

CONDITIONAL ZONING APPLICATION



TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
(919) 968-2728 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9788194511 Date: 12/08/2021

Section A: Project Information

Project Name: Trinity Court

Property Address: 751 Trinity Court, Chapel Hill NC Zip Code: 27516

Use Groups (A, B, and/or C): A Existing Zoning District: R-4

Project Description: Two 3-4 story apartment buildings with a total of 54 units with associated parking.

Section B: Applicant, Owner, and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed):


Name: Timmons Group

Address: 5410 Trinity Road, Suite 102

City: Raleigh State: NC Zip Code: 27607

Phone: (919) 866-4951 Email: William.Altman@timmons.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: 2-4-22

Owner/Contract Purchaser Information:

Owner **Contract Purchaser**

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: _____ Date: _____

Click [here](#) for application submittal instructions.



CONDITIONAL ZONING

TOWN OF CHAPEL HILL
Planning Department

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

SIGNED CONDITIONS: All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

RECORDATION OF CONDITIONS: After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section A: Project Information

Use Type: (check/list all that apply)

Office/Institutional Residential Mixed-Use Other: _____

Overlay District: (check all that apply)

Historic District Neighborhood Conservation District Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	140,782	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=		sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	140,782	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

Jordan Buffer Resource Conservation District 100 Year Floodplain Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	94,895
Area of Land Disturbance within RCD	4,403
Area of Land Disturbance within Jordan Buffer	4,403

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	56,192	56,192	57,935	57,935
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	40%	40%	41%	41%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	2	2	2	2
Number of Floors	2	2	4	4
Recreational Space	990	990	3,674	3,674

Residential Space

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)	48750	48750	66,488	66,488
Total Square Footage of All Units	45000	45000	53,150.10	53,150.10
Total Square Footage of Affordable Units	45000	45000	53,150.10	53,150.10
Total Residential Density				
Number of Dwelling Units	40	40	54	54
Number of Affordable Dwelling Units	40	40	54	54
Number of Single Bedroom Units	0	0	14	14
Number of Two Bedroom Units	20	20	20	20
Number of Three Bedroom Units	20	20	20	20

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	0	0			
Restaurant	0	0	# of Seats		
Government	0	0			
Institutional	0	0			
Medical	0	0			
Office	0	0			
Hotel	0	0	# of Rooms		
Industrial	0	0			
Place of Worship	0	0	# of Seats		
Other	0	0			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	10'	N/A	N/A
	Interior (neighboring property lines)	0'	N/A	N/A
	Solar (northern property line)	N/A	N/A	N/A
Height (maximum)	Primary	39'		
	Secondary	60'		
Streets	Frontages	N/A	N/A	N/A
	Widths	N/A	N/A	N/A



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Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Prichard Avenue	30'	25'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	-	64	53
Handicap Spaces	3	-	9
Total Spaces	3	64	62
Loading Spaces	-	-	0
Bicycle Spaces	14	61	16
Surface Type	Asphalt		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North, South, East, and West	15		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Trinity Court	15		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



PROJECT FACT SHEET

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Planning Department

Section I: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
R-SS-CZD	1.10	0.05	0.24	0.5	0.7	125,588	7,039
TOTAL	1.10			0.5	0.7	125,588	7,039
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply:

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at planning@townofchapelhill.org.

	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	0
	Pre-application meeting –with appropriate staff		
	Digital Files – provide digital files of all plans and documents		
	Recorded Plat or Deed of Property		
	Project Fact Sheet		
	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
	Description of Public Art Proposal , if applicable		
	Statement of Justification		
	Response to Community Design Commission and Town Council Concept Plan comments , if applicable		
	Affordable Housing Proposal , if applicable		
	Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan		
	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	0
	Written Narrative describing the proposal, including proposed land uses and proposed conditions		
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
	Jurisdictional Wetland Determination – if applicable		
	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
	Reduced Site Plan Set (reduced to 8.5” x 11”)		

Stormwater Impact Statement (1 copy to be submitted)

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm



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Planning and Development Services**

- r) 85% TSS removal for post-development stormwater runoff
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
- f) 1,000' notification boundary

Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries



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TOWN OF CHAPEL HILL
Planning and Development Services**

Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection/silt fence location
- h) Pre-construction/demolition conference note
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable



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Planning and Development Services**

Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

Steep Slope Plan

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting detail

Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



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Construction Management Plan

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

- a) Description of how project will be 20% more energy efficient than ASHRAE standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

