

# SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd  
Chapel Hill, NC 27514  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9870907548

Date: September 8, 2017

## Section A: Project Information

Project Name: Active Adult Housing  
Property Address: 2217 Homestead Road, Chapel Hill, NC Zip Code: 27516  
Use Groups (A, B, and/or C): A Existing Zoning District: R-2  
Project Description: 190 Unit Age Restricted Apartment project

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

### Applicant Information (to whom correspondence will be mailed)

Name: Richard Gurlitz - Gurlitz Architectural group, PA  
Address: 121 S. SEstes Drive Suite 100  
City: Chapel Hill State: North Carolina Zip Code: 27514  
Phone: 919-489-9000 Email: Richard@gurlitzarchitects.com

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

Signature: *Richard Gurlitz* Date: Sept 28, 2017

### Owner/Contract Purchaser Information:

Owner  Contract Purchaser

Name: Dr. William Bainster Wood and Virginia Wood  
Address: 2217 Homestead Road,  
City: Chapel Hill State: North Carolina Zip Code: 27516  
Phone: \_\_\_\_\_ Email: billwoodchphill@aol.com

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

Signature: *William B. Wood, Virginia Wood* Date: NOV. 27, 2018



**ZONING ATLAS AMENDMENT 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) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

|   |   |                |          |
|---|---|----------------|----------|
| X | Application fee ( <u>refer to fee schedule</u> )  | Amount Paid \$ | 2,135.04 |
|   | Pre-Application Meeting – with appropriate staff  |                |          |
|   | Digital Files – provide digital files of all plans and documents  |                |          |
|   | Mailing list of owners of property within 1,000 foot perimeter of subject property ( <u>see GIS notification tool</u> ) |                |          |
| X | Mailing fee for above mailing list  | Amount Paid \$ | 62.40    |
|   | Written Narrative describing the proposal   |                |          |
|   | Statement of Justification  |                |          |
|   | Digital photos of site and surrounding properties   |                |          |
|   | Legal description of property to be rezoned   |                |          |
|   | Phasing Plan (if applicable) indicating phasing boundaries and phasing notes  |                |          |
|   | Reduced Site Plan Set (reduced to 8.5" x 11")   |                |          |

**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

**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) 1,000 foot notification boundary

# Rezoning Request – 2217 Homestead Road Independent Senior Living Facility

## STATEMENT OF JUSTIFICATION

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This project complies with the Development Ordinance and Design Guidelines. The project is seeking a Conditional Use Rezoning to comply with a Special Use Permit applied for concurrently. The project complies with the Town's 2020 Comprehensive Plan and qualifies for Council Action under qualification "C" – "Is necessary to achieve the purposes of the Town's Comprehensive Plan."

### Project Description

The project consists of developing a 15.76 acre parcel that currently has one single family residence on it. The project includes +/- 190 apartment style rental age-restricted units, connections to existing roadway systems, new sewer and water connections to current OWASA services, grading the site for constructability stormwater management, installation of Duke Power services and cable/ internet extensions. The project intends to comply with Section 3.10.2 (e) – Inclusionary Zoning – Rental Units through either an approved payment in lieu for affordable housing or provision of affordable housing on site. A density and square footage bonus based on the provision of an affordable housing payment in lieu is being pursued. The project is being proposed with a rezoning from the current R-2 to an R-5. The plan will exercise a 15% density bonus and 4400SF floor area bonus for multi-family dwellings with interior common elements.

### Compliance with the Comprehensive Plan

The sections of the 2020 Comprehensive Plan that are particularly applicable to this project focus on the need in the community to provide a variety of housing types- Big Idea number 4. We believe that providing age restricted rental housing, which is severely under-represented in this market, meets the expectations and accomplishes the goals of the 2020 Comprehensive Plan by introducing an entirely new form of housing into an already undersupplied portion of the local housing market

This project responds to the Themes and Goals in Chapter 3 of the Comprehensive Plan as follows:

1. ***A Place for Everyone*** -

Rental apartment type housing aimed at the targeted range of age restricted to 55 years old and above is a currently unmet need, fulfilling the requested goal of a diversity of housing types in Chapel Hill. This project provides that housing opportunity to Chapel Hill residents.

2. ***Community Prosperity and Engagement***

A key element in prosperity and engagement, the second theme, is "sustaining healthy neighborhoods". This project provides new age restricted more affordable rental housing as a continuation of an existing (although new) neighborhood, expanding the same fabric of that age specific neighborhood in proximity to walkable surrounding amenities in the Southern Orange Senior Center and the nearby Homestead Park Aquatic Center.

