



**CONSIDER AN APPLICATION FOR CONDITIONAL ZONING – STANAT’S PLACE LOCATED AT 2516 HOMESTEAD ROAD (PROJECT #21-088)**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
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PROPERTY ADDRESS	MEETING DATE(S)	APPLICANT
2516 Homestead Road	August 9, 2022 – ESAB and HAB August 23, 2022 – CDC and TCAB September 6, 2022 – Planning Commission	Cameron Rice, Advanced Civil Design, Inc., on behalf of Capkov Ventures, Inc.

**STAFF RECOMMENDATION**

That the Community Design Commission, Housing Advisory Board, Environmental Stewardship Advisory Board, Transportation and Connectivity Advisory Board, and Planning Commission review and make a recommendation on the application to the Town Council.

**ZONING**

Existing: Residential-2 (R-2)  
 Proposed: Residential-5-Conditional Zoning District (R-5-CZD)

**PROJECT OVERVIEW**

The applicant proposes rezoning the 8.97 acre property to allow for the construction of 47-unit townhouse development. The site is located north of Homestead Road, between the Vineyard Square Neighborhood and Homestead Park.

**PROCESS**

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties.

**DECISION POINTS**

Modifications to Regulations:

The proposed development requests a Modification to Regulations for the following:

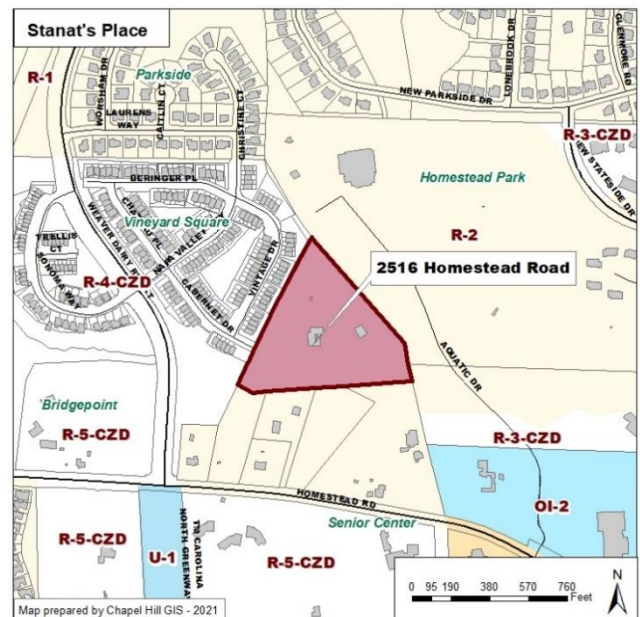
- Land Disturbance in the Resource Conservation District (RCD)
- Inclusionary Zoning
- Disturbance of Steep Slopes

Connectivity:

The applicant has proposed to extend Cabernet Drive from Vineyard Square through the development. Staff and the developer have heard opposition from the neighbors to a vehicular connection between the neighborhoods. Staff advocates connectivity aligns with the Town’s adopted comprehensive and long-range plans, Council goals, and improves EMS response times. Please see the Technical Report for further analysis.

Landscaping, Screening, and Buffering: The applicant proposes to maintain the existing buffer provided by the wooded areas on the south side of the site.

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report and Project Fact Sheet
2. Draft Resolution A, Resolution of Consistency and Reasonableness
3. Draft Ordinance A (Approving the Application)
4. Draft Resolution B (Denying the Application)
5. Transportation/Connectivity White Paper
6. Applicant Materials



# TECHNICAL REPORT

## PROCESS

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. Conditions may modify use, intensity, and development standards to address impacts reasonably expected to be generated by the individual development. Conditions may also address conformance of the development with town regulations and adopted plans. A -CZD suffix would be added to the zoning district designation to incorporate the approved conditions.