STATEMENT OF JUSTIFICATION

TRINITY COURT TRINITY COURT REDEVELOPMENT, LLC

Chapel Hill Township
PIN 978-819-4511

February 6, 2022

Introduction

Trinity Court Redevelopment, LLC requests a CZD Permit for the subject property, to allow re-development of the property for two new affordable housing apartment buildings with parking and amenities. The project site encompasses approximately 3.5 acres and is comprised of two existing buildings to be removed with respective parking lots. Undeveloped areas within the project site are dominated by mid-successional mixed pine surrounding a creek. Impacts to jurisdictional features are limited to one (1) stream encroachment, associated with the road connecting the eastern and western sections of the community. No other impacts to streams are proposed as part of the project.

All federal and state requirements have been met as part of the project. All improvements have been designed to minimize impacts to the existing resources (i.e streams, wetlands, vegetation) at the site. Impacts to riparian areas along the streams have been avoided and minimized to the maximum extent practicable by incorporating resourceful site planning, including the utilization of wetland/stream delineations and the buffer determination to adjust the layout to avoid minimize impacts.

Justification

The Applicant believes that this is justified by the required objective prescribed in LUMO Sec. 3.4.5 Evidence in support of this objective is presented as follows:

Objective: Promotion of a one hundred (100) percent affordable on-site housing component.

General

The proposed campus consists of two affordable housing apartment buildings, which consist entirely of affordable housing units. These units offer affordable housing to community members that earn 60% or less of the area median income. The apartment buildings will be a safe and healthy environment for residents, workers, and visitors, in accordance with all applicable zoning, building, health, and life-safety codes.

Zoning

The proposed use will conform to all zoning parameters set forth in LUMO Article 3.

Design Development Standards

The proposed use will be designed consistent with the requirements of LUMO Article 5. In accordance with this article, the facility will be designed to “maximize energy efficiency and conservation”. The building has been configured to take advantage of the site’s topography, to minimize grading requirements. Retaining walls are proposed in strategic areas to avoid unnecessary horizontal disturbance adjacent to slopes. Erosion and sediment control methods will be used to mitigate the effects of land disturbance associated with the new facility.

Rainwater management techniques including the incorporation of a stormfilter have been included in the design to treat portions of the impervious roof area to meet Town standards for quality control. To meet the standards for runoff rate and volume an underground detention system is proposed. Landscaping, screening, and buffering will be provided to meet the stated purposes in Article 5.6.1. These purposes will be accomplished by the preservation of existing trees and vegetation where practical, to maintain the integrity of the soil. New plantings and other landscape features will be provided where necessary.

The new facility will provide for adequate access and circulation for both pedestrians and vehicles. Onsite parking and service areas will be provided, balancing the need to provide vehicle storage with the strong desire to emphasize and encourage alternate forms of transportation. In addition, lighting, utilities, signage, and solid waste management facilities will be designed to conform to applicable Town requirements.

Energy Management Plan

Energy efficiency is a high priority for the design team. To meet this goal the following are to be implemented throughout the project. The site and buildings will be illuminated with energy efficient LED lighting. To reduce heating and cooling energy costs the team has proposed a sealed building envelope design with high insulation valves at wall, ceilings, and floors. Specifications will require the supplied mechanical units be energy recover and high SEER energy efficient air source heat pump HVAC systems. Windows are to be low-emissivity, Energy Star rated. Vegetation will be strategically planted to reduce solar heat gain and lessen the urban heat island effect. To reduce energy required for water consumption, Energy Star appliances and equipment will be provided within the units. This includes products like low flush toilets. High-efficiency domestic hot water systems will provide hot water to the units.

Conservation and Environmental Protection

The project’s design will conform to all applicable environmental regulations. Measures have been taken to have minimal impacts to existing streams and buffered areas. No published floodplain exists on the property, and no structural feature is proposed in any

low-lying area. Erosion and sediment control plans adhering to state requirements will be developed to mitigate sediment laden runoff during construction.

Demolition, Deconstruction, and Construction Waste Management

During new construction, solid waste materials will be recycled and/or disposed in a manner consistent with Orange County and Town of Chapel Hill requirements. Coordination between the applicant and the Orange County Solid Waste staff will commence to identify practical ways to deconstruct and reuse existing building materials where possible in an effort to reduce the materials that are sent to landfills.

