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The Residences  
at  
Chapel Hill North

A Crosland Residential Community

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# The Residences at Chapel Hill North

## Residential Development Program

Crosland Inc. proposes a residential development of 123 rental dwelling units on the 12.97-acre site located immediately to the east of the existing retail development in Chapel Hill North.

The site design for the proposed development has evolved thru 2 concept plan review steps (2003 & 2005) and has been reviewed several times by town staff. Department Head Review notes and comments have been provided to the applicant and reviewed by the applicant and its design team. Many of their suggestions were incorporated into the design.

The Special Use Permit application is for the development of 123 dwellings units of different types to provide several occupancy and life style choices.

### **24 Townhomes**

- ✓ 12 Units in 2 buildings with garages
- ✓ 12 Units in 2 buildings without garage parking.

### **99 Flats**

- ✓ 2 buildings: each containing 3 floors of 8 dwellings with parking underneath
- ✓ 1 building with 51 dwellings on 3 floors and a clubhouse facility with parking underneath

### **Density**

The applicant is proposing a density of 9.5 dwelling units per acre (123 units divided by 12.97 acres). The maximum density for a residential development within Mixed Use Development of 20 acres or larger is 15 units per acre.

### **Affordable Housing**

It is the policy of the Chapel Hill Town Council to have all new residential development provide housing affordable to households with incomes at 80% of the area median. The amount of housing is targeted at fifteen percent (15%0 of the total amount of development.

The applicant originally proposed and continues to propose to comply with the current Town policy of providing Inclusionary affordable housing within The Residences at Chapel Hill North, unless the Town Council believes a different solution is appropriate for this application.

Because there is only one other rental development with affordable housing included within it, Chapel Ridge, a student housing community, no successful model for Inclusionary rental housing for the non student market exists in Chapel Hill. The applicant is prepared to work with the Town to find a successful model.

### **Parking**

The Town parking standards in the LUMO establish a minimum required amount of parking of 191 spaces. Town Council Policy is that the total provided parking should be limited to 110% of the minimum. This would establish an expectation of 210 parking spaces for the site, or 1.7 parking spaces per dwelling unit. This is a low amount per unit for residential developments that include Townhomes.

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The applicant proposes 242 parking spaces with 111 (45%) of the total spaces located under three buildings with flats (99) or enclosed in Townhomes (12) with living space above the garages. This design results in only 55% of the parking spaces being surface parking (open or in freestanding garages of 4-5 spaces per building).

The Council has encouraged development to reduce impervious surfaces by placing parking under buildings and has looked favorably on some developments which have had more than the minimum amount of parking when designed similarly to the applicant's proposal.

Thus the applicant believes that the proposal meets the goals and objectives of the Town.

### **Chapel Hill North – Phase II Special Use Permit**

***The Residences at Chapel Hill North*** is proposed as a Phase II Special Use Permit in the approved Chapel Hill North Mixed Use Development. Residential, Business-Office Type, Business-General, Clinic, and other uses are permitted to be mixed - either horizontally or vertically - within an Approved Master Land Use Plan development.

Table I below shows the amount of development by Floor Area by type approved in the Chapel Hill North Master Plan and the amount of development approved and developed in a Phase I Special Use Permit. It also shows the amount of residential development proposed for this Phase II Special Use Permit, the balance available for future development, and the mixture of uses that would obtain if the Crosland Inc. proposal is approved.

### **Chapel Hill North – Phase I Special Use Permit – Partial Revocation**

Because part of the land area included in the Crosland Inc. proposal is located within the Phase I Special Use Permit, a partial revocation for the Phase I Special Use Permit is part of this application.

LUMO **Section 4.5.5(f0(2) Revocation of Special Use Permit** allows the Town Council to revoke in whole or in part an approved Special Use Permit if "the request is made in conjunction with an application for approval of a development other than that authorized by the Permit. . ." and "the proposed development as approved by the Town Council incorporates adequate consideration of the site's already disturbed land area in its design and previous commitments made under the Special Use Process."

Harris Teeter Properties, Inc., the holder of the Phase I Special Use Permit is a co-applicant with Crosland, Inc. in the request for partial revocation of the Phase I Special Use Permit.

