



November 8, 2024

Town of Chapel Hill
Planning Department
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514

RE: Conditional Zoning Application for 860 Weaver Dairy Road

North side Weaver Dairy Road west of Carol Woods

On behalf of the land developer Land Planning & Entitlements, LLC, enclosed is a conditional zoning application for the 860 Weaver Dairy Road project. The western and eastern phases of this project are residential. The central area is being held as flex space.

This residential / mixed use project will encompass 45.23 net acres (49.76 ac gross) of multi-family and town home housing catering to diversified populations. The concept plan went through a review with Council in September 2024. There was overall support for the density proposed, variety of unit sizes, and for an area of flex space in the middle of the project where the parcel is adjacent to the Vilcom Center.

This project will create a community with a variety of housing catering to different populations in age and income levels. This multi-phase development will incorporate cohesive planning of architectural design, landscape design, function, and overall inclusive community attributes while also promoting better connectivity and land use transitions. It is located close to public transit and close to the proposed NS BRT line, and the project emphasizes pedestrians and alternate transportation modes.

The applicant is requesting an R-6-CZD zoning in the western multi-family area, MU-V-CZD zoning in the flex space area, and R-4-CZD for the eastern half of the project where the townhouse neighborhoods will be developed. The R-4-CZD zoning will act as a buffer between the existing R-4 townhome areas and the denser development proposed further west on the project.

Sincerely,

A handwritten signature in blue ink that reads "Wendi Ramsden".

Wendi Ramsden
Project Manager

Conditional Zoning Application - Developer's Program

Project Location and Layout

This project is located on the north side of Weaver Dairy Road, south of I-40 and between Chapel Hill North and Carol Woods.

The project is on 45.23 acres (net) and will be a mixed use community with all residents and tenants having use of multiple green spaces and non-residential components. The project includes 525-575 apartment rental units in two 6-story apartment buildings with 780 parking spaces, the majority of which are located in a parking structure behind the apartments. The buildings will be an urban style apartment with access through central lobby space and units accessed off interior corridors. The buildings will be 5 stories in front and will take advantage of the site topography to have a 6th lower level of apartments on the north site. The design also takes advantage of slope to add a lower level of parking on the north side of the building. The back near the parking structure will contain the service areas and the fire access lanes and turnarounds.

The multi-family neighborhood will include exterior site amenities including two swimming pools, outdoor grilling and gathering spaces, and easy access to a multi-modal trail through the site connecting with the existing trail at the west end and winding through the site to Weaver Dairy Road. Inside the buildings will be community socializing and co-working spaces overlooking the courtyards. These buildings also have the opportunity to provide some ground level retail and service space for the residents and the community at large.

There are multiple streams which divide this parcel into smaller communities. The apartments in the west neighborhood are built against 4.5 acres of wooded RCD zones and streams separating them from the flex space in the narrow central section of the project. This space is adjacent to an existing office park, Vilcom Center with 3-story office and medical buildings. The space is narrow and constrained by the highway on the north side and the cross-county power easement on the southside. This central area is the perfect location for some flex space easily accessible by the new residents and by the workforce population in the Vilcom Center. The central flex space will contain some community green space.

Travelling along the spine road, the eastern section of the project will be 3 communities of townhomes with community green spaces, a playground, and easy access to the greenway trail that connects the whole project together and to the neighboring residential properties. Up to 200 townhomes will be a variety of 2-4 story units with garages to reduce surface parking. These townhome areas are expected to appeal to families with children, and the central community will include a playground accessible by sidewalk and by the greenway trail.

In the northwest portion of the project, over 7 acres of forest with streams and wetland will be preserved. This natural area will be accessible via a new greenway trail which will connect to the edge of the Carol Woods Retirement Village. Two surface ponds will be built in the project and will include access via nature trails so they are amenities to be enjoyed by all residents.

The layout of the project focuses on a multi-modal form of transportation, with strong delineation of not just vehicular traffic but also pedestrian and bicycle traffic with sidewalks and bike lanes winding throughout the project. Accessible west of the project is an existing retail center, Chapel Hill North, with a grocery store, service retail, and restaurants. Southwest of the site is the intersection of Weaver Dairy Road with Martin Luther King Jr Blvd where there will be a BRT stop on the NS BRT route.

The general design of the site is the creation of a new main street (private road) with multiple neighborhood green community spaces. Many multi-family units will include views of existing preserved woods, and the townhome layout has been designed to allow many units to face common green spaces, thereby taking the emphasis off vehicular space and promoting walking and biking within the community. The new main street will provide a connection through the site, will be sized for emergency access, and will allow for access from Chapel Hill North, Old University Station Road, and Weaver Dairy Road.

