



**OPEN THE LEGISLATIVE HEARING: CONDITIONAL ZONING APPLICATION FOR TRI POINTE TOWNHOMES LOCATED AT 2217 HOMESTEAD ROAD (PROJECT # 22-019)**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Mary Jane Nirdlinger, Deputy Town Manager and Interim Director  
 Judy Johnson, Assistant Director  
 Anya Grahn, Principal Planner  
 Tas Lagoo, Senior Planner

PROPERTY ADDRESS	MEETING DATE	APPLICANT
2217 Homestead Road	January 25, 2023	Richard Gurlitz, Gurlitz Architectural Group, on behalf of owner GS Homestead, LLC

**STAFF RECOMMENDATION**

That the Council 1) open the legislative hearing, 2) receive comments on the Conditional Zoning Ordinance, and 3) continue the hearing to February 22, 2023. Please see the attached Advisory Board recommendations.

**ZONING**

*Existing:* Residential-5-Conditional Zoning District (R-5-CZD)

*Proposed:* Residential-5-Conditional Zoning District (R-5-CZD)

**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 impacts on surrounding properties.

**DECISION POINTS**

Connection to the Courtyards at Homestead: Representatives of the adjacent neighborhood, the Courtyards at Homestead, are in favor of limiting the connection between the two neighborhoods to only emergency vehicles, bicycles, and pedestrians. Staff support limiting the connection to one-way eastbound traffic but not imposing limits on the type of vehicular traffic that will be allowed. Council is asked to indicate what form of connection should be allowed between the two developments.

Tree Protection and Buffers: As per the Land Use Management Ordinance, no buffer is required along the western property line. Representatives of the adjacent Courtyards at Homestead have voiced concerns over the lack of LUMO-mandated buffers between the two developments and the potential for impacts on off-site trees.

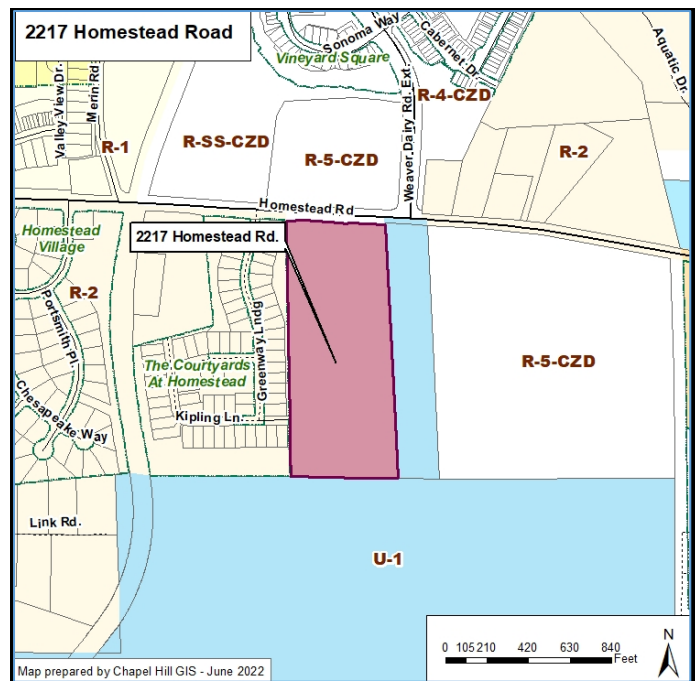
Modifications to Regulations: The applicant is not requesting any modifications to regulations.

**PROJECT OVERVIEW**

The proposed project includes the removal of a single-family home and accessory buildings and the construction of 108 townhomes with resident amenities totaling approximately 216,000 sq. ft. in floor area.

A Transportation Impact Analysis was completed for the project and recommended only minor improvements such as a crosswalk across the project's main connection to Homestead Road.

**PROJECT LOCATION**



**ATTACHMENTS**

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Draft Resolution A, Resolution of Consistency and Reasonableness
4. Draft Ordinance A (Approving the Application)
5. Draft Resolution B (Denying the Application)
6. Advisory Board Recommendations (Planning Commission to be added)



# TECHNICAL REPORT

## KEY CONSIDERATIONS

1. Planning Commission: At the January 17, 2023, meeting, the Planning Commission recommended approval of Ordinance A with the following conditions:
  - a. The developer should explore options for more density on the site, including a wider range of unit sizes and types.

