

STATEMENT OF JUSTIFICATION

TRINITY COURT TRINITY COURT REDEVELOPMENT, LLC

Chapel Hill Township
PIN 978-819-4511

January 14 2022

Introduction

Trinity Court Redevelopment, LLC requests a CZ Permit for the subject property, to allow re-development of the property for two new affordable housing apartment buildings with parking and amenities. The project site encompasses approximately 3.5 acres and is comprised of two existing buildings to be removed with respective parking lots. Undeveloped areas within the project site are dominated by mid-successional mixed pine surrounding a creek. Impacts to jurisdictional features are limited to one (1) stream encroachment, associated with the road connecting the eastern and western sections of the community. No other impacts to streams are proposed as part of the project.

All federal and state requirements have been met as part of the project. All improvements have been designed to minimize impacts to the existing resources (i.e streams, wetlands, vegetation) at the site. Impacts to riparian areas along the streams have been avoided and minimized to the maximum extent practicable by incorporating resourceful site planning, including the utilization of wetland/stream delineations and the buffer determination to adjust the layout to avoid minimize impacts.

Justification

The Applicant believes that this justified by all of the required findings prescribed in LUMO Sec. 4.5.2. Evidence in support of these findings is presented as follows:

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.

General

The proposed campus will promote the public's general welfare by affordable housing to community members that earn 60% or less of the area median income. The apartment buildings will be a safe and healthy environment for residents, workers, and visitors, in accordance with all applicable zoning, building, health, food-service, and life-safety codes.

Emergency Services

Fire protection and "first responder" emergency medical services will be provided by the Town of Carrboro. The Town's Carrboro Fire Rescue Fire Station is located one-half mile from the site, as measured along the most likely approach route.

The new buildings will be equipped with a fire suppression sprinkler system and will be designed using conventional fire-prevention and fire-management strategies. The site and building plans will be reviewed and approved by the Town's Fire Department, to verify conformance to applicable regulations and standards.

Security Measures

Existing conditions include two abandoned buildings. As is common with vacant buildings vandalism and squatting has been known to occur on this site. This poses a security hazard for the nearby community as it is difficult to manage activity that occurs in areas without regular supervision. Removing the vacant building and populating the area will allow for the community to regulate the activity in these areas, as well as allow for a better understanding of who is residing in the nearby area. With an elementary school within walking distance, it is especially important that this residence should become a safe and inviting addition to the community.

Utility and Solid Waste Services

The facility will obtain public potable water and sanitary sewer service by connection to existing OWASA utility systems, meeting all public health standards related thereto. Solid waste collection for the facility will be provided by Orange County. The building's solid waste management methods and facilities will be reviewed and approved by the Orange County Solid Waste Department, for conformance to all applicable regulations and standards.

Traffic

No major changes are being made to the roadway that currently exists. The existing roadway has a width of 18' back of curb to back of curb. This differs from the current requirement of 25' back of curb to back of curb. Parking areas are being extended to a 26' width to comply with the fire code but extending the existing drives will prove a greater challenge.

Modification Proposed – Allow for Trinity Court to be 21’ back of curb to back of curb to prevent a mass increase in impervious surface area and drastic grading changes to the steep slopes that are adjacent to the existing curbs.

The area adjacent to the driveways have grades that are predominantly 15-25%, which will require retaining walls if they are to be disturbed for added road length. A portion of Trinity Court also crosses over a stream within the Jordan Buffer. Widening this road further than the proposed 2’ would cause greater impact to the existing stream. Lastly, increasing the driveway width would vastly increase the impervious area to be treated. The goal is to keep the pre and post impervious as equal as possible due to the tight environmental constraints on this site.

Pedestrian and Bike Accommodations

The proposed housing facility will be pedestrian oriented by design. This reconstruction will bring the building closer to the road, giving it more of an urban design that promotes pedestrian activity. Decreasing the grade of the roadways and sidewalks as much as possible is intended to provide for a less strenuous walk up and down the steep slopes of the existing roadway. Additional sidewalks and pedestrian crossings will be constructed onsite to achieve a high degree of pedestrian emphasis. Seating areas will be added throughout the site to provide areas for resting. An active Town of Chapel Hill Transit route is located within a block of the property that community members can use to travel. Downtown Chapel Hill and downtown Carrboro are within a 1.5 miles distance from the site entrance. Greenway trails maintained by the Town of Chapel Hill Parks department are located directly north of the site, which residents will have access to from nearby trailheads.

Bicycle access to the site will be accommodated by the local street network, and an appropriate number of bicycle parking spaces will be constructed on the site to encourage and accommodate biking as a viable means of transportation to and from the facility.

Modification Proposed – Allow for 100% class II bicycle parking spaces due to site constraints that allow for limited amenity area.

Finding # 2: That the use or development complies with all required regulations and standards of this Chapter except as modified, 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.

General

The proposed project will comply with all applicable regulations and standards. No supplemental use regulations are identified in the LUMO for the proposed use.

Zoning

The proposed use will conform to all zoning parameters set forth in LUMO Article 3.

