

Residences at Grove Park

425 Hillsborough St.
Chapel Hill, NC

**Special Use Permit Application**

Statement of Justification

December 12th, 2008

Introduction

This is a request for a Special Use Permit to allow the development of the Residences at Grove Park on a unique property consisting of the recombined portions of four contiguous parcels 425 & 429 Hillsborough St. and 624 & 626 Martin Luther King Jr. Blvd. Our redevelopment plan for the nearly clear-cut 10 acres outside of the Resource Conservation District calls for replacing the existing 111 dilapidated apartments with a mix of 40 town homes in scale with the Hillsborough St. neighborhood and 4 additional condominium buildings built adjacent to Martin Luther King Jr. Blvd. Located less than 4/10 of a mile from Downtown and connected by a system of pedestrian walkways and bus routes, the project currently lies predominantly in the R-4 and R-6 zoning districts allowing just 10-15 units/acre. However after fulfilling the newly revised R-SS-C zoning requirements of the Council, with this request we are asking to have the affected property rezoned to this new zoning designation to allow the sensitive and sustainable density increase we are proposing. Through cooperation with the Planning Department, we have created this proposal to match the spirit of the Comprehensive Plan and the goals of the Council for this unique site in order to appropriately locate healthy density to support the burgeoning revitalization effort in Downtown Chapel Hill.

Background

Since early 2006, we have been working on the 425 Hillsborough Street, formerly known as the Townhouse Apartments, because the property offers a unique opportunity for a meaningful infill redevelopment that fulfills the Town of Chapel Hill's initiative for sensitive, sustainable, and significant redevelopment.

The first theme of the Town of Chapel Hill's Comprehensive Plan is preservation of the Rural Buffer by better utilizing the land within the existing Urban Services Boundary. However, since the Urban Services Area is nearly 94% built out, in order to fulfill the Town's Comprehensive Plan goals and meet the growth needs projected in the 2035 Long Range Plan, creative infill redevelopment of existing properties must occur to maintain and improve Chapel Hill's vibrant cultural center. The challenge is to intelligently locate redevelopment on sites that provide the necessary amount of healthy density to support growth, while preserving the natural amenities and atmosphere that define Chapel Hill. We believe the redevelopment of these properties creates just that kind of site.

Our plan for this site grew up around the Urban Land Institute's research that details the densities necessary to support a thriving downtown area like Chapel Hill's in a sustainable and conscientious way. According to the ULI's New Urbanism text of best practices, the EPA's life cycle assessment development standards state that well-planned, sustainable downtown areas are built on the following model:

Region of Town

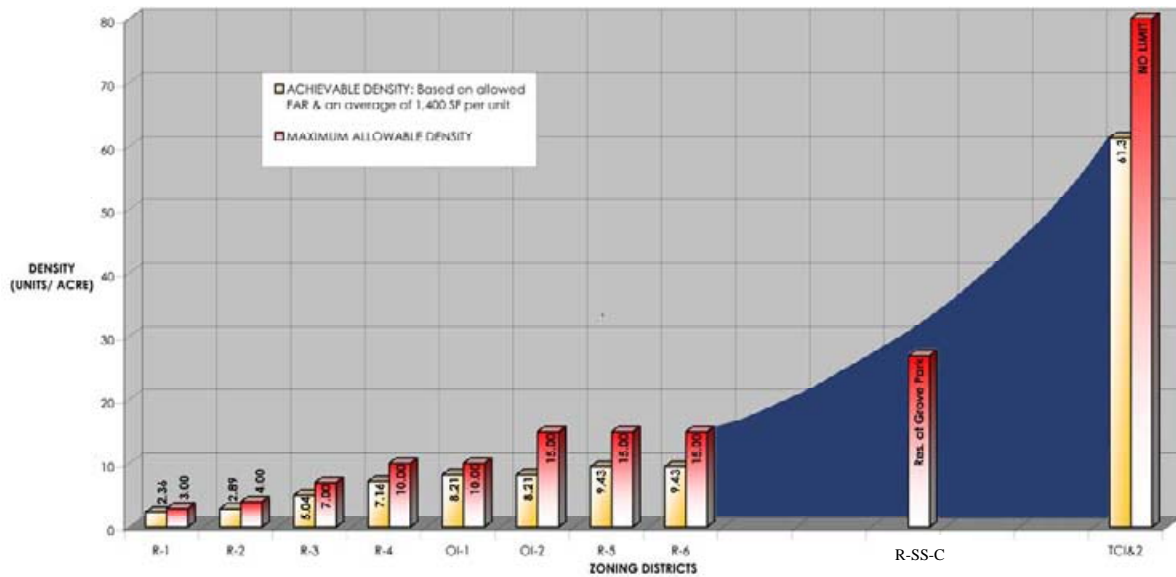
TOWN CORE:	ABOVE 35 UNITS PER ACRE
NEIGHBORHOOD CENTER:	18-35 UNITS PER ACRE
NEIGHBORHOOD GENERAL ZONE:	6-18 UNITS PER ACRE
NEIGHBORHOOD EDGE:	3-6 UNITS PER ACRE

Essentially, in order to preserve the natural resource of a rural buffer area, the highest and best use of redevelopable land needs to be created around the Town's core at densities that support its vitality. Applying this matrix to Chapel Hill, the Town core would center on the Town Center Zones around Franklin St. with potential 35 residences per acre, while the areas immediately surrounding it, like our site, would be the supporting neighborhood center at 18-35 residences per acre. However, in Chapel Hill we have the unique amenity of the historic Franklin-Rosemary Neighborhood and the Northside Neighborhood conservation district directly bordering the Town's core. These significant but low density areas drive the average count of homes closer to 4 or 6 per acre. In order to preserve these unquestionably valuable cultural resources, even more care should be taken to locate the needed residences so that the Town Center can be effectively supported without impacting the amenities the Town is known for. That requirement is what makes the 425 Hillsborough St. parcel so unique. On this essentially clear cut site less than 4/10ths of a mile from the Downtown Core, the sloping topography and the towering trees of the surrounding Resource Conservation District allows our plan to provide the much needed increased number of residences while keeping them almost completely hidden from the surrounding low scale neighborhoods and the public right of way.

The other key sustainable precept we are trying to fulfill with this plan revolves around providing more residences to meet growth needs while minimizing the infrastructure impact on the Town. That concept fulfills itself through our plan in two critical ways. First, by redeveloping an underutilized multifamily property, no utilities extensions or new Town service areas need to be created to support our development. Therefore, the Town and county will not have to pay for any new services to support the increased property tax base they will now benefit from. Secondly, based on extensive research by the Sierra Club in conjunction with the Urban Land Institute, higher density multifamily developments near Town Centers just like this one, attract very few families with children that contribute to the overburdening of the school system. Then, as with the first benefit, the Town can provide for and reap the benefits of smart growth without further taxing its resources.

Finally, our plan aims to fully support and strengthen the public transit and future mass transit systems by developing sites properly located and connected to the Town Center. According to the Urban Land Institute's *Ten Principles for Successful Development around Transit* a minimum average of 15 units per acre within the 2 mile area surrounding a Town Center is required to support frequent bus service. Accordingly, to encourage the conservation of resources by utilizing mass transit as Chapel Hill grows, increased density on well located sites around Downtown along the bus routes are required. Since our site borders two major bus corridors on either side of the site and connects directly to the heart of Downtown Chapel Hill in ten minutes or less via any of a number of well-used pedestrian routes, locating an increased number of residences here makes the best sense for a sustainable development plan. By encouraging bus ridership via convenience and potential bus stop improvements, individual automobile trips can be greatly decreased. Furthermore, based on the proximity of the site to the majority of the Town's amenities and services, any trip that is taken will be far shorter than from a typical suburban sprawl development. Better still, because the site is within 4/10ths of a mile of the re-emerging Downtown amenities and so well connected with pedestrian routes, the majority of resource wasting trips of any sort can be eliminated with a short walk.

Our proposal to support the Comprehensive Plan's Themes and the Town's number one goal of Downtown revitalization only lacks a fully defined zoning that provides for the increased sustainable density that this site could support. Currently, there is a major gap between the allowable number of units in the highest level R-6 zoning, 15 units/acre, and the Town Center Districts that can allow approximately 61 Units/acre based on their FAR restrictions. Clearly, this site is not a Town Center. However, being directly adjacent to the Downtown amenities and directly connected to them via pedestrian and mass transit routes, an increase in allowable density beyond the existing R-4 zoning restriction of 10 units per acre is also clearly warranted if it can be done in a sensitive and sustainable way.



Our proposed rezoning to the existing R-SS-C zoning designation encourages this healthy density and sustainable growth without necessitating any new designations. R-SS-C's current conditional nature allows the Council to apply the designation on a case by case basis where the goals of the Comprehensive Plan and Town are met. We believe this SUP proposal meets the new goals outlined by the Council and provides the proper dimensions for healthy density on a one of a kind property adjacent to Downtown and identified transit arteries like Martin Luther King Jr. Blvd as defined by the Town's Long Range Plan. Thanks to the unique location, surrounding RCD, and beneficial topography, the Residences at Grove Park will promote the healthy growth Chapel Hill's revitalization needs, while preserving the unique natural amenities and neighborhood culture the Town already enjoys.