Rainwater Management

Rainwater runoff from onsite improved areas will be captured and managed to meet Town requirements for runoff quantity, rate, and quality. To meet the town ordinance stormwater management will be required for any increase in impervious surface from existing built upon area. The proposed drawings include a storm filter in order to meet the Town's quality standards. To meet the quantity standards an underground detention system is to be used. These structures will work to minimize impacts to the perineal stream and properties downstream.

Pedestrian and Bike Accommodations

Environmental protection extends beyond onsite activities to travel to and from the site. Section 3.4.5 of the LUMO denotes the encouragement of a balanced private and public transportation system, which promotes connectivity and safety for vehicles, bicycles, and pedestrians.

The proposed housing facility will be pedestrian oriented by design. This reconstruction will bring the building closer to the road, giving it more of an urban design that promotes pedestrian activity. Decreasing the grade of the roadways and sidewalks as much as possible is intended to provide for a less strenuous walk up and down the steep slopes of the existing roadway. Additional sidewalks and pedestrian crossings will be constructed onsite to achieve a high degree of pedestrian emphasis. Seating areas will be added throughout the site to provide areas for resting. An active Town of Chapel Hill Transit route is located within a block of the property that community members can use to travel. Downtown Chapel Hill and downtown Carrboro are within a 1.5 miles distance from the site entrance. Greenway trails maintained by the Town of Chapel Hill Parks department are located directly north of the site, which residents will have access to from nearby trailheads.

Bicycle access to the site will be accommodated by the local street network, and an appropriate number of bicycle parking spaces will be constructed on the site to encourage and accommodate biking as a viable means of transportation to and from the facility.

Modification Proposed – Allow for 100% class II bicycle parking spaces due to site constraints that allow for limited amenity area.

Traffic

No major changes are being made to the roadway that currently exists. The existing roadway has a width of 18' back of curb to back of curb. This differs from the current requirement of 25' back of curb to back of curb. Parking areas are being extended to a 26' width to comply with the fire code but extending the existing drives will prove a greater challenge.

Modification Proposed – Allow for Trinity Court to be 20' back of curb to back of curb to prevent a mass increase in impervious surface area and drastic grading changes to the steep slopes that are adjacent to the existing curbs.

The area adjacent to the driveways have grades that are predominantly 15-25%, which will require retaining walls if they are to be disturbed for added road length. The Town of Chapel Hill imposes a limit on steep slopes that can be impacted, which has already been met. Further impact could impose a greater risk to the stability of the site.

A portion of Trinity Court crosses over a stream within the Jordan Buffer. Widening this road more than the proposed 2' would cause greater impact to the existing stream. As this is a protected buffer the intention is to impact this stream as minimally as possible. Not only would this cause a physical impact, but it would lessen the quality of the stormwater runoff from the road due to the increase in impervious area. With the tight space available based on the restricting environmental conditions listed above there is minimal room for further stormwater control measures to treat added impervious surface. For these reasons a request to modify the requirements is proposed.

Parking

Required parking for the site has been determined by using the designation of “Dwelling, Duplex*** or multi-family” in accordance with LUMO section 5.9.7. The minimum parking requirement for the 54 units is 77 parking spaces with 14 bicycle parking spaces. The maximum parking requirement is 98 spaces.

Modification Proposed – Allow for the minimum parking spaces required to be reduced from 77 parking spaces to 62 parking spaces.

Due to the steep slopes on the site a modification to the requirements is requested for 62 parking spaces. Please see C4.1 Steep Slopes plan for a visual representation of the existing grade. To minimize the increase in impervious and reduce the need to affect the steep slopes of the property the existing parking lot footprint is being used for the proposed parking. The surrounding area consists mostly of slopes 15% or higher that would be difficult to develop without introducing safety concerns with the freshly disturbed slopes. As this is an affordable housing project the intention is to keep grading costs as minimal as possible. The Town of Chapel Hill has a limit on allowable disturbance of steep slopes. Increasing the parking lot size would

Grading these steep slopes would prove to be an extremely expensive endeavor that can be avoided with this reduction of the minimum parking spaces required. Reducing the slopes would also take away from a distinctly Chapel Hill characteristic and disturb the natural beauty of the existing woods and terrain.

Landscaping

With the development of any area, the neighboring residences are to be taken into consideration. To protect the adjoining residential uses and neighborhoods the housing site will provide adequate screening from the adjoining residential areas. In doing so the landscaping will be designed to respect the native vegetation. The existing buffers along portions of the north and east of the site property lines will remain intact and supplemental landscaping will be added to these areas as necessary to meet the requirements of the LUMO. Protection of the existing vegetation is an important aspect of this project, as their root zones offer stability to the steep slopes.