### **3. *Getting Around***

Key in the Getting Around theme is linking neighborhoods to thriving greenways, sidewalks, bicycle amenities and other options. The proximity of this project to the existing University land and trail system, and the anticipated payment in lieu providing support for the continued operation of this greenway and bicycle friendly neighboring property indicates the contribution this project will make to keeping Chapel Hill greenway and park facilities thriving.

### **4. *Good Places New Spaces***

This theme talks about “balancing respect for the old with the prospect of the new”. This development respects the character of Homestead Road, and maintains an appropriate distance from the roadway that allows for the residential character of Homestead Road to be maintained while providing the density and housing type that furthers the Town’s quest for housing diversity.

### **5. *Nurturing Our Community***

Environmental Sustainability and aspects of people’s interaction with the natural habitat from parks and open spaces are the focus of this theme. With the existing wooded areas surrounding it to remain, there is great opportunity for the residents to interact with the immediate natural habitat. The proximity of Homestead Park and the Senior Center on the other side of the site virtually insures that the residents will have the ability to take advantage of the Town park facilities. The basic elements of the project development centralize the construction in the middle of the site and allow for density while intentionally maintaining significant portions of the existing wooded terrain.

### **6. *Town and Gown Collaboration***

While there is direct linkage between this project and the University property, there is also every likelihood that a significant number of the residents will in some way be associated with UNC. It is not anticipated nor is it a goal of the developers that this project provide student housing, which is further underscored by the age-restriction on the project, which will limit residents to ages 55+. However, the developer intends to capitalize on the University connection by virtue of a proximate location to the University, by partnering with the University to offer guest lecturers on site, organizing field trips to attend fine arts and sporting events at the University, and generally aiming to partner with the University wherever possible to provide a rich experience for residents.



# Conditional Rezoning Request – 2217 Homestead Road Independent Senior Living Facility

## WRITTEN NARRATIVE

### SITE DESCRIPTION

The subject parcel is located on 15.76 acres located at 2217 Homestead Road in Chapel Hill, North Carolina. It currently has one single family residence. The portion of the site with visibility to Homestead road is partially wooded, but mostly is lawn and residential garden with a gravel driveway. There is a storage shed towards the mid-portion of the site. The rear nearly 8 acres of the site is completely wooded in primarily mature hardwoods. The site is bordered on the north by Homestead Road, and on the east and south by the University of North Carolina's North Campus property which is vacant and is being used for public trails and park. The property on the west boundary is currently under construction with a single family age-restricted residential development. The site has vehicular access to Homestead Road and the age restricted development to the west has stubbed out one of its internal roads to the common property line. The University property bounding the south and east lot lines are designated as Permanent Open Space and allow for the Gross Land Area (GLA) to maximize at Net Land Area plus 10%.

The property gently slopes towards Homestead Road. There is no Resource Conservation District, Jordan Buffer, perennial or ephemeral streams on the property per a stream determination performed by the Town of Chapel Hill. The property is currently zoned R-2 and this Special Use Permit and Rezoning is requesting a re-zoning to R-5-C.

### PROPOSED DEVELOPMENT (with concurrent Special Use Permit Application)

Section 3.3.9 of the Code of Ordinances notes that “ Residential 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.**

### APPROPRIATE INTENSITIES

The intensity indicated in the Special Use Permit Application that accompanies this Rezoning Request is 12.66 units per acre. The rezoning request is from R-2 to R-5. This is an appropriate intensity for this parcel. The R-5 zoning allows as much as 15 units per acre. The property adjacent to the subject property, (separated by an access corridor to the UNC land) is currently zoned R-5-C. The property immediately across Homestead Road from the subject property is similarly zoned R-5-C, surrounded by R-4-C.

### AVAILABILITY OF PUBLIC SERVICES

All public services are available to this site to support an R-5 designation. Sewer, Water and Power are available in Homestead Road, parks and recreational facilities are neighboring, particularly Homestead Park, The Seymour Senior Center, the Orange County Southern Services Center are walkable to this property. City Fire Protection is proximate. As an active adult apartment project, the school systems, although also close to the property, are not further burdened with this use.

**ACCESSIBILITY TO MAJOR ACTIVITY CENTERS**

Shopping, UNC Healthcare, offices and entertainment, public parks, the senior center and Southern Orange Campus are all located in this quadrant of town. All are easily accessible from the subject property and no additional roadways or transportation system are required. Re-zoning to 5-5 will help to increase the usage of these existing proximate major activity centers.

