



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Requested Modifications to Regulations

Project Name	860 Weaver Dairy Road	Application Number [Staff to Complete]	CZD-24-8
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LUMO Section	Section 5.6.2 (Landscaping Screening and Buffering)
Requirement	100' wide landscape buffer against highway (I-40)
Requested Modification	Intrude into the buffer in multiple places for access roads and parking deck. Request reduction of the buffer to a 50' width in limited locations along the north property line.
Purpose or Intent of Regulation	Buffers shall be required to separate a proposed development from adjacent major streets and different adjacent land uses or zoning designations in order to minimize potential nuisances such as the transmission of noise, dust, odor, litter, and glare of lights; to reduce the visual impact of unsightly aspects of adjacent development; to provide for the separation of spaces; and to establish a sense of privacy.
Justification	The site is oddly shaped and is further constrained by a cross county power easement and multiple RCD zones. Intruding into the buffer allows a more efficient layout of the site. The majority of the buffer will be left undisturbed in existing forest. Where disturbance and intrusions occur, the full constructed buffer quantity of plants will be installed even when the width is reduced.
Evaluation [Staff to Complete]	REFER TO STAFF REPORT

LUMO Section	5.6.2 (Landscaping Screening and Buffering)
Requirement	10' wide landscape buffer along south property line
Requested Modification	Elimination of plantings in 136' wide Duke Power easement
Purpose or Intent of Regulation	Buffers shall be required to separate a proposed development from adjacent major streets and different adjacent land uses or zoning designations in order to minimize potential nuisances such as the transmission of noise, dust, odor, litter, and glare of lights; to reduce the visual impact of unsightly aspects of adjacent development; to provide for the separation of spaces; and to establish a sense of privacy.
Justification	This is a wide area on site where we are prevented from installing buffer plantings. There will be some plantings between the power easement and the proposed buildings.
Evaluation [Staff to Complete]	REFER TO STAFF REPORT

LUMO Section	Section 5.3.2(f) Steep Slopes
Requirement	Max 25% disturbance of slopes over 25%
Requested Modification	Request to disturb 76% of steep slopes on site.
Purpose or Intent of Regulation	<i>Purpose and Intent. The purpose of this section is to minimize the grading and site disturbance of steep slopes by restricting land disturbance on steep slopes, and by requiring special construction techniques for development on steep slopes. These provisions are intended to:(1)Protect water bodies (streams and lakes) and wetlands from the effects of erosion on water quality and water body integrity,(2)Protect the plant and animal habitat of steep slopes from the effects of land disturbance, and(3)Preserve the natural beauty and economic value of the town's wooded hillsides.</i>
Justification	The majority of the steep slopes on this site are man made and a remnant of some initial grading done decades ago in preparation for a possible suburban style neighborhood. The roads and sanitary sewer corridor cannot be used for the proposed development.
Evaluation [Staff to Complete]	REFER TO STAFF REPORT

LUMO Section	Section 3.6.3 Resource Conservation District
Requirement	Maximum 40% disturbance of total upland zone RCD on site
Requested Modification	Allow a 52% upland zone RCD disturbance
Purpose or Intent of Regulation	The resource conservation district (herein sometimes RCD) is intended to be applied to the areas within and along watercourses within the town's planning jurisdiction in order to preserve the water quality of the town's actual or potential water supply sources, to minimize danger to lives and properties from flooding in and near the watercourses to preserve the water-carrying capacity of the watercourses, and to protect them from erosion and sedimentation, to retain open spaces and greenways and to protect their environmentally-sensitive character, to preserve urban wildlife and plant life habitats from the intrusions of urbanization, to provide air and noise buffers to ameliorate the effects of development, and to preserve and maintain the aesthetic qualities and appearance of the town.
Justification	The project will add to the Town's vehicular and greenway grid. The project site is a long narrow site which crosses multiple streams. There is no way to create a road through the site without crossing at least 3 streams, and the installation of the greenway trail to support the Town's greenway master plan creates a fourth crossing. There may be additional recreation amenities placed within the upper RCD zones. The existing connection to the sanitary sewer for the mid project development will require installation sanitary sewer mains in an RCD. And servicing the whole site with water and sanitary

	mains will require multiple crossings of RCD zones. The project is designed to concentrate RCD disturbance in the upper RCD zone and to stay away from stream channels and streamside buffers.
<i>Evaluation [Staff to Complete]</i>	<i>REFER TO STAFF REPORT</i>