Staff response: The proposed development is consistent with the Future Land Use Map and surrounding developments.

Planning Commission also shared two points of special consideration including:

- a. Connectivity: Planning Commission members expressed a variety of opinions regarding connectivity between the proposed development and the adjacent Courtyards at Homestead. Some members endorsed full vehicular connectivity between the neighborhoods, while others endorsed an emergency-only connection with full access for bicycles and pedestrians.
  - b. Stormwater and Trees: The Planning Commission noted that the developer should take particular care to minimize any stormwater impacts on the adjacent Courtyards at Homestead and make all efforts to protect existing trees between the two neighborhoods.
2. Environmental Stewardship Advisory Board: At the December 13, 2022, meeting, the Board unanimously recommended approval of Ordinance A with the following conditions:
  - a. All trees and plantings should be native.

Staff response: The Design Manual includes a listing of invasive species which are generally not acceptable.

- b. To the greatest extent possible, preserve the mature trees that currently exist along the western buffer

Staff response: Staff encourages the applicant to consider preservation of the existing mature trees along this buffer.

3. Housing Advisory Board: At the December 13, 2022 meeting, the Housing Board unanimously recommended approval of Ordinance A as presented.
4. Transportation and Connectivity Advisory Board: At the November 22, 2022, meeting, the Board unanimously recommended approval of Ordinance A with the following conditions:
  - a. That the proposed connection to Kipling Lane be an emergency-only option

for motor vehicles in both directions.

Staff response: Staff recommend a one-way eastbound connection between the two neighborhoods with no restrictions regarding the type of vehicles that may use the connection.

- b. That the connection be open and made accessible and welcoming for bicycles, pedestrians, and people with mobility devices in both directions.

Staff response: Staff recommend the inclusion of a sidewalk that meets or exceeds Town standards.

- c. That safe access be provided across Homestead Road to support access to bus stops.

Staff response: A Town-led improvement project is planned for Homestead Road.

- d. That additional public bicycle parking be added in gathering spaces, including near the trail connection.

Staff response: Staff encourages the applicant to consider additional bicycle parking as recommended.

- e. That the development provide conduit to at least 20% of the guest parking spaces.

Staff response: The applicant has agreed to install conduit to serve all guest parking spaces.

- 5. Community Design Commission: At the November 17, 2022, meeting, the Commission unanimously recommended approval of Ordinance A with the following condition:
  - a. That prior to the Final Plan approval, the Commission provide a courtesy review of the building elevations.

Staff response: The applicant agrees, and we have added a condition to the Ordinance.

## **PROPOSED ZONING**

The property is currently encumbered by a Special Use Permit (SUP) for the Active Adults project that was approved in 2019 but never developed. Concurrent with the approval of the 2019 SUP, the site was rezoned to Residential-5-Conditional (R-5-C). As a result of the zoning reforms enacted by North Carolina General Statute Chapter 160D, the site's R-5-C zoning designation was updated to Residential-5-Conditional Zoning District (R-5-CZD). Because the 2019 SUP is tied to a site-specific plan, the applicant is requesting conditional zoning for R-5-CZD for a new development proposal for the property.

The intent of the Residential-5-CZD 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." (LUMO Section 3.3.9).

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.

Conditions are typically used to:

- Address conformance of the development with Town regulations and adopted plans.
- Modify use, intensity, and development standards to be more restrictive when addressing impacts reasonably expected to be generated by development.
- Modify intensity and development standards to be less restrictive when accommodating the applicant’s proposed site plan (Modifications to Regulations).

A “-CZD” suffix would be added to the zoning district designation to incorporate the approved conditions.