Building Configuration and Siting

To further minimize the impact of steep slopes the proposed building orientation is dictated by the footprint of the existing buildings, which are to be removed. This design choice was made to minimize grading and protect the existing steep slopes of the natural environment. The proposed buildings will take advantage of the slopes located around the footprint by splitting the building at two levels. The main building orientation places the building with the main entrance facing south and perpendicular to Prichard Avenue.

Emergency Services

Fire protection and “first responder” emergency medical services will be provided by the Town of Carrboro. The Town’s Carrboro Fire Rescue Fire Station is located one-half mile from the site, as measured along the most likely approach route.

The new buildings will be equipped with a fire suppression sprinkler system and will be designed using conventional fire-prevention and fire-management strategies. The site and building plans will be reviewed and approved by the Town’s Fire Department, to verify conformance to applicable regulations and standards.

Security Measures

Existing conditions include two abandoned buildings. As is common with vacant buildings vandalism and squatting has been known to occur on this site. This poses a security hazard for the nearby community as it is difficult to manage activity that occurs in areas without regular supervision. Removing the vacant building and populating the area will allow for the community to regulate the activity in these areas, as well as allow for a better understanding of who is residing in the nearby area. With an elementary school within walking distance, it is especially important that this residence should become a safe and inviting addition to the community.

Utility and Solid Waste Services

The facility will obtain public potable water and sanitary sewer service by connection to existing OWASA utility systems, meeting all public health standards related thereto. Solid waste collection for the facility will be provided by Orange County. The building's solid waste management methods and facilities will be reviewed and approved by the Orange County Solid Waste Department, for conformance to all applicable regulations and standards.

Comprehensive Plan

The proposed project consists of two new apartment buildings constructed as a re-development of the existing affordable housing community. Re-development of this site will replace existing facilities with a newer, and safer infrastructure, providing important new elements of neighborhood support and identity.

The Trinity Court affordable housing request for re-development is fully consistent with the goals of the Chapel Hill 2020 Comprehensive Plan.

In June 2011, the Chapel Hill Town Council created the Affordable Housing Strategy to provide affordable, quality housing for families in need of assistance. The 2020 Comprehensive plan reiterated this goal to increase the affordability of living within Chapel Hill through the construction and renovation of affordable housing communities. The Trinity Court Affordable Housing project is proposed to be developed in accordance with the Chapel Hill 2020 Comprehensive Plan. We provide this statement of compliance to demonstrate adherence to the general concepts set forth in the CH2020 Comprehensive Plan. Two general themes within the CH2020 Comprehensive Plan include Community Choices and Connections.

These are defined in the plan as:

Community Choices:

The community would like more options to choose from in how and where they live in Chapel Hill. This includes more options for housing, employment, transportation, shopping, and recreational activities. With bringing in more choices for residents, accessibility must be taken into consideration when deciding what options to introduce to the community.

Community Connections:

The community has expressed interest in improved opportunities to connect and socialize with fellow residents. The CH2020 Comprehensive Plan displays initiative to assure that these opportunities both promote and embrace diversity, in order to create an all-inclusive community environment. To allow residents the chance to become involved in these new opportunities, transportation connections will also need to be made available. The community wants a real commitment to safe pedestrian and bicycle transportation. The proposed site offers that and more, as is outlined in the following points:

- **A Place for Everyone:** Diversity and inclusion in a family-friendly, and creative environment was promoted in this theme. Participants focused on creating a welcoming community for all with special emphasis on the arts, youths, and the need for affordable housing. The intention of the Trinity Court development is to provide an all-inclusive affordable housing complex in a space that was previously unusable.