<i>LUMO Section</i>	Section 5.5.2 Recreation Space – Suitability of Land
<i>Requirement</i>	Recreation space must be outside RCD zones
<i>Requested Modification</i>	Request to provide all required recreation space on site, some of which will be located within RCD zones.
<i>Purpose or Intent of Regulation</i>	(b)Suitability of land.(1)Land provided or dedicated as recreation space shall be outside of the resource conservation district and of a character, shape and location suitable for use as a playground, playfield, or for other active recreation purposes including greenway pedestrian and non-motorized vehicle easements. Recreation spaces shall be located on land that is relatively flat and dry and is otherwise capable of accommodating active recreation uses, except as exempted under the provisions of subsections (e)(2) and (e)(3), below.
<i>Justification</i>	The largest element of active recreation being provided in this development is the construction of a greenway trail. This trail would be available to the entire community, not just the residents of this development. The project site contains multiple streams and may RCD zones. The greenway trail would traverse RCD zones.
<i>Evaluation [Staff to Complete]</i>	<i>REFER TO STAFF REPORT</i>

<i>LUMO Section</i>	Section 3.4.6 Mixed-Use Village Conditional Zoning District and 3.5.1(b)(2)A
<i>Requirement</i>	Mixed uses include a second use covering at least 25% of the floor area of the whole project.
<i>Requested Modification</i>	Allow any amount of non-residential use. Uses may include any “non-residential land uses” described in section 3.4.6(c)(2).
<i>Purpose or Intent of Regulation</i>	Purpose statement: The mixed use districts are intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections and transit corridors in Chapel Hill. They are designed to facilitate stated public policies to encourage design which emphasizes lively, people oriented environments and compatible, visually interesting development. This district provides areas where moderate scale mixed use centers can locate with an emphasis on development of a balance of residential, office and commercial uses.It is further intended that the mixed use districts shall encourage development within which mutually supporting residential, commercial and office uses are scaled, balanced and located to reduce general traffic congestion by providing housing close to principal destinations, and

	convenient pedestrian and bicycle circulation systems and mass transit to further reduce the need for private automobile usage. Mixed use districts are intended to encourage development that allows multiple destinations to be achieved with a single trip. These standards encourage a design such that uses within a mixed use district are arranged in a manner that encourages internal vehicular trip capture and the development patterns that encourage walking, transit and bicycling as alternatives to automotive travel. When such districts adjoin residential development or residential zoning districts, it is intended that arrangement of buildings, uses, open space, and vehicular or pedestrian and bicycle access shall be such as to provide appropriate transition and reduce potentially adverse effects.
Justification	The project aims to include some non-residential uses for the convenience of project residents and nearby residents but does not believe there is a market to support retail and service uses covering 25% of the total built area on site. The non-residential space will be located along pedestrian circulation routes to activate plaza areas green spaces, and to encourage local residents to use retail, food service, and other services by walking and bicycling as alternatives to auto travel.
Evaluation [Staff to Complete]	REFER TO STAFF REPORT

LUMO Section	Section 5.14.7.(m) Crown Sign
Requirement	Crown sign may not extend above the roofline.
Requested Modification	Request modification to allow sign to extend above the roofline to the top of the parapet.
Purpose or Intent of Regulation	It is the intent of this section to authorize the use of signs with regard to size, layout, style, typography, legibility, and arrangements compatible with their surroundings; appropriate to the identity of individual property, occupants, and/or the community; and as appropriate to traffic safety.
Justification	The façade and parapets have not yet been fully designed. Generally there is not enough space between the top of the windows on the top floor, and the roofline behind the parapet. And generally the roofline is not visible on buildings of 4 stories or more. The requested modification would allow the signage to extend above the roofline but remain below the visible top of the parapet.
Evaluation [Staff to Complete]	REFER TO STAFF REPORT

LUMO Section	
Requirement	
Requested Modification	
Purpose or Intent of Regulation	
Justification	



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Statement of Consistency with the Comprehensive Plan

This Statement worksheet addresses the application's responsiveness to the [Complete Community Strategy](#) and other components of the Town's [Comprehensive Plan](#). **This form is fillable. Please complete fields in the worksheet where feasible** or reference any attached narratives. See the accompanying Comprehensive Plan Consistency Guide for more detailed guidance. The numbering of fields in this worksheet corresponds to the section numbering of the Guide.

