To: Alisa Rogers, Maurice Jones, and Town Council members

I have had an opportunity to review the draft blueprint for the North 15-501 Focus Area and the accompanying draft land-use map. The focus area principles seem well thought out and consistent with community preferences. Below I suggest two general modifications to the map and an additional principle that should be included:

**The envisioned intensity of use is excessive and lacks justification.**

The Ephesus-Fordham [small area plan](https://www.townofchapelhill.org/home/showdocument?id=21575), adopted in 2011, envisioned maximum building heights of 5 stories along the district’s widest corridors (e.g., Fordham Blvd.) and lower heights along the narrower secondary roads. Although the Ephesus-Fordham (aka Blue Hill) form-based code (FBC) allows heights of up to seven stories or 90 feet, this greater height allowance was approved over the strong objections of most residents, and the buildings that have been constructed in the district since adoption of the FBC, e.g., the Berkshire on Elliot Rd., are widely viewed as unattractively massive and inconsistent with the goal of creating a human scale, pedestrian-oriented district. The staff and Council are currently working on ways to amend the FBC to reduce building scale and massing. It seems ill-advised, therefore, for staff to recommend *increasing* allowable building height in this district, i.e., to eight stories, when the residents have consistently voiced their disapproval of the existing seven-story allowance.

Outside the Blue Hill district, Town residents have shown even less appetite for the intensity of use the blueprint map envisions. For example, the map envisions apartments of up to eight stories tall in the area north of the intersection of Franklin and Fordham, between Erwin Rd. and Booker Creek. However, the Town Council recently rejected a concept plan for a site in this area, 101-111 Erwin Rd., on the grounds that the proposed residential density, four-stories over ground level parking, was too great. If 4-5 stories was judged excessive for this area, the eight story allowance you are proposing is likely to meet strong resistance.

The blueprint provides no argument or justification for the proposed densities, and population growth projections for Chapel Hill do not warrant the construction of apartment buildings as large as the ones envisioned in the blueprint map. Chapel Hill is growing at only around 1% per year—the annual growth rate over the past decade has actually been far less. The several thousand new apartment units already approved or in the pipeline will suffice to house any increase in the Town’s apartment-dwelling population for many years to come and future 4-5 story apartment buildings in the areas designated on the North 15-501 blueprint map, together with construction of new apartment buildings elsewhere in Town, will likely suffice to accommodate the Town’s expected population growth for the FLUM’s entire 30-year planning period. With certain exceptions (e.g., the Gateway LRT station area) intensity in the North 15-501 focus area should be capped at 5 stories, with lower maximum heights outside of the Blue Hill district and Gateway station area.

 **Do not intensify development in the flood plain.**

One particularly commendable aspect of the draft plan is the emphasis on removing existing development from areas prone to flooding and allowing these areas to transition back to a more natural state. However, in some parts of the focus area the plan encourages the opposite, that is, it encourages land use intensification in flood plain areas. Examples include the location of the South Estes public housing project, the northeast corner of the Fordham-Willow intersection, the University Place site, and the east side of Booker Creek north of Franklin St. The FLUM should not encourage any land use intensification in the flood zone. Rather, the map should envision most currently developed floodzone areas as transitioning to park and open space.

**Put in place policies to prevent development from exceeding infrastructure capacity.**

The focus area principles should include a principle of *concurrency*. That is, approval of new development should be contingent on demonstration that there exists, or will exist by the time the new development is complete, adequate public infrastructure to support the increased demands generated by the proposed development, and that the new development thus will not erode quality of life for existing residents. For example, traffic congestion at peak travel hours along the North 15-501 corridor is already bad and getting worse. It is irresponsible to encourage new development that will add additional vehicles to already congested roadways unless there are plans and funds to mitigate the effects of the increased traffic. Thus, new residential or commercial development in the focus area must be accompanied by whatever transportation infrastructure improvements are needed to maintain—or, better yet, improve—traffic flow in the wake of the new development. Similar arguments apply to the need to ensure new development does not exceed the Town’s capacity to provide stormwater management, public education, park and recreation services, public safety services, etc. The principle of concurrency needs to be more than a gentle suggestion; it needs the force of ordinance.

 Below I offer a few more specific comments:

The map appears to designate a portion of the American Legion property fronting Legion Rd. for (up to) 4-story mixed-use development. This is inconsistent with the preference of the Town residents whose efforts persuaded the Town government to purchase this site; they intended the entire site to become parkland and open space and continue to advocate for this outcome. Publishing a FLUM that designates part of the site for non-park use, when the Town Council has yet to begin discussing what to do with the property, will needlessly antagonize the park advocates and elicit a negative reaction. What is the rationale for designating this area as mixed use?

Willow Drive between Fordham and Estes is depicted as park and open space. Can you clarify what change you envision happening here? Also, the map seems to show the extension of the Booker Creek greenway through what is now Eastgate shopping center. Are you envisioning daylighting or restoration of Booker Creek in that location? If so, how will that come about?