

Bridgepoint Townhome Community

Finding of Facts

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 Bridgepoint, the proposed Townhome Community located at 2214 and 2312 Homestead Road, meets the Town's standards and the findings of fact necessary for approval by the Town of Chapel Hill of a Planned Development – Multifamily Use with Conditional Zoning.

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 site will have its primary entrance on Weaver Dairy Extension Road and will also provide two entrance roads to the Town owned 2200 Homestead Road site. When the 2200 Homestead Road site is developed into a mixed-use community Bridgepoint will have access to Homestead Road in addition to Weaver Dairy Extension Road providing superior circulation for both communities. The entrance onto Weaver Dairy Extension Road will be a shared entrance for the Town of Chapel Hill's proposed community adjacent to Bridgepoint to the west. The Weaver Dairy Extension Road entrance and the internal streets within Bridgepoint will be constructed to Town Standards and dedicated to the Town of Chapel Hill. The primary entrance onto Weaver Dairy Extension Road will allow access to I-40 without having to enter onto Homestead Road making commuting safer for everyone. The proposed site plan has been designed in a manner such that nearby residents and workers will be able to readily access the proposed community by car, bus, bicycle, or foot.
- The site is also located within a short walking distance from the railroad just south of the publicly owned Green tract. The railroad could a potentially serve as a mass transit corridor in the future.
- A major north-south greenway corridor (referred to conceptually as the "Rail Trail" in comprehensive plan documents) will be located within easy walking distance of the site, emerging from the Carolina North property from the south, passing between the site and the railroad corridor and continuing northward through the Greene Tract to the Eubanks Road area. The proposed Bridgepoint site will have direct access to the Rail Trail through the proposed Greenway Trail Easement to be dedicated as part of the Bridgepoint proposal.
- The Town has completed plans and NCDOT funding has been approved to construct the Homestead Road Improvement Project. The project runs from Weaver Dairy Extension Road to Seawell School Road. The improvements will include a 10' wide pedestrian multi-use path, bike lanes, and pedestrian crossings, all designed to enhance pedestrian safety and encourage non-vehicular travel. The Homestead Road Improvement Project will be constructed across the entire Bridgepoint road frontage on Homestead Road. The Applicant has granted the Town of Chapel Hill the necessary right-of-way to construct the improvements. The Homestead Road Improvement Project is a NCDOT funded project initiated for the purpose of traffic and pedestrian safety.

- Pedestrian access points are provided at all three proposed vehicular entrances, and sidewalk has been proposed along the west side of Weaver Dairy Road Extension from the intersection of Homestead Road to the northern property line of the Bridgepoint site.
- Public sidewalk is being proposed along all public streets within the community.
- The site is adjacent to existing OWASA potable water and sanitary sewer mains, without the need for any off-site extensions, thereby efficiently utilizing the community's existing infrastructure network.
- No extension of public utilities will be necessary as all have previously been extended to the site.
- All site utilities will be installed underground, as per Town standards.
- Bridgepoint will comply with all stormwater detention and water quality standards as set out in the Chapel Hill Land Use Ordinance.
- Bridgepoint preserves the stream side corridor that traverses the northern edge of the site from west to east and a portion of the ephemeral channel that traverses western portion of the site. Bridgepoint proposes a public greenway trail easement along top of the water quality pond along the northern portion of the site south of the stream. The Greenway Easement will link Bridgepoint and the 2200 Homestead Road site with Weaver Dairy Extension Road providing a valuable future link to Homestead Park and the Aquatics Center.

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, Bridgepoint is in compliance with all of the required regulations and standards of the Land Use Management Ordinance with exception to the following:
 - Exceed disturbed area ratio of 0.40 in the manage use and upload zones of RCD to allow for the construction of a stormwater control measure. The percent of land disturbance requested in the 50-ft managed use zone is 55% and 79% in the 50-ft upland zone of the RCD;

