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Sent: Tuesday, January 23, 2018 6:12 PM
To: Allen Buansi; Donna Bell; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Town Council; Michael Parker; Nancy Oates; Pam Hemminger; Rachel Schaevitz; Roger Stancil; Ross Tompkins
Cc: Loryn Clark; Ben Hitchings; Judy Johnson; Amy Harvey; Beth Vazquez; Carolyn Worsley; Catherine Lazorko; Christina Strauch; Dwight Bassett; Flo Miller; Mary Jane Nirdlinger; Rae Buckley; Ralph Karpinos; Ran Northam; Roger Stancil; Sabrina Oliver
Subject: Council Questions: Item 14: Blue Hill Design Guidelines

Council Question: Have the proposed Blue Hill design guidelines been evaluated in terms of their potential impact (positive or negative) on the goals for the Blue Hill district of encouraging (re-)development and growing the non-residential tax base?

Staff Response: *A formal evaluation of the potential impacts on economic development is not part of the scope for this project. However, the Design Guidelines have been framed and drafted in a way that aims to further the goals of the Blue Hill District. These goals include both economic development and an enhanced design aesthetic, which at times can be conflicting outcomes. As we continue to move forward with this project, staff and the consultant will look for opportunities to share both alignment and possible tradeoffs between these two goals.*

Related to the points above, a central theme of the Design Guidelines project is to improve regulatory predictability. Many of the guidelines assist with interpreting the existing standards of the Form-Based Code. Others introduce more opportunities for design flexibility (with guidance on how to do it thoughtfully). This more predictable review framework can be considered a strategy to both encourage redevelopment and achieve a built environment that meets the community's preferred design aesthetic.

Council Question: Are the design guidelines requirements or suggestions? Can the Town and/or CDC use them to deny a proposed development?

Staff Response: *The draft Design Guidelines include a mixture of 'requirements' (elements considered necessary for approving a project) and 'suggestions' (best practices or aspirations). The consultant will include a symbol key to distinguish between these different categories. Not meeting a guideline marked for 'Code Compliance' or 'Certificate of Appropriateness Review' would be grounds for denying a proposed development. In addition, applicants can comply with some of the suggested guidelines as a way to earn approval of a 'Design Alternative' (allowing flexibility from standards in the Form-Based Code when the project still meets the design intent).*

Council Question: What is meant by the statement that the CDC and Planning Commission wish to see these guidelines "actively applied to projects in a meaningful way, rather than serving as best practices"?

Staff Response: *'Best Practices' would be suggestions or aspirations for a project in the District that are not required. Often these are more qualitative aspects of a project that are difficult to evaluate objectively. To 'actively apply to projects in a meaningful way', guidelines are denoted as required for project approval, tied to requirements of the Form-Based Code, and/or incorporated into a project as a way to earn approval of a 'Design Alternative' (allowing flexibility from standards in the Form-Based Code when the project still meets the design intent).*

Council Question: How many people responded to the online survey/attended the open house? Do we have a sense of the scope of our reach?

Staff Response: *Over the course of 3 public workshops/open houses in the summer and fall, there have been a total of 28 attendees. The Town received 157 responses to a September online survey on the document framework and 108 responses to a December online survey on the draft document. There is strong representation of both Blue Hill District residents and Chapel Hill residents outside the District in survey responses. Other respondents indicate they are*

employees/business owners in the District, members of the development community, University students, and members of other community groups.

Council Question: I see that there was a report out to the Environmental Stewardship Advisory Board -- do these guidelines incorporate their feedback (especially on pages 104-107)?

Staff Response: *Staff has shared feedback and recommendations from the Environmental Stewardship Advisory Board with the project consultant, to incorporate into the final draft of the Design Guidelines (expected in late February).*

Council Question: Page 14: GP3 -- wondering about design that simultaneously "reflects their own time" and has "timelessness"? What are we really asking for?

Staff Response: *Staff will share this input with the consultant, to provide more clarity in the final draft.*

Council Question: Page 15: GP6 -- what is meant by cultural sustainability?

Staff Response: *Staff will share this question with the consultant, to provide more clarity in the final draft.*

Council Question: Page 17: what is meant by the term "urbanism"?

Staff Response: *Staff will share this question with the consultant, to provide more clarity in the final draft.*

Council Question: Page 34: Can I hear more about the rationale behind development being "built to the build-to-line to support an active street edge and create a "street wall" which provides a sense of enclosure and comfortable scale for pedestrians"?

