

**WOODMONT  
STANCELL DRIVE  
CHAPEL HILL, NC (DURHAM COUNTY)**

**STATEMENT OF JUSTIFICATION  
SPECIAL USE PERMIT APPLICATION**

**Background**

This is a statement of justification for a Special Use Permit supplied in concert with a request by Capital Associates for approval of a Master Land Use Plan, and a Conditional Use rezoning, to allow the first phase of the Woodmont mixed use development to proceed. The master land use plan calls for the removal of commercial warehouse and residential structures and the phased redevelopment and construction of office and residential buildings as described herein and on the accompanying plans, on approximately 33 acres located along Stancell Drive and Barbee Chapel Road. The proposed redevelopment property is located wholly in Durham County, but is in the Town of Chapel Hill planning jurisdiction. Phase One, for which this Special Use Permit is being submitted, is to consist of two general office buildings totaling approximately 95,000 square feet, and three residential (ownership condominium) buildings containing a total of 60 units. Submittal of Special Use Permit applications for future phases of Woodmont will be tied to the ability of infrastructure to adequately support the proposed density and use for those phases. It is anticipated that full development of the property will transpire in three phases over a period of approximately ten years.

**General Site Description**

Phase One of Woodmont comprises approximately 10 acres fronting on Barbee Chapel Road as shown on the accompanying plans. There are currently three residential structures and attendant outbuildings within the Phase One bounds. The site topography is level to moderate. There are no streams, wetlands, or Resource Conservation Districts within the Phase One bounds.

**Goals and Objectives**

The developer's goals and objectives in working with Woodmont Phase One are as follows:

- 1) **To support the objectives of the Comprehensive Plan and the NC 54 East Entryway Goals.** *There are a number of goals and objectives associated with the Comprehensive Plan and with the NC 54 East Entryway Study ( a designated component of the Comprehensive Plan) that this proposed Phase One of the Woodmont directly supports. These include(with parenthetical*

reference to Comprehensive Plan Strategy Designations (1A, etc) or to NC 54 East Entryway Goals (NC54EE):

(Note: Where applicable, strategies/actions/goals that are closely related have been grouped below for discussion purposes.)

- a. **Encourage desirable forms of non-residential development (6A, 6B)** *This objective addresses the desirability of suitable non-residential development, specifically including office uses in mixed use settings that complement the Town's quality of life. Phase One of Woodmont will provide additional high quality office space that will complement and help balance the mix of uses within the larger Meadowmont mixed use zone of which it is geographically a part. Currently the larger Meadowmont mixed use zone is heavily weighted toward residential and retail uses. The Alta Springs apartment development that borders the Woodmont property to the south contains 300 apartment units. There are single family residences adjacent to the Woodmont property on the east and west. Further to the east but still within ¼ mile of the Woodmont property, is the major subdivision of Downing Creek, which contains a mix of single family residences, apartments, and townhomes. Finley Forest, a large, established condominium community, is immediately across Barbee Chapel Road from Woodmont. Meadowmont itself is predominately residential properties, both single and multi family, with office and retail space at the Village. Thus it is appropriate that, overall, Woodmont be developed predominately for office use. Phase One will contain all of the proposed residential component of Woodmont, consisting of 60 ownership condominium units. It will in addition contain two office buildings totaling approximately 95,000 square feet, or about 20% of the overall office complement at completion of all phases of development. As noted above and below in these discussions, there are significant economic and transportation-related benefits in adding the office use to this area.*
- b. **Support of startup businesses (6A)** *The numerous small businesses and restaurants at Meadowmont Village will benefit significantly from the addition of density on the Woodmont site. Woodmont clearly falls within the mixed-use zone of the Meadowmont development. Woodmont development plans include enhancements that will provide effective connectivity to Meadowmont Village for pedestrian, bicycle, shuttle service, and public transit modes of transportation. These*

*enhancements will also improve connectivity between Meadowmont and the nearby residential neighborhoods of Finley Forest, Sherwood Forest, and Downing Creek.*

*Within Woodmont, office space will be available for both mature businesses and young businesses. By building and leasing a variety of office space types, space will be available at different sizes and different price points. Included will be corporate office space in the larger buildings and office space for smaller, newer, tenants in the smaller buildings.*

- c. Retain existing businesses. (6A)** *Availability of Class A office space of the type being proposed within Woodmont is an important factor in retaining existing Chapel Hill – based businesses as they expand. Recent experience has shown that native firms of significant size have in some cases moved out of Chapel Hill due to a lack of suitable Class A office space. As noted elsewhere, this type of migration is a loss for the Town in a number of ways, including economic/tax base losses, cultural losses, and the addition of commuting traffic. Woodmont will provide an alternative for these maturing firms that would like to remain in Chapel Hill.*

- d. Work with housing providers to develop affordable housing in Chapel Hill (7A).**