Both applicants believe that the proposed Phase II SUP and the Proposed Phase 1 SUP Partial Revocation satisfy the LUMO requirements and that the Council can act to grant the Partial Revocation requested for the Phase I SUP.

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Table 1  
Floor Area of Development with Crosland Inc. Residential

Land Use	Master Plan 1990	Constructed & Occupied Phase I SUP	Crosland Inc. Proposed Residential	Balance for Future Development	Proposed New Master Plan Total Development
Office	374,200	102,713	0	132,000	234,713
Retail	259,200	147,897	0	50,000	197,807
Residential	0	0	200,800'	0	200,800
<b>Total</b>	<b>633,400</b>	<b>250,520</b>	<b>200,880</b>	<b>182,000</b>	<b>633,400</b>

### **MU-OI-1 District Intent and LUMO Text Amendments Proposed by Applicant**

#### *District Intent*

It was always the intent of the regulations of this district to encourage the development of mixed-use sites with opportunities for both vertical and horizontal arrangements of Office, Clinic, General Business, and residential uses within coordinated developments in excess of 20 acres. When the MU-OI-1 District was adopted in the late 1980's the emphasis was on having a small proportion of the site used for retail, general business, and office uses, with a larger percentage of the site used for office uses. The proportions adopted at that time were to have office uses in a mixed-use development be between 60-85% of total development floor area and residential and general business uses between 15-40% of the development.

Since the approval of the Chapel Hill North Mixed Use Development in 1990, we have learned that a more balanced (even) mixture of office, retail, and residential uses is probably desirable. The current Crosland Proposal, supported by Harris Teeter Properties Inc., would result in a final mix of approximately 38% office, 31% retail, and 32% residential as shown in the table below.

Table 2  
Chapel Hill North Proposed Mix of Uses

Land Use	1990 Master Plan	Constructed & Occupied	Crosland Phase II Development	End Phase II Development	Future Development Potential	Revised Total Development
Office	374,200 59%	102,713 41 %		102,713 23% Total	132,000	234,713 37% Total
Retail	259,200 41%	147,807 59%		147,807 33% Total	50,000	197,807 31% Total
Residential		0	200,880 123 DU	200,880 44% Total		200,880 32% Total
<b>TOTAL SF</b>	<b>633,400</b>	<b>250,520</b>	<b>200,880</b>	<b>451,400</b>	<b>182,000</b>	<b>633,400</b>

<sup>1</sup> 123 dwellings with an average floor area of 1,663 SF. About 20% of this total area is for common indoor floor area for hallways, elevators, stairs, and the proposed clubhouse and exercise facilities in the primary building.



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### Proposed Text Amendments

Crosland Inc., the applicant for the proposed residential development component of the Chapel Hill North Mixed Use Development, and Harris Teeter Properties, the holder of the valid Master Plan for Chapel Hill North, propose 1 text change of substance and 1 minor text change to correct an internal ordinance section reference that appears to be an editing error at the time of the adoption of the LUMO.

The proposed substantive text amendment would permit the existing office percentage bracket of between 60–85% to be used for: 1) office uses, 2) "clinic" uses, and 3) residential uses. At the present time "clinic" uses (of which there are several in the office buildings in Chapel Hill North) are neither office nor retail-commercial and fall within a grey zone with regard to use percentages. Town staff have indicated throughout the Concept Plan review and SUP review process that including clinic uses within the percentage of floor area counted as office would substantially improve their ability to manage the process of approving routine use changes within the approved existing development at Chapel Hill North.

If the text amendments were approved as proposed, Chapel Hill North would comply with the proposed new 60–85% bracket for uses at the end of Phase II as well as at the end of total buildout. This is shown in the previous table. At the end of Phase II the Office, Clinic, Residential uses would be about 67% of the total development at that time. At full buildout the percentage relationships would be about the same.

