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**ATTACHMENT 5**  
**AGENDA #6a**

**MEMORANDUM**

TO: Mayor and Town Council

FROM: W. Calvin Horton, Town Manager

SUBJECT: UNC-related Proposals - - Overview of OI-4 and Rezoning Application

DATE: July 2, 2001

**INTRODUCTION**

This memorandum describes two related proposals: a Town-initiated proposal to create a new zoning district (Office/Institutional-4), and a University application for rezoning the main campus to this new zone. Accompanying this overview memorandum are two items, one addressing the OI-4 proposal and one addressing the rezoning application. Public Hearings were held on these two proposals on June 18, 2001. Action is recommended tonight on both.

**BACKGROUND AND PROCESS**

Last fall, discussions began between the Town and the University of North Carolina regarding the University's plans for future facilities and the fact that growth on the University's main campus was nearing maximum levels as set out in Chapel Hill's development regulations. On October 23, Mayor Waldorf presented a proposed process for discussing issues of mutual concern between the Town and University, and subsequently appointed a Mayor's Committee to meet with University representatives.

On April 23, the Council adopted a resolution endorsing a proposed schedule of action, including setting the date for the June 18 public hearings on a proposed new zoning district, and on a proposed rezoning for the main campus. According to the proposed schedule of action, the Council would consider action on the proposed OI-4 zoning district and the proposed rezoning of the Central Campus to OI-4 on July 2. If the new zoning district were to be adopted tonight and applied to the main campus, then we would expect the University to submit a Development Plan soon, which would be considered by the Planning Board and the Town Council in early fall.

**DISCUSSION**

These two topics, the creation of a new zone and the application of the zone to the main campus, are distinct but related. Action would need to be sequential: create the zone, and then consider applying it.

The Council is asked to consider taking both actions tonight. At the June 18 Public Hearing, citizens and Advisory Boards were invited to comment on both proposals concurrently. We have examined the comments, and offer two accompanying memoranda, one on each topic.

We believe that the current regulatory situation creates significant difficulties for the University of North Carolina at Chapel Hill. Most of the main campus is zoned OI-3. That zoning district contains a limitation on the floor area that could be developed, and the University is near the maximum. The limitation was established twenty years ago. We believe that adjustment to the current situation is needed, in order for the University to be able to construct needed facilities.

There appears to be general agreement on that basic point, that some regulatory adjustment is needed. There is a wide range of opinion about how the adjustments should be made, and the Town Council heard many of those opinions at the Public Hearing.

We continue to recommend that the Council create the new zoning district. The accompanying memorandum suggests some adjustments to the June 18 proposed language for this new district, based on comments at the hearing. We recommend adoption of this revised ordinance.

We also continue to recommend that the Council approve a rezoning. However, our recommendation on the area to be rezoned has been revised. On June 26 the Mayor's Committee on University Discussions met with Chancellor Moeser and members of his staff to discuss issues that were raised at the June 18 Public Hearing. During discussions, and in response to concerns reported by Council members, University officials stated that the following changes to the original rezoning request would be acceptable:

- Remove from Sub-area 1 the triangular area of land at the western edge of Area 1, such triangle bordered by South Columbia Street and Old Pittsboro road.
- Remove Sub-area 5, a single lot on the north side of Franklin Street, from the area to be rezoned to OI-4.
- Remove the Pinetum, Sub-area 6, from the area to be rezoned to OI-4.
- Remove Sub-area 8, a single lot between the Steele and Egan properties, from the area to be rezoned to OI-4.

Accordingly, we have revised our recommendation to reflect these points. We now recommend that the rezoning be approved with the deletion of the triangle of land in Sub-area 1, and the deletion of Sub-areas 5, 6, and 8.

In addition, based on the discussions on June 26, we anticipate receiving a letter from the University regarding the commitment to delay construction of a proposed family-housing building along Mason Farm Road adjacent to the Wolfenden property.

**SUMMARY**

We recommend that the Town Council act tonight to create a new OI-4 zoning district, and to approve a rezoning that would apply this new district to the main campus. Immediately following is a list of attachments that are included in the accompanying OI-4 memorandum and the accompanying Rezoning memorandum.