We have taken this plan through two CDC review sessions, neighbor meetings, and all Town commissions previously to revise our design and address the concerns and desires of our neighbors and the commissions. After discussing with neighbors their chief concerns about the size and density of the plan, as well as the traffic that they felt would go along with it, we revised our proposal and arrived at the plan we present now for SUP review and approval. These changes included a reduction in the number of units by nearly 60, reduction in parking spaces by better than 160, and redirection of ingress and egress paths to make Martin Luther King Jr. Blvd the main entrance to the development. We are even working on an address change for the project to further encourage the use of the Martin Luther King Jr. access and drive traffic away from Hillsborough St. Also included are large increases in significant green space and tree saves, elimination of one of the tallest structures previously shown, an increase in boundary area and town home product along the Hillsborough St. edge to better buffer the existing neighborhood, and a more significant affordable housing component. With these changes, the plan can now meet the Town Council's vision for increased density to fuel Downtown Revitalization while using the natural buffers and sensitive development along the Hillsborough St. edge to almost completely mask the increased density components from the surrounding neighborhoods. By matching the goals of the Council to these neighborhood concerns, we believe this plan delivers an ideal solution for the redevelopment of this Downtown perimeter site.

General Site Description

The property consists of portions of four parcels, approximately 12.93 acres, that lie 4/10ths of a mile from the Downtown Core spanning well established pedestrian corridors and bound by two major public transportation routes along Martin Luther King, Jr. Blvd and Hillsborough St. Because of these significant pedestrian and public transportation routes to Downtown, we are looking to the R-SS-C zoning designation to achieve the highest and best use of the property and replace the dilapidated collection of apartments and asphalt parking lots that essentially clear cut the site in the early 1960's. Resource conservation districts buffer the northern and western edges of the property, while high, mid, and low rise multifamily developments mask the southern edge and remainder of the western boundary along Martin Luther King Jr. Blvd. The small amount of frontage along Hillsborough Street offers connections to a popular downtown pedestrian route and an opportunity for a significant public bus stop improvement. Additionally, significant improvements can be made to the Martin Luther King Jr. Blvd entrance including a new bus stop and pedestrian haven to make it the more prominent entrance for the development. The properties' two entrances that access Martin Luther King Jr. Blvd and Hillsborough St.'s bus routes, as well as the myriad of accessible pedestrian routes, make the parcel an ideal candidate to house the sustainable density that will help ensure the success of the Downtown revitalization effort.

Program Overview

Ram Development Company envisions the redevelopment of 425 Hillsborough Street as a vital residential development located within walking distance of downtown Chapel Hill's urban core and positioned along transit corridors to make it a model residential development for the support of Downtown.

In direct response to the CDC and neighborhood's comments, the important portion of the site along the Hillsborough Street Corridor has been redesigned with an increased depth of town homes and the height and size of the multifamily building closest to the historic neighborhood has been decreased to respect and enhance the character of the residential neighborhood. While the project does not lie in the Historic District, architectural elevations take cues from the well established neighborhoods in the area to not only ensure the development is well-integrated, but to also ensure the project preserves and enhances the unique character of this important Chapel Hill neighborhood. With these town homes preserving the Hillsborough Streetscape, the trees of the north and west Resource Conservation Districts, and the surrounding high, mid and low rise multifamily developments along Martin Luther King Jr. Blvd. almost completely mask a potential higher density development area that will not obscure the vistas or detract from the character of Chapel Hill. To take advantage of this unique location, we are proposing four condominium buildings, with the largest to be located on the extreme northern and western edge of the project, eliminating their impact on Hillsborough St. and keeping them hidden from Martin Luther King Jr. Blvd. behind the RCD tree line. We have reduced the overall number of units on the site by nearly 60 units from the original number but still maintain a number that provides for a development that effectively supports Downtown. Even though taller buildings would be predominately hidden by the tree line and well-buffered from Hillsborough St., our buildings will be no higher than their existing 6 and 7 story neighbors along Martin Luther King Jr. Blvd.

We have gone to great lengths to create a sense of place where residences now overlook large green spaces with beautiful views, safe entrances and drives that are attractive and possess a sense of purpose. To that end, buildings are set apart allowing light to enter throughout the project, amenities have been located to take advantage of natural views, and the lanes and minimal visible parking have been designed to convey a sense of arrival for the residences rather than a "sea of parking". In order to accomplish this, the major expense of parking beneath the residential buildings has been undertaken. In addition to reducing the amount of impervious area needed to sustain a similarly sized development, parking under the buildings allows us to maximize the remaining land for public green space to replenish the clear cut site. Our plan will then leave only minimal parking along the streets to give a sense of neighborhood to

the development. In response to the CDC's concerns and the neighbor's comments, our redesigned plan has taken a considerable amount of parking out of the project, reducing our parking ratio to 1.66 spaces per unit while still keeping better than 75% of the parking underneath the building. All these efforts will provide for truly meaningful open spaces and community areas that promote outdoor activity, gathering and neighborhood interaction.

In addition to replenishing the clear cut areas, investment will be made to rejuvenate the Resource Conservation Districts currently over run with kudzu and invasive plants to help preserve a natural amenity for our residences and the public to enjoy. With the support of the Council, CDC, and our neighbors, we plan to submit to the Town Council designs that improve the prominence and functionality of access along the existing road that crosses the RCD with minimal additional impact. However, because the RCD requirements restrict any work in the RCD, we would definitely need and very much appreciate the continued input and support of the Commission and neighborhood groups to help us deliver a beautified main entrance to the development along this existing road. With the Town's help we can truly make this overrun RCD an amenity the public can enjoy in a development that reduces unwanted traffic.

To compliment our RCD work, the final piece of the program will be the complete redevelopment of the entrances at both Martin Luther King, Jr. Blvd. and Hillsborough Street. Ram plans to provide complimentary and significant improvements for transit stops at both entrances to the site to encourage ridership on public transportation and further reduce other vehicular traffic. In response to the neighborhood's concern for Hillsborough St. traffic, we have downsized the project from the original plan along Hillsborough St., eliminated one entrance on Hillsborough St., and significantly redeveloped the Martin Luther King Jr. Blvd entrance to become the primary traffic entrance for the development. Perhaps most significant though, our new plan has completely restructured all the interior drives to discourage condo traffic leaving on the Hillsborough St. side and are engaging NC DOT to create the safest and most convenient ingress and egress point for the site at Martin Luther King Jr. Blvd. Unfortunately we can not separate the sides of the site completely because of civic requirements to maintain the connection for emergency and public works vehicles. However, to further reduce vehicular traffic and encourage pedestrians, significant investment along our bordering pedestrian thoroughfares will ensure that our redevelopment of 425 Hillsborough Street as a truly sustainable development provides a sensitive and significant boost to the economic and environmental vitality of Chapel Hill's Downtown Community and the Rural Buffer beyond.

Goals & Objectives

This site offers unique opportunities that can be maximized by sensitive, sustainable and significant development made possible only through the collective efforts of community leaders and private enterprise. At Grove Park, it is our desire to create a model development that will be a cornerstone of the Downtown community where people can "live, work, and play" in a well-connected, well planned, and well integrated Chapel Hill.

Redevelopment of properties that are at the end of their effective lifecycle and in decline provide opportunities to add value and create places where our communities can grow and thrive while minimizing the impact on infrastructure and our natural resources. Our proposed redevelopment utilizes infrastructure already in place thereby decreasing the need for additional public investment, enhancing the efficiency of the property, and creating healthy increased density. By appropriately locating higher density developments in areas like Grove Park, the Town of Chapel Hill can use healthy density to offset the significantly increased cost of redeveloping dilapidated properties detrimental to the heart of its Downtown Core Area. By facilitating healthy density on well-located sites adjacent to Downtown, unique projects like this one can encourage pedestrians and public transportation usage, reduce traffic congestion, and increase the tax base and economic vitality of the Downtown Business District, while helping to reduce detrimental and unsustainable suburban sprawl.

Findings of Fact

Based on Article 4.5.2 of the Land Use Management Ordinance for Chapel Hill, four findings of fact must be confirmed in order to be granted a Special Use Permit. The following information outlines how the proposed Grove Park redevelopment fulfills the requirements of each finding.

Finding #1: That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

Based on the needs for growth and projections outlined in the 2035 Long Range Plan, we believe sites along the arterial Martin Luther King Jr. Blvd. corridor and supporting the Downtown core need to be designed to properly handle increased density and allow Chapel Hill to grow in a sustainable way that preserves its natural and cultural amenities. This site, including 425 Hillsborough St. and adjacent properties, with its sloping topography and RCD trees concealing almost all of the proposed development is ideally suited to meet that goal. Also, because of Grove Park's close proximity to Downtown amenities and emphasis on pedestrian and mass transit connectivity, we believe the public health will be greatly improved by the reduction in number of automobile trips and the reduction in suburban sprawl development made possible by our project. At Ram's expense, not one but two traffic impact analyses have been commissioned and reviewed by the Town of Chapel Hill showing minimal increases in existing traffic resulting from our project. However, to help improve existing conditions as part of the Grove Park project we are projecting better than \$200,000 will be spent solely for improving vehicular safety in the surrounding neighborhood and improving pedestrian and mass transit options to not just minimize impacts but help reduce automotive dependency. Mainly, as people are given a viable option for enjoying all Chapel Hill has to offer without crowding its vistas with emissions or poorly designed developments, we believe this type of project will thrive. Furthermore, since Downtown commercial and office locations are so close, as well as retail and future office centers along Martin Luther King Jr. Blvd to the north, the use of the property should be limited to higher density residential development to preserve the atmosphere and culture of the surrounding neighborhoods. Additionally, where as the concealing trees and topography are benefits to residential development, the lack of visibility would be critically detrimental to any commercial or mixed use development. Therefore, we believe the most beneficial plan for the public would be to properly develop as much healthy residential density on the site as needed to support the retail and commercial projects already Downtown. For these reasons, we believe this is the kind of unique sustainable development the Town would support with the R-SS-C zoning.