## PROJECT HISTORY/BACKGROUND

- |                   |  |
|-------------------|--|
| November 10, 2021 | Town Council reviewed the proposed development as part of a Concept Plan Review. |
| December 8, 2021  | Applicant submitted a Conditional Zoning application for the development.        |

## SITE CONTEXT

Staff have identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The site sits between Vineyard Square, a residential townhome community zoned Residential-4-CZD (R-4-CZD), and Homestead Park. Single-family residential homes are between the site and Homestead Road, they are currently zoned Residential-2 (R-2).
- There is a wetland system running along the southern boundary of the site and a small farm pond is in the south-eastern corner of the lot.
- The site is comprised of mostly wooded areas, a single-family residence, and a yard. The proposed development would require the loss of some tree canopy.
- The site has no street frontage and would require access from Aquatic Drive, with a proposed secondary access point connecting to Cabernet Drive. Both roads are classified as local roads and maintained by the Town.

## PROPOSED ZONING

The applicant has proposed a Conditional Zoning district for the site, as shown on the site plan: Residential-5-Conditional Zoning District (R-5-CZD).

- The intent of the Residential-5 (R-5) zoning district is “to provide for residential development of appropriate intensities consonant [consistent] with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development ”.<sup>1</sup>

## PROPOSED MODIFICATIONS TO REGULATIONS

### 1) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):

The purpose of designating the RCD is to preserve the quality of the town’s water supply sources; minimize impacts of flooding in or near the water courses; preserve the water-carrying capacity of the watercourses and to protect them from erosion and sedimentation; retain open spaces and greenways and protect their environmentally-sensitive character; preserve urban wildlife and plant life habitats from urbanization; provide air and noise buffers to offset the effects of development; and preserve and maintain the aesthetic qualities and appearance of the town.

Land disturbance is limited to specific percentages of the total land area in different zones of the RCD. The Upland zone is limited to 40% disturbance. The applicant is proposing to disturb 29,904 sq. ft. (73%) of the Upland zone associated with the perennial stream that runs along the southern portion of the site, to allow grading for the stormwater control measures, street improvements related to Cabernet Drive and Public Street A, and the proposed greenway.

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased land disturbance, as the land disturbance is for the construction of stormwater control measures in order to meet Ordinance standards for the new impervious surface associated with the proposed development. The land disturbance also supports greater connectivity with the construction of streets and the greenway.

### 2) Section 3.10 Inclusionary Zoning: The purpose of inclusionary zoning is to promote the public health, safety, and welfare of the town by promoting housing of high quality located in neighborhoods throughout the community for households of a variety of income levels, ages, and sizes. This meets the town’s goal of preserving and promoting a culturally and economically diverse population in our community. In addition to creating and preserving housing opportunities for town residents and local employees, the regulations also support the goals of reducing traffic congestion and associated air pollution and preventing sprawl by maintaining the urban services boundary.

The applicant is providing four affordable homes which equates to 9.3 percent of the total units. This is less than the 15 percent inclusionary zoning requirement; however, the applicant finds that by matching the size of the 1,700 square foot market rate units and dedicating these units to the Community Home Trust as affordable units, they are providing affordable housing to families that may not have

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<sup>1</sup>[https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALOUSMA\\_ART3ZODIU\\_SDIST\\_3.3CODI](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA_ART3ZODIU_SDIST_3.3CODI)

considered a Community Home Trust home because of the size. Each affordable townhouse will contain three bedrooms and a two-car garage. In addition, the four homes exceed the minimum net livable square footage requirement associated with the 15 percent inclusionary zoning requirement.

*Staff Comment:* The Council approved a similar request for a reduced number of affordable housing units at the Bridgepoint Development approved on December 9<sup>th</sup>, 2020. The Council could find that by matching the size of the market rate units, these affordable housing units will provide greater affordability for families that need additional space.

**3) Section 5.3.2 Steep Slopes:** The purpose of the steep slope regulations is to minimize the grading and site disturbance of steep slopes by restricting land disturbance on these slopes. Specific construction techniques for developments are required to protect water bodies and wetlands from the effects of erosion, protect plant and animal habitats, and preserve the natural beauty and economic value of the town’s wooded hillsides.