- **Community Prosperity and Engagement:** Part of the focus for this theme is to provide a safe, vibrant, and connected community, as well as healthy neighborhoods. The development is designed to provide a safe location for the proposed apartment units, with good vehicular and pedestrian access. It will also provide additional connectivity to the existing Tanyard Branch Trail.
- **Getting Around:** All modes of transportation are needed for an inclusive, connected community. In this theme, participants discussed the potential for regional partnerships linking to thriving greenways, sidewalks, bicycle amenities, and other options within the town. The proposed development is located within a block of an active Town of Chapel Hill Transit route. Downtown Chapel Hill or downtown Carrboro are within a 1.5-mile distance from the site entrance. Sidewalks will be provided throughout the site to encourage safe pedestrian foot traffic in this and surrounding neighborhoods.
- **Good Places, New Spaces:** The idea behind this theme is balancing respect for the old with the prospect of the new. Development is a part of a growing community, but with that needs to come an appreciation for what once was. In this appreciation development will take inspiration from the existing entities to create a seamless transition between old and new spaces. The development of this vacant property will provide a complimentary neighborhood with a similar balance among the surrounding properties. There is a stream that runs along the northeast side of the property and this area will be maintained to provide an aesthetically pleasing natural area that harmonizes with the existing Tanyard Branch Trail.
- **Nurturing Our Community:** Natural stands of vegetation and buffers will be preserved to the extent practical. Stormwater management will be designed in locations that follow existing drainage patterns seeking to maintain current flow patterns and reduce grading where possible.

Advisory Boards & Commissions

- Refer to attached response to comments received by Advisory Boards and Council.

Summary

The Applicant believes that the requested modifications are justified by the objective prescribed in LUMO Sec. 3.4.5; and further believes that the objective is supported by the materials contained in the application for the subject project, including the written evidence presented above.

TRINITY COURT - Request for Modifications to the Requirements

751 Trinity Court, Chapel Hill, NC 27516

LUMO 3.6.3 Land Disturbance in the Resource Conservation District (RCD)

Per LUMO 3.6.3(e)(1) Provided they are permitted within the conventional district, and subject to the provisions of subsections (f), (g), and (h) of this section, the uses permitted in column (A) of Table 3.6.3-2 shall be permitted uses within the resource conservation district. Within Table 3.6.3-2, one of the approved uses is “driveways and utility service lines when there is a practical necessity”. There is a proposed encroachment into the RCD Buffer due to the need of an emergency vehicle turn around. The existing road width is 18’, with no current area for emergency vehicles to turn around. The turnaround is proposed in one of the flattest areas along the existing road, to not further disturb the 4:1+ slopes that make up 42% of the site. The proposed area was also one of the only locations with adequate width and length to support the location of this driveway. It is a necessary feature for emergency vehicle access and the safety of the residents; therefore, we request that this encroachment be permitted.

Another of the reason for disturbance includes “detention/retention and the associated infrastructure”. Two storm drainage outlets are proposed in the stream side buffer. These are replacements to existing storm drainage outlets that are to be removed. These have been added to maintain existing flow to the stream while efficiently mitigating stormwater from the site. As the existing stormwater outfalls were located in the same area and the site is limited in where outfalls can be located without further disturbance to steep slopes, we request that this encroachment be permitted as a modification.

These encroachments result in an increase of impervious surface than what is allowed within the buffer by the impervious surface ratio. The allowed ratio is 0.06, while 0.13 is proposed. Existing conditions had an impervious ratio of 0.12 and an increase of 356sqft is proposed to accommodate the fire lane turn around, retaining walls, and an adjustment to the width of the existing road. As the fire turn around lane and retaining walls are crucial safety features and have only increased the impervious surface ratio by 0.01, we request that an exemption be made.

LUMO 5.3.2(f) – Steep Slopes

Per LUMO 5.3.2(f) Disturbance limitations. No more than twenty-five (25) percent of the total combined area of 4:1 (25%) or steeper slopes shall be disturbed unless a variance is granted by the Board of Adjustment. The existing site has slopes of 4:1 making up 42% of the total area. Of the area within the limits of disturbance, 33% is 4:1 or greater. These limits of disturbance surround two existing buildings with parking and the roadway. To reduce the impact to these 4+:1 slopes the proposed buildings and parking are being placed in the footprints of the existing buildings. The existing units slope down from the road from 10% to 25+%, which currently does not meet ADA requirements. To allow for ADA access to the new ADA units the slope to the building was adjusted. In general, the proposed building contains more units than the existing apartments. With an increase in units comes an increase in need for parking and trash collection. To accommodate these requirements the parking lot and dumpster pads extend out past the existing lot. The slopes that currently border the lots are 15% to 25+%. A variance to the

parking requirement is being made to decrease the number of spaces needed, with the intention of reducing the area outside of the existing parking lot that is to be disturbed.

The existing road location is also being kept as much as allowable. Due to code requirements, it is being widened and gradually regraded in the parking areas to accommodate for ADA slope requirements, but the general footprint is the same. The slopes adjacent to the road are between 15% and 25+%. To reduce disturbance of the 4:1 slopes a variance has been proposed to reduce the required road width. The site as existing is incredibly steep, but a great effort to reduce disturbance while meeting town requirements has been made. Due to the site consisting of 42% slopes that are 4:1 or steeper and the aforementioned effort to reduce disturbance, we request a modification to requirement 5.3.2(f) in the LUMO to allow for 33% of the 4:1 slopes to be disturbed.