- Utilize 30-inch valley curb and gutter section in-lieu of 30-inch standard curb section for local street (without parking);
 - Section D103 of the North Carolina Fire Prevention Code requires the minimum road width to be 26-ft where a fire hydrant is located on a fire apparatus access road. Town of Chapel Hill's standard detail for a local street does not meet this criteria, therefore the 25-ft back-to-back dimension for local street (without on-street parking) has been revised to 26-ft with valley curb and 27-ft with standard curb when adjacent to a fire hydrant to meet section D103.1 of the North Carolina Fire prevention Code. The right-of-way width of 35-ft shall remain unchanged;
 - Exceed 25% of the area containing 25% or greater slopes. A majority of these disturbed slopes occur along the west side of Weaver Dairy Road Extension and were created during the construction of Weaver Dairy Road Extension. Additional slopes 25% or greater that were created during the construction of the existing home site, the existing concrete flume, and the existing asphalt path along the western portion of the property. The total area of disturbed natural slopes 25% or greater is only 2,133 sf. This area of impact is necessary to properly grade the area reserved for the future greenway trail;
 - Developer is providing five affordable homes which equates to 10.41%. This is less than the 15% inclusionary zoning requirement, however the affordable homes are the same size as the market rate units. In addition, the developer exceeds the minimum net livable square footage requirement associated with the 15% inclusionary zoning requirement with only the five homes.
- The proposed zoning lot complies with the dimensional requirements listed in Table 3.8-1, with exception to interior setbacks, which is mentioned above.
 - The total floor area for the proposed buildings does not exceed the maximum permitted floor area designated in Table 3.8-1.
 - The proposed buildings comply with the primary and secondary height requirements identified in Table 3.8-1.
 - The proposed development conforms to the limitations regarding impervious surface area as delineated in 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.

- Landscaping, screening and buffering are preserved or provided in accordance with the requirements and options discussed in Section 5.6 of the Land Use Management Ordinance.
- Access, circulation, and off-street parking are proposed in accordance with Sections 5.8 and 5.9 of the Land Use Management Ordinance.
- Parking lot landscaping and screening is proposed in conformance with Section 5.9.6 of the Ordinance.
- The Bridgepoint proposal will conform to Section 3.10 of the Chapel Hill Land Use Management Ordinance and provide the requisite commitment to the affordable housing's inclusionary zoning by an alternate means of compliance. The Applicant has proposed providing five (5) affordable homes to the Community Home Trust for perpetual affordability. This equates to 10.41% of the market rate homes being affordable. Two (2) of the homes will meet the 65% of the median income ratio, and three (3) of the homes will meet the 80% of the median income ratio in conformance with the Chapel Hill Land Use Ordinance. While the 10.41% affordable homes being proposed is under the Land Use Ordinance target of 15% all five (5) of the homes provided will be the same size as the market rate homes at over 1700 square feet each. They will also each have two car garages making them look identical to the market rate homes. This will allow the Community Home Trust to market the homes to a wider set of potential homeowners while still meeting the income ratios targeted in the Land Use Ordinance. The combined square footage of the five (5) proposed affordable homes exceeds the minimum livable area square footage requirements associated with the 15% inclusionary zoning target.

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."

- Bridgepoint is proposed to be in conformance with all regulations and standards of the Town's Land Use Management Ordinance (LUMO), including preservation of the Resource Conservation District (RCD) buffer associated with the perennial stream feature that parallels the northern property line of the site, thereby adding to the existing RCD buffer already established on the northern side of this stream feature by Vineyard Square and combining with it to provide a significant vegetative buffer between Bridgepoint and Vineyard Square. This buffer will be a minimum of 300' or the length of a professional football field.

- This project is a Conditional Zoning townhome community compatible with the neighboring Vineyard Square townhome community. The Chapel Hill Future Land Use Map identifies the Bridgepoint Site as a “Development Opportunity Area” and the proposed project is consistent with the future land use maps. The Development complies with several of the most significant recommendations of the Northern Area Task Force Report.
 - The first recommendation of the Report is that projects be “Served by transit stops on Homestead Road.” Bridgepoint is working with the Town of Chapel Hill to determine the best placement of a transit stop along Homestead Road. It is not a question of whether there will be one, but where the best location is.
 - The Report recommends “Improved pedestrian corridor along Homestead Road...” to include landscaping, pedestrian/bicycle path separate from the roadway. Bridgepoint will have a 10’ multi-use path and bicycle lanes on both sides of Homestead Road, and a landscaped buffer.
 - The Bridgepoint site is identified in area four (4) of the Northern Area Task Force Report as an “Opportunity to compliment new adjacent development”.
 - Most importantly the Report emphasizes that “Realizing these concepts and addressing these goals and objectives will require a cooperative effort between the Town, property owners, developers and citizens.” From the onset we have worked with the Town of Chapel Hill to collaborate on the development of the 2200 Homestead Road Project and the Bridgepoint Project. We have contributed right-of-way to facilitate the Homestead Road Improvement Project and have propose making two sidewalk connections and a Greenway connection to the Town owned 2200 Homestead Road site.
 - Finally, the Report emphasizes that physical improvements and expanded Town services will be in place at the same time as anticipated development. All utilities are currently available on the site including a sewer main line that runs west to east across the entire site which conforms to the proposed site plan. The sewer line was constructed to serve the Courtyards community.

