

09-09-2020 Town Council Meeting Responses to Council Questions #2

ITEM #23: Charting Our Future - Update on Future Land Use Map (FLUM) Engagement & Consideration of Changes to the Proposed FLUM

Council Question:

Do we have any engagement data on how many unique people showed up to the ~84 in-person opportunities?

Staff Response:

Staff does not have any data on the number of unique people that attended the in-person events. Staff tracked the number of participants at each event, but not unique attendees. Staff did work to spread the events out geographically, hold events at different times/days, and target diverse audiences in an attempt to attract a broad spectrum of stakeholders. For example, during the previous engagement phase, in-person events were held in most Focus Areas, which seemed to attract different stakeholders.

Council Question:

Any data on the 1640 digital participants? I'd be keen to know geographic spread of participants.

Staff Response:

Staff does not have ready access to the geographic spread of digital participants.

Staff can track which Focus Areas attracted the most attention from participants. For the survey held in the fall of 2018, all Focus Areas, except the South Columbia Gateway, received significant attention from survey participants. For the Digital Community Workshop held in July of 2020, many participants commented on the North Martin Luther King, Jr. Boulevard and the North 15-501 Focus Areas.

Council Question:

Have we started looking at creating a more accessible Executive Summary document of the FLUM that can be more easily shared and understood by residents?

Staff Response:

Yes, an Executive Summary will be included with the final draft of the FLUM.

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Council Question:

The proposed changes illustrated on p. 577 of the agenda packet are relevant to N. MLK, not N. 15-501, as currently, titled, correct?

Staff Response:

Yes, staff apologizes for the incorrect title on the slide. The mistake has been corrected.

Council Question:

Is my understanding correct that the proposed changes removing UNC campus from the downtown focus area do not include the buildings along E. Franklin Street?

Staff Response:

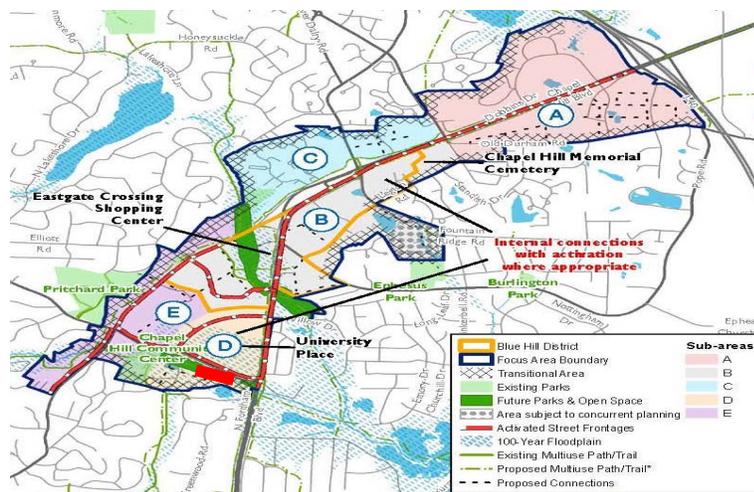
While it appears that UNC would like the buildings on East Franklin to be excluded from the Downtown Focus Area, staff is recommending that the buildings owned by UNC, which front on East Franklin, be retained in Sub-Area D of the Downtown Focus Area.

Council Question:

Would the change in designating the parcels on the south side of Estes east of the Community Park as Future Parks & Open Space mean that the current apartments, such as Camelot Village would be included in this area designated “Future Parks and Open Space”?

Staff Response:

While the FLUM is not parcel specific, the parcels, shown in red below, parallel to S. Estes Drive, are recommended to be designated as Future Parks & Open Space. The residential buildings closest to South Estes Drive would be, at least partially, designated as Future Parks & Open Space. As stated in the staff memorandum, existing zoning & any proposed zoning for the area should continue to permit the existing residential development until a workable solution to existing flooding issues can be found.



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Council Question:

Why are some community members concerned about the proposed multi-use path that follows the Duke Power easement, referred to under “North Martin Luther King Jr. Blvd” section?

Staff Response:

The Duke Power easement runs behind existing homes, and community members expressed concerns about having a path in their backyards. You can view these comments on the [Digital Community Workshop](#)¹.

Council Question:

Do we have info on the demographics of the participants and respondents to community engagement efforts - who we were able to reach and who we were not able to reach - over the summer?

Staff Response:

Staff does not have demographics on the participants from the Digital Community Workshop. Staff did provide and publicize a phone number for those community members that may not have access to the internet. Staff did receive several phone calls. In addition, staff published and publicized the availability of the Focus Area Maps in Spanish and in Simplified Chinese. Staff did not receive any requests for these translated Maps. Availability of the different ways to engage was provided to a diverse group of stakeholders including the NAACP Housing Subcommittee, the Orange County Affordable Housing Coalition, the Town’s Public Housing residents, and a wide-ranging group of non-profits that included El Centro Hispano and Senior Care of Orange County.

