

# BOARD OF ALDERMEN

ITEM NO. (4)

## AGENDA ITEM ABSTRACT

**MEETING DATE: Tuesday, June 8, 2004**

**TITLE: Request-to-Set a Public Hearing to Consider LUO Text Amendments  
Related to Building Height Limitations for Schools**

DEPARTMENT: <b>PLANNING</b>	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: <b>A. Resolution</b> <b>B. LUO Amendment Request</b> <b>C. Relevant Land Use Ordinance provisions</b> <b>D. Draft Ordinance</b>	FOR INFORMATION CONTACT: Patricia McGuire – <b>918-7327</b> Mike Brough – <b>929-3905</b>

### PURPOSE

Steven Miller of CLH Design, P.A. has submitted a petition to amend the text of the Land Use Ordinance to allow the building height of a high school to exceed 35 feet. A draft ordinance that would allow an increase in building height for elementary and secondary schools has been prepared. The Administration recommends that the Board adopt the resolution setting a public hearing and referring the draft ordinance to the Planning Board and Orange County.

### INFORMATION

Town staff are currently reviewing a conditional use permit application for development of Chapel Hill-Carrboro City Schools High School # 3 and have met with representatives of the school system and project architects and designers on numerous occasions. The new high school is proposed for property located off Rock Haven Road and Tarhill Drive that is zoned R-10. The building height limitation in the R-10 district is 35 feet. Due to development principles adopted by the school board and under review by the Board of County Commissioners that seek to minimize the building footprint (and associated impacts) and maximize natural lighting, it has become apparent that the proposed height of the building itself would exceed the 35-foot height limitation.

Staff recommended that the applicants pursue a text amendment and a request to revise the height limitation for high schools was received on May 26, 2004 (*Attachment B*). A draft ordinance that responds to this request has been prepared (*Attachment C*). The use classification that is used for high schools (5.100) also applies to elementary and middle schools. Excerpts of the applicable Land Use Ordinance provisions are also attached (*Attachment D*). Recognizing that similar circumstances may apply to all the schools within this classification, the draft ordinance, if adopted, would allow building heights for all the elementary and secondary schools to be increased up to 50 feet.

It is necessary for the Board of Aldermen to hold a public hearing on changes to the Land Use Ordinance and to refer the ordinance to the Planning Board and Orange County for review. The Board of Aldermen may wish to consider referring the ordinance to the Appearance Commission as

well. It should be noted that the time frame for processing this request has been compressed somewhat. This has been done for two reasons. First, creating an opportunity for the Board of Aldermen to initially consider this request in conjunction with the public hearing on the school design. And, second, if the Board of Aldermen is in support of the requested change, allowing the decision to be finalized prior to the summer break so that the site plan revision process could continue through the summer, without having to wait for a conclusion to the question of building height as this could affect the overall site plan, stormwater management calculations, et cetera. The compressed schedule requires that the Orange County manager approve an expedited review, and a copy of the draft ordinance and a request for an expedited review were forwarded to the county manager and staff on June 4<sup>th</sup>

### **FISCAL IMPACT**

The application fee that accompanied this request is expected to cover associated advertising costs.

### **ADMINISTRATION'S RECOMMENDATION**

The Administration recommends that the Board of Aldermen adopt the attached resolution setting a public hearing on text amendments relating to building height limitations for schools and referring the draft ordinance to the Planning Board and Orange County staff (*Attachment A*).