Staff Response: *These provisions help ensure building placement that frames a street and brings window displays into closer contact with people on the sidewalk, creating a more inviting and comfortable pedestrian environment. Staff will share this input with the consultant, to provide a more detailed rationale in the final draft.*

Council Question: Page 50: what are the requirements (if any) that outdoor amenity space be publicly accessible rather than "members/residents only"?

Staff Response: *Under the existing Form-Based Code, outdoor amenity space is required to be publicly accessible in order to meet the minimum outdoor amenity space ratio. This regulation was part of a series of Council code updates made in March of 2017.*

Council Question: Page 54: The text guidelines suggest using a railing or other barrier to delineate outdoor dining areas, yet the photo examples show good examples without railings and bad examples with railings. Personally, I prefer no railings, and a much more open, inviting atmosphere for sidewalk dining (planters or other markers rather than fences), but either way this guideline as printed seems contradictory/confusing.

Staff Response: *Staff will share this input with the consultant, to consider best practices around delineation of outdoor dining areas, and to better align images with the associated guidelines in the final draft*

Council Question: Page 72: What is the rationale for "improving the urban fabric" by "expanding an existing building by extending it closer to the street"?

Staff Response: *Placing or extending buildings closer to the street is a design principle for creating a walkable urban environment. This guideline interrelates with other guidelines for building entrances, ground floor design, etc., in order to produce active street edges in the District.*

Council Question: What is completely new? Page 325 gives examples; is this list exhaustive?

Staff Response: *Where examples are provided, these are not meant to be an exhaustive list. At this time, the following have been identified as 'Topics Covered by Design Guidelines but not by Code': Rooftop Amenity Space, Ground Floor Residential Entries, Booker Creek Frontages, Transitions to Neighborhoods. The following are other 'Potential Text Amendments Apart from the Design Guidelines': Street Type Assignments, TIA and Urban Design Assessment Requirements*

Council Question: What can be done retroactively to improve existing projects? For example, benches, rooftop gardens, etc. (pp 244-245 and 327-249).

Staff Response: *The Town could undertake a project to add streetscape improvements (in public right-of-way) and/or partner with a property owner to explore on-site improvements. Under the development framework of the District, there is not a way to require improvements to projects that are already permitted or completed. If the property owner were proposing expansion of a building or other modifications to a site, that could be an opportunity to negotiate improvements found in the Design Guidelines.*

Council Question: Can any of this be negotiated for Fordham Apartments, for example, passthroughs?

Staff Response: There is not a way to require improvements to projects that are already permitted, as is the case with Fordham Blvd Apartments. If the property owner were proposing expansion of a building or other modifications to a site, that could be an opportunity to negotiate improvements found in the Design Guidelines.

Council Question: How do we ensure adherence, given that Fordham Apartments got through the CDC and many feel it did not meet the requirements of the Code? In cases that an applicant wants an exemption to the guidelines, can this get an additional layer of review or more rigorous review?

Staff Response: *A major purpose of the Design Guidelines is to provide examples and more detailed direction on how a project can meet requirements of the Code. In other words, it helps establish a shared language of good urban design. Referring to the final document will allow the CDC and staff to make more informed and defensible decisions about approving projects. If an applicant is pursuing an exemption to Code standards or a Design Alternative, the Design Guidelines provide a menu of options for how to achieve high quality design even when deviating from the Code. The Introduction chapter further discusses how to use the Design Guidelines for these purposes.*

Council Question: Could the staff please give an example of how a development under the FBC would be different with these guidelines (I'm thinking the Berkshire) so we can get a sense of what this would mean in a context of something that already exists? That would be a helpful thought exercise for me to understand what this would mean in a real-life context. What would the Berkshire look like/what would and would not be allowed, what would be different there if these guidelines had been in place at the time of that approval?

Staff Response: *The Design Guidelines provide clearer standards for building design and placement to augment the March 2017 code changes that improved walkability by improving the block structure and connectivity of the Blue Hill District. Staff will share this question with the consultant as well for any additional follow-up.*

Council Question: What else can be done to really make Booker Creek an amenity, beyond dictating what the shape of frontages along it look like? Is this as far as we can go?

Staff Response: *The Design Guidelines are limited in how they can address improvements to Booker Creek, given that it has a focus on design of the built environment. Their contribution will be to guide how buildings and properties relate to the Creek. Other improvements such as stream restoration, flood control, and park-like amenities along the Creek could possibly be addressed under the scope of a separate project, and potentially pursued through public/private partnerships (as has been the case with Fordham Blvd Apartments)*