We feel our plan with the primary entrance on Martin Luther King Jr. Blvd and mix of low rise and mid-rise products is properly designed to promote the health, safety, and general welfare by buffering neighbors from traffic and building impacts. Further, this plan will encourage any traffic onto Martin Luther King Jr. Blvd were it can be properly handled rather than onto Hillsborough St., a major pedestrian and family area. Additionally, with our continued efforts to create safe crossing at the Martin Luther King Jr. Blvd entrance, we hope to encourage additional safety with a pedestrian haven and signaling. At the center of the site we plan a complete replanting program to rebuild some significant public green space for the public to enjoy. By locating the majority of the parking underground, we feel the public welfare will be greatly improved going forward when our residents get to enjoy the new green walking corridors and our planned RCD investments without a sea of parking or the danger of through traffic on the site. For these reasons, we believe the Residences at Grove Park to be an ideal project for a R-SS-C designation that will deliver a healthy residential growth opportunity for the public benefit of Chapel Hill.

Finding #2: That the use or development would comply with all required regulations and standards of the Land Use Management Ordinance.

The parcels making up the Residences at Grove Park development, including 425 and 429 Hillsborough and portions of 624 and 626 Martin Luther King Jr. Blvd. are predominantly zoned R-4 and R-6 allowing minimal redevelopment opportunity. We are therefore requesting this rezoning to the R-SS-C designation as revised by the Town Council and Planning Department in order to garner this project's benefits for the Town. Along with the included modifications requested in this SUP, we

believe by granting the rezoning to a conditional designation like R-SS-C, the Council will preserve the right to apply this zoning and the dimensional limits to projects on a case by case basis. We are requesting separate modifications rather than further amendments to limit future rezonings and dimensional increases only to the unique projects that warrant them like Grove Park. The following dimensional matrix outlines the restrictions of the current zoning as well as our proposal for the dimensions of the new zoning designation we are requesting the text amendment for.

Dimensional Matrix	Current R-6 Zone	Proposed R-SS-C
Max. Density	15/acre	N/A
Max. Height (Primary)	39'	39'
Max. Height (Secondary)	60'	60'
Maximum Impervious Ratio	.24/.5/.7	.24/.5/.7
Maximum FAR	0.303	1.10

Based on the existing R-SS-C zoning description described in our Zoning Text Amendment application, we believe the Grove Park site will best serve a higher density residential use. With its direct connection to major pedestrian and bus connections, beneficial topography and screening from the RCD, location within a ½ mile of the Downtown Commercial Core, and close proximity to increasing retail and office destinations, Grove Park is positioned to positively encourage sustainable transit and the town's revitalization goals.

This new plan will require the site to be rezoned to the R-SS-C zoning with a Zoning Atlas Amendment and Zoning Text Amendment. Only 4 additional modifications are required to make this zoning designation truly effective for the unique Grove Park site.

1. The first required modification to the zoning allowances is a change to the disturbance allowances for the RCD that will allow us to revitalize the area and create a safe entryway and public amenity where now there is only a choked stream. When compared to the current level of disturbance in the RCD, we are affecting considerably less area in the in all of 3 of the RCD zones than currently has been disturbed and only requesting an increase in the least critical Upland Zone solely to facilitate public roadway and sidewalk improvements. As can be seen in the following charts, we are only requesting an increase in the allowable disturbance area ratio for the Upland Zone of the RCD, even though past disturbance in this zone was clearly far more extensive than what we are proposing now. To offset even this lesser increase, we are keeping well below the allowable limits for the two more sensitive lowland zones and affecting 30,000 SF less than has been disturbed in these two zones previously.

RCD Disturbance Summary:

RCD Zone	Total Area (s.f.)	Disturbance Area Ratio*	Allowed Disturbance (s.f.)	Existing Disturbance (s.f.)	Proposed Disturbance (s.f.)
Streamside	48,250	0.20	9,650	15,263	9,270
Managed Use	48,377	0.40	19,351	34,541	10,161
Upland	46,335	0.40	18,534	48,525	37,955
Total	142,962		47,535	98,329	57,386

This chart reflects the needed disturbance area to provide permanent improvements including side walks, safe drive aisles, and accepted storm water management facilities. Based on the

review of Sue Burke with the Town of Chapel Hill Storm Water Management Department, an additional 18,000 SF of disturbance will be required for temporary, non-permanent erosion control measures while we install these improvements and enhance the RCD. Our total projected maximum disturbance will be 75,000 SF, confined primarily to the Upland Zone, overall far less than the 98,000 SF disturbed in past phases of development and without the projected benefits.

Finally, we are not asking for this increased level disturbance in the Upland Zone to increase building area, but only to create a safe pedestrian connection to Martin Luther King Jr. Blvd., to build Town standard driveway widths in place of the substandard existing roadway, and allow for dual egress lanes at the Martin Luther King Jr. Blvd. entry to ensure vehicular safety in and out of the entrance our neighbors have asked us to make the most prominent. Thus, we are asking for these modifications in the name of safety and access rather than for any increased development size. With these features included where no such improvements exist today, we will be able to provide a safer environment for the public without further impinging, but instead improving the condition of our Resource Conservation District.

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2. The next required modification to the zoning allowances proposed for this property is a change to the impervious surface allowances for the RCD that, coupled with the disturbance area allowance, will provide for the revitalization of the site and the safety improvements mentioned above. Though we are asking for an increase amount of impervious surface in the Upland Zone, we are affecting considerably less area and actually removing detrimental impervious surfaces from the critical lower zones to make up for the required increase. As can be seen in the following charts, we are only requesting an increase in the impervious area ratio for the Upland Zone of the RCD and keeping well below the limits for the two more sensitive lowland zones. In total we are removing better than 6,000 SF of impervious area from the critical Streamside and Managed Use Zones and pushing the required drive lanes as far out of these zones as the topography will allow. However, due to the challenges of the site's topography we cannot push the existing drive lanes completely out of the RCD. In order to limit any additional disturbance we have kept the same general road layout, removed excess pavement where the existing streets were poorly laid out, and added impervious surface only where Town Standard road widths were required and a sidewalk pedestrian connection was needed. In total we need to add approximately 2,000 SF for a new sidewalk connection to Martin Luther King Jr. Blvd. where none exists today. The remaining approximately 5,000 SF above the allowed combined impervious surface in the RCD will be used to create the Town standard drive lanes needed to safely connect to our main entrance.

RCD Impervious Summary:

RCD Zone	Total Area (s.f.)	Impervious Surface Ratio*	Allowed Impervious Surface (s.f.)	Existing Impervious Surface (s.f.)	Proposed Impervious Surface (s.f.)
Streamside	48,250	0.10	4,825	4,305	3,528
Managed Use	48,377	0.20	9,675	8,843	3,539
Upland	46,335	0.20	9,267	12,401	23,676
	142,962		23,767	25,549	30,743

* Per Table 3.6.6-3: Dimensional Regulations in RCD

Like the disturbance area modification request, the increase in impervious area we are requesting in the Upland Zone is not for any increased building area, but for creating a safe pedestrian connection to Martin Luther King Jr. Blvd., creating Town standard driveway

widths across the existing roadway, and allowing for dual egress lanes at the Martin Luther King Jr. Blvd. entry to ensure vehicular safety in and out of the entrance our neighbors have asked us to make the most prominent. Thus, we are asking for these modifications in the name of safety and access rather than for any increased development size. Similar to the disturbance allowance we would like to request slightly more impervious allowance in the Upland Zone than we project in the chart above to allow us to fix any unforeseen issues that come up during construction. However, because it is impervious surface, we would only request a minimal 5% more, or 32,280 in total, to provide this contingency. All efforts will be made to minimize the impervious surface even beyond the limited amount we are requesting here for safety improvements. With these features included where no such improvements exist today, we will be able to provide a safer environment for the public without further impinging, but instead improving the condition of our Resource Conservation District.

3. The third minor modification to the steep slopes disturbance restriction we are requesting corresponds directly with the first two modifications and derives from the same work needed to improve pedestrian connectivity and safety at the Martin Luther King Jr. Blvd. entrance. The LUMO restricts disturbance of slopes greater than 25%, or more than one foot of fall for 4 feet of horizontal distance, to 25% of the steep slopes on the property as outlined in Table 5.3-1. While the spirit of this LUMO ordinance extols preserving natural slopes, on our site all of the slopes greater than 25%, some nearly vertical or 100% slopes, are man-made, pose erosion and storm water control issues, and because of their exceedingly steep nature do not support the kind of tree growth and native vegetation that we believe the LUMO ordinance was seeking to protect. As can be seen, little besides kudzu can thrive in the current environment. As with the other requests for modification, we are seeking this change to allow for safety and pedestrian improvements on site, without it we can not provide the Town standard drive aisles, an NCDOT approved, safe entrance, sidewalk connections or safe bus stop access on Martin Luther King Jr. Blvd. As an added benefit to this work, we will also be able to provide less severe slopes that will be more supportive of the native plant life that we will encourage as we execute the kudzu remediation plan in the RCD outlined for us by the NC Botanical Gardens. For these reasons, we respectfully request that the Town approve the modification to allow for disturbance of 53% of these man-made severe slopes to promote the safety improvements we have outlined here. Were we not faced with such a poorly constructed entrance drive, our design would be well within the disturbance limit, however this project gives us an opportunity to correct that mistake for the betterment of the pedestrian environment as well as the natural one, and so we ask for this modification to make these needed changes.

