

**TOWN OF CHAPEL HILL**                      **ATTACHMENT 3**  
**COMMUNITY DESIGN COMMISSION**

(11)

**CONCEPT PLAN APPLICATION**

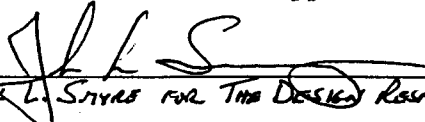
***Applicant Information***

Name: Jack L. Smyre, The Design Response, Inc.  
Address: 1014 High House Road, Suite 100  
City: Cary State: North Carolina Zip: 27513  
Phone (Work): (919) 469-2080 FAX: (919) 469-6633  
E-Mail: jsmyre@thedesignresponse.com

***Development Information***

Name of Development: Chapel Watch Village  
Tax Map: 18 Block: --- Lot(s): 15, 16, 16A  
Address/Location: Eubanks Road  
Existing Zoning: R-1, R-2, MU-OI-1 Is a Rezoning Proposed? Yes (R-5-C)  
Proposed Size of Development (Acres): 34.99 Acres (Gross Land Area)  
Permitted Floor Area (Square Feet): 373,123 SF (based on R-5-C Zoning)  
Proposed Floor Area (Square Feet): 323,350± SF  
Minimum Number of Parking Spaces Required: 487 Spaces  
Proposed Number of Parking Spaces: 534 Spaces

The undersigned applicant hereby certifies that: a) the property owner authorizes the filing of this application; b) authorizes on-site review by authorized staff; and c) to the best of his/her knowledge and belief, all information supplied with this application is true and accurate.

Signature:  Date: 3/3/03  
JACK L. SMYRE FOR THE DESIGN RESPONSE, INC.

Please submit **20 sets** of all materials (unless otherwise noted on the summary of required information). Materials shall be submitted no later than the first business day of the month. Materials must be collated and assembled as 20 "sets." Each "set" of materials shall be folded and ready to stuff into a 12" x 15" envelope.

The Community Design Commission meets regularly on the third Wednesday of each month. For confirmation of a meeting date and the placement of your request on the agenda, please call the Planning Department at (919) 968-2728.



**Chapel Watch Village – Conceptual Plan**

**I. Applicant/Developer Information**

***The Property Owner***

Gary Buck, who was born and raised in North Carolina, has lived in Chapel Hill and built homes in the area since 1977. In 1985, he established the Gary Buck Building Company, Inc. A former President of the Home Builders Association of Durham and Chapel Hill, Gary Buck has built a reputation in the greater Chapel Hill area for “quietly doing things right.” Gary loves Chapel Hill, and has sought through the years to provide housing to make the area accessible to all types of people.

To that end, Gary Buck has built over 400 residential homes in the Chapel Hill/Carrboro/Orange County area. In particular, he has built homes in neighborhoods including (but not limited to) the following: Cedar Hills, Cobblestone, Chesley, Governor’s Club, Laurel Hills, Morgan Creek Hills, Northwood, the Oaks, Southbridge, Sturbridge, Timberlyne and Webbwood. He has also been involved in several multi-family developments in Carrboro, including Ridge Haven and Village Square. Since 1994, the Gary Buck Building Company’s focus has shifted to real estate investment. In addition to home building and real estate endeavors, the Gary Buck Building Company, Inc., has been actively involved in many community endeavors through the years, including donating labor and materials for the construction of local homes by Habitat for Humanity.

***The Developer***

The developer for this conceptual plan will be State Street Companies, Inc. State Street is a full service real estate organization whose operations include the construction, development, ownership and management of multifamily apartment communities. Based in Charlotte, North Carolina, State Street's primary business activities have been focused throughout North and South Carolina. State Street is a licensed General Contractor and licensed Real Estate Broker in both North Carolina and South Carolina.

