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Wilson Assemblage
A Mixed-Use Planned Development

SPECIAL USE PERMIT
STATEMENT OF JUSTIFICATION

Standards and Findings of Fact

Section 4.5.2 of the Town of Chapel Hill's Land Use Management Ordinance states that "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."*

The applicant hereby submits the following evidence that the proposed Wilson Assemblage Mixed-Use Development meets the standards and findings of fact necessary for approval by the Town of Chapel Hill.

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 Wilson Assemblage Mixed-Use Development is located within an area designated for mixed-use development on the Comprehensive Plan’s Land Use Plan. Specifically, the Wilson Assemblage offers residential opportunities in a campus-like setting that integrates both office employment and limited retail opportunities in a manner that is beneficial to the overall community’s general welfare.
- The site is bordered by three public roads (Erwin Road, Sage Road, and Dobbins Drive) which are each utilized by established bus routes. Consequently, the site is located in a manner that maximizes mass transit opportunities, thereby promoting public safety and general welfare by potentially reducing automobile trips related to the project.
- Vehicular access to the site has been limited to Sage Road and Dobbins Drive, with no vehicular access proposed to Erwin Road. This ingress/egress pattern minimizes the traffic impact to Erwin Road, thereby promoting the public safety and general welfare for this corridor and the surrounding neighborhoods.
- Buffers are provided against existing adjoining residential uses, even though they are of similar density and development pattern, so as to maintain the existing character and to promote the general welfare of these neighborhoods.
- Key identified specimen trees and certain clusters of existing trees are proposed to be protected during site construction and therefore saved, so as to maintain and promote the public health and general welfare.

Finding # 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.”*

- As proposed, the Wilson Assemblage mixed-use application is in compliance with all of the required regulations and standards of the Land Use Management Ordinance.
- Development is proposed in accordance with the site’s existing Residential-4 (R-4) zoning district, as regulated in Article 3 of the Land Use Management Ordinance. In particular, floor area, setbacks and building heights are proposed in accordance with Table 3.8-1.

- The site is designed in conformance with the design and development standards prescribed in Article 5 of the Land Use Management Ordinance. In particular, the development seeks to follow steep slope regulations prescribed in Section 5.3.2 of the Ordinance, and to provide stormwater management in accordance with Section 5.4 of the Ordinance.
- Recreational requirements, as outlined in Section 5.5 of the Land Use Management Ordinance are proposed to be met through a combination of on-site facilities and a payment-in-lieu to the Town.
- Landscaping, screening and buffering are provided in accordance with Section 5.6 of the Land Use Management Ordinance, while tree protection is provided in accordance with Section 5.7 of the Ordinance.
- Access, circulation and parking are proposed in accordance with Sections 5.8 and 5.9 of the Land Use Management Ordinance.
- The overall development and associated mix of uses (residential dwelling units, office space, and limited ground-floor retail space) is proposed in accordance with Section 6.18.7 (Planned Development-Mixed Use) of the Land Use Management Ordinance.

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 residences proposed in the Wilson Assemblage development have been carefully designed and strategically located in a manner so as to blend in type, size, and scale with the surrounding types of residential uses. In particular, townhomes are proposed for the western portion of the development, continuing the scale and nature of the neighboring McGregor Place condominiums and Erwin Village duplexes. Similarly, multi-family apartments are proposed in the northern and eastern portions of the development, imitating the scale and nature of the neighboring Walden at Greenfields and Dobbins Hill apartment communities. Consequently, the proposed residential uses are located in a manner and designed at a scale that will blend into the existing built environment, thereby maintaining or enhancing the value of contiguous property.
- As evidenced by other developments in the Town of Chapel Hill where multi-family residences have been located and built adjacent to neighboring multi-family uses, the proposed Wilson Assemblage development will maintain or enhance the value of these adjoining residential developments.