Council Question:

I’ve asked before about the temporal piece of this project; how do we send a proactive and clear message to applicants about what we will easily approve versus not, and how do we do that as time goes on? We are not saying that we will approve or seriously consider the 2049 future, aspirational vision in 2022 (we might, depending on where and what), so how do we get at the idea of intensity being tied to infrastructure, resources, etc.? When we have a robust BRT system, for example, we can approve or consider much for density/intensity along the transit route than we can before that happens, so how do we have something in our FLUM that makes that clear? Is there a statement or section that we can include that elucidates the fact that we don’t get to 2049 development levels until certain things happen or that the Council will be considering applications based on current conditions, not those that we hope will exist by 2049?

¹ <https://chartingourfuture.konveio.com/north-martin-luther-king-jr-blvd-focus-area>

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Staff Response:

We can certainly include an additional Section in the Future Land Use Map (FLUM) that clarifies the temporal issues of a Future Land Use Map (FLUM). Currently, the draft states as follows on page 36:

The Focus Area Maps and Principles portray a vision for the Town in the year 2049. In many instances, changes to the Town's development ordinances, standards, and regulations will be required to implement this vision. Given the future-oriented nature of these Focus Area Maps and Principles, such changes may not happen in the near term. Instead, this Future Land Use Map will provide guidance only and help to clarify expectations for future development.

Staff would suggest moving the above explanation to the Introduction section of the document so that it is more prominently placed in the FLUM. Plus, staff recommends adding the following language so that the section reads as follows. Changes are shown in red.

The Focus Area Maps and Principles in Section 4 portray a vision for the Town in the year 2049. In many instances, changes to the Town's development ordinances, standards, policies, and regulations as well as potential construction of additional facilities and infrastructure will may be required to implement this vision. Given the future-oriented nature of these Focus Area Maps and Principles, such changes may not happen in the near term. Instead, this Future Land Use Map will provide guidance only and help to clarify expectations for future development. As the Town works to update its land use tools, such as the Land Use Management Ordinance, near term priorities that implement this FLUM may be specified. However, the Focus Area Maps and Principles are not intended to depict that the Town is ready, in every instance, to approve applications and/or change existing zoning to support the vision depicted in the FLUM. Instead, individual development applications will be evaluated based on applicable development regulations, context, and circumstances with the understanding that the Town is looking for creative solutions to move toward 2049.

Staff would add that we are somewhat facing a "chicken and egg situation." For example, the Town's BRT application lost points because the Town's land use tools did not, in the Federal Transit Administration's (FTA) opinion, fully support the Bus Rapid Transit (BRT) in terms of population density, employment served, and land use in station areas. Therefore, waiting to change the Town's land use tools or delaying application approvals until the BRT is up and running could have negative consequences for the Town's BRT FTA application.

In addition, non-residential land uses tend to follow after residential uses are well established. Meaning, office/retail users do not tend to be interested in areas until there is an established base of residential households. So, if the Town desires corner stores and other neighborhood-oriented non-residential uses and does not wish to incentivize their establishment in certain key areas, then the Town needs to

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consider facilitating the needed residential development to support such non-residential uses. Of course, that facilitation can take many different forms.

Council Question:

In regard to the Downtown Focus Area: while I understand that the Town does not have meaningful planning authority over the UNC campus, it seems to me appropriate for the Town to express preferences as to how development occurs when it is on or abuts Franklin St. or other similar high visibility/high importance areas. This is particularly important given UNC's plans for East Franklin. Accordingly, I would like to see the immediate frontage all along East Franklin remain in the FLUM as a means (but certainly not the only means) of communicating our preferences to UNC

Staff Response:

While staff has recommended that the boundaries of the Downtown Focus Area be amended to exclude most of UNC's campus but include those UNC buildings fronting on East Franklin, retaining the entire frontage of UNC's campus along East Franklin is certainly appropriate, if Council wishes to alter the boundaries of the Focus Area in this manner.

Council Question:

In regard to the Downtown Focus Area: while not proposed for a change, I continue to believe that sub-area B as currently constituted will promote large buildings that, of necessity, span Franklin and Rosemary Streets. Accordingly, I believe that core heights in this area should be lower than eight stories, perhaps five or six.

Staff Response:

The FLUM provides high-level guidance that will be refined during the overhaul of the Land Use Management Ordinance (LUMO). For this reason, staff would recommend retaining the proposed heights in Sub-Area B of the Downtown Focus Area especially since the existing zoning permits core heights of 90 feet.

Council Question:

For N. 15-501, could you give us additional detail beyond that which is on page 587 regarding removing the transitional area in sub-area A?

Staff Response:

During the latest engagement effort on the Future Land Use Map (FLUM), staff received a comment from a community member that the Transitional Area in Sub-Area A is not necessary "since Eastowne backs up to a huge floodplain or backs up to existing 3 and 4 story multifamily units." Given these existing conditions, staff concurred with this comment.