



Chapel Hill Crossings - Conditional Zoning

Staff: Britany Waddell, Judy Johnson, Corey Liles, Tas Lagoo, Katherine Shor, Jacob Hunt

Meeting date: September 27, 2023

Project Overview

- Thomas & Hutton, on behalf of the Huse Street Properties, LLC (Owner/Developer) and Terri Benforado (Owner) requests a Conditional Zoning District be approved at lots centered at 5500 Old Chapel Hill Road to allow for the construction of between 290-329 residential units.
- Since this item was heard by Council in June the applicant has modified their proposal in response to Council comments. These changes have included a change in the orientation of the apartment building on the northern site, increases in affordable units, inclusion of a sidewalk on the southern site, and the conversion of a previously proposed 7 story building to townhomes.
- The northern site consists of 190-199 units in a 3-5 story apartment building. Including options for either 14 or 20 affordable units a various AMIs.
- The site on the south side of Old Chapel Hill Road is comprised of 100-130 residential units spread between townhomes and cottages. 15% of the for-sale units will be affordable units.

Staff Recommendation & Analysis

<input checked="" type="checkbox"/>	Staff recommend that Council approve the project following resolution of the issues identified below.
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1. **Consistency with the Future Land Use Map (FLUM):** Staff recommend that Council approve the conditional zoning application.

The high-density development proposed for the southern site is not consistent with the site's FLUM designation, which calls for low-density, single-family construction. Council may choose to approve the conditional zoning application without amending the FLUM. Consistency with the FLUM is not required for a conditional zoning application to be approved by Council. If Council approves the conditional zoning application, the approval is considered a de facto amendment of the FLUM.

2. **Inclusionary Zoning:** Staff recommend that Council considers the affordable housing options offered by the applicant for rental units.

The proposed project will abide by the Town's inclusionary zoning standards for all for-sale products.

The applicant offers two options regarding affordability of rental products. The first option is 10 rental units at 80%AMI and 10 rental units at 65% AMI. The second option is 14 rental units at 60% AMI. Council will need to decide which option will be approved.

3. **Modifications to Regulations:** Staff recommend that Council approve all requested modifications to regulations.

Staff have reviewed all requested modifications to regulations and find that the public purpose is served to an equivalent or greater degree by the requested modifications. All modifications are shown in Ordinance A and the applicant materials.

Summary of Comprehensive Plan Consistency

As summarized below, the proposal is consistent with elements of the Comprehensive Plan **except for the FLUM**. Additional information regarding the project’s consistency with the Comprehensive Plan can be found in the Applicant Materials.

Connected Roads Plan	<input checked="" type="checkbox"/>	The project will support new bicycle/pedestrian connections identified by the plan.
Shaping Our Future	N/A	
Complete Community Strategy	<input checked="" type="checkbox"/>	The project includes in-fill development along established transit routes and will support construction of new greenways.
Climate Action and Response Plan	<input checked="" type="checkbox"/>	The project brings transit-supportive density and walkable features to a portion of town that does not currently reflect the development patterns called for by the plan.
Future Land Use Map	<input type="checkbox"/>	The northern site is consistent with its FLUM designation (North 15-501 Corridor Focus Area). The southern site is not consistent with its FLUM designation (low-density residential)
Mobility and Connectivity Plan	<input checked="" type="checkbox"/>	The project’s density will support future Bus Rapid Transit along 15-501. The project is also expected to include construction of new greenways and the dedication of easements for future greenway connections.
Chapel Hill 2020	<input checked="" type="checkbox"/>	The project furthers several goals of the Chapel Hill 2020 Comprehensive Plan. Specific goals are identified in the Resolution of Reasonableness and Consistency.

Public Comment

Areas of concern identified by members of the public are noted below. Engagement related to this project has included two virtual public information meetings and three staff visits to neighborhoods near the project site. Staff have received significant numbers of phone calls or emails regarding the project.