Transportation and Services

The site has frontage on three rights of way – 549 LF frontage on the unimproved right of way extension of Adair Drive, 64 LF frontage at the terminus of Old University Station Road, and 230 LF frontage on Weaver Dairy Road at the east end of the project. This is in addition to the 3,974 LF frontage on I-40. The project will include access and both the east and west ends of the project with a connector private road running through the length of the community. At the west end the project will make vehicular connections to the end of Old University Station Road and to the pavement end of the existing Adair Drive. At the east end, there will be a connection to Weaver Dairy Road. The project abuts multiple developments and where possible and amenable to neighbors, there will be pedestrian connections.

Fire and emergency access will be available to all new residential units and non-residential space off this central road. Garages and service areas will be accessed from this main street and from smaller internal driveways.

Trash service for the multi-family buildings will be internal at the lower level and access from the rear of the building. A recycling dumpster will be provided at this building for County Solid Waste collection. The townhome neighborhoods will have traditional carts for Town trash pickup and County recycling pickup.

The 860 Weaver Dairy Road project is very accessible to public transit. A Chapel Hill Transit bus route runs along Old Chapel Hill Road and could take residents into downtown Chapel Hill. The

proposed NS BRT route proposes a stop at Weaver Dairy Road and Martin Luther King Jr Blvd, just a 10-minute walk from the project. The site is also close to I-40 for easy access for commuters. There are sidewalks on Weaver Dairy Road, a greenway trail connection to Perkins Drive, and sidewalks throughout the Carolina North properties. Pedestrian walks and greenway trails will provide connectivity to this existing grid.

Streams and Impervious Surface Mitigation

There are multiple streams and wetlands on this parcel, which currently has no impervious surface. Beginning at the west end, there is high land where the multi-family development is proposed. That land drops into an area of perennial streams which flows north under I-40. The impervious from this portion of the project will be treated in an underground facility under the parking deck.

The next section of higher land is quite narrow north of Vilcom Center, land is constrained by I-40 on the north and the Duke power cross county line easement along the south end. This narrow strip with views of the adjacent 3-story office and medical buildings is the area proposed for non-residential flex space. Impervious from this portion of the development will flow west toward the stream and will be treated in a surface pond.

Moving east there is an intermittent stream and wetland area which flows south toward the Kensington Trace condominium community. This draw also contains a sewer main which flows south. Across the draw is an area of high land directly north of the Kensington Trace 3-story buildings. This area (Townhouse A) will be developed with 2- and 3-story townhomes but the configuration of easements and topography does not lend itself to a surface pond. The impervious in this area will be treated in two underground detention facilities which will outlet to the south. The underground facilities will be located under parking/access to garages.

The northeast portion of the parcel opens up and allows for multiple clusters of 2- and 3-story townhomes. (Townhouse B) Impervious in this area will be handled in a surface pond which will also be a site amenity.

The western leg of the project (Townhouse C) is sloped in a way that makes pond treatment inefficient. The impervious from these clusters of townhomes will be treated in a chain of underground detention and treatment facilities.

The area of streams and wetlands in the northeast corner of the parcel will remain undeveloped except for a greenway trail and nature trails.

Tree Coverage and Landscape Buffers

The minimum requirement of 30% tree coverage will be provided by retention of existing forest. There will be additional new plantings as well. The forest to remain will be mostly located along streams and wetlands, in RCD zones, and along the I-40 landscape buffer.

The buffer along the I-40 frontage will be 50'-100' wide, the majority of which will remain forested. Where there is intrusion into the buffer, the replacement plant material will be 100% of the requirement.

Buffers along the eastern, southern, and western property lines are 10' wide "B" buffers, where residential abuts existing residential, and where the flex-space abuts the commercial and medical uses on the Vilcom property. In some areas the greenway trail will travel through the buffer, and the buffer area has been widened to accommodate the trail as well as the 10' of planting area. Where necessary undergrowth will be cleaned up to allow for pedestrian connectivity.

The buffer along the Weaver Dairy Road frontage is a 30 "D" type.

Mapped Transportation Features

The Town's mobility and connectivity plan indicates a multi-use path / greenway through this project site. The developer proposes an east-west greenway trail to be constructed as part of the project. It will connect to the existing short greenway trail parallel to Adair Drive, and will run through the site to Carol Woods Retirement Community as well as to the sidewalk on Weaver Dairy Road at the east end of the project. The developer will also work with adjacent landowners to provide pedestrian connections between this project and existing adjacent residential and non-residential developments.

The project is located close to the future BRT station location at MLK and Weaver Dairy Road. The apartment portion of the project will be a 5-10 minute walk from that station. The project will extend the east-west greenway trail through the site.

Sustainability:

The project proposes to provide 20% more energy efficiency than ASHRAE 90.1 2013. The project will incorporate all electric appliances, use LED lighting throughout the project, and will utilize sealed building design with high insulation values. The project proposes to provide EV-capable parking spaces as well as providing some charging stations within the development.

