



CONSIDER AN APPLICATION FOR CONDITIONAL ZONING AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS- CONDITIONAL ZONING DISTRICT (R-SS-CZD) (PROJECT 20-081)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
 Colleen Willger, Director
 Judy Johnson, Assistant Director
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PROPERTY ADDRESS 2200 Homestead Road	DATE May 19, 2021	APPLICANT Coulter Jewell Thames, PA on behalf of the Town of Chapel Hill
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STAFF RECOMMENDATION

That the Council adopt the Resolution of Consistency, and enact Revised Ordinance A, approving the Conditional Zoning application.

UPDATES SINCE APRIL 21, 2021 PUBLIC HEARING

The applicant has provided a revised set of plans. CASA, one of the four affordable housing partners, intends to lease a multifamily apartment building to the UNC Horizons Program’s. The applicant has provided additional information clarifying the use of the multi-family apartment building and that the use will not meet the definition of a group care facility. The applicant is exploring noise mitigation strategies for the basketball court and has provided additional information in the Applicant Response to Council Questions.

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.

The Town will enter into a Development Contract with the four local affordable housing partners that outlines their roles and the Town’s expectations before construction of the project begins. The Town is also working with the Hope Gardens Board to draft an agreement for the use of a portion of the Town land to relocated Hope Gardens.

PROJECT OVERVIEW

In 2001, the Town Council approved an Special Use Permit (SUP) for Vineyard Square, authorizing the construction of a 191-unit multi-family residential development on a 48-acre site. As part of the SUP, the applicant deeded this portion of land on the western and southwestern portions of the site to the Town for municipal purposes. This lot is the subject of this Conditional Zoning application.

The site currently consists of a single parcel with an existing gym building and Hope Gardens, a community garden. The Town is proposing to redevelop this area to include construction of 115 to 126 affordable housing units. Hope Gardens will be relocated to the northern portion of the property, adjacent to Weaver Dairy Road Extension. Primary access to the development is proposed from Homestead Road. A secondary access is proposed to Weaver Dairy Extension through the approved Bridgepoint development at 2214-2312 Homestead Road, located to the east of the site.

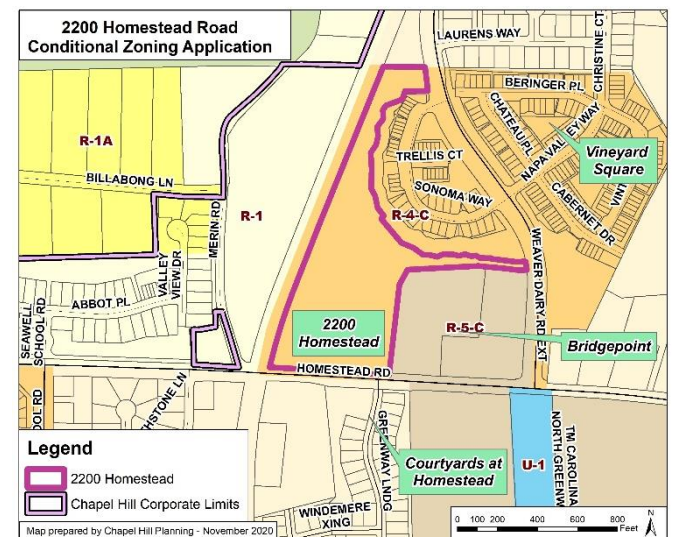
- Existing Zoning: Residential-4-Conditional Zoning District (R-4-CZD)
- Proposed Zoning: Residential-Special Standards-Conditional Zoning District (R-SS-CZD)
- Lot size: 570,066 sq. ft. (13.1 acres)

DECISION POINTS

The proposed development requests a Modification to Regulations for the following:

- Land Disturbance in the Resource Conservation District (RCD)
- Steep Slopes
- Stormwater Management
- Recreation Space
- Perimeter Landscape Buffer

PROJECT LOCATION



ATTACHMENTS

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Resolution A, Resolution of Consistency
4. Revised Ordinance A (Approving the Application)
5. Resolution B (Denying the Application)
6. Advisory Board Recommendations
7. Town's Urban Designer Recommendations
8. Application Materials
9. Revised Plans, dated April 29, 2021
10. Applicant Statement regarding Group Care Facility
11. Applicant's Response to Council questions and comments
12. Emails from the public



TECHNICAL REPORT

PROJECT OVERVIEW

- June 25, 2001 Town Council approved a Special Use Permit (SUP) for Vineyard Square, a 191-unit multi-family development on a 48-acre site. As part of the SUP, the property owner conveyed a portion of the site to the Town of Chapel Hill for municipal purposes. The portion of the site conveyed to the Town is the subject of this Conditional Zoning application.
- June 20, 2018 Town Council reviewed a concept plan for a mixed-income development containing micro-homes, townhomes, apartments, shared housing, and other amenities.
- October 29, 2020 Applicant submitted a Conditional Zoning application for a mixed-income 115- to 126-unit housing development containing duplexes, townhomes, apartments, and other amenities.

