



Requested Modifications to Regulations

Project Name	Old Chapel Hill Road Apartments	Application Number	CZD-24-6
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LUMO Section	Section 3.8.2, Table 3.8-1 – Land Use Intensity Standards; Section 3.8.2(f) – Building Height Measurement
Requirement	Maximum setback and core building height of 62 feet, as established by Modification 1 of Ordinance A (approved June 18, 2025). Height is measured from the mean finished grade along the street façade to the highest point of the roof, including the ridge (LUMO Section 3.8.2(f)).
Requested Modification	Increase maximum setback and core building heights to 69 feet 6 inches. Although the increased height limit applies to all buildings, only the pitched-roof ridgelines 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.
Purpose or Intent of Regulation	The height regulation under LUMO Section 3.8.2 is intended to support development consistent with the Comprehensive Plan while maintaining adequate solar access, privacy, and access to and around buildings.
Justification	During detailed design development, the project’s design team inadvertently applied the North Carolina State Building Code height measurement methodology (Section 202, Definition Height, Building), which measures to the mean height between eaves and ridge for pitched roofs, rather than Chapel Hill’s LUMO standard, which measures to the highest point of the roof from the mean finished grade along the street façade. This resulted in four pitched-roof building ridges exceeding the 62-foot cap: Building 1 by 5’1”, Building 2 by 7’2” (the maximum overage), Building 3 by 5’11”, and Building 4 by 2’11”. The overage affects only the non-habitable roof ridge elements of the pitched-roof buildings; all flat-roof structures remain well below the 62-foot cap. These buildings could be brought into compliance by flattening the roof pitch to 5:12, but this would compromise the architectural character of the approved design. The 9:12 pitch breaks up building massing, complements the residential character of the Old Chapel Hill Road corridor, and maintains the aesthetic quality subject to Community Design Commission review (Condition 40). No additional floor area, units, or habitable space is created by the modification.
Evaluation [Staff to Complete]	

LUMO Section	
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