## 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 site consists of 15.6 acres with one single-family home and accessory structures.
- The subject site fronts on Homestead Road, a collector street maintained by the North Carolina Department of Transportation (NCDOT).
- North of the project site is the Bridgepoint townhome development, which is currently under construction and zoned Residential-5-CZD. To the east and south of the project site is the Carolina North Forest, which is zoned University-1. To the west of the project site is the Courtyards at Homestead subdivision, which is zoned Residential-2.
- There are no streams, floodplains, or wetlands on the project site.
- The site is generally flat with a slight drop in grade from east to west.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff have reviewed this application for compliance with the themes from the [2020 Comprehensive Plan<sup>1</sup>](#), the standards of the [Land Use Management Ordinance<sup>2</sup>](#), and the [Town of Chapel Hill, NC : Design Manual and Standard Details<sup>3</sup>](#) and provides the following evaluation of consistency for the Tri Pointe proposal. :

	Description of Plan Element	Staff Evaluation
<b>Future Land Use Map (FLUM)</b>  <b>FOCUS AREA &amp; SUB-AREA</b>	<ul style="list-style-type: none"> <li>• Townhouses and Residences are an appropriate use for the site. Multifamily Residential uses are also encouraged in Sub-Area A, and examples include: triplexes, duplexes, fourplexes, and small single-family detached lots.</li> </ul>	<p>The proposed rezoning is consistent with the character envisioned by the FLUM because the proposed zoning district emphasizes a diversity of housing types that make use of the future proposed</p>

<sup>1</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>2</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAU5MA](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAU5MA)

<sup>3</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<p>South MLK Boulevard Focus Area + Sub-Area A</p>	<ul style="list-style-type: none"> <li>• Other appropriate uses include: Parks and Green/Gathering Spaces; Institutional/University/ Civic</li> <li>• Emphasizes connectivity to planned mixed-use, commercial areas, and parks and open space.</li> <li>• Townhouses serve as a transition to single-family neighborhoods.</li> <li>• Interest in adding visual interest to the street by breaking up long facades, locating living spaces in proximity to the street to provide “eyes on the street,” and integrating parking within or behind buildings accessed by rear streets and alleys.</li> <li>• Encourages multimodal connections to accommodate pedestrians, bicycles, and transit where appropriate.</li> <li>• Seeks mixed-income housing near transit, height and density transitions between new and existing development, and buffered protections between new development and Carolina North Forest.</li> </ul>	<p>BRT route along Martin Luther King, Jr. Boulevard.</p> <p>R-5 zoning would allow various residential uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes housing types that fall under the definition of Townhomes &amp; Residences.</p>
<p><b>Building Height</b></p>	<p>4 to 6 stories height, each story measuring approximately 12 ft. tall, in Sub-Area A.</p>	<p>The R-5 zoning district allows 39 feet at the setback and a core height of 60 feet.</p>
<p><b>Proposed Connections</b></p>	<p>The FLUM shows proposed connections between Courtyards at Homestead to the west, across this parcel and east across Carolina North, the Seymour Center (Senior Center) and Orange County Health Department</p>	<p>Further discussion is needed around the appropriate alignment of any new connections, and the travel modes that should be served (pedestrian, bicycle, and/or vehicular).</p>
<p><b>Mobility And Connectivity</b></p>	<ul style="list-style-type: none"> <li>• Extension of the Homestead Connector, providing a multi-use path along Homestead Road between MLK Jr. Blvd. and Seawell Elementary.</li> <li>• Surrounding streets typically have sidewalk on at least one side. The site is directly to the west of the Homestead Road</li> </ul>	<ul style="list-style-type: none"> <li>• Surrounding area has some elements of a multimodal network in place or under construction with the Homestead Road Improvement project to be constructed by the Town.</li> <li>• A BRT Route along MLK will improve travel capacity and mobility, and there are</li> </ul>

