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ATTACHMENT 9

CORLEY REDFOOT ZACK INC.

ARCHITECTS • ENGINEERS • PLANNERS

April 26, 2004

UNC Softball Complex Improvements
Chapel Hill, North Carolina
Project #0226

STATEMENT OF JUSTIFICATION (SPECIAL USE PERMIT)

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.

- a) This project will not cause an increase in traffic to adjacent roads or intersection. This is an existing facility which already provides parking and access roads.
- b) Utilities have already been extended to the site during previous construction. All utility services are underground.
- c) Additional site fencing has been installed around the piles of material stored at the site to control runoff to the nearby streams. Graveled areas will be removed from the existing parking lots so as to reduce impervious surfaces and these areas will be replaced with a bioretention area. Runoff from the new buildings will be treated through the bioretention areas. Existing areas will be stabilized around the site to contain siltation. All new work will comply with the latest LUMO (Land Use Management Ordinance) regulations.
- d) All new work will be performed outside of the Resource Conservation District.

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

This project generally complies with the Development Ordinance regulations as required in the latest LUMO (Land Use Management Ordinance). Landscape shading, buffers and other items are addressed.

(Exception to the LUMO includes: Section 3.63-Resource Conservation District and Section 3.70 - Use Regulations):

An existing stormwater detention basin is located in the stream side area of the RCD. This is not a permitted use under the LUMO regulations.

The use group "B", college or university, is not permitted in the R-1 zoning district.

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:

- a) The new brick buildings will be appropriately constructed, permanent in nature, and consistent with the surrounding land uses and buildings. The open space of the ballfields and the additional landscaping are consistent with the setting of the site and adjacent properties, the St. Thomas More School and the General Administration Building. The Group "C" use of the site as recreational, non-profit is acceptable for the R-1 zone. The zoning for University, use Group B, is not permitted in the R-1 zone. This Special Use Permit is approved with a specific use of recreational, non-profit, i.e., UNC Softball teams.
- b) This facility is a public necessity in that it provides both institutional and community recreational activities. Summer camps and other community activities held at this site are beneficial to the public.
- c) The value of the contiguous property should be enhanced by the construction of permanent brick buildings and added landscaping.

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 building site is designed to promote environmental sensitivity in that buildings are being placed on a site which is already cleared and developed. Some parking areas will be removed as a part of this development which will result in no change to the amount of impervious surface for this development.

The stormwater runoff from the buildings will be treated by the latest standards as required by the Town's LUMO. Other existing areas will also be treated to improve stormwater quality.

The project will enhance community goals by promoting recreation and public involvement in summer camp programs and field day events for the St. Thomas More School.

These public events will enhance the economic base of the community by the traveling participants and spectators at the tournaments who require hotel and restaurant accommodations.

