

Residences at Grove Park
425 Hillsborough St.
Chapel Hill, NC



Zoning Text Amendment Application
Statement of Justification

May 25, 2007

Introduction

This is a request for a Zoning Text Amendment to the new proposed R-7 zoning designation for the two contiguous parcels at 425 and 429 Hillsborough St. to facilitate the construction of the Residences at Grove Park, a 346 unit town home and condominium redevelopment project. The current zoning for this combined 12.85 acres is R-4 allowing 10 units per acre. Based on the benefits this project will bring to Chapel Hill's revitalization effort and for its support of long term growth according to the themes of the Comprehensive Plan, we are requesting text amendments to Article 3 of the Land Use Management Ordinance's dimensional matrix, Table 3.8.1, to include the R-7 zoning dimensions as outlined by this request. Our application for a Special Use Permit requests adjustments to maximum number of units per acre, secondary height, and maximum floor area ratio to provide the higher residential density the Long Range Plan projects Chapel Hill needs to preserve the Rural Buffer, scenic vistas, and the neighborhoods surrounding Downtown.

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 combination of 425 and 429 Hillsborough 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, 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.

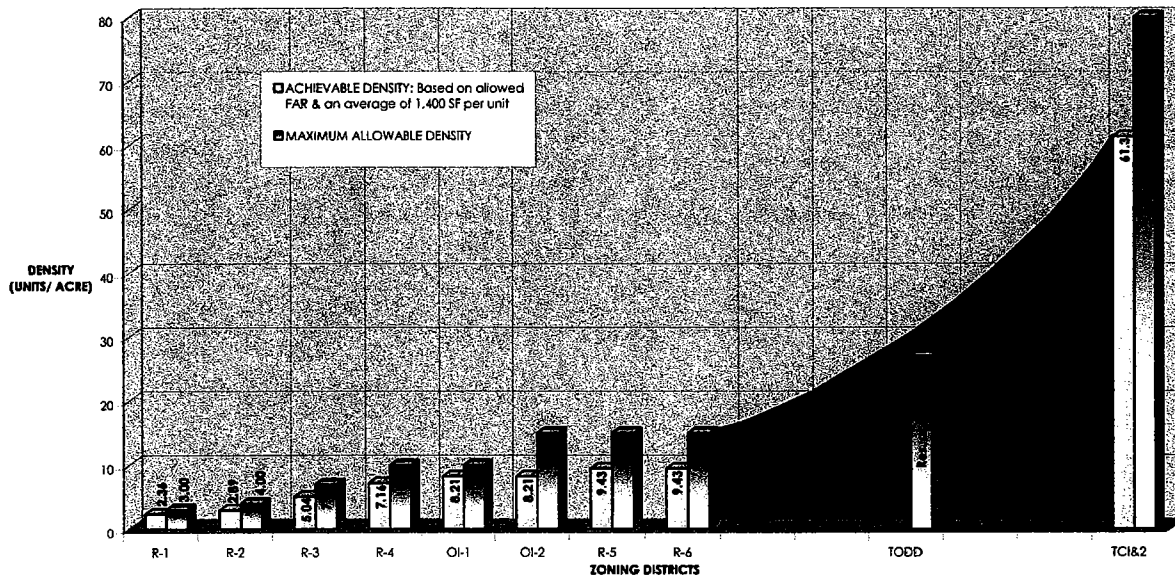
The other key sustainable precept we are trying to fulfill with this plan revolves around providing more residences to meet growth needs while minimizing the infrastructure impact on the Town. That concept fulfills itself through our plan in two critical ways. First, by redeveloping an underutilized 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 new proposed R-7 zoning designation could provide Chapel Hill with the tool to fill this zoning gap and encourage healthy density and sustainable growth. This designation as outlined in our SUP request

and proposed dimensional matrix provides a means for the Town to assign the proper dimensions and healthy density to sites adjacent to Downtown and along identified transit arteries like MLK Jr. Blvd as defined by the Town's Long Range Plan. With this SUP, we are also submitting requests for the new R-7 zoning and will propose text amendments to define the dimensions and density that can 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 and neighbor meetings to revise our design and address the concerns and desires of our neighbors and the Commission. 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 MLK 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 MLK 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 two parcels, 12.85 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, Ram Development Company is looking toward a new R-7 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 MLK, 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 MLK 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 MLK 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 development of residential support for the Downtown Core.