The application proposes a Residential–Special Standards–Conditional Zoning District (R-SS-CZD) for the site to accommodate 115 to 126 dwelling units. The site currently consists of a single parcel with an existing gym building and Hope Gardens, a community garden. More details about the proposed development can be found in the applicant’s narrative and statement of justification in the Application Materials.

Information about the site and proposed zoning district can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project’s consistency with the Comprehensive Plan and Findings of Fact.

Developing an Affordable Housing Project

The Town will be entering into a Development Contract with four affordable housing partners to develop 2200 Homestead. The contract will outline their roles and expectations before construction of the project begins. The following outlines the roles of each of these partners and the households they serve:

Partner	Role	Affordability Requirements
Self Help	Project coordination and land development	NA
CASA	Construction of 72 dwelling units in three multifamily buildings	<30-80% AMI, subject to 30-year affordability restriction
Community Home Trust	17 townhomes	13 units at <80% AMI and 4 units at <115% AMI, subject to a 99-year ground lease
Habitat for Humanity	18 duplexes	<30-80% AMI, subject to 99-year affordability and Habitat maintaining first right of refusal on any units sold

Additionally, CASA intends to lease one of the multifamily buildings to the UNC Horizons Program. The UNC Horizons Program will use the building to provide housing to the women and children they serve. While staff will be available on-site, each family will live independently in individual apartments. Unlike group care facilities, there will be no communal or shared living or cooking spaces. Horizons will not provide personal care services or meals to residents. The applicant has provided additional information regarding the proposed services.

The Town decided early on to lead the project through approval of all necessary entitlements, at which point the Town would sign a development contract with its proposed development partners. Housing and Community staff, with guidance from the Town Attorney's Office, is currently negotiating the terms of an initial development contract that outlines the roles and expectations of all parties (Town plus four development partners) and maps out the future agreements required for land conveyance and construction.

The Town intends to enter into two agreements with Hope Gardens that outline the terms for relocating and operating the gardens on Town Land. The development team anticipates future subdivision of the property to create a separate lot for the community garden on the northern end of the site with access to Weaver Dairy Road Extension. This opportunity has been included as a condition of Ordinance A.

For more information, please see the [Housing Department's 2200 Homestead Road Site Plan Update from May 20, 2020](#)¹.

KEY CONSIDERATIONS

1. Planning Commission: At the [April 6, 2021](#)² meeting, the Planning Commission recommended approval of the Conditional Zoning application.
2. Housing Advisory Board (HAB): At the [April 8, 2021](#)³ meeting, HAB recommended approval of the Conditional Zoning application.
3. Community Design Commission (CDC): At the [March 23, 2021](#)⁴ meeting, CDC recommended approval with the following modifications to Ordinance A:

- That the applicant develop a set of design guidelines that would include options for fencing along Homestead Road.

Staff Response: Staff has included the following condition in Ordinance A:

#16. Design Guidelines: The developer shall develop a set of design guidelines for the development that includes options for fencing along Homestead Road.

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4538870&GUID=DE7FF8CF-3D5C-4E64-A5BC-BC4B72FD1B82>

² <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829635&GUID=69079523-A7C3-4357-99C6-973E680DEA22&Options=info|&Search=>

³ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829636&GUID=BAB0B392-2D8E-426D-B556-43A92EA6BB91&Options=info|&Search=>

⁴ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829633&GUID=9B4EBCC1-4FFE-43F5-A0A0-EA7F41A0C183&Options=info|&Search=>

- That Council add 'and approve' to the standard conditions regarding CDC review of building elevations and site lighting plans.

Staff Response: The CDC has the authority to review schematic building designs as part of the Final Plan process. Townhouses are considered single-family development when each unit is on an individual lot, and single-family and two-family (duplex) developments do not require CDC review of building elevations and lighting. The applicant does not consent to requiring that the CDC approve their building elevations for multi-family dwelling units.

