

# MASTER LAND USE PLAN APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
405 Martin Luther King Jr. Blvd  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): Southern Village - entire area (312 acres)

Date: 11/27/2012

## Section A: Project Information

Project Name: Modification to the Southern Village Master Land Use Plan (MLUP)

Property Address: Market Street in Southern Village, Chapel Hill Zip Code: 27516

Use Groups (A, B, and/or C): A&B Existing Zoning District: R-5-C, NC-C, R-2

Project Description: Removal of 84,052.96 square feet (1.93 AC) of total land area from the Southern Village Apartments.

## Section B: Applicant, Owner and/or Contract Purchaser Information

### Applicant Information (to whom correspondence will be mailed)

Name: Bryan Properties

Address: 400 Market Street, Suite 115

City: Chapel Hill State: NC Zip Code: 27516

Phone: (919) 933-4422 Email: rosemary.waldorf@gmail.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Owner/Contract Purchaser Information:

Owner

Contract Purchaser

Name: Redwing Land, LLC

Address: 400 Market Street, Suite 115

City: Chapel Hill State: NC Zip Code: 27516

Phone: (919) 933-4422 Email: rosemary.waldorf@gmail.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**MASTER LAND USE PLAN APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

The Master Land Use Plan conveys the general intent and system of development. It is a conceptual plan that illustrates and defines land use areas for residential, office, commercial, open space, and special facilities or other land uses. General circulation patterns, both vehicular, pedestrian, and bicycle, are identified and indicated on the conceptual plan. The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

X	<b>Application fee</b> ( <a href="#">refer to fee schedule</a> )	Amount Paid \$ <input type="text"/>
X	<b>Pre-Application Meeting – with appropriate staff</b>	
X	<b>Digital Files</b> - provide digital files of all plans and documents	
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )	
X	<b>Mailing fee for above mailing list</b>	Amount Paid \$ <input type="text"/>
X	<b>Written Narrative describing the proposal</b>	
X	<b>Statement of Justification</b>	
X	<b>Digital photos of site and surrounding properties</b>	
X	<b>Concept Plan Summary from Community Design Commission and Town Council, if applicable</b>	
X	<b>Phasing Plan (if applicable) indicating phasing boundaries and phasing notes</b>	
X	<b>Stream Determination - necessary for all submittals</b>	
X	<b>Jurisdictional Wetland Determination – if applicable</b>	
X	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>	
X	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>	
X	<b>Reduced Site Plan Set (reduced to 8.5"x11")</b>	

**Plan Sets (15 copies to be submitted no larger than 24"x36")**

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable



### Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names.
- f) 1,000 foot notification boundary

### Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

### Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on & off-site)
- c) Proposed setbacks
- d) Driveway locations

# **Request for Master Land Use Plan Modification**

## **Modification of Southern Village Master Land Use Plan**

December 12, 2012

Applicant: Bryan Properties, Inc.  
400 Market Street, Suite 115  
Chapel Hill, NC 27516

## **Project Narrative**

This is a request for a modification of the Southern Village Master Land Use Plan, first approved by the Town of Chapel Hill in 1993 and modified on October 22, 1996. A copy of the 1996 modification is attached.

This modification is being requested in tandem with our application for a Special Use Permit for Southern Village Hotel and Apartments or Office. That application seeks approval for a 115- to 125-room hotel and either a 68-unit apartment building (60,000 square feet) or a 48,000 square foot office building.

The site for that SUP is 3.48 acres between US 15-501 South and the existing Southern Village Apartment District. We are asking that this site be rezoned to MUV-A.

This redevelopment project site includes three lots with single-family homes (zoned Residential-2) and a vacant lot. In addition to these properties, the project site includes approximately 1 acre that currently sits inside the northeastern boundary of the Southern Village Apartments SUP.

The Town of Chapel Hill has approved a recombination plat which removes this 1.93 acres from a Southern Village Apartments parcel, creating a new lot. At the recommendation of Chapel Hill Planning, we are asking that the line of the Southern Village Apartments SUP be adjusted to exclude this 1.93 acres, so that it can be part of a new SUP for Hotel and Apartments or Office.

At the recommendation of Chapel Hill Planning, we are also asking that the line of the Southern Village Master Plan be adjusted to exclude this 1.93 acres, so that the Master Plan and Apartment Special Use Permit boundaries will be identical.

