



**CONSIDER AN APPLICATION FOR CONDITIONAL ZONING –  
WEAVER’S GROVE**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Judy Johnson, Interim Director  
 Becky McDonnell, Planner II  
 Jake Lowman, Senior Planner

<b>PROPERTY ADDRESS</b> 7516 Sunrise Road	<b>MEETING DATE(S)</b> February 25, 2020 – CDC and TCAB March 10, 2020 – HAB and ESAB March 17, 2020 – Planning Commission	<b>APPLICANT</b> George Retschle, Ballentine Associates
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**STAFF RECOMMENDATION**

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

**ZONING**

*Current:* Residential–2 (R-2) (approx. 32.6 acres)  
*Proposed:* Residential–6–Conditional Zoning (R-6-CZ) (approx. 30.9 acres)  
 Neighborhood Commercial–Conditional Zoning (NC-CZ) (approx. 1.7 acres)

**DECISION POINTS**

The applicant is requesting the following modifications to regulations:

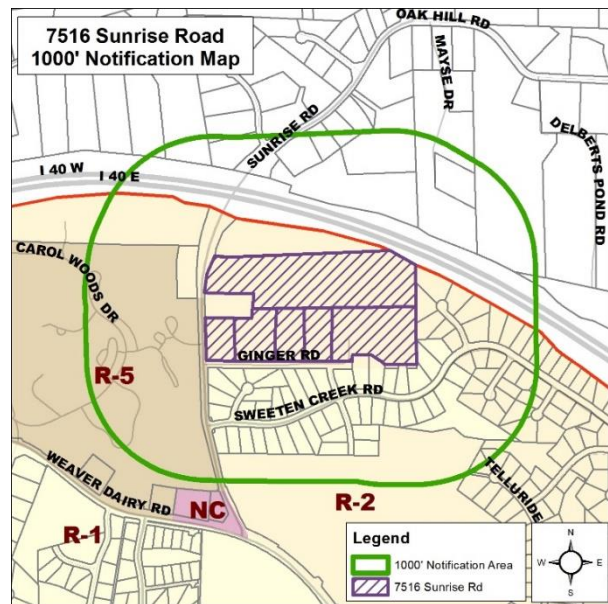
- Restricted uses allowed in the Neighborhood Commercial-CZ (NC-CZ) zoning district
- Alternative dimensional standards to allow for more compact development
- Land disturbance in RCD zones
- Modified parking landscaping standards

**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. If the proposed conditional zoning district is located in a Low Residential Land Use Category, the Town Council must approve a Land Use Plan Amendment prior to proceeding.

The applicant has submitted an accompanying Land Use Plan Amendment, which will be reviewed by the Council, to update the site’s designation to medium-density residential.

**PROJECT LOCATION**



**PROJECT OVERVIEW**

Weaver’s Grove, a residential community developed by Habitat for Humanity, will provide approximately 99 affordable housing units for those earning between 30% and 80% of the area median income. The community will also include approximately 144 market rate units, for a total of 243 units. The units will be a mix of townhomes, duplexes, condominiums, and single family homes. The development will also include amenities such as a café, community center, garage, dog park, walking trails, a splash pad, playgrounds, and community garden.

**ATTACHMENTS**

1. Technical Report
2. Project Details Table
3. Draft Ordinance A
4. Draft Resolution A (Approving the Application)
5. Draft Resolution B (Denying the Application)
6. Land Use Plan Amendment Technical Report
7. Resolution of Land Use Plan Amendment
8. Applicant Materials (including Land Use Plan Amendment application materials)



# TECHNICAL REPORT

## PROJECT OVERVIEW

The application proposes a Residential-6-Conditional Zoning (R-6-CZ) district as well as Neighborhood Commercial-Conditional Zoning (NC-CZ) district to the site in order to accommodate 243 dwelling units and approximately 19,000 square feet of commercial space for community amenities. The site currently consists of five separate parcels with existing single-family homes and a greenhouse. The Statement of Justification explains that the applicant is seeking a Conditional Zoning in order to develop the site to a greater intensity than what is allowed by the existing Residential-2 (R-2) zoning district. More details about the proposed development can be found in the applicant's narrative and statement of justification.