**ACCESSIBILITY TO TRANSPORTATION SYSTEMS**

Homestead Road is on a Chapel Hill Transit line that provides immediate access to Major Activity centers including the shopping , services and entertainment in the Timberlyne area, as well as to downtown and the University. Re-zoning to R-5 to accommodate this active adult community will increase bus ridership.

**COMPATIBLE WITH SURROUNDING DEVELOPMENT**

The R-5 designation and the conditions of the Special Use Permit are compatible with the surrounding development. The surrounding properties are already zoned R-5 to both the North and the East. The project immediately to the West is an active adult age restricted community.

ROY M. COLE  
ATTORNEY AT LAW

NORTH CAROLINA

ORANGE COUNTY

THIS DEED, Made and entered into this the 2nd day of December,

, 1964, by and between

FRANK C. MADDRY and wife, LOULA L. MADDRY,

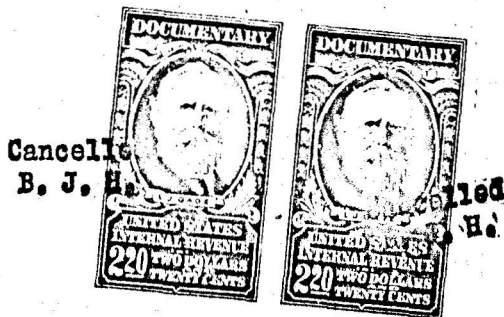
party of the first part (whether one or more) and

party of the second part (whether one or more) WILLIAM BAINSTER WOOD And wife, VIRGINIA FERGUSON WOOD, WITNESSETH:

That the said party of the first part, in consideration of the sum of TEN DOLLARS and other good, valuable and sufficient considerations, paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party of the second part and his heirs and assigns all that certain tract or parcel of land in Chapel Hill Township, Orange County, North Carolina, and more particularly described as follows:

All of that certain tract or parcel of land situated, lying and being on the South side of Homestead Road, near the Town of Chapel Hill, N. C. and being part of the Frank C. Maddry Farm, and adjoining said Road, C. Y. Tilson property, C. F. Lloyd property and other property of Frank C. Maddry and wife, and more particularly described as BEGINNING at an iron stake in the South side of said Homestead Road, the Northeast corner of the Tilson land; running thence with the said Tilson's line South 1° 15' West 1295 feet to the North line of the property of the University of North Carolina; running thence with the said University's line South 86° East 382.3 feet to the corner of the C. F. Lloyd property; running thence with the said Lloyd's line North 1° East 785 feet to a corner of the Lloyd property in the Maddry line; running thence with the said Frank C. Maddry's line South 89° West 149.3 feet to an iron stake and North 1° 15' East 525 feet to an iron stake in the South side of said Homestead road; running thence with the South side of said Homestead Road North 81° West 210 feet to the Beginning, BUT EXCEPTING FROM THIS CONVEYANCE A TWO (2) ACRES TRACT OF LAND which is being conveyed to William Bainster Wood and wife by Frank C. Maddry and wife by deed of even date hereto, and there being conveyed by this deed 7.60 acres, as surveyed and platted by J. Ralph Weaver, Reg. Sur., on September 24, 1964.

There is excepted from this conveyance and said conveyance is made subject to the right of ingress and egress along the 20 ft. wide easement described in deed of even date for a two (2) acres tract of land, said deed being from Frank C. Maddry and wife to William Bainster Wood and wife.



TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and his heirs and assigns in fee simple forever. And the said party of the first part does covenant that he is seized of said premises in fee simple and has the right to convey the same in fee simple; that the same are free from incumbrances; and that he will warrant and defend the said title to the same against the claims of all persons whomsoever. Wherever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may indicate.

IN TESTIMONY WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

..... (SEAL)  
..... (SEAL)  
..... (SEAL)

*Frank C. Maddry* (SEAL)  
*Loula L. Maddry* (SEAL)  
..... (SEAL)

NORTH CAROLINA, Orange COUNTY.