LUMO 5.5.2 (D)(1) – Recreational Space Requirement

Per LUMO 5.5.2.d.1 In lieu of providing or dedicating recreation area required pursuant to this section, a developer of a subdivision may, with the approval of the town council, make a payment to the town whereby the town may acquire or develop recreation land to serve the subdivision. A developer may make a partial payment in combination with the partial provision of recreation area if the town council determines that the combination is in the best interests of the citizens of the area to be served. As stated previously the steep slopes give this site limited availability for exterior site amenities without further impact to the 4:1 slopes, or further encroachment on the RCD buffer. A playground, tot lot, covered picnic/grill space, and sitting areas throughout the property are to be provided. Interior recreation is also being taken advantage of. The space indoors is being maximized for units. However, space has been dedicated to community rooms, like an office space, communal area, and kitchen. The recreational amenities for this site have been taken into consideration and are proposed in a way that maximizes the limited space available. The active and inactive recreational spaces equate to 2,252 sqft and 1,422 sqft respectively. This gives a total recreational space of 3,674 sqft. The required recreational space for this site is 7,039 sqft. To calculate the fee in lieu for payment the difference in required and proposed is multiplied by 0.218 and 25. The fee in lieu for the recreational space requirement is \$18,399.25.

It should also be noted that north of the property is a Town managed open space with trails and a connection to Umstead park, so additional active recreation is available to the residents nearby.

LUMO 5.9.6 (C)(1) – Entrance Drives

Per LUMO 5.9.6(c)(1) Entrance Drives. Entrance drives into parking facilities shall be bordered by a landscaped buffer strip a minimum of eight (8) feet in width, which shall be landscaped in accordance with town landscaping standards.

Two adjacent properties exist outside of the entrance drive. The access easement between these two properties does not allow for 8' in width on either side of the existing entrance to provide landscaping. We request that this requirement be removed, as there was no landscape buffer on the existing entrance drive.

LUMO 5.9.6 (C)(2) – Surface Parking Lot

Per LUMO 5.9.6(C)(2)(A), Foundation Buffer Strip. Parking facilities, unless located on or within a structure, shall be separated from the exterior wall of a structure (exclusive of paved pedestrian and bicycle entrance ways or loading areas) by a landscaped buffer strip at least five (5) feet in width, which shall be landscaped in accordance with Town landscaping standards. At building B there are two pinch points where the sidewalk approaches the building with less than 5' of area to allow for the 5' foundation buffer. This consists of ~20' along building B. 15' of that distance is reduced to 4.5' of allowable space for a foundation buffer, while the remaining 5' of length is pinched to 1' between the sidewalk and the building. The proposed building and parking are located in the footprints of the existing building and parking lot to minimize impact to the surrounding steep slopes. Shifting the building north, or the parking lot south would create an increase in disturbed 4:1 slopes. To keep from further encroaching on these 4:1 slopes we request a modification to the requirements for these two areas.

Per LUMO 5.9.6(c)(2)C, A landscaped interior island must be provided every ten (10) parking spaces in excess of twenty (20) spaces. Interior islands must be distributed evenly throughout the parking area. Interior islands may be consolidated, or intervals maybe expanded in order to preserve existing trees.

In the western parking lot, a row of eleven consecutive parking spaces is shown. The area to the south of these spaces is vegetated. We request that this vegetated area be considered to meet the landscaping requirement. The current parking layout maximizes the parking spaces available within the existing footprint of the building. Removing one of these spaces for a landscape island would further reduce the available parking area to residents.

LUMO 5.9.5 (I) – Motorcycle Parking

Per LUMO 5.9.5(I), Parking facilities designed to accommodate five (5) or more vehicles shall provide areas as necessary for the parking of motorcycles, mopeds, and bicycles. Such areas shall be clearly defined and reserved for the exclusive use by motorcycles, mopeds, and bicycles

Per the requirement, four motorcycle parking spaces are required onsite. The community outreach meetings and surveys have shown little to no interest from the public for motorcycle parking, so these spaces are likely to remain empty. We request to exclude motorcycle parking, as there is limited parking space, due to site constraints. Please refer to sheet C4.1 Steep Slopes Plan for a visual representation of these constraints. To minimize the increase in impervious and the disturbance of steep slopes the existing parking lot footprint is being used. The surrounding area consists mostly of slopes 15% or higher that would be both difficult and expensive to develop.