Information about the site and proposed zoning districts can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project's consistency with the Comprehensive Plan and relevant Findings of Fact.

## SITE CONTEXT

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

- The 32.6 acre subject site fronts on and has access to Sunrise Road, a collector street with relatively low traffic volume and no existing bus service.
- Property on the opposite side of Sunrise Road (Carol Woods) is zoned Residential-5 (R-5) and is developed as a group care facility consistent with the intent of the Residential-5 (R-5) district. The density of this group care facility is around 3.4 units per acre. The Residential-5 (R-5) zoning permits the same amount of density as the Residential-6 (R-6) district.
- Property at the intersection of Sunrise Road and Weaver Dairy Road is zoned Neighborhood Commercial (NC), within 1/3 mile of the proposed Neighborhood Commercial (NC) district.
- Where Neighborhood Commercial (NC) zoning currently exists in Chapel Hill, the property either has frontage on an arterial road (this is usually the case) or is integrated with surrounding residential areas through the street and sidewalk network (see Southern Village). This application could be considered an instance of the latter. Based on previous zoning practice, the suitability of a Neighborhood Commercial (NC) district located interior to a neighborhood likely depends on having sufficient vehicular and pedestrian connectivity as a condition of the zoning.
- Other property surrounding the site is zoned under residential districts, either Residential-1 (R-1) or Residential-2 (R-2). Existing uses include vacant property and single-family residential.

- A perennial stream runs through the northwest portion of the site, and there is an intermittent stream at the southeast corner of the site. Both features are subject to stream protection buffers. Wetlands have also been mapped in the northwest portion. The proposed site layout in the Conditional Zoning application suggests that no buildings and minimal impervious surface will be placed in these environmentally sensitive areas.
- A small portion of the site fronts on I-40, a major regional corridor with high traffic volumes. As there is no nearby access to I-40 from the site, the consideration here would be adequate screening and noise abatement for the residential uses.
- The site falls within Chapel Hill municipal limits, with annexation of the site having been approved in November 2019.
- The site is near the boundary of Chapel Hill's Planning Jurisdiction, which in this area parallels I-40. Outside of the Planning Jurisdiction is the Rural Buffer, where development is limited to a low-density character without water and sewer service.

## **PROPOSED ZONING**

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. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans. A -CZ suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant has proposed two different Conditional Zoning districts for different areas of the site, as shown on the site plan: Residential-6-CZ (R-6-CZ) and Neighborhood Commercial-CZ (NC-CZ).

The intent of the Residential-6 (R-6) zoning district is "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."<sup>1</sup>

The intent of the Neighborhood Commercial (NC) zoning district is to "provide for the development of low-intensity commercial and service centers that are accessible by pedestrians from the surrounding neighborhoods, serve the daily convenience and personal service needs of the surrounding neighborhoods, and are of such a nature as to minimize conflicts with surrounding residential uses." The Conditional Zoning application proposes limiting uses to a narrower range of retail/service/business and institutional/public uses while also allowing various residential types.

The applicant has proposed modifications to permitted uses and dimensional standards for the proposed zoning districts, among other requested modifications, as summarized in the Modifications to Regulations section below.

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<sup>1</sup> LUMO Section 3.3.5

# PROPOSED MODIFICATIONS TO REGULATIONS

**1) Section 3.8 Dimensional Standards:** LUMO Table 3.8-1 specifies dimensional standards for the Residential-6 (R-6) and Neighborhood Commercial (NC) zoning districts, including minimum lot size, frontage, width, setbacks, and more.

The Conditional Zoning application proposes to modify the dimensional standards, as summarized in the table below:

	Lot Size	Frontage	Lot Width	Street Setback	Interior Setback	Solar Setback	Impervious Surface for Single-Family Use
<i>Residential-6 (R-6) Standards</i>	5,500 sf	40'	50'	20'	6'	8'	0.50
<i>Neighborhood Commercial (NC) Standards</i>	5,500 sf	40'	40'	24'	8'	11'	0.50
<b>Proposed Standards</b>	<b>Single-Family</b>	2,000 sf	18'	18'	5'	3'	0.70
	<b>Townhomes</b>	1,100 sf	18'	18'	5'	3'	N/A
	<b>Multi-Family</b>	n/a	20'	20'	0'	3'	N/A

