

A RESOLUTION SUPPORTING A REQUEST BY UNC HEALTH CARE TO THE STATE OF NORTH CAROLINA TO: DRAIN THE EXISTING POND, PERMIT STREAM RESTORATION AND WATER QUALITY IMPROVEMENTS TO THE EXISTING STREAM CHANNEL, EVALUATE NO MORE THAN TWO STREAM CROSSINGS ON THE NORTHERN PARCEL AND NO MORE THAN ONE STREAM CROSSING ON THE PARCEL WITHIN EASTOWNE DRIVE, AND PERMIT NO ADDITIONAL LAND DISTURBANCE WITHIN THE JORDAN BUFFER STREAM CORRIDORS ON THE UNC HEALTH CARE EASTOWNE PROPERTY (2019-11-20/R-4)

WHEREAS, a Development Agreement has been identified as a regulatory tool between the Town and developers to guide future development; and

WHEREAS, in February 2019, the Council agreed to enter into a Development Agreement negotiation with UNC Health Care; and

WHEREAS, UNC Health Care has requested the Council consider supporting UNC Health Care's request to the state for the drainage of the existing farm pond on the UNC Health Care Eastowne property; and

WHEREAS, the Council has reviewed analysis demonstrating that the existing pond does not provide a significant stormwater control function; and

WHEREAS, there is a significant lead time in asking for the State's review of these proposed changes; and

WHEREAS, the minimum time required to evaluate the re-establishment of a new channel after draining the pond is at least six (6) months but could take up to two (2) years; and

WHEREAS, UNC Health Care has requested the Council consider supporting UNC Health Care's request to the state to include two stream crossings on the parcel to the north of Eastowne Drive and one stream crossing on the parcel within the Eastowne Drive loop; and

WHEREAS, the Council requires that no additional land disturbance should occur within the Jordan Buffer associated with the streams; and

WHEREAS, all necessary permits will have to be obtained from the Town and State; and

WHEREAS, the Council's final approval of stream crossings and resource conservation area impacts will be negotiated through the Development Agreement; and

WHEREAS, the negotiation of a Development Agreement will continue and final approval of a Development Agreement is not assumed by this action.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby supports the following request by UNC Health Care to the State of North Carolina to:

1. Permit the draining of the existing farm pond, as permitted by the Town of Chapel Hill and any required agencies;
2. Permit stream restoration and water quality improvements to the existing stream channel within the Eastowne Drive road to be completed in a timely manner;

3. 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,
4. Permit no additional land disturbance within the designated Jordan Buffer stream corridors.

This the 20th day of November, 2019.