

Response to Kidzu Petition

Town Staff met with Kidzu representatives in response to their February 20 petition and has developed the following information to share with the Town Council. Because the request involves the use or disposal of Town Property, the staff has provided background from the Town Properties Task Force work and recommendations for the Kidzu request as well as a framework for disposal of Town Property.

This response is organized as follows:

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The Town staff recommendations are based on the Town Properties Task Force findings.

Petition background

The Town received a February 20, 2018 petition from Kidzu requesting assistance to explore a town-owned property as a potential site for a new museum.

[Request for Town Assistance to Explore the Southern Village Site for New Museum.](#)

The petition requested:

“Town staff time and expertise to assess and discuss the potential location of the new Kidzu (The Chapel Hill Children's Museum) on the Town-owned land fronting Southern Village.”

And:

“We respectfully submit this petition to request Town assistance with exploring the Southern Village site as a potential location for a new Chapel Hill Children's Museum.”

Town and Kidzu representatives coordinated a meeting on April 9, 2018 which included staff from the Manager's office, the Town Attorney's office, Parks and Recreation, and Community Arts & Culture, and Kidzu.

Additional information

At the April 9th meeting, Kidzu representatives further clarified their interest in:

- The Town making the Southern Community Park parcel, an approximately 2.7-acre site located on the north side of the Sumac Road entrance into Southern Community Park from US 15-501 S., available to Kidzu at no cost for a future museum; and
- A “go/no-go” decision from the Council before the end of June 2018.

Kidzu staff provided the attached site sketch illustrating a concept for approximately 30,000 SF of space plus 50 parking spaces.

Town staff shared background and the Town Properties Task Force recommendations with the Kidzu representatives.

The group recognized the many interests in the area, including but not limited to: the future use of the Park and Ride property; the federal funds associated with that use; future expansion of Southern Village/Obey-Creek related uses as discussed in 2015; and the expected pedestrian

bridge landing on the parcel in question, which is currently entitled in the Obey Creek Development Agreement.

Town Properties Task Force background

The property was evaluated by the Town Properties Task Force (2017) with the following recommendations:

Southern Community Park Parcels, 100 Sumac Rd. area

2.7 acres (Approx.) on north side of Sumac Road

1.5 acres (Approx.) on south side of Sumac Road

.6 acres (Approx.) inside of the park

- The future use of a portion of this area was addressed in the Southern Village Park and Ride Lot potential scenarios formulated in 2015.
- There are four parcels in Southern Community Park, totaling approximately 4.8 acres that the Task Force reviewed. Three are within the Southern Village Park and Ride Development Plan adopted in 2015 (see above). No further action on these parcels should be undertaken until a determination about the implementation of the Parks & Recreation Master Plan is made.
- The fourth parcel, although small (about .6 acres), could be considered for an indoor recreational/cultural arts use.
- Reserve this property for integration into potential redevelopment of the Southern Village Park and Ride Lot area and/or connectivity with the proposed Obey Creek project over US 15-501. Should these plans not come to fruition, then the parcel could be considered for a community benefit/cultural arts use.

The Task Force Report also contained guidance for the Town Council to use in considering future uses on the Town's properties. A children's museum most closely fits the third priority in the report.

Priority Uses of Town-Owned Properties to Further Town Goals

(Town Properties Task Force, April 2017)

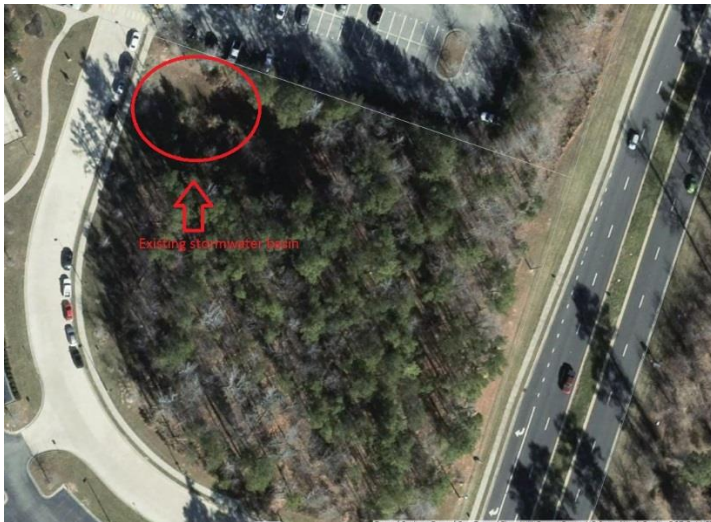
1. Affordable housing, including mixed income opportunities
2. Conventional market uses in high value locations, such as corner retail opportunities
3. Cultural arts: instructional, gallery space, workspace, performance space, ***children's museum or other family-focused amenity*** [emphasis added]
4. Facilitate development of affordable office space to nurture and retain entrepreneurial companies