Project & Site Information	Project Name	860 Weaver Dairy Road	Application Number [Staff to Complete]	CZD-24-8
	Future Land Use Map (FLUM) Focus Area	North MLK	FLUM Sub-Area	D

COMPLETE COMMUNITY: STRATEGIES FOR WHERE TO DIRECT GROWTH		
Strategy	Consistency of Application	Evaluation [Staff to Complete]
0.A Greenways	The project includes almost 5000 LF of greenway trail construction connecting to a small greenway at the west end and travelling east through the site to the edge of Carol Woods and south to the project frontage on Weaver Dairy Road.	Refer to staff report
0.B Transit Corridors	The project is located on a public bus line, and is within walking distance of a transit station at Martin Luther King Jr Blvd and Weaver Dairy Road on the proposed NS BRT route. Current bus service includes the T and NS routes linking this area to downtown and to the UNC campus.	
0.C Large infill sites with existing infrastructure (within Focus Areas)	This site is surrounded by developed properties: a retirement community, townhomes and apartments, and is adjacent to the Vilcom Center property.	
0.D Smaller infill sites (Residential designation on FLUM)		

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES

Plan/Policy References	• Future Land Use Map (FLUM), Land Use, Density & Intensity, Mapped Features • Shaping Our Future (TOD Plan) • West Rosemary Development Guide • Central West Small Area Plan • Chapel Hill 2020: Community Prosperity and Engagement; Town and Gown Collaboration • Housing Advisory Board Development Review Criteria		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to Complete]
1.A.1 FLUM Guiding Statements (Town- wide) #2., 3., 7., 10.	1. Demonstrate the Town’s commitment to effectively respond to the threats associated with climate change as well as environmental stewardship and resiliency. 2. Ensure equitable planning and development. 3. Encourage a diversity of housing, 6. Direct investment along key transportation corridors and promote construction of transit and multi-modal transportation options in concert with the Town’s regional transportation partners. 7. Support and facilitate economic development. 8. Provide appropriate transitions between land uses and buildings of different scales. 10. Cooperate and colarobate with the Town’s regional partners	1. The project’s high density and location close to existing and planned public transit supports more sustainable development to respond to the threats of climate change. The project is located within walking and biking distance of employment, services, medical care, grocery stores, and multiple retail and entertainment opportunities to support reduction of single vehicle trips. 2. The project will provide housing and some non-residential space that supports rather than displacing existing residents. It provides broader mobility and connectivity to existing and planned public transportation and will build greenway trail to extend the existing system. 3. The project contains a diversity of housing including provision of over 100 townhome units to serve the missing middle market. 6. / 7. This project represents significant investment for both residential and non-residential uses on a corridor where Weaver Dairy Road was recently improved by NC DOT and where the Town has established public transit service. The density and design of the project support public and alternate transit options for all residents. The non-residential space and possible retail additions to the residential use will facilitate economic development, and the addition of residential units will provide in-town housing for potential employees. 8. The project has been designed to respect	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES

		existing adjacent uses. The most dense residential development is placed at the west end adjacent to other multi-family projects. The non-residential phase is placed adjacent to the office and medical uses existing in the Vilcom Center, and the residential proposed at the east end is townhome use, the same as the many adjacent developments west and south of the project. 10. The project is not associated with UNC but does support the University with the provision of housing on a direct route to campus, and within walking distance of many UNC medical facilities.	
1.A.2.a-f FLUM Focus Area Principles for Land Use and Density & Intensity	This development is in the North MLK, Sub-Area D focus area of the FLUM, which supports development of multi-family residential, shops and offices, as well as parks and gathering spaces. It calls for heights of 4-6 stories.	The proposal is for multi-family mixed use development with higher density residential to the west, (adjacent to shopping) and townhouse development to the east (adjacent to existing townhouse communities). The multi-family buildings in the western portion of the site will be 5- and 6- story.	
1.A.3 FLUM Appropriate Uses (Primary and Secondary)	Multi-family residential, shops and offices, commercial, parks and green spaces as primary land uses. Townhomes and institutional spaces as secondary uses.	The project will provide multi-family residential. Townhomes will also be offered to increase the diversity of housing available. Multiple gathering and green spaces will be provided. The project will include non-residential uses in future phases.	
1.A.4 FLUM Building Height Guidance	4-6 stories	Project building heights will be 2-6 stories. Lower buildings are proposed for the east end of the project to act as a transition against the 2-story residential existing adjacent residential. The higher density portion of the project is located at the west end adjacent to existing multi-family projects, and close (walking distance) to multiple existing commercial uses.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES			
1.A.5 FLUM – Other Mapped Features	Flood resiliency - Heat island resiliency - Tree Canopy - Impervious surfaces - Habitat connections	The project will mitigate for new impervious surfaces. Tree canopy exceeds Town standards. Impervious surface addition is 36%, approximately half the allowed level.	
1.B Shaping Our Future Focus Area and Recommended Actions (Delete row if outside of TOD Opportunity Sites)	n/a		
1.C West Rosemary St Development Guide – Community Priorities by Section (Delete row if outside of Plan Area)	n/a		
1.D Central West Small Area Plan – Principles and Objectives (Delete row if outside of Plan Area)	n/a		
1.E.1 Chapel Hill 2020: Community Prosperity and Engagement (CPE)	Promote a safe, vibrant, and connected (physical and person) community (CPE.3)	The project's mixed use offering will encourage economic diversity. The addition of new residential units will increase housing options and allow local employees the opportunity to live in Chapel Hill.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES

