

# Brockwell House, c.1925

211 Henderson Street



Phi Mu comments on proposed  
157 E. Rosemary development

Chapel Hill Town Council  
November 29, 2023

# Overview of comments

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1 Phi Mu's perspective on the development

2 A closer look at 157 E. Rosemary plans

3 Phi Mu's key concerns

4 Why is *Charter Our Future* being ignored?

# A different point of view

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Phi Mu's perspective on the development

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A closer look at 157 E. Rosemary plans

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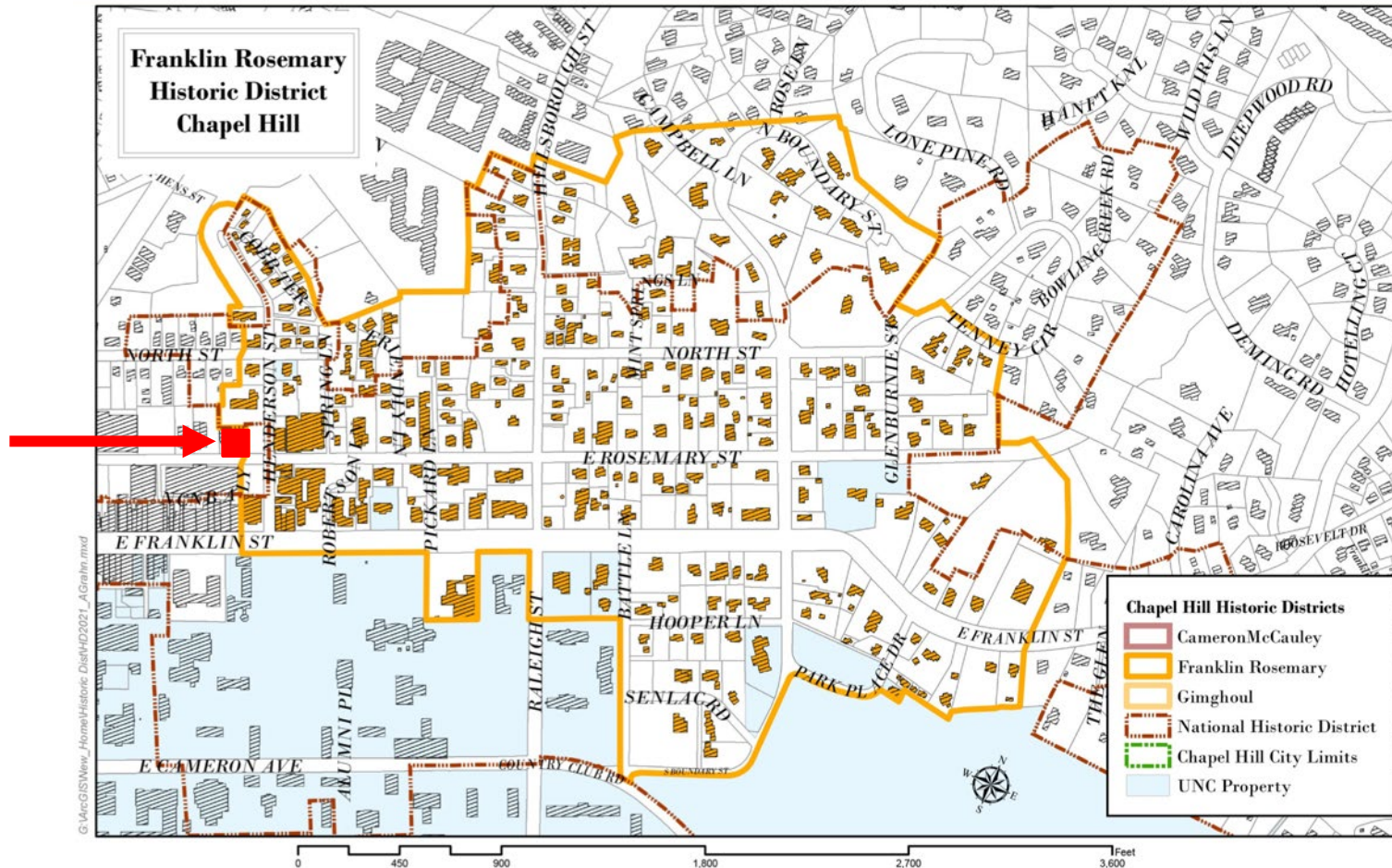
Phi Mu's key concerns

4

Why is *Charter Our Future* being ignored?

# The proposed development sits at the threshold of the National Historic District...

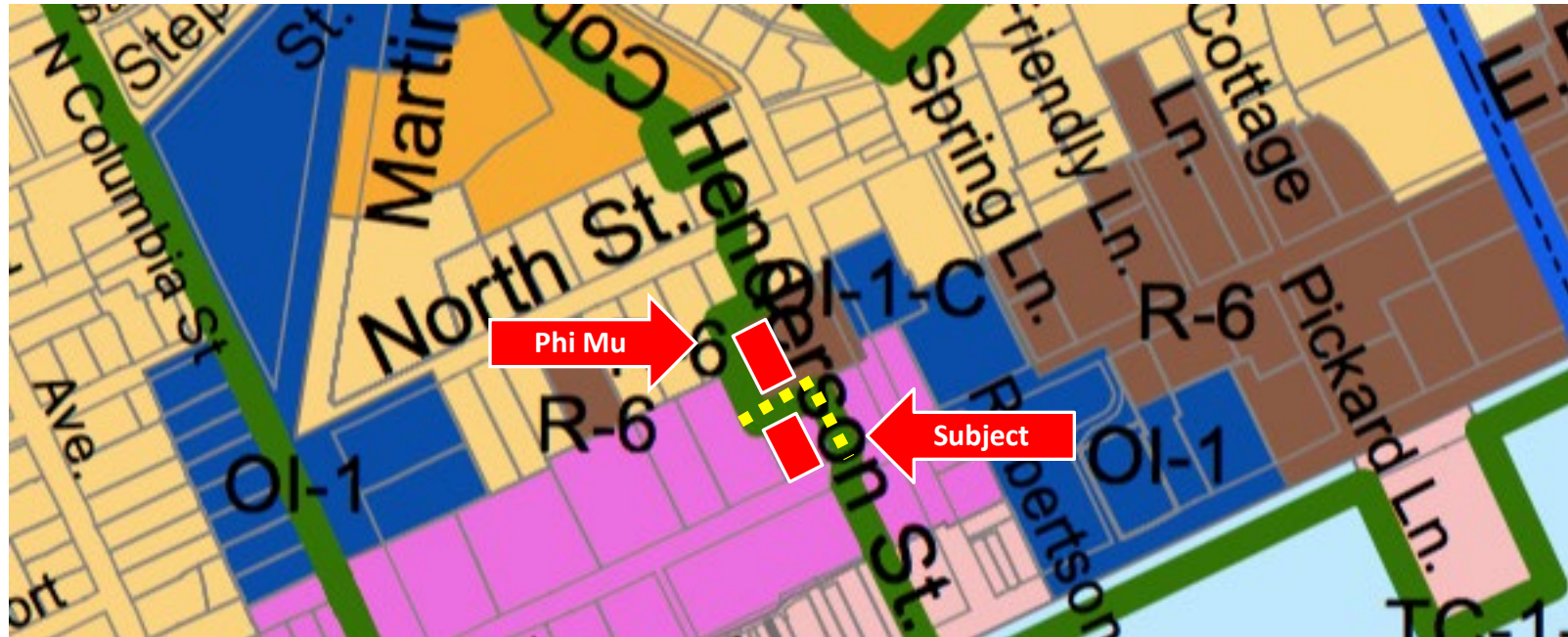
## Franklin-Rosemary Historic District





And is bounded on the north and the east by the Franklin-Rosemary Historic District