Jeffery W. Kentner is the principal owner of State Street. Since 1985, Mr. Kentner has been responsible for the construction, development and financial activities of State Street. The company has been in the construction business since 1970, and has constructed or renovated over 6,200 multifamily units in its history. State Street has also earned respect in the real estate industry as a leader in property management because of its ability to provide quality, affordable rental apartment homes with superior amenity packages for its residents, while also serving the needs of the communities in which these homes are located.

***The Consultants***

Jack Smyre, PE, AICP, is serving as the lead applicant on behalf of the Gary Buck Building Company and State Street Companies, Inc. Jack Smyre is the principal for The Design

Response, Inc., a local land planning and consulting firm, and he has been working with various developers in the Chapel Hill area since 1985. He has previously been actively involved with several projects in Chapel Hill that have included an affordable housing component, including the Vineyard Square Townhomes (formerly known as The Homestead) and Dobbins Hill Apartments.

Phil Post, of Philip Post and Associates, has been retained as the engineer for this project. Philip Post and Associates, Inc., has been providing civil engineering, land planning, landscape design and surveying services since 1979. With offices in Chapel Hill and Greensboro, North Carolina, the staff for Phil Post and Associates includes civil engineers, surveyors, land planners, landscape designers, CADD technicians, construction managers and inspectors. The firm provides services to developers, architects, businesses, schools, universities, and government agencies. Philip Post and Associates is very familiar with the Chapel Hill area, and has been involved with many local projects over the last two decades, including single-family subdivisions, multi-family neighborhoods, office buildings, schools, churches and athletic/recreational facilities.

**II. Names and Addresses of Property Owners**

The Chapel Watch Village conceptual plan consists of a collection of three (3) different properties which are identified by owner as follows:

TM # 7.18..15  
Pin # 9870-97-1299  
Gary Buck Building Company  
924 Pinehurst Drive  
Chapel Hill, NC 27517

TM# 7.18..16  
Pin # 9870-87-5224  
Gary Buck Building Company  
924 Pinehurst Drive  
Chapel Hill, NC 27517

TM # 7.18..16A  
Pin # 9870-87-1493  
Gary Buck Building Company  
924 Pinehurst Drive  
Chapel Hill, NC 27517

### III. Developer's Program

Chapel Watch Village is a 306-unit apartment complex proposed for approximately 35 acres (gross land area) of assembled property located on the south side of Eubanks Road, just east of the railroad corridor. This planned development-housing (PD-H) proposal will be a joint venture between the current landowner, Gary Buck Building Company, Inc., an established local builder, and State Street Companies, Inc., an experienced multifamily developer located in Charlotte, North Carolina.

The property assemblage consists of three properties (hereinafter referred to as the "site"), which together have approximately 1,600 feet of road frontage on Eubanks Road. The site has a depth ranging from just over 800 feet on the eastern boundary, to a depth of just over 1,000 feet on the western boundary. Immediately to the north of the site, across Eubanks Road and moving west to east, is the Chapel Hill Industrial Park (containing the United Parcel Service (UPS) distribution facility), the Eubanks Road Park & Ride lot, and an undeveloped assemblage of property owned by Park West Investors. This assemblage of property owned by Park West Investors, was represented as being intended for mixed-use development during the development of the Town's recently adopted Comprehensive Plan. To the east of the property is a five-acre single-family lot which was sold some years ago by the landowner of this proposal, who also served as the current lot owners' builder, and included disclosures that more intense development of the remainder of the property was planned.

Immediately south of the proposed conceptual plan site is the recently approved Larkspur single-family subdivision, although a 128-foot Duke Power easement runs along the entire southern edge of the property, separating the two developments. We note that disclosures were made during the public meetings for the Larkspur subdivision that this particular project would soon be initiated on this site. Indeed, knowledge of the timing of this project allowed the vehicular cross-connection between Larkspur and Northwoods to be minimized in exchange for the owner of this site making a public promise that a public road corridor would be provided northward through this subject property, connecting Larkspur to Eubanks Road. To the west of the property is a mini-warehouse facility that has existed just west of the railroad corridor for several decades.