- e. Ensure the availability of safe, sanitary, decent, and well-designed affordable housing. (NC54EE).**

*Capital Associates has discussed Woodmont plans on a number of occasions with the Orange Community Housing and Land Trust. Capital Associates and OCHLT have committed to partner to include high quality residential units that meet the workforce affordable housing goals suggested by the Comprehensive Plan and specified by the Town Council. Capital Associates has also committed to work with the OCHLT to address long term maintenance and affordability issues. The workforce affordable units will comprise 15% of the total residential condominium units and will include a mix of 1 and 2 bedroom units.*

- f. Develop a comprehensive pedestrian and bicycle network (10A).**

- g. Streets and parking should be designed to promote easy, safe pedestrian and bicycle traffic, and to inhibit fast traffic in both the residential and retail/office segments of neighborhoods. (NC54EE).**

**h. Neighborhoods are designed with narrow streets and accommodations for pedestrians and bicyclists....(NC54EE).**

*The main spine road through the site is purposefully narrow with on-street diagonal parking to discourage fast traffic.*

*Additionally, the Woodmont development plan includes a network of pedestrian trails within the site, a significant portion of which will be constructed with Phase One of the development, and for loaner bicycles and bicycle racks at the Phase One office buildings. Shower facilities will be included in all of the larger Woodmont office buildings, including Building E in Phase One.*

**i. Promote the use of public transit (10C).**

**m. Promote transit facilities, including preserving the potential for regional transit in this corridor. (NC54EE).**

*These objectives encourage expansion of service to outlying areas, and promotion of transit-oriented land use patterns. Woodmont is within ½ mile of a future light rail station. The development is committed to assist in extending the CHT existing routes eastward to serve the Woodmont area. Woodmont plans call for a Chapel Hill Transit route along its spine road, with bus stops appropriately located within the development. An important related point: The proposed density of development on this site will foster public transit use, whereas development of this site exclusively as medium density residential properties would not.*

**n. Implement a comprehensive parking strategy (10E).** *One of the key elements of this objective calls for structured parking where feasible. Woodmont plans to provide a significant amount of under-building parking, much of which is to be on two levels, to eliminate “sprawl” parking and reduce impervious surface. Impervious surface is also reduced by 30% per space for the diagonal on-street parking spaces being proposed. The Phase One plans include parking beneath each office and residential building. The total impervious surface for all phases of Woodmont, as a result of these and other land use design strategies, will be very low for this type of development, at approximately 41%.*

*Woodmont also intends to develop only 90% of its ultimate potentially needed parking initially. Any portion of the remaining 10% would be constructed only if, and when, there is demonstrable demand for those additional spaces, on a building-by-building basis. With a successful*

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*transit plan, ridesharing promotions, shuttles to connect to Meadowmont it is hoped and expected that none of the last 10% of parking will not have to be built.*

- o. Increase the Town's tax base in a manner that supports community values (12A).** *This section of the Comprehensive Plan recognizes office development as generally generating the highest net revenues (i.e. revenues net of the cost of services required) of all land use. At completion, Woodmont's initial phase will add over \$35 million (in 2007 dollars) to the tax base. In addition, the economic impact of the professional business that will locate at Woodmont, and their employees, on the Town economy will be significant. This Comprehensive Plan objective also calls for analysis of projected net revenues as part of the land use decision making process. We will be pleased to work with the town to produce this analysis.*

**2) To provide a superior level of protection of the environment during both construction and long term use of the property.** *This will be accomplished by the use of best engineering practices in site planning and design. These are to include the incorporation of a significant percentage of structured parking (under-building) in order to minimize impervious area; generous use of hardy species landscape plantings that will minimize irrigation demands; and the use of a high efficiency stormwater retention pond and devices that also will serve as irrigation sources and as aesthetic landscape features. We will instruct our architects and engineers to identify and implement opportunities for energy conservation in the design and construction of the buildings, and for the use of environmental-friendly and recycled building materials. We intend to pursue efficiencies of 20% above current ASHRAE standards for the larger (>40,000sf) office buildings in Woodmont, and to pursue LEED and Triangle J Council of Government guidelines to the extent commercially practical in the design and construction of these buildings.*

**3) To redevelop the site in a manner that will be compatible with the surrounding area.** *The immediate area of the property now contains a mix of commercial properties, and residential properties of various types and cost ranges, including both single family and multi-family developments. Meadowmont Village, which is within ½ mile of the property, has retail and food services businesses. These are within bicycle/pedestrian range of the property. As noted above, Woodmont should be viewed as a part of the Meadowmont mixed use area. Finley Forest, an established condominium community, is immediately across Barbee Chapel Road*