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# Comparison of TC-2 Zoning requirements to R-CP-CZD requirements

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	Current TC-2 Zoning Requirements	Proposed R-CP-CZD Requirements
Building Height, Setback	44 ft.	39 ft.
Building Height, Core	90 ft.	60 ft.
Street Setback	0 ft.	10 ft.
Floor Area / Ratio	28,967 sq. ft. /1.97	63,994 sq. ft. /1.1

# This proposal exceeds adopted R-CP-CZD Zoning standards, requiring r

	LUMO Requirement	Proposed Modification	Exceeds R-CP-CZD Zoning
Building Height, Setback	39 ft.	135 ft.	3.5x higher
Building Height, Core	60 ft.	157 ft.	2.6x higher
Northern Buffer	10 ft.	0 ft.	No Buffer
Floor Area / Ratio	63,994 sq. ft. 1/1	89,250 sq. ft. /6.0	1.4x greater
Impervious Surface	10,433 sq. ft. / .70	13,011 sq. ft. / .96	1.2x greater

This proposal provides **NO BUFFER** for our home

2) **LUMO Table 5.6.6-1: Schedule of Required Buffers (R-CP-CZD)**

	<b>LUMO Requirement</b>	<b>Proposed Modification</b>
Northern Buffer	Type B/10 ft. Wide	No buffer

A waiver requires a determination that the public purposes are satisfied to an equivalent or greater degree

While R-CP-CZD Zoning allows the Town Manager to waive the buffer requirement where site constraints make such a buffer impractical, **a buffer is necessary to protect Phi Mu**



This proposal is *NOT* consistent with the FLUM's determination of **maximum height** along the **north side of E. Rosemary Street**

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## Character Types and Height in 2050: Downtown

### Typical Height:

(Adjacent to lower scale residential uses, step backs or other transitional methods are necessary to ensure harmonious transitions.)

Up to 4 stories at the front setback. Core height of 8 stories allowed on the south side of E Rosemary and 6 stories on the north side of E Rosemary and along West Rosemary. No more than approximately 4 stories allowed in the transitional area.

# This proposal does *NOT* adhere to Guiding Statements of the FLUM

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## 2. Ensure equitable planning and development.

D. Understanding and responding to local context. Respect local community character, small, local businesses, cultural diversity, and values. Preserve and strengthen intact neighborhoods, building upon their local assets and resources;

**4. Promote distinctive, safe, and attractive neighborhoods.** The Town should preserve and enhance established neighborhoods

A. Protect and preserve the Town's historic neighborhoods as well as its Neighborhood Conservation Districts;

B. Preserve and enhance the varied and distinct residential character of existing residential neighborhoods;

C. Protect neighborhoods from potential adverse impacts associated with adjacent non-residential uses by proper mitigation measures that address scale, massing, traffic, noise, appearance, lighting, drainage, and stormwater;

# This proposal does *NOT* adhere to Guiding Statements of the FLUM

**8. Provide appropriate transitions between land uses and buildings of different scales** Support the provision of appropriate transitions between sites and/or uses having significantly different types or intensities of land uses as well as built forms.

- A. Form Transitions – Varying the form of a building to provide for a change in building bulk, height, scale as well as the orientation of exterior spaces away from adjacent residential neighborhoods. This change in form could include “stepping back or down” in bulk or height in order to prevent negative impacts on adjacent neighborhoods or streets.
- B. Use Transitions – Designating a transitional use between uses or developments of different intensities, such as:
  - i. Multi-family residential or townhouses, between an office or retail use and a single family neighborhood,
  - ii. Permitting homes on the edge of an established neighborhood to be used for small-scale non-residential uses, such as small offices
- C. Architectural Transitions – Utilizing the architectural elements of a new or renovated development to ensure compatibility with the adjacent neighborhood in terms of building materials and architectural design elements.
- D. Landscape Transitions – Preserving and/or installing vegetative landscape material of varying width, height, plant selections, and density to provide for the appropriate level of transition between uses.

# This proposal does *NOT* adhere to the Building Character Type Principles of the FLUM

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## Character Type Principles:

### *Multi-family, Shops & Offices*

- Consider stepping back the building above the third or fourth story to frame the public space rather than overwhelm it

# 157 E. Rosemary plans promise **25% affordable housing** and claim **additional height** is needed to achieve this important objective

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# The proposal requires modification to LUMO Section 3.10.8: Target Income of Levels for Pricing of Affordable Units