The developer's program for the site envisions a residential community of rental apartments that would be located just across Eubanks Road from the Town's Park & Ride facility, and would also be in close proximity to any future mixed-use development on the property assemblage just east of the Park & Ride facility. The tenant mix is expected to include young professionals with interest in the nearby I-40 corridor, in addition to those with an interest in the University campus and medical complex. It is anticipated that the latter group will have a high interest in utilizing the easy mass transit opportunities provided by the existing Park & Ride facility, even if bus service cannot be immediately arranged through this specific development. At some point in the future, the rail corridor and/or the Rail Trail, shown on the Greenway Master Plan as being located just east of the railroad corridor, may provide additional commuter solutions to the University campus and medical complex area.

The approximately 35-acre (gross) site contains a railroad corridor easement within the western portion of the property, effectively isolating the extreme southwest corner of the assemblage. Just east of the railroad corridor, within the western portion of the property, is an unnamed upper

tributary to a natural drainage network that is eventually becomes known as Old Field Creek, as it flows northward and eastward beneath I-40 towards New Hope Creek. This northward flowing stream has been deemed to be perennial, and a 150-foot Resource Conservation District (RCD) buffer is shown from each bank, in accordance with the Town's new Land Use Management Ordinance. An intermittent stream stretches eastward through the site, and is shown as having a 50-foot Resource Conservation District (RCD) buffer from each bank. This intermittent stream buffer is undisturbed, with the exception of the public road crossing northward from the Larkspur subdivision to the south, to Eubanks Road to the north. The developable portion of the site is identified as prime buildable, with almost all of this area having 0-10 percent slopes.

The proposed residential apartment community would consist of 14 three-story buildings, plus a two-story central leasing office and clubhouse facility. The mix of residential units within the proposed buildings consists of 138 one-bedroom/one-bathroom units, 108 two-bedroom/two-bathroom units, and 60 three-bedroom/two bathroom units, resulting in nine buildings that contain 24 apartments and five buildings that contain 18 apartments. Parking is provided at a ratio of approximately 1.7 parking spaces per unit, a rate that is well within Town guidelines for multifamily development.

The combination of the north-south public road corridor from the Larkspur subdivision, and the intermittent stream moving from the southwestern portion of the property to the eastern property line, divides the parcel into three distinct sub-areas that are then served by a system of drive aisles and parking courtyards. The project's main entrance becomes the public road that enters Larkspur to the south and is aligned opposite the one-way entrance into the Park & Ride facility that is located across Eubanks Road, to the north. Traffic is slowed and distributed by a roundabout that could contain an ornamental public art element (currently illustrated as a fountain).

The residential community's common recreational facilities are located in three of the four quadrants, including the clubhouse and pool facility, a tot lot facility (to be separated from adjoining uses and roads by appropriate fencing materials), and a putting green. The project's proposed secondary access point from Eubanks Road, besides the southern cross-connection through the Larkspur subdivision to Weaver Dairy Road, is aligned opposite the Chapel Hill Industrial Park entrance into the UPS facility. A strong pedestrian network within the community not only provides functional access from the parking spaces to the building entrances, but also serves to create recreational opportunities throughout the site and along the greenway corridor.

Subsequent to input from the Town Council, the Community Design Commission and the surrounding property owners, the applicants intend to file a Zoning Map Amendment that would proposed to change the mixture of Residential-1 (R-1), Residential-2 (R-2), and Mixed Use, Office/Institutional (MU-OI-1) zoning districts that currently exist on the site to a Residential-5-Conditional (R-5-C) zoning district, with a density cap proposed at 8.8 dwelling units per acre. A Planned Development-Housing (PD-H) Special Use Permit application will also be jointly filed with the Zoning Map Amendment application.