Notary Public in and for said State and County do hereby certify that FRANK C. MADDRY and wife, LOULA L. MADDRY, the grantors, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance. Witness my hand and notarial seal, this the 3rd day of December, 1964. My commission expires: 11/25/66

*William Cole* Notary Public

ROY M. COLE  
ATTORNEY AT LAW

NORTH CAROLINA

ORANGE COUNTY

THIS DEED, Made and entered into this the 2nd day of December, 1964, by and between

FRANK C. MADDRY and wife, LOULA L. MADDRY,

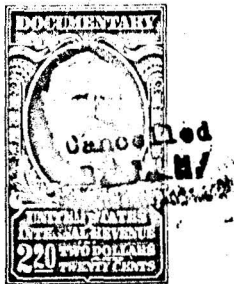
party of the first part (whether one or more) and

WILLIAM BAINSTER WOOD and wife, VIRGINIA FERGUSON WOOD,  
party of the second part (whether one or more) WITNESSETH:

That the said party of the first part, in consideration of the sum of TEN DOLLARS and other good, valuable and sufficient considerations, paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold and by these presents does bargain, sell and convey unto the said party of the second part and his heirs and assigns all that certain tract or parcel of land in Chapel Hill Township, Orange County, North Carolina, and more particularly described as follows:

All of that certain lot or parcel of land situated, lying and being South of Homestead Road, near the Town of Chapel Hill, N. C., and being part of the Frank C. Maddry Farm, and more particularly described as BEGINNING AT an iron stake which is located by measuring along the C. Y. Tilson's East line from the point where it intersects the South line of said Homestead Road, said intersecting point being the Northeast corner of the Tilson property and the Northwest corner of the Maddry property which lies South of the said highway, South 1° 15' West 762 feet; running thence from said beginning point, and continuing with the said Tilson's line South 1° 15' West 242 feet to an iron stake; running thence South 88° East 375.0 feet to the West line of the C. F. Lloyd property; running thence with the said Lloyd's line (his 2.75 acres tract) North 1° East 242 feet to an iron stake; running thence North 88° West 375.0 feet to the point and place of Beginning, containing two (2) acres, more or less, as surveyed and platted by J. Ralph Weaver, Reg. Sur., on September 24, 1964.

There is also conveyed hereby the right of ingress and egress to said two acres lot along the following described right of way: Beginning at the Northwest corner of said two acres lot, herein described, and running thence North 1° 15' East 762 feet to the South side of Homestead Road; running thence South 81° East 20 feet along said road; running thence South 1° 15' West 762 feet to the North line of said two acres tract; running thence North 88° West 20 feet to the beginning.



TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said party of the second part and his heirs and assigns in fee simple forever. And the said party of the first part does covenant that he is seized of said premises in fee simple and has the right to convey the same in fee simple; that the same are free from incumbrances; and that he will warrant and defend the said title to the same against the claims of all persons whomsoever. Wherever used herein, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders, as the context may indicate.

IN TESTIMONY WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

..... (SEAL)  
..... (SEAL)  
..... (SEAL)

*Frank C. Maddry* (SEAL)  
*Loula L. Maddry* (SEAL)  
..... (SEAL)

NORTH CAROLINA, ORANGE COUNTY.

*William A. Cole*, a Notary Public in and for said State and County do hereby certify that *Frank C. Maddry and wife, Loula L. Maddry*, the parties, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance. Witness my hand and notarial seal, this the 3rd day of *December*, 1964.

My commission expires: *11/25/66* *William A. Cole* Notary Public

NORTH CAROLINA  
ORANGE COUNTY

D E E D

THIS DEED, made and entered into this the 21st day of October, 1966, by and between FRANK C. MADDRY and wife, LOULA L. MADDRY, parties of the first part and WILLIAM BAINSTER WOOD and wife, VIRGINIA FERGUSON WOOD, parties of the second part:

W I T N E S S E T H:

THAT WHEREAS, the said parties of the first part did under date of December 2, 1964 execute and deliver to parties of the second part two deeds which are of record in the Office of the Register of Deeds of Orange County in Deed Book No. 200 at Page 221 and 223; and,

WHEREAS, the description contained in said deeds appears to contain errors; and,

WHEREAS, the parties desire to execute and deliver this conveyance as a corrective deed to the property described;

NOW THEREFORE, in consideration of the aforesaid and in consideration of the sum of TEN DOLLARS and other good, valuable and considerations paid by the said parties of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the said parties of the second part and their heirs and assigns, all that certain tract or parcel of land in Chapel Hill Township, Orange County, North Carolina and more particularly described as follows:

