



### **Hillmont: Conditional Zoning**

**Planning Staff:** Britany Waddell, Judy Johnson, Corey Liles, and Katherine Shor

**Town Council Meeting Date:** November 15, 2023

### **Manager Recommendation**

<input checked="" type="checkbox"/>	The Town Manager recommends approval of the project and approval of all requested modifications to regulations, subject to the conditions in Revised Ordinance A.
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### **Updates from October 11, 2023 Legislative Hearing**

- 1. Publicly Accessible Open Space:** Councilmembers encouraged the applicant to provide the open space in "Block D" as a publicly accessible amenity to the surrounding community.

The applicant has committed to providing wayfinding improvements to demonstrate public access to a trail system within Block D (Condition #24). Site Design Standards for Block D (Condition #38) will also promote a trail system that is visible and accessible to visitors.

- 2. Stormwater Management Design:** Councilmembers stated the applicant should design stormwater control measures for the 100-year storm event to support the Town's climate action goals.

The applicant has committed to designing all stormwater control measures for the 100-year storm event (Condition #14).

- 3. Affordable Housing:** Councilmembers requested the applicant consider improvements to the voluntary affordable housing plan.

The applicant cites cost and site constraints as limitations for improving this voluntary commitment. The applicant noted Council's preference at the legislative hearing and offers at least ten percent of market rate units as affordable, designating half for households earning 60 percent area median income (AMI) and the remainder for households earning 80 percent AMI (Condition #5).

- 4. Multi-modal Safety:** Councilmembers encouraged the applicant to coordinate with staff to improve the safety of pedestrians and cyclists on Stancell Drive.

The applicant plans to construct a 10-foot-wide multi-use path along the property's frontage on Stancell Drive. Since the legislative hearing, staff advised the applicant to improve non-vehicular connectivity on Stancell Drive to further reduce conflicts between pedestrians and vehicles. The applicant commits to submitting plans for a future multi-use path that extends west from the property frontage to the existing multi-use path (Condition #23). The applicant also commits to conducting a Walk Audit with the Vision Zero Task Force (Condition #20).

**5. Options for Commercial Space:** Councilmembers requested the applicant to explore incorporating appropriate commercial uses.


The applicant's proposed zoning district (Residential-6-Conditional Zoning District or R-6-CZD) does not permit most commercial uses. Staff added child day care facility and adult day care facility to the approved list of uses, as those are permitted uses in the R-6 zoning district. Food trucks or similar mobile retail/dining would be allowed on the site for an event or otherwise on a temporary basis, as that would not be a use regulated by the Land Use Management Ordinance (LUMO). A more permanent food truck operation is not permitted in the Residential-6 (R-6) zoning district.






***Project Overview***

- McAdams, on behalf of NR Hillmont Property Owner LP, requests to rezone properties located at 134 Stancell Drive, 138 Stancell Drive, 146 Stancell Drive, 156 Stancell Drive, 5103 Barbee Chapel Road, 5109 Barbee Chapel Road, 5111 Barbee Chapel Road, and 5119 Barbee Chapel Road from Mixed Use Village (MU-V) to Residential-6 Conditional Zoning District (R-6-CZD).
- The Conditional Zoning District would replace the Special Use Permit (SUP) and Master Land Use Plan (MLUP) approved in 2008 for the site.
- The applicant proposes to organize the site into "Blocks" of multifamily dwelling units, for a total of 390-500 units.
- The applicant proposes five apartment buildings measuring four-five stories in height with surface and some structured parking in "Block E".
- The applicant proposes residential uses up to three stories with associated parking in "Block A", "Block B", and "Block C".
- "Block D" would include open space, active and passive recreation, trails, park space, a dog park, and vehicular and bicycle parking.
- The applicant proposes a voluntary affordable housing plan of ten percent of market rate units for households that earn between 60 and 80 percent Area Median Income.

### Summary of Comprehensive Plan Consistency

Viewed through the holistic lens of the [Complete Community Strategy](#), this project meets the Town's strategy for growth. No single issue raised below should be considered in isolation.

