

Laurel Hill Neighborhood Association Board of Directors

Concerns and Questions for Town Planners

March 2023

The Laurel Hill Neighborhood Association Board of Directors (LHNA Board) represents the residential neighborhood surrounding Country Club Road. Its northern boundary is Raleigh Road, and its southern boundary is Fordham Boulevard. Within our neighborhood borders is the Rocky Ridge Farm National Register Historic District. Our concerns and questions about the LUMO proposal are listed below.

Although the LHNA Board strongly supports the intent of the original petition to increase the production of affordable housing, the LUMO rezoning proposal will not produce this desired result. Instead, the rezoning proposal will simply result in the creation of more student rental housing units in Chapel Hill’s residential neighborhoods.

The LHNA Board strongly supports efforts to create diverse and affordable housing in Chapel Hill. However, we understand from neighborhood meetings with Town staff that missing middle housing will not meaningfully affect housing affordability. We also know from experience that in neighborhoods close to campus, the encouragement of multi-family units would only result in the proliferation of student rental housing. In Laurel Hill, the LUMO proposals would encourage the purchase of single-family homes by outside investors, who would then tear down those homes and replace them with multi-unit structures designed to maximize student rental income. This trend would lead to more traffic, more traffic accidents, including traffic accidents involving pedestrians. Ultimately, the proposal would degrade the neighborhood’s sense of place.

The LHNA Board believes some of the controversy over the LUMO proposals relates to confusion over the meaning of “missing middle.”

The LHNA Board thinks that part of the controversy related to the LUMO proposals is likely due to confusion about the meaning of the phrase “missing middle units,” which implies housing for middle-income families, and by extension, more diversity. However, the actual meaning of the phrase is far narrower, referring merely to a type of housing stock, specifically multi-family housing. Questions:

- Has the narrow definition of missing middle been effectively communicated to residents?

- How certain is the Town be that Chapel Hill residents understand that missing middle does not mean middle income?
- Might the Town be considering sweeping zoning changes based on a meaning of missing middle that is widely misunderstood by Chapel Hill citizens?
- Does the Town believe Chapel Hill residents understand that missing middle refers merely to a type of housing stock?

The LUMO plan originated from a petition requesting the “Town to take meaningful interim steps that will promote increased production of affordable and missing middle units in our community.” This statement in the original petition implies a linkage between affordability and missing middle units that is absent from the narrow definition of missing middle. The LUMO proposal, based as it is on this exceedingly narrow definition of missing middle, may therefore not even be consistent with the original intent of the petitioners. Questions:

- Does the LUMO Amendment presented to the Town Council still match the intent of the original petition?
- If not, what is the new intent and when was it approved?

The LHNA Board needs to understand why construction of multi-family housing units takes priority over the other factors and goals the Planning Department typically considers in its comprehensive planning, particularly those goals that relate to Chapel Hill’s unique sense of place.

The Town’s comprehensive planning process is far more comprehensive and has much broader goals than the narrow focus on providing multi-family housing units. Generally, Town planning pursues multiple goals, including quality of life, environmental quality, economic development, transportation, parking, infrastructure, and preserving and maintaining the Town’s sense of place. Specifically, two of the ten Guiding Statements in the Future Land Use Map, adopted by the Town Council on December 9, 2020, relate to the importance of Chapel Hill’s sense of place: Guiding Statement 4 is to “Promote distinctive, safe, and attractive neighborhoods;” and Guiding Statement 9 is to “Preserve and maintain Chapel Hill’s appearance and create the quality of design and development the Town desires.” Questions:

- Why does production of missing middle units take priority over the other goals in the planning process, particularly the goals related to Chapel Hill’s sense of place?
- Did the petition to promote missing middle units short-circuit the normal long-term comprehensive land use planning process by forcing the Planning Department to focus on missing middle housing to the exclusion of other objectives?
- Can the planning staff recommend actions the Town could take that would make meaningful progress toward housing affordability and diversity while also being sensitive to the other goals of town planning and development, especially those goals

related to protecting Chapel Hill's sense of place? Although the Laurel Hill Neighborhood Association is opposed to the current version of the LUMO proposal, we would be eager to engage in meaningful initiatives to improve affordability and diversity and would strongly support Town efforts to do so.