4. The last modification we are requesting for the project is to the secondary height allowed. In order to facilitate the distinct benefits of placing two full levels of parking below the condominium buildings, an increase in the secondary height will be required to 90' for the 3 condominium buildings closet to Martin Luther King Jr. Blvd. All other components of the project will be below the 60' currently allowed, with the townhomes along Hillsborough St. considerably lower to match the surrounding neighborhood. Further, the current heights of the existing buildings along Martin Luther King Jr. Blvd. adjacent to project are as tall or taller than our proposed highest buildings thanks to the unique topography of the Grove Park site and our revised site plan. No change to the primary height limitations that have the greatest impact on the surrounding areas will be needed.

We believe the benefits of maximizing the amount of available green space and minimizing the impervious surface required by placing the parking below the buildings warrants consideration for this modification on any project. However, because of the beneficial

topography unique to the Grove Park site and the screening effects of the specimen trees in the surrounding RCD, even with this increase in allowable secondary height our buildings will be almost completely obscured from view from the public right of ways. In addition to allowing the benefit of parking below the building, this change in the secondary height will allow the highest and best application of the healthy density in the R-SS-C zoning. Without an increase in height, in order to achieve any significant improvements from the allowed density, the buildings would be forced to spread out across the site, reducing the green space and further increasing impervious surface, as well as forcing the use of surface parking. With your approval we can provide the healthy density proposed by the Grove Park Project in the most sensitive and sustainable way, all without impacting the natural vistas that Chapel Hill has always enjoyed.

We are requesting these modifications to the dimensional requirements and current zoning based on the following significant public benefits and community amenities provided by the Grove Park redevelopment proposal:

1. The development is designed for providing healthy density in a unique well located parcel that will support the growth projected in the 2035 Long Range Plan without impacting the surrounding neighborhoods or harming the beauty of Chapel Hill's vistas.
2. With 346 new residences, the proposed project could generate large increases in annual property taxes for the entire region and also increase sales taxes as the new residents enjoy the walkable Downtown commercial district. Furthermore, these increases to the tax base will come with little cost to the Town as no additional infrastructure is needed since all utilities and services are already in place. Furthermore, the influx of new Downtown residents will not only contribute to the economic vitality of the Downtown and greater Chapel Hill Area but also contribute to the safety of Downtown Chapel Hill by getting more eyes into the Downtown and surrounding community.
3. A major component of our redevelopment plan is the construction of green space, active open space, and RCD improvements for pedestrian connectivity and improved safety on the site. These investments will include extensive improvements to the RCD, bus stop improvements, pedestrian amenities, and better drive lanes to improve public safety. In addition to these benefits, we are also dedicating a greenway easement through the revitalized RCD so the entire community can enjoy the improvements we have planned for Grove Park.
4. Based on our ongoing discussions with Orange County Housing and Land Trust, we understand that the amount of condominium projects coming into the Chapel Hill market has caused an influx of affordable condominium units, single bedroom units in particular, that the Land Trust has serious concerns about being able to place. In order to give the Town and Land Trust flexibility to address these concerns, we are proposing to fulfill the Town's Affordable Housing and Inclusionary Taskforce Initiatives by providing our 15% affordable housing requirement with 26 affordable residences in a mix of one and two bedroom condominiums and 13 payments in lieu of \$85,000 per unit or \$1.105 M. The final mix of unit types will be determined in consultation with the Land Trust and approved by the Town Manager prior to the issuance of the Zoning Compliance Permit.
5. To further our dedication to sustainability and the environment, we have already committed to increasing energy efficiency by 20% above ASHRAE 90.1 standards and are the first project to agree to independent individual water metering for all our condominium units to promote water conservation. In addition to the massive carbon reduction benefits garnered from locating our project adjacent to Downtown and along major public transportation routes, the design benefits provided by our buildings and unit types, like energy savings from shared walls and passive solar design, will generate a reduction in energy costs our residents will enjoy and a reduction in overall energy use the whole community can benefit from.

In addition to these benefits, the rezoning justification statement accompanying this memo outlines in greater detail how each of these benefits combines to fulfill the newly outlined goals of the Council for properties under the R-SS-C zoning designation.

Finding #3: *That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.*

Aside from the benefit of replacing dilapidated apartments well past their usable life cycle, the proposed Grove Park project has been sensitively developed to protect not just the adjacent properties but also the surrounding vistas and landscapes that the whole Town enjoys. Based on the responses and neighborhood concerns we received during the CDC process, we increased the number and depth of the town homes on the Hillsborough St. side of the project to protect, preserve and enhance the nearby Franklin-Rosemary Historic District. Our budget also includes significant reinvestment in open green space, the realignment of buildings and parking to preserve specimen trees, and RCD improvements that the surrounding properties will also benefit from as a solution is sought for our currently kudzu choked western RCD. Additionally, we have designed the parking and inter-site roads to discourage traffic going out onto Hillsborough St., hopefully dramatically reducing it from the existing level caused by the Townhouse Apartments. For the Martin Luther King Jr. Blvd side of the site, our mid rise buildings are of the same or lower elevation than their neighboring structures and are almost completely hidden from the view of the public on the Martin Luther King Jr. Blvd right of way. However, all of our structures take care of the majority of their parking needs in structured garages underneath the buildings. Based on these design features, Grove Park is actively seeking to enhance the surrounding neighborhood and the corresponding property values should also benefit. To establish this fact, we have included with this submittal two letters provided by prominent, long time, local property appraisers in Chapel Hill both of which support that the property values of surrounding parcels will be preserved and increased by the development of the Residences at Grove Park. Financially speaking, the development will replace 1960's vintage student rental housing, with a current tax value of \$4,464,000 or \$40,200 / unit, with new for sale homes and capital improvements of better than \$200,000 / unit. Based on these professional opinions and a tax value comparison to the projected value of the Grove Park project, one can quantifiably and objectively determine that Grove Park will increase rather than decrease property values for all our neighbors in the area. Thus as the entire Town enjoys the benefits of this well located and well planned infill project, they will also continue to appreciate their own property's value and the vistas they have always enjoyed.

Finding #4: *That the use or development conforms to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan.*

The Finding required for the Special Use Permit and the requirements for justifying the proposed rezoning and text amendments can best be demonstrated by the proposed development's fulfillment of the core themes of the Comprehensive Plan.

Themes of the Comprehensive Plan

1. Maintain the Urban Services Area/Rural Buffer Boundary

By redeveloping a Downtown site rather than challenging the buffer with additional suburban track development, the Residences at Grove Park project alleviates suburban sprawl by providing a significant choice for new residential development on one of the few remaining sites where such development is encouraged and appropriate. Additionally, this new opportunity for healthy density is created with little additional infrastructure required since the utilities and base services are already present.

2. Participate in regional planning

Forward thinking, sustainable growth projects like the one proposed for Grove Park can give Chapel Hill an example project to act a model for the rest of the region.

3. Conserve and protect existing neighborhoods

Since the area inside the Urban Services Area is approximately 94% built out, one of the few remaining opportunities for Chapel Hill to accommodate the nearly 50% population growth forecast in the 2035 Long Range Plan is to seek out sustainable urban redevelopment sites like 425 Hillsborough St. With developments like Grove Park handling the new growth, the character and nature of Chapel Hill's historic neighborhoods can be protected.

4. Conserve and protect the natural setting

As with neighborhood protection, assigning growth projects to locations like the Residences at Grove Park with its unique benefits of topography and the RCD's tree buffer, sensitive responsible redevelopment can make sure the natural vistas of Chapel Hill remain unblemished. To further protect the greater environment, we will create an energy management plan for Grove Park with the goals of increasing energy efficiency 20% above the current ASHRAE standards and seek ways to reduce our carbon footprint over typical developments.

5. Identify areas where there are creative development opportunities

As detailed before, 425 Hillsborough Street's unique Downtown location and natural benefits ensure that no better site exists than at Grove Park for a well planned, sustainable density development to provide for Chapel Hill's growth while protecting its beauty.

6. Encourage desirable forms of non-residential development

By encouraging higher residential intensities in specific locations that support the Downtown commercial area, the Town can do the best thing for encouraging Downtown non-residential development by providing those projects with nearby residents to patronize them. With Grove Park being all of 4/10ths of a mile from the Downtown core and tied into it by a series of pedestrian and mass transit connections, our site is an ideal project for just this type of non-residential encouragement.

7. Create and preserve affordable housing opportunities

In cooperation with the Town and Orange Community Housing and Land Trust, we will provide our 15% affordable housing requirement with 26 affordable residences in a mix of one and two bedroom condominiums and 13 payments in lieu totaling \$1.105 M in order to provide a flexible affordable housing opportunity that meets the needs of the community.

8. Cooperatively Plan with the University of North Carolina

We believe this site will be an ideal location for supporting the University's current campus needs for professional housing, as well as residential support for the planned Carolina North Campus.

9. Work toward a balanced transportation system

By design, the Residences at Grove Park bring more residents to the walkable Downtown environment. The proximity of these new residents to downtown should reduce overall automobile trips as well as providing the necessary density to properly support the growing bus system provided by Chapel Hill. More directly though, the improvements Grove Park brings to the pedestrian connections already on our site and the bus corridors it borders will encourage pedestrians, bikes, and bus ridership through out the area and be a model for other developments along the Martin Luther King Jr. Blvd transit corridor.

