

Amy Harvey

From: Roger Stancil
Sent: Tuesday, May 08, 2018 7:29 PM
To: Allen Buansi; Donna Bell; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Town Council; Michael Parker; Nancy Oates; Pam Hemminger; Rachel Schaevitz; Roger Stancil; Ross Tompkins
Cc: Loryn Clark; Ben Hitchings; John Richardson; Corey Liles; Amy Harvey; Beth Vazquez; Carolyn Worsley; Catherine Lazorko; Christina Strauch; Dwight Bassett; Flo Miller; Mary Jane Nirdlinger; Rae Buckley; Ralph Karpinos; Ran Northam; Roger Stancil; Sabrina Oliver
Subject: Council Questions: Item 7: Blue Hill Petition Update

Council Question: Would requiring more than one floor of commercial use mean that the entire building has to be built to office/commercial standards, that is, steel-frame rather than wood-frame construction?

Staff Response: *The short answer is that commercial construction would have to meet commercial standards. The full answer is complicated, with a number of variables and options. Here's what we typically see being built. If full buildings are intended for commercial use, we often see them built with steel-frame construction. In mixed use buildings with commercial development and/or parking on the first one or two floors and residential above, we often see them built with concrete construction for the commercial/parking component, and wood-framed construction for the residential component, up to a maximum of five stories for the residential component if sprinklers are installed. There are other options, but this is what we often see.*

Council Question: Would it be legal to impose a sub-zone that only allows commercial development? Usually when we rezone, we expand opportunities for the property owner. A zone of commercial-use-only in a sense restricts opportunities. Similarly, if we were to down-zone to allowing no more than 3 stories of residential, would that hold up if challenged?

Staff Response: *There is not an issue from a legal perspective with changing the allowable uses or downzoning property, as long as reasonable economic use of the property remains and there is otherwise a reasonable basis for the new zoning classification. The issue instead with these kinds of changes is often political, since they can affect how property owners can use their property.*

From: Michael Sudol
Sent: Friday, April 20, 2018 11:18 AM
To: Michael Sudol
Subject: FW: Blue Hill petition update
Attachments: Topic_1-Incentive Options for Nonresidential.pdf; Topic_3-Massing-Permeability.pdf

From: Roger Stancil

Sent: Wednesday, April 18, 2018 10:42 AM

To: Allen Buansi <abuansi@townofchapelhill.org>; Donna Bell <dbell@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Town Council <mayorandcouncil@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Nancy Oates <noates@townofchapelhill.org>; Pam Hemminger <pheeminger@townofchapelhill.org>; Rachel Schaevitz <rschaevitz@townofchapelhill.org>; Roger Stancil <rstancil@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>

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Subject: Blue Hill petition update

Please find below a status report on initial follow-up on the Blue Hill petition recently referred by Council. In response to Council interest in balancing speed in addressing the petition with effective legislation, we proposed we would be providing rolling information as we developed it rather than waiting for the agenda packet and providing it all then. Our thinking was that you could see how our thinking was progressing and offer feedback along the way. This is a complex topic. The impact of doing this work quickly is that we may have to do it twice, first to bring forward a text amendment this spring, and a second time to fine tune it based on our experience and what we learn from that effort.

1. **Incentive for Non-residential Development** (Petition Request: Increase the amount of non-residential commercial development in the district by using density bonuses or other mechanisms to encourage developers to include commercially contributing, non-residential square footage in their projects.)
 - a. Planning staff have developed 3 options for a zoning standard that would require any building over 3 stories in height to have some amount of non-residential square footage (see attached spreadsheet, Incentive Options for Nonresidential)
 - b. Discussions are ongoing with Dwight Bassett and Tony Sease to learn more about how these options could impact development economics in the Blue Hill District
 - c. Preferred option to be drafted as a text amendment by end of April
2. **Affordable Housing** (Petition Request: Propose solutions that will allow us to meet our existing goal of 300 new affordable housing units as well as to mitigate impacts of units lost when the Park Apartments property redevelops.)
 - a. Planning staff have worked with Housing staff to understanding opportunity sites and potential mechanisms for affordable housing in the Blue Hill District

