

## Durham Planning Commission

### September 22, 2020 Written Comments

Received as of 10/9/2020

#### Z1900014 (4115 Angier Avenue)

**AMANDOLIA** - I voted **NO** on this proposal. First, I did not feel like a proper level of community engagement occurred. I felt unconvinced that the community was equitably involved in conversations with the developer, which is crucial to ensuring equitable outcomes in new development.

Second, this project does not achieve Durham's affordable housing goals. The units offered in this case are expected to be above the price point required to be defined as affordable and the proffer to the affordable housing fund does little to help the City fund new affordable units.

**MILLER** - The city council should approve this Comprehensive Plan amendment and its attendant rezoning request.

The property in question is a twenty-acre parcel on Angier Avenue just east of its intersection with Miami Boulevard in old Bethesda. With the exception of buffered streams at the far eastern edge of the property there do not appear to be major environmental or physical impediments to developing the subject for residential purposes. The property is currently designated commercial on the Future Land Use Map of the Comprehensive Plan. The developer wants that changed to low-medium residential. The property is currently zoned a combination of CG, general commercial, and RS-20, low density single family homes. The developer asks that the zoning be changed to RS-M to allow 115 townhouse units on the property. The development pattern near the subject parcel is commercial near Miami Blvd. and older suburban/rural residential along Angier Avenue proceeding east. The area closest to the Miami-Angier intersection is an unhappy mixture of highway commercial uses including fast food restaurants. The area is served by bus transit.

While this development project is far from perfect, I believe developing the property with townhouses makes more sense than developing it with commercial uses as contemplated by the current FLUM. Enlarging the commercial node at Miami-Angier along its current pattern would be undesirable. Commercial uses should not proceed east along Angier. While I am usually an opponent of mono-type housing developments on larger parcels, 115 townhouse units on this 20-acre parcel seems appropriate. The project will have a density of about 5.7 du per acre. This is a better transition of uses between the commercial node and the less dense, more rural residential pattern to the east than would be the expansion of commercial uses eastward. While the overall Bethesda area cannot be described as particularly walkable, to me it is a plus that there is bus service to the area. This supports to some degree an uptick in density at this location.

Since this project was before the Commission in June, the developer has made some significant changes in the development plan. These include a number of improved design commitments including the use of

stone or brick masonry on the units, a variety of unit widths and sizes, and architectural elements like gables to reduce monotony. For the larger project itself, I like that the developer has committed to a grid system of drives within the project and relatively short block lengths. The developer has also committed to a centrally located public open space feature of at least 10,000 square feet. These commitments matter, but I would prefer that the developer also commit to mixing up front- and back-loaded garages so that the street level of the units will be less automobile oriented and more pedestrian friendly. I am concerned that we are building out eastern Durham with acre after acre of garage dominated residential units which will not age well over time as a matter good and sustainable urban design (or in the marketplace for that matter).

The project will contain units which range in size from around 1,600 sf to 2,500 sf. This is significant because the smaller units, while functioning in the market, will always provide a less expensive entry point for new homeowners with more limited means and also for seniors and singles with reduced incomes. The smaller entry-level housing that exists in Durham was built mostly in the years immediately following WWII under compulsion by the federal government. This housing is now aging out. It must be replaced. In every new residential project, we should look for and reward the inclusion of smaller units. A mixture of unit types and sizes mitigate against a cyclical turnover of occupants in a neighborhood and promote a more stable community.

As currently contemplated in the new development plan, this project is an improvement over the version brought before the commission back in June. Residential development of the whole parcel with a more medium density is certainly better than the commercial development contemplated by the current FLUM.

This proposal satisfies the criteria for FLUM amendments and introduces a multifamily housing type to the Bethesda area that is currently missing.

**WILLIAMS - My vote on this is NO.** I feel very strongly that the impacts on this area will far out-weigh the process of developing in this neighborhood. This area is already heavily burdened by the traffic in this area with the schools that are not currently meeting in person the traffic is extremely heavy. The traffic impact analysis does not at any point in time unless I am highly inaccurate cannot predict all the traffic that will be generated in this area. By adding architectural commitments, it adds to the value of the property for the developer, but it does nothing for those that will be living in this area. Though the developer is probably well intended I find it too congested in this area to add more stress on this area until the infrastructure is greatly increased. There is currently no date for the improvement or timeline for the improvements and this is a dangerous process. Without being considered as affordable housing for a developer that have built in Durham previously, they are more than capable of meeting the need for the affordable housing issues in Durham had that been a part of their goal. It is time that we go about protecting the residents of Durham and just because we can doesn't mean we should.

**21900021 (2720 Faucette Avenue, continued from 7/21/2020)**

**AMANDOLIA** - I voted **NO** on this proposal. The reason for this was primarily around safety concerns. Residents described vehicle pedestrian conflicts that are significant, especially given the proximity to a community garden and elementary school. Significant upgrades to the existing infrastructure need to be committed by the applicant or the City to ensure a safer and better connected community.

