

Amy Harvey

From: Jeanette Coffin
Sent: Thursday, April 06, 2023 9:14 AM
To: Jon Mitchell
Cc: Britany Waddell; Judy Johnson; Corey Liles; Adam Searing; Amy Ryan; Camille Berry; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Paris Miller-Foushee; Tai Huynh; Amy Harvey; Ann Anderson; Atuya Cornwell; Carolyn Worsley; CHRIS BLUE; James Baker; Loryn Clark; Mary Jane Nirdlinger; Ran Northam; Ross Tompkins; Sabrina Oliver; Shay Stevens
Subject: FW: South Creek: Planning Commission comments
Attachments: PC Supplemental Comments on South Creek.pdf; Appendix_South Creek Matrix.pdf

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



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Corey Liles <cliles@townofchapelhill.org>

From: Jon Mitchell <capt.jdm@gmail.com>
Sent: Wednesday, April 5, 2023 9:59 PM
To: Jacob Hunt <jhunt@townofchapelhill.org>
Cc: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: South Creek: Planning Commission comments

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Jacob,

For inclusion in the Council's briefing package, I've attached the Planning Commission's final comments on South Creek. These provide context for the PC's recent 5-3 vote to recommend denial of the project in its current form.

Thank you.

Jon Mitchell
Chair, Chapel Hill Planning Commission

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.

Appendix: Planning Commission Complete Community Matrix for South Creek

Complete Community Criteria (mostly based on 12/7/22 Keesmaat presentation to Council)	Facts	Analysis	Summary of Concerns
Mix of housing unit sizes/configurations that address affordability goals	<ul style="list-style-type: none"> 688 residential units, consisting of: <ul style="list-style-type: none"> 526 condos (studio, 1, 2, 3-brs) 102 townhomes (2, 3, 4-brs) 60 rental units Roughly half the condos are studios and one bedrooms, and many units are well under 1,000 square feet. The townhomes range from approximately 1,500 to 2,800 square feet, with the heaviest distribution around the middle of this range. 	<ul style="list-style-type: none"> The range of sizes and configurations, and predominance of for-sale units, responds to the Town’s housing needs. Even within the townhome segment, the elevations show unusual diversity of unit shapes and sizes. 	None
Walkable proximity to several daily needs, such as housing, jobs, schools, recreation. Mixed use buildings encouraged	<ul style="list-style-type: none"> Southern Village retail/office amenities (including Weaver Street Market) located across the street Southern Community Park and Scroggs Elementary also across the street A range of 30,000 – 45,000 sq. ft. of on-site office/retail proposed. Rental units are above ground-level commercial space Walking paths planned along the creek 	<ul style="list-style-type: none"> By the numbers, this is an extremely walkable location, and the (modest) commercial/retail component internal to the site, as well as the walking paths, will enhance the amenity package for the overall neighborhood. Robust connectivity to Southern Village is key to fulfilling the complete community promise of this location, particularly given the relatively small percentage of on-site commercial/retail uses proposed. But without an above- or below-grade crossing at South Columbia Street, we predict that many people will drive between South Creek and Southern Village instead of walking or biking – or will simply drive to more distant destinations. We do not believe this problem can be adequately overcome through proper streetscaping and signalization of the at-grade crossing. We note that, in its December 2013 report to the Council, the Obey Creek Compass Committee included in its “vision”: “Creates synergy with Southern Village Market Street by planning for development on both 	An above- or below-grade crossing at South Columbia is imperative.

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		<p>sides of South Columbia, linking them physically with a well-placed, iconic pedestrian bridge and multiple at-grade crossings.”</p> <ul style="list-style-type: none"> • The developer is understandably concerned about the cost and need for NCDOT approval. The PC believes the developer and Town should share the cost. Any such cost sharing agreement can be made contingent on eventual design approval by the NCDOT. We strongly urge the Council to ensure that a clear plan and commitments are put in place now, even if some details must be worked out later. • Separately, pedestrians and cyclists will need a walking bridge from South Creek to access any trails on the property east of Wilson Creek – possibly a basic corten steel structure similar to the walking bridge at Umstead Park. The developer has indicated its intent to construct a pedestrian bridge in this location. 	
Abundant greenway and transit connections	<ul style="list-style-type: none"> • The “NS” bus currently connects Southern Village to campus. We understand that it departs approximately every 7 minutes during peak commuting times. • Southern Village Park and Ride (across the street) will be a NSBRT station, and South Creek may also have its own BRT station. • Currently casual bikers do not have a “good” route from Southern Village to UNC campus (although some do it). • The NSBRT plan includes a major greenway and bike lanes from UNC campus to this location along South Columbia/South Columbia. The South Creek property is 2.6 miles to the UNC hospital complex on Manning Drive – a short commuting distance by bike. • Meanwhile, funded work in progress on the Morgan Creek greenway will enable residents of the South Creek property to bike to areas such as Glenwood Square 	<ul style="list-style-type: none"> • This parcel is an excellent candidate for dense, transit- and greenway-oriented development. • The South Creek property already has high-frequency transit connectivity to UNC campus. The NSBRT project will enhance it further. • The planned greenway and bike lanes from Southern Village to UNC campus will enable large-scale bike commuting in the foreseeable future. Meanwhile, funded work in progress on the Morgan Creek greenway will significantly expand cycling options to/from the Southern Village area. • Eventual plans for the ~80 acres east of Wilson Creek should ensure bike/pedestrian connectivity between South Creek and Zapata Lane. • Bike/pedestrian connectivity to Dogwood acres also should be considered. It might make sense to extend the 	Additional connections to Zapata Lane and Dogwood Acres should be planned.