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.”*

Place for Everyone - One of the major goals under the theme “A Place for Everyone” is to provide “A range of housing options for current and future residents”. Diversity of housing options has become a significant problem in Chapel Hill. The proposed Bridgepoint community will provide 53 town homes and make a significant contribution to affordable housing at a time when virtually all development plans being proposed or approved within the last 10 years in Chapel Hill are for multi-family apartments. Over 3,500 multi-family apartment units have been approved in Chapel Hill over the last 10 years and there are more applications

pending. At the same time not a single town home community has been approved. There have been a few duplex units constructed on odd lots, and the applicant provided nine (9) town homes as part of the affordable component of the Merin Road community, but no significant contributions to the lack of diversity in the housing stock. If approved, Bridgepoint will help fill the essential need for the “missing middle” housing in Chapel Hill. As the University of North Carolina tries to attract the best and the brightest to Chapel Hill, those potential teachers or staff who have children or anticipate having children will have as one of their primary considerations the availability of family-oriented housing. The same is true for the wider community as Chapel Hill tries to encourage innovative businesses to locate in Chapel Hill. While Bridgepoint will not solve the problem of providing diversity in housing it will provide additional options for families who, for whatever reason, are looking for something other than an apartment home.

Community Prosperity and Engagement - One of the major goals under the theme “Community Prosperity and Engagement” is to “Foster success of local businesses.” The Town of Chapel Hill has consistently expressed the desire to promote our world class university and to attract new employers who can utilize the talents and technologies developed at UNC to launch new and creative businesses. As mentioned in the preceding paragraph to successfully attract such businesses the Town must provide housing to meet the needs of the prospective employees. Bridgepoint will add housing diversity to the existing stock in a housing type that is underserved. The location of the Bridgepoint site immediately across Homestead Road from the Horace Williams tract, the University of North Carolina’s next big campus, makes the contribution to the diversity of housing all that more significant.

Getting Around - The goal is to promote “A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation.” The Bridgepoint community will provide a critical link in providing a holistic transportation system in Chapel Hill. As part of our concept plan Bridgepoint is proposing to construct a link of the Chapel Hill Greenway System connecting the communities to the north of Homestead Road, and the Green Tract to the trail system south of Homestead Road referred to as the Horace Williams/ Bolin Creek Trail system. In addition, the applicant has deeded NCDOT the necessary right-of-way to construct the Homestead Road Improvement Project. The Bridgepoint frontage along Homestead Road will include bike lanes on both sides and a 10’ multi-use path to facilitate non-vehicular transportation opportunities. The Homestead Road Improvement project will link the Bridgepoint site to the public schools along Seawell School Road and the

Horace Williams trail system. Perhaps even more important is the fact that in conjunction with the development of the Town owned site at 2200 Homestead Road enough critical mass may be established to warrant efficient bus service to an area where it has been sparsely provided in the past. Discussions are ongoing to determine the best location for bus stops on Homestead Road along the frontage of the the proposed 2200 Homestead Road community.

Good Places, New Spaces - Bridgepoint will promote several of the goals of the theme “Good Places, New Spaces” including the goal of providing “Open and accessible common spaces for community gathering, cultural uses, and community development.” As mentioned above Bridgepoint will provide a Greenway easement connecting the Town’s proposed 2200 Homestead Road community, and the existing Vineyard Square community to Weaver Dairy Extension Road, and then by sidewalk to the Horace Williams/ Bolin Creek Trails and the communities to the south of Homestead Road. The connection will also help link the future Green Tract to Homestead Road and the Horace Williams/ Bolin Creek Trails and potentially to the Homestead Park and Aquatics Center. A second major goal of the “Good Places, New Spaces” theme is to provide a range of neighborhood types that addresses residential needs. The town homes proposed on the Bridgepoint site will provide badly needed housing diversity to the Town of Chapel Hill’s housing stock.

Nurturing Our Community - In the design of the proposed Bridgepoint community we have made a conscious effort to leave the northern part of the site undisturbed where a perennial stream runs west to east through the site. We propose meeting or exceeding the rigorous Chapel Hill storm water, open space, and tree canopy standards. We have also proposed an onsite pocket park to provide an additional recreational opportunity for children and their parents.

Town and Gown Collaboration - While the proposed Bridgepoint community may not directly affect the operations of the University of North Carolina Chapel Hill, or their relationship with the Town of Chapel Hill we believe that adding to the diversity of the Chapel Hill housing stock near the Universities’ future northern campus on the Horace Williams site will provide opportunities for the families who move to Chapel Hill to work at the University. With the future supply of town homes seriously in question this may be important factor in the Universities ability to attract the best and the brightest work force.

The above evidence, along with testimony at the Public Hearing, demonstrates that Bridgepoint meets the Town’s standards as outlined within the Land Use Management Ordinance (LUMO) and the findings of fact necessary for approval by the Town of Chapel Hill of a Conditional Zoning townhome community, by providing neighborhood-scale development in a Development Opportunity location that achieves the purposes of the Comprehensive Plan.