- b. Opportunities include:
 - 1. Working with developers to make some of units in upcoming residential projects affordable
 - 2. Expanding the boundary of the District slightly to include Town-owned opportunity sites (American Legion, Colony Woods West)
 - 3. Leveraging affordable units through rezoning of properties south of Elliott Road

3. Address Building Size and Massing (Petition Request: Work with Tony Sease to develop standards around maximum linear street frontage, maximum building lot coverage, maximum building footprint or other standards to improve place-making and permeability throughout the district.)

- a. A separate package of text amendments, developed alongside the Blue Hill Design Guidelines, is currently in the review process with the opportunity for Council action on May 23. Some of these proposed amendments address this interest from the Council Petition (see attached table, Massing-Permeability)
- b. Massing text amendments include: Introducing a new requirement for maximum upper story floor plate area, and offering maximum module length as an alternative requirement for the current upper story step back. In addition, applicants can ask the CDC for a Design Alternative to these massing requirements by showing other height variation, smaller building masses and/or articulated facades that accomplishes the same effect.
- c. Permeability text amendments include: Requiring building pass-throughs to be taller and wider in proportion to building size, and creating new frontage standards that encourage more frequent non-vehicular streets
- d. The Design Guidelines support these text amendments by describing how massing and permeability can be done effectively and meet the intent of the Form-Based Code.

Potential Height Incentive for Non-Residential Development in the Blue Hill District

DRAFT April 16, 2018

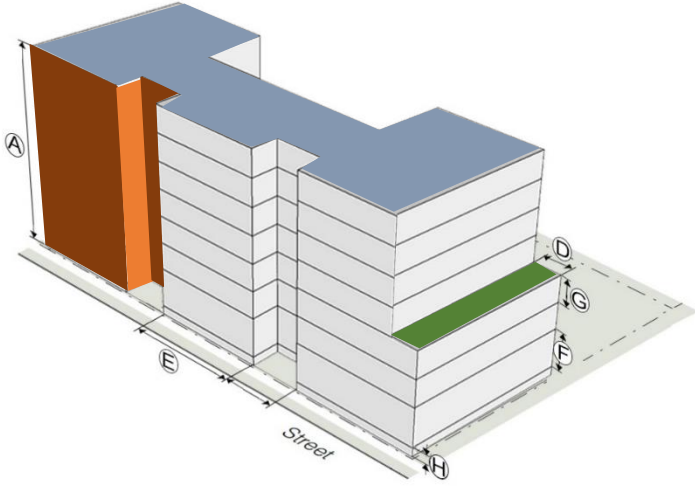
	Option 1:	Option 2:	Option 3:
2-3 floors in height:	All uses permitted by Code are allowed	All uses permitted by Code are allowed	All uses permitted by Code are allowed
4-7 floors in height:	Entire building must be 50% non-residential uses (by floor area)	Any floor area exceeding 3 floors must be 50% non-residential uses	At least 1 floor must be non-residential use
<i>Examples:</i>	<i>3 levels of commercial, below 4 levels of residential with smaller floor plates</i>	<i>5 floors: At least 1 level of commercial, OR 7 floors: At least 2 levels of commercial</i>	<i>Ground floor retail with up to 6 levels of residential above</i>
<i>Pros:</i>	<i>Potential significant increase in commercial development; Expands likely non-residential uses beyond ground-floor retail</i>	<i>Potential moderate increase in commercial development; Expands likely non-residential uses beyond ground-floor retail</i>	<i>Potential increase in commercial development; Encourages ground-floor retail that meets Blue Hill goal of active streets; Smaller square footages easier for market to absorb</i>
<i>Cons:</i>	<i>May not allow more residential units than could be achieved with a 3-floor project - not an incentive to residential developers; Market demand for office may not support this much square footage</i>	<i>Could still create a challenge for residential developers to do mixed use</i>	<i>Office less likely since requirement could be satisfied by ground-floor retail</i>