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from the Phase One area of Woodmont. The Alta Springs apartment complex borders the Phase One area to the south. Directly to the east is the Sherwood Forest neighborhood. Also to the east is the Downing Creek community. There are stand-alone single family residential properties along Barbee Chapel Road and Pearl Lane to the north of the Phase One area. A mix of office and residential use for Woodmont will complement these existing uses adjacent to or in the immediate area, and will be consistent with the goals and principles of mixed-use development. Regarding transportation and traffic management, the site is strategically located to support public mass transit. It is located within 1/2 mile of the future light rail station at Meadowmont. The plan reflects CHT bus routing with convenient stops in each area of the site. It also reflects numerous bicycle/pedestrian paths that provide inter-site connectivity and connectivity with adjacent neighborhoods and with Meadowmont. With office space of the type being proposed for Woodmont, Chapel Hill will be able to mitigate the need for its residents to commute to work locations along the I-40 corridor and beyond. This in turn will be a mitigating factor for traffic along the NC 54 east entry corridor. (Studies by Capital Associates show that approximately 40% of the tenants at The Exchange office buildings reach that site from the west. The tenant travel patterns at Woodmont are expected to be similar.)

4) To develop high quality office buildings that will provide existing and future businesses in the Chapel Hill area with a superior working environment. We expect to market the office space within Woodmont to a variety of professional businesses and firms with profiles similar to those that we currently serve at our nearby Exchange West and Franklin Street Trust office buildings. These include financial institutions, law firms, accounting practices, investment and insurance firms, pharmaceutical development companies, etc. These buildings will be especially desirable additions to the Town by allowing existing Chapel Hill firms that are expanding and seeking relatively large amounts of high quality office space to continue to do business within the Town limits. Based upon our considerable experience with the Chapel Hill office submarket, we foresee continuing strong demand in this submarket for this type of office space. The site will incorporate outdoor areas for the use of tenants and nearby residents including the bicycle/pedestrian pathways, park benches and tables within the landscaped and pond settings.

#### FINDINGS OF FACT

The following information is provided in support of the four findings of fact as described in Article 4.5.2 of the Chapel Hill Land Use Management Ordinance. Findings #1, #3, and #4 are not addressed here since this SUP submittal is in conjunction with a Master Land Use Plan submittal.

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**FINDING #2: That the use or development complies 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 the Supplemental Use Regulations (Article 6) and with all other applicable sections.**

### Compliance with Article 3 Provisions

- 3.5 Special Districts
  - Woodmont will be zoned as MU-V and will conform to land use categories, dimensional restrictions, and design standards associated with this zoning. There is one exception to the development densities that the Master Land Use Plan for Woodmont has proposed: That the mix of floor area shall contain at least 15% residential use. This exception or variance from the MU-V zoning is being requested due to the density of residential use surrounding the Woodmont property as described in the Rezoning and MLUP submittals.
  - Woodmont will be developed in three phases. Phase One for which this SUP is being filed, includes all of the residential component of Woodmont along with approximately 20% of the office component.
- 3.6.4 Watershed Protection District
  - Woodmont lies within the WPD and will conform to all applicable WPD development requirements.
  - Woodmont will be designed to High Density Option standards.
  - Engineered stormwater controls associated with Woodmont will be owned and maintained by the Woodmont Property Owners Association.
- 3.7 Use Regulations
  - Woodmont's Master Land Use Plan and Phase One SUP plans conform to all applicable Land Use Regulations.
- 3.8 Dimensional Standards
  - Woodmont plans conform to all requirements of this section.

### Compliance with Article 5 Provisions

- 5.2.2 Lot Design Standards
  - We are seeking a minor deviation from the Town's standards with regard to lot design within a mixed use development. Typically, the Town has only allowed each building footprint to be an individual lot in a mixed use development like this one. We believe this situation is different from

previous examples such as Meadowmont in that each of the office buildings in Woodmont will have structured parking. The inclusion of structured parking is in direct response to comments heard during the Concept Plan Phase before CDC and Council where we were challenged to minimize impervious surfaces. We believe that in this case it is logical and practical to allow each building lot to be expanded to contain their respective parking structure and surface parking.

#### 5.2.3 Lot Arrangement

- Our submission shows where we propose to locate individual internal lot lines for Woodmont. We look forward to continuing discussions with Staff on this matter during their review and exploring other options if necessary.

#### 5.2.4 Access to Streets

- Each subdivided lot within Woodmont fronts on the spine road transiting the development. This road is proposed to be private, but is intended to be designed to meet all required Town standards.

#### 5.2.5 Lot Dimensions

- We have not shown specific lot dimensions for each lot line at this SUP stage, but our submission shows where we propose to locate each internal lot line. Lot line dimensions will be set during future ZCP and Final Plat stages.

#### 5.2.6 Flag Lots

- There are no flag lots associated with Woodmont.

#### 5.2.7 Lot Lines

- Lot lines within Woodmont are radial to the street right of way and are located to permit efficient installation and maintenance of utilities.