**BAKER** - City Council should vote against this item. The case includes:

- 100 acres of sprawl.
- More single-family-only housing.
- Single use. Nothing to walk to.
- Lack of public spaces.
- Features cars and garages over people and place.
- Lack of key sustainability elements.
- Lack of affordable housing.

We need housing; low density, unsustainable, dispersed development, that transit-proofs Durham's future, is not a solution. I believe that many people have understandably internalized the concept that city downtowns and their surrounding neighborhoods are the natural locations for walkable, sustainable built patterns and, naturally it seems, surrounding areas are low-density auto-oriented development. Applied to Durham, we will have a compact downtown, a few walkable surrounding neighborhoods, and then we will build out the rest of the city and eventually county with automobile-oriented growth. That's what we have seen in the Southeastern United States. It is hard to imagine another reality – one where we can actually stop building in a low density disconnected pattern, and start building sustainable neighborhoods again. We can. If we believe in climate change, we must. That process of transitioning from an auto-oriented society to a transit-oriented society will be awkward. After all, these large greenfield sites are often adjacent to completely auto-oriented developments. So we need to reject the auto-oriented contexts. We will need to make difficult decisions. We will need to accept that saying no to some of these developments in the short term – coupled with articulating the vision for higher-density, more connected, mixed-use, diverse, green communities – and then followed by aggressive changes to our UDO, will result in greener, more affordable long term results.

Here are some positive elements of the proposal:

- The maximum average block length is 700 feet; also the connectivity to future and existing sites is better than we typically see, although it should be better
- Proximity to Merrick Moore makes connectivity important, and also justifies that there be development
- Trails
- 30% open space
- Stormwater improvements
- Front facing gable architectural feature
- Will be subject to street tree requirements

What makes this proposal inadequate:

- **More sprawl.** This is yet another textbook case of low-density unsustainable auto-oriented sprawl. We see over a thousand acres of this every year in Durham.
- **More single-family-only housing.** This proposal is for single-family attached and single-family detached housing. There are limited housing options on a large property. I do not necessarily support a lower density, but I do support protecting valuable open space, and so I would have liked to see various types of multifamily.
- **Single use. Nothing to walk to.** In thinking about enhancing access of Durham residents to small-scale and walkable commercial and employment opportunities especially integrated into neighborhoods, this proposal lacks that. Realistically there is nowhere residents would be able to walk to. At this scale of development, incorporating no neighborhood commercial or employment is not ideal.

- **Lacks public spaces.** This case lacks any guarantee that buildings front onto civic spaces and that homes be located within a reasonable distance of civic space.
- **Featuring... cars and garages.** The lack of alleys and accessory dwelling units, although not always necessary, does not help this application. Alleys are good because they allow the street width to be reduced and make streets much better public spaces, and safer for pedestrians. It moves vehicle parking and utilities to the rear of buildings and allows for smaller lot widths. When scaling up the implementation of alleys they can actually reduce infrastructure and brings down costs.
- **Lacks sustainability elements.** That we have no indication this development will incorporate elements of sustainability – such as renewable energy, energy efficient materials and design, other green building elements, or pedestrian features that would assist a transition over time to a green, walkable, and transit-oriented built pattern – is also too bad. We should take climate change seriously, ensuring green building features do not add significant costs and reduce long-term energy spending.
- **Lacks affordable housing.** There is no affordable housing.

**MILLER** - The City Council Should deny this rezoning.

The subject parcel is relatively large – 101 acres. It is mostly vacant and wooded. The property is hammer-shaped with the handle touching on Cheek Road and the head reaching almost to Geer Street. The land is cut up by streams protected and required riparian buffers which divide the property into four buildable pods. The two pods closest to Cheek Road are medium sized. There is a small triangular pod in the middle and a large pod in the head of the hammer, farthest from Cheek Road. The property also contains many steep slopes and some wetlands. Development of the property will require extensive grading and tree removal. To the west the property is bounded by two residential neighborhoods. One of these is a relatively new single-family residential development with houses on smaller lots clustered around streams and difficult environment features. The other is an older legacy neighborhood laid out with larger lots. In the development of this neighborhood little attention was paid to streams or stormwater concerns. Here flooding is a significant issue for the residents. Streams in subject property drain into these neighborhoods. The subject property is connected to these two neighborhoods by four street stubs. Also on this side of the property is the historic Merrick-More School and the Merrick-Moore community garden. Across cheek road is the larger Merrick-Moore neighborhood, a stable neighborhood with considerable “naturally occurring” affordable homes and a long history as a community. To the east, between the subject property and Junction Road, the land is zoned for light industrial use. The subject property is designated low density residential and zoned RR, rural residential.