16

In accordance with Town Policy and the Comprehensive Plan, an affordable housing component will be proposed as a part of this Special Use Permit application. These affordable units will be perpetually affordable rental units, provided in coordination with the Orange Community Housing and Land Trust organization. The initial intention is that these affordable housing units will be mixed throughout the community in roughly the same proportions of unit mix as the general pattern of unit mix for the entire development.

The developers believe that this conceptual plan proposes a residential community that meets a continuing market need within the community for rental housing units, is compatible with both present and future surrounding land uses, is located proximate to a public road system with sufficient capacity to serve additional traffic without negative impact, provides additional bus ridership to a currently underutilized Park & Ride bus facility, respects the environmental components of the property, provides an affordable rental housing element, and provides both additional property tax base and school impact fees without unduly burdening the minimal public resources needed to serve Chapel Watch Village. The input of the Town Council, the Community Design Commission and the adjoining property owners is now sought before the next steps toward realizing these design objectives are taken.

**IV. Statement of Compliance with Town Design Guidelines and Descriptions and Explanations of Site Elements**

The Town of Chapel Hill's Land Use Management Ordinance prescribes that "all Conceptual Development Plans should demonstrate a high quality of overall site design." In particular, the Ordinance discusses that:

"The design and construction of site elements should include appropriate descriptions and explanations of the relationship and balance among site elements, the relationship of the development to natural features, neighboring developments and undeveloped land, access and circulation systems, retention of natural vegetation, minimal alteration of natural topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts."

The Chapel Watch Village conceptual plan seeks to fulfill these site design characteristics and to comply with the Chapel Hill Design Guidelines. Descriptions and explanations regarding the site design and site elements, as well as compliance with the Design Guidelines, are provided as follows:

- The site elements have been designed and located in such a manner to protect the perennial stream and intermittent stream that together break the site into three distinct sub-areas. The perennial stream buffer is proposed to remain largely undisturbed, while the intermittent stream buffer is only disrupted by the promised north/south public street that bisects the site and provides access between the Larkspur subdivision and Eubanks Road.
- The apartment buildings along Eubanks Road have been oriented such that the ends of the buildings face the edges of the site, reducing the sense of mass and the accompanying visual impact on the Eubanks Road viewshed, and the neighboring properties to the north. Instead, these buildings have been oriented to overlook parking courtyards which incorporate landscaped medians between the parking spaces to break up the impervious surface, while also providing parking lot shading.
- The significant tree masses that will remain as a part of the Resource Conservation District (RCD) area in the southwestern portion of the site and in the intermittent stream area are utilized to enhance the viewshed from the windows of the adjacent buildings by aligning their central axis in an orientation that follows these natural linear features.
- The site has been designed to revolve around a central roundabout area, located in the middle of the proposed north/south street that connects the Larkspur subdivision to Eubanks Road. In particular, the active recreation elements have all been located in the center of the site near this roundabout, in an effort to maximize their accessibility and place them within a reasonable walking distance of all residences.



- A comprehensive sidewalk network is also proposed throughout the site, connecting all of the buildings and parking areas, in an effort to provide safe and efficient pedestrian circulation throughout the site. In addition to functioning as access from the parking spaces to the entrances to the buildings, the sidewalk system also provides for pedestrian shortcuts and pure recreational opportunities on the site.
- Open space accommodations are provided for the eventual extension of the planned Rail Trail, as shown on the Town's Greenway Master Plan, to be extended northward through the site on the eastern side of the railroad corridor.
- Within a cleared OWASA sanitary sewer easement that currently exists in the edge of the eastern RCD buffer, a recreational sidewalk is provided that can later serve to provide a convenient potential connection point to the future Rail Trail.
- The RCD area, in turn, provides a buffer between the Rail Trail and the development, complying with a Design Guideline directive to separate the two uses with a buffer.
- The site design makes use of the natural drainage patterns of the site, including provision of a vegetative buffer along the perennial and intermittent streams on the site.
- The developed area of the site almost exclusively has slopes in the 0-10 percent (Prime Buildable) category.
- Building heights are limited to three stories, thereby staying below the existing tree line within the preserved areas of the site.
- Three exterior points of access are provided to the site. In addition to the southern point of access from the Larkspur subdivision, two northern entrances are provided to the site from Eubanks Road. The two Eubanks Road entrances are sited approximately 800 feet apart, and are located opposite existing roads or driveways on the north side of Eubanks Road.
- A roundabout is provided in the central recreational area on the public street between Larkspur to the south and Eubanks Road to the north, in order to serve as a traffic-calming device and as a visual focal point.
- A pedestrian connection is also provided to the Larkspur subdivision, in addition to a vehicular connection.
- A pedestrian connection to the Eubanks Road sidewalk system is provided at multiple access points for the convenience of the residents.
- Dumpster and recycling areas are sited to be convenient for all of the residents, and designed to provide easy access for service vehicles.