The text changes needed to adjust the percentage relationship as described are highlighted in **Bold and underlined** and shown in the copied text below:

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#### (e) ***Permitted Uses and Development Intensities\* Mixed Use-OI-1***

- (1) The uses permitted in the Mixed Use 01-1 Zone, except in situations described in subsection (2) below, are single and two family dwellings, and those other non-residential uses listed in Section 3.7 as permitted in the OI-1 zone, except that "Medical Aircraft Hangar" is not permitted. The land use intensity ratios, setbacks, and height limitations that apply in the Mixed Use Zone, except in situations described in subsection (2) below, are those that apply to the 01-1 zone, as set forth in Section 3.8.
- (2) If development of property in a Mixed Use-01-1 zone is proposed, and the proposal meets all of the following thresholds, then the set of permitted use and intensity regulations described in subsection (3) shall apply. Those thresholds are:
  - A. Minimum lot size of 20 contiguous acres (may include parcels on both sides of a street).
  - B. Uses proposed in one of the following combinations:
    - Office, Commercial, and Residential uses
    - Office and Commercial uses
    - Office and Residential uses.



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- C. At least 60% of floor area devoted to "business, office-type" uses, **"clinic" uses and residential uses**, as defined in this Land Use Management Ordinance.
- D. No more than 85% of the floor area **shall be** devoted to "business, office-type" uses, **"clinic" uses and residential uses, as defined in this Land Use Management Ordinance.**

The minor edit change is a section reference correction and is shown in the following text excerpt.

- F. For the portions of a site devoted to residential development, the density limitations described in Section ~~3.7~~ **3.8, Table 3.8-1 Column C** for the R-5 zone shall apply.

**Alternative Buffers**

In order to accommodate the existing Chapel Hill North development and the existing utility easements, alternative buffers are proposed for a portion of the western property line and the southern property line.

Buffer requirements and proposals are as follows:

<b>Location</b>	<b>Required Buffer</b>	<b>Proposed Buffer</b>
Northern Property Line	Type E – 100 feet	Type E – 100 feet
Eastern Property Line	Type C – 20 Feet	Type C – 20 Feet
Southern Property Line	Type C – 20 Feet	Alternative Type C 30 Feet
Western Property Line Southern Portion	Type C – 20 Feet	Type C – 20 Feet
Western Property Line Northern Portion	Type C – 20 Feet	Alternative Type C

Existing easements affect both the southern and western property lines.

The southern alternative buffer is proposed to be placed within the Duke Power easement and to wrap the parking spaces abutting the drive aisle as required by Duke Power. Plant materials are those approved by Duke Power for use within their easements. Because the Duke Power approved plants do not include Large Trees (35' in height at maturity) the applicant proposes the additional 10 feet of buffer width and an increase in the quantity of both small trees and shrubs.

The northern portion of the western buffer is an area compromised by existing OWASA easements and storm water management easements. Therefore, an alternative buffer is proposed that places LUMO required plant materials where possible outside the easements and plant materials approved by OWASA inside easement areas. Because the northwestern corner of the site is the lowest spot on the site, it contains the stormwater management basin and other facilities. In this area the alternative buffer is located adjacent to the parking areas and drive aisle to visually screen these area.

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### **Relation to Major Transportation Facilities (LUMO §6.181(b))**

The proposed development has access via Perkins Road to both Weaver Dairy Road and MLK Jr. Blvd., major streets in Chapel Hill. No access to the site is proposed from residential streets in other residential neighborhoods.

- Access and Circulation

Access to ***The Residences at Chapel Hill North*** is provided from Perkins Road, an existing public road that serves the existing offices and retail development at Chapel Hill North.

Duke Power has indicated that they will not permit either a public roadway intersection or a drive aisle and public road connection to Old University Station Road under its transmission lines. (See attached letter from Duke Power.)

However, the site design does make it possible for a future connection to be made to the abutting property to the east. A concept plan for this site for 374 multi-family dwelling units was submitted to the town on September 19, 2006.

To account for emergency service access needs, the entrance roundabout and the side loop road that serves the mail kiosk are designed to permit multiple paths for emergency vehicles.

- Traffic Impact Analysis – An Update

The TIA prepared by *RS&H* in June 2004 assumed a development of 190 dwelling units and included a connection from the development to Old University Station Road.

The current proposal of 123 dwelling units represents 64.7% of the 190 units. Traffic generated from the proposal should therefore be reduced by about 35% from the amount estimated in the *RS&H* analysis. Thus total trips should be reduced from 1,360 per day to about 880 per day.

