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GREENBRIDGE
WEST ROSEMARY STREET
CHAPEL HILL, N.C.

STATEMENT OF JUSTIFICATION
REVISED 8-10-2006
SPECIAL USE PERMIT APPLICATION

Introduction

This is a request for a Special Use Permit to enable the development and construction of a mixed-use building as described herein and on the accompanying plans, on West Rosemary Street. The proposed redevelopment property is located wholly in downtown Chapel Hill and within the Town Center II zoning district.

Background

Several properties will be recombined to form this single lot on which this proposed structure will be located. The northernmost of these properties now includes a single story residential structure that has been used most recently for commercial purposes. A second building is frame and brick and includes multiple residential units. The property to the east includes a single storey wood framed building that is now used as a restaurant. Another property to the south includes a single story block building used as a church.

West Rosemary Street has experienced significant change within the last several years, with the mixed use developments of the Fountains and Rosemary Village each within ¼ mile, and the development of the Warehouse, an apartment building, close to this property to the east. The town's Downtown Development Initiative will also create changes to this street.

Another material factor in the development of this part of West Rosemary Street are the emerging activities on the east end of Carrboro. Weaver Street Market has created a significant hub in downtown Carrboro and the proposed development around the Art Center will focus more attention and activity in this area.

General Site Description

Greenbridge is located in the Midway neighborhood in the Town Center 2 zoning district. This area is at the west end of West Rosemary and West Franklin streets and is bordered to the west by Carrboro.

Greenbridge is bordered by West Rosemary Street to the north, Merritt Mill Road to the west and Graham Street to the east. To the south it is bordered by other lots accommodating midway businesses including the new Empowerment building named Midway, Crooks Comer, Passport Motors automobile repair and others. The gross land area is greater than 1 acre.

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The property consists of multiple lots, to be recombined at the time this request is approved, totaling approximately 54,700 square feet, located on the south side of West Rosemary Street between the intersection of Church Street and West Rosemary Street to the east, and the intersection of Roberson and West Rosemary Street to the west. This proposal includes the recombination of several small lots into a single parcel. This is necessary to create a single lot large enough to economically incorporate below-grade parking.

The area map and site map that accompany this request show the exact location of the property. At present the property is occupied by three primary structures. One of these primary structures is a residential structure used as an office and now unoccupied, the second is a two storey multi-family residential structure and the third is used as a church.

The proposed project as shown on this SUP request includes the removal of the existing structures and the development of a single mixed use structure with parking below the building. There are two levels of structured parking below grade. No parking is visible from a public street. The street level consists of retail, commercial or office uses and open public plazas. Above the street level commercial space is multi-family residential space. The building has a total of 200,000 s.f. including both uses.

Goals and Objectives

Central to the creation of this project are a set of ideas that underlie and inform the full range of decision making necessary for this kind of real estate investment. These ideas include, briefly:

A commitment to sustainable principles in the construction and use of this project. The intent is to build the first LEED certified building in downtown Chapel Hill. LEED, the acronym for Leadership in Energy and Environmental Design, is the national standard for green building developed by the US Green Building Council. It is a framework for the construction of high performance buildings emphasizing energy efficiency, natural day lighting, indoor air quality, and the responsible use of natural resources. Once complete the building will be used as a learning center for sustainable practices, including the visionary Cradle to Cradle concept developed by William McDonough in his book "Cradle to Cradle – Remaking the Way We Make Things".

A commitment to expressing and showcasing the roots of this rich historical area. Jazz greats and Elizabeth Cotton performed on this soil. A self-sustaining African-American business community rose up in this neighborhood and deserves recognition. Even today remnants of this commercial history remain along side an empowered residential community. A commitment to connecting the emerging, exciting, western Chapel Hill business corridor with the vibrant and energetic Carrboro commercial core. The name Greenbridge is more than a convenient tag..it is emblematic of the set of ideas which motivate this project. Greenbridge is intended to be "Green" and to be a LEED achiever. Greenbridge is intended to be a "bridge" between the past and the future as well as between Chapel Hill and Carrboro.

Greenbridge will be a mixed use, urban residential and retail complex that endeavors to be the model for high performance energy efficient green (LEED) building for Chapel Hill. Beyond its

environmental sensitivity, Greenbridge has a second major objective; namely, social responsibility. The south side of Rosemary Street between Graham and Merritt Mill has been in decline for nearly three decades. Once the home of a grocery store, restaurants, jazz musicians, the Mason Motel, and small businesses, the property has fallen into serious disrepair. Greenbridge will revitalize the West End of Chapel Hill, provide needed services to the local community, and bridge the walkable communities of Chapel Hill and Carrboro.

FINDINGS OF FACT

The following information is provided in support of the four findings of fact as described in Article 4.5.2 of the Chapel Hill Land Use Management Ordinance.

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.

