

# BOARD OF ALDERMEN

ITEM NO. B(4)

## AGENDA ITEM ABSTRACT

**MEETING DATE: Tuesday, June 22, 2004**

**TITLE: Public Hearing: LUO Text Amendments Related to Building Height Limitations for Schools**

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

### PURPOSE

A draft ordinance that would allow an increase in building height for elementary and secondary schools has been prepared in response to a petition from Steven Miller of CLH Design, P.A. The Board of Aldermen must hold a public hearing before taking action on this draft ordinance. The Administration recommends that the Board adopt the draft ordinance.

### 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 objectives 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.

Following discussion of this matter with staff, the applicant submitted a request to revise the height limitation for high schools was received on May 26, 2004 (*Attachment B*). The use classification that is used for high schools (5.100 Elementary and secondary schools) also applies to elementary and middle schools may be noted in the excerpts of the applicable Land Use Ordinance provisions (*Attachment C*). The draft ordinance that has been prepared recognizes that similar circumstances may apply to other schools within this classification and, if adopted, would allow building heights for all the elementary and secondary schools to be increased up to 50 feet. In 2000, the state Department of Public Instruction (DPI) produced a report entitled "Making Current Trends in School Design Feasible." This report focused on smart growth, joint use, sustainability and other design issues and notes the benefits of two- and three-story building heights in making the greatest use of available land.

The draft ordinance contains only one substantive section. The ordinance responds to the petition in a particular sense, but also seeks to respond to the sustainability, good site planning, and green principles that are promoted in the DPI report and, increasingly, in the practice of school

construction both in the Chapel Hill-Carrboro City School district and elsewhere. In so doing, the draft ordinance would allow a deviation from the maximum building height to accommodate specific building elements, such as stage lofts, or in support of building features that have been incorporated to improve daylighting or minimize the building footprint.

Per the Joint Planning Agreement, the draft ordinance was submitted to Orange County for review, accompanied by a request for an expedited review. The Town has not received written confirmation from the Orange County Manager agreeing to an expedited review. Should the County not respond accordingly, it will be necessary that an effective date of the ordinance of no earlier than July 4 be established as that is 30 days after the notice was provided. The Planning Board also reviewed this draft ordinance and a copy of its recommendation is attached (*Attachment D*).

#### **FISCAL IMPACT**

None noted.

#### **ADMINISTRATION'S RECOMMENDATION**

The Administration recommends that the Board of Aldermen adopt the draft ordinance relating to building height limitations for schools (*Attachment A*).