1.E.2 Chapel Hill 2020: Town and Gown Collaboration (TGC)	Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community. (TGC.4) Promote access for all residents to health-care centers, public services, and active lifestyle opportunities. (TGC.6)	Though not directly associated with the University, the project will be attractive to employees at UNC and in that way will support the university community.	
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COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS

Options for Community Benefits	Applicant Proposal	Evaluation [Staff to Complete]
Affordable Housing Proposal, Including AMI Targets and Mix of Unit Sizes	This project proposes a mix of multi-family and townhomes for a total of 630 – 710 units. A formal affordable housing proposal has not been drafted but the developer will work with Town Affordable Housing staff and expects to comply with the ordinance.	
Housing Voucher Acceptance – Commitment for Rental Units	N/A	
Displacement Mitigation Strategies – Resources and Support for any Existing Residents	The property is undeveloped. There will not be any displacement of existing residents.	
Demographic Needs Served by Housing Types	The project offers rental and for-sale units in sizes from studio to 4-bedroom offerings, to serve a diverse population.	
Homeownership Opportunities	The townhouse units will be a for-sale product.	
Proximity to Daily Needs and Amenities – Access to Parks, Daycares, Schools, Grocery Stores, Medical Offices, etc.	The project is within walking distance of public transit stops, grocery, restaurants and service retail at both Chapel Hill North and across Weaver Dairy Road at Timberlyne Shopping Center. A variety of medical offices are also within walking distance. Greenway and community green space will be provided within the project.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS		
Resident Access to Career and Education Opportunities		
Effective Use of Limited Land Supply – Sufficient Intensity on Developable Land (excluding Environmental Constraints)		

