

**ATTACHMENT 5**

PLANNING

Town of Chapel Hill
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**CONCEPT PLAN REVIEW SUMMARY MINUTES
 COMMUNITY DESIGN COMMISSION
 WEDNESDAY, FEBRUARY 21, 2007, 7:00 P.M.**

Chairperson Jonathan Whitney called the meeting to order at 7:00 p.m. Commission members present were Mark Broadwell, Mary Margaret Carroll, George Cianciolo, Chris Culbreth, Kathryn James, Laura King Moore, Scott Nilsen, Glenn Parks, Amy Ryan, and Robin Whitsell. Staff members present were Senior Planner Kay Pearlstein, and Administrative Clerk Renee Zimmerman.

BELVEDERE MULTI-FAMILY DEVELOPMENT
(File 9798-04-94-5193)

A request for a Concept Plan has been submitted to the Town for a multi-family development located at 2100 NC 54 East. The site is located on the north side of NC 54 East, approximately 1,200 feet east of East Barbee Chapel Road. The proposed project includes 84 dwelling units, comprising 145,000 square feet of floor area and 144 parking spaces, including 80 spaces proposed for under-building parking. The land is currently vacant. Access to the site is proposed from NC 54 East. The 5.83-acre site is located in the Residential-1 (R-1) zoning district and the Resource Conservation District. The site is located in Durham County and is identified as Durham County Parcel Identifier Number 9798-04-94-5193.

CONCEPT PLAN PRESENTATION

A 4-member design team including Carol Ann Zinn with Cazco Inc./Zinn Design Build, John Felton from Cline Design, The Design Response, Inc., and Scott Radway with Radway Design, Associates made a presentation to the Commission.

CITIZEN COMMENTS

1. Rebecca Board from the Downing Creek Subdivision felt this was not the proper location for this development because NC Hwy 54 is already over-capacity. She stated that the applicant should not propose this project until traffic impacts on the existing road networks was known. She believed that the project should wait until other projects already approved for Hwy 54 are evaluated.

A Traffic Impact Assessment has been done for this application by the Town's consultant. A revised TIA to account for the proposed median break at the entrance to Downing Creek is currently being prepared by the Town's consultant, HNTB.

2. Blair Pollock asked about current TTA routes and future connections to the rail system. The applicant responded that TTA had a stop at the Harris Teeter (across from Glenn Lennox) and estimated a 15 minute walk to the TTA stop and that a pedestrian easement is proposed along Hwy 54 for a greenway connecting to the Meadowmont greenway and 54 East, both locations for rail stops.

COMMISSION COMMENTS AND QUESTIONS

1. Commissioner Mark Broadwell stated he had no fault with the design but was concerned about the proposed right-in and right-out onto Hwy 54. He believed that a cumulative impact of traffic on the access/egress design had the potential for causing U-turns and dangerous traffic movements.

The projected amount of traffic from the proposed development will be reduced as the project has been reduced in size from 85 units to 59 units. Appropriate lengths for turn lane storage will be provided according to NC DOT requirements.

2. Commissioner Mary Margaret Carroll asked how the 4-story building would look from Hwy 54 and expressed concern about the visual impact into Chapel Hill.

The applicant believes that the existing trees located in the RCD buffer at the front of the property will generally screen the development from view by those traveling on NC 54. At the entrance to the site, the opening for the driveway will create an opportunity for views into the site. When moving on NC 54 at a speed of 50 miles per hour the amount of time available to see into the site is about 1.5 seconds.

3. Commissioner Laura K. Moore was also concerned with the right-in, right-out turning movements also. She concurred with potential difficulties with traffic on Hwy 54. She was also concerned with proposed site-grading, stormwater management, and building heights.

See comments to Items 1 and 2 above. Site grading takes advantage of the side slopes of the plateaus internal to the site in order to place parking underneath buildings.