 Consistent
  Somewhat Consistent
  Not Consistent
 **N/A** Not Applicable

	<b>Chapel Hill will direct growth to <u>greenways</u>, <u>transit corridors</u>, <u>large infill sites with existing infrastructure</u>, and <u>smaller infill sites</u>.</b>		
<ul style="list-style-type: none"><li>The proposed rezoning is a large infill site with existing infrastructure and in proximity to existing greenways.</li></ul>			
	<b>Goal 1: Plan for the Future Strategically</b>	Associated Comprehensive Plan Elements: <ul style="list-style-type: none"><li><a href="#">Future Land Use Map</a> (FLUM)</li><li><a href="#">Shaping Our Future</a></li></ul>	
<ul style="list-style-type: none"><li>The proposed rezoning is in the NC 54 Focus Area of the FLUM and the Transit Oriented Development Plan. While outside of the proposed North-South Bus Rapid Transit (NSBRT) corridor, NC 54 accommodates tens of thousands of people each day that travel to UNC Health, UNC Chapel Hill, and the downtown area.</li><li>The proposed rezoning would provide multifamily residential units, a primary use emphasized in the FLUM. The FLUM supports maintaining Chapel Hill’s appearance through encouraging quality of design, and the applicant is developing design standards for Blocks A, B, C, and D.</li></ul>			
	<b>Goal 2: Expand and Deliver New Greenways for Everyday Life</b>	Associated Comprehensive Plan Elements: <ul style="list-style-type: none"><li><a href="#">Mobility &amp; Connectivity Plan</a></li><li><a href="#">Connected Roads Plan</a></li></ul>	
<ul style="list-style-type: none"><li>New multi-modal paths are proposed along the Stancell Drive and Barbee Chapel Road frontages. These improvements connect to an existing greenway network on NC 54.</li></ul>			
	<b>Goal 3: Be Green and Provide Housing</b>	Associated Comprehensive Plan Elements: <ul style="list-style-type: none"><li><a href="#">Climate Action &amp; Response Plan</a></li></ul>	
<ul style="list-style-type: none"><li>The proposed rezoning includes stormwater control measures for the 100-year storm event.</li><li>The site offers an opportunity for infill development with access to transit stops within walking distance along NC 54, Finley Forest Drive, and at the Friday Center. The applicant also proposes at least two connections between their site and the adjacent development, along with new multi-modal paths that could connect to future developments and multi-modal routes along NC 54. The applicant is providing spaces for electric vehicle charging.</li></ul>			
	<b>Goal 4: Plan for Excellence in the Public Realm and Placemaking</b>		
<ul style="list-style-type: none"><li>The site offers 5.93 acres of open space with a publicly accessible trail network.</li><li>The rezoning requires the applicant to develop site design standards for Blocks A, B, C, and D.</li><li>The site design in Block E includes streetscape improvements that create “activated street frontages” which are encouraged in the FLUM.</li></ul>			