Staff has included the following conditions in Ordinance A:

#17. Community Design Commission Review of Duplex and Townhouses: The proposed duplex and townhouse developments do not require Community Design Commission review of building elevations and lighting.

#18. Community Design Commission Review of Multi-family Dwelling Units: The Community Design Commission shall review the building elevations of multi-family dwelling units, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.5.5]

4. Transportation and Connectivity Advisory Board (TCAB): At the [March 23, 2021](#)⁵ meeting, TCAB recommended approval with the following modifications to Ordinance A:

- Developer coordinate with Chapel Hill Transit on placement of the bus stop(s), ensuring safe and convenient access to bus stops on both sides of Homestead Road, and forecast future demand and capacity of the HS-Route to handle frequency and service hours.

Staff Response: Chapel Hill Transit bases its plans for expanding bus routes, as necessary, based on forecasted future demand and capacity. They will take into consideration existing routes, usage, and new development in this area. Staff has included the following condition in Ordinance A:

#19. Bus Stop: The developer shall coordinate with Chapel Hill Transit and the North Carolina Department of Transportation (NCDOT) on the placement of the bus stop on the north side of Homestead Road.

- Developer ensure retention of connectivity between 2200 Homestead and newly relocated Hope Gardens.

Staff Response: Staff has included the following condition in Ordinance A:

#20. Connections to Hope Gardens: The developer shall ensure pedestrian connectivity between the development at 2200 Homestead and Hope Gardens, following the relocation of the community garden to the northwest corner of the site.

5. Environmental Stewardship Advisory Board (ESAB): At the [March 18, 2021](#)⁶ meeting, ESAB recommended approval with the following special considerations:

⁵ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829632&GUID=D46F6713-4D34-4611-9CB0-10706B952834&Options=info|&Search=>

⁶ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829631&GUID=87E4DA00-5E94-483B-B4A8-96FB2EB727A6&Options=info|&Search=>

- Use permeable surfaces for trails and parking lots

Staff Response: The nature trail inside the property will be a mulch trail. Staff has confirmed with the Parks and Recreation Department that the public Greenway needs to be concrete as it is in a flood prone area.

- Add solar photovoltaic systems to reduce operating costs for occupants and to help achieve the AIA 2030 standards

Staff Response: The architect is considering solar panels and determining the possibility of making some of the roofs solar-ready. Staff has included the following standard stipulation in Ordinance A addressing this:

#34. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, the developer shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficient than the latest version of ASHRAE 90.1 that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

- Given RCD disturbance, special attention should be paid to native plantings and a wetland area with native plants.

Staff Response: Staff has included the following standard conditions in Ordinance A:

#48. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]

#52. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. [LUMO 4.4]

Standard Condition #48 requires the removal of invasive plants, and the Town's Design Manual encourages the use of diverse plantings of native as well as adapted non-native species in all landscape projects. Staff reviews the final planting list as part of the final plan application.

SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- A portion of the site is currently used for a community garden, which the applicant proposes to relocate to the northern end of the site.
- Properties to the east and southeast are zoned Residential-5 (R-5) and include future multi-family and residential townhouse developments. To the south and southwest

are single-family dwelling units zoned Residential-2 (R-2). To the north is the Vineyard Square townhouse development, zoned Residential-4-Conditional Zoning District (R-4-CZD). To the west, across the railroad tracks, is a church with on-site housing zoned Residential-1 (R-1).

- The site fronts on Homestead Road, an NCDOT arterial corridor for Chapel Hill with moderate amounts of existing vehicular traffic. Homestead Road is also served by a weekday bus route. The site is close to the intersection of Weaver Dairy Extension, a Town arterial, and Homestead Road.
- Railroad tracks are located along the western edge of the site. This freight rail line is used infrequently, but the presence of tracks inhibits opportunities for connections to the west.
- The Town has designed a bicycle and pedestrian improvements project for Homestead Road that will include multiuse paths and bike lanes. Construction is anticipated in the near future.
- The application states that the site is generally wooded with some open areas, and that there are short sections of jurisdictional streams near the perimeter of the site – one perennial stream to the east, and two intermittent streams.
- There is also a wetlands area near the middle of the site, which remains after a farm pond was drained. Steeper topography can be found along what used to be the pond banks and dam. The application states that “the soil and topography are conducive to the scale of the proposed housing development.”

PROPOSED ZONING

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. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with Town regulations and adopted plans. A –CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant has proposed a Conditional Zoning district for the site, as shown on the site plan: Residential–Special Standards–Conditional Zoning District (R-SS-CZD).

