

SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514
phone (919) 968-2728 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9787059854

Date: 12/5/2012

Section A: Project Information

Project Name: Modification to the Special Use Permit for the Southern Village Apartments

Property Address: Aberdeen Dr, Copperline Dr, Barksdale Dr, and Melrose Pl, Chapel Hill Zip Code: 27516

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

Project Description: Removal of 84,052.96 square feet (1.93 AC) of total land area from the Southern Village Apartments.
Removal of the 50' type B buffer behind the existing residences fronting on 15-501.

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

Applicant Information (to whom correspondence will be mailed)

Name: Redwing Land, LLC, an affiliate of Bryan Properties

Address: 400 Market Street, Ste. 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, an affiliate of Bryan Properties

Address: 400 Market Street, Ste. 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: _____



PROJECT FACT SHEET
 TOWN OF CHAPEL HILL
 Planning Department

Section A: Project Information

Application type: Modification to the Special Use Permit for the Southern Village Apartments Date: 12/5/2012
 Project Name: Modification to the Special Use Permit for the Southern Village Apartments

Use Type: (check/list all that apply)

Office/Institutional Residential Mixed-Use Other: _____

Overlay District: (check all those that apply)

Historic District Neighborhood Conservation District Airport Hazard Zone

Section B: Land Area

| | | | | |
|--|---|------|------------|---------|
| Net Land Area (NLA): Area within zoning lot boundaries | | NLA= | 84,052.96* | sq. ft. |
| Choose one, or both, of the following (a or b), not to exceed 10% of NLA | a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way | CSA= | N/A | sq. ft. |
| | b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space | COS= | N/A | sq. ft. |
| TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%) | | GLA= | N/A | sq. ft. |

* Note: Square footage being listed is what is being removed from the Southern Village Apartments

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

Jordan Buffer Resource Conservation District 100 Year Floodplain Watershed Protection District

| Land Disturbance | Total (sq ft) |
|--|---------------|
| Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, all grading, including off-site clearing) | N/A |
| Area of Land Disturbance within RCD | N/A |
| Area of Land Disturbance within Jordan Buffer | N/A |

| Impervious Areas | Existing (sq ft) | Demolition (sq ft) | Proposed (sq ft) | Total (sq ft) |
|--|------------------|--------------------|------------------|---------------|
| Impervious Surface Area (ISA) | 0 | N/A | N/A | 0 |
| Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) % | N/A | N/A | N/A | N/A |
| If located in Watershed Protection District, % of impervious surface on 7/1/1993 | N/A | N/A | N/A | N/A |



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

| Dimensional Unit (sq ft) | Existing (sq ft) | Demolition (sq ft) | Proposed (sq ft) | Total (sq ft) |
|--------------------------|------------------|--------------------|------------------|---------------|
| Number of Buildings | 0 | N/A | N/A | N/A |
| Number of Floors | N/A | N/A | N/A | N/A |
| Recreational Space | N/A | N/A | N/A | N/A |

Residential Space

| Dimensional Unit (sq ft) | Existing (sq ft) | Demolition (sq ft) | Proposed (sq ft) | Total (sq ft) |
|---|------------------|--------------------|------------------|---------------|
| Floor Area (all floors – heated and unheated) | N/A | N/A | N/A | N/A |
| Total Square Footage of All Units | | | | |
| Total Square Footage of Affordable Units | | | | |
| Total Residential Density | | | | |
| Number of Dwelling Units | | | | |
| Number of Affordable Dwelling Units | | | | |
| Number of Single Bedroom Units | | | | |
| Number of Two Bedroom Units | | | | |
| Number of Three Bedroom Units | | | | |

Non-Residential Space (Gross Floor Area in Square Feet)

| Use Type | Existing | Proposed | Uses | Existing | Proposed |
|------------------|----------|----------|------------|----------|----------|
| Commercial | N/A | N/A | | | |
| Restaurant | | | # of Seats | N/A | N/A |
| Government | | | | | |
| Institutional | | | | | |
| Medical | | | | | |
| Office | | | | | |
| Hotel | | | # of Rooms | N/A | N/A |
| Industrial | | | | | |
| Place of Worship | | | # of Seats | N/A | N/A |
| Other | | | | | |

| Dimensional Requirements | | Required by Ordinance | Existing | Proposed |
|--------------------------|---------------------------------------|-----------------------|----------|----------|
| Setbacks (minimum) | Street | N/A | N/A | N/A |
| | Interior (neighboring property lines) | | | |
| | Solar (northern property line) | | | |
| Height (maximum) | Primary | | | |
| | Secondary | | | |
| Streets | Frontages | | | |
| | Widths | | | |

Request for Special Use Permit Modification

Modification of Southern Village Apartment District Special Use Permit

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 Special Use Permit for the Southern Village Apartment District. The original SUP was approved in 1993 and a copy of that SUP 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 1.93 acres 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.

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

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.

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 so as to maintain or promote the public health, safety and general welfare.

This requested modification -- to adjust the northeastern boundary of the Southern Village Apartments SUP to remove 1.93 acres and eliminate the buffer requirement -- will have no different impact on the public health, safety and general welfare than the current use operating under the SUP (residential apartments) approved in 1993.

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 Apartments SUP does not seek a change in zoning, uses or dimensional standards for the SUP; it is merely a boundary shift and request to eliminate a buffer requirement inappropriate to the proposed new development.

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 removal of 1.93 acres from the Southern Village Apartments SUP area and elimination of the buffer requirement 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 completely, 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 an SUP boundary to exclude 1.93 acres is a minor, technical adjustment and would leave the Southern Village Apartments District unchanged. Therefore, all the facts cited for compliance with Finding 4 at the time of original approval still obtain.

In tandem with our application for a Hotel and Apartments or Office Special Use Permit, this minor modification to adjust an SUP 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.