



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Mayor Pam Hemminger
Mayor pro tem Jessica Anderson
Council Member Donna Bell
Council Member Allen Buansi
Council Member Hongbin Gu

Council Member Nancy Oates
Council Member Michael Parker
Council Member Rachel Schaevitz
Council Member Karen Stegman

Monday, July 15, 2019

7:15 PM

RM 110 | Council Chamber

SPECIAL MEETING AGENDA ITEM

- 1.** Consider Adopting a Greene Tract Resolution. [\[19-0664\]](#)

PRESENTER: Maurice Jones, Town Manager
Judy Johnson, Planning Operations Manager

RECOMMENDATION: That the Council consider the attached resolutions:

- Original Resolution A (adopted by Orange County and Carrboro) adjusting the property lines of the tract and the Headwaters Preserve, creating a jointly-owned preserve, indicating land uses and conceptually agreeing to consider development of Greene Tract;

Or

- Alternative Resolution approving a conceptual proposal of land uses for the 104-acre portion in joint ownership, initiating the protection of preserve areas in perpetuity, holding a series of community engagement meetings, and initiating environmental and connectivity analysis of the property.

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 1., **File #:** [19-0664], **Version:** 1

Meeting Date: 7/15/2019

Consider Adopting a Greene Tract Resolution.

See Staff Report on the next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Maurice Jones, Town Manager
Judy Johnson, Planning Operations Manager

RECOMMENDATION: That the Council consider the attached resolutions:

- Original Resolution A (adopted by Orange County and Carrboro) adjusting the property lines of the tract and the Headwaters Preserve, creating a jointly-owned preserve, indicating land uses and conceptually agreeing to consider development of Greene Tract;

Or

- Alternative Resolution approving a conceptual proposal of land uses for the 104-acre portion in joint ownership, initiating the protection of preserve areas in perpetuity, holding a series of community engagement meetings, and initiating environmental and connectivity analysis of the property.



CONSIDER ADOPTING GREENE TRACT RESOLUTION

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING
 Ben Hitchings, Director
 Judy Johnson, Operations Manager

<p>PROPERTY ADDRESS Greene Tract property (located east of Purefoy Road)</p>	<p>BUSINESS MEETING DATE July 15, 2019</p>
--	--

STAFF'S RECOMMENDATION
 That the Council consider the attached resolutions:

- Original Resolution A (adopted by Orange County and Carrboro) adjusting the property lines of the tract and the Headwaters Preserve, creating a jointly-owned preserve, indicating land uses and conceptually agreeing to consider development of Greene Tract;

Or

- Alternative Resolution approving a conceptual proposal of land uses for the 104-acre portion in joint ownership, initiating the protection of preserve areas in perpetuity, holding a series of community engagement meetings, and initiating environmental and connectivity analysis of the property.

DECISION POINTS
 Consider adoption of the attached resolutions:

Original Resolution (dated February 20, 2019)
 Adoption of this resolution would initiate the following:

1. Approve the accompanying map to modify the existing county-owned (60 acres) and jointly-owned (104 acres) portions of the Greene Tract as shown in Exhibit 1.
2. Approve the accompanying conceptual master plan as shown in Exhibit 1 for the jointly-owned portion of the Greene Tract, not deeded exclusively to Orange County, which designates the following:
 - Approximately 22 acres for joint preserve;
 - Approximately 11 acres for public school site;
 - Approximately 4 acres for public recreational facility site;
 - Approximately 67 acres for housing/mixed use.
3. Approve the exchange of acreage from Jointly-owned to County-owned and County- owned to Jointly-owned thereby commencing the recombination process as illustrated in Exhibit 2, subject to the completion of the steps required by law to effect said exchange.
4. Explore protecting the areas shown on the conceptual plan as Joint Owned Preserve and Headwaters Preserve
5. Solicit input from the public and respective governing boards regarding land use and mixed income housing needs during the master planning process

Alternative Resolution
 Adoption of the alternative resolution would:

1. Approve for the jointly-owned portion of the Greene Tract, not deeded exclusively to Orange County, the following land uses:
 - Affordable and Mixed-income housing
 - Joint conservation preserve
 - Public school site and associated recreation facilities
 - Mixed Use
 - Open Space
2. Initiate protecting the jointly-owned preserve and Headwaters Preserve in perpetuity.
3. Commit to hold a series of community information meetings in the fall 2019 utilizing a "Community First" planning process regarding density, cultural and historic context, and development potential for the Greene Tract.
4. Solicit input from the public and respective advisory boards and governing boards regarding land uses and density standards during the overall site planning process.
5. Initiate environmental and connectivity analysis of the jointly-owned property
6. Consider procedural steps necessary to achieve the transfers of ownership.

