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## ATTACHMENT 9

### Homestead Twins Submittal

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## Homestead Twins

### I. Site Specifics

a. Location; the proposed "Homestead Twins" site is located on the southwest corner of the intersection of Seawell School Road and Homestead Road. The site is bounded by the Chapel Hill/Carrboro School System's bus storage and maintenance yard to the south; the undeveloped property of the Burch estate to the west and to the north; and the Homestead Village subdivision to the east.

b. The "Homestead Twins" site comprises roughly 21½ acres of gross land area.

c. The "Homestead Twins" site is currently zoned R-2 and could accommodate eighty-six homes and allow 66,864 square feet of floor area.

The "Homestead Twins" site, as proposed, provides for seventy-two homes, and would allow for 133,500 square feet of floor area. While the proposed number of homes (72) falls well within the allowable density in the R-2 zoning district, the proposed floor area of 133,500 square feet will require that the zoning be changed to the R-4c in a Conditional Use Zoning process.

d. The site is generally defined by gently sloping topography with 90% of the site having less than 10% slope. The site slopes tend towards the south side of the site which is traversed by a perennial stream.

e. The site is wooded with trees consisting of primarily 30 year old pines. There are younger oaks, maples, sweet gums and hickory trees scattered between the pines. A dozen or so large oaks and pines surround the existing homes on Homestead Road.

The age and type of tree growth is indicative of its previous agricultural use. There is one specimen tree on the site that will be protected and preserved as part of the entrance into "Homestead Twins".

f. The soil composition of the developable portion of the site is an appling sandy loam.

g. All utilities are available to the site without extending any existing lines. Sanitary sewer runs along the perennial stream and water is available along the Seawell School and Homestead Road frontages.

h. The site will have two entrances: one on Seawell School Road and one along Homestead Road. Both entrances have adequate site distances.

i. Sidewalks will be built along Seawell School Road to connect the community to all three primary public schools. This will allow children to walk to school from "Homestead Twins" on public sidewalks every step of the way. Sidewalks will connect to the elementary, the middle, and the high school.

## **II. Statement of Justification**

a. "Homestead Twins" is a perfect fit for the location.

The "Homestead Twins" neighborhood site is located on the south side of Homestead Road between Seawell School Road and High School Road. The street names are telling of the surrounding the school sites. "Homestead Twins" will be situated within walking distance of all three primary public schools; Seawell Elementary, Smith Middle School, and Chapel Hill High. As planned, we will construct a public sidewalk along Seawell School Road that will connect the community with the sidewalks of all three schools this may potentially save school transportation dollars, alleviate traffic and provide a safer trip to school. It may also promote a sense of community and neighborhood interaction. When the children get to know each other, the parents will generally get to know each other as well. Placing moderately priced homes next to public schools is simply good planning.

In addition to the schools, the new Homestead Park with its soccer fields, skate park, and aquatics center is just to the east on Homestead Road. Chapel Hill North the University of North Carolina's next campus, on the Horace Williams tract, will be within walking distance to "Homestead Twins". While no one is certain what will eventually be built there, it is reasonable to assume that there will be both employment and educational opportunities that could benefit from having private homes within walking distance. Finally, the new Chapel Hill Senior Center is being relocated on Homestead Road between the park and the Horace Williams tract. Homestead Twins is ideally located to take advantage of all these public facilities that surround it.

b. Affordable Housing Component

Our proposal for "Homestead Twins" includes building and dedicating 20% of the homes affordable to the Orange Community Land Trust. This commitment by Capkov Ventures will affordable home ownership opportunities next door to all three primary level public schools. We have then increased the recommended affordable commitment from 15 percent to 20.83 percent. This will translate into a total of fifteen affordable homes. We believe that the affordable component we are offering will be a big asset to the affordable housing stock in Chapel Hill. The twin townhome-style home is an economical but still family oriented alternative to single family homes. By using the same architectural

materials and scale, it will allow us to build market rate homes and affordable homes side by side without being able to tell the difference between them. Its location next to the three public schools makes it very advantageous to the affordable housing homeowners.

c. Land Swap with Burch Family

One of the design challenges of the "Homestead Twins" site is the fact that a perennial stream is located near our southern boundary, with a 150' stream buffer on either side. To accommodate the stream buffer, our proposed plan situates all of the development on the northern half of the site leaving the southern half with the stream buffers as permanent open space. For the Burch property to the west, the stream continues through their property exiting in the middle of their only access point to Homestead Road. With the stream buffers extending 150' out from each side of the stream all of their road frontage and access points of Homestead are in the stream buffer. Any access to the Burch property from Homestead would require a substantial bridge to cross the Resource Conservation District also known as RCD. While variances are available in certain circumstances, the cost of crossing 300' of resource conservation district would preclude the development of their property.