10. Complete the bikeway / greenway / sidewalk system

The new pedestrian and bicycle amenities provided by the Grove Park design are built specifically to provide connectivity to Downtown and encourage its revitalization. Along with the Downtown connections and our RCD improvements, we are dedicating a greenway easement to improve connectivity to the Bolin Creek Greenway system and other established pathways for the Town.

11. Provide quality community facilities and services

From the well-lit subterranean parking decks to the expansive green spaces and active recreation areas enjoyed by all our residences, the Grove Park project will improve the RCD and the currently clear-cut site to make it a model community for sustainable infill and renewal.

12. Develop strategies to address fiscal issues

By generating substantial new property tax revenue per annum for the region as well as additional sales taxes from nearby Downtown retailers, Grove Park gives Chapel Hill additional funding to address future fiscal issues without requiring additional infrastructure and service investments from the Town.

Request

For its support of all the major themes of the Comprehensive Plan as well as the newly established Town Council goals for this designation, we request that the Council support the proposed rezoning to the amended R-SS-C zoning designation and grant the Special Use Permit and Zoning Atlas Amendment for the Residences at Grove Park. With your approval, we will develop and construct this sustainable infill redevelopment and deliver to Chapel Hill a model project to welcome in its new era of growth, while protecting the rich history and stunning vistas it has always enjoyed in the past.

TOWN OF CHAPEL HILL - PROJECT FACT SHEET

www.townofchapelhill.org/planning/index.htm

A. IDENTIFICATION OF DEVELOPMENT Date:

Plans dated: 8 Feb 08 Tax Map 7, Block 81, Lot B.15 / B.8

Parcel Identification Numbers (PINs) 9788-49-1706 / 9788-49-4924 / 9788-39-4857 / 9788-39-4841

Name of Project: Residences at Grove Park (aka 425 Hillsborough Street)

Proposal Summary: Construct new condominium and town home buildings with approx. 306 condominium units and 40 town home units.

Use Group (Sec. 3.7-1): Multi-Family (Townhouses/Condos) Zoning District(s): Existing: R-4 & R-6 Proposed: R-SS-C

GROSS LAND AREA (Sec. 3.8-1) (See Attachment A)

Net Land Area (App. A)

NLA **(See Attachment A)**

◆ Choose one of the following, or a combination, not to exceed 10% of the net land area figure.

Credited Street Area (App. A) Total adjacent frontage x ½ width of the dedicated public right-of-way

CSA **(See Attachment A)**

Credited Open Space (App. A) Total adjacent frontage x ½ public or dedicated open space

COS NA

TOTAL: GROSS LAND AREA (Sec. 2.51) NLA + (CSA and/or COS) = GLA (not to exceed NLA + 10%)

GLA 563,346 s.f / 12.93 ac.
(See Attachment A)

REQUIRED LAND USE INTENSITY (Sec. 3.8-1, 5.5)

(For multiple zoning districts, please attach a separate sheet with calculations)

Floor Area Ratio

FAR 1.10 Maximum Floor Area (FAR x GLA)

MFA 523,063 sf
(See Attachment C)

Impervious Surface Ratios **(See Attachment A)**

• Low Density Option

ISR .24 Maximum Impervious Surface or (ISR x GLA)

MIS _____

• High Density Option

ISR .50 Maximum Impervious Surface or (ISR x GLA)

MIS 399,689 s.f
(See Attachment A)

• High Density Non Residential Option

SR .70 Maximum Impervious Surface or (ISR x GLA)

MIS _____

Recreation Space Ratio

RSR .05 Minimum Recreation Space (RSR x GLA)

MRS 28,167.3 SF

D. DIMENSIONAL MATRIX REQUIREMENTS (Based upon proposed plans)

DIMENSIONAL MATRIX REQUIREMENTS			Existing (sq.ft.)	Proposed (sq.ft.)	Total (sq.ft.)
Floor area	Floor Area on all Floors	FA	0	492,634	492,634
Principal Building Area	Floor Area on Ground Level	BA(1)	0	89,057	89,057
Garage Building Area	Enclosed Car Parking Area	BA(2)	0	19,463	19,463
Other Enclosed Building Area	Community Building, Storage, Etc.	BA(3)	0	0	0
Other Ground Level Building Area	Covered Porches, Breezeways, Car Parking (if underneath), Etc.	BA(4)	0	20,070	20,070
Building Area	BA(1)+BA(2)+BA(3)+BA(4)	BA	0	128,590	128,590
Basic Uncovered Area	GLA-BA	UA	NA	434,756	434,756
Recreational Space (Sec. 5.5)		RS	NA	28,845	28,845
Number of Seats			NA	NA	NA
*Gross Land Area with Impervious Surface (See Attachment A)			236,032	97,215	333,247
*Percentage of Gross Land area with Impervious Surface (Imper÷GLA) (See Attachment A)			41.90 %	29.70 %	59.15 %
*If Located in the Watershed Protection District, Percentage of Impervious Surface on July 1, 1993					NA %

*Only if lot is less than 21,780sq.ft.

LOT SIZE	Required By Ordinance	Existing / Proposed
Lot Size (Sec. 3.8-1)		
Lot width (Sec. 3.8-1)		
Street Frontage Width (Sec. 3.8-1)		

D. DIMENSIONAL MATRIX REQUIREMENTS (Cont.)

SETBACKS AND HEIGHT		Required By Ordinance	Existing / Proposed
Setbacks (Sec 3.8, Table 3.8-1)	Street	10'	10'
	Interior	0	0'
	Solar	N/A	N/A
Maximum Height (Sec. 3.8-1)	Primary	39'	39'
	Secondary	60'	90'

BUILDINGS/DWELLING UNITS	Required	Proposed	PARKING SPACES	Required *	Proposed*	Percent of Total Spaces *
Number of Buildings	NA	44	Regular Spaces	467-586	58	98.9%
Number of Floors	NA	3-6	Compact Spaces	0	0	0
Number of Dwelling Units	NA	346	Handicap Spaces	9-12	16	133%
Number of Efficiency Units	NA	0	Total Spaces	467-586	580	NA
Number of Single Bedroom Units	NA	74	Loading Spaces	0	0	NA
Number of 2 Bedroom Units	NA	239	Bicycle Spaces	58	110	186%
Number of 3 Bedroom Units	NA	31				
Number of 4 Bedrooms Units	NA	2				

(*See Attachment B)

E. LANDSCAPE BUFFERYARDS (Sec 5.6)

Location	Required Minimum Width	Proposed Width
1. North Property Line – Interior	10'	Minimum 10'
2. South Property Line – Interior	10'	Minimum 10'
3. West Property Line – Interior	10'	10'

UTILITIES (which applies)				
Water	Sewer	Electric Service	Telephone Service	Solid Waste Collection
OWASA <input checked="" type="checkbox"/>	OWASA <input checked="" type="checkbox"/>	Underground <input checked="" type="checkbox"/>	Underground <input checked="" type="checkbox"/>	Town <input checked="" type="checkbox"/>
# Well(s)	# Septic Tank(s)	Above Ground	Above Ground	Private
Community Well(s)	Comm. Package Plant			

*NOTE: Public water and sewer required if located inside Urban Service Boundaries.

Other	10 – 15%	>15-25%	>25%
Area in Slope Interval*	89,818 sf	108,221 sf	60,146 sf
Soil Type(s) On Lot	AuC, WmE, ApC, WmD		

• Only required for lots created after January 27, 2003.

G. ADJOINING or CONNECTING STREETS

STREET NAME	Right-of-Way Width	Pavement Width	No. of Lanes	Paved or Unpaved?	Existing Sidewalk (Yes/No)	Existing Curb/Gutter (Yes/No)
Martin Luther King Jr. Blvd.	100'	60'	5	Paved	Y	Y
Hillsborough Street	Variable	Variable	2	Paved	Y	Y

20 Feb 07
 Revised: 25 May 07
 Revised: 30 Nov 07
 Revised: 8 Feb 08
 Revised: 31 Jul 08 (To reflect 1,349 s.f. of additional sidewalk added)

Residences at Grove Park – Project Fact Sheet Attachment A

Item	Existing	Proposed
Gross Land Area		
Net Land Area (s.f.)	555,867	550,346
Credited Street Area (s.f.)		
CSA #1 (MLK)	4,506	4,506
CSA #2 (Hillsborough)	5,760	8,494
Gross Land Area (s.f.)	566,133	563,346
Impervious Cover Summary		
NLA Impervious (s.f.)	229,657	322,246
CSA Impervious		
CSA #1 (MLK)	3,932	4,207
CSA #2 (Hillsborough)	2,443	6,794
GLA Impervious (s.f.)	236,032	333,247

Maximum Impervious Surface:

Gross Land Area	563,346 s.f.
<u>Existing Impervious</u>	<u>236,032 s.f.</u>
Total Uncovered Area	327,314 s.f.

Maximum Impervious Surface in Uncovered Area
 = Total Uncovered Area x 50% (ISR) = 163,657 s.f.

Total Maximum Impervious Surface
 = Maximum Impervious Surface in Uncovered Area + Existing Impervious
 = 163,657 + 236,032 = 399,689 s.f.