The original application contained a proposed connection to Old University Station Road within the Duke Energy Easement. The *RS&H* analysis determined that a very minor amount of traffic would enter/exit the site from Old University Station Road and that this small amount of traffic would make left turns onto Weaver Dairy Road – until Weaver Dairy is improved by NCDOT and a median barrier is constructed the eliminates the possibility of left turns. The study concluded that for traffic flow and access purposes that no connection to Old University Station Road was needed.

Without this exit option, traffic will enter the larger roadway system at the traffic signal controlled intersection of Perkins Drive and MLK Jr. Blvd. The traffic diverted from Old University Station Road to the MLK Jr. Blvd. intersection would be about 8 trips; noon peak about 6 trips; and PM peak trips about 3 trips. This limited additional traffic is well within the capacities of the Perkins Intersection with the light timing changes recommended by *RS&H*.

Crosland Inc. has authorized (and is paying for) an update of the 2004 TIA by the Town's Consultant Engineer. This report will be available shortly.

### **SUMMARY**

The proposed development of 123 dwellings will support the mixed-use concept for this location that is part of the Land Use Element of the Town of Chapel Hill Comprehensive Plan.

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### **Required findings for approval the proposed residential development.**

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The Residences at Chapel Hill North is proposed to be a Planned Development-Housing application that is approved as a Special Use Permit within an approved Master Plan. The Chapel Hill Land Use Management Ordinance contains standards and findings that must be made by the Town Council for the approval of this application. These requirements and findings are addressed below.

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### **SPECIAL USE PERMIT FINDINGS**

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Section 4.5.2(a) of the Town of Chapel Hill Land Use Management Ordinance states:

*"No Special Use Permit shall be recommended by the Town Manager or Planning Board for approval and no Special Use Permit shall be approved by the Town Council unless each of the following findings is made concerning the proposed special use or planned development:*

*(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;*

*(2) That the use or development complies with all required regulations and standards of this Chapter, including all applicable provisions of Articles 3 and 5, the applicable specific standards contained in the Supplemental Use Regulations (Article 6), and with all other applicable regulations;*

*(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; and*

*(4) That the use or development conforms with the general plans for the physical development of the Town as embodied in this Chapter and in the Comprehensive Plan."*

Section 4.5.2(b) of the Town of Chapel Hill Land Use Management Ordinance states:

*"In the case where a Special Use Permit is requested for a parcel of land covered by an approved and valid Master Land Use Plan (as defined in Section 4.8.1) and the proposed development is consistent with the Master Land Use Plan, then a rebuttable presumption shall be established that the Town Council can make findings (1), (2), and (4) above."*

Because the original Master Land Use Plan for Chapel Hill North did not contain residential development and because Harris Teeter Properties Inc., the holder of the MLUP for Chapel Hill North, is requesting a revocation of the part of the Phase I Special Use Permit that is within the applicants site, the provisions of Section 4.5.2(a) appear to be applicable for the proposed Special Use Permit and that the provisions of Section 4.5.2(b) are not applicable.

The applicant provides the following information in support of the required Special Use Permit findings.

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STATEMENT OF JUSTIFICATION - SPECIAL USE PERMIT

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The applicant submits the following information and material as evidence that the proposed residential development meets the Special Use Permit as required.

- (1) That the use or development is located, desianed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

*The Residences at Chapel Hill North is located within an area designated for mixed-use development on the Comprehensive Plan's Land Use Plan. The mixed-use zoning district applied to this location and contained within the Land Use Management Ordinance permits and promotes residential development as one component of mixed use areas with office and retail uses also permitted.*

- ✓ *The addition of a residential population in this location supports the nearby retail and office uses by providing pedestrian access to a number of neighborhood retail services in the Chapel Hill North development as well as the Timberlyne Shopping Center on the south side of Weaver Dairy Road. This situation promotes both internal and external vehicular trip reduction.*
- ✓ *The residential population will have ready access to an existing bus routes on Perkins Drive at a bus stop and shelter that is located at the entrance to the proposed development.*
- ✓ *Perkins Drive, which was developed as part of the Phase I Special Use Permit for Chapel Hill North was designed to provide access and handle the traffic from the applicants parcel of property. The previously allocated development of this site was for retail and office uses at high densities that would have generated more traffic than the current residential proposal. Therefore, the applicant is using less of the capacity of the existing system than he was otherwise entitled to use according to the approved Master Land Use Plan for Chapel Hill North.*
- ✓ *In accordance with Planned Development – Housing standards and requirements for NOT connecting to streets in existing residential neighborhoods, the applicant is not proposing to connect the development to Old University Station Road.*