Capkov Ventures, Inc. has come up with a plan that solves this problem and makes our proposed community better as well. In effect, Capkov Ventures, Inc. has high and useable land on the south side of our site that we are not using because we cannot cross the RCD. The Burch family has property on the south side of the RCD that they cannot access because they cannot cross the RCD. The solution is simple and provides substantial benefits to both parties. We will deed the Burch family the land we are not using on the south side of the RCD, giving them their needed access and they will deed us their land on the north side of the RCD so we can expand the useable land area of "Homestead Twins". See Exhibit "A".

One of the comments that were raised in the earlier design review meetings was that the site appeared too tight. By entering into the land swap agreement, we have been able to spread the same number of homes over a significantly larger, visible area. The result of the swap is to give the Burch's access to their property, make "Homestead Twins" a more livable community, and the stream buffers remain untouched by both property owners. The Burch's have owned the property for generations, going back to when the property was under cultivation.

d. Open Space Preservation

By proposing to limit development to the northern half of our property, we have been able to preserve well over half of the site as permanent open space. The entire area from 150' north of the perennial stream to the southern property line will be left as open space or recreation space. In total, over 64% of the gross land area will be left in open space or recreation space. Pockets of open space are scattered over the developed site with large tree preservation areas in the center and around the entrance into the site from Homestead

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Road. The entrance has been specifically located to save the largest trees on the site, especially the 38" white oak.

e. Recycling of Existing Homes

We have proposed as part of the application to move the two existing homes that are situated at the corner of Seawell School Road and Homestead Road to a new location just around the corner on Rogers Road. Our S.U.P. proposal provides that the large lot in front of Glenbrook subdivision and the Habitat community will be split into two half-acre lots. We have recycled homes before on development sites and think it is the environmentally responsible alternative to demolition. The homes are attractive, currently occupied and will make nice additions to the neighborhood along Rogers Road.

f. Community Reaction

We have presented the proposal for "Homestead Twins" to the community Design Review Board on three occasions and to the Council in the Concept Plan Review on two occasions. In these five public meetings there have been very few concerns voiced by surrounding neighborhoods. The largest neighbor in terms of families is the Homestead Village community. We have met with representatives of their homeowners association and "although they would prefer the land be left as a park" that relative to other development scenarios our proposal seems to be reasonable.

Their main concern is that the homes be large enough to provide room for families and that they be comparable in price to their own. We believe that the type of homes we have proposed combined with the substantial open space we are reserving has led to the acknowledgement that the "Homestead Twins" community is an ideal fit for the location. We will continue to meet with the adjoining neighbors to address any concerns that may arise.

### III. Conditional Rezoning

Capkov Venture, Inc. contracted the 20 acre tract that underlies the Homestead Twins community over 3 years ago with the Burch family, long time Chapel Hill residents. Since we began the planning process, the Town's Land Use Management Ordinance (LUMO) has undergone significant revisions. These revisions have dictated significant design changes in our development plan proposals but in the end we think they have made a better project.

The first revision of the LUMO was to increase the perennial stream buffer from 150' to 300'. To accommodate the wider stream buffer we moved all of the development to the north side of the stream leaving the southern half of the site as open space.

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The second significant revision to the LUMO was the adoption of design regulations covering the construction of duplexes. The regulations were intended to protect existing single-family neighborhoods, primarily surrounding the university, from large duplex structures that were designed to hold large numbers of students. These duplexes were allowed on any lot that existed from past subdivisions or on new lots created under the minor or major subdivision process. The new regulations successfully addressed the problem by limiting a duplex's size, the number of parking spaces allowed, and setting new design standards. Unfortunately, the new regulations also effected the development of communities where duplexes were the dominant building type. Communities utilizing the duplex style have become a very popular alternative to single-family homes, especially in areas of increasing land cost. The new regulations adopted by the Town limited the size of duplexes to the extent that they were no longer attractive to families as an alternative to single-family homes.