*Staff Comment:* The applicant requests to reduce dimensional requirements in order to allow for increased density and compact development. The Ordinance allows for reduced lot sizes and setbacks in cluster subdivisions, with an additional reduction allowed for affordable housing to 4,125 square feet. The applicant requests to reduce the minimum lot size further to 2,000 square feet for single-family lots. Additionally, the applicant requests to increase the allowable impervious surface for single-family lots to 70%. However, the total impervious surface for the entire Residential – 6 – CZ zoning district will be limited to 528,590 square feet, which is 36% of the gross land area. Staff believes that Council could find a public purpose for the altered dimensional standards as the increased density will allow for additional affordable housing units, which is a stated goal of the Council. Additionally, the applicant has proposed buffers greater than what is required by the Ordinance in order to reduce impacts on surrounding properties.

**2) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD) (on-site):** The Land Use Management Ordinance (LUMO) limits land disturbance 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 requesting to disturb 32,236 sq. ft. (47%), of the Upland zone associated with the perennial stream in the northwest portion of the site, to allow grading for the Stormwater control measures.

*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 and to provide a walking path as an additional amenity to the residents.

**3) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD) (off-site):** The applicant is requesting to construct a berm along Interstate 40 to reduce noise impacts on the residents. The applicant has also obtained an easement from the adjacent property owner to the north in order to extend the berm beyond the

property limits and provide additional noise protection. In order to construct the berm, the applicant is proposing to disturb 7,077 sq. ft. (52%) of the Managed Use zone and 12,322 sq. ft. (98%) of the Upland zone on the adjacent property. Note that these area calculations are based on the easement area, not the entire RCD area on the adjacent property.

*Staff Comment:* Staff believes that the Council could find a public purpose for the increased land disturbance, as the construction of the berm will allow for improved conditions for the residents and adjacent property owners.

- 4) Section 5.9 Parking and Loading:** The applicant is requesting to modify the minimum five foot (5') foundation buffer strip that is required for multifamily buildings to allow an average width of 5' (some areas will have less than a 5' buffer strip, while other areas will have greater than a 5' buffer strip).

The applicant is also requesting to modify the frequency of landscaped interior islands, which are required every ten (10) parking spaces. The applicant is proposing three (3) areas where there are eleven (11) and twelve (12) parking spaces between landscaped interior islands. This modification is being proposed in order to maximize parking efficiency, and two (2) of these areas are within Duke Energy and OWASA easements, which prohibit tree planting.

The applicant is also requesting to modify the maximum distance a parking space may be located from a shade tree. Approximately fifteen (15) spaces would be located further than the maximum seventy-five feet (75') away from the trunk of a canopy tree, due to restrictions on tree plantings within easements. The applicant is proposing to plant smaller trees to mitigate the inability to provide canopy trees.

Finally, the applicant is requesting to remove the minimum landscape buffer strip requirement for parking entrance drives. The minimum width requirement is eight feet (8').

*Staff Comment:* Staff believes the Council could find a public purpose for these altered parking landscaping standards, as all of the requested modifications are due to the compact nature of the development and site restrictions, in order to allow for a greater number of housing units, including affordable housing units.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.5.6 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**

- **Permitted Uses:** The applicant is proposing to limit the permitted uses in the Neighborhood Commercial (NC) zoning district as allowed by the Conditional Zoning process, to the following list:

- Accessory uses
  - Barber shop/beauty salon
  - Business – General
  - Business – Office-type
  - Child day care facility
  - Dwelling Units, single-family
  - Dwelling Units, single-family with accessory apartment
  - Dwelling units, duplex
  - Parking, off-street
  - Place of assembly, up to 2,000 seating capacity
  - Public cultural facility
  - Public use facility
  - Recreational facility; non-profit
- **Application Fee Waiver Request:** The applicant and Town Staff have signed a Memorandum of Understanding regarding development application fees. The fees will be based on the portion of the project that meets affordable housing guidelines. For example, if 100% of the residential units are affordable, no fee will be required. If the applicant obtains a market partner, fees will be charged for the market rate portion of the project.
  - **Payment-in-Lieu for Bicycle Improvements:** Although the Mobility Plan calls for bike lanes and sidewalks along Sunrise Road, the applicant will only be providing sidewalks on one side of Sunrise Road from the existing Ginger Road alignment south to Sweeten Creek Road.
  - **Recreation Area Payment-in-Lieu:** The Town has a policy to request 25% of the Recreation Space requirement in the form of a payment-in-lieu. Staff recommends that the project not be required to make this payment for the portion of the development that meets affordable housing guidelines.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

