



CONSIDER SUPPORTING A UNC HEALTH CARE EASTOWNE REQUEST TO THE STATE OF NORTH CAROLINA TO DRAIN THE POND, PERMIT STREAM RESTORATION, AND WATER QUALITY IMPROVEMENTS

STAFF REPORT

TOWN OF CHAPEL HILL STAFF

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PROPERTY ADDRESS US 15-501 and Eastowne Drive	BUSINESS MEETING DATE November 20, 2019	APPLICANT UNC Health Care
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STAFF'S RECOMMENDATION

That the Council adopt Resolution A, agreeing to support UNC Health Care's requests to the State of North Carolina to drain the existing farm pond, permit stream restoration and water quality improvements, evaluate no more than two stream crossings on the parcel north of Eastowne Drive and no more than one stream crossing on the parcel within the Eastowne Drive loop, and permit no additional land disturbance within the designated Jordan Buffer stream corridor.

PROCESS

At its [February 20, 2019 meeting](#)¹, the Council agreed to enter into negotiations for a Development Agreement with UNC Health Care. UNC Health Care is engaged on a Master Plan for the 50-acre property at Eastowne.

UNC Health Care has expressed interest in draining the existing farm pond on the property identified as PIN 9890-80-7564. State and Town regulations allow the draining of the pond.

UNC Health Care has interest in additional work, including stream crossings, which would require approval from the State of North Carolina and has indicated the response time from the State may be lengthy.

DECISION POINTS

UNC Health Care has asked the Council to consider supporting their request to the State of North Carolina to:

- Permit draining the existing farm pond with appropriate permits;
- Permit stream restoration and water quality improvements to the existing stream channel;
- Include no more than two stream crossings on the parcel north of Eastowne Drive and no more than one stream crossing on the parcel located within the Eastowne Drive loop;
- Permit no additional land disturbance within the Jordan Buffer stream corridor.

BACKGROUND

The Development Agreement process proposes multiple opportunities for public involvement including public comment periods at Advisory Board meetings and Council meetings. A rezoning process would also be required to allow the use of a Development Agreement. A formal public hearing would be required prior to any final vote on a proposed rezoning and Development Agreement.

In Chapel Hill, development agreements have generally been used to address large, complex, multi-year projects, and/or projects for which both the developer and the Town make infrastructure improvements and other investments. Development Agreements are governed by State Statutes G.S. 160A-400.20 through 160A-400.32.



ATTACHMENT

1. Staff presentation (to be forwarded)
2. Resolution

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3863873&GUID=2226C4BF-C207-4580-8DDB-81D834C68AC1&Options=&Search=>

