



111 W. MAIN STREET
DURHAM, NC 27701 | 919.682.0368
WWW.THOMASANDHUTTON.COM
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May 17, 2023

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

RE: Chapel Hill Crossing Project CZD-23-2
5500 Old Chapel Hill Road and Huse Street Parcels
Justification for requested stipulation changes

Dear Katherine and Jacob:

Attached are legal descriptions of the project site, divided into one description for all development north of Old Chapel Hill Road, and a separate description for all parcels in the development south of that street. We have gone through the modifications and stipulations document and have made review comments and edits. That document is attached. Below is a summary of our justification for the elements we are not in agreement with.

Stipulation 4: The applicant is requesting this stipulation be stricken. The proposed development purposefully sets single family homes next to the existing single-family homes adjacent to the project. We believe this is a like use and that the buffer required per the LUMO should be sufficient.

Stipulation 8: The applicant agrees that short term rentals may be prohibited in the multi-family rental buildings. But townhomes with ADU's will be sold to individuals, and restricting short term rentals in those ADU's will be an impediment to affordability.

Stipulation 13b: The applicant will attempt to incorporate a 20% more energy efficient construction using commercially available equipment and materials.

Stipulation 17a: The applicant will add sidewalks as required along Old Chapel Hill Road, and will build a sidewalk on Pope Road from the Pope Road project driveway to the southern property line. The project proposes a safe, pedestrian friendly route with sidewalks on both sides of the proposed project main street. That route will connect complete a pedestrian route which brings activity into the project and helps activate the street and support the retail and community spaces being proposed in the project. The applicant believes the missing sidewalk along Pope Road is unnecessary as it doesn't lead anywhere different than the route through the project.

Stipulation 56: Strike this stipulation, it is covered by 17a and 57.

Stipulation 57c: The applicant will attempt to incorporate a 20% more energy efficient construction using commercially available equipment and materials. At Zoning Compliance Permit, the applicant's representative (MEP) will describe the buildings systems proposed and what energy efficiency they can bring to the project, with out a minimum 20% requirement.

Stipulation 66: The applicant would like to remove the specific notice allowing clotheslines. The homes will be very close together with little private yard space. The HOA would like to retain architectural control.

Please let me know if there are any other revisions you require at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wendi Ramsden", with a long horizontal flourish extending to the right.

Wendi Ramsden
Project Manager



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April 5, 2023 (REVISED)

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

RE: Conditional Zoning Application for Chapel Hill Crossing

North and South sides Old Chapel Hill Road at Huse, west of Pope Road
5500 Old Chapel Hill Road and multiple addresses on Huse St
Town of Chapel Hill, Durham County

Modifications Requested

1. Reduction of plantings in the streetside buffer north side Old Chapel Hill Road

Justification: The applicant is requesting a reduction of installed plant material to 60% of total requirements. There are multiple utility easements through this zone in a swath 20-48' wide. Additionally, the right of way is at an odd angle. In order to comply with area master planning guidelines of buildings fronting the street and parking behind, it will be necessary to reduce the tree planting in this area. Generally, groundcover shrubs and ornamental grasses may be planted in these easements and the plan proposes to do that, as well as to fit in as many canopy and understory trees as possible.

2. Reduction of buffer width on Old Chapel Hill Road and Pope Road frontages

Justification: The applicant is requesting small intermittent reductions of up to 10' in the street buffer widths on both frontages. The site in general and the Pope frontage in particular are irregularly shaped. The small intrusions are required to efficiently place building and parking area corners. In all cases, the width reduction will be short in length. The total plant material required by ordinance will be installed in each buffer.

3. Reduction of parking lot dimensions

Justification: The applicant is requesting a reduction of parking lot dimensions from the Adopted Design Guidelines. Those guidelines call for 18.5' long parking spaces and 25' drive

aisles in parking lots. The applicant is requesting a reduction to 18' long parking spaces and 24' drive aisles in order to reduce impervious paving on site. These dimensions are in line with accepted North American parking lot dimensions and are in line with requirements for many local municipalities. This reduced dimension appears to have been used in recently completed projects in Chapel Hill.

4. Increase density of residential units in R-6 zone

Justification: The LUMO limits R-6 density to 15 units/acre. The applicant is requesting a modification allowing up to 25 units per acre. This higher density is conducive to promoting alternate transit use and allows for efficient building construction. It also allows for a residential population to support the non-residential uses within a mixed-use project.

5. Increase density of residential units in MU-V zone

Justification: The LUMO limits MU-V collector density to 20 units/acre. The applicant is requesting a modification allowing up to 40 units per acre. This higher density is conducive to promoting alternate transit use and allows for efficient building construction. It also allows for a density of residents to support non-residential uses within a mixed use project, and promotes smaller more affordable houses.

6. Increase building height for midrise building on the Pope Road arterial frontage and the Old Chapel Hill Road arterial frontage

Justification: The Comprehensive Plan calls out suggested heights in this focus area of 6 stories. The developer is proposing a tiered building which will reach 7 stories at its highest point. The building will include a 3-story rectangular base for structured parking, with a 3-story liner facing Old Chapel Hill Road and the internal street. The residential units will be in a 2-4 story tiered and articulated building above this, with the taller 7 story section covering about 45% of the building's length. The right of way width where the 7-story portion is located is over 100' and therefore has an allowed height of 70'. At the building façade location, the allowed building height is 77-85'. The proposed building height is 83'. The applicant is asking for a modification to allow 45% of the façade to exceed the allowed height by up to 6'.

The massing of the building is such that the ends of the building will be 5 stories, or 59' height, with courtyard areas on the roof of the parking structure which will be at a height of 37'. The central area is the 7-story portion that will exceed maximum height by 6' at most. The majority of the tallest part of the building will remain within the core height limitations of the MU-V zoning district. The elevation of the ground floor is expected to be approximately the same as the elevation of the street at the Pope Road roundabout, and there is an 8' tall berm between the street and the building which is wooded with mature trees as tall as the proposed building.

7. Increase building height for 5500 Old Chapel Hill Road building on the north site – Old Chapel Hill Road arterial frontage

Justification: The Comprehensive Plan calls out suggested heights in this focus area of 4-6 stories. The underlying maximum building height for the R-6 district is 39' at the setback and 60' core height. Because the right of way and therefore the building setback is angled, and because the ground falls to the north, the 4-5 story building height is calculated as 55.37' from the median ground plane, putting it 4.37' above the allowed height at the southeast corner of the building. The building will appear to be 4 stories, or 48' tall from the street.

8. Provision of all recreation space in the project and zero recreation space payment-in-lieu

Justification: The required recreation space on this project is 39,050 sf. One quarter of this as payment in lieu would total \$117,150. The developer requests a modification to policy to provide all of the recreation space within the project and not make a payment to the Town. The development area of the Chapel Hill Crossing project is approximately 14 acres, a large enough size so that 30% of the land area provides enough space for meaningful recreational experiences for residents and will add to the Town's recreation space. The developer is proposing a variety of recreation spaces: two pools, community gardens, two fitness centers, outdoor fitness areas for classes (available to residents), a walking loop, a section of the multi-modal trail to be built on the north site, and a playground. The multi-modal trail, walking loop, playground, and one fitness center will be facilities available to the wider community (non-residents).

9. Grading of more than 25% of the steep slopes on the site.

Justification – There is one area of steep slope on the south site which is part of a man-made dam for a farm pond. The steep slope area is 1,514 sf and the proposed disturbance is 100% of that slope. On the north site there is one steep slope area of 690 sf. This is also a man-made steep slope - a swale carrying storm water from the street. That swale will be piped.