The Residential–Special Standards-Conditional Zoning District (R-SS-CZD) is appropriate for “residential development and the recreational, open space, and other urban amenities associated with such development”, provided that any rezoning to this district shall demonstrate either:

- Provision of 100 percent affordable housing
- Achievement of a combination of special standards that meet community interests

The Statement of Justification states that 100 percent of the housing proposed will be affordable. The Town considers affordable housing as housing that is affordable (costs no more than 30 percent of the household’s income) for low to moderate income households. Moderate income households are defined as households earning between 80 percent and 115 percent of the AMI. The four (4) Community Home Trust units will serve households earning less than 115 percent AMI. In the Interlocal Agreement for the

Community Home Trust, the County and Towns of Chapel Hill, Carrboro, and Hillsborough agree that the Home Trust can sell homes to households up to 115 percent AMI.

The proposed uses meet the intent statement of Residential-Special Standards-Conditional Zoning District (R-SS-CZD).

PROPOSED MODIFICATIONS TO REGULATIONS

1) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):

The North Carolina Department of Environmental Quality, Division of Water Resources (“the Division”) implements the Jordan Riparian Buffer Protection rules for activities conducted under the authority of local units of government. As the Town owns the property, following the draining of the pond, the Town required the Division to conduct a stream determination on the project site in August 2020 to identify streams and waterbodies subject to Jordan Riparian Buffer Rules. The stream determination identified an intermittent stream segment on the west side of the project site and a perennial stream segment on the east side. At the time, a connecting wetland was identified between the stream segments, but no identifiable flow path was observed through the wetland. Per the Town of Chapel Hill “Field Procedures for Classification of Streams,” this connecting wetland is considered a “Natural Variant Stream” segment which shall be classified the same as the stream segment immediately upslope, which is intermittent. Consequently a 50-foot RCD buffer applies to both sides of the Natural Variant Stream segment. During a January 2021 site visit, Town Stormwater Staff observed that a flow path has formed along the Natural Variant Stream segment.

The applicant is proposing land disturbance and impervious surface in the RCD along this segment and will provide final encroachment calculations at the Final Plans stage.

The applicant is proposing to exceed the allowable Land Disturbance and Impervious Surface Areas in the RCD, including the wetland connecting the stream segments, for the uses described below:

		Allowable	Proposed	Land Uses
Upland Zone	Land Disturbance	40%	92.4% (20,548 sq. ft.)	Dumpster Pads, Nature Trail, Residential Dwelling, and associated Retaining Wall
	Impervious Area	20%	30.3% (6,743 sq. ft.)	
Managed Use	Land Disturbance	40%	42.1% (7,691 sq. ft.)	Grading for access route, storm pond
	Impervious Area	20%	0.5% (84 sq. ft.)	
Streamside	Land Disturbance	20%	25.7% (21,547 sq. ft.)	Greenway, playground, and two (2) townhouses
	Impervious Area	10%	10.2% (8,606 sq. ft.)	

Because the RCD covers almost 24 percent of the site and bisects the site completely, the applicant has located much of the proposed recreational space and other

improvements in the RCD areas. The applicant is disturbing a portion of the Upland Zone to maximize protection of the wetland area to the west of the stream.

The applicant proposes the following land uses within the RCD that are permitted only upon Town Council approval

- Trails, greenways, open space, parks, and other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences, or walls
- Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the Resource Conservation District.
- Public utility and storm drainage facilities where there is a practical necessity to their location within the Resource Conservation District.
- Sidewalks
- Detention/retention basin and associated infrastructure
- Two (2) townhouse units (in the carry-down area)

The applicant proposes 4,435 square feet of recreation space, including the greenway, an unpaved nature trail, and a playground within the RCD as permitted by the LUMO.

Staff Comment: Staff believes that the Council could find a public purpose for the increased land disturbance and impervious surface, as the land disturbance and impervious surface is for the construction of additional affordable housing units, stormwater control measures, parking spaces for the affordable housing units, and recreational amenities to meet Ordinance standards.

- 2) Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. A majority of these disturbed slopes are associated with the manmade farm pond located in the center of the property. The pond has been drained. The total area of slopes exceeding 25 percent slope is 13,894 square feet and the applicant proposes to disturb 6,058 square feet or 43.6 percent of this area.