5. Hold for future community needs not yet anticipated (i.e., land bank)
6. Infrastructure (such as stormwater facilities)
7. Non-profit and small business office/retail space at affordable rents
8. Parking
9. Open space for preservation of stream corridors, wildlife corridors, and trails
10. Recreation including indoor facilities, and outdoor facilities, such as playing fields
11. Schools
12. Town offices or other needed facilities

Initial questions

After the April 9th meeting, staff identified a few initial questions that will require some additional work and research. An initial review of the early sketch provided by Kidzu (attached) raised a concern that it did not take into account the existing stormwater basin and assumes that stormwater will be handled elsewhere on the site. This assumption would need to be verified.

Existing stormwater basin on Southern Community Park parcel



The current sketch may not preserve sufficient land for the future pedestrian bridge over 15-501. These impacts to the site could limit the planned parking, which could therefore require expansion of the existing park parking lot by 15-501 or parking at another location. (see photograph)

Area of possible future parking expansion near 15-501



Guidelines for evaluating the property

If the Council wishes to consider this site for a use, the guiding principles from the Task Force report provide a path for consideration.

The guiding principles are below, with some *initial reactions specific to Kidzu's proposal*.

**Guiding Principles for Evaluating
Town-Owned Properties**

(Town Properties Task Force, April 2017)

Should the Town Dispose of Property?

1. Consider disposal if the property has no significant public value, results in high costs to the Town, or private ownership would bring new value to the community. ***The property does have significant public value because of its proximity to other services, transportation, and residential areas. The Kidzu representatives expressed a preference for the Town either donating the property (which would put it in private ownership, presumably by a non-profit entity) or leasing the property. They did not offer to purchase the property and did not offer an arrangement that would bring revenue to the Town from sources such as sale of land or future property taxes. This assumption could be further explored.***

2. Disposal/repurposing decisions should take into account current and anticipated future Town facilities and infrastructure needs. ***This would require consideration because the Town also has affordable housing and/or recreation needs that could be met at this site. Kidzu indicated a willingness to consider shared use of the property and/or the proposed building (only recreation uses were discussed in the meeting on April 9, 2018) but they are prepared to move soon.***
3. Do not dispose of Town properties solely for cash, except when proceeds will be invested to support strategic initiatives or when no “public use” is appropriate. Disposition should always further the Town’s strategic goals. ***Further analysis may be warranted as to whether this particular use would support one of the Town’s strategic goals, such as such as the Cultural Arts Plan.***
4. A public benefit can be gained by land-banking publicly-owned properties until such time as they may be needed, even if no use is anticipated for such properties at the present time. ***n/a***
5. Property disposition shall be guided by Town Council-adopted community plans, and shall focus first on uses not likely to occur through dynamics of the private real estate market alone. ***This would need to be evaluated.***
6. Make properties available at below market rates, as low as \$1, for uses that support public interests such as affordable housing. In such cases, the acquirer must demonstrate that it needs this in-kind subsidy. ***This was not discussed.***
7. Utilize independent financial analysis to make informed decisions. ***Kidzu provided their business plan, but an analysis of the property transaction has not been performed.***
8. Consider the full economic value—sale proceeds plus projected property and sales tax revenues—in making disposition decisions. ***Not yet analyzed.***
9. Actively seek out and consider input from stakeholder groups. Maximize opportunities to collaborate with other public organizations to share resources and facilities. ***This has not yet been done for this property and use.***
10. The Town should not accept donations of real property unless there is a significant public benefit. ***n/a***

Staff recommendation: considering Kidzu request

This memo outlines the request and the Staff’s initial reactions to the proposed use, based on the Property Task Force guidelines.

The Staff’s focus has been on responding to the specific Kidzu request and to considering how the Town should consider the various requests for use of its property in balance with the

Town's needs for its own programming, future growth, and serving the needs of our residents and tax-payers.

If the Council wishes to move forward with the request to consider the Kidzu request for land, further information would be helpful.