The current LUMO proposal directly conflicts with the Town goal of protecting historic neighborhoods. Teardowns associated with what the LUMO proposals call "gentle densification" would likely result in the loss of historic status for Chapel Hill neighborhoods that are currently part of the National Register.

The explanation for Guiding Statement 4 (on page 12 of the Future Land Use Map document) states the Town's intention to: "A. Protect and preserve the Town's historic neighborhoods as well as its Neighborhood Conservation Districts." Questions:

- Why does the LUMO rezoning proposal not conform to Guiding Statement 4?
- Does the Town Council realize the rezoning would create incentives to tear down historic structures and replace them with rental units?
- Does the Town Council understand that historic neighborhoods are a community asset valued by Chapel Hill's residents who appreciate their town's sense of place?
- Both historic neighborhoods and Neighborhood Conservation Districts (NCDs) are specifically listed by Guiding Statement 4 as worthy of protection and preservation. What is the rationale for exempting one type of neighborhood (NCDs) from the rezoning but not the other (historic neighborhoods)?

Also, please let the Town Council know that: 1) under the LUMO proposal, National Register Historic Districts, like Rocky Ridge Farm, would likely lose their historic designation because of teardowns related to the financial incentives under the proposal; and 2) Chapel Hill could lose its status as a Certified Local Government for using the financial incentives under the LUMO proposal to encourage redevelopment of its historic districts. For these reasons, the LHNA Board objects to the use of the term "gentle densification" to describe the loss of historic structures in Chapel Hill's Rocky Ridge Farm National Register Historic District.

Given how sweeping the proposed changes in the LUMO rezoning recommendations are, the Town should take more time to consider how the LUMO changes will affect other goals of the Chapel Hill long term planning process.

Eliminating single family zoning will affect thousands of people. Chapel Hill citizens rightfully expect that changes so sweeping would be considered more carefully, and as part of the Town's long term comprehensive planning guidance. Questions:

- Why does the town have a planning process if the guidance from that process is disregarded on a decision so important, and affecting so many people?

- Why should citizens spend time and effort participating in Town planning meetings if the guidance based on the outcome of those meetings is ignored on matters of such importance?

The LHNA Board respectfully requests that Town planning staff consider how the densification recommended by the LUMO proposal would affect traffic and safety in Laurel Hill.

Our streets and roads are winding, narrow, and without sidewalks. There is no room for any on-street parking. Accident rates are high and car collisions are too common for the level of traffic in the neighborhood. Recently a neighborhood child was seriously injured when he was hit by a car that was driven by a student and passing through the neighborhood. Because the LUMO proposal will increase car traffic in the neighborhood, we request an independent traffic study to project the impact of the proposals on traffic and safety.

Additional Questions Related to LUMO Rezoning Proposal.

- The Town’s major justification for multi-family housing is a global “housing crisis.” In making this justification, is the Town taking into account the 5,000 new housing units just built, under construction, or approved for development?
- In the Town Memo “Results from Stakeholder Interviews and Focus Groups for the Complete Communities Strategy” dated 10/25/22, Hurley-Franks & Associates conducted stakeholder consultations with the goal to “understand diverse perspectives in the community about where and how to build housing.” The stakeholders from two rounds of interviews came from eight categories (Pedestrians, Transit, Cycling and Greenways, Housing and Quality of Life Advocates, Equity Advocates, Environmental Interests, Development, Business and Institutional Interests, a Renter, and a UNC student). Why wasn’t there a category to get perspectives from stakeholders that live in historic districts?
- Buildings described in the LUMO amendment are portrayed as being built on lot sizes that are well below the median lot size in TOCH. Does this mean that under the provisions of the LUMO amendment lots in TOCH will not only have torn down and rebuilt housing, but also subdivided lots?
- TOCH Staff 2/9/23 presentation “Purpose of the Text Amendment” calls for increased diversity, production, more “infill” and density. Since these objectives would make Chapel Hill more like Durham and Raleigh, why do we wish to abandon the characteristics that make Chapel Hill an appealing alternative to Durham and Raleigh?
- TOCH Staff Chart “Opportunities to Increase Missing Middle Housing” states that the LUMO amendment would “Eliminate density maximums and indicates that 27.9

dwelling units implemented as fourplexes could be allowed on a 1-acre lot in R1. Is it not true that such density is totally out of keeping with all current R1 neighborhoods?