The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. About 96% of the existing steep slopes are manmade and occur along the east side of the property adjacent to the Homestead Aquatics Center. Other portions of steep slopes are around the existing house, proposed to be removed as part of this project. The applicant proposes to disturb 10,937 square feet of the 11,474 square feet of steep slopes. About 95% of slopes that measure 25% or greater are to be disturbed. These are entirely manmade steep slopes.

*Staff Comment:* Staff believes the Council could find a public purpose for exceeding the steep slopes, as the slopes to be disturbed are manmade and not natural slopes.

**4) Section 5.6 Landscaping, screening, and buffering:** Buffers are 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. The applicant proposes to maintain the existing buffer provided by the wooded areas on the south side of the site. The applicant does not propose to add new shrubs and trees to this existing buffer.

Buffer	Required	Proposed
Southern Buffer	Type B 10 ft. buffer	Maintain existing +50 ft. forested areas

*Staff Comment:* Landscape buffers are intended to separate proposed development from different adjacent land uses or zoning designations to minimize potential nuisances, reduce the visual impact of unsightly aspects of adjacent development, provide separation of spaces, and establish a sense of privacy. Existing vegetation can be used to satisfy some or all of the required buffer plantings. Where existing vegetation is retained, the Engineering Design Manual requires that supplemental evergreen shrubs be planted along buffer edges. Staff finds that there are a mix of existing shrubs and trees located in the natural buffer on the southern edge of the

property. While they may not meet the exact planting mix of the Engineering Design Manual, they do provide the required visual barrier to separate future uses. In order to meet the planting mix prescribed by the Engineering Design Manual, this natural wooded area would need to be disturbed and replanted.

Staff finds that the existing buffers should be maintained. Staff has incorporated the following condition of approval to address this:

#8. Landscape Buffers: The existing vegetation within the Type B 10-foot southern buffer shall remain undisturbed or the developer shall provide a landscape buffer that complies with the Engineering Design Standards. Only hand clearing of the invasive species within the buffer is permitted.

Staff believes the Council could find a public purpose for maintaining the existing vegetated areas, as the proposed buffer meets the intent of reducing the visual impact of unsightly aspects of adjacent development, providing separation of spaces, and establishing a sense of privacy.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.4.5 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer’s alternative is to revise the proposal to comply with the regulations.

For additional information on the proposed modifications and other considerations on timing and flexibility, please refer to the applicant’s attached materials.

## OTHER CONSIDERATIONS

**Extension of Cabernet Drive:** The applicant has proposed connecting the internal street network to the stub-out of Cabernet Drive at the western property line. Staff has heard concerns from the neighbors in Vineyard Square that extending Cabernet Drive to Stanat’s Place will create additional cut through and delivery truck traffic in their neighborhood. They have pointed out the narrowness of the existing roads due to trash receptacles and their concerns for school buses, walkers, and playing children that also utilize the street.

The Transportation Impact Analysis (TIA) has found that the Stanat’s Place, with a Cabernet Drive extension, will not produce excessive additional traffic through Vineyard Square. The TIA estimates that Stanat’s Place will yield about 314 additional trips per day for the entire development. The TIA provided an analysis of the number of trips that would be generated from Stanat’s Place at its closest access points:

<b>Intersection:</b>	<b>AM Peak Flow (7:30am-8:30am)</b>	<b>PM Peak Flow (4:00pm-5:00pm)</b>
Stanat’s Place and Aquatic Drive	11 (Approximately 1 car every 5 minutes)	7 (Approximately 1 car every 8.5 minutes)
Weaver Dairy Road Extension and Sonoma Way/Napa Valley Way	8 (Approximately 1 car every 7.5 minutes)	5 (Approximately 1 car every 12 minutes)

Staff finds that the extension of Cabernet Drive, connecting Vineyard Square and Stanat’s Place, will provide residents greater access to amenities as well as improve emergency service response time and vehicle access. Transportation Planning staff also find that the connection will improve safety on Homestead Road, identified as part of the town’s high crash network (HCN). The connection will divert traffic from Homestead Road, reduce standstill traffic and idling, and reduce the number of vehicles making left turns onto Homestead Road.