The developer asks that the property be rezoned to PDR-3.159 to accommodate a maximum of 320 dwelling units in a mix of single family homes and townhouses. The rezoning is consistent with the current FLUM designation in the Comprehensive Plan.

This project has considerable opposition from its residential neighbors on all sides. The developer has clearly tried to work with the neighbors to learn and to address at least some of their concerns. Regrettably, the meetings between the developer and the neighbors have not resulted in an agreement to move forward. This matters. The neighbors know their neighborhood best. It is their community. If development of this parcel is mismanaged, these citizens will pay the price in the quality of their lives. Their vision of their neighborhood relies upon the current RR zoning of the subject property. Because of its streams and difficult environmental features, the neighbors believe that the

current zoning, allowing only very low density development, to be appropriate. The neighbors want a smaller and more environmentally sensitive residential project on the subject property. This viewpoint is not unreasonable. The subject property is difficult and poses many development challenges. How the property is developed will directly impact the neighbors and their concerns about traffic, flooding, and community are reasonable. The Comprehensive Plan calls upon new residential development to work with and around special features in the environment. While this project works around buffered streams (a requirement), it cannot be said that the development plans shows how the project will respect or work with and around such features as steep slopes and mature stands of trees outside the required buffers.

There is much about this project that is arguably good. These things include:

- Beefed-up stormwater control measures
- A mix of housing types
- A sidewalk along Cheek Road connecting the project to Merrick-Moore School. Walking along this stretch of road is perilous. I have done it, but I do not recommend that anyone else do it. It is no place for school children, but it always used by school children. The engineering for the proposed sidewalk will be difficult and there is no guarantee it will be permitted by the NCDOT. If that permission were already in hand at the time this came before the Planning Commission, it would have been a weight in the balance in favor of the project.
- The density figure, 3.2 du per acre, is actually lower than one of the neighborhoods nearby and is low by any standard, but maybe for this environmentally sensitive property it is too high.
- An innovative use of a transitional use area near the neighboring single-family neighbors guaranteeing that their neighbors within the property will also be single-family
- Buffers and fencing where none is required by the UDO

This project could be better. Persuasive to me would be commitments providing for:

- A component of affordable housing. This is a large project in a community of people possessing a wide range of incomes. Development decisions in this area must be deliberate. New development which destabilizes vulnerable neighborhoods by accelerating gentrification must be discouraged.
- Fewer units to allow more space for working with the environmental sensitivity of the property. This property has remained vacant because of this sensitivity. It should be developed, but developed in a way that preserves, respects, and works better with the streams, slopes, wetlands, and stands of mature trees.
- A greater percentage of open space and tree save areas for the same reasons
- Fewer units to reduce the traffic impact of the property. The traffic performance of Cheek Road is already poor. An additional 320 units is expected to add another 1,700 tpd to this area. The current RR zoning, if developed out, would generate as many as 1,200 tpd, but the fact is that the property is currently mostly vacant and currently generates essentially nothing by way of traffic. The performance of Cheek Road at nearby major intersections today is abysmal – LOS Es and Fs. The NCDOT will not allow a signal on Cheek at the project entrance. At peak hours, especially while school is in session, traffic generated by this project might be compelled to use the neighborhood stubs instead of the project's main entrance.
- A mixture of front- and rear-loaded garages making a more sustainable and pedestrian-friendly neighborhood

Such commitments are not out-of-order for so large and difficult property.

One significant consideration for the development of this property and others like it out along what were once Durham's winding country roads is that the road infrastructure is not ready for more intense suburban development – even at low densities like this project. The staff advised us that there is an unfunded project in Durham's plans to "modernize" Cheek Road to a better two-lane facility with sidewalks. The question, then, is not whether this property should be developed. It should be. The questions are when and how. It should be developed when the roadway infrastructure is ready to accommodate it. The "how" question must be answered by a sustainable project committed to working with the property's special environmental features. The project must be designed to fit within the surrounding community in a stable and supportive way.

**WILLIAMS - My vote on this is NO.** I am strongly in opposition of this project due to the impacts on traffic in this area as well as the concerns regarding the environmental impacts. The environmental impacts of this development will have more strain and on the already stressed neighborhood. Though the run-off issues are being updated and upgraded by the developer it does not appear to be enough. I am also opposed to this project because many of the changes were proposed to the residents just three weeks prior to them appearing before the planning commission. With consideration to the wetlands and the built environment I do not believe that this development reaches the target goal for conservation and preservation for Durham that we should be seeking. The developer absolutely made a great presentation and some great commitments but it is high time that the city of Durham starts holding developers accountable for their impacts on our communities without the benefit of our outdated UDO that no longer serve the face and benefits of the New Durham. WE have got to do better by our residents and gone are the times when no one wanted to live in Durham and the strain of removing residents by driving up their property taxes and causing them to lose their home instead of helping them stay in them by using the proposed revenue by each developer in a fund that grows to help those less fortunate improve their probabilities of remaining in their homes.