

STATEMENT OF JUSTIFICATION

APPLICATION: Special Use Permit-Modification:
Southern Orange County Government Services Campus

DATE: March 6, 2014

This application contains material that allows the Chapel Hill Town Council to make the four required Findings of Fact necessary in order to approve a Special Use Permit:

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.

This application proposes an expansion of facilities to allow for the provision of governmental services to Chapel Hill and Southern Orange County. It will promote the public health, safety, and general welfare by providing such services.

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.

LUMO Section 4.5.6 states that where designs or solutions proposed by the applicant are not in accord with general regulations, but the Council makes a finding in the particular case that public purposes are satisfied to an equivalent or greater degree, the Town Council may make specific modification of the regulations in the particular case.

This proposed development complies with all required regulations and standards contained in the Chapel Hill Land Use Management Ordinance, as specified in Articles 3, 5, and 6 of the Ordinance, with one exception. For this site, the application requests consideration of a maximum height limit of 90 feet. Current zoning on the site sets a maximum height of 60 feet, which could accommodate a building with four floors of offices. Given the topography of the site, and given an objective of minimizing impervious surface on the site, and given the possibility that an interior office building of six floors may be a desirable building form for providing government services, this application requests that a 90-foot height be allowed as a possibility for consideration in subsequent building design and Final Plan approvals, in accordance with established Design Guidelines for this site. The application requests that the Council find that in this case, because the extra building height would only be internal to the site, because the purpose of the extra height would be to accommodate topography and minimize impervious surfaces, and because the intent is to expand capability for providing governmental services, that public purposes are satisfied to an equivalent or greater degree by permitting a maximum height of 90 feet.

In addition, the application requests a modification regarding post-approval procedures related to Starting and Completion Time Limits. Starting time limits are specified in LUMO Section 4.5.5(b): Construction must be started within 24 months of the date of an approval, or within such further time stipulated in the approval, and completed by a date stipulated in the approval. Because of the long-term nature of providing government services on this site, this application requests a starting time limit of five years (i.e., construction must begin within five years) and a completion time limit of 25 years. Again, because the purpose of this application is to make possible construction of public facilities, and because a more flexible set of time limits would allow for long-term governmental capital planning and programming, the application suggests that public purposes are satisfied to an equivalent or greater degree by permitting a longer set of time limits.

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.

This plan for development of additional governmental facilities on the Southern Human Services Center site is designed with attention to buffers, connectivity, circulation, and building forms so as to maintain the value of contiguous property. In addition, development of these facilities to provide governmental services is a public necessity.

That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.

The development conforms with and promotes the general plans and specific objectives as articulated in Chapel Hill's Comprehensive Plan. In constructing plans for this site, Orange County has paid keen attention not only to the County's policies and procedures to ensure sustainability and responsible land stewardship, but also to the Town's policies and plans: to the newly adopted 2020 Comprehensive Plan, to the Town's rules and expectations for land development and conservation, to the Town's design manuals and guidelines, and to the legacy of quality facilities built and provided within the Town's zoning jurisdiction. This proposed enhancement of the County's and Town's ability to provide governmental services to Chapel Hill and Southern Orange County directly promotes community goals. Further, this site is in an area designated as a Development Opportunity Area on the Town's Land Use Plan.