

Narrative Justification for CZP Modification

Maximum Building Height

Old Chapel Hill Road Apartments | 11 White Oak Drive | CZD-24-6

Background

On June 18, 2025, the Chapel Hill Town Council approved Ordinance A for the Old Chapel Hill Road Apartments (Project #CZD-24-6), rezoning approximately 13 acres to Residential-6-Conditional Zoning District (R-6-CZD). Modification 1 of the ordinance, referencing LUMO Section 3.8.2, Table 3.8-1, established a maximum setback and core building height of 62 feet. During detailed design development, the project's design team inadvertently applied the North Carolina State Building Code height measurement methodology (Section 202, Definition of Height, Building) rather than the measurement standard required under Chapel Hill's Land Use Management Ordinance (LUMO). Under the 2018 NCSBC standard, height is measured to the midpoint of a pitched roof; under Chapel Hill's LUMO, height is measured to the highest point of the roof, including the ridge, from the mean finished grade along the street façade, determined by averaging the spot elevations at the highest and lowest points of the foundation (LUMO Section 3.8.2(f)). This discrepancy was not identified until the design was further refined, at which point it became clear that the ridge lines of the four pitched-roof buildings extend modestly above the approved 62-foot maximum.

Scope and Limited Nature of the Requested Change

The requested modification increases the maximum setback and core building heights to 69 feet 6 inches. Although the increased height limit applies to all buildings, only the ridge lines of the four pitched-roof buildings will make use of the additional allowance above 62 feet. All flat-roof structures and habitable building envelopes will remain well below the prior 62-foot maximum. The ridge overages by building are as follows: Building 1 exceeds the cap by 5'1"; Building 2 by 7'2" (the maximum overage); Building 3 by 5'11"; and Building 4 by 2'11". These portions of the building could be brought into compliance by flattening the pitch to 5/12, but as detailed below, this negatively impacts the building's appearance. The additional height results solely from maintaining the 9:12 roof pitch of the original design rather than being forced to flatten to approximately 5:12. No additional floor area, dwelling units, or habitable space is created by this change. The building footprints, setbacks, and all other approved dimensional standards remain entirely unchanged.

Aesthetic and Design Justification

The steeper 9:12 roof pitch is essential to the architectural character approved through the conditional zoning process and subject to Community Design Commission review under Condition 40 of the ordinance. A reduction to a 5:12 pitch, while technically compliant, would produce a noticeably flatter, less proportionate roofline that is inconsistent with the residential character of the surrounding Old Chapel Hill Road corridor. The pitched-roof massing was a deliberate design choice intended to break up the visual scale of the buildings, provide variation along the skyline, and complement the neighborhood context. Preserving this roof form advances the ordinance's finding that the approved height "supports development consistent with the Comprehensive Plan while maintaining adequate solar access, privacy, and access to and around buildings." The modest ridge increase—visible primarily from directly below and measured at an architectural detail, not at the habitable envelope—does not alter shadow, privacy, or massing impacts in any material way.

Proposed Amendment to Ordinance Language

To accommodate this correction, the applicant respectfully requests that **Modification 1** of Ordinance A be amended as follows:

Current Language: "Increase maximum setback and core building heights to 62 feet."

Proposed Language: "Increase maximum setback and core building heights to 69 feet 6 inches."

This modification corrects an inadvertent measurement error, preserves the aesthetic quality of the approved design, and does not alter any other condition of the approved Conditional Zoning ordinance. Although the increased height limit will apply to all buildings, the applicant notes that the additional allowance above 62 feet will be utilized only by the pitched-roof ridgelines; all flat-roof structures will remain well below the revised maximum. The applicant respectfully requests the Town’s favorable consideration of this minor amendment.