Staff also finds that the connection between the neighborhoods is consistent with the goals expressed by the Town in its adopted long-range plans, including:

Plan	Connectivity Goals
<b>Chapel Hill 2020</b>	<ul style="list-style-type: none"> <li>Emphasizes the need to promote connectivity for bicycles, transits, pedestrians, and vehicles using complete streets.</li> <li>Big Idea for 2020 Plan was to create a more connected, walkable, bikeable, green community with safe connections between neighborhoods, schools, commercial areas, parks, rural bikeways, and farms that promote exercise and environmentally friendly modes of transportation.</li> <li>Within its definition, connectivity is described as physical connections (such as sidewalks, streets, transportation, or transit systems).</li> </ul>
<b>Chapel Hill Bike Plan (2014)</b>	<ul style="list-style-type: none"> <li>Chapel Hill residents interested in greater connectivity.</li> <li>Describes the low level of street connectivity as “a major barrier to making bicycling a convenient choice, as bicyclists must travel on high stress arterials with inadequate bike accommodations for portions of a trip.”</li> <li>Need to fill gaps in the bicycle network to “create a safer, connected transportation system.”</li> </ul>
<b>Mobility &amp; Connectivity Plan</b>	<ul style="list-style-type: none"> <li>“By connecting neighborhoods to destinations, residents will be able to access these priority corridors and travel to the places they live, shop, work, and play.”</li> <li>One of the goals is to reduce barriers by improving crossing between networks and to destinations, and integrate land use development.</li> </ul>
<b>Future Land Use Map (North Martin Luther King, Jr. Boulevard Focus Area)</b>	<ul style="list-style-type: none"> <li>Connectivity between commercial destinations and residential areas east of Martin Luther King Jr. Boulevard should be a priority.</li> <li>Bicycle, pedestrian, and multimodal links from existing development and new development/redevelopment should be emphasized to fully leverage transit service.</li> <li>The map shows a future connection to this property by extending Cabernet Drive east to Homestead Park.</li> </ul>
<b>Climate Action and Response Plan</b>	<ul style="list-style-type: none"> <li>The plan recognizes that the transportation sector is the second largest source of greenhouse gas (GHG) emissions in Chapel Hill. To reduce GHG emissions, it recommends creating walkable, bikeable, transit-served neighborhoods. It also calls for reducing Vehicle Miles Traveled (VMT) through high density development and connectivity.</li> <li>To increase walking, biking, and transit use, it encourages better connectivity for all transportation modes.</li> <li>It also proposes expanding transit availability and connectivity, wherever possible.</li> </ul>
<b>Northern Area Task Force</b>	<ul style="list-style-type: none"> <li>Proposes an extension of Cabernet Drive along the southern edge of Stanat’s Place to connect Vineyard Square to Homestead Park.</li> <li>The public comments received at the time of this plan also express interest in</li> </ul>



<b>Report (Focus Area 4, Homestead Road)</b>	<ul style="list-style-type: none"> <li>preventing deadend streets and promoting street connections.</li> <li>Goal 6 of the plan proposes improving the road network to provide more connections and safer turning options (e.g. Perkins and Weaver Dairy Road, Westminster and Martin Luther King, Jr. Boulevard).</li> </ul>
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## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

North Carolina General Statute 160D-605 requires the Town Council to consider a statement of Plan consistency when reviewing any Zoning Atlas Amendment. Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>2</sup>, the standards of the [Land Use Management Ordinance](#)<sup>3</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>4</sup> and provides the following evaluation of consistency for the Stanat’s Place proposal.

2050 FUTURE LAND USE MAP (FLUM) ELEMENTS		
FOCUS AREA & SUB-AREA	APPROPRIATE USES	OTHER
North MLK Jr Blvd Sub-Area C 4-6 stories typical height	Multifamily Residential Townhouses/Residences Multifamily/Shops/Offices Parks and Green/Gathering Spaces Institutional/University/Civic	Proposed Connection
OTHER APPLICABLE ADOPTED SMALL AREA PLANS		
None		

	Description of Plan Element	Staff Evaluation
<b>Focus Area Character</b>	The Future Land Use Map (FLUM) envisions the North MLK Jr Blvd Focus Area as a gateway to the town, with mixed use nodes, inviting streetscapes that blend the built environment with tree canopies, and improved east-west connectivity to link development to the future BRT corridor.	The proposed rezoning does not appear to conflict with character envisioned by the FLUM, though supporting that character depends on specific design elements.  Zoning conditions would be useful to ensure quality streetscapes and adequate connectivity with the transit network.