	<p>access to Carolina North Forest.</p> <ul style="list-style-type: none"> <li>• “By connecting neighborhoods to destinations, residents will be able to access these priority corridors and travel to the places they live, shop, work, and play.”</li> <li>• One of the goals is to reduce barriers by improving crossing between networks and to destinations and integrate land use development.</li> </ul>	<p>existing bus stops along Homestead Road.</p> <ul style="list-style-type: none"> <li>• Project proposes internal sidewalks and mulched path connections to Carolina North Forest.</li> </ul>
<b>Chapel Hill Bike Plan (2014)</b>	<ul style="list-style-type: none"> <li>• Chapel Hill residents are interested in greater connectivity.</li> <li>• A low level of street connectivity is “a major barrier to making bicycling a convenient choice, as bicyclists must travel on high stress arterials with inadequate bike accommodations for portions of a trip.”</li> <li>• Need to fill gaps in the bicycle network to “create a safer, connected transportation system.”</li> </ul>	<p>A full connection and traffic calming devices should be considered to encourage safety.</p>
<b>Climate Action and Response</b>	<ul style="list-style-type: none"> <li>• To reduce greenhouse gas (GHG) emissions, the plan recommends creating walkable, bikeable, transit-served neighborhoods. It also calls for reducing Vehicle Miles Traveled (VMT) through high density development and connectivity.</li> <li>• To increase walking, biking, and transit use, it encourages better connectivity for all transportation modes.</li> <li>• It also proposes expanding transit availability and connectivity, wherever possible.</li> </ul>	<p>The site offers an opportunity for infill development next to an existing neighborhood, with transit service and a park nearby. Extension and full connectivity at Kipling would support sustainable development and multimodal travel options.</p>
<b>Chapel Hill 2020 Goals</b>	<p>Opportunities for this application to support goals of Chapel Hill 2020 include:</p> <ul style="list-style-type: none"> <li>• The applicant proposes a new 108 townhouse community that supports the Town’s goals to provide a range of housing options for current and future residents (<i>A Place for Everyone.3</i>)</li> <li>• The multi-use path, full connectivity at Kipling Lane, trail</li> </ul>	

connections within the project connecting to Carolina North Forest, and its internal street network lined with sidewalks is in accordance with the goal to promote a safe, vibrant, and connected (physical and person) community (*Community Prosperity and Engagement.3*)

- Proposed bike and ped improvements help promote alternative forms of transportation as residents travel between daily stops. These are consistent with the goal for connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Getting Around.2*).
- The townhouse community is well located for access to nearby greenways, current and future multi-modal paths, as well as the transit routes along Homestead Road. The density provided in this community supports an adaptable transportation system that serves both dense and suburban development along Homestead Road (*Getting Around.4*)
- Connectivity is key to achieving the Town's goal of creating a transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Getting Around.6*). The proposal provides opportunities for multi-modal transportation, access to transit, as well as connected streets that shorten everyday trips to frequented places, such as Homestead Park, nearby schools, and commercial areas along Martin Luther King, Jr. Blvd. Additional work is needed to ensure a full connection and extension of Kipling Lane.
- The proposed townhouse development contributes to the Town's 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 (*Good Places New Spaces.5*). While residential in nature, it is within a short distance to social spaces such as the Seymour Center, commercial areas along MLK Jr. Blvd., and neighborhood amenities such as Homestead Park and the Carolina North Forest. Additionally, the townhouse form lends itself to Missing Middle Housing, providing housing opportunities to a variety of residents such as seniors, empty nesters, single-parent households, and first-time homeowners looking for median income housing.
- The proposed development is consistent with the FLUM's goal for future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places New Spaces.8*). The townhouse community will provide much needed housing for a range of residents of different socioeconomic backgrounds and provide density the supports the use of transit lines along Homestead Road. The proposal seeks to preserve tree canopy by creating several dedicated tree save areas in the center of the development.
- The applicant's Energy Management Plan (EMP) aligns with the

	<p>elements of Climate Action Plan by incorporating environmentally friendly features such as water sense fixtures, EV outlets in the garages, and rough electrical for future solar panels. This corresponds to the goal to reduce reducing the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (<i>Nurturing Our Community.7</i>).</p>	
<p><b>Central West Small Area Plan</b></p>	<ul style="list-style-type: none"> <li>• Identifies this portion of Homestead Road as providing “affordable” to “very affordable” housing options for families of median income.</li> <li>• Calls for improving bicycle and pedestrian amenities in the area by creating more bike lanes, building new sidewalks with wider buffers from the street, defining bike and pedestrian crossings, increasing visibility, implementing traffic calming measures, and nurturing and enhancing the greenway system.</li> </ul>	<p>The applicant proposes to construct 16 affordable units. This type of housing is a much-needed option of median income families.</p> <p>The applicant also proposes to construct a 10-foot-wide multi-use path along the Homestead Road frontage.</p> <p>Additional discussion is needed regarding the types of traffic calming that may be necessary along Kipling Lane as it connects to the existing Courtyards at Homestead project.</p>
<p><b>Northern Area Task Force Report (Focus Area 4, Homestead Road)</b></p>	<ul style="list-style-type: none"> <li>• While Focus Area 4 is focused on the north side of Homestead Road, it does show a potential future High-Capacity Gateway HW Service, as proposed by the 2030 DCHC Long Range Transportation Plan. The HW Service would extend from Weaver Dairy Road through the UNC-owned property to the east of the proposed development.</li> <li>• The public comments received at the time of this plan also express interest in preventing dead end streets and promoting street connections.</li> <li>• Goal 6 of the plan proposes improving the road network to provide more connections and safer turning options (e.g. Perkins and Weaver Dairy Road, Westminster and MLK Jr Blvd.)</li> </ul>	<p>The applicant has proposed a limited access extension of Kipling Lane.</p> <p>Staff supports a full connection at Kipling Lane that supports the goals of this and other long-range plans that call for greater connectivity and an improved street network.</p>

