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To: The Chapel Hill Planning Board
 From: Residents of Sherwood Forest
 Date: March 18, 2008
 Subject: ZAA request by Capital Associates (Woodmont)

The residents of Sherwood Forest express surprise and confusion over the Recommendation by the Planning Department staff to the Planning Board to support the Zoning Atlas Amendment from Capital Associates for the proposed Woodmont project. The recommendation to rezone property currently designated at low residential to mixed use-village is supported only by applicant statements for Part C. from the Rezoning Statement of Justification (Applicant file). Parts A and B are notably unsupported by the Applicant. No analyses or justifications are included from staff.

Below is section C. from the Memorandum to The Planning Board from J.B. Culpepper, Planning Director, and Gene Poveromo, Development Coordinator, dated March 18, 2008. Provided for your consideration are Arguments in Opposition to the statements of justification made by the applicant. Additional Arguments in Opposition are contained in a letter to the Planning Board that was sent via email March 17, 2008.

The residents of Sherwood Forest offer this statement, and the letter of March 17, 2008, to the Planning Board and recommend that you forward to the Town Council **Attachment 2, Resolution Denying the MU-V rezoning request.**

C. An Amendment to the Land Use Management Ordinance is necessary to achieve the purposes of the Comprehensive Plan.

- Arguments in Support: Arguments in support of this finding are offered in the applicant's statement of justification Portions of the applicant's Statement of Justification are copied below (in *italics*).
- Arguments in **Opposition** are included under the Applicant's Statements, and are provided by residents of Sherwood Forest.

To support the objectives of the NC 54 East Entryway Goals (a component of the Comprehensive Plan) – "Streets and parking should be designed to promote easy, safe pedestrian and bicycle traffic, and to inhibit fast traffic in both residential and retail/office segments of neighborhoods." The main spine road through the site is purposefully narrow with on-street diagonal parking to discourage fast traffic. Additionally, the Woodmont development plan includes a network of pedestrian trails within the site, a significant portion of which will be constructed with Phase One of the development, and four loaner bicycles and bicycle racks at the Phase One office buildings. Shower facilities will be included in all of the larger Woodmont office buildings, including Building E in Phase One." [Applicant's Statement]

Opposition Statement: The NC 54 East Entranceway Goals clearly enumerates that proposed projects should "Avoid placing driveways on the main collector road (i.e., NC 54). Since the applicant intends for the main entrance to Woodmont to be a major intersection on NC 54 East,

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the applicant's plan is in direct conflict with the second Stipulation 10 of Attachment 2 from the Planning Department staff.

"Promote transit facilities, including preserving the potential for regional transit in this corridor. These Objectives encourage expansion of the service to outlying areas, and promotion of transit-orientated land use patterns. Woodmont is within ½ mile of a future light rail station. The development is committed to assist in extending the CHT existing routes eastward to serve the Woodmont area. Woodmont plans call for a Chapel Hill Transit route along its spine road, with bus stops appropriately located within the development. An important related point: The proposed density of development on this site will foster public transit use, whereas development of this site exclusively as medium density residential properties would not." [Applicant's Statement]

Opposition Statement: The applicant provides **no evidence** that CHT has any plans or funding to extend service to the applicant's proposed project. In fact, no plans or funding are available in the CHT budget for service extension.

To support the objectives of the Comprehensive Plan – "Encourages desirable forms of non-residential development. Phase One of Woodmont will help provide additional high quality office space that will complement and help balance the mix of uses within the larger Meadowmont mixed use zone of which it is geographically a part. Currently, the larger Meadowmont mixed use zone is heavily weighted toward residential and retail uses..." [Applicant's Statement]

Opposition Statement: The applicant presents **no evidence** to support this justification. Meadowmont struggles after 3 or more years to fully rent out the retail spaces that are available. In fact, retail turn-over has been high in Meadowmont. The office spaces currently are mostly leased.

"Support of start-up businesses. The numerous small businesses and restaurants at Meadowmont Village will benefit significantly from the addition of density on the Woodmont site... Within Woodmont, office space will be available for both mature businesses and young businesses... Included will be corporate office space in the larger buildings and office space for smaller, newer, tenants in the smaller buildings." [Applicant's Statement]

Opposition Statement: This is a hypothetical justification, and **no evidence** is presented that supports the purported benefits to Meadowmont business.

To the contrary, few, if any, start-up businesses immediately lease Class A space. Class A space is typically utilized by mature businesses. The architecture of Class A office structures always prioritizes design and visual appeal over cost, and sometimes over practicality - a Class A building can be considered a monument and a testament to the success and power of its tenants.

In most areas, Class A office space typically commands the highest rents for office space in a community.

“Retain existing businesses. Recent experience has shown that native firms of significant size have in some cases moved out of Chapel Hill due to lack of suitable Class A office space.” [Applicant’s Statement]

Opposition Statement: The applicant offers **no evidence** or foundation to support such a claim.

“Work with housing providers to develop affordable housing in Chapel Hill. Capital Associates and OCHLT have committed to partner to include high quality residential units that meet the workforce affordable housing goals suggested by the Comprehensive Plan and specified by the Town Council. Capital Associates has also committed to work with the OCLT to address long term maintenance and affordability issues. The workforce affordable units will compromise 15% of the total residential condominiums units and will include a mix of one and two-bedroom units.” [Applicant’s Statement]

Opposition Statement: The most recent proposal for Woodmont offers far **too few residential units** for a project that can truly be considered MU-V.

“Implement a comprehensive parking strategy. One of the key elements of this objective calls for structured parking where feasible. Woodmont plans to provide a significant amount of under-building parking, much of which is to be on two levels, to eliminate “sprawl” parking and reduce impervious surface... Woodmont also intends to develop only 90% of its ultimate potentially-needed parking initially. Any portion of the remaining 10% would be constructed only if, and when, there is demonstrable demand for those additional spaces, on a building-by-building basis. With a successful transit plan, ridesharing promotions, shuttles to connect to Meadowmont, it is hoped and expected that none of the last 10% of parking will have to be built.” [Applicant’s Statement]

We concur with the justification by the applicant.

“Increase the Town’s tax base in a manner that supports community values. At completion, Woodmont’s initial phase will as over \$35 million (in 2007dollars) to the tax base... This Comprehensive Plan objective also calls for analysis of projected net revenues as part of the land use decision making process. We will be pleased to work with the Town to produce this analysis.” [Applicant’s Statement]

Opposition Statement: The analysis has not been submitted into evidence. To the contrary, this community desires to retain the character of a village, not of a city. Extremely large, **Class A office space does not match the overall community values** of Chapel Hill.

Please reaffirm that the Land Use Plan, a component of the Comprehensive Plan, adopted on May 8, 2000, indicates this area as Low Residential (1-4 units/acre).

Sherwood Forest Residents

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| Henry A. Lister | Jodon A. Flick | Gayle Roberts |
| Sally Trauco | Bruce Curran | Alexis Thompson |

