

COMMUNITY DESIGN COMMISSION

The charge of the Community Design Commission is to assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR CONDITIONAL ZONING AT 4511 S. Columbia Street (South Creek)

January 24, 2023

Recommendation: **Approval** ☐ **Approval with Conditions** ☒ **Denial** ☐

Motion: Ted Hoskins made a motion, seconded by Megan Patnaik, to recommend that Council approve the Conditional Zoning request for South Creek at 4511 S. Columbia Street, with the following conditions noted:

1. That the applicant consider additional opportunities to incorporate sustainable design features into the proposed development.
2. That LUMO-mandated buffers be maintained and possibly increased along S. Columbia Street to the maximum extent possible. Where narrower buffers are required due to site constraints, more dense plantings and other screening devices should be incorporated.
3. That the applicant will submit landscape and hardscape plans along with elevations to the CDC for review as part of Final Plans Review.

The CDC also asked the applicant to consider adding 12 additional units to take full advantage of the total allowable density on the project site.

Vote: 5-0

Yeas:	Ted Hoskins	Nays:	None
	Scott Levitan		
	Megan Patnaik		
	Susan Lyons (Vice-Chair)		
	John Weis (Chair)		

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity

RECOMMENDATION FOR CONDITIONAL ZONING APPLICATION FOR 107 JOHNSON STREET

January 24, 2023

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: Huge, seconded by Hageman, recommended approval with the following conditions:

- The developer provide additional bicycle parking, including additional covered bicycle parking spaces, covered bicycle parking for retail and office employees and guests, and additional spaces in the proposed condos and apartments.
- That the developer provide a minimum of 25% of parking as EV-Ready, especially in the proposed garages for the condos and apartments.
- That the developer provide 220-volt power to the private townhome garages to support EV-charging stations at the owner's discretion.
- That the developer provide bike storage within the townhome garages to all interested purchasers.
- That the developer provide a minimum of 5% of parking as EV charging spaces.
- That the developer participate in the Town's Transportation Management Plan program

Vote: 6 – 0

Yeas: 6 - Chair Denise Matthews, Vice-Chair Nikki Abija, Stephen Bevington, Mary Breeden, Brian Hageman, and Katie Huge

Nays:

Prepared by: Josh Mayo, Transportation Planner I

HOUSING ADVISORY BOARD

The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION SOUTH CREEK APARTMENTS 4511 S. COLUMBIA ST.

Recommendation: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: A motion was made by Vice-Chair Morande, seconded by Burris, that the South Creek Conditional Zoning Application be recommended for approval by the Town Council with the following conditions:

- 15% of proposed townhomes and 15% of the condominiums be affordable; with at least half of those units affordable to households earning 65% or less of the Area Median Income and the remaining units affordable to households earning 80% or less of the Area Median Income.
- The total number of affordable units is at least 90 units, which in addition to the affordable for sale units will include rental units that are affordable to households earning 60% or less of the Area Median Income.
- Two of the affordable units may be replaced with office space for the Community Home Trust.

Vote: 5-2

Ayes: Sue Hunter (Chair), Jamauria Burris, Robert Dowling, Rex Mercer, Brandon Morande,

Nays: Valencia Thompson, Anthony Williams

Absent: Dustin Mills, Anne Hoole

Additional Comments:

The HAB as a whole indicated support for the project and appreciation for the willingness of the applicant to 1) dedicate 15% of units as affordable on site and 2) be flexible in the presentation of those units in different scenarios of affordability and housing type. The members voting Nay were in favor of a different scenario of affordability that required 15% of units be affordable overall but provided flexibility in the mix of unit type, but were supportive of the project as a whole.

Prepared by: Emily Holt, Staff

ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.

RECOMMENDATION FOR A CONDITIONAL ZONING DISTRICT FOR SOUTH CREEK DEVELOPMENT

February 28, 2023

Recommendation to Council: Approval ☐ Approval with Conditions/Considerations ☒
Denial ☐ Motion was Defeated ☐

Motion: Lucy Vanderkamp moved and Ella Feathers seconded a motion to recommend that the Council approve the conditional zoning district application for the South Creek development located at 4511 S. Columbia Street if the following conditions and special considerations are met:

Vote: 7-0

Aye: Chair Tom Henkel, Ella Feathers, Marirosa Molina, Judy Gaitens-Arneson, Stefan Klakovich, Adrienne Tucker, Lucy Vanderkamp

Nay:

Conditions:

- Design for all-electric buildings
- Design for solar-ready buildings, with the option for solar system installation
- Provide EV-ready garages
- Finalize plans with smaller RCD encroachment option

Special Considerations:

- Design for safe pedestrian connections between this development and Southern Village, including greenways

Prepared by: Tom Henkel, Chair, Environmental Stewardship Advisory Board
Anthony Henage, Vice-Chair, Environmental Stewardship Advisory Board
John Richardson, Community Sustainability Manager, Staff Liaison to ESAB

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR CONDITIONAL ZONING AT 4511 S. COLUMBIA STREET (SOUTH CREEK)

March 21, 2023

Resolution A (Resolution of Consistency and Reasonableness)

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Theodore Nollert moved, and Louie Rivers seconded a motion, to recommend that the Council adopt Resolution A (Resolution of Consistency), with the following comments as supplements to their recommendation.

