

## 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 CHAPEL HILL CROSSINGS AS A CONDITIONAL ZONING APPLICATION AND FUTURE LAND USE MAP AMENDMENT

May 16, 2023

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

**Motion:** Elizabeth Losos moved, and Louie Rivers seconded a motion to recommend that the Council adopt the Chapel Hill Crossings as a Conditional Zoning District amendment to the Zoning Atlas with attention paid to the comments included in the attached matrix.

**Vote:**                      7 – 1

**Yeas:** Jonathan Mitchell (Chair), Elizabeth Losos (Co-Chair), Wesley McMahon, Strother Murry-Ndinga, John Rees, Louie Rivers, and Erik Valera

**Nays:** Chuck Mills

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

**Motion:** Elizabeth Losos moved, and Chuck Mills seconded a motion to recommend that the Council find that the proposed Chapel Hill Crossings Conditional Zoning District amendment is inconsistent with the Comprehensive Plan

**Vote:**                      6 – 2

**Yeas:** Jonathan Mitchell (Chair), Elizabeth Losos (Co-Chair), Wesley McMahon, Strother Murry-Ndinga, Chuck Mills, and Erik Valera

**Nays:** John Rees and Louie Rivers

Prepared by:        Jacob Hunt, Planner II

*The Planning Commission supports development of these sites to the extent consistent with the Town’s “complete community” strategy, including increased density, but with attention to the attributes discussed in the matrix below.*

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"> <li>• 422-578 dwelling units, ~10-20% for sale</li> <li>• Wide range of unit shapes/sizes (multifamily buildings, rowhouses, townhouses, cottages). Multifamily units average under 800 square feet.</li> <li>• 15% “affordable” units are for the rental component only, and are all priced for 80% AMI.</li> </ul>	<ul style="list-style-type: none"> <li>• Unusually diverse mix of units, including many smaller units</li> <li>• Allocation of designated “affordable” units departs from usual proposals. Recently this aspect has turned into a frequent negotiating point with developers. The Town should consider clarifying its current expectations in light of evolving market conditions, inherent trade-offs, and possible limitations in its legal authority (related to rentals specifically).</li> <li>• Without expressing a view on this broader question, we note that a mix of affordable owner-occupied units and rentals seems preferable to rentals alone.</li> </ul>	<ul style="list-style-type: none"> <li>• The Town’s current expectations vis-à-vis designated “affordable” units are unclear.</li> <li>• The Council should consider asking the developer to exchange some of the affordable rentals for affordable owner-occupied units.</li> </ul>
Walkable proximity to several daily needs, such as housing, jobs, schools, recreation. Mixed use buildings encouraged	<ul style="list-style-type: none"> <li>• 7,000 – 20,000 sq. ft. of commercial space (~4% of floor area) proposed. The counting methodology here may not be intuitive.</li> <li>• Commercial space includes multiple ~600 sq. ft. “micro-retail” bays in the Huse Street multifamily building (ground level edges). Potentially also pop-up retail opportunities on the property.</li> <li>• 0.7 miles to Wegmans. Otherwise, limited access to existing walkable retail.</li> <li>• Walkability to Eastowne depends on execution of 15-501 pedestrian crossing.</li> </ul>	<ul style="list-style-type: none"> <li>• Members appreciate the inclusion of retail space configured for small businesses.</li> <li>• Until other properties in the core of the “Gateway” area develop, it remains unclear whether this neighborhood will achieve sufficient mixed use “critical mass” to function as a walkable neighborhood in practice. Chapel Hill Crossing is on the southeastern periphery of the “Gateway” area and would not necessarily be expected to serve as the center of mixed use activity in the area.</li> <li>• The Planning Commission reiterates the importance of an above- or below-grade crossing to UNC Eastowne. We urge the Town to seek information</li> </ul>	<ul style="list-style-type: none"> <li>• We need to plan now for a pedestrian-friendly crossing of 15-501.</li> <li>• The Town must ensure that the Gateway neighborhood as a whole achieves sufficient mixed use “critical mass” to function as a walkable neighborhood in practice.</li> </ul>

Planning Commission Complete Community Matrix for Chapel Hill Crossing  
May 2023