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 believes the Weaver’s Grove proposal complies with several themes of the 2020 Comprehensive Plan:

**Comprehensive Plan Themes:** The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

☒		Create a Place for Everyone	☒		Develop Good Places, New Spaces
☒		Support Community Prosperity	☒		Nurture Our Community

<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\\_APXALOUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA)

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

☒		Facilitate Getting Around	☒		Grow Town and Gown Collaboration
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**Land Use Plan:** The [2020 Land Use Plan](#)<sup>5</sup>, a component of the 2020 Comprehensive Plan, designates this site for low density residential. The applicant has submitted an accompanying Land Use Plan Amendment application, requesting to designate the site as medium density residential.

**Staff Evaluation:** North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application’s consistency with the 2020 Comprehensive Plan and other adopted plans:

- The Residential-6 (R-6) and Neighborhood Commercial (NC) districts encourage residential and supportive commercial uses, such as single and multi-family dwelling units and general business, public, and institutional uses. It also speaks to minimizing conflicts with adjacent land uses, which is consistent with the 2020 Land Use Plan.
- The proposed rezoning is also consistent in intensity with the Land Use Plan. The Medium Residential land use category supports a density of 4-8 units per acre. While the Residential-6 (R-6) district allows up to 15 units acre and the Neighborhood Commercial (NC) district allows up to 10 units acre, the Conditional Zoning application proposes up to 6.5 units acre for the site overall, which falls within the appropriate range for the Land Use Plan.
- The applicant states that the project will be supportive of the Town’s affordable housing goals. The master developer of the project is Habitat for Humanity of Orange County, who will partner with a market rate developer to build moderately priced, market rate homes to create a mixed income and mixed-housing type community. Both the affordable units and market rate units will fill identified housing gaps in the Town.
- The Mobility and Connectivity Plan shows future improvements along Sunrise Road in the long-term network, including bike lanes and sidewalk connecting to Weaver Dairy Road to the south. Improvements to the multimodal network would support increased growth and development in the vicinity of Sunrise Road. The applicant will provide a sidewalk along the eastern side of Sunrise Road south to Sweeten Creek Road.
- The applicant also notes that the development proposal demonstrates internal connectivity for the neighborhood, access to recreation amenities, and a layout that respects the site’s natural features. Each of these elements is consistent with goals of the Comprehensive Plan.
- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application.

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<sup>5</sup> <http://www.townofchapelhill.org/home/showdocument?id=1215>

## FINDINGS OF FACT

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- 1) To correct a manifest error in the chapter; or
- 2) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- 3) To achieve the purposes of the Comprehensive Plan.

Staff provides below an evaluation of this application based on the three findings. Further information may be presented for the Council's consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

**1) Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.

*Arguments in Support:* To date, no arguments in support have been submitted or identified by staff.

*Arguments in Opposition:* To date, no arguments in opposition have been submitted or identified by staff.

*Staff Response:* We believe, based on the information entered into the record to date, that there is no manifest error in the Town's Zoning Atlas Amendment related to the project site.

**2) Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

*Arguments in Support:* The applicant's Statement of Justification states that the proposal will fill a need in Town for quality affordable housing and moderately priced market-rate housing within the Urban Services Boundary. The site has adequate access to infrastructure and contains natural features that will enhance the development.

*Arguments in Opposition:* To date, no arguments in opposition have been submitted or identified by staff.

*Staff Response:* We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is in response to changing conditions in the northern Chapel Hill area and in the jurisdiction generally.