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LUMO Requirement

**50%** of  
affordable units  
priced at  
**65% AMI**

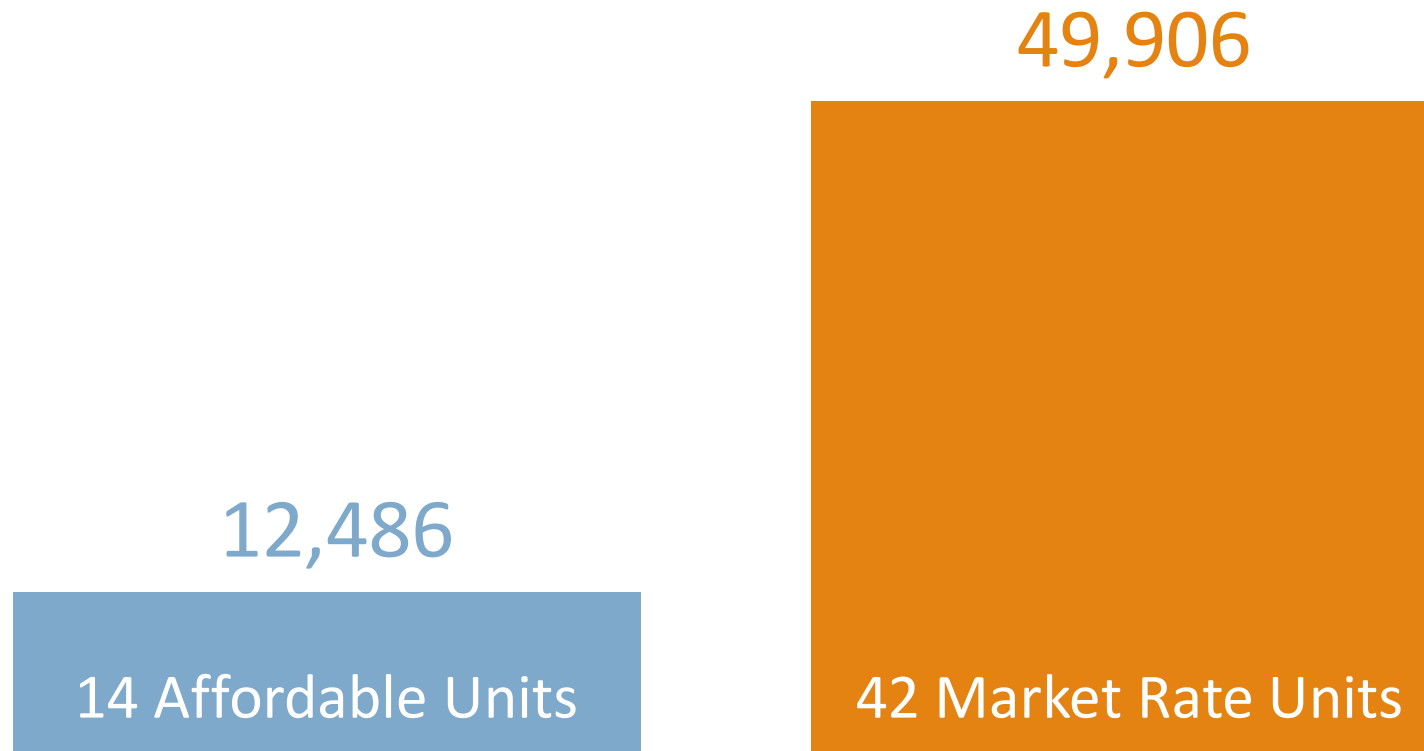
Proposed Modification

**100%** of  
affordable units  
priced at  
**80% AMI**



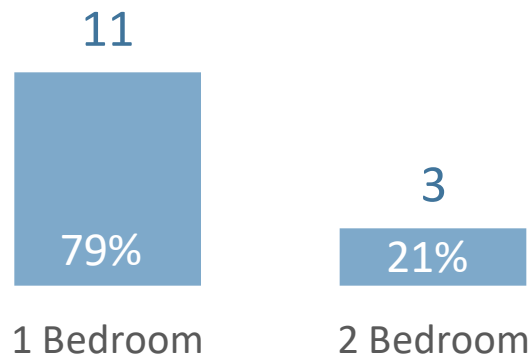
While 25% of the number of units are affordable, only 20% of total unit square footage of 62,392 is affordable

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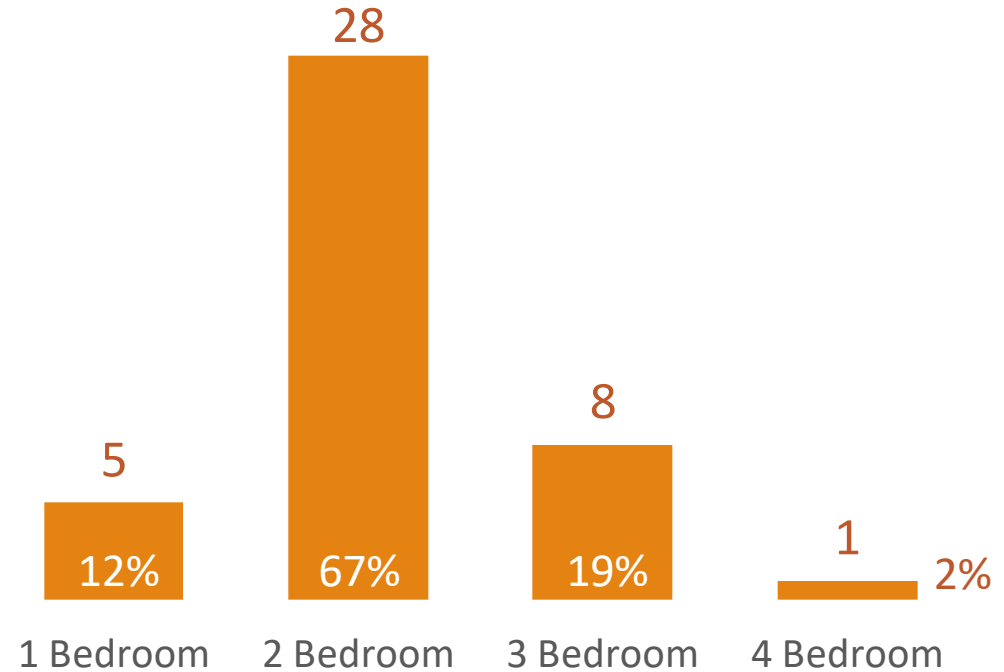