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 MLK 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 reduced condominium buildings, the largest ones on the extreme northern and western edge of the project to eliminate their impact on Hillsborough St. and to keep them hidden behind the RCD tree line as seen from MLK Jr Blvd. 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 MLK Jr. Blvd and will have far more significant architectural designs.

We have gone to great lengths to create a sense of place where residences overlook now even larger green spaces with beautiful views and 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 parallel 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 in July, 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 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 for our residents and the public 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 MLK 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 install a signal at the MLK Jr Blvd entrance to make it the safest and most convenient ingress and egress point for the entire site. 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 425 Hillsborough Street, 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 urban investment, enhancing the efficiency of the property, and creating healthy increased density. By appropriately locating higher density developments in areas like this one, 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 Core Urban Area. By allowing increased density on well-located sites adjacent to Downtown, 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.

The goal of this project is to provide that much needed healthy and appropriate density in a sensitive way, so that the natural features and bordering neighborhoods are not simply protected, but enhanced by a development that helps drive the vitality of Downtown Chapel Hill's resurgence. With this Zoning Text Amendment as part of the SUP submittal Package and the accompanying Zoning Atlas Amendment, we hope to define a sustainable zoning designation in R-7 that provides for the growth to revitalize Downtown and support Chapel Hill while preserving the Rural Buffer and cultural amenities for the entire public to enjoy.

Request for Zoning Text Amendment

The proposed Residences at Grove Park development complies with the Development Ordinance's land and development regulations and standards as defined in the Application Procedures outlined in Article 4, the Design and Development Standards in Article 5, and the Special Regulations for particular uses in Article 6. The two parcels making up the Residences at Grove Park development are currently zoned R-4 allowing just 10 units per acre and minimal redevelopment opportunity. Along with the included request for rezoning to a new R-7 designation, this text amendment application requests added residential allowances, increased FAR limits and building envelope adjustments for the secondary height limit only to provide the healthy growth opportunity the Town of Chapel Hill needs. The following dimensional matrix outlines the restrictions of the current zoning as well as our proposal for the dimensions of the new zoning area we are requesting text amendments for. All the dimensions included here have been derived from the existing LUMO requirements and represent a balance between the TC-1 and R-SS zoning designations that blends the most appropriate attributes from each into the new R-7 zoning.

Dimensional Matrix	R-4 Zone	Proposed R-7
Max. Density	10/acre	30/acre
Max. Height (Primary)	39'	39'
Max. Height (Secondary)	60'	90'
Maximum Impervious Ratio	.24/.5/.7	.24/.7/.7
Maximum FAR	0.230	1.25

1. Based on the new R-7 zoning description provided, we believe the 425/429 Hillsborough site will best serve as designation for higher density residential use based on its direct connection to major pedestrian and bus connections and its location within a ½ mile of the Downtown Commercial Core that will host future mass transit stations and increasing retail and office destinations. This new plan will require the site to be rezoned to the newly described R-7 zoning with a Zoning Atlas Amendment. Zoning text amendments will be required to set the proper dimensional standards for the site as outlined above.

2. The provided dimensional matrix is based on current LUMO regulations for similar residential designations, the recommendations of the ULI, and New Urbanism guidelines for residential development supporting Downtown cores and frequent bus service systems like those surrounding our site. This dimensional proposal seeks to fill the gap described in the current zoning matrix between the R-6 and TC-1&2 zoning designations to provide an opportunity for healthy growth in properly located sites.

With this goal in mind, we propose the unit density to be 30/Units per acre, essentially splitting the difference between the 15 units and approximately 60 units per acre allowed in R-6 and TC-1 respectively. Because this is not a Town Center area we are not seeking the maximum amount of units allowable for a TC-1 zoning, but instead our plan will only include approximately 27 units per acre. Similarly, because this proposed designation is not a TC-1 or 2 type of site, we do not believe the primary height should be changed from the existing R-4 zoning limit of 39'. This limit should ensure that the surrounding neighborhoods are properly buffered with similar scale development near the edges of the property. However, because density increases are necessary to support the region, we do request that the secondary height allowance be increased from 60' to 90' to allow for the increased building height at the center of the site away from the sensitive neighborhoods.