**3) Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

*Arguments in Support:* The applicant's Statement of Consistency states that the proposed rezoning would contribute to the following elements of the Comprehensive Plan:

- A range of housing options for current and future residents (*Goal: A Place for Everyone.3*)
- A welcoming and friendly community that provides all people with access to opportunities (*Goal: A Place for Everyone.4*)
- Foster success of local businesses (*Goal: Community Prosperity and Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Community Prosperity and Engagement.3*)



- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Getting Around.2*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal: Good Places, New Spaces.5*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal: Good Places, New Spaces.8*)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems (*Goal: Nurturing Our Community.2*)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (*Goal: Nurturing Our Community.3*)
- Housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Goal: Town and Gown Collaboration.4*)

*Arguments in Opposition:* Members of the public have identified concerns related to impacts and noise from I-40, increased traffic in the vicinity, and stormwater runoff.

*Staff Response:* We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.















# PROJECT FACT SHEET

















## Project Details

Site Description	
<b>Project Name</b>	Weaver's Grove
<b>Address</b>	7516 Sunrise Road
<b>Property Size (NLA)</b>	1,418,157 SF (32.6 acres)
<b>Existing</b>	Single-family homes and a greenhouse
<b>Orange County Parcel Identifier Numbers</b>	9890-06-5926, 9890-16-0437, 9890-06-6312, 9890-06-3350, 9890-06-0413
<b>Existing Zoning</b>	Residential-2 (R-2)
<b>Proposed Zoning</b>	Residential-6-Conditional Zoning (R-6-CZ) and Neighborhood Commercial-Conditional Zoning (NC-CZ)


## Site Development Standards

Topic	Comment	Status																												
<b>Development Intensity</b>																														
<b>Use/Density (Sec. 3.7)</b>	Uses permitted in Neighborhood Commercial-CZ (NC-CZ) zoning district: <ul style="list-style-type: none"> <li>• Accessory uses</li> <li>• Barber shop/beauty salon</li> <li>• Business – General</li> <li>• Business – Office-type</li> <li>• Child day care facility</li> <li>• Single and multi-family residential</li> <li>• Parking, off-street</li> <li>• Place of assembly, up to 2,000 seating capacity</li> <li>• Public cultural facility</li> <li>• Public use facility</li> <li>• Recreational facility; non-profit</li> </ul>	<b>M</b>																												
<b>Dimensional Standards (Sec. 3.8)</b>	Alternative dimensional standards proposed: <table border="1"> <thead> <tr> <th></th> <th>Lot Size</th> <th>Frontage</th> <th>Lot Width</th> <th>Street Setback</th> <th>Interior Setback</th> <th>Solar Setback</th> </tr> </thead> <tbody> <tr> <td><b>Single-Family</b></td> <td>2,000 sf</td> <td>18'</td> <td>18'</td> <td>5'</td> <td>3'</td> <td>3'</td> </tr> <tr> <td><b>Townhomes</b></td> <td>1,100 sf</td> <td>18'</td> <td>18'</td> <td>5'</td> <td>3'</td> <td>3'</td> </tr> <tr> <td><b>Multi-Family</b></td> <td>N/A</td> <td>20'</td> <td>20'</td> <td>0'</td> <td>3'</td> <td>3'</td> </tr> </tbody> </table>		Lot Size	Frontage	Lot Width	Street Setback	Interior Setback	Solar Setback	<b>Single-Family</b>	2,000 sf	18'	18'	5'	3'	3'	<b>Townhomes</b>	1,100 sf	18'	18'	5'	3'	3'	<b>Multi-Family</b>	N/A	20'	20'	0'	3'	3'	<b>M</b>
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<b>Floor area (Sec. 3.8)</b>	Maximum of 406,063 sq. ft.; Proposed 377,500 sq. ft.																													
<b>Landscape</b>																														
<b>Buffer – North (Sec. 5.6.2)</b>	<i>Required:</i> Type "E" 100' buffer <i>Proposed:</i> Type "E" 100' alternate buffer (to be approved by the Community Design Commission)	<b>M</b>																												