- The 30-foot landscaped buffer along Eubanks Road should effectively screen the viewsheds both in and out of the site, especially if evergreen material is used to supplement the mature existing vegetation in these areas.
- Bicycle racks are provided throughout the site, and an enclosed bicycle storage facility will be provided in the central clubhouse area if the apartment units themselves are deemed unacceptable for indoor storage purposes.
- Bus service is currently available at the Eubanks Road Park & Ride lot located across from the main entrance into the site. The applicant will also work with Chapel Hill Transit to provide even more convenient bus stop service on site, especially if this site can be incorporated into future bus service routes.
- The site's stormwater management areas are located outside of the Stream Side and Managed Use Zones of the Resource Conservation District (RCD) area, but at natural drainage points for the site, without having to force the site's grading otherwise. The stormwater management ponds will be designed to provide stormwater quality features, as well as stormwater discharge quantity control.
- All site utilities are underground (with the exception of the overhead high voltage transmission lines that traverse the southern edge and the extreme northwestern corner of the site) and the site's sanitary sewer collection system will utilize the parking lot drive aisle areas to the extent possible to reduce the need for additional vegetative clearing.
- Parking spaces are currently provided at a ratio of only 1.7 spaces per unit, and the site's total impervious surface ratio is approximately 29 percent.
- Landscaped medians are provided between parking modules within the parking courtyards to further break up those areas both visually and for stormwater runoff purposes.
- Plant material selection for the landscaping will be selected from native non-invasive species.
- Finally, the architectural character of the site's buildings is intended to harmonize with the Chapel Hill built environment.

## V. Statement of Consistency with the Town's Comprehensive Plan

This conceptual plan is proposed in accordance with several of the themes discussed in the Town's Comprehensive Plan. The consistency of the conceptual plan with these individual themes is discussed below.

*Theme: Create and preserve affordable housing opportunities...*

The Town's Comprehensive Plan places a high priority on the provision of a variety of housing opportunities to accommodate the needs of the Town's diverse population, and to allow citizens to live close to their places of employment. In particular, the Town has noted that a majority of all new residential construction over the last ten years has consisted of higher end single-family housing. Accordingly, the Comprehensive Plan places a heavy emphasis on the Town's need to encourage the development and provision of affordable housing opportunities, stating that:

"As a general policy, the Town should encourage developers of residential developments of five or more units to 1) provide 15 percent of their units at prices affordable to low and moderate income households, 2) contribute in-lieu fees, or 3) propose alternative methods so that the equivalent of 15 percent of the units will be available to low and moderate income households."

In accordance with the goals and objectives of the Town's Comprehensive Plan, the Chapel Watch Village proposal will include an affordable housing component. These affordable units will be permanently affordable rental units, that will be provided in coordination with the Orange Community Housing and Land Trust organization.