Staff Comment: Staff believes the Council could find a public purpose for exceeding the steep slopes, as a majority of the disturbed slope is associated with the farm pond. The pond was drained to accommodate a site layout that yields the greatest number of affordable housing units.

- 3) Section 5.6.2 Buffers Required:** The applicant is proposing to modify the Homestead Road landscape buffer to accommodate the proposed bicycle and pedestrian improvements proposed along this frontage.

Staff Comment: Staff believes the Council could find a public purpose for modifying the perimeter landscape buffer along Homestead Road to accommodate the proposed bicycle and pedestrian improvements to Homestead Road.

Council Findings and Public Purpose: The Council has the ability to modify the regulations according to Section 4.5.6 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.

For additional information on the proposed modifications and other considerations on timing and flexibility, please refer to the applicant's attached materials.

OTHER CONSIDERATIONS

- **Homestead Road Improvements Project:** The Town will construct improvements associated with the Town’s multi-modal transportation improvement project along the Homestead Road frontage of this site.
- **Easement for shared access with Bridgepoint at 2214 and 2312 Homestead Road.** The applicants for the 2200 Homestead and Bridgepoint developments continue to collaborate on an encroachment agreement to share access. The 2200 Homestead development driveway will connect to Street ‘C’ of the Bridgepoint development to the east and Bridgepoint will access Homestead Road through the 2200 Homestead development. These additional connections will provide a second point of access for each development, as required by Fire Codes. The details of this easement will be worked out in an agreement following approval of this conditional zoning.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)⁷, the standards of the [Land Use Management Ordinance](#)⁸, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)⁹ and believes the 2200 Homestead proposal complies with several themes of the 2020 Comprehensive Plan:

Comprehensive Plan Themes: The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input checked="" type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input checked="" type="checkbox"/>		Grow Town and Gown Collaboration

Land Use Plan: The [2020 Land Use Plan](#)¹⁰, a component of the 2020 Comprehensive Plan, designates this site as a “Development Opportunity Area”.

Future Land Use Map: The Future Land Use Map (FLUM) envisions the North Martin Luther King Jr. Blvd. Focus Area as a gateway to the town, with mixed use nodes, inviting streetscapes that blend the built environment with tree canopies, and improved east-west connectivity to link development to the future Bus Rapid Transit (BRT) corridor. The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located, including multifamily residential and townhouses.

Staff Evaluation: North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted

⁷ <http://www.townofchapelhill.org/home/showdocument?id=15001>

⁸ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

⁹ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

¹⁰ <http://www.townofchapelhill.org/home/showdocument?id=1215>

comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The proposed rezoning is also consistent in intensity with the Land Use Plan. The proposed Residential-Special Standards-Conditional Zoning District (R-SS-CZD) zoning is compatible with the other residential zoning districts adjacent to the site. Existing and planned housing that immediately surrounds the site exhibits a variety of densities, including townhomes and multifamily dwellings, that would be compatible in scale with the housing shown in the associated Conditional Zoning application.
- The Mobility and Connectivity Plan shows a multi-use side path and bike lane for the site's frontage on Homestead Road. The Mobility and Connectivity Plan also shows an off-road multiuse trail running north-south through the site near the western boundary. A more robust multimodal network in this area would support growth and development. Homestead Road facilities are included in the Town's multi-model transportation improvement project along Homestead Road that the Town expects to construct in the near future. Zoning conditions would be useful to ensure that the off-road multiuse trail is provided, along with any contribution (easement, payment, or construction) deemed appropriate for the Homestead Road facilities.

FINDINGS OF FACT

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- 1) To correct a manifest error in the chapter; or
- 2) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- 3) To achieve the purposes of the Comprehensive Plan.

All information submitted at the public hearing will be included in the record of the hearing.

- 1) Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.
Arguments in Support: To date, no arguments in support have been submitted or identified by staff.

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that there is no manifest error in the Town's Zoning Atlas Amendment related to the project site.

- 2) Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

Arguments in Support: Staff finds that recent approval and construction of multiple residential communities along Homestead Road represents changing conditions that could support rezoning the site to a district compatible with its surroundings. Staff also notes that Council has identified a growing need for affordable housing in Chapel Hill

based on changes in housing costs. In addition, ongoing development has resulted in limited land availability for new affordable housing.

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in the North Martin Luther King, Jr. Blvd. Future Focus Area.

3) Finding #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

Arguments in Support: The applicant's Statement of Consistency states that the application would contribute to the following elements of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- A 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 (*Goal: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)
- Maintain and improve air quality and water quality and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- Housing for students that is safe, sound, affordable, and accessible and meets a

demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Goal: Grow Town and Gown Collaboration.4*)

- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.