The proposed mixed use building will provide residential opportunities for a variety of user types now only moderately served in the downtown. These new residential users will promote and contribute greatly to the health and general welfare for downtown Chapel Hill and surrounding communities. Greenbridge will also provide significant new commercial space for retail, commercial and office uses. This new space will increase the amount of available commercial space in the town center district, consistent with needs identified by the space needs study done in support of the Downtown Development Initiative.

This new project will meet and/or exceed all current accessibility requirements. This new project will also be fully served with an automatic sprinkler system.

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

This proposed mixed use building is in compliance with the Development Ordinance and land development regulations and standards, including the Use and Dimensional standards defined in Art. 3, the Application Procedures outlined in Article 4, the Design and Development Standards set out in Article 5, and any Special Regulations for particular uses in Article 6 with the following exceptions:

- A. The floor area ratio for this building exceeds the floor area ratio in the Land Use Management Ordinance.
- B. The building outline exceeds the building envelope criteria as defined in the Land Use Management Ordinance.
- C. This project exceeds the transitional height and envelope dimensional criteria as defined in the Land Use Management Ordinance.

Below is a matrix of areas in which this project exceeds specific metrics contained in the Chapel Hill Land Use Management Ordinance and the proposed means by which Greenbridge proposes to address these items:

LUMO Exceptions	LUMO Reference	Proposed Action	Notes
Maximum Floor Area	3.8-1	Zoning Text Amendment	
Max. Bldg. Height. & Bldg. Envelope Criteria-Transitional	3.8.4-b.1	Rezone, correct anomaly	Between Zoning Atlas and Town Land Use Plan
Maximum Bldg. Height, Secondary	3.8-1	Zoning Text Amendment	

- C. Greenbridge intends to fulfill it's required recreation area through a payment-in-lieu.
- D. Greenbridge will provide a minimum of 50% of it's affordable housing requirement on site. It will fulfill the remaining 50% either on site or through a payment-in-lieu. Either plan will be in coordination with a local non-profit provider organization, Empowerment.

The developer is requesting these modifications to the dimensional criteria contained in the Chapel Hill Land Use Ordinance because this project serves significant public purposes. Specifically, we believe the following public purposes are being served by this proposal:

- A. **Carbon Reduction.** In 2005 the Chapel Hill Town Council voted to join the Carbon Reduction Project, which includes the pledge to reduce carbon dioxide emissions by 60% by the year 2050. To this end the town has purchased special vehicles and has reinforced it's commitment to sustainable buildings.

Greenbridge is exploring a mix of cutting edge applied technologies intended to reduce carbon dioxide emissions. We have engaged some of the foremost professional engineers in the United States who focus on these technologies to help us achieve these goals. Through partnership with the CRED project at the University of North Carolina this proposed development will provide a case study for carbon reduction methodologies in construction and operation by the private sector.

- B. **Downtown Opportunity.** The Downtown Small Area Plan identifies this area as an opportunity zone, a key area with potential sites for new initiatives. Greenbridge will be providing links between

the future and the past. The goals of Greenbridge incorporate the fusion of public purpose and private initiative into a single, unified, development. This experimental, visionary, project qualifies as a new initiative worthy of occupying this type of opportunity zone.

- C. **Sustainable Design.** Greenbridge is intended to be a model of sustainable development and practice. Through the engagement of nationally recognized leaders in sustainable design Greenbridge will provide the opportunity to showcase emerging technologies so that local and regional practitioners will be able to incorporate these technologies on a broader basis. As a model for sustainable practices in a dense, urban, setting this proposed building will be a useful example for future developers, both private and public, for creating sustainable residential buildings.

Because this proposed development so strongly supports the above public purposes, we believe that the Chapel Hill Town Council is justified in modifying the Town Center II dimensional criteria.

In addition to the issues outlined above please see the attached letter from Mr. Tim Toben describing how Greenbridge addresses the public purpose requirements of Chapel Hill.

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.

The proposed mixed use building is on a site that currently includes an aging two story apartment building and a wood frame commercial/office building. Both of these buildings are intended to be demolished.. Constructing a building that is consistent with comprehensive plan will add value to all of the adjacent properties.

This proposal conforms with the Zoning Atlas and the Comprehensive Plan of the Town of Chapel Hill. See the Project Fact Sheet attached hereto and the discussion under Finding #4, below.

FINDING #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.

This proposed development is in conformance with the Zoning Atlas and the Comprehensive Plan for the development of Chapel Hill and its environs.

The Chapel Hill Comprehensive Plan includes many themes, goals and strategies and this proposed development is consistent with many of those. In specific the following themes relate directly to the intent of this project:

One theme is to maintain Urban Services Area/Rural Buffer Boundary. *Accommodating demand for residential and commercial activities in the town center will help to maintain urban services area limits.*

A Second theme is to Identify areas where there are creative development opportunities. Both the comprehensive plan and the downtown small area plan encourage creative development opportunities. *This project responds to that encouragement by presenting a creative approach to developing a strong mixed use presence on West Rosemary Street.*

A third theme is to develop strategies to address fiscal issues. *Servicing residential units in the town center is less expensive than servicing the same number of units in a typical subdivision. These units will pay more in taxes and will require less in service costs, thus modifying the tax burden for all Chapel Hill citizens. At an estimated appraised value of \$62,000,000 this project will yield about \$950,000 of combined annual property taxes, including a contribution to the Downtown Revitalization District of over \$6,000 annually.*

A fourth theme is to work toward a balanced transportation system. *Through provision of town center residential opportunity, this project will help to shift the emphasis from the automobile to other means of travel, including walking, biking and public transit, a stated strategy for this important theme.*

In the chapter describing Community Character, there are several strategies and actions that relate directly to this project.