79% of the affordable units are 1 BR  
88% of the market rate units are 2+ BR

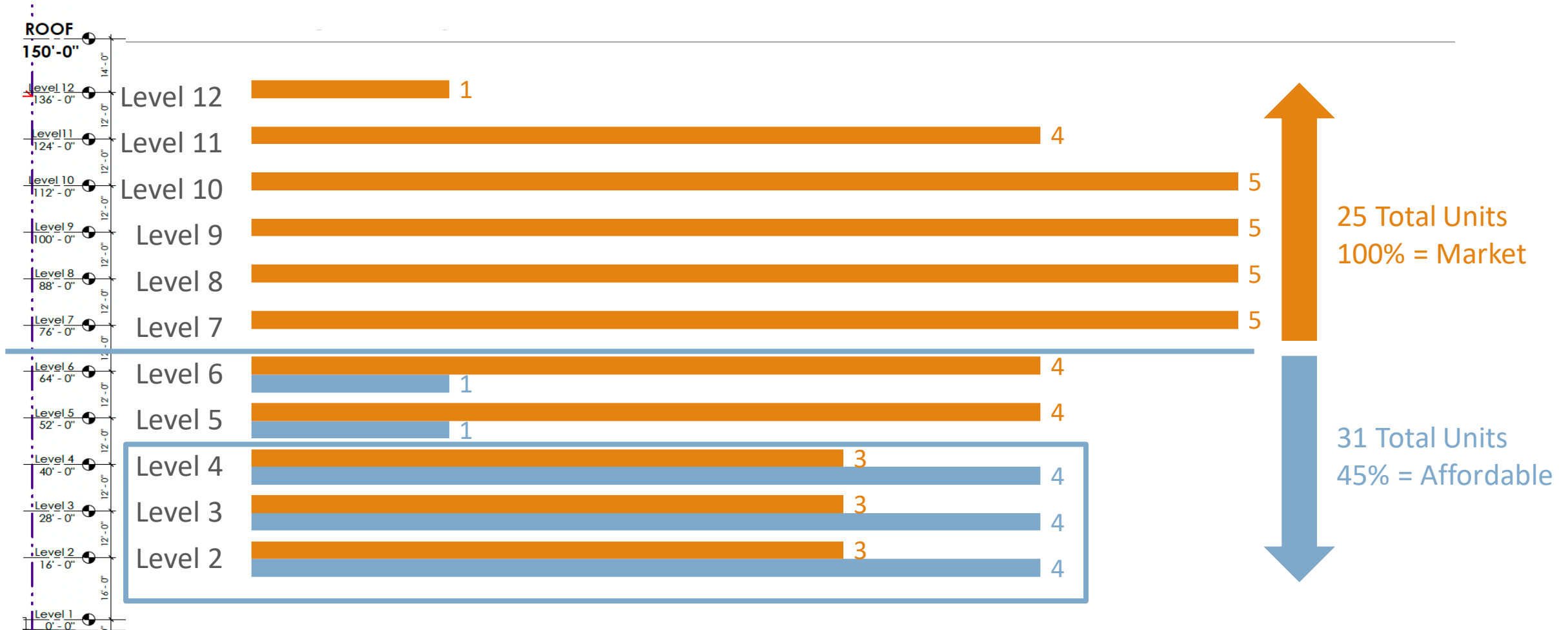
14 AFFORDABLE UNITS



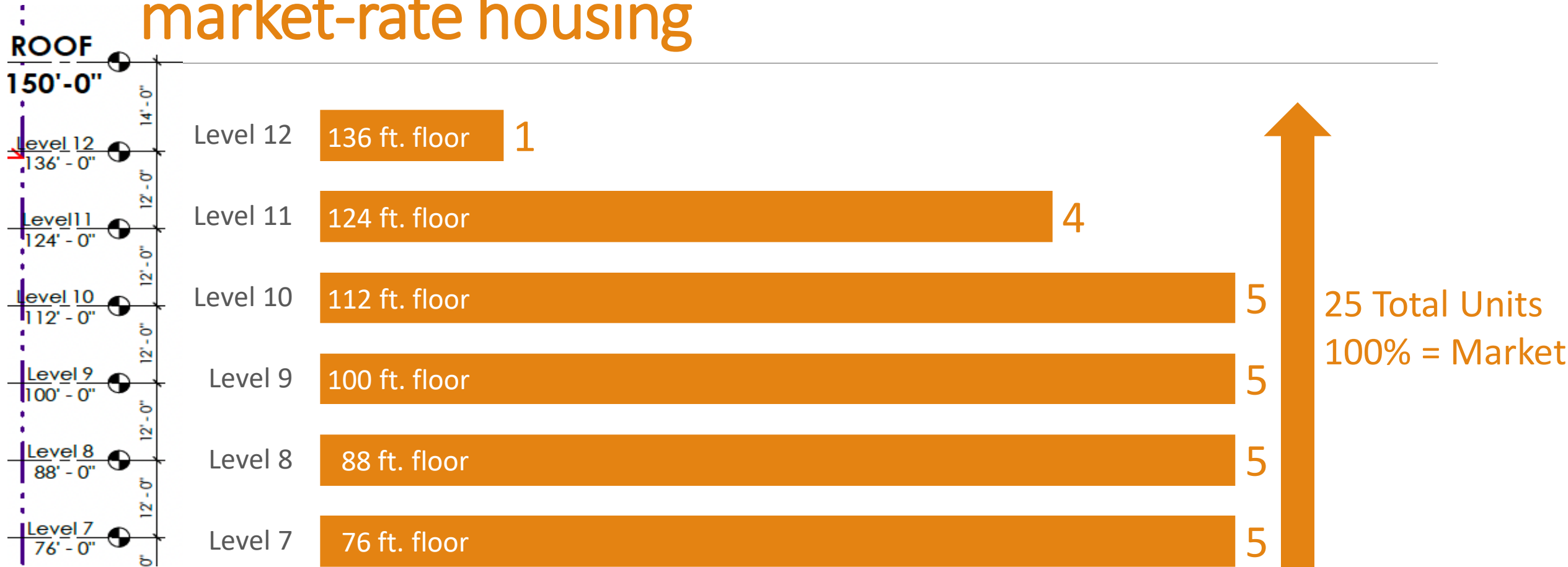
42 MARKET RATE UNITS



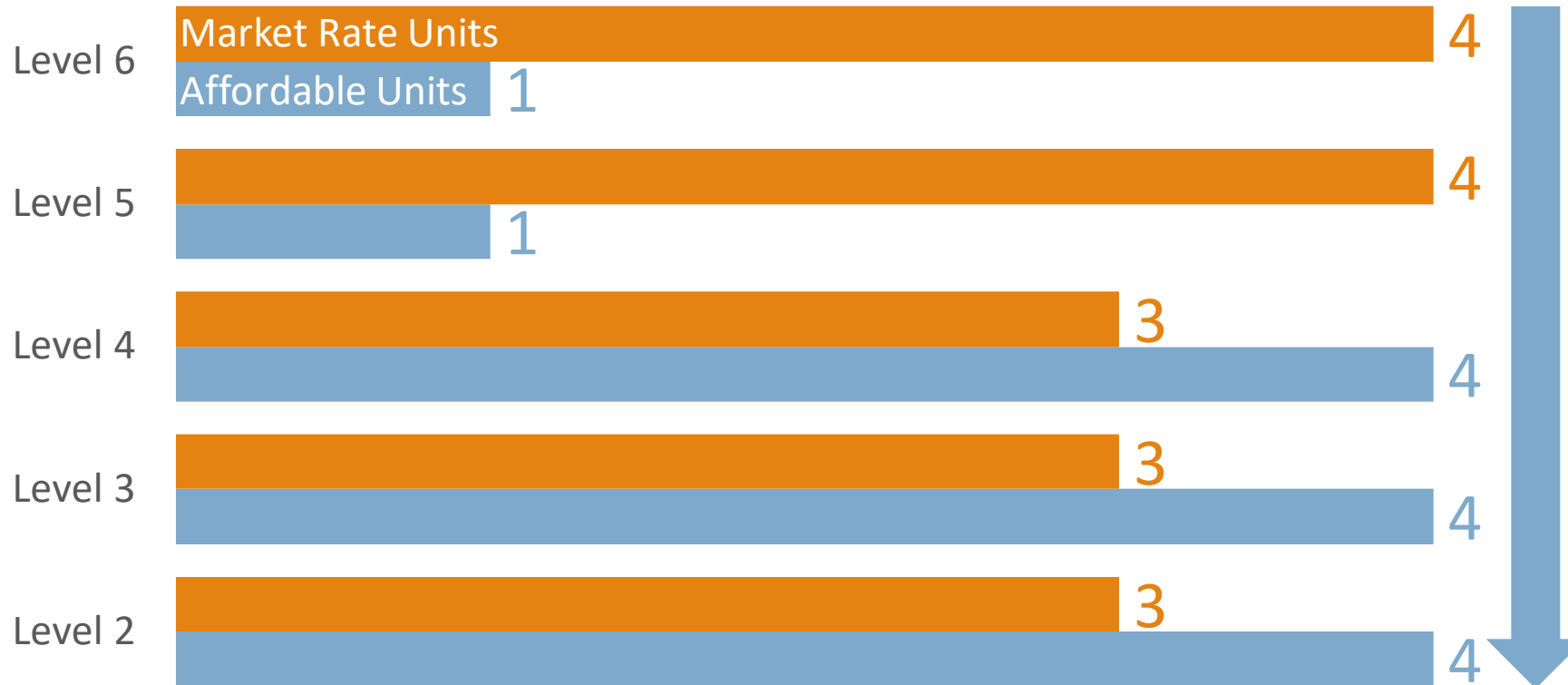
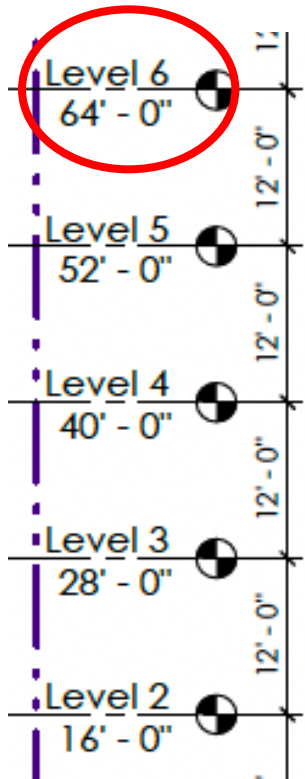
# All 14 affordable units are on levels 2-6