**REASONABLENESS OF THE ZONING ATLAS AMENDMENT**



Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The analysis below considers the applicant's proposed zoning district and proposed. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

### **SUMMARY OF ANALYSIS FOR REASONABLENESS**

#### **Supporting Factors**

- The proposed zoning is consistent with the Character Types shown on the Future Land Use Map, provided that zoning conditions are applied to ensure a compatible density.
- Rezoning to accommodate redevelopment may be considered reasonable.
- The proposed zoning allows only residential uses, which is consistent with other existing residential uses in the surrounding area.
- Zoning conditions are an inherent part of the proposed zoning district (it is only available as a CZD). Conditions provide an opportunity to limit intensity and to establish standards that address impacts on surrounding properties.

#### **Other Considerations**

- Further analysis and/or zoning conditions may be needed to determine whether adequate pedestrian connectivity, vehicular access, and transit service are in place to support the proposed zoning.
- Existing regulations include measures for protecting environmental features such as steep slopes. Zoning conditions are useful for enhanced protection, if warranted by further environmental analysis.

### **Comparing Proposed Permissible Development to Existing**

The property is currently encumbered by a Special Use Permit (SUP) for the Active Adults project. The site was rezoned to Residential-5-Conditional Zoning District (R-5-CZD) at the time of the SUP; however, this approval is tied to a site-specific development. For this reason, this applicant is requesting a conditional zoning for R-5-CZD for a new development proposal of the property.

R-5-CZD is sought to allow for a greater number and density of townhomes. The R-5 zoning district would allow a density of 15 units per acre or 257 townhomes at Tri Pointe. The applicant is proposing to construct 108 units.

The R-5-CZD zoning district allows for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatible with surrounding development. This site is adjacent to the Courtyards at Homestead to the west, the Town-owned 2200 Homestead affordable housing development and Bridgepoint townhouse project to the north, and UNC's Carolina North property to the east and south.

	<b>LUMO Standard for R-5-CZD</b>	<b>Staff Evaluation</b>
<b>District Intent</b>	<p><u>Section 3.3.9</u>: The Residential-5-Conditional Zoning district (R-5-CZD) is available only through a conditional zoning application.</p> <p>The parallel R-5 zoning district is intended to provide for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development.</p>	<p>The proposed townhouse development meets the intent of the proposed zoning district. Adjacent land uses include existing and future single-family residents, multi-family development, and other townhouses. These developments have access to existing greenways, bus routes, and amenities along Homestead Road including the Aquatic Center and Homestead Park to the east.</p>
<b>Permitted Uses</b>	<p><u>Table 3.7-1</u>: Permitted uses in R-5-CZD include the full range of single-family and multifamily dwelling types. Other uses, including public facilities and retail, are generally not allowed.</p>	<p>The associated Conditional Zoning application proposes townhouse units, the density of which is permitted in the zone.</p>
<b>Dimensional Standards</b>	<p><u>Table 3.8-1</u>: Standards for R-5-CZD include:</p> <ul style="list-style-type: none"> <li>• Density limit of 15 units/acre</li> <li>• Maximum Building Height of 39 ft at the setback line and 60 ft at the site core</li> <li>• Minimum Street Setback of 20 ft</li> <li>• Maximum Floor Area Ratio (FAR) of 0.303</li> </ul>	<p>The associated Conditional Zoning application proposes:</p> <ul style="list-style-type: none"> <li>• 108 dwelling units, resulting in a Residential Density of 6.9 units/acre</li> <li>• Maximum Building Height of 35 ft at the setback line and 35 ft at the site core</li> <li>• Minimum Street Setback of 20 ft</li> <li>• Maximum Floor Area Ratio does not apply to single family homes, such as townhouses; however, 66,488 sq ft proposed, results in a Floor Area Ratio of 0.472</li> </ul>
<b>Design and Development Standards</b>		
<p>Other standards (including landscape buffers, parking spaces, stormwater treatment, etc) are established in LUMO Article 5 and are applicable to both the R-5-CZD and R-5 districts. A change in zoning district would not change how Article 5 standards apply.</p> <p>The Conditional Zoning application provides an opportunity to establish conditions that modify development standards in order to address impacts reasonably expected to be generated by development.</p>		

