



## Legislation Text

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**File #:** 17-119, **Version:** 1

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### **TITLE:**

Request-to-set a Public Hearing on the FoodFirst Conditional Rezoning at 110 West Main Street

**PURPOSE:** The Town has received an application to rezone property at 110 West Main Street to B-1(G)-conditional (B-1(G)-CZ) for the redevelopment of the existing IFC Food Pantry into the FoodFirst community kitchen and food pantry with administrative offices.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Christina Moon - 919-918-7325, Patricia McGuire - 919-918-7327, Nick Herman - 919-929-3905 - Marty Roupe - 919-918-7333

**INFORMATION:** The Town has received an application to rezone a 0.28-acre parcel at 110 West Main Street to B-1(G)-Conditional (B-1(G)-CZ) for the redevelopment of the existing Inter-Faith Council for Social Service, Inc. food pantry building to provide enhanced social services including a dining facility or community kitchen.

### **Background**

On March 22, 2016, the Board of Aldermen adopted text amendments to the Land Use Ordinance (LUO) to establish a new use classification for facilities providing social services with dining as a permissible use in certain zoning districts. The use is allowed with a zoning permit in conjunction with a conditional rezoning of the property, and compliance with supplementary regulations, outlined in Section 15-176.7. The adopted text amendments were written such that the Board may approve conditions as part of the rezoning that would supersede LUO provisions in order to address specifics relating to the project and its location. Rezoning conditions are subject to mutual approval and are binding to the project; changes to the approved conditions would require a new public hearing.

### **Project Summary**

The project includes a single parcel located at 110 West Main Street which backs up to and shares parking with 203 and 205 West Weaver Street, the building formerly occupied by Table and the Provence restaurant respectively. The subject property, further identified by Orange County PIN number 9778-86-2205, and just over a quarter of an acre in size, contains the existing brick building housing the IFC's food pantry and other tenants. The proposal, if approved, would involve demolishing the existing building and replacing it with a new two-story building set upon a grade-level parking area (three-stories in combination). The parking area would be accessed via Main Street. The delivery loading dock, dumpster area and a few additional parking spaces would be accessed from Weaver Street.

Materials submitted by the applicant (Attachment C through Attachment G) include a descriptive project narrative, which speaks to the proposed programmatic use of the building, the formal petition for change of zoning and answers to the four-part question seven, draft conditions and the conceptual drawings-site plan,

floor plans and building elevations. One special requirement of this particular use is the development and review of a concept plan at the advisory board level, a step that is standard for special and conditional use permits but one that is not typically included for rezonings. The applicants presented their proposal at the November 3, 2016 Joint Review meeting attended by the Planning Board, Transportation Advisory Board, Environmental Advisory Board and Appearance Commission. The Economic Sustainability Commission reviewed the project on January 11, 2017 and subsequently on February 8, 2017 when it received a presentation from the applicant. The project will be referred to the advisory boards again during the public hearing process and it is anticipated that the plan, and in particular the draft conditions, will be further refined during that time. The conditions must address any elements of the project which would supersede LUO requirements so as to provide staff with clear standards by which to review the subsequent zoning permit.

Other related areas of interest include efforts to provide public notice of the project to the community. This has occurred on two separate but parallel paths. The applicant's efforts to meet with members of the community, and in particular, with surrounding property owners are described in an attached letter (Attachment G). The Town's efforts have occurred through the standard notification process for public meetings, mainly for the advisory boards, and will continue as part of the public hearing process for a rezoning, which requires mailed, published and posted notice. Planning and Economic and Community Development staff are also "tweeting" about the April 18<sup>th</sup> Board of Aldermen meeting to their respective audiences. Staff has also reached out to Chapel Hill Transit regarding the request for additional frequency and weekend service or for EZRider service during the weekend, and has provided their response (Attachment H). Proximity to transit service is a prerequisite of the use classification.

Address	PIN	Existing Zoning	Proposed Zoning	Acreage
110 West Main	9778-86-2205	B-1(G)	B-1(G)-CZ	0.20 (approx.)
110 West Main	9778-86-2205	B-2	B-1(G)-CZ	0.07 (approx.)
			Total	0.28 (12,414 sq.ft.)

### **Procedure**

Section 15-141.4 of the Land Use Ordinance, Conditional Zoning Districts, describes the procedure for the Board to consider a conditional rezoning. As described above, should the Board approve the rezoning, the applicant would submit an application for a zoning permit. Section 15-322 describes the role of the Planning Board and other advisory boards in the review of rezonings. Zoning permits are approved administratively by staff; no public hearing or advisory board review is required.

The Board of Aldermen must receive public comment before adopting map amendments to the Land Use Ordinance. Planning Board review is also needed.

**FISCAL & STAFF IMPACT:** The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation. Staff time will be necessary for public notice and public hearing agenda preparation. Mailed notice will likely occur twice for this application in order to ensure that property owners are aware of the joint review meetings and the public hearing proposed for May.

**RECOMMENDATION:** Staff recommends that the Board of Aldermen consider the attached resolution setting a public hearing for May 23, 2017 and for referring the petition for change of zoning to

advisory boards (Attachment A).