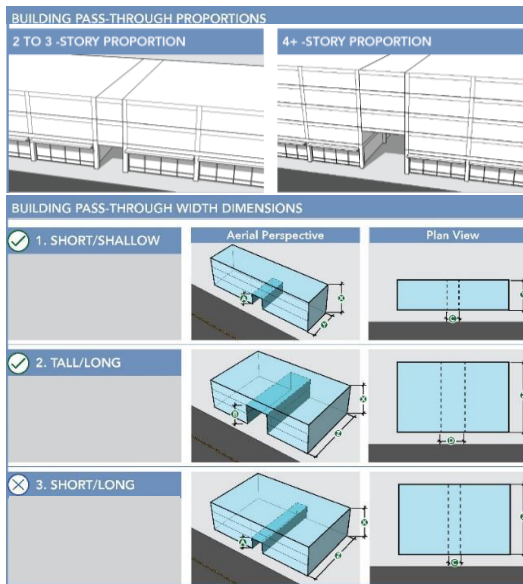
PROPOSED TEXT AMENDMENTS

Supporting Varied Massing and Permeability

To be presented at Council Public Hearing on 04/18/2018, alongside the Blue Hill Design Guidelines

DRAFT April 16, 2018

TODAY'S REGULATIONS	PROPOSED	IMPROVEMENT AREA
<p>B. Building Mass Requirements</p> <ul style="list-style-type: none"> • 10' building Step Back above the 2nd or 3rd floor, for all buildings 4+ stories in height • Exempt if building has a 10' setback 	<p>B. Building Mass Requirements</p> <ul style="list-style-type: none"> • Maximum Upper Story Floor Plate added. 4th floor and above limited to an average of 70% of lower story floor area • Maximum Module Length added as by-right alternative to Step Back requirement. For every 80' of building length, a 6' offset of at least 12' width is required • Design Alternative allowed when applicants have other effective approaches to varied building mass 	<p>Improved applicability of Design Guidelines;</p> <p>Additional tools to ensure varied massing;</p> <p>Avoid buildings that 'loom over' their surroundings</p>
<div style="display: flex; align-items: center;">  <div style="margin-left: 20px;"> <p>Upper Story Floor Plate Area</p> <p>Upper Floor Step Back</p> <p>Building Module with Offset</p> </div> </div>		
<p>C. Building Pass-Throughs</p> <ul style="list-style-type: none"> • 330' maximum spacing • 12' minimum width • 1 story minimum height 	<p>C. Building Pass-Throughs</p> <ul style="list-style-type: none"> • 2 story minimum height for taller buildings and/or longer pass-throughs • Width increases for 4+ story buildings and/or longer pass-throughs, based on context, to keep proportion with building 	<p>Improved applicability of Design Guidelines;</p> <p>Ensure pass-throughs are inviting and in proportion to building</p>



A. Frontage Types

- Defined standards for Type A-1, A-2, B and C Frontages
- Appropriate for Local, Collector, and Arterial streets
- Frontage standards include setbacks, build-to-zone, sidewalk width, streetscape, and parking location

A. Frontage Types

- New Frontage Type (E) for properties along Booker Creek and for non-vehicular thoroughfares, defining setbacks and sidewalk width
- Non-vehicular thoroughfares and creek-side trails can be used to meet block length requirements
- Wide sidewalks, trees on both sides

Improved applicability of Design Guidelines;
 Consistency with Mobility Plan;
 Context-sensitive regulations;
 Orient buildings towards Booker Creek

Type E Frontage - Non-Vehicular Thoroughfare



Type E Frontage - Booker Creek