*All of these situations and conditions serve to maintain the public health, safety, and general welfare.*

- (2) That the use or development complies with all required regulations and standards of this Chapter, includina all applicableprovisions of Articles 3 and 5, the applicablespecific standards contained in the Supplemental Use Reaulations (Article 6), and with all other applicable reaulations;

*Article 3. Zoning Districts. Uses. and Dimensional Standards establishes use, intensity and dimensional standards. If the proposed text amendments are approved by the Town Council, the proposed application meets all of these standards.*

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Article 5. Design and Development Standards govern many of the physical aspects of development. The applicant believes the plans as submitted and eventually approved in final plans will meet all of the requirements of Article 5.

Article 6. Special Regulations for Particular Uses establishes regulations for Planned Development Housing developments in Section 6.18. These requirements apply to the proposed development. The proposed development meets these standards. Additional information about these requirements are provided in the following materials that deal with findings specifically applicable to PDH developments.

- (3) That the use or development is located, designed, and or 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;

The proposed residential development has 3 distinct types of immediate neighboring property and it will maintain or enhance the value of these areas for the reasons described below.

- ✓ To the north is Interstate 40 (I-40). A 100 feet wide buffer is required along I-40 by the Town's ordinances for two reasons. First, it is the intent of the buffer to provide adequate separation for both residential and non-residential uses located along the I-40 corridor. This in fact helps to enhance the value of the proposed development. Second, the buffer helps to provide for a visually pleasant driving environment in the I-40 corridor. Properties to the north of I-40 are developed with low intensity residential uses – also with a 100 feet buffer to I-40 – and are thereby unaffected by the proposed development in any visual or physical manner.
- ✓ Immediately to the west and south of the proposed residential development are retail, office, and clinical uses.
  - ❖ The provision of residences inhabited by customers within walking and bicycling distance of the retail, office and clinical uses located within the Chapel Hill North development as well as the Timberlyne Shopping Center serves to support and complement these contiguous non-residential properties and uses, thereby enhancing the value of the properties and the businesses located there.
  - ❖ As evidenced by other mixed-use developments approved and built in Chapel Hill during the last decade (Southern Village and Meadowmont) residences located adjacent to residential and office space enhance the value of these non-residential contiguous and nearby properties.
- ✓ Immediately to the east of the proposed development is a tract of land for which a 374 unit multi-family development concept plan was recently submitted. The value of this adjoining property will be enhanced by having a high quality, professionally operated and maintained residential development as a neighbor immediately to its west.

The proposed residential development will maintain or enhance the value of its immediately abutting neighbors and those in the nearby area by enhancing the economic viability of the retail uses in Chapel Hill North and Timberlyne, providing additional riders for Chapel Hill Transit, and adding to the tax base of the Town in a smart growth, mixed-use development.

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- (4) That the use or development conforms with the general plans for the physical development of the Town as embodied in this Chapter and in the Comprehensive Plan."

*The Residences at Chapel Hill North furthers several of the goals and objectives that are identified in the Comprehensive Plan. The relationship of this proposal with these individual goals and objectives is discussed below.*