The location of the project lends itself to a more sustainable lifestyle for residents. It is located on a bus line which serves downtown Chapel Hill, is located near the future NC BRT Martin Luther King Jr Blvd station, is within walking distance of a grocery store and multiple employment opportunities and supports environmental equity through access to greenways on site and community open space.

Landscape installation on the project will go beyond code requirements to provide shade and promote use of outdoor spaces by the residents. Stormwater runoff from new impervious surfaces will be treated on site for both peak flow and for water quality improvement.

Response to Concept Plan Council Comments

Concept Project Scope

The concept plan was presented to the Council in October 2024 and included two multi-family buildings, a central flex space option, and a community of 120 townhomes on the east end. The plan included a parking structure for the multi-family uses, garages for the townhomes, and no large surface parking lots. It also included a greenway trail running through the project and connecting to the existing greenway at the west end, ending at Weaver Dairy Road on the east end, and extending up to a point adjacent to the Carol Woods community in the northeast corner. The plan indicated intrusion into the I-40 landscape buffer on the north side, and a spine road running through the project which would cross streams and RCD zones in completing a vehicular connection from west to east.

General comments:

Focus on buffers against existing neighbors

- *The required project buffers are 10 feet wide. The project was specifically laid out with proposed multi-family against existing multi-family, and proposed townhomes against existing townhome developments. The buffers will be planted with evergreen as well as deciduous screening and will be widened where possible.*

Make flex space open and inviting to everyone

- *The flex space will be designed with pedestrian connections and with community green space.*

Connectivity is important

- *Specific design elements promoting connectivity:*
 - *Vehicular – there will be three points of connection for vehicles – Weaver Dairy Road at the east end, and connection to the end of Old University Station Road, and a new connection to the end of Adair Drive through the existing right of way adjacent to the project.*
 - *Pedestrian – Sidewalks will be provided throughout the project and will connect to adjacent sidewalks on Weaver Dairy Road and the sidewalk adjacent to Adair Drive. There will also be nature trails connecting to adjacent properties.*
 - *Bike/Greenway – The greenway trail will connect to the small trail parallel to Adair Drive and will extend east to both Carol Woods property at the northeast corner, and Weaver Dairy Road sidewalk at the southeast corner of the project.*

Can retail be included

- *The project is within walking distance of retail facilities. There is a possibility that retail could be included in the flex space portion of the project and also that retail could be incorporated into the ground floor of the multi-family residential buildings.*

Intrusion into the I-40 landscape buffer would be acceptable

- *The project will intrude into that buffer in small sections. Plantings will be installed to provide equivalent screening.*

Elements the Council members supported:

- Density
- Flex space opportunity in the central portion of the project
- Greenway location in the buffers
- Addition of the non-residential uses, pop-up / ghost kitchen space.
- Intrusion into the landscape buffer against I-40
- General design direction.

Elements of concern from the Council members:

- Stormwater treatment – don't exacerbate existing problems
- Would like to see more variety of housing types
- Flex space opportunity in the central portion of the project
- Green space needs to be accessible and available for recreation

Initial review comments from Brian Peterson

Comments on 07-02-24 concept plan

1. Provide a continuous pedestrian connection across the length of the site in the form of a greenway or other trails. Tie in with the existing greenway trail that leads to Weaver Dairy Road which currently terminates at Old University Station Road.
2. Work with neighboring property owners to connect sidewalks/trails to existing developments, where possible.
3. Provide trails/pathways within preservation areas to allow these places to become amenities for the community.
4. Orient buildings to engage the street, provide stoops, porches and other architectural features that create an attractive and interesting pedestrian experience.
5. The main east/west street has been configured with shifts of alignment which enhances traffic calming and offers opportunities to create changing terminal views and other placemaking features.
6. Design the park at the western edge of the development to offer activities or features that create gathering opportunities for not only the residents of the 860 Weaver Diary Road development but for residents of neighboring residential areas as well.
7. Provide for a diversity of housing types, including the "Missing Middle", as opportunities allow.
8. In considering uses, look for ways to incorporate mixed-uses as much as possible, including small scale retail or other "retail-like" functions, to provide places of interest for those living and working in the neighboring areas.

A greenway trail is being provided as shown in the plans connecting to the existing trail west of the project and extending through the project to Carol Woods and also south to Weaver Dairy Road at the east end. Nature trails will be incorporated into the preservation areas, but paved trails will not be included.

Buildings are oriented along the street and perpendicular to the street with green spaces to provide interesting pedestrian experiences.

The alignment shifts in the main street have been preserved to provide better pockets of developable space and community gathering space, to minimize intrusions into environmentally sensitive areas, and also to provide traffic calming.

The part at the western end of the project will be available to all residents.

There will be various sizes of rental and for-sale units from studio up to 4-bedroom size. In this way the project will attract a diversity of residents.

The flex space use has not been determined but it is possible that it will contain small retail uses. It is also possible that some main floor retail space will be provided in the multi-family buildings.