<b>Buffer – East (Sec. 5.6.2)</b>	<i>Required:</i> None <i>Proposed:</i> 22-85' Type "B" buffer	
<b>Buffer – South (Sec. 5.6.2)</b>	<i>Required:</i> None <i>Proposed:</i> 25-85' Type "A" and "B" buffers	
<b>Buffer - West (Sec. 5.6.2)</b>	<i>Required:</i> Type "B" buffer required if multifamily <i>Proposed:</i> None	
<b>Tree Canopy (Sec. 5.7)</b>	<i>Required:</i> 30% <i>Proposed:</i> 46.5%	
<b>Landscape Standards (Sec. 5.9.6)</b>	<i>Required:</i> 5' foundation buffer planting strip <i>Proposed:</i> Average of 5' foundation buffer planting strip	<b>M</b>
	<i>Required:</i> Landscaped interior islands every 10 spaces <i>Proposed:</i> Landscaped interior islands every 12 spaces	
	<i>Required:</i> Maximum distance of 75' that a parking space may be located from a shade tree <i>Proposed:</i> Maximum of 120' for from shade tree	
	<i>Required:</i> 8' minimum landscaped buffer strip requirement for parking entrance drives <i>Proposed:</i> No minimum requirement	
<b>Environment</b>		
<b>Resource Conservation District (Sec. 3.6)</b>	<i>Required:</i> Maximum of 40% land disturbed in Upland and Managed Use Zones <i>Proposed:</i> 32,236 sq. ft. (47%) land disturbance in Upland Zone for construction of Stormwater control measures; 7,077 sq. ft. (52%) disturbance in Managed Use Zone and 12,322 sq. ft. (98%) disturbance in Upland Use Zone for off-site construction of a berm along I-40	<b>M</b>
<b>Erosion Control (Sec. 5.3.1)</b>	Orange County Erosion Control permit required	
<b>Steep Slopes (Sec. 5.3.2)</b>	<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> Disturb 20.6% of steep slope area (2,722 sf)	
<b>Stormwater Management (Sec. 5.4)</b>	9 stormwater control measures (constructed wetlands, permeable pavement, bioretention cell, underground detention) proposed throughout site designed to meet or exceed LUMO 5.4 standards	
<b>Land Disturbance</b>	1,149,818 sq. ft. (26.4 acres)	
<b>Impervious Surface</b>	572,000 sq. ft. (13 acres) (40% of net land area)	
<b>Solid Waste &amp; Recycling</b>	Private trash pickup proposed, Town service for single-family	
<b>Jordan Riparian Buffer (Sec. 5.18)</b>	11,544 sq. ft. of disturbance proposed (8.2% of total) for walking path, sanitary sewer, and storm drainage outfalls	
<b>Access &amp; Circulation</b>		
<b>Road Improvements (Sec. 5.8)</b>	Addition of right turn lane with 75' storage on Sunrise Rd into development	

<b>Vehicular Access (Sec. 5.8)</b>	Access proposed at the Ginger Road intersection with Sunrise Road, and extension of Amesbury Drive	
<b>Bicycle Improvements (Sec. 5.8)</b>	No improvements proposed	
<b>Pedestrian Improvements (Sec. 5.8)</b>	Extend sidewalk south along Sunrise Road to Sweeten Creek Road	
<b>Traffic Impact Analysis (Sec. 5.9)</b>	TIA completed and Executive Summary attached	
<b>Vehicular Parking (Sec. 5.9)</b>	<i>Required:</i> 378 min – 495 max spaces <i>Proposed:</i> 432 spaces	
<b>Transit (Sec. 5.8)</b>	Construct a transit stop with a shelter and request service through Chapel Hill Transit	
<b>Bicycle Parking (Sec. 5.9)</b>	82 spaces required (82 proposed)	
<b>Electric Vehicle Parking</b>	2 spaces proposed	
<b>Parking Lot Standards (Sec. 5.9)</b>	Constructed to Town Standards	
<b>Technical</b>		
<b>Fire</b>	Meet Town Standards	
<b>Site Improvements</b>	243 residential units with community amenities, including a community garden, café, dog park, walking trails, and playground	
<b>Schools Adequate Public Facilities (Sec. 5.16)</b>	Application must comply	
<b>Inclusionary Zoning Ordinance (Sec. 3.10)</b>	A minimum of 99 of 243 residential units are proposed to be affordable units (42%)	
<b>Recreation Area (Sec. 5.5)</b>	<i>Required:</i> 116,186 sq. ft. (7.8%) <i>Proposed:</i> 132,023 sq. ft. (8.5%)	
<b>Lighting Plan (Sec. 5.11)</b>	Maximum of 0.3 foot-candles at property line	
<b>Homeowners Association (Sec. 4.6)</b>	Yes	

### 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>	Not Applicable