When the Planning Staff and the Town Council was confronted with this issue, they reasoned that those wishing to build duplex communities could do so under the "Special Use Permit" review process which previously had been reserved for higher density residential and commercial projects. In suggesting the Special Use Permit process the Planning Staff and Town Council recognized that such a shift would also subject a duplex project floor area limitation that were not applicable to the traditional subdivision process and not intended to cover duplexes. The floor area limitations under the Special Use Permit process would only have allowed half the number of homes that could have been constructed under the regular subdivision review process. This would have made all of the lots in Homestead Twins prohibitively expensive to build and would have translated into new home prices closer to the \$800,000 range as opposed to the low \$300,000's which is projected.

To avoid this result, the Town Staff suggested that we take one of two available alternatives. First, we could ask the Council to use the discretion provided to them in the new LUMO to adjust the allowable floor area or second, we could submit a proposal for a Conditional Rezoning. The Planning Department's preference was for a Conditional Rezoning. Under the Conditional Rezoning all limitations applicable to the current R-2 zoning would remain except as it relates to the allowable floor area. This is the option we have chosen. The Conditional Rezoning will provide an additional 66,000 square feet of floor area to enable Capkov Ventures, Inc. to build 72 homes. The current R-2 zoning would allow 82 homes. Everything except the floor area will conform to the requirements under the R-2 zoning.

While the changes in the LUMO have brought design challenges to the Homestead Twins proposal, we believe that the result embodied in our final application will enable us to build another community that compliments the character of Chapel Hill. The 72 homes will only occupy roughly half of the site with large continuous open spaces bordering the properties southern border. Respect has been given to the stream as we have, without exception, maintained the new 300' buffer around the perennial stream. Finally, the overall density remains lower than the allowable density in R-2 zoning districts. The

guidance from the Community Design Review Board, the Council, and the Planning Staff has been positively influential in producing the proposal submitted today.

#### **IV. Response to Community Design Review and Council Concept Plan Review.**

As mentioned, we have solicited feedback from the Community Design Review Board three times and the council's Concept Plan Review two times. We took comments from all of those meetings and have incorporated them in our final design. The following list of comments was voiced and the responses have been listed. At the final Community Design Review Board meeting there was solid support for the plan based on all the changes we had made. The comments from that meeting have been attached as Exhibit "B".

Comment: a. The site feels too tight. Space between homes needs to be expanded.

Response: We have entered into a land swap with the adjoining property owners, the Burch family that adds an additional 66,895 square feet with 1.5 acres of buildable land area to the site. We have spread the same number of homes over this increased land area. This solution has allowed us to provide an open, park-like setting in the center of the site and increase the tree preservation area around the entrance and surrounding the project.

Comment: b. The street design is too linear and needs to have more character.

Response: We agree with the comment and in retrospect have to admit that the original plan looked a little bit like a race track. The additional land acquired through the Burch swap plus some redesigning work has resulted in a significantly more interesting street pattern that is far from linear. The original oval design has been broken up into three center islands with two cross streets creating them. There will be an entrance onto Seawell School and an entrance on Homestead Road.

Comment: c. The large trees along Homestead Road should be preserved.

Response: We have relocated the entrance along Homestead Road so that the large trees will be saved as well as defining a sense of place into the community. NC DOT will require us to limit access to a right in, right out off the Homestead entrance, but we think the preservation of significant trees outweighs the slight traffic inconvenience.

Comment: d. The affordable housing component should be affordable homes as opposed to size restricted homes.

Response: We agree and have modified the plan accordingly. The original design called for 25% of the homes to be size restricted. Our current proposal is to build 20.83% of the homes in "Homestead Twins" as affordable homes and deed them to the Orange Community Housing Land Trust. This exceeds the 15 percentage recommended in the Chapel Hill development ordinance and Comprehensive Plan. The result will be that 15 of the 72 homes at "Homestead Twins" will be fully affordable. We believe that the close proximity to the public schools and other public facilities, the twin townhome

architecture and the family orientation of the community will provide an ideal setting for affordable homes.

Comment: e. There needs to be more diversity of housing types and streetscape.

Response: Since our first set of drawings we have applied ourselves to the task of making "Homestead Twins" distinct from many subdivisions that are typical of suburban America. We have approached this from an architectural standpoint and a land planning standpoint.

