

Date: February 11, 2019

To: Mayor and Town Council of the Town of Chapel Hill

RE: Agreement between the Courtyards at Homestead Community, Bainbridge Companies and Gurlitz Architectural Group (Applicant) in Relation to the Request for Rezoning and a Special Use Permit for the Development of 2217, Homestead Road, Chapel Hill

The parties described in the title of this note above, through a series of constructive discussions, have come to an agreement on a joint position on the Rezoning and Special Use Permit application to develop 2217 Homestead Rd, Chapel Hill and now wish to present this jointly agreed upon approach to the Council for consideration as part of the Rezoning and SUP review. This agreement represents a significant collaborative effort between citizens and the developer in resolving differences in order to meet important community needs of more rental housing for seniors and more affordable housing.


All parties agree upon the following points:

- 1) That this building will be designed for the purpose and sole use as a rental property for an over 55 community. A future change in use can only be approved by the Council.
- 2) The proposed building height will be lowered from four to three stories but will provide the same number of (198) rental units with the same building square footage and amenity space. It is recognized that this will cause some increase in the footprint, in impervious surface area and tree loss, but this is estimated to be small compared to other possible uses of this property. These details will be finalized during the Zoning Compliance Permit process.
- 3) On the basis of safety considerations to both over 55 communities, all parties are in agreement that the connection between the sites, at the end of Kipling Road, should not allow vehicular travel even as a "one-way only street" but should be restricted to emergency access in the form of either a gate system or bollards. This arrangement should be designed to allow full connectivity for cyclists and pedestrians only. All parties are willing to meet jointly with the Fire Marshall to address this specific design point in full compliance with the NC Fire Code.
- 4) The applicant and developers have agreed to mitigate the impact of the project on the Courtyards by all feasible measures such as a) lowering the building by grading the property elevation down prior to building b) increasing the separation distance of the building from the Courtyards by moving it closer to the other boundary c) adding boundary vegetation and/or berms to minimize light pollution and sound from the parking lot, and d) re-locating the swimming pool to minimize impact on Courtyards. As the building is re-designed, the developer will evaluate options to meet the spirit of this agreement and will share revised building plans with Courtyards once that process is commenced in earnest.

The joint parties propose this agreement to the Council in their consideration of the rezoning application and SUP and respectfully ask that this agreement be included as a formal part of the considered application and be approved by the Council in its entirety.



**Peter Lee, HOA President
Courtyards at Homestead**



**Richard Gurlitz, Applicant
Gurlitz Architectural Group**



**Alex Eyssen, VP for Development
The Bainbridge Companies, LLC**