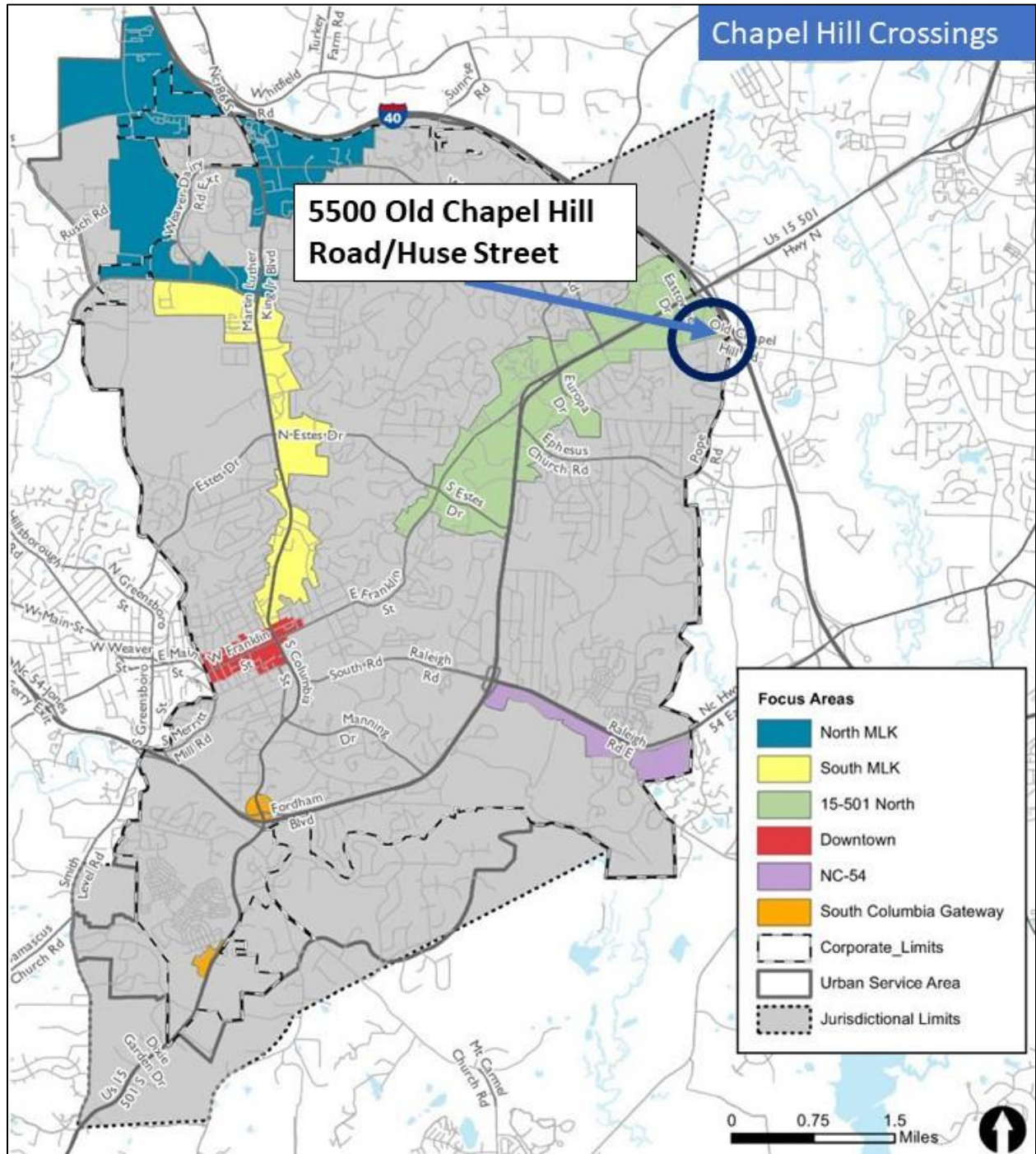
- 1. Traffic Impacts:** At the public information meetings and Planning Commission residents raised that the traffic impacts of a development of this size would create unreasonable amounts of congestion, specifically on Pope Road.

Staff Assessment: Town Transit, Transportation, and Traffic Engineering staff have all reviewed the proposal and associated Traffic Impact Analysis in coordination with NCDOT. The recommendations included in the TIA have been approved staff and agreed to by the applicant.

- 2. Stormwater impacts:** Residents of the nearby Clark Lake neighborhood have voiced strong concerns regarding the additional density proposed for the project site. Clark Lake and surrounding areas experience occasional flooding, and residents are concerned that new development on the project site will exacerbate the problem. Residents have also voiced concerns about the viability of the Clark Lake dam and have suggested that the additional impervious surface upstream of the dam may jeopardize the structure.

Staff Assessment: Town Planning and Stormwater staff have conducted several site visits to better understand the concerns raised by the Kent Lake residents. Staff have also reviewed the applicant's proposed stormwater management plan. At full build-out, stormwater management infrastructure on the site will be required to accommodate a 100-year storm event.

Project Location



Attachments

Applicant Materials

1. Applicant's Draft Presentation
2. Applicant's Requested Modifications to Regulations
3. Applicant's Statements of Justification and Compliance
4. Site Plan
5. Other Applicant Materials

Staff and Advisory Board Materials

6. Planning Commission Recommendation
7. Urban Design AssessmentD
8. Transportation Impact Analysis Executive Summary

Draft Ordinance and Resolutions

9. Resolution A – Consistency and Reasonableness
10. Ordinance A – Approving the Application
11. Resolution B – Denying the Application