333,247 s.f. < 399,689 s.f. [OK]

Impervious Surface %

New Impervious Cover:

= Proposed GLA Impervious – Existing GLA Impervious
 = 333,247 – 236,032 = 97,215 sf

Gross Land Area to be Used for Impervious % Calculation
(excludes impervious cover that existed on the site as of January 27, 2003):

= Proposed GLA – Existing GLA Impervious
= 563,346 – 236,032 = **327,314 sf**

% of GLA with Impervious Surface

= New Impervious Cover / 327,314 sf
= 97,215 / 327,314 = **29.70%**

RCD Impervious Summary:

RCD Zone	Area (s.f.)	Impervious Surface Ratio*	Allowed Impervious Surface (s.f.)	Existing Impervious Surface (s.f.)	Proposed Impervious Surface (s.f.)	
Streamside	48,250	0.10	4,825	4,305	3,528	
Managed Use	48,377	0.20	9,675	8,843	3,539	
Upland	46,335	0.20	9,267	12,395	24,430	
	142,962		23,767	25,543	31,497	

RCD Disturbance Summary:

RCD Zone	Area (s.f.)	Disturbance Area Ratio*	Allowed Disturbance (s.f.)	Existing Disturbance (s.f.)	Proposed Disturbance (s.f.)	
Streamside	48,250	0.20	9,650	15,263	9,270	
Managed Use	48,377	0.40	19,351	34,541	10,161	
Upland	46,335	0.40	18,534	48,525	37,955	
	142,962		47,535	98,329	57,386	

* Per Table 3.6.6-3: Dimensional Regulations in RCD

Residences at Grove Park – Project Fact Sheet Attachment B

D. Dimensional Matrix Requirements

Vehicular Parking Spaces

<u>Required</u>	<u>Minimum</u>	<u>Maximum</u>
One Bedroom Units = 74	$74 \times 1.00 = 74$	$74 \times 1.25 = 92.5$
Two Bedroom Units = 239	$239 \times 1.40 = 334.6$	$239 \times 1.75 = 418.25$
Three Bedroom Units = 31	$31 \times 1.75 = 54.25$	$31 \times 2.25 = 69.75$
Four Bedroom Units = 2	$2 \times 2.00 = 4.00$	$2 \times 2.50 = 5.0$
	TOTAL = 467 Spaces	TOTAL = 586 Spaces

<u>Provided</u>		<u>Percent of Total Provided</u>
Parking Decks	390 (Includes 9 ADA/Handicap)	(67.2%)
Town Home Garages	63 (23-2 Car Garages + 17 One-Car Garages)	(10.9%)
Surface Lots/On-street	127 (Includes 7 ADA/Handicap)	(21.9%)
	TOTAL = 580 (Includes 16 ADA/Handicap)	(100%)

Bicycle Parking Spaces

Required
 1 Space/6 Dwelling Units = $346 \text{ Dwelling Units} / 6 = 58 \text{ Spaces}$
 90% Class I = $58 \times 0.90 = 52$
 10% Class II = $58 \times 0.10 = 6$

Provided
 Parking Deck 60
 Town Home Garages 40
 TOTAL CLASS I = 100
 Surface 10
 TOTAL CLASS II = 10
 TOTAL PROVIDED = 110

29 Jul 08

Residences at Grove Park – Project Fact Sheet Attachment C - FAR Calcs

	<u>Existing</u>	<u>Proposed</u>
Gross Land Area Calculation:		
Net Land Area (s.f.)	555,867	550,346
Credited Street Area (s.f.)		
CSA #1 (MLK)	4,506	4,506
CSA #2 (Hillsborough)	5,760	8,494
Gross Land Area (s.f.)	566,133	563,346

Maximum Floor Area Allowed (= Max FA Outside RCD + RCD FA Allowance)

1. Max Floor Area Outside RCD

$$= (\text{Gross Land Area} - \text{RCD Area}) \times \text{FAR}^{**}$$

$$= (563,346 \text{ s.f.} - 142,962) \times 1.10 = \mathbf{462,422 \text{ s.f.}}$$

** As proposed

2. RCD Floor Area Allowance

RCD Zone	Land Area (s.f.)	Floor Area Ratio*	Max. Floor Area Allowed (s.f.)
Streamside	48,250	0.01	482
Managed Use	48,377	0.19	9,191
Upland	46,335	1.10** (Same as Underlying Zoning)	50,968
	142,962		60,641

* Per Table 3.6.6-3: Dimensional Regulations in RCD

** As proposed

3. Maximum Floor Area Allowed

$$= \text{Max Floor Area Outside RCD} + \text{RCD Floor Area Allowance}$$

$$= 462,422 + 60,641 = \mathbf{523,063 \text{ s.f.}}$$

Total Floor Area Proposed for Residences at Grove Park = 492,634 s.f.

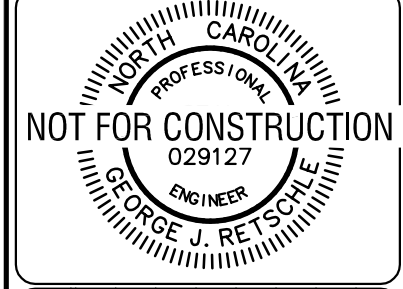
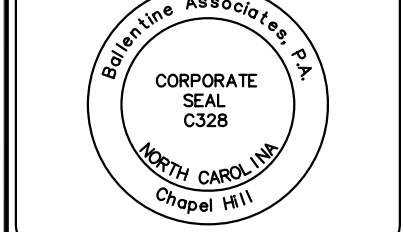
492,634 < 523,063 (OK)

NOTES

1 ALL INFORMATION SHOWN ON THE SUBJECT PROPERTIES WAS OBTAINED FROM A FIELD SURVEY PERFORMED BY BALLENTINE ASSOCIATES.

BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481

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DATE	REVISIONS

OWNER INFORMATION
SAM DEVELOPMENT CO.
516 WEST PEACE STREET
RALEIGH, NC 27603

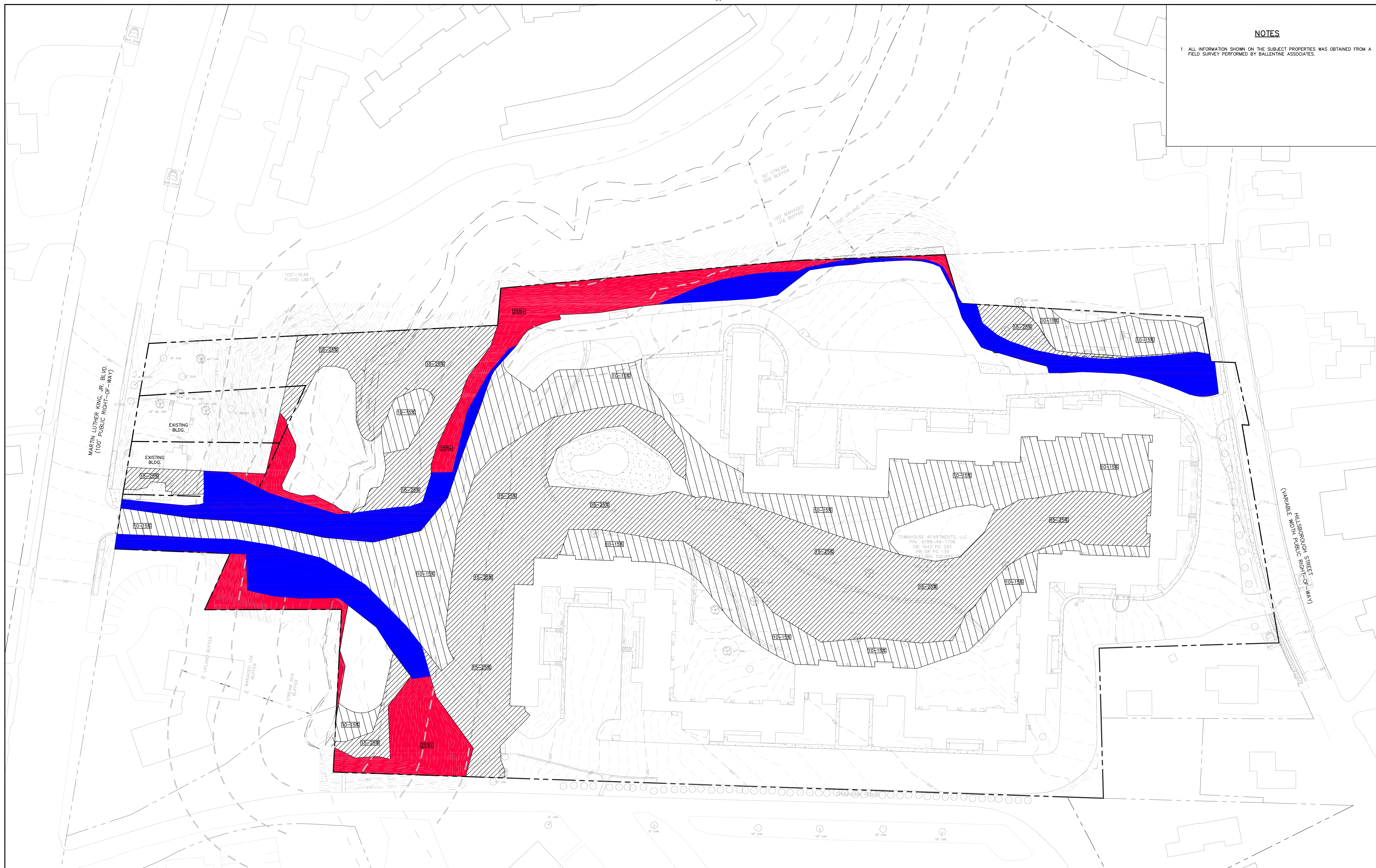
OWNERS REPRESENTATIVE:
JOHN FLORIAN
PH: (919) 834-5595
FAX: (919) 834-1509
EMAIL: jflorian@samdevelopment.com

DATE	ISSUED

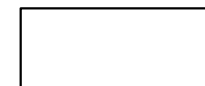



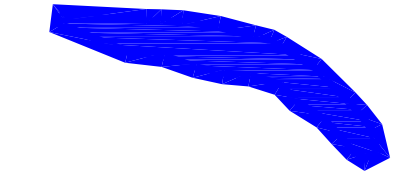
RESIDENCES AT GROVE PARK
CHAPEL HILL, NORTH CAROLINA
SPECIAL USE PERMIT DRAWINGS

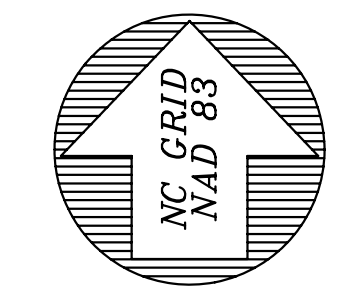
JOB #: 106008.00
DATE: 21 APR 08
SCALE: AS NOTED
DRAWN BY: G.J.R.
REVIEWED BY: G.J.R.