- As a proposed mixed use development, the Wilson Assemblage development also proposes office buildings, with opportunities for limited ground-floor retail, in addition to residential units. The proposed office/limited retail buildings are consistent in size, shape and scale with other uses that have been developed in the Sage Road (Sage Road Offices) and Dobbins Drive (Planned Parenthood) corridors. For that matter, the proposed buildings offer significantly less intensity and impact on this area than the Lowes and Borders development that is located immediately northeast of the site. Consequently, the proposed office and limited retail uses for this development are located in a manner and designed at a scale that will blend in with the existing built environment, thereby maintaining or enhancing the value of neighboring contiguous non-residential uses.

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 mixed-use application is consistent with the Town’s 2000 Comprehensive Plan, and furthers several of the goals and objectives that are identified in the Comprehensive Plan. The relationship of this conceptual plan with these individual goals and objectives is discussed below.
- The Town’s Land Use Plan, which is a component of the approved 2000 Comprehensive Plan (Figure 11), identifies the central and eastern portions of the assemblage as being appropriate for a “Mixed Use, Office/Commerical Emphasis” land use category. The proposed site plan includes a mix of residential units, office space and limited ground-floor retail space for these areas in conformance with this land use designation.

The Land Use Plan also identifies the western portion of the site as being appropriate for a “Medium Residential, 4-8 units/acre” land use category. The proposed site plan includes townhomes in this area, proposing a total of 31 units for the 4.9 acres of land located in this eastern portion of the site. Thus, with a proposed density of 6.4 units/acre, these residential uses are proposed in conformance with the medium residential density land use designation.

- The Comprehensive Plan identifies the objective to “*protect the physical and social fabric of Chapel Hill’s neighborhoods.*” This application proposes to protect the adjoining neighborhoods by utilizing compatible residential structures, providing vegetative buffers, and by avoiding a vehicular connection to Erwin Road.

- The Comprehensive Plan also identifies the objective *“protect the visual character and design quality of entranceways into Chapel Hill.”* This application proposes that vehicular parking be located behind the mixed use (office/retail) building on Dobbins Drive to the extent possible, screening what parking is not located in that manner by using existing trees and supplemental material. This design approach protects the viewshed of the adjoining US 15-501 entranceway corridor.
- The Comprehensive Plan identifies the goal *“increase employment opportunities for residents and satisfy local demand for commercial and retail services.”* This mixed-use application not only includes office and limited retail space for employers to occupy within walking/biking distance of existing residents, but also provides residential space for workers wishing to live in a walk/ride employment environment.
- 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 median cost for a house in Chapel Hill has risen well above \$300,000, the Wilson Assemblage development proposes two different types of residences, thereby establishing a diversity of housing types which will serve to provide housing opportunities to families who are unable to afford the median cost of a house in Chapel Hill’s *“high-end, high-cost housing market.”*
- The Comprehensive Plan identifies the following objective: *“provide opportunities to create “living and working neighborhoods”, or mixed-use developments in appropriate locations.”* This application proposes just such a neighborhood. With a two different types of residences, and office buildings that can include limited ground-floor retail opportunities, this development proposes to create a living and working neighborhood that is located in an appropriate location – close to major roads and mass transit opportunities.
- The Comprehensive Plan also includes the goal to *“encourage desirable forms of non-residential development.”* In particular, the Plan notes that:

“Maintaining a mix of private, non-residential uses (e.g. office, retail, and service establishments) is important to the future health and economic vitality of the community. In addition to augmenting the tax base, appropriate forms of non-residential development can help achieve such objectives as making it easier for people to live and work in Chapel Hill, increasing local shopping opportunities, and supporting mixed-use development forms.”

The Wilson Assemblage seeks to develop a mixed use neighborhood, which in addition to providing desirable non-residential development and augmenting the tax base, provides increased opportunities for people to live and work in Chapel Hill. Both residents of this neighborhood and surrounding neighborhoods will benefit from having convenient shopping and employment opportunities in close proximity to their homes.

- Finally, the Comprehensive Plan identifies the goal to “*identify areas where there are creative development opportunities.*” The Wilson Assemblage seeks to pull together several leftover undeveloped parcels that have a prime location in close proximity to major transit corridors and mass transit opportunities, and proposes a comprehensive infill development solution that mimics the types of neighboring uses and the size and scale of those uses, while providing appropriate buffers, producing a new neighborhood that will protect and preserve the character of these existing neighborhoods.