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)- SUPPORTING PLANS and POLICIES			
Plan/Policy References	• Everywhere to Everywhere Greenways Map (See Appendix A for multiuse greenway network) • Mobility and Connectivity Plan (for additional bike facilities) • Greenways Plan (for additional trails including unpaved) • Connected Roads Plan • Future Land Use Map (FLUM), Connectivity & Mobility • Chapel Hill 2020: Getting Around • Transportation & Connectivity Advisory Board Development Review Criteria		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to Complete]
2.A Everywhere to Everywhere Greenways Map Facilities	The Everywhere-to-Everywhere map calls for a new greenway running through this site.	The project proposes to add to the Town's greenway trail system, taking a new trail through the length of the project and connecting to an existing trail at the west end, and to the sidewalk system on Weaver Dairy Road at the east end. There will also be a northeast spur connecting directly to the Carol Woods campus.	
2.B Mobility and Connectivity Plan Facilities	The Mobility and Connectivity Plan also calls for new multi-modal paths along the I-40 frontage as well as one through the site.	The project proposes to add to the Town's greenway trail system with a 10'-14' wide paved greenway trail through the length of the project, as well as a 10' wide paved spur at the east end that heads northeast to the corner of the Carol Woods campus.	
2.C Greenways Plan Facilities	The 2013 Greenways Master Plan calls for a new trail connecting Perkins Drive to Sunrise Road. The goal would be to create a major greenway that runs parallel to I-40 from Perkins Drive to Sunrise Road as a class 6 paved trail.	There is a short existing trail between Perkins Drive and Adair Road at the east end of the project. The 860 Weaver Dairy project proposes a 10'-14' wide paved trail connecting that existing facility through the site to the east end where it splits with the main trail heading south to connect to sidewalks on Weaver Dairy Road, and the	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)- SUPPORTING PLANS and POLICIES			
		spur heading northeast to the corner of the Carol Woods campus.	
2.D Connected Roads Plan Connections	The plan encourages new development to connect with existing streets, provide stubouts to future development, and provide connections between existing subdivisions.	The main street through the development connects to both Old University Station Road and Adair Drive at the west end, and connects to Weaver Dairy Road at the southeast corner of the project.	
2.E.1 FLUM Guiding Statements (Town-wide) #6.	The FLUM encourages investment along key transportation corridors as well as promote construction of transit and multi-modal transportation systems.	The project is a large investment which will provide housing along a key transportation corridor. The denser portion of the development is within a short walk of Weaver Dairy Road and Martin Luther King Jr Blvd where there are existing bus routes/bus stops and where there is an anticipated future hub for the NS BRT system. The size and density of this proposed development will support public transportation offerings. The project also includes more than a half mile of built trail, extending the existing greenway trail in this area.	
2.E.2.a-f FLUM Focus Area Principles for Connectivity & Mobility	The FLUM also speaks to connecting residential areas east of MLK with commercial destinations: developing multi-modal links between developments and leveraging the transit system; and avoiding surface parking lots.	There is good walking and biking connectivity between this new development and existing businesses, commercial destinations, and public transit stops. The majority of parking is in a structure behind the multi-family development with enough spaces to provide parking for all residents in both buildings. Throughout the rest of the site, the townhomes each have a garage space, there is some on-street parking, and there are some small parking lots to provide space for overflow parking and visitors. When fully built out, there will be no large surface parking lots on site.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)- SUPPORTING PLANS and POLICIES			
2.F.1 Chapel Hill 2020: Getting Around (GA)	Balancing automobiles with alternative forms of transportation in an integrated transportation network (GA.1) A connected community that links neighborhoods, businesses, and schools through alternative forms of transportation (GA.2) and creating a transportation system that provides everyone safe and reasonable access to community amenities (GA.5)	The project is located on a street with existing bus service and is close to the future NS BRT line and the proposed MLK transit stop associated with that service. Additionally there are multiple sidewalks and greenway trails being proposed to provide multiple opportunities for alternate transit use.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to Complete]
Traffic Impact Analysis – Status of Completion or Exemption (LUMO Sec. 5.8)	The TIA has been completed and distributed to the Town Transportation staff and to NC DOT.	
Road Improvements Addressing Traffic Impacts (typically based on TIA Recommendations)	The developer is working with Town staff and DOT to determine specific road improvements.	
Location of Vehicular Access Points; Vehicular Cross-Connectivity Opportunities	There will be access from Weaver Dairy Road at the east end, and connections made to the end of Old University Station Road and Adair Drive in the western part of the project.	
Pedestrian Access and Internal Circulation, Connections to Larger Network	Sidewalks will be added throughout the community and will connect to points off-site, including short sidewalk connections from the new greenway trail to the property lines of adjacent residential and non-residential uses south of the site.	
Bicycle Access and Safe Movements through Site; Identify Shared or Dedicated Facilities within Site and along Frontages	The project includes construction of a greenway trail connection from the existing small trail at the west end of the site, through to Carol Woods and to Weaver Dairy Road at the east end.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS		
Bicycle Amenities – Type and Location of Bicycle Parking and Other Supportive Amenities	180 bike parking spaces will be available on site. There will be surface bike racks, bike facilities inside the multi-family buildings, and space for bicycles in the townhome garages.	
Safe Road Crossings for Various Ages and Abilities – Treatments Used at Key Intersections	Crosswalks will be added to the project. Sidewalks will be provided throughout the project.	
Transit Service Proximity and Frequency; Improved Access to Nearest Transit	There is good pedestrian circulation to transit stops on both Weaver Dairy Road and on Martin Luther King Jr Blvd.	
Future Multimodal Connectivity Opportunities (include projects by others for Greenways, Transit, and/or Bicycle Facilities)	The project is within a short walk of Martin Luther King Jr Blvd and Weaver Dairy Road where there is a proposed stop on the future NS BRT route. There are good pedestrian routes between the site and public transit, and the project is adding to the pedestrian grid through internal sidewalks and a greenway trail that will extend the entire length of the project.	
Parking Demand Reduction Strategies		

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) – SUPPORTING PLANS and POLICIES			
Plan/Policy References	• Climate Action and Response Plan (CARP) • Stormwater Management Master Plan • Future Land Use Map (FLUM), Environmental • Chapel Hill 2020: Nurturing Our Community • Sustainable Building Policy for Conditional Rezoning • Environmental Sustainability Advisory Board Development Review Criteria		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to Complete]
3.A.1 CARP: Buildings & Energy Actions		The building will be all electric. Interior and exterior lighting will be LED and exterior light color will be 3000 Kelvin or lower and will use International Dark-Sky approved exterior lighting or equivalent. The developer is working with the Town's sustainability staff to determine goals for building energy efficiency.	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) – SUPPORTING PLANS and POLICIES