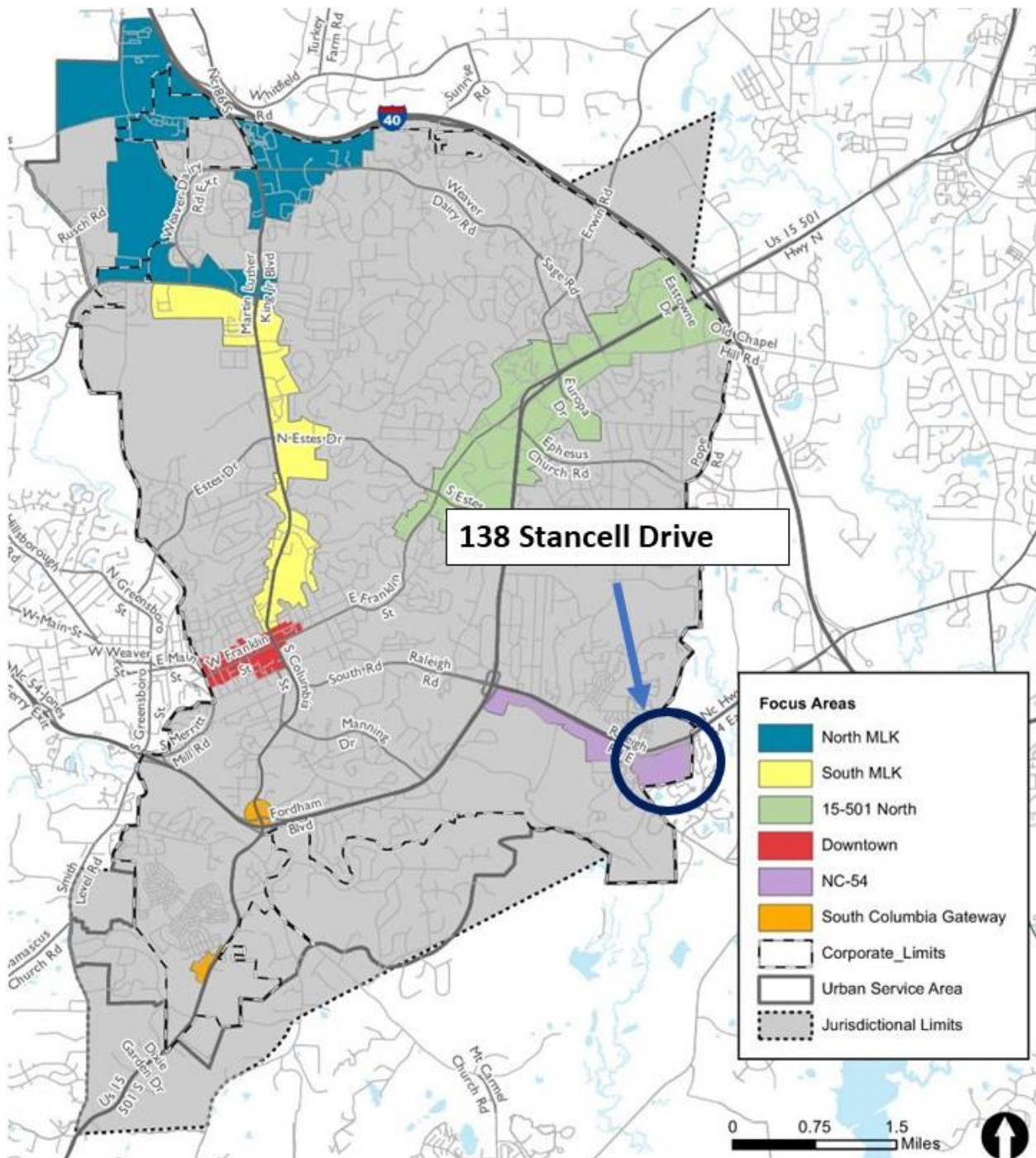
### ***Public Engagement***

Areas of concern identified by members of the public are noted below. Engagement related to this project has included one virtual public information meeting. Staff have not received significant numbers of phone calls or emails regarding the project.
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Residents commented on increased vehicular traffic in a high-traffic area; providing adequate sidewalks and crossings for pedestrian safety; how this proposed development may impact runoff volume and rates; and the length of time for construction and associated noise.

Staff note that the applicant's revisions for multimodal safety and stormwater management design are responsive to these concerns.

**Project Location (Map)**



### ***Attachments***

#### **Ordinance and Resolutions**

1. Resolution A – Consistency and Reasonableness
2. Revised Ordinance A – Abandoning the Master Land Use Plan and Approving the Application
3. Resolution B – Denying the Application

#### **Applicant Materials**

4. Applicant's Draft Presentation
5. District Specific Plan
6. [Link to Applicant Materials from the October 11<sup>th</sup>, 2023 Legislative Hearing](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6375934&GUID=966C77D4-A3E7-4F83-B7DB-1C04B43802E5&Options=&Search=)<sup>1</sup>

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<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6375934&GUID=966C77D4-A3E7-4F83-B7DB-1C04B43802E5&Options=&Search=>