SHEET
C-SA.02

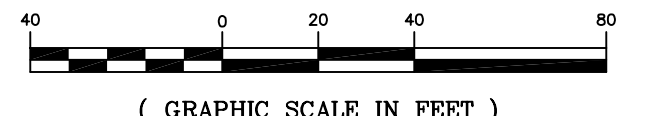


LEGEND

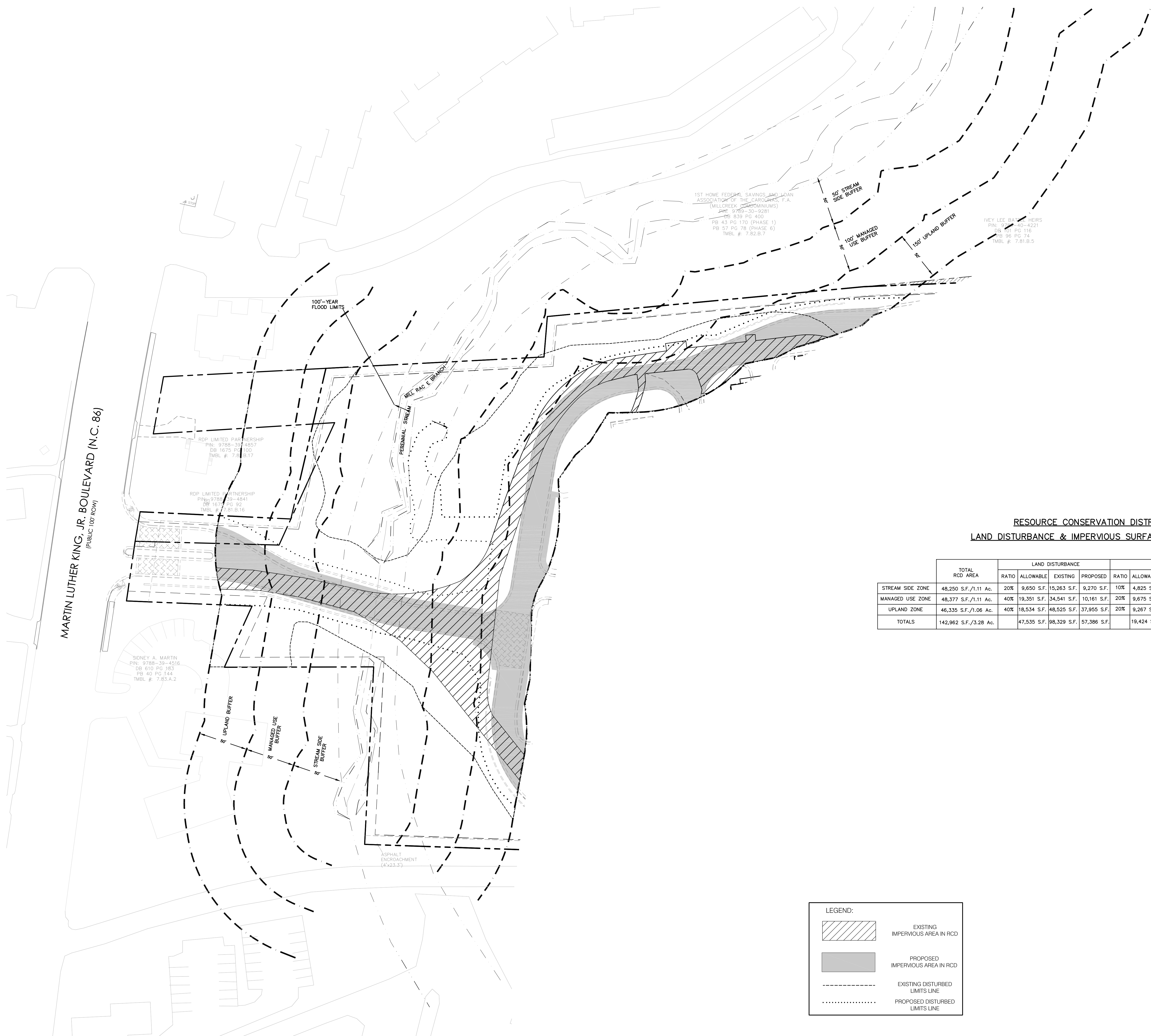
-  SLOPES LESS THAN 10%
-  SLOPES BETWEEN 10% AND 15%
-  SLOPES BETWEEN 15% AND 25%
-  SLOPES 25% AND GREATER (TOTAL AREA ON SITE = 62,462 S.F.)
-  PROPOSED DISTURBANCE TO SLOPES GREATER THAN 25% (TOTAL AREA = 33,244 S.F. = 53% OF TOTAL AREA OF 25% SLOPES)



STEEP SLOPE EXHIBIT



REVIEW DRAWING
NOT FOR CONSTRUCTION

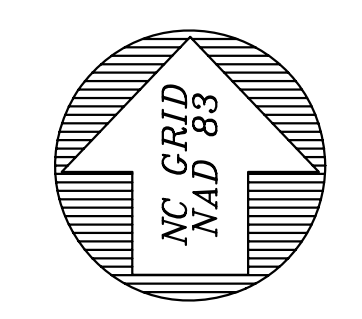


**RESOURCE CONSERVATION DISTRICT
LAND DISTURBANCE & IMPERVIOUS SURFACE SUMMARY**

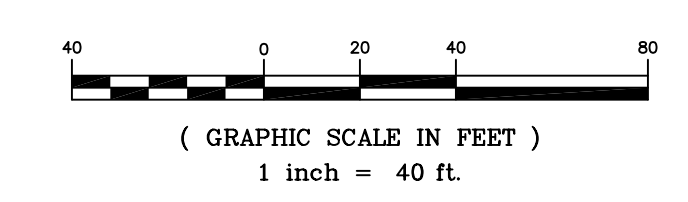
	TOTAL RCD AREA	LAND DISTURBANCE			IMPERVIOUS SURFACE						
		RATIO	ALLOWABLE	EXISTING	PROPOSED	RATIO	ALLOWABLE	EXISTING	PROPOSED	PROPOSED	
								SIDEWALK	STREET	TOTAL	
STREAM SIDE ZONE	48,250 S.F./1.11 Ac.	20%	9,650 S.F.	15,263 S.F.	9,270 S.F.	10%	4,825 S.F.	4,305 S.F.	574 S.F.	2,954 S.F.	3,528 S.F.
MANAGED USE ZONE	48,377 S.F./1.11 Ac.	40%	19,351 S.F.	34,541 S.F.	10,161 S.F.	20%	9,675 S.F.	8,843 S.F.	612 S.F.	2,927 S.F.	3,539 S.F.
UPLAND ZONE	46,335 S.F./1.06 Ac.	40%	18,534 S.F.	48,525 S.F.	37,955 S.F.	20%	9,267 S.F.	12,395 S.F.	1,516 S.F.	22,914 S.F.	24,430 S.F.
TOTALS	142,962 S.F./3.28 Ac.		47,535 S.F.	98,329 S.F.	57,386 S.F.		19,424 S.F.	25,543 S.F.	2,702 S.F.	28,795 S.F.	31,497 S.F.