Design Development Standards

The proposed use will be designed consistent with the requirements of LUMO Article 5. In accordance with this article, the facility will be designed to “maximize energy efficiency and conservation”. The building has been configured to take advantage of the site’s topography, to minimize grading requirements. Retaining walls are proposed in strategic areas to avoid unnecessary horizontal disturbance adjacent to slopes. Erosion and sediment control methods will be used to mitigate the effects of land disturbance associated with the new facility.

Rainwater management techniques including the incorporation of a Filterra Bioscape Vault have been included in the design to treat portions of the impervious roof area to meet Town standards for runoff rate, volume, and quality control. Landscaping, screening, and buffering will be provided to meet the stated purposes in Article 5.6.1. These purposes will be accomplished by the preservation of existing trees and vegetation where practical, to maintain the integrity of the soil. New plantings and other landscape features will be provided where necessary.

The new facility will provide for adequate access and circulation for both pedestrians and vehicles. Onsite parking and service areas will be provided, balancing the need to provide vehicle storage with the strong desire to emphasize and encourage alternate forms of transportation. In addition, lighting, utilities, signage, and solid waste management facilities will be designed to conform to applicable Town requirements.

Parking

Required parking for the site has been determined by using the designation of “Dwelling, Duplex*** or multi-family” in accordance with LUMO section 5.9.7. The minimum parking requirement for the 54 units is 77 parking spaces with 14 bicycle parking spaces. The maximum parking requirement is 98 spaces.

Modification Proposed – Allow for the minimum parking spaces required to be reduced from 77 parking spaces to 63 parking spaces.

Due to the steep slopes on the site a modification to the requirements is requested for 63 parking spaces. Please see C4.1 Steep Slopes plan for a visual representation of the existing grade. To minimize the increase in impervious and reduce the need to affect the steep slopes of the property the existing parking lot footprint is being used for the proposed parking. The surrounding area consists mostly of slopes 15% or higher that would be difficult to develop without introducing safety concerns with the freshly disturbed slopes. As this is an affordable housing project the intention is to keep grading costs as minimal as possible.

Grading these steep slopes would prove to be an extremely expensive endeavor that can be avoided with this reduction of the minimum parking spaces required. Reducing the slopes would also take away from a distinctly Chapel Hill characteristic and disturb the natural beauty of the existing woods and terrain.

Landscaping

The housing site will be designed to respect the existing vegetation in the perimeter buffers. The existing buffers along portions of the north and east of the site property lines will remain intact and supplemental landscaping will be added to these areas as necessary to meet the requirements of the LUMO.

Building Configuration and Siting

The proposed building orientation was dictated by the footprint of the existing buildings to be removed in an effort not to minimize grading that would be necessary due to the surrounding steep slopes. The proposed buildings will take advantage of a steep slope located around the footprint by splitting the building at two levels.

The main building orientation places the building with the main entrance facing south and perpendicular to Prichard Avenue.

Environmental Protection

The project's design will conform to all applicable environmental regulations. Measures have been taken to have minimal impacts to existing streams and buffered areas. No published floodplain exists on the property, and no structural feature is proposed in any low-lying area. Erosion and sediment control plans adhering to state requirements will be developed to mitigate sediment laden runoff during construction.

Rainwater Management

Rainwater runoff from onsite improved areas will be captured and managed to exceed Town requirements for runoff quantity, rate, and quality. To meet the town ordinance stormwater management will be required for any increase in impervious surface from existing built upon area. Our proposed site plan includes the addition of a Filterra Bioscape Vault to treat a portion of the roof runoff to meet Town standards and minimize impacts to the perineal stream and properties downstream

Demolition, Deconstruction, and Construction Waste Management

During new construction, solid waste materials will be recycled and/or disposed in a manner consistent with Orange County and Town of Chapel Hill requirements. Coordination between the applicant and the Orange County Solid Waste staff will commence to identify practical ways to deconstruct and reuse existing building materials where possible in an effort to reduce the materials that are sent to landfills.

Energy Efficiency

Energy efficiency is a high priority for the design team. To meet this goal the following are to be implemented throughout the project. The site and buildings will be illuminated with energy efficient LED lighting. To reduce heating and cooling energy costs the team has proposed a sealed building envelope design with high insulation valves at wall, ceilings, and floors. Specifications will require the supplied mechanical units be energy recover and high SEER energy efficient air source heat pump HVAC systems. Windows are to be low-emissivity, Energy Star rated. Vegetation will be strategically planted to reduce solar heat gain and lessen the urban heat island effect. To reduce energy required for water consumption, Energy Star appliances and equipment will be provided within the units. This includes products like low flush toilets. High-efficiency domestic hot water systems will provide hot water to the units.

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.

The subject property has been used in the past as an affordable housing community. Structural concerns caused for the building to be evacuated and has remained vacant for several years. This reconstruction will allow for the site to return to its intended purpose of providing living spaces for community members earning 60% or less of the area median income. Future resident input is being taken into consideration to assure that the space meets the needs and desires of the community.