<sup>2</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>3</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAU5MA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAU5MA)

<sup>4</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<p><b>Appropriate Uses</b></p>	<p>The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located.</p> <p>Townhomes/Residences is one of the appropriate Primary uses.</p>	<p>R-5 zoning would allow various residential uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes a housing type that falls under the definition of Townhomes/Residences.</p>
<p><b>Building Height</b></p>	<p>The FLUM specifies a Typical Height of 4 to 6 stories across the site, with no guidance to step up or step down in height near any site boundaries.</p>	<p>R-5 standards would limit height to around 5 stories maximum, consistent with the FLUM guidance.</p> <p>The Conditional Zoning application proposes a housing type that is commonly built at 2-3 stories, lower than the guidance provided in the FLUM.</p>
<p><b>Mobility And Connectivity</b></p>	<p>The Mobility and Connectivity Plan does not propose any bicycle, pedestrian, or multi-use facilities impacting the site.</p> <p>Surrounding streets typically have sidewalk on at least one side.</p> <p>The FLUM indicates a Proposed Connection traversing this site, connecting Cabernet Dr to Aquatics Dr. Proposed Connections on the FLUM are conceptual features, intended to prompt further discussion during the development review process.</p>	<p>Further discussion is needed around the appropriate alignment of any new connections, and the travel modes that should be served (pedestrian, bicycle, and/or vehicular).</p>
<p><b>Climate Action and Response</b></p>	<p>The Climate Action and Response Plan identifies Sustainable Development as a top strategy to reduce our community carbon footprint and build resiliency. The Transportation and Land Use chapter calls for creating walkable, bikeable, transit-served neighborhoods through strategies such as supportive zoning and integrated land use – transportation planning.</p>	<p>The site offers an opportunity for infill development next to an existing neighborhood, with transit service and a park nearby. This would support sustainable development and multimodal travel options.</p>
<p><b>Chapel Hill 2020 Goals</b></p>	<p>Opportunities for this application to support goals of Chapel Hill 2020 include:</p> <ul style="list-style-type: none"> <li>• Contributing to a range of housing options for current and future residents, especially given the limited recent production of new</li> </ul>	



	<p>townhomes in Chapel Hill. This aligns with the theme of <i>A Place for Everyone</i>.</p> <ul style="list-style-type: none"> <li>• Locating housing within walking distance of a community park, greenway, trails, and public transit routes. This aligns with the theme of <i>Getting Around</i>.</li> <li>• The opportunity to develop a thoughtfully designed neighborhood with central common space for community gathering, and to contribute to a range of neighborhood types. These elements align with the theme of <i>Good Places New Spaces</i>.</li> </ul>
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## REASONABLENESS OF THE ZONING ATLAS AMENDMENT

Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The analysis below considers the applicant’s proposed zoning district and overall proposed use program. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

### SUMMARY OF ANALYSIS FOR REASONABLENESS

**Supporting Factors**

- The proposed zoning is similar to adjacent zoning (R-5 proposed adjacent to R-4).
- There are multiple residential developments proposed or under construction in the surrounding area, including similar housing types.
- Available existing sidewalks and transit service nearby could support medium-density residential development.
- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses.
- Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

**Other Considerations**

- The proposed change in zoning district would allow roughly 3 times the amount of permissible development. However, the proposed development program calls for an intensity that is closer to double what existing zoning allows (measured in terms of floor area).
- The site does not front on existing streets; new street connections will be needed to provide access. Zoning conditions may be useful to address traffic impacts, if warranted by further analysis.
- Existing regulations include measures for protecting environmental features such as steep slopes and the stream corridor. Zoning conditions may be useful for enhanced protection, if warranted by further analysis.