- To date, the Complete Community vision has not formally been incorporated in the Comprehensive Plan.
- The FLUM does not address this property, since it is currently subject to a development agreement.

Vote: 7-1

Yeas: Jonathan Mitchell, Chair
Elizabeth Losos, Vice Chair
Wesley McMahon
Chuck Mills
Theodore Nollert
John Rees
Louie Rivers

Nays: Stephen Whitlow

Explanation for Nay Vote: Currently the proposal has too many unknowns, particularly whether the NCDOT would approve a pedestrian bridge or tunnel, to permit a meaningful assessment of consistency with the comprehensive plan.

Ordinance A (Approving the Application)

Recommendation: **Approval** ☐ **Approval with Conditions** ☐ **Denial** ☒

Motion: Elizabeth Losos moved, and Wesley McMahon seconded a motion, to recommend that the Council deny Ordinance A (Approving the Application). The Planning Commission would like to see:

- (1) higher overall density on the 43 acres;
- (2) a clear plan for an inviting pedestrian connection across 15-501; and
- (3) more attention to transit-oriented development principles, including discouraging car use and encouraging bike and pedestrian activity.

The Planning Commission provided the attached (DRAFT) comments as supplements to their recommendation.

Vote: 5-3

Yeas: Jonathan Mitchell, Chair
Elizabeth Losos, Vice Chair
Wesley McMahon
Stephen Whitlow
John Rees

Nays: Chuck Mills
Theodore Nollert
Louie Rivers

Explanation for Yea Votes: These members generally found much to like about the proposal but believed that the items listed in the motion exceeded in scope and importance typical "conditions" included in motions to recommend a project.

Explanation for Nay Votes: These members generally agreed that the project is imperfect but, given the urgent need for housing, would prefer to see it built than scrapped, with the hope that a better pedestrian crossing can be arranged later.

Prepared by: Corey Liles

Planning Commission Supplemental Comments on South Creek Application

March 2023

The Planning Commission ("Commission") deliberated on the South Creek conditional rezoning application for approximately four hours over two consecutive meetings (not including the applicant's presentation). The Commission's discussion focused on six key criteria¹ for "complete community" development:

- Mix of housing unit sizes/configurations that address affordability goals
- Walkable proximity to several daily needs, such as housing, jobs, schools, recreation. Mixed use buildings encouraged
- Abundant greenway and transit connections
- Place-making and prioritization of the pedestrian realm
- Land use efficiency (measured as housing density per acre)
- Respect for topography and natural landscapes, including protected natural areas

While the Commission sees merit in the proposal, it has serious concerns in four areas:

1. Unacceptable South Columbia pedestrian crossing. Members believe strongly that an above- or below-grade crossing of South Columbia Street is imperative to the proper functioning of the greater South Creek/Southern Village area as a walkable mixed-use neighborhood. This recommendation echoes the Obey Creek Compass Committee's 2013 recommendation for a pedestrian bridge. The design details of the crossing need not be finalized at the time of initial rezoning, but there should be a clear plan to engineer, obtain NCDOT approval, and fund it – possibly through a cost-sharing arrangement between the Town and the developer.
2. Insufficient residential density. The proposal includes 688 residential units on 43 acres, or 16 units/acre. After backing out stream set-backs, the effective density seems to approach 30 units/acre, which would align with Rod Stevens' "low density" scenario assumption. Members feel strongly that the Town should make more efficient use of its dwindling supply of large, developable sites such as this. We recommend that the Council push for increased density through the following adjustments, which the developer expressed openness to:
 - a. Increase by one story the height of the condo buildings fronting South Columbia Street;
 - b. Increase the height of one of the mixed-use buildings toward the northern edge of the site; and
 - c. Convert some of the townhomes to stacked units.
3. Lack of Town Analysis to Support the Proposed 80 Acre Preserve. The proposal includes a non-binding suggestion to set aside approximately 80 acres adjacent to the project as a preserve. This aligns with the current (soon to be superseded) development agreement for this site.

¹ We generally drew or inferred the criteria from consultant Jennifer Keesmaat's December 7, 2022 presentation to the Council.

However, without understanding the development potential of that area, or how it would function in the context of Town-wide natural areas planning, the Commission cannot meaningfully evaluate this aspect of the proposal. The current design of this project may effectively cut off vehicular access to the 80 acres from South Columbia Street. While the Commission enthusiastically supports natural area preservation, the best use(s) of such an enormous tract should be decided systematically.

4. Lack of demonstrated commitment to transit-oriented development (“TOD”) principles. The South Creek site currently enjoys high-frequency bus service during peak commuting times and soon is expected to have a bus-rapid-transit (“BRT”) stop on its frontage, as well as a premier cycling route to UNC campus (approximately 2.5 miles away). Yet some aspects of the proposal do not seem to fully embrace TOD principles. We recommend that the Council push for:
 - a. Fewer and narrower internal roads, with special focus on the roads flanking the townhouses on all sides and the road running along Wilson Creek;
 - b. Full unbundling of the cost of condo parking; and
 - c. A decrease in the overall amount of townhouse parking, through some combination of converting 2-car garages to 1-car garages, reducing parallel parking adjacent to the townhouses, removing townhouse driveways, and/or adding stacked units without proportionately increasing the current parking.

The attached appendix includes a matrix with detailed information and analysis concerning the relationship between the proposal and the six complete community criteria listed above. It contains additional detail on the points above and other points not made in this summary.