All that certain tract or parcel of land situated, lying and being on the South side of Homestead Road, near the Town of Chapel Hill, N. C. and being part of the Frank C. Maddry farm and adjoining said road, C. Y. Tilson's property, C. F. Lloyd's property and other property of Frank C. Maddry and wife and more particularly described as BEGINNING at an iron stake in the South side of said Homestead Road, the Northeast corner of the Tilson land; running thence from said beginning point and with the said Tilson's Eastern line South 1° 12' 30" East 1,310.93 feet to an iron stake in the Northern property line of the



property of the University of North Carolina; running thence with the said University's Northern property line, South 89° 44' 33" East 382.30 feet to the corner of the C. F. Lloyd property; running thence with the Western property line of said C. F. Lloyd property, North 2° 25' 30" West 791.34 feet to a corner of the Lloyd property in the Maddry line; running thence with the said Frank C. Maddry's line South 85° 34' 30" West 149.30 feet to an iron and North 1° 58' 30" West 521.23 feet to an iron stake in the Southern right-of-way line of said Homestead Road; running thence with the Southern right-of-way line of said Homestead Road North 86° 38' West 210.00 feet to an iron, the place and point of BEGINNING.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging to the said parties of the second part and their heirs and assigns in fee simple forever.

AND the said parties of the first part do covenant that they are seized of said premises in fee simple and have the right to convey the same in fee simple; that the same are free from all encumbrances; that they will warrant and defend the title to the same against the claims of all persons whomsoever.

Whenever used herein, the singular number shall include the plural, the plural the singular.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seal the day and year first above written.

Frank C. Maddry (SEAL) ✓  
Loula L. Maddry (SEAL) ✓

NORTH CAROLINA  
ORANGE COUNTY

I, Wilhelmina A. Cole, a Notary Public in and for said State and County do hereby certify that FRANK C. MADDRY and wife, LOULA L. MADDRY, parties of the first part, personally appeared before me this day and acknowledged the due execution of the foregoing Deed.

WITNESS my hand and notarial seal, this the 21st day of October, 1966.

Wilhelmina A. Cole  
Notary Public

My commission expires: 11/25/66  
NORTH CAROLINA—ORANGE COUNTY  
The foregoing certificate(s) of Wilhelmina A. Cole  
Notary Public of Orange County, N.C.

attested by Lee Notarial Seal (h) is ~~not~~ adjudged to be correct. Let the foregoing instrument with all certificates be registered. Witness my Hand this the 29th day of October, 1966.

Ann H. Sawyer  
DEPUTY CLERK SUPERIOR COURT  
ASSISTANT

NORTH CAROLINA—ORANGE COUNTY  
Filed for registration October 29, 1966 at 10:10 O'Clock A. M.  
and recorded in Deed Book 209 at Page 201  
Betty June Hayes, Register of Deeds  
E. B. Denny, Jr. BOOK 209 PAGE 202 By Betty June Hayes  
DEPUTY ASSISTANT





THE UNIVERSITY  
of NORTH CAROLINA  
at CHAPEL HILL

## Welcome to the Carolina North Forest!

- **No New Trails** are to be blazed, cut or otherwise established.
- **Gates Should Not Be Blocked.** Access to the Forest Road network is for emergency use & land management operations.
- **Pets MUST be leashed. Please clean up after your pet.**
- **Possession or consumption of alcoholic beverages is not allowed in the Forest.**
- **This Area Is An Ecological & Wildlife Preserve.** Hunting, trapping, fishing & gathering activity is not allowed.
- **Removal or destruction of any object** (plant, animal, rock or artifact) is prohibited and is considered willful destruction of state property.
- **Camping** is not permitted in the Forest.
- **No Fires or fireworks** are allowed in the Forest.
- **Weapons are prohibited** in the Forest, including air rifles & paint guns.
- **No Motorized Vehicles** on the Forest Road network (except for Land Management operations).

**Thank You For Reading and Cooperating!**

**Enjoy Your Experience!**

Questions, concerns or suggestions?

Contact **Carolina North Forest Management**

**[forestmanager@fac.unc.edu](mailto:forestmanager@fac.unc.edu)**

**[www.fac.unc.edu/CarolinaNorth](http://www.fac.unc.edu/CarolinaNorth)**





  
**CAROLINA NORTH GREENWAY**



- Open from dawn until dusk daily, year-round.
- Pets **MUST** be leashed. Please clean up after your pet.
- No weapons, hunting, or fishing.
- Alcoholic beverages are not permitted.
- Be considerate of other Forest visitors.

For further information contact:  
forestmanager@facilities.unc.edu





































