

**Ordinance A**  
(Approving the Request)

**AN ORDINANCE APPROVING AN APPLICATION FOR A MAJOR MODIFICATION TO THE GLEN LENNOX DEVELOPMENT AGREEMENT (2021-10-13/O-3)**

WHEREAS, in 2014, the Town entered into a development agreement with Glen Lennox, LLC and Glen Lennox Shopping Center, LLC to facilitate the development of the property in a way that best realizes the public benefits to the Town and the Developer Owners; and

WHEREAS, the Glen Lennox Development Agreement outlines the development review and approval process for site plans, urban design elements, land uses, and on- and off-site improvements; and

WHEREAS, on July 9, 2021, the Town of Chapel Hill received a request from Grubb Properties on behalf of Glen Lennox, LLC, for a Major Modification to the 2014 Glen Lennox Development Agreement. The proposal requested additional height within Blocks 4 and 9 and identified as Orange County Parcel Identifier Numbers 9798-35-1887, 9798-25-5743, 9798-25-8721, 9798-26-5134, and 9798-26-8189 in order to create a transition in building height between Fordham Blvd. east to the Oakwood neighborhood and allows greater building height in the center of the development between NC 54 and Lanark Road.; and

WHEREAS, the Chapel Hill Planning Department held a public information meeting (PIM) on September 2, 2021, and heard concerns about the additional height proposed on Block 3; and

WHEREAS, the Planning Commission reviewed the application on September 7, 2021 and recommended that the Council enact the major modification to the Glen Lennox Development Agreement to allow additional height on Blocks 3, 4, and 9; and

WHEREAS, Grubb Properties withdrew their request for additional building on Block 3 in response to the feedback they received from community members; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed major modification to the Development Agreement to allow additional heights within Blocks 4 and 9 and identified as Orange County Parcel Identification Numbers as Orange County Parcel Identifier Numbers 9798-25-5743, 9798-25-8721, 9798-26-5134, and 9798-26-8189. The Council finds that the modification, if granted, is reasonable and in the public's interest and is warranted, to achieve the purposes of the Chapel Hill 2020 Comprehensive Plan.

**Section I**

BE IT ORDAINED by the Council of the Town of Chapel Hill that the following conditions are hereby incorporated by reference.

1. Increased Building Height: The major modification to the Glen Lennox Development Agreement authorizes the following as an amendment to the "Height Plan" on page 138 of the recorded Glen Lennox Development Agreement:

Height Modification		
Block	Stories	
	Added	Total
4	+1	6
9B	+2	6
9C	+1	5

**Section II**

2. Recording Major Modification: Prior to issuance of any future Development Agreement Compliance Permit (DACP) for development on Lots 4, 9B, or 9C, the developer shall record this agreement with the Orange County Register of Deeds.

BE IT FURTHER ORDAINED that the Council hereby approves the application for a major modification to the Glen Lennox Development Agreement for additional building height.

This the 13<sup>th</sup> day of October, 2021.