## Comparing Proposed Permissible Development to Existing

The application to rezone the property from Residential-2 (R-2) to Residential-5-Conditional Zoning District (R-5-CZD) is sought to allow for a greater number and density of townhomes. Under the R-2 zoning, the zone's density of 4 dwelling units per acre would only produce about 36 homes on the nine-acre site; however, the R-5-CZD zoning would allow a density of 15 units per acre or 135 townhomes at Stanat's Place.

The R-5-CZD zoning district allows for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatible with surrounding development. This site is adjacent to the Vineyard Square townhouse development on its west, the Town-owned Homestead Aquatic Center to its east, and the Maddry property to its south. As indicated by the applicant's Statement of Reasonableness, there is interest in redeveloping the Maddry property with higher density residential development. There are also a number of apartment complexes and townhouse developments underway along Homestead Road, such as Bridgepoint and the Town-owned 2200 Homestead Road affordable housing development.

	<b>LUMO Standard for R-5-CZD</b>	<b>Staff Evaluation</b>
<b>District Intent</b>	<u>Section 3.3.9</u> : The residential (R-) districts are intended to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development.	The proposed townhome use meets the intent statement, provided Council finds it to be of appropriate intensity and compatible with surroundings.
<b>Permitted Uses</b>	<u>Table 3.7-1</u> : Permitted uses in the R-5 district include (but are not limited to) single-family residential, multifamily residential with up to 7 units per lot, and certain institutional and public facilities.	The associated Conditional Zoning application proposes attached single-family dwelling units (townhomes), one unit per lot, which is a permitted use in the R-5 district.  The existing R-2 zoning limits uses to single-family and duplex dwellings, in addition to certain public facilities.

<p><b>Dimensional Standards</b></p>	<p>Table 3.8-1: Standards for the R-5 district include:</p> <ul style="list-style-type: none"> <li>• Maximum Residential Density of 15.0 units per acre</li> <li>• Maximum Building Height of 39 ft at the setback line and 60 ft at the site core</li> <li>• Minimum Street Setback of 20 ft</li> <li>• Maximum Floor Area Ratio of 0.303</li> </ul>	<p>The associated Conditional Zoning application proposes:</p> <ul style="list-style-type: none"> <li>• 47 dwelling units, resulting in a Residential Density of 5.2 units/acre</li> <li>• Maximum Building Height equal to what proposed R-5 zoning allows</li> <li>• Minimum Street Setback of 10 ft</li> <li>• 90,000 sq ft, resulting in a Floor Area Ratio of 0.230</li> </ul> <p>The existing R-2 zoning has the following standards:</p> <ul style="list-style-type: none"> <li>• Maximum Residential Density Of 4.0 units/acre</li> <li>• Maximum Building Height of 29 ft at the setback line and 50 ft at the site core</li> <li>• Minimum Street Setback of 26 ft</li> <li>• Maximum Floor Area Ratio of 0.093</li> </ul> <p>Based on the comparison of Floor Area Ratio alone, R-5 allows over 3 times the amount of development potential that currently exists for the site. Zoning conditions would be useful to ensure appropriate development intensity.</p>
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**Design and Development Standards**

Other standards (including landscape buffers, parking spaces, stormwater treatment, etc.) are established in LUMO Article 5 and are applicable to both the R-5 and R-2 districts. A change in zoning district would not change how Article 5 standards apply.

The Conditional Zoning application provides an opportunity to establish conditions that modify development standards in order to address impacts reasonably expected to be generated by development.

**Consideration of the Site and its Surroundings**

	Description	Staff Evaluation
<p><b>Existing Use and Surroundings</b></p>	<p>One dwelling and outbuilding in the middle of a wooded site.</p> <p>Located in between the Vineyard Square neighborhood and Homestead Park. Multiple residential developments are</p>	<p>Changing the zoning of a site with very limited existing development, located in an area with substantial development activity including similar housing types, may be considered reasonable.</p>