Based on the higher intensity residential use the LUMO and ULI recommend for Downtown and transit supportive developments, we request the allowable residential impervious ratio be increased to the same level as the allowable non-residential impervious ratio already allowed by the zoning for this site. With the greatly increased benefits this zoning can provide on a location such as this one, we believe the 0.7 ratio already allowed for non-residential uses should be acceptable for higher levels of residential use that provide for the public good. The impervious ratio we are proposing for our site is 0.493 based on our land area outside the RCD. Overall this is less than a 50% increase in impervious ratio on the site without accounting for any of the impervious credit we gain from the RCD land area included on this site. Furthermore, we are showing the removal of some existing impervious surfaces that have the greatest impact on the RCD and trying to maximize green space rather than impervious surface by eliminating additional street parking at the behest of neighbors and the Planning Department.

To garner the same benefits for Downtown with the R-7 zoning, the Floor Area Ratio will need to be increased so that the impervious area can be minimized while needed density is increased. We propose 1.25 for the FAR as it again splits the difference between the R-6 and TC-1 & 2 zoning designations, allowing for increased but not overwhelming density on this Downtown perimeter site. These changes taken together have the best opportunity for providing the proper zoning to accommodate the healthy growth of Downtown Chapel Hill and the entire region in the coming years.

We do however believe that primary residential uses should maintain workable buffers even in a Downtown perimeter environment and we would propose the new R-7 zoning have the same minimum buffer requirements as the existing R-SS residential zoning. Though well-connected to Downtown, this is not a Town Center site. On our site, R-SS buffers can provide a benefit to both the on site development and surrounding developments and we believe the existing LUMO requirements for higher intensity residential development allows for sufficient buffering while balancing it with the need to provide for higher uses on the site.

We are requesting these amendments to the dimensional requirements and current zoning based on the following significant public benefits and community amenities provided by the 425 Hillsborough St. 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 should generate better than \$2 MM in annual property taxes for the region and also increase sales taxes as the new residents enjoy the walkable Downtown commercial district. These increases to the tax base will come with little additional burden to the Town's infrastructure as all the needed utilities and services are already in place with easy access to the site.
3. \$790,000 is being allotted for the construction of green space, active open space, and RCD improvements for pedestrian connectivity on the site. These investments will include bus stop improvements on both sides of the site and a continued push for signalization at the MLK Jr. Blvd entrance as well as pedestrian amenities to improve public safety.
4. The development fulfills the Town's Affordable Housing Initiative and Inclusionary Taskforce Initiatives by providing 52 condominiums onsite to meet our 15% affordable housing requirement and insure a diverse Downtown Community.
5. 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 Community.

Proposed LUMO Revisions
1.) 3.3.9 Residential Districts

(R-7, R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, R-LD1, R-LD5)

The Residential districts are intended to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development. (* insert R-7 as shown)

2.) Table 3.7-1: Use Matrix

R-7 should be inserted into the matrix in the general use zoning group between R-6 and R-SS-C with the same permitted uses as the R-SS-C designation in this USE Matrix.

3.) Table 3.8-1: Dimensional Matrix

R-7 should be inserted into the matrix in the general use zoning group between R-6 and R-SS-C with the revised dimensions as shown. R-SS-C and TC-1 are shown for comparison only.

(A) Zoning District	R-7	R-SS-C	TC-1
(B) Minimum Lot Size	N/A	N/A	N/A
(C) Maximum Density	30/acre	N/A	N/A
(D) Minimum Frontage	N/A	N/A	12
(E) Minimum Lot Width	N/A	N/A	15
(F) Maximum Building Height (Primary)	39	39	44
(G) Maximum Building Height (Secondary)	90	60	60
(H) Minimum Street Setback	10	10	0

(I) Minimum Interior Setback	0	0	0
(J) Minimum Solar Setback	N/A	N/A	0
(K) Impervious Surface Ratio	.24/.7/.7	.24/.5/.7	N/A
(L) Maximum Floor Area Ratio	1.25	.400	1.97

4.) 5.5.2 (g) Multi-family Dwelling Units

Active, improved space (either indoors or outside) shall be provided for the common active recreational use of residents of multi-family developments. For sites that abut or include areas designated as future greenways in the Town’s Comprehensive Plan, land dedicated for a public pedestrian and non-motorized vehicle easement or deeded to the Town along the greenway may be substituted for required improved recreation space. The minimum size of such active recreation space shall be the number of square feet derived by multiplying gross land area of the development by the applicable ratio shown below.

