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September 7, 2023

Mayor and Council
Town of Chapel Hill
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514

Re: **Petition for Limited Scope Review of Minor Modification to Approved Conditional Zoning**
1000 Martin Luther King Jr. Blvd, Chapel Hill NC 27514

Dear Mayor Hemminger and Members of Council:

We represent Trinsic Residential Group ("Trinsic"), the developer of the Aura Chapel Hill Project located at 1000 Martin Luther King Jr. Blvd (Parcel No. 9789-35-9617). Aura Chapel Hill's conditional zoning was approved on June 28, 2021 through Ordinance No. 2021-06-28-O-1, with an accompanying Conditional Zoning Permit approved and recorded on October 18, 2021 (Deed BK 6750, PG 1652-1665(14)).

On behalf of Trinsic, we are submitting this Petition for Limited Scope Review of Minor Modification to Approved Conditional Zoning related to Aura Chapel Hill (the "Petition"). The Petition requests a minor change to the offsite illumination requirements that will allow Trinsic to develop the site consistent with the approved conditional zoning. Specifically, the Petition requests to exceed Land Use Management Ordinance (LUMO) Section 5.11.4's offsite illumination maximum of 0.3 foot-candles. The Petition is supported by the neighboring property owner that would be affected by this change.

Summary of Proposed Modifications

The proposed modification involves Aura Chapel Hill's outdoor lighting. Duke Energy's Enterprise LED light fixtures (details of which are provided in **Exhibit A**) will be located along Aura Chapel Hill's northern property line. The light fixtures are located throughout the site, providing aerial street lighting, and were approved during the CDC approval process. However, the Enterprise LED lighting on Aura Chapel Hill's northern border exceeds LUMO Section 5.11.4's offsite illumination maximum of 0.3 foot-candles. The alternative option would be to use Micro Roadway LED lighting fixtures (details of which are provided in **Exhibit B**). As set forth below, The Enterprise LED lighting fixtures are the superior option because they are consistent with the

approved conditional zoning, of a higher quality, and they meet the design intent of the overall development. The Enterprise LED floor-candle photometric plan is included in **Exhibit C**.

Justification of Minor Modification

The requested minor modification is justified because it will facilitate development that is consistent with the approved conditional zoning and because it is supported by the neighboring property owner that would be affected by the modification. Duke Energy's Enterprise LED light fixtures were approved in the conditional zoning and are the preferred light fixtures throughout the project. The Enterprise LED light fixtures are the preferred choice because they are energy efficient, visually appealing, and in conformity with the design intent of the overall development.

The intended beneficiary of the LUMO Section 5.11.4 offsite illumination requirements are adjacent property owners. The adjacent property to the north that would be affected by this request is the Shadowood Apartments located at 101 Shadowood Dr., Chapel Hill, NC 27514 (Parcel No. 9789365443). Trinsic held a meeting with the Shadowood Apartments' ownership to discuss the subject lighting along the shared border and to request their approval and support. The owners of the Shadowood Apartments do support this Petition and their letter of support is attached as **Exhibit D**.

Trinsic is excited about Aura Chapel Hill and continues to advance the project forward with the goal of delivering a vibrant community in the near future. Trinsic has worked with the Town and neighbors to deliver a high-quality community that aligns with the unique character of Chapel Hill. The Council's approval of this Petition will support the project's timely advancement towards these goals.

We appreciate your consideration of this petition. Please feel free to contact me with any questions.

Sincerely,

Collier R. Marsh

CRM:crm

Attachments