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	shopping center and ultimately the Blue Hill area (among other areas).	eventual sidepath installed along the South Creek frontage slightly further south, to a crossing at Dogwood Acres Drive. (This would not be the responsibility of the South Creek developer.)	
Place-making and prioritization of the pedestrian realm	<ul style="list-style-type: none"> Residential units are separated from South Columbia by a vegetative buffer and internal street. The speed limit on South Columbia is currently 35mph (rarely heeded) along the frontage, with two lanes in both directions, plus turning lanes at the intersections. The developer has offered to build the pedestrian/bike path along the frontage. Under the development plan, Market Street is extended from Southern Village across South Columbia into South Creek, terminating in an "open tower" focal point, surrounded by a park accessible to the public. Sumac Road is extended into South Creek as well, terminating in a "mini Southern Village Green" with a pavilion/bandstand. The plan includes "pocket parks throughout," particularly at the ends of buildings. There are preliminary plans for a heritage site with historical information about Watts Restaurant and Watts Motel (the site of civil rights protests in the '60s). Condo buildings will feature garage parking underneath, benched into the grade. Parking will be accessible from the downhill side (ground-level), where it will dominate the lower facade. From the uphill side, it will be dug into the grade and not visible. Each condo will have one guaranteed garage spot (semi-underground), in addition to internal street (parallel) parking, some of which "might" be sold to individual condo owners. The condos have a proposed parking ratio of 1.3, compared to a LUMO minimum of 1.2 for the proposed mix of units. 	<ul style="list-style-type: none"> The quality of the public realm around the commercial spaces and internal parks is difficult to assess based on the level of detail provided (i.e., no recent elevations for these areas furnished). Per Brian Peterson, the concept looks very promising, but the design details will make or break the place-making result. The view from South Columbia into the development is also unclear. A preferred approach would entail rows of boulevard-style large shade tree plantings overhanging the side path--similar to a Parisian allée—creating a sense of place for passersby. Quality plantings in the South Columbia median and other streetscaping treatments could further define the frontage and signal to motorists that this section of South Columbia is not a highway. A pedestrian bridge could also help define the neighborhood. The extensive street network internal to the development seems excessive to PC members, especially when considered against the Town's TOD and climate change goals. Members questioned the need for an internal street between South Columbia and the first townhomes, as well as the need for a two-way street along Wilson Creek. Parking <ul style="list-style-type: none"> Use of structured parking (under the condos), combined with rear-loaded units, helps create favorable conditions for pedestrians. The proposed townhome parking ratio (2.5 spots/unit plus driveways) exceeds the Town-wide 	<ul style="list-style-type: none"> The internal street network seems excessive. Residential parking ratios should be reduced somewhat, especially in the townhome section.