Strategy 3A-4 notes consider development of selected "opportunity sites" to help alleviate growth pressures on existing neighborhoods. *Greenbridge will accommodate significant growth in an area which has the existing service infrastructure to accommodate the growth. West Rosemary Street is specifically mentioned in the Comprehensive Plan as an example of an area which can accommodate this growth. Bus, utility, water and sewer and public safety infrastructure is in place to service growth in this part of town.*

A goal (3C) is that of Downtown Enhancement. *This project will enhance the downtown area by enabling more people to live and interact in the town center. Both retail and public uses will be enhanced through the inclusion of more people living in the town center.*

By showcasing the historical roots of this specific area and by creating a venue for sustainability research this project will enhance the downtown with unique public character.

A strategy for downtown enhancement (3C-1) is to Implement the Downtown Small Area Plan. Below follows a discussion of points of intersection with the downtown small area plan.

Section 1: Vision Statement

Page 5 "The Downtown Plan will seek to reverse the tide of decentralization by encouraging the 'incubation' of vital well-integrated mixed use development, of which housing, with it's after-hours population, would be a key component."

Greenbridge will support this goal by providing housing in the town center.

Page 5 The Downtown Small Area Plan places one guiding principle above all others in importance: The preservation and extension of the vital people/pedestrian-oriented character of the Downtown Center, and the fostering of programs and policies which would tend to intensify the social and cultural activity which defines this character.

Greenbridge will support this principle by providing a mix of residential and retail uses in a highly pedestrian friendly environment.

Page 6 Through a policy combining preservation of the most significant buildings with the enlightened, planned development, - or redevelopment- of underutilized lots, blocks and "holes" in the urban streetscape, the Downtown may be able to enjoy a new era of increased vitality.

Greenbridge supports this policy through it's planned development of several underutilized lots in the downtown and plugging a "hole" in the urban streetscape.

Page 6 (It) would be distinguished also by major civic and commercial structures, that -in concert with older structures - would form a coherent rhythmic pattern of open spaces and closed street "walls" in varying levels of density and intensity up and down the primary streets.

The design of Greenbridge creates a varied street "wall" with intentional openings and a scaled sense of enclosure.

Section 2: Goals and Objectives

Economic Vitality:

Page 9 Objectives for economic vitality include: 1) Provide a diversity of densities, scales, land uses and sizes, 2) Utilize available land in an

economically optimal fashion, 3) Provide a safe and secure environment for citizens in the downtown area.

Greenbridge accomplishes all of these objectives. It provides a diversity of scale and use within the matrix of town center buildings and uses. It is also an economically optimal use of this particular site for many reasons; among them the availability of existing infrastructure, net tax gain to the town and county, provision of new retail and commercial opportunity and provision for residential use in the town center district.

Section 2: Town Character and Land Use

Page 10 Objectives for Character and Land Use include: 1) Maintain existing, and encourage new, magnets to attract people to downtown and 2) Promote compatible residential uses in the commercial zones of downtown.

Greenbridge will be a magnet for people to come downtown because of the unique mix of commercial and public uses anticipated on this site. It also represents compatible residential use in a commercial zone.

Section 2: Infrastructure/ Public Services

Page 11 Reduce conflicts between delivery service and refuse and recycling collection.

Greenbridge will have a loading dock and will be able to coordinate deliveries and recycling collection in an off-street location.

Section 2: Transportation

Page 12 Encourage the reduction of single occupancy vehicle trips to downtown.

Through the creation of over 100 living units downtown, Greenbridge will encourage the reduction of S.O.V. trips downtown and will encourage pedestrian activity.

Page 12 Provide adequate (but not excessive) and convenient off-street short term parking in either public or private facilities to serve the needs of business, residents and visitors.

Greenbridge is making a financial commitment to providing adequate, but not excessive, off-street parking to serve the needs of its residents, businesses and visitors by creating parking below grade. The parking being provided is the

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minimal/maximal parking that is suggested in the Chapel Hill Land Use Management Ordinance.

Section 4 Planning Concepts

Page 35 Identify areas where there is opportunity for change

Greenbridge is proposed to be developed in an area indicated as an opportunity for change.

Page 36 Promote a mix of uses.

Greenbridge includes a well balanced mix of uses including residential, retail and public use areas.

Page 39 Map indicates West Rosemary corridor as optimal for Residential with small scale retail.

Greenbridge is located on West Rosemary Street which is consistent with the notion that West Rosemary Street is optimal for residential and retail use.