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April 5, 2023

Jacob Hunt, Planning Department  
Town of Chapel Hill  
405 Martin Luther King Jr. Blvd  
Chapel Hill, NC 27514

**RE: Request for FLUM amendment Project CZD-23-2**  
Chapel Hill Crossing

Dear Jacob:

On behalf of the developer, EB Capital Partners, Thomas & Hutton requests a Land Use Plan Amendment for the Huse project parcels on the south side of Old Chapel Hill Road. The current land use is low density residential units per acre. The requested amendment is an expansion of the North 15-501 Corridor focus area, specifically sub area "A". The requested amendment includes a request to shift the transition zone to the new southwestern edge of the focus area.

JUSTIFICATION FOR THE LAND USE MAP AMENDMENT

LUMO section 4.2.c states that Town Council may consider an amendment to the land use plan pursuant to the procedures for a conventional rezoning and in consideration of the following reasons:

- a) The proposed amendment is consistent with the goals and policies in the comprehensive plan;
- b) The proposed amendment addresses significantly changed conditions since the last time the land use plan was adopted and/or amended with significantly changed conditions being defined as demonstrating evidence of a change such as unanticipated consequences or an adopted policy, and/or changed conditions on the subject property or its surrounding area;
- c) The subject property is suitable for development in general conformance with adjacent land use and the existing surrounding development pattern or patterns as envisioned in adopted plans,
- d) The proposed amendment enhances the public health, safety, and welfare of the town.

a) CONSISTENCY WITH GOALS OF THE COMPREHENSIVE PLAN

The Chapel Hill 2020 Comprehensive plan was adopted in 2012. The big ideas presented in that plan are:

- 1- Implement a bikeable, walkable, green communities plan by 2020. The requested FLUM amendment would allow for a mixed-use walkable development with enough resident population to support non-residential uses and efficient public transit.
- 2- Create an entrepreneurial enterprise hub in the Rosemary Street corridor. This idea is not relevant to this site.
- 3- Create entertainment/dining/arts hubs to capitalize on Chapel Hill's strengths as a recreational destination. The requested FLUM amendment would allow for development that includes and supports dining and recreation space.
- 4- Increase the ratio of workforce housing by 2020 and develop a plan for student housing in the community. A 2021 housing report commissioned by the Town indicates that workforce housing stock in Town has not increased, that owner occupied housing is 53% more expensive in Chapel Hill than next door in Durham,

and that new rental development is high-rent. The report also noted that there are now relatively few sites left for creating more walkable developments with a variety of housing types. The requested FLUM amendment will allow for a higher density of smaller residential units which could be priced below the average new housing costs in Town. The requested FLUM amendment would not likely contribute to student housing in the community due to the location of the site.

- 5- Establish a structure to support community and neighborhood engagement in a proactive manner. The requested FLUM amendment would allow for a larger complete community type development with community open spaces, providing additional public facing spaces for the community to engage with.

The 2020 Plan also lists 6 goals for development and growth. The requested FLUM amendment would support all 6 goals.

- 1- A Place For Everyone – The requested FLUM amendment would cover approximately 10 acres, a size large enough to allow for development that could incorporate mixed uses and mixed housing types.
- 2- Community Prosperity and Engagement – The requested FLUM amendment for approximately 10 acres would allow for mixed use development that could be supported by people living in both Chapel Hill and west Durham, therefore increase the potential for business success at this location.
- 3- Getting Around – The requested FLUM amendment would allow for increased density which would lend itself to increased pedestrian connections and enough population to support increased public transit service.
- 4- Good Places, New Spaces – The requested FLUM amendment would allow for a layout of buildings and uses which would support development of public green spaces for recreation and gathering for the new residents but also for the wider community.
- 5- Nurturing Our Community – The requested FLUM amendment would allow for mixed use development which supports off-site trips, supports creation of community gathering spaces, supports public transit efficiency, supports lower impervious surface additions per household, and adds to alternative transit links.
- 6- Town and Gown Collaboration – The requested FLUM amendment would create conditions allowing higher residential density, development of new residential spaces obtainable by University and UNC Health employees.