*Theme: Identify areas where there are creative development opportunities...*

The Comprehensive Plan acknowledges that, as a maturing community, Chapel Hill has relatively little vacant land remaining that is suitable for non-residential development. The Land Use Plan does indicate however, that one such area is located immediately north of this site, on the northern side of Eubanks Road, between Interstate-40 and Millhouse Road. The Land Use Plan denotes that this area north of Eubanks Road is appropriate for a mixed-use development, with an office emphasis. As a site adjoining this potential future mixed-use development, this applicant believes this site offers a creative opportunity to provide supporting residences for such a land use, in a multi-family development format (the other nearby residential developments – Northwood and Larkspur, are single-family in nature).

In addition, this site is uniquely located adjacent to an underutilized Town Park and Ride lot, on a bus route, and adjacent to the rail line that runs southward through the Horace Williams tract to downtown Carrboro and Chapel Hill (and has the potential to be used for mass transit purposes in the future). When these transportation amenities are combined with the flat topography located on the developable portions of this site, a significant creative opportunity seems to emerge for a multi-family development that would be well-located, would support future mixed use development on this area, and would serve as an asset to the community.

*Theme: Work toward a balanced transportation system...*

The Town's Comprehensive Plan discusses the need to pursue an aggressive, new approach to transportation. This approach shifts the emphasis from the automobile to other means of travel – walking, biking, transit, and park-and-ride – in order to achieve a community-wide, multi-modal transportation system. As previously noted, this site is uniquely located adjacent to an underutilized Town Park and Ride lot, on a bus route, and adjacent to the rail line that runs southward through the Horace Williams tract to downtown Carrboro and Chapel Hill (and has the potential to be used for mass transit purposes in the future). Furthermore, land is reserved for a future greenway trail that will eventually add to the Town's walking and bicycling network.

In summary, the location of this site epitomizes the aggressive approach to transportation that is emphasized in the Comprehensive Plan, and maximizes the opportunities that will entice individuals to get out of their cars and utilize other means of travel.

*Theme: Conserve and protect the natural setting of Chapel Hill...*

The Comprehensive Plan encourages the preservation of the Town's natural environment through the protection of open spaces, forested areas, wetlands and creeks. In pursuit of this objective, the conceptual plan proposes the preservation of 8.9 acres (10.4 acres if including the rail line easement) on the western portion of the site, which includes a perennial stream and the majority of the steep slopes located on the site. In addition, the plan proposes the preservation of an additional 1.9 acres for an east-west corridor on the site that includes an intermittent stream. Overall, approximately 30% of the site is proposed to remain undisturbed, protecting the environmentally sensitive attributes that are located on the site.

*Theme: Complete the bikeway/greenway/sidewalk systems...*

A prevalent theme in the Town's Comprehensive Plan is the need to complete Chapel Hill's town-wide network of sidewalks, bikeways and greenways. By design, the site layout for Chapel Watch Village is proposed to offer bicycle and pedestrian circulation both internal to the development, as well as to neighboring developments. In particular, the extensive sidewalk network within the Chapel Watch Village development is proposed to connect to the sidewalk network in the Larkspur subdivision, offering neighborhood connectivity. Furthermore, the Chapel Watch Village conceptual plan sets aside land along the rail line for a future greenway trail, in accordance with the Town's Greenways Master Plan.

*Theme: Compliance with the Town's Land Use Plan...*

The Town's adopted Land Use Plan, which is a component of the Town's Comprehensive Plan, identifies the developable portions of this site as being appropriate for medium density residential uses (4-8 units per acre). In accordance with the Town's Land Use Plan, the applicant is proposing a density of 8.8 units per acre for the site. This density is proposed in accordance with the themes identified in the Comprehensive Plan and the following characteristics of the site:

22

- Development is proposed on the prime buildable areas of the site, respecting the carrying capacity of the land;
- The development is proposed as a supporting use in the larger context of a future mixed use development across the street, to the north;
- Ample park and ride, and mass transit facilities are available and within walking distance of this site; and
- The development will provide both additional property tax base and school impact fees without unduly burdening the minimal public resources needed to serve Chapel Watch Village.