4. Commissioner Scott Nilsen approved of the design although he felt that this entry-way into Chapel Hill was sacred and can't handle this amount of building at the first glimpse.

See the answers to questions 1 and 2 above.

5. Commissioner George Cianciolo asked where the stormwater ponds were proposed to be located. The applicant responded that stormwater would likely be stored in tanks using Stormceptor and other BMPs. He stated that the stormwater management for the site was not worked out yet and planned on future conversations with the Army Corps of Engineers about water quality.

Commissioner Cianciolo asked where the proposed pump station would be located. The applicant responded that a location generally between Buildings 2 and 3 along the sewer easement was considered.

The plans have been modified to provide gravity flow service.

Commissioner Cianciolo asked why the applicant rounded down the affordable housing numbers. The applicant responded that the Inclusionary Task Force recommended rounding down and providing a cash amount for the difference.

See the Affordable Housing Plan submitted by the applicant.

6. Commissioner Chris Culbreth asked for better elevations when the application returned. He asked if Town buses came out as far as the development. The applicant replied they would check into it.

Chapel Hill Transit currently extends to Meadowmont. Until there is significant additional development east of Meadowmont and within Chapel Hill the current routes serving Meadowmont and the Friday Center will not be extended.

Commissioner Culbreth stated that the proposed bridge at the entrance over the Resource Conservation District should be beautiful and considered as an entranceway element. He approved of the ample tree buffer.

The Commissioner asked what was proposed on the adjacent UNC-owned property, vacant on the west. The applicant believed that it was slated for a health care facility.

UNC is in the process of examining the development potential of its outlying properties such as this one.

7. Commissioner Amy Ryan had a difficult time imaging this isolated development in a section where trees exist along the entranceway. She stated that if UNC developed the adjacent site soon, this development would appear less isolated.

She believed that the steep slopes looked like they will need careful attention and that the project would likely extend to the Army Corps buffer. She wanted to see additional information on how the slopes were to be developed in the future.

She stated that this was a very urban development and no transition to urban development was proposed. She believes that it was too dense.

The density of the revised plan has been reduced from 15 units per acre to 10 units per acre.

She asked how visible it would be from Hwy 54 and asked for pictures from the highway showing the proposed height of the buildings with the next review.

6. Commissioner Kathryn James asked about rules for the Army Corps's wetlands. She believed that high standards were needed for wetland impacts. She also wanted to see better transition to the urban development.
7. Commissioner Robin Whitsell asked if the development proposal was for 40% - 45% impervious surfaces. The applicant responded yes. Commissioner Whitsell believed that it was hard to imagine a development with that much of the site covered with building and pavement.

She believed that traffic, stormwater, and zoning were key issues.

8. Commissioner Glenn Parks liked the sections through the site. He asked if the trees were pines or deciduous in order to determine the amount of screening.

Commissioner Parks asked if the applicant proposed LEED certification or other environmental goals and wanted to see the building providing its own energy. The applicant answered that they would investigate certification.

9. Commissioner Jonathan Whitney expressed shared concerns with traffic and density.

Prepared by: Jonathan Whitney, Chair
Kay Pearlstein, Planning Staff

**SUMMARY MINUTES OF A PUBLIC HEARING
OF THE CHAPEL HILL TOWN COUNCIL
MONDAY, MAY 14, 2007, AT 7:00 P.M.**

Present were Mayor Kevin Foy, Mayor pro tem Bill Strom, Council Member Laurin Easthom, Council Member Sally Greene, Council Member Ed Harrison, Council Member Cam Hill, Council Member Mark Kleinschmidt, Council Member Bill Thorpe, and Council Member Jim Ward.

Staff members present were Town Manager Roger Stancil, Deputy Town Manager Florentine Miller, Assistant Town Manager Bruce Heflin, Town Attorney Ralph Karpinos, Town Information Officer Catherine Lazorko, Planning Director JB Culpepper, Development Coordinator Gene Poveromo, Housing and Neighborhood Services Coordinator Loryn Clark, and Acting Town Clerk Sandy Kline.