LEGEND:

- EXISTING IMPERVIOUS AREA IN RCD
- PROPOSED IMPERVIOUS AREA IN RCD
- EXISTING DISTURBED LIMITS LINE
- PROPOSED DISTURBED LIMITS LINE

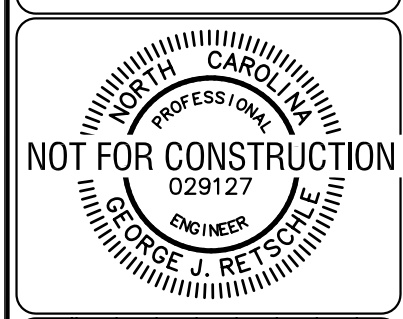
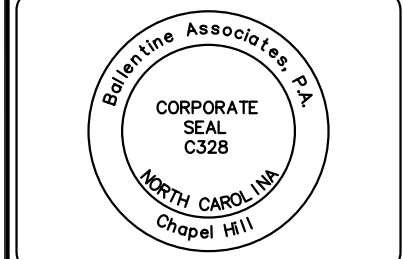


RCD IMPERVIOUS EXHIBIT



**REVIEW DRAWING
NOT FOR CONSTRUCTION**

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DATE	REVISIONS
31 NOV 07	PER CHAPEL HILL POST-DRG COMMENTS
31 FEB 08	FINAL REVISIONS PROPOSED IMPERVIOUS
31 JUL 08	ADDITIONAL SIGNATURE ADDED

DATE	ISSUED
23 MAR 07	RESUBMITTAL TO TOWN OF CHAPEL HILL
18 FEB 08	RESUBMITTAL TO TOWN OF CHAPEL HILL
31 JUL 08	TO TOWN OF CHAPEL HILL

OWNER INFORMATION
RAM DEVELOPMENT CO.
516 WEST PEACE STREET
RALEIGH, NC 27603

OWNERS REPRESENTATIVE:
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PH: (919) 834-5595
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EMAIL: jflorian@ramdevelopment.com

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23 MAR 07	RESUBMITTAL TO TOWN OF CHAPEL HILL
18 FEB 08	RESUBMITTAL TO TOWN OF CHAPEL HILL
31 JUL 08	TO TOWN OF CHAPEL HILL

RESIDENCES AT GROVE PARK
CHAPEL HILL, NORTH CAROLINA

SPECIAL USE PERMIT DRAWINGS

JOB #: 106008.00
DATE: 20 FEB 07
SCALE: AS NOTED
DRAWN BY: S.R.
REVIEWED BY: G.J.R.

*Pamela J. Davis
Davis Appraisal Services
121 Oldham Place
Chapel Hill, NC 27516
919-942-0396*

October 20, 2008

Mr. Jonathon Keener
Ram Development
126 West Franklin Street
Chapel Hill, North Carolina 27516

Dear Mr. Keener:

The purpose of this letter is to provide you and the Town of Chapel Hill with my professional opinion regarding the Town's Finding #3 in a Special Use Permit consideration for the proposed Grove Park development project.

In providing this opinion, I draw on my more than twenty years of experience as a residential real estate appraiser serving the Chapel Hill – Carrboro community and surrounding area. I am a North Carolina State-Certified Residential Real Estate Appraiser (License #A76) and have appraised over 10,000 properties in this area. This includes single family homes, condominiums and vacant land. I have previously provided appraisal services under contract to the Town of Chapel Hill on a number of occasions.

The project is proposed to be located on the site of the existing Townhouse Apartment complex, located between Martin Luther King Jr. Boulevard and Hillsborough Street (Tax Map 7.81.B.15). I have visited the project site and have completed a thorough review of the site, buildings and floor plans for the proposed project.

The project plans involve demolition of the existing Townhouse Apartments complex and site improvements, and redevelopment of the site with a new 300-unit residential development that will consist of individually-owned townhomes and condominiums. There will be on-site parking with most of it to be located beneath the units in structured garages. A swimming pool will also be constructed on the site. The developer projects that the selling prices will be in the range of \$300,000 to \$400,000. The penthouse and larger units will be priced above the upward end of this price range.

The Townhouse Apartments complex was built in the 1960's. The apartments are of average quality with basic finishes. They were apparently constructed primarily to provide housing for students attending the University of North Carolina at Chapel Hill.

Based on my inspection of the exterior of the buildings, they are in fair to average condition and show considerable wear and signs of deferred maintenance. Many of the roofs need repaired or replaced. The grounds have little landscaping and appear to have minimal maintenance. There are abandoned air conditioning units sitting outside several buildings. The overall look of the property is dated and deteriorated, thereby detracting from the overall appeal of the neighborhood.

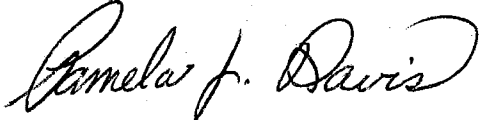
Mr. Jonathan Keener
October 20, 2008
Page 2

The proposed Grove Park development is to be new construction with brick, stone and hardi-plank exteriors. The units are to be sold individually; therefore, they are proposed to be constructed to higher standards than typical apartment units. The interiors are proposed to be nicely appointed, and should appeal to a range of people. The exterior green spaces are to be preserved and enhanced with walkways and landscaping. The buildings are intended to be constructed to a height that is below the tree line of surrounding areas. Entryways on Hillsborough Street are to be redesigned and improved.

In my opinion, the project will be aesthetically appealing and definitely an improvement compared to the existing apartment complex. I believe this more upscale project will enhance the value of the surrounding area, thereby positively affecting the nearby and adjoining properties.

Please contact me by phone (919-942-0396) or email (pdavisappraiser@mindspring.com) if you have any follow-up questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Pamela J. Davis". The signature is written in dark ink and is positioned below the word "Sincerely,".

Pamela J. Davis
Davis Appraisal Services

Borrower Grove Park Development

Property Address Hillsborough Street

City Chapel Hill

County

Orange

State NC Zip Code

Lender/Client Development Manager

Address Ram Development and Realty Services, 126 West Franklin Street

State of North Carolina



North Carolina Real Estate Commission

PAMELA J. DAVIS

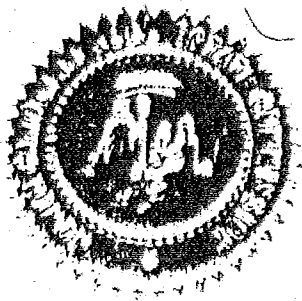
having satisfied the North Carolina Real Estate Commission and the North Carolina Real Estate Appraisal Committee regarding the qualifications to practice as a Residential Real Estate Appraiser in this State and having complied with the requirements prescribed by law, is hereby certified as a

State-Certified Residential Real Estate Appraiser

Given under and by virtue of the provisions of Article 5 Chapter 93A of the General Statutes of North Carolina, I hereunto set my hand and seal of the North Carolina Real Estate Commission at Raleigh on the date below shown:

This certificate shall expire on the 30th day of June following the date shown below unless renewed prior to expiration.

January 1, 1991



Phillip T. Fisher
Phillip T. Fisher
Executive Director

NORTH CAROLINA APPRAISAL BOARD
APPRAISER QUALIFICATION CARD
Expires June 30, 2009

REGISTRATION	LICENSE	CERTIFICATE HOLDER
08	PAMELA J. DAVIS	09
A76		Y
APPRAISER NUMBER		NATIONAL REGISTRY

Pamela J. Davis

October 15, 2008

To Whom It May Concern:

Per a request from Jonathon M. Keener of Ram Development, I am providing a letter of opinion in an effort to respond to the Town of Chapel Hill's Finding #3 with regard to the redevelopment of the property at 425 Hillsborough Street to be known as Residences at Grove Park.

Finding #3: That the use or development is located, designed and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.

A review of materials provided by the developer included a proposed Site Plan, elevation drawings of the buildings, a verbal description and overview of the project, as well as a site visit.

Currently Town House Apartments are minimal quality units built approximately 40+ years ago and are predominant occupied by undergraduate students. The property is minimally maintained with evidence of some neglect.

Surrounding properties include Northampton Terrace (recently renovated), Northampton Plaza (high rise), and Mill Race condos. All are primarily student rentals and in a moderate price range. There are some lower end apartments within a short distance on Hillsborough Street. An empty sorority building is located directly across the street. Additionally, there are about 20 single family residences on either side of the property, all of modest size/value. The Gables condominiums are somewhat higher value properties than the other nearby units.

The proposed Grove Park project will have similar type product as surrounding properties with a mix of both townhouse and condominiums with a value range of \$200,000 to \$800,000 (per developer). The product will be new, average to good quality, and a higher price point than most other surrounding product. A positive feature of the project provides for the majority of parking to be under building (380-400 spaces) and approximately 120 surface parking spaces. Units facing the Hillsborough Street side will have architecture design in keeping with a more historical style to blend with those properties along that street in or adjacent to the Historic District. The 4-6 level buildings will be placed on the lower elevation of the property to minimize visual height and will be located near same type buildings (Gables, Northampton Plaza). This plan assists to maintain and enhance the value of contiguous properties.

There are limited units within the Chapel Hill area, and particularly in the downtown area that are in an affordable range. These units in the \$200,000-\$300,000 range will meet that need and provide a necessary product that will fill a void in the real estate market. While the real estate market is somewhat soft at this time, there will be a great need as the future Chapel Hill North develops. This location and price point will fill that need appropriately. The location is on a public transportation route which further enhances the desire for development in this location.

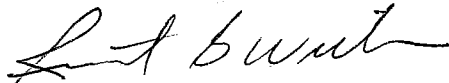
Finally, specific things that cause decreased value of residential properties are: environmental hazards, noise and nuisance, and safety issues. The proposed project of Residences at Grove Park will not present or create any of these issues. The large question in my mind is whether the surrounding properties limit value of the proposed project.

Additional enhancements to the immediate neighborhood include the project facilitating joining the greenway system across the property's RCD area. Also, adjoining homeowners complain about trespassers on their property from the existing tenants at Town House Apartments. Residences at Grove Park will attract a different clientele that is less likely to use neighborhood properties or ingress and egress.

In my opinion the development of the project Residences at Grove Park will be a positive enhancement to the neighborhood specifically and the Chapel Hill market in general.

Please don't hesitate to call me with any questions.

Sincerely,



Ruth B. Williams
State Certified Real Estate Appraiser
North Carolina
A3782