# 100% of the additional height requested is market-rate housing



# The 60' core contemplated in R-CP-CZD is exceeded at Level 6 of this design



31 Total Units  
45% = Affordable

The proposal requires modification to LUMO  
Section 5.9.7: Minimum Parking Requirements  
from 59 to 22 spaces

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The developer stated that the 22 parking spaces would be  
sold separately from the residential units.

He said he was “working on a lease” with the new parking  
deck on E. Rosemary for additional parking.



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He said he was “working on a lease” with the new parking deck on E. Rosemary for additional parking.

Will residents of the affordable units be required to pay to park at the deck?

What will the charges be?

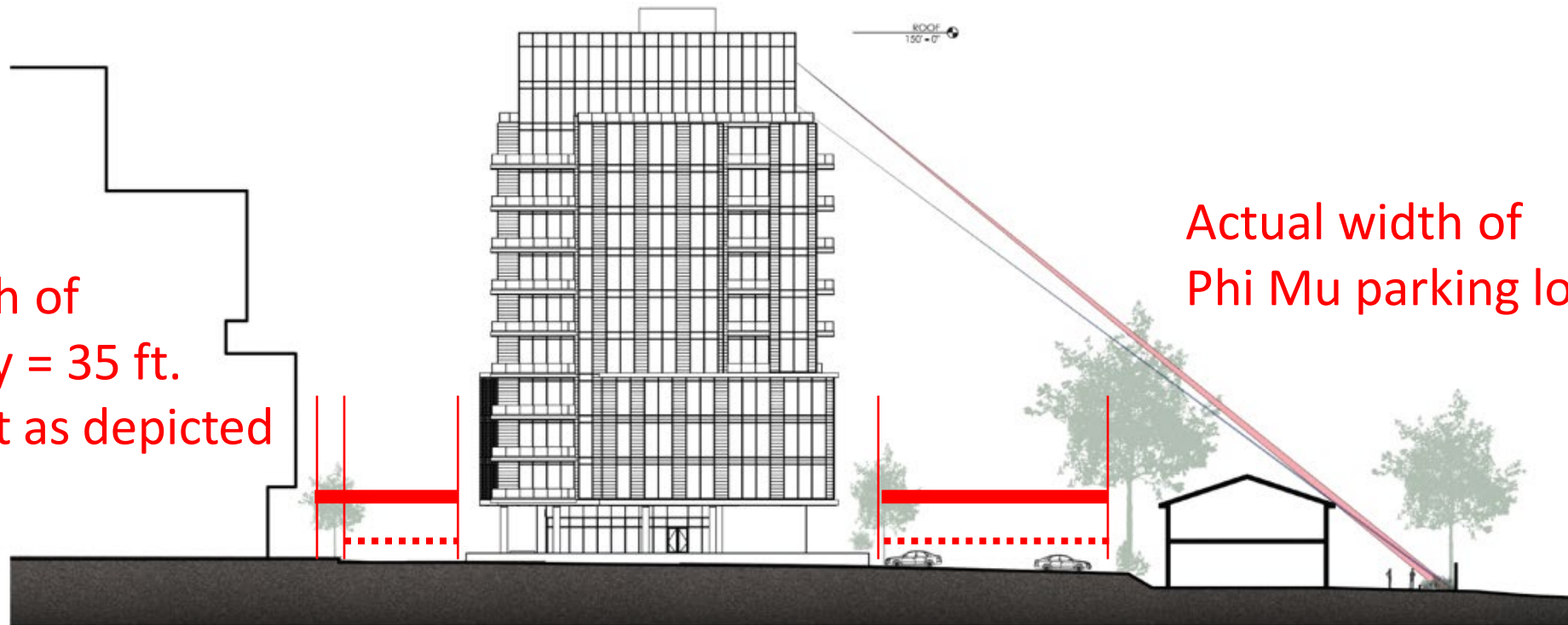
This proposal, as designed, absolutely does not meet the Town's setback, buffer, height, and parking requirements

As a result, the project requires modifications for every dimensional standard of the R-CP-CZD zone

# This diagram provided by the developer is not to scale

Actual width of  
E. Rosemary = 35 ft.  
vs. 30.5 feet as depicted

Actual width of  
Phi Mu parking lot = 55 ft.



SIGHTLINE DIAGRAM

08/24/2023

157 E. ROSEMARY ST.



Without a 3-D Model built to scale that includes differing lot elevations, it's difficult, if not impossible, to visualize how this development would tower over our home and adjacent businesses on E.