Project Fact Sheet





Overview

Site Description	
Project Name	2200 Homestead Road
Address	2200 Homestead Road
Property Size	570,066 sf (13.09 acres)
Existing	Existing one-story gymnasium building and Hope Gardens
Orange County Parcel Identifier Number	9870-91-2947
Existing Zoning	Residential-4-Conditional Zoning District (R-4-CZD)
Proposed Zoning	Residential-Special Standards-Conditional Zoning District (R-SS-CZD)


Site Design

Topic	Comment	Status
Use/Density (Sec 3.7)	115-126 units of townhouse, apartment, and duplex development	
Dimensional Standards (Sec. 3.8)	Comply with LUMO Section 3.8; Dimensional standards (setbacks) only apply to exterior property lines	
Floor area (Sec. 3.8)	<i>Maximum:</i> 483,988 sq. ft. <i>Proposed:</i> 181,575 sq. ft.	
Inclusionary Zoning (Sec. 3.10)	<i>Required:</i> 17-19 units (15%) <i>Proposed:</i> 115-126 units (100%)	
Landscape		
Buffer – North (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 10' Type "B"	
Buffer – Northeast (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 10' Type "B"	
Buffer – East (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 15' Type "B" Alternative	
Buffer – Southeast (Sec. 5.6.2)	<i>Required:</i> 10' Type "C" <i>Proposed:</i> 0-20' Type "C" Alternative	
Buffer – South (Sec. 5.6.2)	<i>Required:</i> 30' Type "C" <i>Proposed:</i> 15' Type "C" Modified	M
Buffer - West (Sec. 5.6.2)	<i>Required:</i> 30' Type "B" <i>Proposed:</i> 30' Type "B" Alternative	
Tree Canopy (Sec. 5.7)	<i>Required:</i> 30% <i>Proposed:</i> 30% with additional plantings	
Landscape Standards (Sec. 5.9.6)	Application must comply	

Environment		
Resource Conservation District (Sec. 3.6)	<i>Required:</i> maximum 40% land disturbance in Upland, 40% in Managed Use, and 20% Streamside Zones <i>Proposed:</i> Exceeding 40% in the Upland Zone (92.4% proposed), Managed Use (42.1%), and Streamside Zone (26.2%)	M
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	
Steep Slopes (Sec. 5.3.2)	<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> 43.6% (6,058 sq. ft. total)	M
Stormwater Management (Sec. 5.4)	One wet detention pond designed to meet the standards of LUMO Section 5.4	
Land Disturbance	464,882 sq. ft. (10.26 acres)	
Impervious Surface (Sec. 3.8)	222,603 sq. ft. (39% of gross land area)	
Solid Waste & Recycling	Individual public refuse pickup	
Jordan Riparian Buffer (Sec. 5.18)	No disturbance proposed	
Access and Circulation		
Road Improvements (Sec. 5.8)	No road improvements proposed	NA
Vehicular Access (Sec. 5.8)	Primary access from Homestead Road; secondary access to Weaver Dairy Extension through the Bridgepoint Development directly to the east	
Bicycle Improvements (Sec. 5.8)	The Town's greenway will provide additional bicycle pathways and the applicant has proposed bicycle storage onsite.	
Pedestrian Improvements (Sec. 5.8)	Pedestrian links throughout the site will help connect this site with adjacent parcels, the Town's greenway trail system, and public street sidewalks and transit.	
Traffic Impact Analysis (Sec. 5.9)	TIA Executive Summary attached	
Transit (Sec. 5.8)	NA	NA
Bicycle Parking (Sec. 5.9)	<i>Required:</i> 32 spaces <i>Proposed:</i> 54 spaces	
Parking Lot Standards (Sec. 5.9)	Application must comply	
Technical		
Fire	Meet Town Standards	
Site Improvements	115-126 units of townhouse, apartment, and duplex development	

Recreation Area (Sec. 5.5)	<i>Required:</i> 28,503 sq. ft. with 25% payment-in-lieu <i>Proposed:</i> 29,400 sq. ft.	
Lighting Plan (Sec. 5.11)	Maximum of 0.3 foot-candles at property line	
Homeowners Association (Sec. 4.6)	Yes	
Adequate Public Schools (Sec. 5.16)	Application must comply	

Project Summary Legend

Symbol	Meaning
	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plan;
NA	Not Applicable