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	<ul style="list-style-type: none"> • Townhomes will be rear-loaded with a mix of 1- and 2-car garages, plus a small number of driveways, plus 88 street parking spots in front of the townhomes. Total = 257 spots (not counting driveways) for 102 townhomes. • The rental units have a proposed parking ratio of 1.3, compared to a LUMO minimum of 1.2 for the proposed mix of units. • The aggregate parking ratio for the residential component is 1009 spots / 688 units = 1.5 (not counting townhome driveways). 	<p>maximum of 2 proposed by staff in connection with the “Housing Choices for a Complete Community” proposal. This could be rectified by shifting more toward 1-car garages, reducing or removing driveways, removing extra parallel parking spots, and/or adding stacked units without proportionately increasing the current parking.</p> <ul style="list-style-type: none"> ○ The condo and rental parking ratios are between the Town’s current minimum and maximum requirements. We would like to see these ratios not exceed the Town’s minimums. ○ All parking that is not physically attached to specific units should be fully unbundled cost-wise. The developer expressed openness to this idea vis-à-vis the condos. • A car share amenity would further TOD and overall affordability objectives. 	
Land use efficiency (measured as housing density per acre)	<ul style="list-style-type: none"> • This 43 acre parcel is part of a larger ~120 acre contiguous tract transected by Wilson Creek. The remaining ~80 acres is proposed as a preserve, but no binding commitments are made as part of this application. The current proposal for 688 units (plus commercial) on 43 acres translates to 16 units/acre. Measured in relation to the entire ~120 acre tract, it’s 6 units/acre. • The FLUM does not address this parcel because it is subject to an existing development agreement (which would be superseded by this proposal). However, the FLUM designates land directly across the street (including the Town-owned park & ride lot) for 6 stories facing South Columbia. The proposal for South Creek generally has 2-4 above-grade stories facing South Columbia. 	<ul style="list-style-type: none"> • In his Nov. 7, 2022 presentation to the Council, consultant Rod Stevens warned against “wasted opportunities” for higher density in the current development pipeline. The “capacity analysis” calculation spreadsheet provided with his Dec. 8, 2022 “Complete Community Trade-off Analysis” includes low, medium, and high production scenarios for the 158-acre greater Obey Creek area. The production quantities that Rod posited for these scenarios are 1,319, 1,978, and 2,637 units, respectively. • The South Creek proposal contains 688 units on 43 acres, with the balance of the ~120 acre parcel or collection of parcels set aside as a preserve. This leaves a gap of 1,290 units in relation to Rod’s “medium” production scenario for the larger 158-acre area. 	<ul style="list-style-type: none"> • The 43 acres can support more density. • The non-binding proposal to set aside the ~80 acres across Wilson Creek has major ramifications but does not seem to be supported by any systematic analysis by the Town.

		<ul style="list-style-type: none">• Part of the discrepancy relates to the proposal to set aside ~80 acres opposite South Creek as a preserve, which is consistent with the current (soon to be superseded) development agreement for this site. Rod’s Complete Communities Trade-Off Analysis says, “[t]he Town should also explore development on both sides of Obey Creek in return for the dedication of subsidized housing sites. This swap would allow the conservation of the Bennett property.”• The current design of this project may effectively cut off vehicular access to the ~80 acres from South Columbia. The Planning Commission lacks sufficient information to evaluate the development potential of the ~80 acres (see this document, pages 6-7, for maps showing slopes and RCDs).• At the same time, without understanding the importance of the ~80 acres in the context of Town-wide natural areas planning, the Planning Commission cannot meaningfully evaluate the proposal to preserve it.• We urge the Council to take some time to investigate these matters sufficiently to have confidence in the chosen development/preservation strategy. The rationale behind the preservation strategy embedded in the legacy development agreement might or might not make sense today. To be clear, the Planning Commission believes that the Town should build densely in some areas while leaving others in a natural condition; this is part of the complete community vision. The question is how to balance competing goals in this 120 acre area, in a way that reflects thoughtful and systematic Town-wide planning.• Part of this calculus surely involves building densely on the 43 acres west of the creek. The trade-offs embedded	
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		<p>in the 16 units/acre density of this portion should be considered. The relatively low density seems to follow from several factors:</p> <ul style="list-style-type: none"> ○ A material portion of the site (~12 acres?) cannot be built on due to creek set-backs. Backing out these setbacks, the effective density may be closer to 30 units/acre. ○ The commercial/retail component relies on surface parking (likely necessary for financial viability) and includes some relatively low buildings. ○ Roughly half of the built portion of the site is unstacked townhomes (representing only 15% of the units). This dilutes the density achieved by the condos, which generally include 4-5 levels of conditioned space on double-loaded corridors. • The less densely we build on large sites now, the more densely we may need to build on smaller sites in the future to meet the Town's housing targets. • In response to PC inquiries, the developer expressed openness to considering the following changes: <ul style="list-style-type: none"> ○ Increasing by one story the height of the 4-story condo buildings fronting South Columbia Street ○ Increasing the height of one of the mixed-use buildings toward the northern edge of the site ○ Converting some of the townhomes to stacked units. 	
Respect for topography and natural landscapes, including protected natural areas	<ul style="list-style-type: none"> • The development plan calls for a stepped design as the buildings proceed down the slope toward the creek. The developer will bring in fill to smooth out the grade. • The plan includes some isolated incursions into the creek setbacks. • The plan treats the land across the creek as a featured view shed. 	<ul style="list-style-type: none"> • As the CDC noted, the stepped site plan seems to work well with the existing topography. • The current tree canopy on the 43 acres is not of especially high quality (predominantly new growth). • The RCD currently has significant erosion along the creek banks. It's possible that the limited incursions proposed could improve existing conditions, as the developer contends. 	<ul style="list-style-type: none"> • Given the steep slopes, Town stormwater staff should review the stormwater aspects carefully. • If the ~80 acres across Wilson Creek, or some portion of it, is to be

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			preserved, the Town should secure commitments to this effect and consider roles and responsibilities for trail establishment and maintenance.
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