Specifically, The Town Council could request that the Kidzu representatives provide analysis supporting their request, as outlined above. Town Staff could support the effort by providing relevant documentation or background data for Kidzu to use in their analysis. Town staff would not be available to conduct studies or provide engineering or design solutions to the proposal.

Town Staff could focus their resources on identifying Town-related goals such as cultural arts, affordable housing, and park-and-ride improvements, and share that information with Kidzu.

Background on disposal

For future reference, if the analysis by Kidzu and the framework above led the Town Council to consider moving ahead with making the property available to Kidzu, the Task Force Report offers guidance on how to proceed, considering a long-term lease, screening of potential users, and reserving a right of reversion should the lease not deliver the proposed use within a certain period of time.

Guiding Principles for Evaluating Town-Owned Properties

(Town Properties Task Force, April 2017)

If Disposal Makes Sense, How Should the Town Proceed?

1. Disposition will be in accordance with North Carolina General Statutes, meaning that *most* property sales will go through a public request for proposals or upset bid process. Certain uses, such as affordable housing, may allow for private negotiated sale.
2. ***Insofar as possible, the Town should use long-term leases (50+ years) rather than outright sales in order to preserve control over uses and allow the possibility of reversion to the Town in the future.*** [emphasis added]
3. Consider land swaps/trades.
4. The Town shall establish a disposition process that screens potential purchasers to ensure that they are qualified (track record) to carry out the development proposed. Even then, Town should reserve a right of reversion/re-purchase if buyer does not deliver the proposed use within certain period of time from acquisition.

5. The Town should have the flexibility to acquire adjacent property in order to maximize the financial or programmatic value of Town-owned sites prior to disposition.

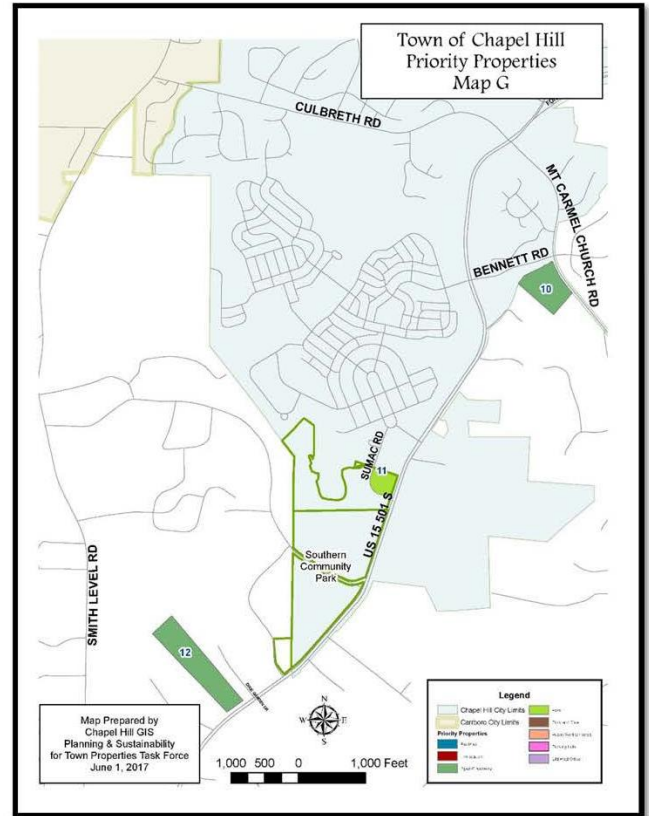
Manager recommendation: framework for disposal of Town property

In order to evaluate property requests properly, I further recommend that the Town Staff use the initial thinking outlined in this memo and the Property Task Force work to develop an internal system for evaluating requests, as anticipated by the Property Task Force report, and return to the Council in the fall with that process. That would provide the Council a framework within which to consider the Kidzu request and other needs, including the Town's. While developing the framework, the Town could solicit other interests for the site, compare their values, and determine whether use by Kidzu, whether exclusive or in conjunction with some other use, would best meet the Town's goals.