**Consideration of the Site and its Surroundings**

	<b>Description</b>	<b>Staff Evaluation</b>
<b>Existing Use and Surroundings</b>	The site currently contains a single-family house and associated improvements. To the west of this property, Courtyards of Homestead is a senior living community of single family detached homes. On the east and south sides are the Carolina North forested areas. Multi-family and townhouse developments are underway on the north side of Homestead Road.	Rezoning a developed site to support and accommodate redevelopment may be considered reasonable, particularly when located in an area with other development activity.
<b>Adjacent Zoning Districts and Land Uses</b>	<p><u>North</u>: R-SS-CZD for Town-owned affordable housing development at 2200 Homestead and R-5-CZD for townhouse project at Bridgepoint</p> <p><u>West</u>: R-2, Single family homes</p> <p><u>South and East</u>: University-1 (U-1)</p>	<p>Because the surrounding neighborhood includes higher density development than what currently exists on the site, it's reasonable to rezone this property R-5-CZD to encourage higher density development that will support existing transit routes along Homestead Road.</p> <p>The surrounding area has seen a shift from single family residential on large lots to denser residential uses containing multiple detached single-family, multifamily, and townhouse developments. Zoning conditions would be useful to ensure that the scale of the proposed townhouse dwellings is compatible with the surrounding built environment.</p>
<b>Transit Service</b>	Bus stops are available at Greenway Landing and Homestead Road, 2510 Homestead Road, and the Seymour Center. These are serviced by the HS and A bus routes.	Some available transit service is nearby. It is not clear at this time whether the existing level of service makes a change in zoning for more intense development reasonable.
<b>Roads and Vehicular Access</b>	Access to the site is from Homestead Road, which is classified as a NCDOT collector street.	The applicant proposes the primary access to be from Homestead Road. Kipling Road will be extended east from the Courtyards at Homestead to provide secondary access.

<b>Pedestrian &amp; Bike Facilities (existing)</b>	Sidewalks currently exist only along the Homestead frontage of the Courtyards at Homestead. Sidewalks are proposed to be extended and a new bike lane constructed as part of the Town's Homestead Road Improvement project. The site is also adjacent to the Carolina North Forest containing a multi-use path.	The surrounding area has some elements of a multimodal network, which may make a change in zoning for more intense development reasonable.  Zoning conditions may be warranted to ensure adequate pedestrian connectivity.
<b>Streams/ Wetlands/ Floodplain</b>	No floodplain impacts the site. There is a perennial stream located outside of the southeast corner of the site on the Carolina North property.	The stream corridor does not impact this development.
<b>Topography</b>	The site slopes down from east to west. Steep slope areas exist adjacent to the perennial stream corridor on the southeast corner of the site as well as along the manmade driveway associated with the existing single-family house.	Areas of steep slope are associated with the existing development. Following removal of the buildings, these slopes will be regraded.

## LAND USE MANAGEMENT ORDINANCE FINDINGS OF FACT

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings of Fact are made.

<b>FINDING #1:</b>	
The proposed zoning amendment is necessary to correct a manifest error.	
<b>Arguments</b>	To date, no arguments in support or in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	There appears to be no manifest error in the Town's Zoning Atlas that would be corrected by the proposed amendment.

<b>FINDING #2:</b>	
The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.	
<b>Arguments</b>	Middle-income and affordable housing are significant needs for Chapel Hill that have grown over time. Townhouses provide an opportunity to address these needs.  Additionally, the Homestead Road area is in transition and consists of a mix of existing neighborhoods like Vineyard Square and Courtyards at Homestead as well as large single-family lots and small farms. The

	<p>latter are seeing development proposals for the construction of townhouse developments, such as those at Bridgepoint and Stanat’s Place.</p> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in Chapel Hill and in the Homestead Road area.