- ✓ *The Town's Land Use Plan, a component of the approved 2000 Comprehensive Plan, identifies this site as being appropriate for land uses with a "Mixed Use, Office / Commercial Emphasis." The partial revocation of the Chapel Hill North Master Land Use Plan and the approval of this residential development proposal would introduce the missing residential component of a complete mixed use development with office, medical, clinic, and retail uses.*
- ✓ *The "Land Use Development" section of the Comprehensive Plan discusses the desirability of encouraging mixed-use development. In particular, the Plan defines mixed-use development as the combination of several types of activity, "each of which could function independently, but that would benefit from proximity to each other." The Plan also discusses how effective mixed-use developments "create the opportunity to live, work, and shop in the same vicinity." By introducing a residential component into the existing Chapel Hill North Development (currently containing only retail, clinic, and office uses) the goals of the Comprehensive Plan are achieved by placing additional residents in close proximity to the retail uses at Chapel Hill North and Timberlyne Shopping Center, Movies at Timberlyne, the Campus at Vilcom, and other nearby office buildings.*
- ✓ *In addition, the "Land Use and Development" section of the Comprehensive Plan recognizes the Chapel Hill North and Timberlyne Shopping Center developments as a "Community Scale Center" which the proposed residential uses would enhance.*
- ✓ *The Comprehensive Plan contains a number of other statements that reflect the values of placing residential uses and non-residential uses near each other in well-designed and complementary arrangements.*
- ✓ *The comprehensive Plan discusses the goal of "maintaining housing diversity in the face of a predominantly high-end, high-cost housing market" and acknowledges the "need to provide quality housing affordable to all segments of the community." Recognizing that the low end of the newly constructed single-family housing market in Chapel Hill is about \$400,000, the addition of townhomes and flats at Chapel Hill North will help to provide housing for several types of families at costs well below the current single-family market.*
- ✓ *The Comprehensive Plan also discusses the objective to work toward a balanced transportation system by encouraging development that is designed and located in a manner such that it complements the Town's built environment and promotes transit, pedestrian and bicycle usage. By its location and design, this residential proposal supports the reduction of automobile traffic in several ways in addition to providing quick and easy pedestrian access to the retail components of Chapel Hill North. First, there is an existing bus route with bus stop immediately in front of the entrance to The Residences at Chapel Hill North that provides access to the full Town of Chapel Hill and UNC system locations. Second, one of the most direct and safe bicycling paths leading to downtown Chapel Hill and UNC is the located along Martin Luther King, Jr. Boulevard. Although some might see this as a long ride, others will surely see this as an ideal arrangement during the many months of good weather we experience in Chapel Hill.*



## The Residences at Chapel Hill North

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### **SUMMARY**

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*This site is one of the few excellent locations for multi-family development that meets Comprehensive Plan goals for diversity of housing, proximity to retail and other services, access to the bus system and is virtually free of any natural environmental constraints such as steep slopes and Resource Conservation District lands.*

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**PLANNED DEVELOPMENT REQUIREMENTS (LUMO §6.18)**

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PD-H developments are required to meet a number of standards. The five primary standards that apply to all Planned Developments are reproduced below along with information and statements from the applicant demonstrating that the application satisfies these requirements.

**(a) General**

Planned developments shall be appropriately located with respect to intended functions, to the pattern and timing of development indicated in the Comprehensive Plan, and to public and private facilities existing or clearly to be available by the time the development reaches the stage where it will be needed.

*The proposed residential development is located on a 12.97-acre site in the Northwest portion of Chapel Hill. It is part of Chapel Hill North, a mixed-use development approved in 1990. About 65% of Chapel Hill North land area (but not permitted floor area) is already developed. During the last 10 years the Northwest portion of Chapel Hill has been almost fully developed with residential, office, commercial, and public uses. The applicant's parcel would most likely be considered to be an infill parcel within the framework of the Comprehensive Plan.*

**(b) Relation to Major Transportation Facilities**

Planned developments shall be so located with respect to major street, bicycle, and pedestrian networks, or public transportation facilities, and shall be so designed, as to provide direct access to the development without creating traffic in residential neighborhoods outside the development.

*Vehicular access to the site is from Perkins Road, the public roadway serving the office and commercial uses already developed in Chapel Hill North. Perkins Road connects directly to Weaver Dairy Road and Martin Luther King, Jr. Blvd.. Each of these is a major arterial street in Chapel Hill.*

*No public roadway or private drive connection to Old University Station Road (a street which serves existing adjoining residential development) is proposed.*

**(c) Relation to Public Utilities, Facilities, and Services**

- (1) Planned developments shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities and installations that neither extension nor enlargement of such systems will be required in a manner, form, character, location, degree, scale, or timing resulting in higher net public cost or earlier incursion of public cost than would development generally permitted under existing zoning and development policies.