LUMO 5.9.7 – Required Parking Spaces

Per LUMO 5.9.7 Table, the non-TC multifamily dwelling unit required parking is as follows:

- 1 space per (1) bedroom dwelling unit
- 1.4 spaces per (2) bedroom dwelling unit

1.75 spaces per (3) bedroom dwelling units

The minimum parking spaces required is 77 spaces for this site. Due to the steep slopes on the site a modification to the requirements is requested for 62 parking spaces. Please refer to sheet C4.1 Steep Slopes Plan. To minimize the increase in impervious and the disturbance of steep slopes the existing parking lot footprint is being used. The surrounding area consists mostly of slopes 15% or higher that would be both difficult and expensive to develop. As these slopes could become unstable if cut into, retaining walls would be required around areas of expansion into these steep grades. It is believed that this is adequate parking for residents and visitors. Each unit has the availability for 1 parking space with 8 parking spaces available for staff and visitors. From discussions with Faith Brodie it was determined that 1 parking space per unit is traditional for affordable housing facilities.

LUMO 5.9.7 (A) – Required Parking Spaces

Per LUMO 5.9.7(A) provide 90% Class I and 10% Class II bicycle parking spaces. Per these requirements 13 class 1 spaces and 1 class 2 spaces are to be provided. The class I spaces that this site can accommodate would be bicycle lockers, or interior bicycle storage. Bicycle lockers are both expensive and take up a large amount of space, which this site lacks. Due to site constraints, and minimizing the disturbance of steep slopes, the applicable place for covered bike parking would be at the front of building A. This would detract from the frontage of the building and reduce appeal. After conversations with Josh Mayo with the Town, it was agreed that bike racks as shown on plans would be adequate due to these constraints.

As for interior bicycle storage, we are maximizing the space indoors for units. There is not room internally/in breeze ways for covered bike parking. This space was instead allocated to individual outside storage closets for each unit.

During a community outreach meeting bicycle space was said to be very low on the public's priority list for site amenities. This is likely due to the two incredibly steep hills (~9-16%) that bicyclists would have to use. To conserve the limited amenity space for what is desired by the public for this affordable housing community we request that the requirement be modified to 100% class II bicycle parking. This could potentially be gated or covered to better meet the standard of class I bicycle parking.

Town of Chapel Hill Engineering Department Standard Detail, ST-IC – Lane Width

Per Town of Chapel Hill Engineering Department Standard Detail ST-IC, the minimum local street width requirement is 25' back of curb to back of curb. The existing roadway has a width of 18' back of curb to back of curb. Parking aisles are being extended to a 26' width to comply with the fire code but extending the drives will prove a greater challenge. A modification of 20' back of curb to back of curb is requested to prevent an increase in impervious surface area and drastic grading changes to the steep slopes that are adjacent to the existing curbs.

The area adjacent to the driveways have grades that are predominantly 15-25%, which will require retaining walls if they are to be disturbed for added road width. A portion of Trinity Court also crosses



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over a stream within the Jordan Buffer. Widening this road further would cause greater impact to the existing stream.

TRINITY COURT – 751 Trinity Court, Chapel Hill, NC

Jordan Watershed Riparian Buffer Authorization & RCD Exemption Request Narrative

Trinity Court is a thoughtfully designed affordable housing community, which is to include two apartment buildings that will provide 54 affordable housing units for those earning 60% of the Area Median income, or less. Several site amenities are also to be provided onsite. These include a community room, business center, shared kitchen, playground, tot lot, benches, and covered picnic area with grills. A network of sidewalks, which connect the site to Pritchard Avenue Ext. make this site both pedestrian and commuter friendly, as there is a bus stop less than a block from the top of driveway. A plethora of walking trails located to the north of the site throughout Umstead park and along the Tanyard Branch trail allow for further pedestrian access and walking opportunities.

The site encompasses approximately 3.23 acres on an individual parcel and is comprised of two existing buildings to be removed with respective parking lots. The foot print of these areas will accommodate the new buildings and parking lots. This design allows for the most efficient use of space, while minimizing the steep slopes that are to be disturbed.