<b>FINDING #3:</b>	
The proposed zoning amendment is necessary to achieve the purposes of the Comprehensive plan.	
<b>Arguments</b>	<p>Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following:</p> <ul style="list-style-type: none"> <li>• Promoting the Focus Area Character for the South MLK Jr Blvd Focus Area as described in the Future Land Use Map (FLUM)</li> <li>• Facilitating development that implements FLUM guidance for Character Types in the Focus Area.</li> <li>• Supporting goals of Chapel Hill 2020 including <i>A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places-New Spaces, and Getting Around.</i></li> </ul> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	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>	Tri Pointe Townhomes
<b>Address</b>	2217 Homestead Road
<b>Property Size (NLA)</b>	678,842 sq. ft. (15.6 acres)
<b>Gross Land Area (GLA)</b>	746,726 sq. ft. (17.1 acres)
<b>Orange County Parcel Identifier Numbers</b>	9870-90-7642
<b>Existing Zoning</b>	Residential-5-Conditional Zoning District (R-5-CZD)
<b>Proposed Zoning</b>	Residential-5-Conditional Zoning District (R-5-CZD)


## Site Development Standards

Topic	Comment	Status															
<b>Development Intensity</b>																	
<b>Use (Sec. 3.7)</b>	<i>Proposed Use:</i> Dwelling Units, Single Family	✓															
<b>Inclusionary Zoning Ordinance (Sec. 3.10)</b>	<i>Required:</i> 16.2 affordable units (15% of total lots) <i>Proposed:</i> 16 affordable units + payment-in-lieu	✓															
<b>Density (Sec. 3.8)</b>	<i>Residential density:</i> 15 units per acre maximum <i>Proposed:</i> 6.3 units per acre	✓															
<b>Dimensional Standards (Sec. 3.8)</b>	<i>Setback (primary) height:</i> 39 ft. maximum <i>Proposed:</i> 35 ft. <i>Core (secondary) height:</i> 60 ft. maximum <i>Proposed:</i> 35 ft. <i>Setbacks:</i> 20 ft. street, 6 ft. interior, 8 ft. solar – all minimums <i>Proposed:</i> Setbacks comply	✓															
<b>Floor area (Sec. 3.8)</b>	<i>Maximum allowed:</i> N/A for single-family dwelling units <i>Proposed:</i> 216,000 sq. ft.	✓															
<b>Landscape</b>																	
<b>Buffers - East (Sec. 5.6.2)</b>	<table border="0"> <thead> <tr> <th></th> <th><i>Required</i></th> <th><i>Proposed</i></th> </tr> </thead> <tbody> <tr> <td><b>North:</b></td> <td>20 ft. Type C</td> <td>20 ft. Type C</td> </tr> <tr> <td><b>South:</b></td> <td>10 ft. Type B</td> <td>10 ft. Type B</td> </tr> <tr> <td><b>East:</b></td> <td>10 ft. Type B</td> <td>10 ft. Type B</td> </tr> <tr> <td><b>West:</b></td> <td>none</td> <td>none</td> </tr> </tbody> </table>		<i>Required</i>	<i>Proposed</i>	<b>North:</b>	20 ft. Type C	20 ft. Type C	<b>South:</b>	10 ft. Type B	10 ft. Type B	<b>East:</b>	10 ft. Type B	10 ft. Type B	<b>West:</b>	none	none	✓
	<i>Required</i>	<i>Proposed</i>															
<b>North:</b>	20 ft. Type C	20 ft. Type C															
<b>South:</b>	10 ft. Type B	10 ft. Type B															
<b>East:</b>	10 ft. Type B	10 ft. Type B															
<b>West:</b>	none	none															
<b>Tree Canopy (Sec. 5.7)</b>	<i>Minimum required:</i> 124,757 sq. ft. (30% of NLA) <i>Proposed:</i> 64,193 sq. ft. to remain	✓															