Rosemary

# Here's how the proposed structure compares in height to iconic Chapel Hill skyline structures

210 ft



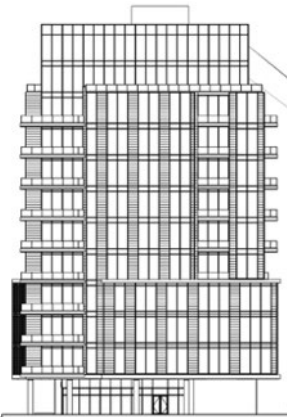
University Methodist  
Church Bell Tower  
1926

172 ft



Morehead Patterson  
Bell Tower  
1931

157 ft



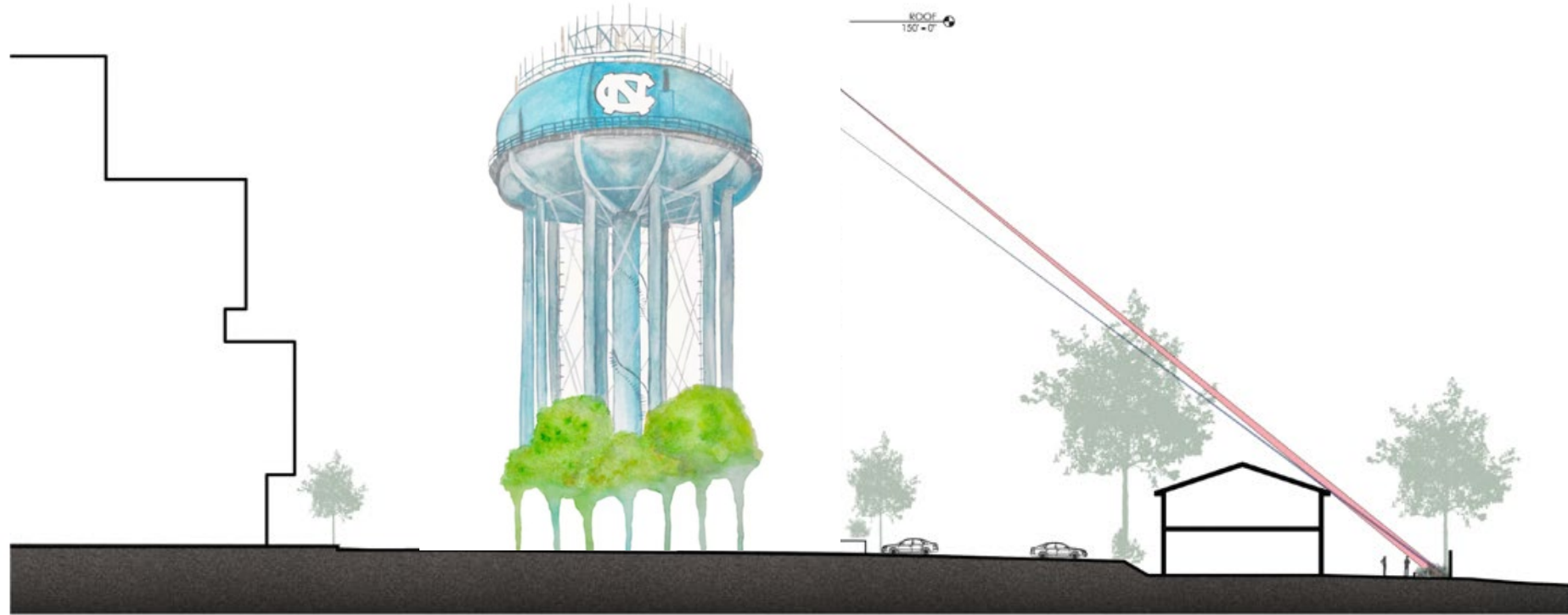
157 E. Rosemary

150 ft



Manning Drive UNC  
Water Tower  
1957

# The proposed structure is 7 feet taller than the Manning Drive UNC Water Tower



SIGHTLINE DIAGRAM

08/24/2023

157 E. ROSEMARY ST.





# Phi Mu's key concerns fall into four categories

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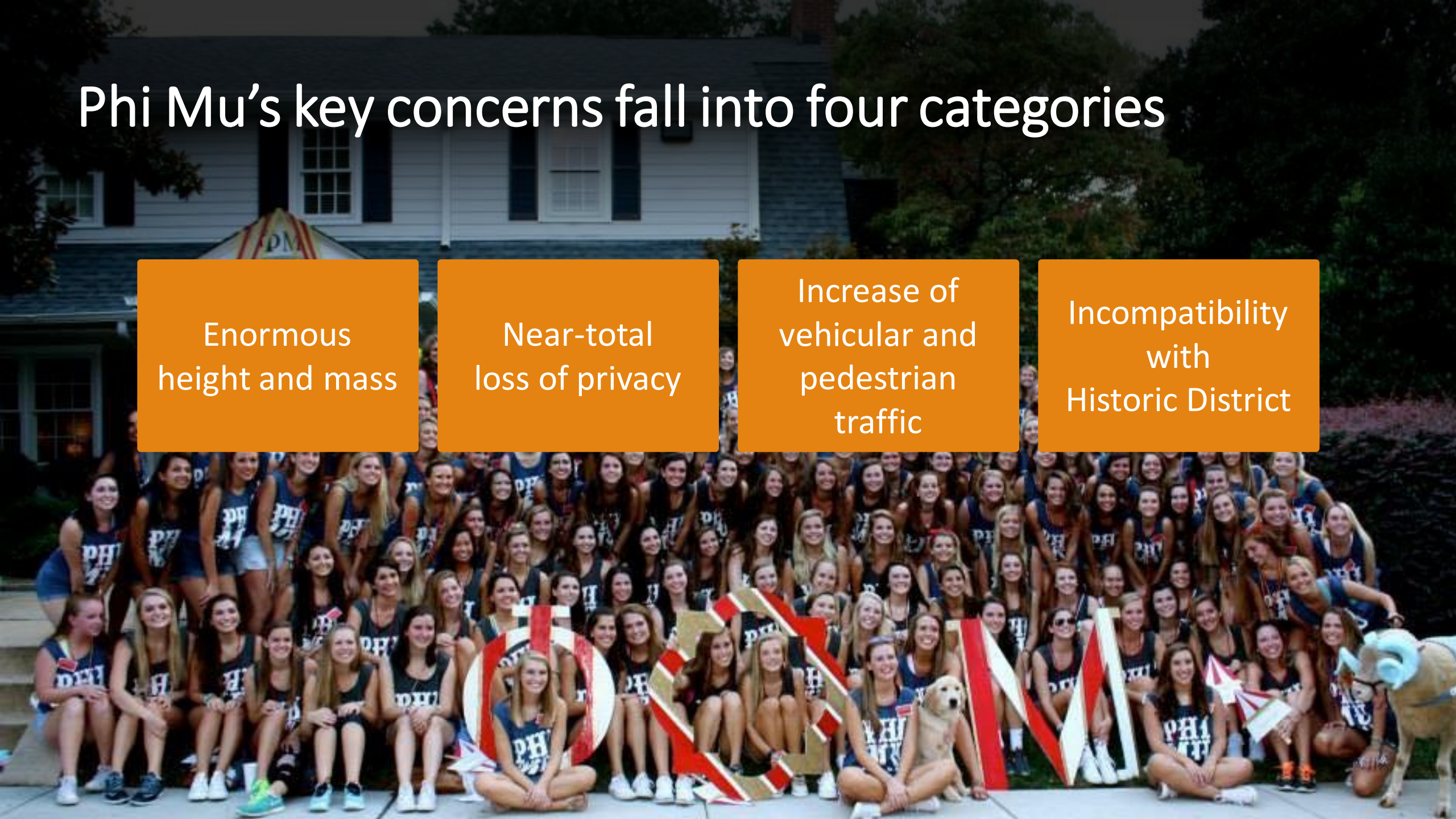
# Phi Mu's key concerns fall into four categories