3.A.2 CARP: Transportation & Land Use Actions		The development supports transit, walking and biking choices. It is located within an easy walk of existing and proposed bus and BRT routes. The project will be adding to the greenway trail system and connecting to existing greenway near Perkins Dr.	
3.A.3 CARP: Waste, Water, & Natural Resources Actions		The project will satisfy the Town's tree coverage requirement with existing retained canopy as well as adding tree plantings to the development. The project is proposing use of a minimum 90% native plantings. Any irrigation installation will be minimal and will be concentrated at the multi-family building entries and courtyards. There will be on-site recycling.	
3.A.4 CARP: Resiliency Actions		The project will be treating all impervious surfaces in a combination of surface ponds and underground detention. A portion of the new paving will be high albedo concrete.	
3.B Stormwater Management Master Plan			
3.C.1 FLUM Guiding Statements (Town-wide) #1.	Demonstrate the Town's commitment to effectively respond to the threats associated with climate change as well as environmental stewardship and resiliency.	The project supports the Town's commitment to sustainability by building a density that will support public transit, addition facilities that support alternate transportation uses, maintaining a high percentage of existing canopy coverage, providing local green spaces for residents and neighbors, and providing amenities such as EV chargers and E-bike chargers for residents. In an effort to reduce the heat island effect, the project when fully built out will have no large surface parking lots. The project will install trees beyond the Town's requirements.	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) – SUPPORTING PLANS and POLICIES			
3.C.2.a-f FLUM Focus Area Principles, Environmental	North MLK Focus Area - connectivity and mobility, land use, placemaking, density, environmental	The project prioritizes connectivity. The higher density portion of the development is close to public transit to support existing and proposed systems. Construction of the greenway extending from the existing trail on the west end through the entire site will increase connectivity and mobility of alternative transportation modes for both residents and neighbors.	
3.D.1 Chapel Hill 2020: Nurturing Our Community (NOC)		The project supports the Town's Parks and Recreation master plan (NOC.4) by constructing a greenway trail through the site that connects to an existing trail at the west end, extends toward I-40 at the east end to make a connection at Carol Woods campus, and connects to the sidewalk system along Weaver Dairy Road. The project will also treat stormwater to the 100-year storm event level which protects adjacent neighborhoods from the impact of this development (NOC.8)	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to Complete]
Energy Efficient Building Design, All-Electric Design, Electric Vehicle Charging, and Various Other Green Measures	<i>Complete the Climate Action Plan Worksheet</i>	
Solar Energy Generation, Solar-Ready Design, and/or Feasibility Analysis		
Electric Bicycle Charging	Chargers for E-Bikes will be provided with the development in the multi-family buildings.	

Efforts to Minimize Removal of Mature Tree Canopy and Other Significant Vegetation	The required tree coverage amount will be met with existing retained tree canopy. Additional trees will be installed.	
Measures to Protect and/or Restore Streams, Wetlands, and Flood-prone areas, Exceeding Regulations		
Waste Reduction Strategies and/or On-Site Recycling or Composting	The project will include facilities for recycling collection.	
Stormwater Design Targets (e.g., Management for Larger Storm Events or Treatment of Existing Impervious Surface)	The project will be treating stormwater for the 100-year storm event.	
Impervious Surface Reduction Strategies		
Invasive Species Removal		
Strategies for Erosion Control and Stable Condition of Site during Construction, Exceeding Regulations		
Relationship of Grading to Natural Landform; Strategies to Minimize Cut and Fill		

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4) – SUPPORTING PLANS and POLICIES

Plan/Policy References	• Future Land Use Map (FLUM), Placemaking, Street Character, and Urban Form • Chapel Hill 2020: A Place for Everyone; Good Places, New Spaces • Consultation with Town Urban Designer – Brian Peterson, bpeterson@townofchapelhill.org • Community Design Commission Guiding Principles for Design and Character		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to Complete]
4.A.1 FLUM Guiding Statements (Town-wide) #4., 5., 8., 9.			
4.A.2.a-f FLUM Focus Area Principles for Placemaking, Street Character, and Urban Form			
4.B.1 Chapel Hill 2020: A Place for Everyone (PFE)			
4.B.2 Chapel Hill 2020: Good Places, New Spaces (GPNS)			