3. Concept Plan: Belvedere Multi-Family Development (aka Aydan Court).

Development Coordinator Gene Poveromo reviewed the concept plan for a multi-family development located on NC 54. The property would require a rezoning from R-1 to R-5, he said. Mr. Poveromo explained that staff and the applicant had had preliminary discussions about increasing energy efficiency and incorporating an energy management plan. He displayed an area map and said that construction would include 84 dwelling units comprising 145,000 square feet of floor area and 144 parking spaces, including 80 parking spaces under the building.

Carol Ann Zinn, the applicant, reviewed her history as a Chapel Hill developer and said that Ayden Court would be her first vertical condo development. She described the project and pointed out that 15 percent would be affordable units with two bedroom/two bath plans. Ms. Zinn said it would incorporate state-of-the-art techniques for energy efficiency, sustainability and high performance.

Scott Radway distributed a summary of the site basics and what he described as the beginning of an energy proposal. He discussed the affordable housing component, the energy and sustainability design program, the entrance location, the view from the road, zoning for the site, and buffers. Mr. Radway showed slides, aerial views, and artist's renderings of the project and the surrounding area. He asked the Council for clear direction.

Rebecca Board, representing the Downing Creek Community Association, located across from the proposed development, expressed concern about the traffic impact on NC 54. She also argued that the project's density was inconsistent with other wooded sites in the area.

Thomas Driscoll, an environmental scientist and board member of the New Hope Audubon Society and the Eno River Association, said the Audubon Society strongly urged the Council to not approve rezoning to allow this development. Mr. Driscoll gave several reasons for that recommendation.

Robert Dowling, director of the Orange Community Housing and Land Trust (OCHLT), praised the plan to have two-bedroom, affordable units in the proposed development. However, he expressed concern about OCHLT's ability to handle so many affordable condos in Town. Mr. Dowling said that he did not want any developer to have to hold units because OCHLT, a small organization with a small sales staff, cannot sell 150 condos in a two- to three-year time-frame.

Council Member Thorpe verified that Mr. Dowling felt there was a better market in Town for two-bedroom than for one-bedroom units. Mr. Dowling added that he saw one-bedroom units as being more for single individuals. Those units would turn over very rapidly, and forever, he pointed out.

Mayor pro tem Strom commented that two-bedroom affordable units made a lot of sense in that location. He noted that the Council had recently approved a few developments with an internal real estate transfer fee in order to support the Land Trust. He asked the applicant if she would like to comment on that.

Ms. Zinn replied that she needed to research the transfer tax a bit more. She thought they were headed in that direction, she said.

The applicant's affordable housing proposal is to provide a payment-in-lieu for use for affordable housing units in a more appropriate location.

Mayor Foy inquired about LEED certification. Ms. Zinn deferred to Daryl Carrington, of J. Davis Architects, who pointed out that LEED was one of many such certification programs. LEED and others do not specifically have a multi-family housing program, he said, adding that the applicant was taking aspects of various programs that would comply with the Council's goals. Mr. Carrington outlined some of those initiatives.

Mayor Foy asked about the standards for wetlands impact in this area. Mr. Radway replied that a Comprehensive Plan prior to the 2000 Comprehensive Plan had identified the area for park and open space activity. Those ideas had been carried forward and readopted in the 2000 Comprehensive Plan, he said.

Mr. Radway said that one cannot zone for open space or public use, so the way to enforce the Comprehensive Plan is to buy the land. He said UNC plans to develop their portion in the future and would be willing to share the cost of extending utilities. The proposed density was consistent with everything else that has been going on in the corridor since Meadowmont was approved, Mr. Radway said. He outlined the applicant's plan for stormwater management and said they would apply an even higher standard than the Town requires.