In general the requested FLUM amendment would support these goals by allowing a larger scale multi-use development with a variety of housing types, capable of supporting common spaces, located on existing low volume arterial roads, close to expanding employment opportunities and expanding UNC facilities in Eastowne.

In December of 2020 the Town Council adopted the Future Land Use Map (FLUM) Update to Chapel Hill 2020. In that plan, the North 15-501 Corridor Focus Area boundary is Old Chapel Road. The focus area supports 4-6 story development of residential, office, retail, and park space. That plan specifically notes that “building height and massing should be roughly the same on both sides of the street in order to property frame the street”. Rezoning the parcels around Huse Street would support the design intent of the FLUM update. More generally, in order to provide sites for development of the amount of housing indicated as needed in the 2021 Projected Housing Needs Report, the Town will need to expand its focused development areas.

#### b) CHANGING CONDITIONS IN THE AREA

In the past 10 years the area has seen growth to the east, north, and west notably with increased residential development across I-40, increased UNC and employment opportunities in Eastowne, and the development of Wegmans site to the west. Additionally the Town has received applications for development on properties to the west and northwest.

The past few years have also seen the adoption of changes to the Town’s Land Use plan. In December of 2020 the Town Council adopted the Future Land Use Map (FLUM) Update to Chapel Hill 2020. In that plan, the

North 15-501 Corridor Focus Area boundary is Old Chapel Road. That focus area supports taller development of residential, office, retail, and park space which would be located across the street from the Huse parcels. It also specifically notes that “building height and massing should be roughly the same on both sides of the street in order to property frame the street”.

More recently the Town has initiated investigation into new methods of increasing opportunities for increased housing density, increased housing offerings, and promotion of better land use mixes. The Housing Report study initiated by the Town and delivered to the Town in October 2021, the initiatives by the Town to allow more dense development in R-1 neighborhoods (not yet adopted) and promotion of Complete Communities Strategy policies currently underway all support the recognition of the Town’s need for expansion of opportunities for planned growth and denser development within Town limits. Additionally, the Town’s Urban Planner and other Town staff worked with local stakeholders in a process intended to add order to how the North 15-501 / East Chapel Hill area gets developed during changing conditions in the near future. The properties to which the FLUM amendment would apply were part of the summer 2022 East Chapel Hill Development Framework.

c) SUBJECT PROPERTY SUITABILITY FOR DEVELOPMENT BEYOND EXISTING ZONING

The size, topography, and location of this land assembly lend itself to a mixed use more densely developed community. The site is located at the intersection of two arterial streets, overlooks I-40, and connects closely with development happening across the highway in Durham. It is located on Old Chapel Hill Road, a street which has recently been improved to allow for better connections with cross streets (multiple new roundabouts) and has been improved with pedestrian sidewalks on both sides. The size of almost 10 acres lends itself to supporting a mixed-use community and to housing enough residents to support efficient public transit and bike trails. The parcel is fairly flat with no jurisdictional streams on site, and no jurisdictional buffers. It is adjacent to the North 15-501 Corridor Focus Area which has been tagged as appropriate for multi-family residential, office, commercial, and recreation uses. The subject property was also included in the East Chapel Hill Development Framework process in summer 2022 in which stakeholders worked with Town staff to diagram an orderly development strategy for the area.

d) ENHANCEMENT TO PUBLIC HEALTH, SAFETY, AND WELFARE OF THE TOWN

Promoting the rezoning of larger land areas allows for development of planned mixed use communities with dimensional size that allows transition to existing adjacent uses. Rezoning of these 10 acres would allow for mixed use development which could contain more open space, more recreation space, and better pedestrian and bicycle circulation opportunities than would low density suburban style development. The properties to which the requested FLUM amendment would apply were part of the summer 2022 East Chapel Hill Development Framework. That process was intended to provide a framework to guide development to ensure that changing conditions are harmonious with Town goals and with existing and future nearby uses.