Enormous  
height and mass

Near-total  
loss of privacy

Increase of  
vehicular and  
pedestrian  
traffic

Incompatibility  
with  
Historic District





# No UNC Panhellenic chapter is situated directly adjacent to a massive mixed-use development

Enormous height and mass

- Destroys charm of our **PCH-designated historic home**
- Stresses infrastructure to include water and sewage
- Diminishes ability to recruit new members





As proposed this development will cause Phi Mu members to experience a near-total loss of privacy

Near-total  
loss of privacy

- Parking lot
- Courtyard
- Rooms with south-facing windows

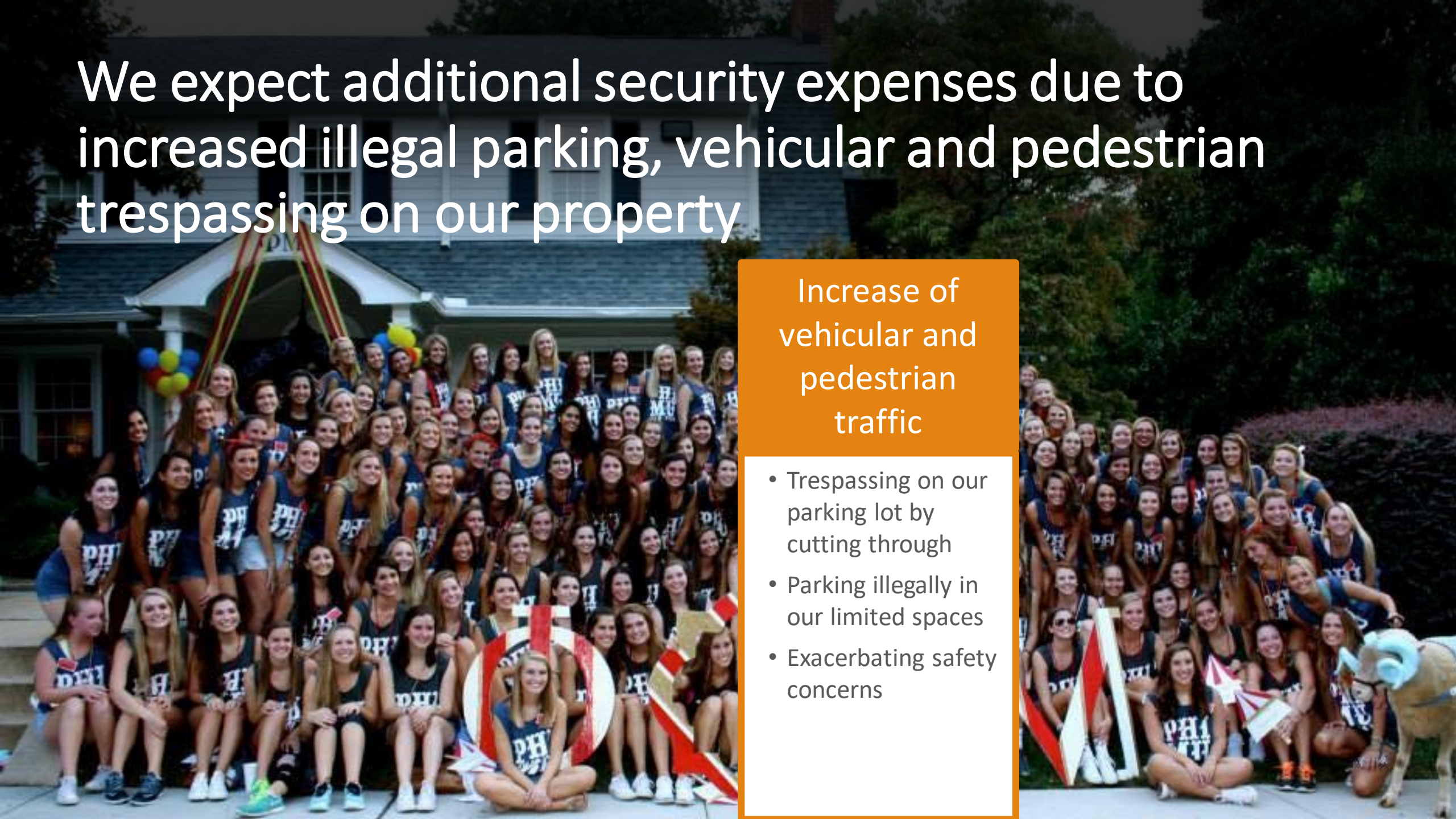




We expect additional security expenses due to increased illegal parking, vehicular and pedestrian trespassing on our property

Increase of vehicular and pedestrian traffic

- Trespassing on our parking lot by cutting through
- Parking illegally in our limited spaces
- Exacerbating safety concerns