Mayor Foy pointed out that one way to solve the issue would be to not change the zoning. Mr. Radway replied that keeping the zoning at R-1 would result in a different form of housing with the same amount of impact to the site. It was a false belief that one could

keep the density low and, in fact, have less impact, he said, adding that single-family development, with pesticides and herbicides and lawns, were the greatest destroyers of water quality, with the exception of urban industry.

Council Member Harrison noted that another approach for both tracts might be to allow a plan that would protect a lot more open space than the potential piece mealing that was being discussed. He added, though, that he did not mean to disparage any of the wonderful design aspects of the proposed project.

Council Member Harrison said that having a median on NC 54 would make it inconvenient for residents and would add nearly 1-1/2 miles to their trips home. He said it would also make it difficult for EMT and fire vehicles. Access and safety questions make this a hard place to do a development, said Council Member Harrison, adding that one must consider whether a project is the right land use for the space when considering a rezoning.

Council Member Hill stated that if the Army Corps of Engineers was going to ask for a buffer, they could ask for 1000 feet. He understood the buffer request, he said, but did not see it as particularly relevant. Council Member Hill said that this property would be the edge of UNC's developed property at some point and would abut Army Corps land.

Council Member Hill said that issues related to traffic and fire response occur with most residential development. The Town was headed toward higher density on this type of corridor, he pointed out, adding that the proposed affordable housing, energy efficiency, and design standards were what the Town was asking for. Council Member Hill said he did not see how the Town could in good conscience have it zoned residential and not be willing to consider this change of density.

Council Member Kleinschmidt said traffic was his only significant concern. He wondered if there might be a second way to get out of the property. Council Member Kleinschmidt inquired about having a stub-out with a sign saying the road would eventually connect. Mr. Radway replied that Meadowmont does have a stub out through the Cedars. Those things were in place, he said, adding that he thought this was a great idea that a future Council could address.

Council Member Kleinschmidt replied that he thought there was a role for current Council members, who could design the roads the right way so that the burden would not fall on a future council.

Council Member Ward agreed that the project needed to be designed with the expectation that there would be full vehicle access from the property, through UNC's property, to the Meadowmont stub-out. He wanted a project that was improved by that kind of connectivity rather than one that just puts up with it, he said. Council Member Ward noted that having a financial commitment from the applicant would help ensure that connection in the future. He wondered if Meadowmont had been required to put a sign up at the stub-out there.

The revised design addresses both access to site and a future connection to UNC Foundation property and by extension access to Meadowmont. A median break in NC 54 that permits left turns for both eastbound traffic wishing to enter Aydan Court and westbound traffic wishing to enter Downing Creek is provided.

This also provides a location for emergency vehicles, Chapel Hill Transit busses, solid waste trucks, and those wishing to make U-turns a safe location for such turns.

The internal drives of the site have been modified to provide for complete internal circulation and for a future connection to the UNC Foundation property.

Council Member Ward praised the applicant's stormwater management proposal. He said the emergency response issue that Council Member Harrison had brought up made access via Meadowmont more necessary.

Council Member Greene expressed concern about U-turns. She asked if there was any way to have a median cut. Mr. Radway replied that doing so had not been advised for another project in the area. However, there was enough information now to do a traffic study for this project, he said.

See the comment on U-turns and the NC 54 median break immediately above.

Council Member Easthom asked the applicant to bring back information about the future of Chapel Hill Transit in the area.

Mayor pro tem Strom expressed concern that requiring a stub-out to the UNC property might create uncertainty for residents of this property. He suggested making connectivity an option rather than a requirement.

See the comments above about the median cut and the stub-out connection to UNC.

COUNCIL MEMBER JIM WARD MOVED, SECONDED BY COUNCIL MEMBER MARK KLEINSCHMIDT, TO ADOPT R-1. THE MOTION WAS ADOPTED UNANIMOUSLY (9-0).

[A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR BELVEDERE \(2007-05-14/R-1\)](#)