The buildings and site will be a physically attractive facility that sensitively responds to site conditions and to the concerns of local residents. Perimeter buffers will be provided to mitigate impacts to adjoining properties. Existing trees and vegetation within these buffers will be retained to hold the integrity of the soil, while new plantings will be provided to aid in beautification of the area and assure that the site meets LUMO standards. Site lighting will be carefully designed to avoid detrimental glare and an institutional look.

Redevelopment of this area will remove a vacant building that currently attracts petty vandalism and subtracts from the value of the surrounding properties. Abandoned buildings provide a safety risk, as it is difficult for the community to manage activity that occurs there without regular supervision. Populating the proposed apartment buildings will discourage criminal activities in the area and allow for a better understanding of who is residing in the nearby area. This also gives a new pool of customers and employees to the nearby businesses. As the downtown areas of Chapel Hill and Carrboro are within a 1.5 mile distance from the site entrance commutes into town are made pedestrian and bike friendly. The active Town of Chapel Hill Transit Route that is established 1 block from the site makes public transportation another viable option for commuting around town.

Based on the foregoing, the Applicant believes that re-development of the subject property for the new facilities will maintain or enhance property values for contiguous properties, and for properties in the neighborhood at large.

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.

Comprehensive Plan

The proposed project consists of two new apartment buildings constructed as a re-development of the existing affordable housing community. Re-development of this site will replace existing facilities with a newer, and safer infrastructure, providing important new elements of neighborhood support and identity.

The Trinity Court affordable housing request for re-development is fully consistent with the goals of the Chapel Hill 2020 Comprehensive Plan.

In June 2011, the Chapel Hill Town Council created the Affordable Housing Strategy to provide affordable, quality housing for families in need of assistance. The 2020 Comprehensive plan reiterated this goal to increase the affordability of living within Chapel Hill through the construction and renovation of affordable housing communities. The Trinity Court Affordable Housing project is proposed to be developed in accordance with the Chapel Hill 2020 Comprehensive Plan. We provide this statement of compliance to demonstrate adherence to the general concepts set forth in the CH2020 Comprehensive Plan. Two general themes within the CH2020 Comprehensive Plan include Community Choices and Connections.

These are defined in the plan as:

Community Choices:

The community would like more options to choose from in how and where they live in Chapel Hill. This includes more options for housing, employment, transportation, shopping, and recreational activities. With bringing in more choices for residents, accessibility must be taken into consideration when deciding what options to introduce to the community.

Community Connections:

The community has expressed interest in improved opportunities to connect and socialize with fellow residents. The CH2020 Comprehensive Plan displays initiative to assure that these opportunities both promote and embrace diversity, in order to create an all-inclusive community environment. To allow residents the chance to become involved in these new opportunities, transportation connections will also need to be made available. The community wants a real commitment to safe pedestrian and bicycle transportation. The proposed site offers that and more, as is outlined in the following points:

- **A Place for Everyone:** Diversity and inclusion in a family-friendly, and creative environment was promoted in this theme. Participants focused on creating a welcoming community for all with special emphasis on the arts, youths, and the need for affordable housing. The intention of the Trinity Court development is to provide an all-inclusive affordable housing complex in a space that was previously unusable.
- **Community Prosperity and Engagement:** Part of the focus for this theme is to provide a safe, vibrant, and connected community, as well as healthy neighborhoods. The development is designed to provide a safe location for the proposed apartment units, with good vehicular and pedestrian access. It will also provide additional connectivity to the existing Tanyard Branch Trail.
- **Getting Around:** All modes of transportation are needed for an inclusive, connected community. In this theme, participants discussed the potential for regional partnerships linking to thriving greenways, sidewalks, bicycle amenities, and other options within the town. The proposed development is located within a block of an active Town of Chapel Hill Transit route. Downtown Chapel Hill or downtown Carrboro are within a 1.5-mile distance from the site entrance. Sidewalks will be provided throughout the site to encourage safe pedestrian foot traffic in this and surrounding neighborhoods.
- **Good Places, New Spaces:** The idea behind this theme is balancing respect for the old with the prospect of the new. Development is a part of a growing community, but with that needs to come an appreciation for what once was. In this appreciation development will take inspiration from the existing entities to create a seamless transition between old and new spaces. The development of this vacant property will provide a complimentary neighborhood with a similar balance among the surrounding properties. There is a stream that runs along the northeast side of the property and this area will be maintained to provide an aesthetically pleasing natural area that harmonizes with the existing Tanyard Branch Trail.
- **Nurturing Our Community:** Natural stands of vegetation and buffers will be preserved to the extent practical. Stormwater management will be designed in locations that follow existing drainage patterns seeking to maintain current flow patterns and reduce grading where possible.

Advisory Boards & Commissions

- Refer to attached response to comments received by Advisory Boards and Council.

Summary

The Applicant believes that the requested modifications are justified by all of the required findings prescribed in LUMO Sec. 4.5.2; and further believes that these findings are

supported by the materials contained in the application for the subject project, including the written evidence presented above.