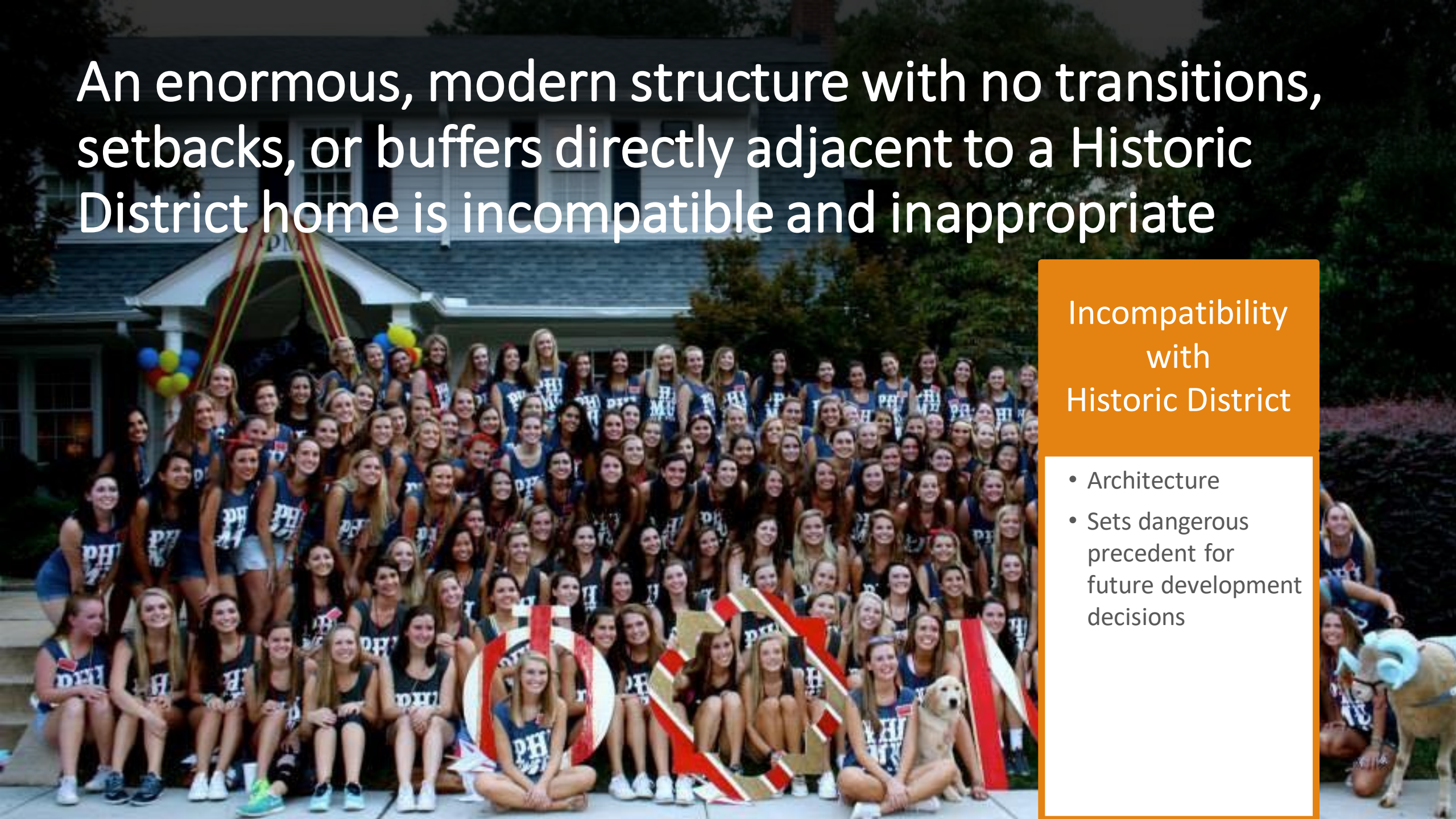




An enormous, modern structure with no transitions, setbacks, or buffers directly adjacent to a Historic District home is incompatible and inappropriate

### Incompatibility with Historic District

- Architecture
- Sets dangerous precedent for future development decisions





# Phi Mu's key concerns summarized

## Enormous height and mass

- Destroys charm of our **PCH-designated historic home**
- Stresses infrastructure to include water and sewage
- Diminishes ability to recruit new members

## Near-total loss of privacy

- Parking lot
- Courtyard
- Rooms with south-facing windows

## Increase of vehicular and pedestrian traffic

- Trespassing on our parking lot by cutting through
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## Incompatibility with Historic District

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# We rely on our elected officials to consider, and to protect, our interests

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# The Planning Commission was concerned about the lack of a buffer solution for Phi Mu

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The only drawback is to Phi Mu. I think there has to be a little consideration taken to that buffer. I don't know what or how they're going to get it onto the builder's property. Whatever it takes, do all they can there.

To the developers, I'm concerned at the fact that those of you that presented made it sound like you had something smoothed over, the concerns that your neighbors on Henderson have with buffer.

And we heard from both Attorney Brown and Ms. McCarty that that is not at all the case. So, I would charge those of you involved to go back to the drawing board as far as the Phi Mu folks are concerned and see what you can do better to make this project work for the immediate neighborhood.

# This lot is **too small** for the proposed development

Development	Height	Stories	Units	Acreage	X larger than 157 E. Rosemary	# of Parcels Assembled
<b>157 E. Rosemary</b>	<b>157 ft.</b>	<b>12</b>	<b>56</b>	<b>0.34</b>	N/A	<b>1</b>
Greenbridge Condominiums	122 ft.	7/10	100	1.32	<b>3.9 x</b>	<b>7</b>
Shortbread Lofts	94.5 ft.	7	85	1.40	<b>4.1 x</b>	<b>4</b>
140 West	105 ft.	8	140	1.92	<b>5.7 x</b>	<b>7</b>

# This proposal's gross density is too high

er

Development	Height	Stories	Units	Acreage	Units per Acre	% density of 157 E. Rosemary
<b>157 E. Rosemary</b>	<b>157 ft.</b>	<b>12</b>	<b>56</b>	<b>0.34</b>	<b>165</b>	<b>100%</b>
Greenbridge Condominiums	122 ft.	7/10	100	1.32	76	46%
Shortbread Lofts	94.5 ft.	7	85	1.40	61	37%
140 West	105 ft.	8	140	1.92	73	44%

The proposal's **12-story height** would make it the **tallest building in Chapel Hill**

situated on a *TINY* **.34-acre lot**

bordered by the **Franklin Rosemary Historic District** on the **North and East**

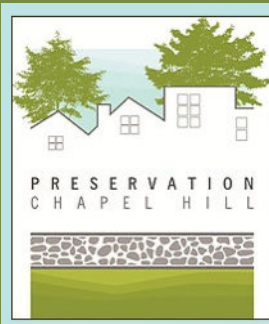
Amending the FLUM to double the height on the north side of E. Rosemary sets a dangerous precedent beyond the impact to Phi Mu and the Franklin-Rosemary Historic District

The decision will change the character of this lot immediately, and of other lots on E. Rosemary in the near future

This proposal, as designed, absolutely does not meet the Town's setback, buffer, and height requirements

As a result, the project requires modifications for every dimensional standard of the R-CP-CZD zone





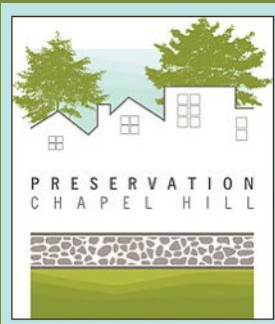
# Brockwell House, c.1925

211 Henderson Street



We encourage the developer  
to find an appropriately-sized lot  
to support his vision





# Brockwell House, c.1925

211 Henderson Street



We ask the Town to respect the vision adopted in the FLUM and the LUMO requirements for development on a lot next to our 98-year-old historic home