	60,564 sq. ft. additional required 121 replacement trees proposed	
<b>Parking Landscape Standards (Sec. 5.9.6)</b>	Final Plans application must comply	<b>FP</b>
<b>Environment</b>		
<b>Resource Conservation District (RCD) Uses (Sec. 3.6.3)</b>	N/A	
<b>RCD Dimensional Standards (Sec. 3.6.3)</b>	<i>Impervious surfaces:</i> 10% of Stream side zone area, maximum 20% of Managed Use and Upland zone areas, maximum <i>Proposed:</i> 0 <i>Land disturbance:</i> 20% of Stream side zone area, maximum 40% of Managed Use and Upland zone areas, maximum <i>Proposed:</i> 0	
<b>Erosion Control (Sec. 5.3.1)</b>	Orange County Erosion Control permit required	<b>FP</b>
<b>Step Slopes Land Disturbance (Sec. 5.3.2)</b>	<i>Maximum Disturbance allowed:</i> 25% of areas with existing 4:1 slopes or greater <i>Proposed:</i> 0*  *The only steep slopes that will be disturbed on the project site are exempt from LUMO steep slope regulations because they are man-made slopes associated with an existing driveway on the site.	
<b>Stormwater Management (Sec. 5.4)</b>	Meet or exceed LUMO standards	
<b>Land Disturbance</b>	<i>Proposed:</i> 566,437 sq. ft.	
<b>Impervious Surface</b>	<i>Existing:</i> 15,438 sq. ft. (2%) <i>Maximum allowed:</i> 522,708 sq. ft. (70%) <i>Proposed:</i> 282,274 sq. ft. (37.8%)	
<b>Solid Waste &amp; Recycling (Sec. 5.13)</b>	Final Plans application must comply	<b>FP</b>
<b>Jordan Riparian Buffer (Sec. 5.18)</b>	N/A	
<b>Access &amp; Circulation</b>		
<b>Traffic Impact Analysis (Sec. 5.8)</b>	TIA completed	
<b>Road Improvements (Sec. 5.8)</b>	Roadway improvements in the vicinity will be incorporated into the Town's Homestead Road improvement project.	
<b>Vehicular Access (Sec. 5.8)</b>	One full movement driveway along Homestead Road and one limited access connection to the Courtyards at Homestead neighborhood.	
<b>Bicycle Improvements (Sec. 5.8)</b>	Bicycle improvements along Homestead Road will be incorporated into the Town's Homestead Road improvement project.	

<b>Pedestrian Improvements (Sec. 5.8)</b>	Pedestrian improvements along Homestead Road will be incorporated into the Town's Homestead Road improvement project. A crosswalk will be provided across the main entrance to the project. Sidewalks will be provided along streets within the site.	
<b>Transit Improvements (Sec. 5.8)</b>	Staff recommends \$25,000 payment for nearby transit improvements	<b>C</b>
<b>Vehicular Parking (Sec. 5.9)</b>	<i>Proposed:</i> 234 spaces, including 3 handicapped spaces	
<b>Bicycle Parking (Sec. 5.9)</b>	<i>Proposed:</i> 4 racks in neighborhood parks and additional room for long-term bike storage in all townhome units.	
<b>Electric Vehicle Parking</b>	None provided. Units will be wired to allowed for future installation of electric vehicle chargers.	
<b>Parking Design Standards (Sec. 5.9)</b>	Final Plans application must comply	<b>FP</b>
<b>Loading (Sec 5.9)</b>	Final Plans application must comply	<b>FP</b>
<b>Technical</b>		
<b>Fire</b>	Built to Town Standards	<b>FP</b>
<b>Recreation Area (Sec. 5.5)</b>	<i>Minimum required:</i> 34,085 sq. ft. (.05) <i>Proposed:</i> 25,564 sq. ft. on-site and payment of \$158,496	
<b>Lighting Plan (Sec. 5.11)</b>	Built to Town Standards; not to exceed 0.3 footcandles at property line	<b>FP</b>
<b>Signage (Sec. 5.14)</b>	Built to Town Standards	<b>FP</b>
<b>Schools Adequate Public Facilities (Sec. 5.16)</b>	Final Plans application must comply	<b>FP</b>
<b>Homeowners Association (Sec. 4.6)</b>	Yes	<b>FP</b>

**Project Summary Legend**

Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plans
<b>NA</b>	Not Applicable