Undeveloped areas within the project site are dominated by mid-successional mixed pine surrounding an intermittent stream. This stream feeds into Bolin Creek, where it connects to Tanyard Branch. Both of which are located to the North/North West of the property. The intermittent stream has an existing road that crosses it. The proposed design minimizes affecting this section of road to preserve the stream's integrity at this crossing. Along the rest of the stream is a healthy amount of tree coverage, which is to be preserved to maintain the natural habitat of the existing wildlife that makes up this area. Slopes on the site are predominately between 15% - 25% or greater., especially along the stream. These slopes have been retained along the stream as best as possible to maintain the stability of the slopes and reduce the possibility of disturbing the water quality. The predominant soils on the site are Wedowee Sandy Loam at the North and Appling-Urban Land Complex at the southern end of the stream.

Impacts to jurisdictional features are limited to a stream buffer encroachment, associated with the road connecting the eastern and western sections of the community and the encroachment of an emergency vehicle turnaround at the western building. No other impacts to streams are proposed as part of this project. The site has been carefully adapted to the site's natural features such as streams, stream buffers, steep slopes, and existing vegetation. The resulting site layout maximizes the use of the site's developable area, while preserving sensitive natural areas.

Minimizing impacts

Impacts within the Jordan Buffer are limited to a corner of the emergency vehicle turn around, two stormwater outlet pipes, and adjustments to the existing road/sidewalk at the established stream crossing. All of the proposed impacts are located in both zones one and two, except for the stormwater outlet pipes.

The impact of the road and sidewalk at the storm crossing are located in the same area as the existing road and sidewalk. A retaining wall is being added to keep the slope stable and prevent any unwanted drainage into the stream. The road needs to widen to 20' to allow safe access for emergency vehicles to reach the western building.

The impervious area of the emergency vehicle turn around that impacts the stream is all located in zone 2, while some grading is located within zone 1. A retaining wall is proposed around the turn around to prevent runoff into the stream directly from this roadway, which could cause erosion and water quality concerns.

The stormwater outfall pipes and rip rap ditches will be located within zone 2 with water flowing into the stream. Minor grading and clearing of trees will be required to install these outfalls. Mini excavators will be used to install the rip rap ditches to minimize the disturbance within the buffer to only the necessary grading to install the outfalls. The proposed outfall pipes are placed where existing pipes are releasing water into the buffer/stream.

Resource Conservation District Encroachment Exemption Application

Attributes of the RCD such as wildlife habitat, natural stormwater treatment, and flood storage are to be incorporated as features of the community and preserved to the extent possible. Impacts within the Resources Conservation District have been minimized and include a portion of the emergency vehicle turn around, two stormwater outlet pipes, and adjustments to the existing road/sidewalk at the established stream crossing. The emergency vehicle turn around and widening of the road to 20' are required to assure the safety of the residents of the apartment buildings. Without it emergency vehicles could not easily navigate the site, or readily access the rear of the buildings. The storm water outlet pipes are replacements for the existing stormwater outfalls, which are currently located in the same general area as the proposed. These existing pipes had to be upsized to meet Town of Chapel Hill standards and stormwater drainage requirements. The improvements to the existing sidewalk and road include minor grading and replacement of the sidewalk, so it is consistent with the rest of the site. A retaining wall is being added to both the sidewalk and the emergency vehicle turn around to assure minimal impact or disturbance to the stream and the steep slopes existing on the site.

Within the stream side corridor zone of the area of disturbance is less than that which is allowed by LUMO Section 3.6.3(f). Below is a table summarizing the allowable and proposed disturbances to the stream:



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Trinity Court RCD Disturbance Summary				
Onsite	Stream Side			
Total Area:	24,584			
Disturbed Area Ratio:	0.20			
	Allowable	Proposed	Net Change	Proposed Disturbed Area Ratio
Disturbed Area Breakdown:	4,917	4327	(590)	0.18

Trinity Court RCD Impervious Summary						
Onsite	Stream Side					
Total Area:	24,584					
Impervious Surface Ratio	0.06					
	Allowable	Existing to Remain Impervious	Proposed Impervious	Total Impervious	Net Change	Proposed Disturbed Area Ratio
Impervious Surface Area Breakdown:	1,475	2,850	356	3,206	1,731	0.13

- Submittal requirements A, B, C, D, E, F, H, I, J, and N have been provided under separate cover within the Conditional Zoning application submitted on February 4th, 2022.
- The RCD onsite is not associated with a delineated 100-year floodplain therefore submittal requirements G, K, and M have not been provided.
- No proposed alteration or relocation of a riverine watercourse is proposed therefore requirement L has not been provided.