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4) - COMMUNITY BENEFITS

Options for Community Benefits	Applicant Proposal	Evaluation [Staff to Complete]
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Protection of Historic Features and Cultural Resources	n/a	
Public Art Proposed, and How Art Contributes to Creative Placemaking	Public art will be provided on site. Development of what that is and where it will be placed will be developed during the ZCP process.	
Streetscape Design Features for Active Pedestrian Realm along Internal Drives and Streets	Project streets are designed for a good pedestrian experience. There will be adjacent trees for shade, multiple cross walks for easy crossing, numerous opportunities for access to the greenway trail, and easy access from all building front doors to sidewalks is in the design.	
Building Placement to Activate Public Realm	Buildings are oriented on site to create courtyard and small green spaces. The townhomes are located with easy access for pedestrian circulation and in some cases face a green or greenway space.	
Building Design Measures Creating a Human Scale		
Efforts to Reduce Visibility of Parking	At final build-out, the majority of parking will be located in a parking deck behind the multi-family buildings. It will not be visible from most of the pedestrian routes or from the project entry. The townhomes all have a garage space to reduce the presence of cars on site. There are no large surface parking areas. Small parking areas and on-street spaces will be provided for visitors and resident overflow of structured spaces.	
Transitions to Surrounding Neighborhoods through Landscape, Compatible Uses, and/or Building Forms	The layout of the project is intentional in the location of uses. The highest density development and tallest buildings are located adjacent to existing multi-family neighbors and closest to public transit stops. The proposed non-residential use will be located adjacent to existing 3-story office and medical office facilities. And the lower density 2-story townhomes will be located next to where the neighbors are 2- and 3- story townhomes.	
Public Spaces Designed and Programmed to Serve a Variety of Needs		

Additional Aspects of Site Design Prioritizing People Over Vehicles	The project provides sidewalks on both sides of streets, provides a greenway trail that runs the entire length of the project, and provides multiple green spaces along these pedestrian circulation routes – spaces for rest and activity and gathering.	
Other Notable Design Features		



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Statement of Justification for the Zoning Atlas Amendment

This Statement worksheet addresses the reasonableness of the Zoning Atlas Amendment by considering characteristics of the site and its surroundings, comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and responding to Land Use Management Ordinance (LUMO) Findings of Fact. **This form is fillable. Please respond to all considerations listed in this worksheet.**

Project & Site Information	Project Name	860 Weaver Dairy Road	Application Number [Staff to Complete]	CZD-24-8
	Existing Zoning District	R-3		
	Proposed Zoning District	MU-V-CZD		
	Proposed Land Uses	Multi-family residential, townhome residential, non-residential		

CONSIDERING THE SITE AND ITS SURROUNDINGS			
	Description	Compatibility with Proposed Zoning and Development Program	Evaluation [Staff to Complete]
Surrounding Land Uses	North: I-40 South: Residential and Commercial East: Retirement community West: Multi-family residential	The project is designed with multi-family against existing multi-family in Chapel Hill North. Non-residential space has been designed adjacent to the commercial and medical Vilcom Center development, and 2-3 story townhomes are offered against the condo and townhome projects to the east and southeast.	Refer to staff report and Resolution A

Surrounding Zoning Districts	North: n/a South: MU-OI-1, OI-2,R-1,R-4, R-5 East: R-4 West: MU-OI-1	The project proposes to rezone the project to MU-V-CZD to reflect the variety of residential offerings and allow for non-residential space in the central area and in the street level of the multi-family buildings. The east end will be developed with townhomes to complement the existing adjacent zoning and townhome uses. The central area is adjacent to medical uses and office space and this is the project area where the possibility for non-residential space will be developed as a final phase. This area will not be immediately developed and the developer will work with staff to determine appropriate uses within the LUMO allowances. The west end of the site is proposed for the higher density multi-family residential use to complement the adjacent uses are residential and high density residential.	
Transit Service	The project is on a transit line with stops on Weaver Dairy Road. The project will be a 5-10 minute walk from the proposed MLK JR station of the proposed NS BRT route.	The project is within walking distance of public transit and as such is designed with an extensive network of sidewalks and trails to take advantage of those services.	
Road Frontages and Vehicular Access	Road Classification(s): Local ☒ Collector ☒ Arterial ☒ Road Maintenance: NCDOT ☒ Town ☒ Private ☒ Access Points for Site: Weaver Dairy Road, connection to end of Old University Station Road, and connection to end of Adair Drive	The amount of frontage on Weaver Dairy is minimal, but allows for vehicular and pedestrian connection. The terminus of Adair Drive right of way abuts the western edge of the project parcel. Vehicular and pedestrian connections will be made at this location. The project will retain much of the existing forest to buffer it from the highway along the north property line.	