From a land planning standpoint, we have taken what would typically have been an oval street design and gave it cross streets, comers, curves, three interior islands, and tree preservation areas, both central to the site and at the entrances. The street layout now has the interior islands broken by two streets that run across its width. This allows us to orient the homes differently throughout the community which in turn allows us to design side entries, balconies, and corner homes that break up the monotonous front view that can dominate in a lot of communities. The main street winds and curves to conform to the land and the stands of the trees that will be preserved. We believe we have succeeded in planning a distinct community plan.

From an architectural standpoint, we have and will continue to apply a similar effort. Where depth of lot allows, we will stagger the setbacks from the street as was suggested. This will be possible for many of the homes as a result of breaking the center island up with the two side streets. In those center islands, we will have the depth necessary to vary the setbacks. We will vary the size of the homes between 1,000 square feet and 2,500 square feet and vary between carports and one and two car garages. Again, the additional comers driven by the side streets will provide us with opportunities to design floor plans with side entries, porches and balconies. We will also use a variety of exterior material finishes including cedar shake, board and batten, and horizontal lap board. We will vary rooflines, add metal roofs to asphalt as an option and bring in a variety of colors allowing the customers a wide array of options.

Comment: f. There should be visible access to all of the open space and recreational spaces within the community.

Response: We have added trail heads at either end of the community to allow public access to the open space and creek that make up the southern half of the property. The tree preservation area in the center of the site will also have clear and visible access. We will post access point signs as you come in the main entrance indicating access to the central open space. No homeowner should have to walk more than 100 yards to access the abundant open spaces with the community.

**Finding #1** This community will promote all of the elements of public health, safety, and general welfare. Having a family oriented community located within actual walking distance of all three primary public schools is a situation seldom found anywhere but land

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planning books. Having the homes so close to the schools that children will attend is a safer situation for the children who will not have to be transported by bus or worse yet drive themselves to school. It will be less costly for the taxpayer in terms of paying for the cost of the bus trips and it will promote the health of the children walking and everyone else by reducing traffic and congestion. Add to this, the fact that relative to Chapel Hill's average cost of new construction is around \$500,000, the "Homestead Twins" market homes will be priced between \$250,000-\$350,000 which will be moderately price at current price level. Our commitment to provide 20% of all homes at "Homestead Twins" as affordable homes will serve a well recognized community need.

Our proposal will respect the 300' stream buffer without exception and we have even arranged a land swap that will provide access to an adjoining property owner so that they will never have to cross the RCD or stream buffer. The proposal includes leaving over 60% of the entire site as open space or recreational space. This type of wooded break, where significant parcels of land are left undisturbed, not only creates a more appealing community visually, but if done consistently, will have lasting positive effects on the environment.

The proposal for "Homestead Twins" clearly promotes the health, safety and welfare of the community.

**Finding #2** When to the proposed conditional rezoning is approved, "Homestead Twins" will comply with all required regulations and standards of this chapter, including all applicable provisions of Article 3 and 5 and the applicable specific standards contained in Article 6 and with all other applicable regulations.

**Finding #3** "Homestead Twins" is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or the use or development is a public necessity. "Homestead Twins" will be an asset to its neighbors and the Chapel Hill community in general. The proposal's provisions for affordable housing under the land trust and moderately priced housing overall within walking distance to all three public schools and a multitude of public facilities will serve the community well. Our neighbor to the south is the school system's bus maintenance and storage lot. Our neighbors to the north and to the west support the community and have agreed to enter into a land swap that will enable both parties to avoid crossing the stream buffer or RDC. Our neighbor to the east is the Homestead Village community. We have met with their representatives and although they may prefer larger, single family homes on large lots, they are aware of the site constraints and feel that we have the ability to build a high quality twin townhome that will fit in well. The neighbors may not fully understand the new affordable housing regulations since their community preceded the affordable goal now adopted by Chapel Hill.

**Finding #4** The "Homestead Twins" proposal will conform to the general plans for the physical development of the Town as embodied in this Chapter and in the Comprehensive Plan.

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The applicant believes that the "Homestead Twins" proposal comports with the letter and the spirit of the Town's Comprehensive Plan and with the Town Land Use Management Ordinance and that it will improve and enhance public safety, and maintain contiguous property values. Homestead Twins will provide a wonderful close knit community of moderately priced homes all within walking distance of public schools and community parks. We believe Homestead Twins will be an asset to the community.

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Applicant: Capkov Ventures, Inc.

Scott Kovens Date 2/20/2006  
Scott Kovens, President

Eric B. Chupp Date 2/20/2006  
Eric B. Chupp, Vice President