

01-12-2022 Town Council Meeting Responses to Council Questions

ITEM #12: Concept Plan Review: South Creek Mixed Use Project, US 15/501 S.

Council Question:

Does the Town/Council have the power to limit - or negotiate an agreement with the applicant to limit - HOA authority (for example, not allowing an HOA to prohibit ADUs)?

Staff Response:

This question has been shared with the Town Attorney's office for consideration. As the formal review process moves forward, the Town Attorney will be able to advise on the Town's legal authority to influence HOA provisions.

Council Question:

What is the 2.19-acre tract owned by the Town that is referenced, where is it in relation to the proposed development, and what is the plan for that tract?

Staff Response:

The 2.19-acre tract is a narrow wedge of property running east to west through the middle of the South Creek site. On June 15, 2015, in connection with Council's approval of the Obey Creek Development Agreement, [Council authorized a land exchange](#)¹ where the western 0.5 acres (closer to 15/501) would be granted to the Obey Creek developer to support build-out of their site plan. The developer would then convey all property it owned on the east side of Wilson Creek as part of establishing an open space preserve. The eastern part of the Town-owned property (remainder of the 2.19 acres) would become part of that preserve.

Council Question:

The current Obey Creek plan includes a "slip street" along 15-501. Why does the current plan omit it?

Applicant Response:

Slip streets are not being recommended for South Creek's typical cross section of residential neighborhood streets. Slip streets that prioritize vehicular speed for turning movements or used to circumvent 15-501 would be detrimental to the nature of the proposed residential neighborhood.

¹ https://chapelhill.granicus.com/MetaViewer.php?view_id=21&clip_id=2427&meta_id=99323

01-12-2022 Town Council Meeting Responses to Council Questions

Council Question:

What is the nature of the commercial and retail uses proposed for the property?

Applicant Response:

Envisioned as neighborhood retail, South Creek's commercial development is intended to serve its residents and complement the Southern Village area by providing additional retail opportunities and public amenities to Southern Village area residents, and by providing additional consumers for the Southern Village retail shops.

Council Question:

What provisions for connecting with Southern Village is the applicant proposing?

Applicant Response:

From discussions with DOT as well as our site planners and engineers, Beechwood is recommending pedestrian and bicycle crossings to be integrated into the appropriate improvements for the Sumac and Market Street intersections.

Council Question:

Is the project exclusively for sale or will rentals be included as well?

Applicant Response:

The current plan is exclusively for-sale housing. However, Beechwood may consider a rental program for a limited number of units as deemed appropriate.

Council Question:

What price points is the applicant contemplating?

Applicant Response:

High \$300,000s to \$700,000s is the range contemplated for the primary segments of housing.

Council Question:

What conversations about affordable housing have been held?

Applicant Response:

Beechwood is currently engaging with local Affordable housing advisors. What we have learned to date from the Community Home Trust is the current and highest need is for one bedroom product. We will continue to study market needs and collaborate with local Affordable housing advisors during our approval and design process so that we can deliver appropriate market-driven product upon completion.

01-12-2022 Town Council Meeting Responses to Council Questions

Council Question:

Has/will UNC and/or UNC Health approached about work force housing for their employees?

Applicant Response:

Beechwood has not yet approached UNC and/or UNC Health about workforce housing for their employees but will and is very excited about the opportunity to collaborate with UNC.

Council Question:

On the drawings, there are a number of places where “parking below” is indicated. Will that parking be below ground or at grade below the building?

Applicant Response:

The parking will be benched into the grade (part above, part below) and there will likely be two different entry points for the parking.

Council Question:

Since the applicant is planning on seeking a new entitlement, does the current development agreement for Obey Creek have any impact on the South Creek proposal?

Staff Response:

The applicant does have rights to develop the property under the existing development agreement, which is a consideration as the review process moves forward. However, the applicant is currently proposing a substantial change to the scope and configuration of the development program, resulting in the need for a new entitlement.

Applicant Response:

Beechwood proposes to terminate the existing development agreement and petition the Town to rezone the Obey Creek property to a conditional zoning district. This will allow Beechwood and the Town to negotiate appropriate development standards without being constrained by a development agreement that was drafted for a different use profile which is not feasible under current market conditions. Beechwood believes that the proposed development far better addresses the Town’s Comprehensive Plan and its housing needs than either the current development agreement, or the “by right” one acre lot single family underlying zoning.

01-12-2022 Town Council Meeting Responses to Council Questions

Council Question:

Can the applicant bring some preliminary sections showing the relationship of the buildings to one another and to the grade change?

Applicant Response:

We have a rudimentary section and will try to have something more polished by Wednesday.

Council Question:

The application materials (p. 258) show that the applicant will ask for a light at Sumac and 15-501. The Obey Creek Compass Committee was very supportive of such a light; has DOT indicated they'll be willing to consider it?

Applicant Response:

Yes, while the spacing between Sumac and Market is less than the standards DOT typically allows for, DOT has indicated that they would be willing to consider it with the appropriate justification (e.g., pedestrian accommodation, bus movements, etc.) and Town support.