	proposed or under construction along or near Homestead Rd.	
<b>Adjacent Zoning Districts and Land Uses</b>	<p><u>Northwest</u>: R-4-CZD, townhome community (Vineyard Square)</p> <p><u>Northeast</u>: R-2, parks &amp; recreation (Homestead Park)</p> <p><u>South</u>: R-2, large lot residences and undeveloped properties</p>	<p>Proposed zoning would be similar to zoning of the neighborhood to the northwest, and would provide opportunity to create development of a similar character. Locating zoning districts that allow similar development potential in proximity to one another may be considered reasonable.</p> <p>Zoning conditions would be useful to ensure that the scale of the proposed dwellings is compatible with the surrounding built environment.</p>
<b>Transit Service</b>	An existing local bus route runs along Homestead Rd, with a stop approximately ¼ mile from the site. Future stations for the North South Bus Rapid Transit project are located within ½ mile of the site.	Available transit service nearby suggests that a change in zoning district to support medium-density residential development is reasonable.
<b>Roads and Vehicular Access</b>	The site does not have any direct street frontage. Cabernet Dr and Aquatic Dr are opportunities to provide access to the site with new streets.	<p>The reasonableness of a change in zoning district may depend on analysis of traffic impacts, given the need to create new access.</p> <p>Zoning conditions may be warranted to limit traffic impacts on surrounding areas.</p>
<b>Pedestrian &amp; Bike Facilities (existing)</b>	Cabernet Dr, Aquatic Dr, and other nearby streets have existing sidewalk on at least one side.	Available sidewalks nearby, and opportunity to extend existing sidewalks through the site, suggests that a change in zoning district to support medium-density residential development is reasonable.
<b>Streams/ Wetlands/ Floodplain</b>	<p>No floodplain impacts the site.</p> <p>A perennial stream runs along the southern edge of the site, with some associated wetlands and a small existing pond.</p>	<p>The slopes and stream corridor limit development suitability for the southern part of the site.</p> <p>Existing Town and State regulations (RCD, Steep Slopes) include measures for protecting environmental features. Zoning conditions may be useful for enhanced protection, if warranted by further environmental analysis.</p>
<b>Topography</b>	The site slopes down from gradually north to south. There are intermittent steep slope areas, including some near the stream channel and other areas,	

	likely man-made, around the existing buildings and driveway.	
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## FINDINGS OF FACT

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings are made.

<b>FINDING #1:</b> The proposed zoning amendment is necessary to correct a manifest error.	
<b>Arguments</b>	To date, no arguments in support or in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	There appears to be no manifest error in the Town’s Zoning Atlas.

<b>FINDING #2:</b> The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.	
<b>Arguments</b>	Staff notes that there have been multiple rezonings in recent years to support other residential development within ¼ mile of the site (Independent Senior Housing in 2019; Bridgepoint in 2020; 2200 Homestead in 2021).  To date, no arguments in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in Chapel Hill.

<b>FINDING #3:</b> The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	
<b>Arguments</b>	Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following: <ul style="list-style-type: none"> <li>• Promoting the Focus Area Character for the North MLK Jr Blvd Focus Area as described in the Future Land Use Map</li> <li>• Facilitating development that implements FLUM guidance for Character Types in the Focus Area</li> <li>• Supporting goals of Chapel Hill 2020 including <i>A Place for Everyone, Getting Around, and Good Places-New Spaces</i>.</li> </ul> To date, no arguments in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.



# PROJECT FACT SHEET












## Overview

Site Description	
<b>Project Name</b>	Stanat's Place
<b>Address</b>	2516 Homestead Road
<b>Gross Land Area</b>	391,119 SF (8.97 acres)
<b>Orange County Parcel Identifier Numbers</b>	9788-96-2765
<b>Existing Zoning</b>	Residential-2 (R-2)
<b>Proposed Zoning</b>	Residential-5-Conditional Zoning District (R-5-CZD)





