

February 21, 2023

Judy Johnson
Town of Chapel Hill Planning Department
405 Martin Luther King Jr Boulevard
Chapel Hill, North Carolina 27514

Re: Barbee Chapel Apartments Modifications to Regulations

Due to site constraints and peculiarities of the Land Use Management Ordinance, modifications to required standards are necessary to create a multi-family development that meets the Town’s vision and intent for such developments. The requested modifications are necessary to allow for a cohesive and well-designed multi-family project that meets the goals and intent of the Chapel Hill Comprehensive Plan. To develop this land as multi-family project, modifications to density will be necessary which subsequently require modifications to floor area and building height. Modifications to buffers and setbacks will be required as well.

DENSITY

Permitted Density (maximum): 15 DU/AC

Proposed Density (maximum): 31 DU/AC

The Land Use Management Ordinance Article 3.8.2 sets forth density requirements for the Barbee Chapel Apartments development.

The R-6 zoning district is the densest residential district outside of Town Center districts, and the maximum density is capped at 15 du/ac. This would only allow for 156 apartment units on site. The subject site falls within the NC 54 Corridor Sub-Area A in Chapel Hill’s Future Land Use Map. This area calls for multi-family residential use with a typical height of 6 stories for active street frontage. A multi-family project of that size and scale (6 stories, 3 buildings, and townhomes) would include over 156 units. Chapel Hill does not yet have an appropriate zoning district to allow for higher density projects where they are designated on the future land use map, outside of the Town Center areas. While zoning districts such as OI-3 or OI-4 exist that allow unlimited multi-family density, the project team was advised by Planning Staff to seek a zoning district that meets the intent of the land use and request a density modification. To meet the goals and intentions of the Future Land Use Map, a higher density allowance is necessary.

The applicant is proposing an increased density to 31 dwelling units per acre (based on gross land area) not to exceed 350 units.

FLOOR AREA RATIO**Permitted FAR (maximum): 0.303****Proposed FAR (maximum): 0.840**

The Land Use Management Ordinance Article 3.8.2 sets forth floor area requirements for the Barbee Chapel Apartments development.

Under the proposed R-6 zoning district, the maximum floor area ratio is 0.303. This equates to roughly 151,931 square feet of allowed floor area. For reference, this is roughly equivalent to one of the buildings on the site. Meeting the requirement of a 0.303 floor area ratio at this site would warrant a low density, one- or two-story or single building development, not meeting the intent of the Comprehensive Plan.

The applicant is proposing an increased floor area ratio of 0.840 to allow for multiple 4-story and 5-story multi-family buildings and 24 townhomes.

BUILDING HEIGHT**Permitted Building Height (maximum): Setback 39'; Core 60'****Proposed Building Height (maximum): 60' feet or 5 stories**

The Land Use Management Ordinance Article 3.8.2 sets forth building height requirements for the Barbee Chapel Apartments development.

Under the R-6 zoning district, the maximum building height at the setback is 39 feet and 60 feet at the core. Given the topography of the land and environmental features, it will be difficult to meet the 39-foot setback height along Barbee Chapel Rd. On the Future Land Use Map – Update to Chapel Hill 2020, this property falls under the NC 54 Corridor Sub-Area A, which calls for a Typical Height of 6 stories, Transitional Area Height of up to 4 stories, and Activated Street Frontage Height of 6 stories; This building will fall within those proposed ranges. Height per the LUMO is measured from mean finish grade to parapet.

The modification to the maximum building height will allow for the development of a more activated street frontage along Barbee Chapel Rd and encourage pedestrian activity in the corridor.

BUFFERS

LANDSCAPE BUFFER	REQUIRED TYPE	PROPOSED TYPE
NORTH (NC ZONE)	Type C- 20' Internal	6' Modified Buffer
SOUTH (HILLMONT)	Type B- 10' Internal	4'-10' Modified Buffer
EAST (HILLMONT)	Type B- 10' Internal	8'-10' Modified Buffer
WEST (BARBEE CHAPEL RD)	Type B- 20' External	10'-15' Modified Buffer

The Land Use Management Ordinance Article 5.6.6 sets forth buffer requirements for the Barbee Chapel Apartments development.

Buffer modifications are being requested for all the buffers required on the site. The required planting numbers cannot be met on the site to ensure that the trees and shrubs will survive and remain healthy. In lieu of trees, additional shrubs will be planted in the buffers. Existing buffers and landscaping adjacent to the North, East, and South sides of the property will provide extra screening and landscaping for the surrounding properties.

The applicant is requesting a modification for the western buffer along Barbee Chapel Rd. The required buffer of 20' would not create an activated streetscape or pedestrian and bicycle-friendly environment. The modified buffer would meet the intent of the Comprehensive Plan to create an activated street frontage. Similar to the South, East, and North buffers, the reduced plantings will ensure the health and survival of the trees.

SETBACKS

SETBACK	REQUIRED	PROPOSED
STREET	20'	20'
INTERIOR (NEIGHBORING PROPERTY LINES)	10'	8'
SOLAR (NORTHERN PROPERTY LINE)	8'	6'

The Land Use Management Ordinance Article 3.8.2 sets forth setback requirements for the Barbee Chapel Apartments development.

All residential structures (apartment buildings and townhomes) will fall within the required setbacks for the R-6 district, however a deviation is needed to allow for garages in some areas of the development. These structures are slightly longer than a traditional parking space and would encroach in the setbacks, therefore a reduction is requested.

CONCLUSION

In conclusion, the requested modifications remain in the spirit of the goals of Chapel Hill and align with the future land use of the Comprehensive Plan. As noted above, providing density on this site requires modifications to the R-6 zoning district, including increasing density allowance, increasing floor area ratio permitted, increasing building height permitted, reducing buffers, and reducing setbacks to further align with Chapel Hill's goals.

Thank you for your consideration of these requested modifications for the R-6 zoning district as a part of the Barbee Chapel Apartments CZP application.

Sincerely,

MCADAMS



Jessie Hardesty
Planner III, Planning + Design