In addition, in this request for modification, we ask that the required buffer along the proposed new boundary with the requested MUV-A zone be eliminated, and that no buffer be required along the MUV-A area as it adjoins the existing Southern Village Apartments.

Buffering apartments from apartments serves no good purpose and in fact would be undermine the goal of creating a walkable, village atmosphere that encourages residents and hotel guests to walk to the Village Center.

Attached is a map showing the existing SUP boundary, the existing Master Plan boundary, and our proposed change.

### **Statement of Justification**

The applicant, Bryan Properties, Inc., submits the following information as evidence that this requested Special Use Permit modification meets the four Special Use Permit findings of fact.

**Finding # 1: That the use or development is located, designed and proposed to be operated to as to maintain or promote the public health, safety and general welfare.**

This requested modification -- to adjust the northeastern boundary of the Southern Village Master Plan to remove an acre and to eliminate the buffer requirement -- will have no different impact on the public health, safety and general welfare than the current uses operating under the Master Plan approved in 1993 and modified in 1996.

**Finding # 2: The 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 all other applicable regulations.**

#### Article 3

##### Zoning Districts, Uses and Dimensional Standards

This modification to remove 1.93 acres from the Southern Village Master Plan does not seek a change in zoning, uses or dimensional standards; it is merely a boundary shift.

#### Article 5

##### Design and Development Standards

This modification makes no request for additional built space. Therefore, issues related to site layout and design, RCD, recreation, buffering, landscaping, tree canopy, access and circulation, parking, solid waste collection and recycling, utilities and stormwater management are not affected by this modification.

**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 of development is a public necessity.**

The proposed changes to the Southern Village Master Plan area – removal of 1.93 acres and relief from the buffer requirement along the Southern Village Apartments boundary -- would maintain the value of contiguous properties.

Our companion proposal, to build a hotel and another apartment building adjacent to Southern Village Apartments, would incorporate this 1.93 acres into a project that would enhance neighboring properties.

To the south along US 15-501, an individual owns two land parcels that include a total of six residential units. These tracts lie between our proposed development site and the Market Street entrance to Southern Village. Our proposal, if completed, would bring higher land and property values to our redevelopment site. The three rental homes that we have contracted to purchase, plus the vacant lot that we have purchased, have a combined Orange County tax value of \$429,939 and our development has a projected value of \$20 million. The adjacent owner's property values would rise as a consequence of our development because its potential as a more intense commercial or residential use would be enhanced. In providing public water and sewer to our site, we will bring access to these services close to these adjacent properties.

Southern Village Apartments' value would be enhanced by the improvement of the property we propose to develop.

The current condition of the properties we have under contract does not add value to its neighbors. In contrast, our proposal would enhance property values for neighboring properties.

**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 modification request to adjust the Master Plan boundary to exclude 1.93 acres is a minor, technical adjustment and would leave the Southern Village Apartments and the developed Southern Village community unchanged. Therefore, all the facts cited for compliance with Finding 4 at the time of original approval and at the time of modification still obtain.

In tandem with our application for a Hotel and Apartments or Office Special Use Permit, this minor modification to adjust the Master Plan boundary would support goals of the 2020 Comprehensive Plan in the following ways:

1. Strengthens existing local businesses.
2. Supports commercial tax base.
3. Promotes connectivity of all types -- social, economic and physical, through walkability.
4. Compatible with transit use.
5. Efficient use of public facilities.
6. Strengthens mixed-use area.

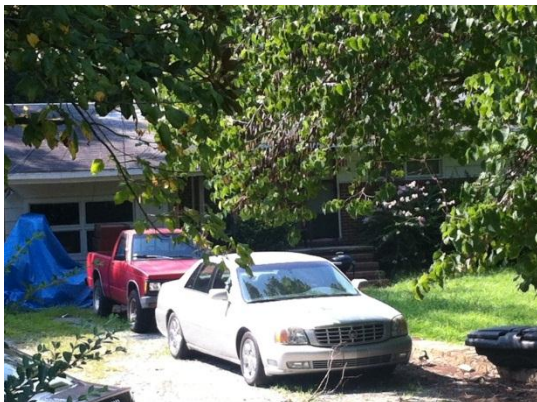
**Photographs from Existing Site**



Janet Allen Property from 15/501



James Paliouras Property from 15/501



Timothy Holleman Property from 15/501



From Barksdale Drive into site



**ADJACENT PROPERTIES**



Jim Allen Property south of site



Jim Allen Property south of site



Creekside Crew Property north of Site