## Site Design

Topic	Comment	Status
<b>Use/Density</b> ( <a href="#">Sec 3.7</a> )	Townhouse Development containing 47 units with a density of 15 units/acre	
<b>Dimensional Standards</b> ( <a href="#">Sec. 3.8</a> )	Comply with LUMO Section 3.8; Dimensional standards (setbacks) only apply to exterior property lines	
<b>Floor area</b> ( <a href="#">Sec. 3.8</a> )	<i>Maximum:</i> 118,509 sq. ft. <i>Proposed new:</i> 101,000 sq. Ft. (+17,600 SF Density Bonus)	
<b>Inclusionary Zoning</b> ( <a href="#">Sec. 3.10</a> )	<i>Required:</i> 6.45 units (15%) <i>Proposed:</i> 4 units (9%)	<b>M</b>
Landscape		
<b>Buffer – East</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> 20' Type "C" <i>Proposed:</i> Maintain existing 20' Type "C" Buffer	
<b>Buffer – South</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> 10' Type "B" <i>Proposed:</i> Maintain 50' of existing forested areas	<b>M</b>
<b>Buffer - West</b> ( <a href="#">Sec. 5.6.2</a> )	<i>Required:</i> 10' Type "B" <i>Proposed:</i> Maintain existing 10' Type "B" Buffer + plant ½ 10' Type "B" Buffer	
<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	<i>Required:</i> 30% <i>Proposed:</i> 30%	
<b>Parking Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Application must comply	


## Environment

<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	<i>Maximum:</i> 40% land disturbance in Upland, 40% in Managed Use, and 20% in Streamside Zone <i>Proposed Maximums:</i> 73% land disturbance in Upland, 40% in Managed Use, and 20% in Streamside Zone	<b>M</b>
<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )	Orange County Erosion Control permit required	
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )	<i>Maximum:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> 95%	<b>M</b>
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )	Application must comply	
<b>Land Disturbance</b>	325,000 sq. ft. (7.46 acres)	
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	<i>Maximum:</i> XX% <i>Proposed:</i> 170,000 SF (43.4%)	
<b>Solid Waste &amp; Recycling</b>	Individual public refuse pickup	
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	Not applicable	<b>NA</b>
<b>Access and Circulation</b>		
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	No road improvements proposed.	<b>NA</b>
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	Primary access is from a connection to Aquatics Drive and the proposed extension of Cabernet Drive	<b>C</b>
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	Bicycle storage will be provided on site. If the connection to the existing Cabernet Drive is made, it provides an additional bicycle connection between Vineyard Square and Homestead Park.	
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	Pedestrian links throughout the site will help connect this site with adjacent parcels, the Town's greenway trail system, and public street sidewalks and transit.	
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	No transit improvements proposed. The Transit Department has requested a Payment-in-Lieu of \$25,000.	<b>C</b>
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	TIA Executive Summary attached. It recommends a speed table be constructed along Cabernet Drive.	
<b>Bicycle Parking</b> ( <a href="#">Sec. 5.9</a> )	No bicycle parking requirements for single family development. <i>Proposed:</i> 12 spaces	
<b>Parking Design Standards</b> ( <a href="#">Sec. 5.9.5</a> )	Application must comply	
<b>Vehicular Parking</b> ( <a href="#">Sec. 5.9</a> )	No vehicular parking requirements for single family development. <i>Proposed:</i> 206 spaces (including 94 spaces in garages and 94 spaces in driveways and 18 street parking)	



<b>Loading</b> ( <a href="#">Sec. 5.9</a> )	Not applicable	<b>NA</b>
<b>Building Height</b>		
<b>Building Height</b> ( <a href="#">Sec. 3.8</a> )	<i>Required:</i> Setback Building Height: 39 ft.; Core Building Height: 60 ft. <i>Proposed:</i> Setback Building Height: 39 ft.; Core Building Height: 60 ft.	
<b>Technical</b>		
<b>Fire</b>	Meet Town Standards	
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	<i>Required:</i> 19,556 SF with 25% payment-in-lieu <i>Proposed:</i> 20,326 SF (including a greenway easement) + \$9,063 payment-in-lieu	
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	Meet Town Standards; maximum of 0.3 foot-candles at property line	<b>FP</b>
<b>Homeowners Association</b> ( <a href="#">Sec. 4.6</a> )	Yes	
<b>Adequate Public Schools</b> ( <a href="#">Sec. 5.16</a> )	Application must comply	<b>FP</b>

### Project Summary Legend

Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plan
<b>NA</b>	NA