*The applicant's site is currently served by the needed public facilities. The existing OWASA lift station that serves Chapel Hill North may need to be upgraded to handle the added residential development. If that is the case, the applicant will bear the expense of the needed improvements. Thus, the applicant will not increase public costs for facilities nor require the development of any additional public facilities.*



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- (2) Such developments shall be so located with respect to necessary public facilities (as for example, schools, parks, and playgrounds in the case of Planned Development-Housing) as to have access to such facilities in the same degree as would development permitted under general regulation, and shall be located, designed, and scaled so that access for public services is equivalent to, and net cost for such services is not greater than, access and net costs for public services for development permitted under general development standards.

*The proposed residential development will have access to all public facilities in the same manner and without additional public cost as would any other residential or non-residential development at this location.*

- (3) However, planned developments failing to meet these criteria may be approved if applicants (a) provide private facilities, utilities, and services approved by appropriate public agencies as substituting on an equivalent basis, and assure their satisfactory continuing operation, permanently or until similar public utilities, facilities, or services are available and used; or (b) make provision acceptable to the Town for offsetting any added net public cost of early commitment of public funds made necessary by such development.

*Solid waste management collection services not provided as a standard service by the Town will be obtained at the developer's cost. There will be no services required or costs incurred by the Town other than the normal services provided to new multi-family developments and all other properties in Chapel Hill.*

- (4) In determining net public costs, the difference in anticipated public installation, operation, and maintenance costs and the difference in anticipated public revenue shall be considered. Expenses involved in making such determinations shall be paid by the applicant. Determinations shall be made by the Town or by experts acceptable to the Town.

*This provision is not applicable to the current application.*

### **(d) Relation to Physical Character of the Site**

- (1) The site of a planned development shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, and shall be free from the probability of flooding, excessive erosion, subsidence or slipping of the soil, or other damages. Condition of soil, ground water level, drainage, and topography shall all be appropriate to both the kind and pattern of use intended.

*The site has moderate slopes, soils typical of the area, and successional vegetation. Town development standards for site disturbance, erosion control during and after construction, pavement materials, and building methods have demonstrated that properties such as this can be developed effectively and safely. The proposed development is consistent with the type of development surrounding the site and on property with similar natural characteristics.*

- (2) If appropriate to the form of planned development, lands to be included in planned developments may be divided by streets, alleys, rights-of-way, or easements, which shall be located, dimensioned, and arranged so as to permit unified planning and provide necessary protection against adverse relationships between uses in the development and the surrounding areas.

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*The site has been designed to accommodate the existing Chapel Hill North development and account for existing utility easements. Although appropriate landscape buffers are required between residential and non-residential uses, the layout of the development promotes connection between this residential proposal and the existing commercial uses in Chapel Hill North. Landscape buffers along the western portion of the site are designed to provide visual screening between the residences and the vehicular service portions of the existing retail development.*

### **(e) Relation to Energy Use**

Planned developments shall be so located with respect to climatic elements, including solar access, and shall be so designed, as to provide for and promote energy conservation and efficient use for energy. Applicants are encouraged to consider the use of solar roofs, state energy guidelines, and measures prescribed in Section 5-125 of the Town Code of Ordinances.

*Energy conservation is promoted by several facets of the proposed development.*

*The form of development, attached single-family homes and buildings with single floor homes (flats) are substantially more energy efficient than single-family detached homes because they create fewer exposed exterior walls per dwelling unit. This condition provides extra levels of air and material insulation for both heating and cooling cycles and thereby less energy is consumed in these processes. In addition, these new dwelling units will have energy efficient heating and cooling systems as well as home appliances that are energy efficient.*

*While not often recognized as an element of energy efficiency, the development of garaged parking and parking underneath the buildings with flats (horizontal dwelling units) also promotes energy conservation. These parking designs significantly reduces the amount of impervious surface on the site, thereby reducing heat absorbed and reflected heat around buildings and reducing the heat demand on the HVAC systems. In addition, vehicles stored out of the sun create less demand on the automobile air-conditioning systems and thereby result in the consumption of less fuel and the exhaust of less heat from these vehicles when in use. While this may seem to be a minor point in energy efficiency, the Town's goals for reduced impervious surface for water quality and vegetation retention have the added benefit of energy efficiency.*