- Have Raleigh and Durham determined income needs for their "Missing Middle"? What are the income needs for those likely to buy Chapel Hill missing middle housing?
- How does the LUMO Amendment ensure that the new housing that arises because of the proposed changes does not become student housing in neighborhoods closest to the university rather than missing middle housing?
- Has the town attorney issued an opinion that the LUMO Amendment as proposed does not conflict with local, state, or Federal statutes with respect to the process the town must go through to rezone per the LUMO Amendment? If not, we request the town attorney issue such an opinion on this topic to certify that the LUMO Amendment does not violate existing local, state, or Federal statutes.
- Specifically, how does the staff expect the Laurel Hill neighborhood to be impacted by the proposed LUMO Amendment?
- Have any infrastructure requirements studies been conducted regarding the impact of the LUMO Amendment and if so, can you please provide those studies?
- Are the staff and Town Council aware of the Town's own survey results that indicate the majority of residents oppose many of the features of the LUMO Amendment? For example:
 - Small-scale residential development could fit into the existing fabric of single-family neighborhoods if carefully designed and integrated. **53% disagree** (741 respondents)
 - The introduction of small-scale residential development will be detrimental to neighborhood character. **62% agree** (743 respondents / 43% strongly agree)
 - Missing middle housing, provided through small-scale residential development, should be provided within all neighborhoods for all family sizes, incomes, and stages of life. **57% disagree** (732 respondents/39% strongly disagree)
 - Density caps should remain to ensure that zoning districts are developed at appropriate intensities and maintain their suburban character. **66% agree** (730 respondents/44% strongly agree)
 - Increased density will lead to a loss of trees. **70% agree** (736 respondents)
- If most residents are against many of the features of the LUMO amendment, why doesn't the Council engage the community until a plan is reached that the majority can support?

Additional Questions Specifically Related to Business Street Consulting “Chapel Hill Housing Analysis 2020-2040, also Known as the Projected Housing Needs Report.”

- When Business Street Consulting presented the “Chapel Hill Housing Analysis 2020-2040”, referred to by TOCH staff as “the Projected Housing Needs Report” (PHNR) the lead consultant stated that “...you are behind Durham and Raleigh...”. TOCH Staff has used Durham, Raleigh, and Minneapolis as their comparison municipalities. Q: Does TOCH Council view that Chapel Hill is comparable to or in a contest with Raleigh and Durham or in sharp contrast, i.e., strategically different?
- Can the staff please provide the Town Council’s definition of “success” for the LUMO amendments and the metrics by which success will be measured?
- Can the staff please provide examples of similar towns that have implemented such rezoning policies and have had “success” as defined above? We understand there are plenty of towns and cities that are trying this approach, but we have seen very little in the way of measurable results that show their effectiveness.
- The PHNR states that “Jobs drive development”. Does the TOCH Council agree that this pre-covid and pre-remote work statement mean that PHNR is seriously out of sync with Chapel Hill’s likely jobs future and therefore housing needs future?
- The PHNR states that “A number of needs are going unmet.” This statement is not backed up with any data or analysis, yet it is used as a key justification for the LUMO proposal. Would the Staff provide us with an analysis of how each of the listed needs are going unmet now and specifically how they would be met in the future by the LUMO amendment? Similarly, has the Town conducted any analysis of the impact of previously allowing ADUs to be built in R-1 zoning? Presumably, the construction ADUs would address some of the “unmet needs” referred to in the PHNR.
- The PHNR states that approximately 485 new housing units will be needed per year. How many existing units per year will be torn down to produce these additional units?