<u>Zoning Districts</u>	<u>Recreation Space Ratio</u>
TC-1, TC-2	0.120
CC	0.046
NC	0.039
OI-2	0.046
OI-1	0.046
I	0.032
R-SS-C, R-7, R-6, R-5	0.050
R-4	0.039
R-3	0.032
R-2, R-2A, R-1	0.025
R-1A	0.022
R-LD1	0.020
All Others	0.015

5.) Table 5.6.6-1 Schedule of Required Buffers

(R-7 should be inserted after R-6 in the buffer matrix)

6.) 5.9 Parking and Loading

(This entire parking section is under review and will be replaced by a resolution now being drafted and considered by the Council. We have calculated our requirements based on the indications shared with us by the Planning Department as to the new proposed requirements and will act in accordance with the final measure or ask for modifications where applicable. As a caveat to this new resolution we would request that due to the

distinct public benefit and the greatly increased development cost associated with structured and underground parking, projects using structured parking be considered for different maximums than typical surface parking. Essentially, the goal of parking maximums are to minimize the amount of impervious surface dedicated to surface parking and reduce the impact of parking on the visual and pedestrian environment. By the example set forth in this project, if the developer is willing to absorb the cost of placing a significant number of the spaces under the buildings or in structures we can provide a greater number of parking spaces with far less additional impervious surface area than even the minimum number of parking spaces would require on the surface. Based on the distinct benefit this development expense can provide to the overall community and environment, we feel encouragement of such a beneficial and sustainable characteristic would warrant a LUMO consideration. We would put forward for consideration a graduated bonus system starting with a 10% bonus for putting at least 50% of the parking below grade or in a structured space, a 15% bonus for at least 75%, and a 20% parking bonus if the project was willing to put all the parking in structured or below ground spaces.)

LUMO Article 4.4 Zoning Amendment Justification

Article 4.4 of the Land Use Management Ordinance on Zoning Amendments states: *In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town it is intended that, this Chapter shall not be amended except a) to correct a manifest error in the Chapter, or b) because of changed or changing conditions in a particular area or in the jurisdiction generally, or c) to achieve the purposes of the Comprehensive Plan.*

It is further intended that, if amended, this Chapter be amended only as reasonably necessary to the promotion of the public health, safety, or general welfare, and in conformance with the Comprehensive Plan.

To justify the need for a R-7 rezoning for the Grove Park Project with text amendments, we submit the following:

- a.) There is no manifest error in the Chapter that needs to be resolved for 425 Hillsborough St., however;
- b.) Though no manifest error in the zoning chapter, there is a change in the nature of the area around MLK Jr. Blvd that this project can help facilitate. As outlined by the Long Range Plan, the demands of population growth and economic expansion has sparked the need for increased residential density along major transit arteries like MLK Jr. Blvd to help preserve the Rural Buffer and limit suburban sprawl. Because of this parcel's unique location and amenities as described above, as well as its pedestrian proximity to the growing Downtown District, this property is an ideal candidate on which to apply text amendments in order to provide the higher intensity residential use the Long Range Plan envisions to fulfill the themes of the Comprehensive Plan.
- c.) The Findings required for the Special Use Permit and the requirements for justifying the proposed 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 425 Hillsborough St. 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.

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 the Residences at Grove Park for a sustainable and 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 non-residential projects with nearby residents to patronize it. 425 Hillsborough St. 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 make our site an ideal project for just this type of non-residential encouragement.

7. Create and preserve affordable housing opportunities

This proposal includes 52 new 2 bedroom affordable town homes on site to support the Council's inclusionary efforts.

8. Cooperatively Plan with the University of North Carolina

Every effort has and will continue to be made so that the University of North Carolina is included in the benefits the Residences at Grove Park hopes to provide to Chapel Hill. We believe this site will be an ideal location for supporting the University's current campus and the plans for Carolina North.

9. Work toward a balanced transportation system

By design, the Residences at Grove Park brings more residents to the walkable Downtown environment to 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 will provide to pedestrian connections already utilizing our site and the bus corridors it borders will encourage pedestrians, bikes, and bus ridership and be a model for other developments along the MLK 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 looking at ways to improve connectivity on our site to the Bolin Creek Greenway system and other established pathways for the Town.

11. Provide quality community facilities and services

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

12. Develop strategies to address fiscal issues

By generating better than \$2 MM in property taxes per annum for the region as well as additional sales taxes from nearby Downtown retailers, Grove Park gives Chapel Hill a ready means of meeting fiscal demands for years to come 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 Town's goals for Downtown revitalization and the fulfillment of the growth needs envisioned by the 2035 Long Range Plan, we request that the Council grant the Zoning Text Amendment and SUP request 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.