Complete Community Criteria (mostly based on 12/7/22 Keesmaat presentation to Council)	Facts	Analysis	Summary of Concerns
	<ul style="list-style-type: none"> <li>• Zoned to Durham schools. Views differ on whether the schools are walkable in practice.</li> </ul>	<p>now on feasibility and potential costs so that appropriate cost sharing can be negotiated before adjacent entitlements are granted.</p> <ul style="list-style-type: none"> <li>• Members and public commenters noted that pedestrian connectivity to Durham via existing overpasses is poor.</li> </ul>	
Abundant greenway and transit connections	<ul style="list-style-type: none"> <li>• The “D” bus serves the property.</li> <li>• Greenway/sidepath connectivity between Blue Hill and Old Chapel Hill Road is forthcoming (funded).</li> <li>• The developer has agreed to construct a bike path along the property and to grant an easement for a future greenway connection to the north.</li> </ul>	<ul style="list-style-type: none"> <li>• Bus connectivity exists today, and greenway connectivity to Blue Hill is forthcoming.</li> <li>• Greenway connectivity to UNC Eastowne remains a concern, as discussed above.</li> </ul>	<ul style="list-style-type: none"> <li>• See previous comment about 15-501 crossing.</li> </ul>
Place-making and prioritization of the pedestrian realm	<ul style="list-style-type: none"> <li>• The Huse Street property relies heavily on structured parking.</li> <li>• On the northern property, surface parking predominates (~85%) but has been shifted behind the building.</li> <li>• The developer describes the approach to parking quantity as generally one spot per bedroom for the multifamily units, plus additional guest parking.</li> </ul>	<ul style="list-style-type: none"> <li>• The internal design seems unusually pedestrian friendly, particularly in the Huse Street portion, thanks to structured parking, judicious use of paved surfaces, rear loading of units, and a variety of outdoor gathering spaces.</li> <li>• As the Planning Commission has suggested for other recent projects, we would like to see the cost of parking unbundled where parking spaces are not physically attached to individual units. Parking costs could be prorated for occupants of the designated affordable units.</li> <li>• We also prefer parking ratios closer to the Town’s multifamily minimums – i.e., 1 spot for a 1-bedroom, 1.4 spots for a 2-bedroom, 1.75 spots for</li> </ul>	<ul style="list-style-type: none"> <li>• The cost of parking should be unbundled to the extent possible.</li> <li>• Parking ratios should be at or close to the Town’s minimums.</li> </ul>

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Complete Community Criteria (mostly based on 12/7/22 Keesmaat presentation to Council)	Facts	Analysis	Summary of Concerns
		a 3 bedroom – so as not to undercut the Town’s TOD strategy.	
Land use efficiency (measured as housing density per acre)	<ul style="list-style-type: none"> <li>422-578 dwelling units on 16.3 acres = 26-35 units/acre</li> </ul>	<ul style="list-style-type: none"> <li>The proposed density represents a reasonably efficient use of these large parcels.</li> </ul>	None
Respect for topography and natural landscapes, including protected natural areas	<ul style="list-style-type: none"> <li>The project would not encroach in the RCD.</li> <li>Plans call for an undisturbed area of existing forest on the northern edge.</li> <li>The developer states that its plans do not involve table-topping of the Huse Street site but rather stepping the smaller buildings down with the grade.</li> </ul>	<ul style="list-style-type: none"> <li>Members did not identify significant concerns in this area (beyond those inherent in projects of this scale).</li> </ul>	None
Other	<p><u>FLUM Consistency</u></p> <ul style="list-style-type: none"> <li>The existing FLUM calls for “typical heights” of 4-6 stories in the Gateway area.</li> <li>The Huse Street property lies outside the FLUM focus area.</li> </ul> <p><u>Interface with Existing Neighborhoods</u></p> <ul style="list-style-type: none"> <li>The Huse Street property is located adjacent to existing low-density neighborhoods.</li> <li>However, the proposed 7-story building on the Huse Street parcel is not directly adjacent to existing single-family residences.</li> </ul>	<p><u>FLUM Consistency</u></p> <ul style="list-style-type: none"> <li>Members expressed concern about ad hoc “focus area creep,” noting that the proposed new focus area boundary appears “gerrymandered.”</li> <li>The FLUM is only a few years old and reflects a public engagement process. Modifying it for a specific project so soon after enactment may erode public trust in the Town’s commitment to follow its own plans.</li> <li>Without necessarily disagreeing with the points above, some members believe that the existing focus area boundaries are too narrow. Others simply want a systematic and consistent approach, whatever the outcome.</li> </ul>	<ul style="list-style-type: none"> <li>The 7-story structure will set a precedent that does not comport with the FLUM.</li> <li>More broadly, development-specific adjustments or exceptions to the recently-promulgated FLUM may erode public trust.</li> </ul>

Complete Community Criteria (mostly based on 12/7/22 Keesmaat presentation to Council)	Facts	Analysis	Summary of Concerns
		<ul style="list-style-type: none"><li>• The proposed 7-story height of the multifamily structure on the Huse Street property would set a precedent for the rest of the Gateway area. Members do not feel that a 7-story structure comports with the existing FLUM (notwithstanding the phrase “typical” height).</li><li>• Members also observed that structured parking may involve a height trade-off. Three of the 7 stories are parking levels. The Town is seeking to shift away from heavy reliance on surface parking in large new developments.</li></ul> <p><u>Interface with Existing Neighborhoods</u></p> <ul style="list-style-type: none"><li>• The Huse Street site configuration seems to step down toward adjacent low-density neighborhoods in a reasonable manner.</li></ul>	