#### 5.2.8 Zero Lot Line Setback Modifications

- We are not proposing any zero lot line setbacks, but we are proposing having relatively small front yard building setbacks from the private spine drive right-of-way to the front of some of the buildings.

### 5.3 Critical Areas & Environmental Performance Standards



- Woodmont will fully comply with all requirements relating to erosion and sedimentation control, including where applicable steep slope regulations.

#### 5.4 Stormwater Management

- The design, construction, maintenance, and inspection of all Woodmont stormwater management features will conform to all applicable regulatory requirements, including total suspended solids removal, runoff rate limits, and runoff volume limits. All stormwater devices will be located within common areas of Woodmont and maintained by the Woodmont property owners association.

#### 5.5 Parks and Open Space

- Active recreation space will be provided in the form of the network of pedestrian/exercise trails that are shown in the accompanying plans for Woodmont. Woodmont will also fund the eastward extension of the Town's bicycle and pedestrian pathway along NC 54 as indicated in this submittal.

#### 5.6 Landscaping, Screening, and Buffering

- Woodmont plans comply with all buffer and screening requirements. Existing vegetation will be retained and maintained wherever possible; this will be the case for significant portions of the development. All landscaping and screening vegetation will be maintained to a very high quality standard to ensure continuing effectiveness and continued aesthetic appeal.

#### 5.7 Tree Protection

- Woodmont development plans and procedures will ensure compliance with all applicable tree protection regulations. The land planning process for Woodmont has purposely identified areas containing significant tree stands and has maintained these intact to the greatest practical extent.

#### 5.8 Access and Circulation

- All development within Woodmont will be accessible via common area roadway to publicly maintained streets. Woodmont proposes to maintain its main spine roadway as a private road. This roadway will however be built to public road standards, and will be maintained by the Woodmont Property Owners Association.

- The principal vehicular access point for Phase One will be at a curb cut on Barbee Chapel Road opposite the existing Finley Forest curb cut.
- The accompanying Traffic impact analysis indicates that each phase of Woodmont including Phase One can be developed without significant impact on the intersections within the TIA study area.
- The site plan has been laid (with internal pedestrian/exercise trails and sidewalk systems) out to encourage bicycle and pedestrian usage both within the confines of Woodmont as well as providing connectivity (with Phase Two) to the bicycle/pedestrian pathway along NC 54. Angled on-street parking and the incorporation of the main traffic circle within Woodmont serve to calm and slow traffic along the main spine roadway.

#### 5.9 Parking and Loading

- Woodmont will comply with all parking and loading requirements, including parking landscape provisions and bicycle spaces.

#### 5.10 Disability Access

- Woodmont facilities will comply with all applicable building code and ADA provisions.

#### 5.11 Lighting Standards

- Woodmont will comply with all lighting standards of the Town, and will be particularly attentive to ensuring that there is no spillover onto adjacent residential properties. The deep buffer zones adjacent to most of these residential properties will be an additional positive factor in this regard.

#### 5.12 Utilities

- Woodmont will be served by OWASA for water and sewer requirements, and by Duke Power for electrical requirements.

#### 5.13 Solid Waste Collection and Recycling

- Woodmont will provide all necessary facilities and plans for solid waste collection and recycling.

#### 5.14 Signs

- All signs and signage provisions for Woodmont will conform to Town standards and requirements.

#### 5.15 Performance Standards During Construction

- All construction activities at Woodmont will comply with the provisions of applicable Town standards including the Noise Control Code and

Erosion and Sedimentation Control standards of the Town Code of Ordinances.

5.16 Adequate Public Schools Facilities

- Woodmont lies wholly within Durham County and as such the residential component of Woodmont will not impact the Town’s public school facilities.

**Compliance with Article 6 Provisions**

6.18.7 – Planned Development-Mixed Use

(a) Intent:

- Woodmont Phase One will be at a location appropriate in terms of the Comprehensive Plan (see discussion under Developer’s Objectives above), will incorporate public transportation facilities (bus access), and will be within ½ mile of the future Meadowmont light rail station).
- Woodmont’s location balance uses in the area by providing a principal employment destination close to housing, and including upgrades to existing bicycle/pedestrian systems as well as the introduction of internal pedestrian circulation systems.

(b) Land Area Requirements:

- Woodmont complies with this provision.

(c) Permitted and Required Uses:

- Woodmont will comply with this provision. Approximately 48% of the Phase One floor area is residential.

(d) Intensity Regulations

- Woodmont complies with Section 3.8 intensity limits.
- Woodmont setbacks exceed in all cases those required.

(e) Design Standards

- Public transportation (bus) will be made available within the development.
- Woodmont has been planned to concentrate its office use on the central portion of the property, affording opportunity for large and deep buffers to the adjacent residential properties. Buffers will exceed all Town standards.

