will not adversely affect the site.

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 of development is a public necessity.

Statement of Justification Finding #3

- UNC Hospitals proposes that the property be used for imaging and outpatient services. The building on the site will be two stories, and encompass approximately 15,000 gross square feet per floor. The building will also allow for a mobile clinical unit, for services such as MRI or CT radiology to be accommodated adjacent to the building but tucked away from general view.
- The facility will be a single building designed to meet the needs of patients requiring diagnostic testing and other clinical services. The new facility will provide hospital outpatient clinical services to area patients reducing the need to use the main hospital campus.
- The Oaks Townhomes and the Oaks subdivision are located to the north adjacent to the site. Office buildings are also located on the south side of the site. A little further distant are some components of Meadowmont and Glen Lennox housing. To the west of the site is the development for East 54 which will include residences, offices and retail. The UNC Hospitals imaging and outpatient center project has been coordinated with that of the East 54 Development.

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.

Statement of Justification Finding #4

- The architectural character of the proposed 2 story building will be designed to fit the Chapel Hill vernacular and development in the area. Design will include levels of architectural detailing to maintain sense of human scale and a welcoming environment.
- New screen planting, landscaping and the building setback will reinforce the desired streetscape and Town entryway character. The grove of trees will form a backdrop for the Imaging & Outpatient structure.
- The site only has one small portion that is presently considered a steep slope, see Sheet C101. The site, including the slope, will allow for minimal grading that blends with the natural terrain.

EXISTING PHOTOS

Photo 1 - View of Site at Intersection of Highway 54 & Finley Gold Course Road



Photo 2 – Head on View of Site across Highway 54 at Intersection of Finley Golf Course Road (Finley Golf Course Road on Left)



Photo 3 – View from Edge of Existing Parking Lot (Near Corner of Highway 54 and Finley Golf Course Road.)
To Western Site Boundary and adjacent to the former University Inn.



Photo 4 – View from Western Boundary Across Parking Lot back Towards Finley Golf Course Road



MODIFICATIONS TO REGULATIONS

Modification #1

Chapel Hill Land Use Management Ordinance, Section 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements:

- Based on the floor area of the proposed UNCH Imaging and Outpatient Center, a minimum of 138 spaces and a maximum of 156 spaces are permitted.
- The applicant proposes 104 spaces.

The applicant requests a modification of this standard to permit the amount of parking shown on the application because:

1. According to Section 5.9.7 of the Land Use Management Ordinance:
 - *Minimum vehicular parking requirements for an individual site may be reduced by the Town Council in the context of a Special Use Permit approval, or the Planning Board in the context of a Site Plan Review approval, if evidence is submitted to demonstrate and the Town Council, or Planning Board, finds that:*
 - *Sidewalks, bicycle facilities, transit service and transit amenities are in place such that together with the number of vehicular parking spaces that are proposed, transportation needs are adequately served; or*
 - *The particular use that would be specified in the Special Use Permit is of a nature that generates lower-than-average trips, and that the Special Use Permit would limit use of the property to what is specified; or*
 - *Arrangements for shared parking with nearby facilities is ensured.*

In support of Exception #1 above:

- A 10' wide greenway is provided adjacent to the building along Rt. 54.
- 12 bicycle racks are provided per ordinance by the building entrance.
- Bus stops are located: directly across the street on Rt. 54 West and west of the building on Rt. 54 East. See Sheet C001.

2. According to Section 5.9.7 of the Land Use Management Ordinance:

- *A reduction of up to twenty (20) percent of the minimum number of required vehicular parking spaces may be permitted through the granting of a minor variance by the Board of Adjustment if, based on substantial evidence in the record of its proceedings, the board finds that compliance with the full minimum off-street vehicular parking space requirements of this section would necessitate the removal of or would seriously endanger significant specimen trees on or adjacent to the zoning lot on which such parking is required.*

In support of this exception:

- A significant stand of trees is located in the northwest corner of the site. See Sheet C501.
- To preserve this stand of trees, the building has been situated on the eastern-most set back line.
- Relocating the building to provide more parking would necessitate the removal of these trees.

The applicant believes that the requested modification to standards to provide less than the required amount of parking is justified because the transportation needs of this facility will be adequately served by the proposed 104 vehicular parking provided, the proximity to bus stops, and the adjacency of the greenway path.

The applicant also believes that shifting the building on the site to allow for additional parking would necessitate the removal of significant specimen trees.

For the above reasons, the applicant believes that the "public purposes related to parking standards are satisfied to an equivalent or greater degree" by the UNC Hospitals Imaging Center Plan as submitted.