Attachments

Recommendations

- G-10 Open Space – Mount Carmel Church Rd.,** near the intersection of Bennett Road and Mt. Carmel Church Road 7.37 acres
- Land-bank the property for possible future consideration unless a compelling proposal is made.
 - In the interim continue to manage the property as open space.
- G-11 Southern Community Park Parcels, 100 Sumac Rd.** area 2.7 acres (Approx.) on north side of Sumac Road 1.5 acres (Approx.) on south side of Sumac Road .6 acres (Approx.) inside of the park
- The future use of a portion of this area was addressed in the Southern Village Park and Ride Lot potential scenarios formulated in 2015.
 - There are four parcels in Southern Community Park, totaling approximately 4.8 acres that the Task Force reviewed. Three are within the Southern Village Park and Ride Development Plan adopted in 2015 (see above). No further action on these parcels should be undertaken until a determination about the implementation of the Parks & Recreation Master Plan is made. The fourth parcel, although small (about .6 acres), could be considered for an indoor recreational/cultural arts use.
 - Reserve this property for integration into potential redevelopment of the Southern Village Park and Ride Lot area and/or connectivity with the proposed Obey Creek project over US 15-501. Should these plans not come to fruition, then the parcel could be considered for a community benefit/cultural arts use.
- G-12 Open Space – 1610 US 15-501 South** 12.76 acres
- Land-bank the property until other developments, such as Obey Creek, take place, particularly in light of the fact that there is no OWASA water or sewer service.
 - Consider this parcel for relocation of the park and ride lot should redevelopment of the Southern Village Park and Ride area occur.





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MEMORANDUM

TO: Mary Jane Nirdlinger, AICP
FROM: Scott Radway
DATE: 4/16/2018
SUBJECT: Kidzu Southern Village Parking Considerations

At the request of Kidzu, I am providing you with an analysis of the ability of a 25,000 – 30,000 SF facility in Southern Community Park to meet the towns LUMO requirements.

The LUMO parking regulations have standards for two “uses” that are similar to Kidzu. One is *Public cultural facility* and the other is *Public use facility*. Public Cultural Facility as defined as defined in the LUMO [see below] matches the Kidzu uses and activities quite closely with the exception being that Kidzu is not a public facility, rather a non-profit.

“Public cultural facility: The use of land, buildings, or structures by a municipal or other governmental agency to provide cultural services directly to the general public, including public libraries and museums.”

The minimum parking standard for a *Public cultural facility* is one space per 500 SF of floor area and the maximum standard is 350 SF of floor area.

In the table below I have compared the minimum and maximum parking spaces required for a 21,000 SF, 25,000 SF, and 30,000 SF building. A concept plan created in December 2017 [that you may have seen previously] is included in this memo. It has a building of 21,000 SF with parking for 52 vehicles along with service truck and solid waste/recycling truck space set aside.

The parking shown on the sketch plan meets the towns minimum standard for a building/use with up to 26,000 SF.

Building Size	Minimum Spaces @ 1/500 SF	Provided on Concept Plan	Maximum Spaces @ 1/350 SF
21,000 SF	42	52	60
25,000 SF	50	52	71
26,000 SF	52	52	74
30,000 SF	60	52	85

Additional Parking Requirement Considerations – Classification of Use

When a proposed use is not precisely covered in the parking standards, LUMO Section 5.9.7 establishes that the Manager shall determine the parking requirements and *“shall be guided by the requirements for similar uses”*

In this case, Kidzu has virtually the same use characteristics as a *Public cultural facility* even though it is non-profit, not municipal.

In the sketch plan you can see that about 10 vehicles are parked to the left of the parking lot entrance as drawn. The council has allowed parking at the curb to count as parking for a building/use several times in the past several years. I would suggest that at Kidzu events that are known to have larger crowds, the pre-approved reservation of these spaces along Sumac Road for Kidzu staff and safe bus parking and unloading would be reasonable to present to the Council as an added available parking resource that does not create spill over into other parking lots in Southern Community Park.

Initial Concept Design for Southern Community Park Site



Design Goals for this sketch plan were: 1) the provision of about 20,000 SF in a one story building (Plan has 21,000 SF), 2) an outdoor area for activity use of between 5,000 – 10,000 SF (8,000 SF in plan), 3) parking for at least 50 vehicles, 4) on-site solid waste and recycling collection capability, 5) room for service trucks and busses to unload in the parking area and not on Sumac Road, and 6) retention of a significant vegetation buffer along US 15-501. I believe the master development plan for the park provided for an overall stormwater management plan including what might be developed on this site.

Different building shapes and dimensions [especially if a 2nd floor/loft is part of the building] could increase the floor area of the building to 30,000 SF with at least the same amount of parking being developed on this site as shown in the plan.

Urban Design Land Planning Municipal Planning Development Entitlements Development Ordinances

2018-04-12 MJN Parking.docx

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