

06-07-2023 Town Council Meeting

Responses to Council Questions

ITEM #3: Close the Legislative Hearing and Consider a Conditional Zoning Application for South Creek at 4511 S. Columbia Street

Council Question:

Is the increased number of units reflected in the TIA and associated traffic mitigation measures?

Staff Response:

The Town's Traffic Impact Analysis policy requires an update when the projected daily trip generation exceeds a 10% increase above the previous TIA. The applicant has demonstrated that changes in units and commercial space resulted in a 5% increase in total trips, which did not trigger the requirement for a new TIA. Conditions have been added to the ordinance to track trip generation with each Final Plans submittal. If more commercial space is added or other circumstances affect trip generation, there is opportunity to understand and address traffic impacts.

Council Question:

Why is the applicant unwilling to have a conservation easement for the approximately 80 acres on the other side of Wilson Creek included as a stipulation?

Applicant Response:

The applicant has stated that they intend to convey the land east of Wilson Creek to a third-party conservation organization. The organization has made it clear that they cannot purchase the land if its conservation is already required by the Town of Chapel Hill or another governmental entity. If the conditional zoning ordinance were to include a requirement that the land be conserved through a conservation easement, then there is a considerable chance that the conservation organization would no longer be willing or able to acquire the land.

Council Question:

What is the applicant's plan for phasing of construction and the associated timeframes?

Applicant Response:

The applicant has stated that they intend to start the first phase of development around the Market Street node. This would include the buildings containing commercial space and hopefully some amount of residential. From there they expect to develop two more primary phases for full build-out.

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Council Question:

How will the affordable units compare to the market rate ones in terms of size and finishes?
How will they be distributed?

Staff Response:

The affordable units will include a mix of studio, 1-, 2-, and 3-bedroom units in the same proportion to the market-rate units. The affordable units will be finished with similar design, trim, materials, and details as the market-rate units and will be distributed throughout multiple buildings in the development. Conditions specify requirements for unit mix, finishes, and a maximum number of affordable units per building type to ensure they're distributed through the entire development.

Council Question:

Pedestrian crossing of US 15-501 - is the information provided on feasibility only from the applicant? Could we also get staff's assessment of feasibility of a bridge or tunnel?

Staff Response:

Staff have not investigated the feasibility of a bridge or tunnel at this site. However, based on prior projects, staff believe it would be a multi-million-dollar project that would require significant engineering and design work. There are no existing below-grade crossings to take advantage of, like a culvert. A grade-separated crossing would need a ramp access that meets ADA requirements. Staff agrees with concerns raised by the applicant that the added travel distance for a grade-separated crossing could discourage utilization. Staff also notes that at the proposed crossing location, the opposite side of 15-501 is Town-owned land where there would also be space impacts for required ramps.

Council Question:

Is the applicant willing to bring its affordable rental units plan to 60% AMI?

Applicant Response:

The applicant has indicated that they continue to be willing to comply with the Town's affordable housing ordinance. They are also open to re-evaluating the AMI limits to the rental units as the project evolves.

Council Question:

What of value is the applicant offering in return for receiving the piece of town-owned land that bisects their project?

Staff Response:

The developer's current proposal is to offer the Town a piece of land along 15-501 for a BRT

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station, as shown in Exhibit A at the end of the Revised Ordinance. Transit staff also requested the applicant contribute \$100,000 to the BRT station construction, and the developer is offering that amount. The Town Manager will work with the developer to ensure a fair exchange between the Town-owned land and the developer's ultimate offer. An appraisal of the Town-owned land will be done as part of further conversations. Council must authorize the final proposal for exchange, and the developer has 180 days from Conditional Zoning approval to finalize the exchange or the land will revert to previous zoning. A condition to this effect is in the Revised Ordinance.

Council Question:

What proportion of the RCD disturbance/steep slope disturbance for the project is due to the new greenway access across Wilson Creek?

Staff Response:

Proposed disturbance in the Upland Zone of the RCD increased from 55% to 65% and steep slope disturbance increased from 50% to 80% since the legislative hearing. All of this increase is attributable to adding the greenway connection to Wilson Creek - 10% of the Upland Zone and 30% of the site's steep slopes would be disturbed for greenway construction.