



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

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April 8, 2019

Ben Perry, Finance Director
East West Partners
1450 Environ Way
Chapel Hill, NC 27517

Subject: Minor Change to Special Use Permit – Phasing of affordable housing payment-in-lieu for Murray Hill at Meadowmont, Meadowmont Lane. (PIN 9798-75-3407)

Dear Ben:

I am writing in response to your request for a minor change to the Special Use Permit for the Murray Hill at Meadowmont development, approved by the Town Council April 10, 2010. After careful review of this proposal in light of the Town requirements, I determine that this is a minor change that complies with the Town's standards. Therefore I hereby approve the minor change for a phased payment-in-lieu.

The Land Use Management Ordinance provides guidance for minor changes to Special Use Permits that may be approved administratively. Under the regulations in the Land Use Management Ordinance, Town staff is authorized to make minor changes to Special Use Permit approvals according to Section 4.5.4 of the Land Use Management Ordinance.

After review of the attached application materials, the request is considered a minor change to the approved Special Use Permits as the request *does not propose*:

- a change to the Special Use Permit boundaries;
- a change of use;
- an increase in floor area;
- an increase in parking;
- substantial changes to principal or accessory structures;
- structural alterations significantly affecting size, form, style ornamentation and appearance of accessory structures;
- substantial changes in pedestrian, bicycle or vehicular access or circulation; or
- substantial changes to landscaping.

The Special Use Permit granted in 2010 requires that affordable housing payment-in-lieu be made prior to Certificate of Occupancy issuance. The applicant's payment phasing plan proposes payment prior to Certificate of Occupancy issuance of current units under construction, for an initial payment of \$109,766.24. This will satisfy payment for 7 out of 15 proposed units. This payment shall be made prior to Certificate of Occupancy issuance to buildings currently under

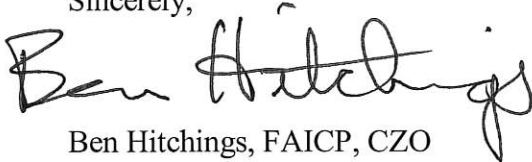
construction. The remainder of the payments will be made prior to Certificate of Occupancy issuance for the respective amount of affordable housing payment in lieu required for the two remaining buildings, phased accordingly.

Further, I find that the requested change to the approved Special Use Permit does not change the substance or intent of the Permit. I think that it is also reasonable to conclude that the requested change would not require evidentiary support in addition to that presented at the Public Hearing for the original Special Use Permit.

Submittal of a revised Zoning Compliance Permit application package will not be necessary. Note that this approval does not supersede any additional requirements or stipulations of payments-in-lieu thereof that are required by the approved Special Use Permit.

If you have further questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Ben Hitchings". The signature is written in a cursive, flowing style.

Ben Hitchings, FAICP, CZO
Planning Director

cc: Judy Johnson, Operations Manager
Loryn Clark, Executive Director, Housing and Community
Emily Holt, Housing and Community

Attachment:
Minor Change Request

east west partners

January 24, 2019

Ms. Loryn Clark
Town of Chapel Hill
405 Martin Luther King Blvd.
Chapel Hill, NC 27514

Re: Murray Hill at Meadowmont -- Minor Modification Request

Dear Loryn,

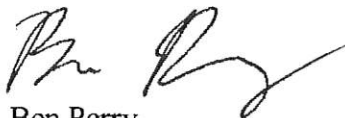
Per our recent discussions regarding the affordable housing payment in lieu for Murray Hill at Meadowmont, we humbly request a minor modification to the Special Use Permit to reflect the change of phasing for the development.

When first approved, we expected all 15 townhomes to be built in one continuous phase. As a result of market conditions, we have ended up phasing the project by building. We have completed the first building, containing 4 units, and are under construction with the second building, containing 3 units. As such, we would like to request a modification to the payment timing for the affordable housing payment in lieu to reflect this phasing.

Our request is as follows. With the annual inflation, the current full payment would be \$235,213.37. We would appreciate your consideration to allow us to pay for the units built and under construction at this time, for a current payment of \$109,766.24. We would also like to request that the remaining payments be phased by building, with a payment of \$62,723.56 for each of the remaining two buildings due prior to those buildings receiving a certificate of occupancy. We understand that these remaining amounts will continue to inflate by 3% each year on April 26th.

Thank you for your consideration of this request for modification to the SUP.

Best Regards,



Ben Perry
Finance Director

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