<i>Pedestrian & Bike Network</i>	There are sidewalks on Weaver Dairy Road and a greenway to the west of the project.	Project roads and sidewalks will connect to the adjacent transportation facilities.	
<i>Hydrological Features</i>	There are multiple streams and wetlands within the site.	The project will disturb buffers and wetland and cross streams in creating a gridded connected network of streets and sidewalks, and in providing a substantial addition to the Town's greenway trail system. Crossings are also required to complete water and sanitary service within the whole parcel. Crossings and development have been designed to minimize impact on environmentally sensitive areas.	
<i>Topography of Site</i>	The site has multiple high points and multiple low areas and draws. There is 40' of grade change throughout the site. Slopes are generally under 12% in the portion of the site being developed. Slopes steepend to 12-20% within stream buffer areas which are being left undisturbed.	There are few steep slopes on the site except for manmade slopes created decades ago in an initial attempt to grade for a road. Development has been concentrated on flatter areas of the project, and even where roads and trails cross streams and travel through buffers, the locations have been chosen to avoid steep RCD land. Steep slopes that will be disturbed are mostly man-made slopes from grading work completed in the 1980's.	

COMPARING PROPOSED PERMISSIBLE DEVELOPMENT TO EXISTING			
	LUMO Description	Compatibility with Proposed Zoning and Development Program	Evaluation [Staff to Complete]
<i>Intent of Proposed Zoning District (LUMO Sec 3.3 or 3.4)</i>	<i>3.4.6 The Mixed-Use Village Conditional Zoning District (MU-V-CZD). Purpose statement: The mixed-use village conditional zoning district (MU-V-CZD) established in 3.4.3 is intended to provide for the coordinated development of office, commercial, and residential uses and their</i>	The MU-V-CZD rezoning request aligns with the proposed use and density and attempts to generally match housing styles and density with adjacent existing uses. The non-residential space proposed is located adjacent to existing commercial and medical space and the residential uses are segregated into higher density toward the west – close to	

	<i>necessary support functions in the vicinity of key highway intersections and transit corridors in Chapel Hill. The district is designed to facilitate stated public policies to encourage design which emphasizes lively, people-oriented environments and compatible, visually interesting development. This district provides areas where moderate scale mixed use centers can locate with an emphasis on development of a balance of residential, office and commercial uses. It is further intended that the mixed use districts shall encourage development within which mutually supporting residential, commercial and office uses are scaled, balanced and located to reduce general traffic congestion by providing housing close to principal destinations, and convenient pedestrian and bicycle circulation systems and mass transit to further reduce the need for private automobile usage. Mixed use districts are intended to encourage development that allows multiple destinations to be achieved with a single trip. These standards encourage a design such that uses within a mixed use district are arranged in a manner that encourages internal vehicular trip capture and the development patterns that encourage walking, transit and bicycling as alternatives to automotive travel. When such districts adjoin residential development or residential zoning districts, it is intended that</i>	existing multi-family and closest proximity to transit hubs – and medium density to the east respecting similar density existing development on adjacent parcels.	
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	<i>arrangement of buildings, uses, open space, and vehicular or pedestrian and bicycle access shall be such as to provide appropriate transition and reduce potentially adverse effects.</i>				
Standard for Proposed Conditional Zoning			LUMO Standard for Existing Zoning		Evaluation [Staff to Complete]
Permitted Uses <i>(LUMO Sec 3.4 or 3.7)</i>	Residential, retail, service and commercial space		The requested zoning has been chosen to align with the proposed uses in the project.		
Maximum Floor Area (sq. ft.) <i>(LUMO Sec. 3.8)</i>	2,232,085 sf		Under R-3 zoning max = 276,994 sf		
Maximum Building Height (ft.) <i>(LUMO Sec. 3.8)</i>	Maximum Proposed Setback Height	30'-70'	Maximum Allowed Setback Height	70'	
	Maximum Proposed Core Height	70'-80'	Maximum Allowed Core Height	114'	

LAND USE MANAGEMENT ORDINANCE FINDINGS OF FACT FOR A ZONING ATLAS AMENDMENT

LUMO Section 4.4 states that the Zoning Atlas shall not be amended unless Council makes at least **one** of the Findings of Fact below.

Finding	Applicant Justification	Evaluation [Staff to complete]
FINDING #1: The proposed zoning amendment is necessary to correct a manifest error.	n/a	
FINDING #2: The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.	Conditions in the area have changed significantly over the past two decades. Older development was single family homes on two-lane streets. In the past 1-2 decades there has been significant increase in non-residential development including office, retail, service, medical. Also an introduction of multi-family to the neighborhood. Weaver Dairy Road has been widened and improved with sidewalks and bike lanes. The upcoming introduction of the NS BRT line will create an infrastructure that supports denser residential and mixed use development.	
FINDING #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	<i>Complete the Statement of Consistency with the Comprehensive Plan.</i>	