BACKGROUND

The Greene Tract is a 164-acre parcel of which 104 acres is jointly owned by Orange County and the Towns of Carrboro and Chapel Hill. Orange County owns 60 acres of the property that have been designated as the Headwaters Preserve. The Greene Tract is within the Chapel Hill's planning jurisdiction. The Town of Chapel Hill plays two roles; one as regulator, issuing approval of any proposal, and one as joint owner/developer. Any development proposal process would necessitate the agreement from Carrboro and Orange County.

Over the past two years, mayors from the Towns of Carrboro and Chapel Hill along with the Orange County Commissioner Chair have met to consider preservation and development options for the Greene Tract.

At the Council's [February 20, 2019](#)¹ meeting, the Council considered reconfiguration to the Headwaters Preserve, preservation of a school site, and housing options. At that time, the Council approved the reconfiguration to the Headwaters Preserve but deferred action on the resolution until additional community input could be heard. Since the February meeting, staff has held an open house, has brought the discussion to the Planning Commission and has had a community meeting. The Alternate Resolution before the Council tonight has been modified as new information from the Chapel Hill-Carrboro City Schools has been shared as well as additional community conversations.

The Town of Carrboro's Board of Aldermen approved the Original Resolution at its [February 12, 2019](#)² meeting. The Orange County Board of Commissioners approved the Original Resolution at their [February 19, 2019](#)³ meeting.

ATTACHMENT

1. Draft Staff Presentation (to be added)
2. Original Resolution February 20, 2019 (including Exhibits 1 and 2)
3. Alternative Resolution
4. CHCCS letter 05.22.2019
5. Background History of the Greene Tract

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3863871&GUID=361F82B7-DD9A-4533-9DD9-A77350B4D0ED>

² <https://carrboro.legistar.com/LegislationDetail.aspx?ID=3857751&GUID=3278F55F-793F-4689-9052-A743A46DD9F7>

³ <http://server3.co.orange.nc.us:8088/WebLink8/DocView.aspx?id=57594&dbid=0>

ORIGINAL RESOLUTION
February 20, 2019

Option A for Reconsideration on July 15, 2019

A RESOLUTION APPROVING MODIFICATIONS TO THE 60-ACRE PORTION OF THE GREENE TRACT IN COUNTY OWNERSHIP AND CONCEPTUAL PLAN FOR THE 104-ACRE PORTION IN JOINT OWNERSHIP (2019-07-15/R-1A)

WHEREAS, in 1984 Orange County and the Towns of Carrboro and Chapel Hill jointly purchased 104 acres of property known as the Greene Tract from the joint solid waste management system; and

WHEREAS, in 2000 title to 60 acres (also known as Headwaters Preserve) of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund under provisions of the 1999 Interlocal Agreement for Solid Waste Management and was purchased by Orange County via reimbursement to the Solid Waste Enterprise Fund in 2016; and

WHEREAS, in 2002 Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly-owned land; and

WHEREAS, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro are researching market development potential and zoning to implement a planning program in the overall area; and

WHEREAS, over the last 16 years, various joint planning studies and collaborations with the community and school district have suggested land use and acreage needs; and

WHEREAS, Mayors for Carrboro and Chapel Hill and the Orange County Board of Commissioners Chair have agreed to jointly pursue an update to the 2002 Resolution and have been meeting with respective management and supporting staff, as suggested by the elected officials at an Assembly of Governments meeting in 2017, to determine next steps for preservation and development of the Greene Tract; and

WHEREAS, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Preserve valuable environmental features and corridors
- Protect historical and cultural resources
- Promote cost effective infrastructure
- Incorporate school and recreation site
- Earmark development areas for mixed income housing and mixed use potential

WHEREAS, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual plan for the Greene Tract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council:

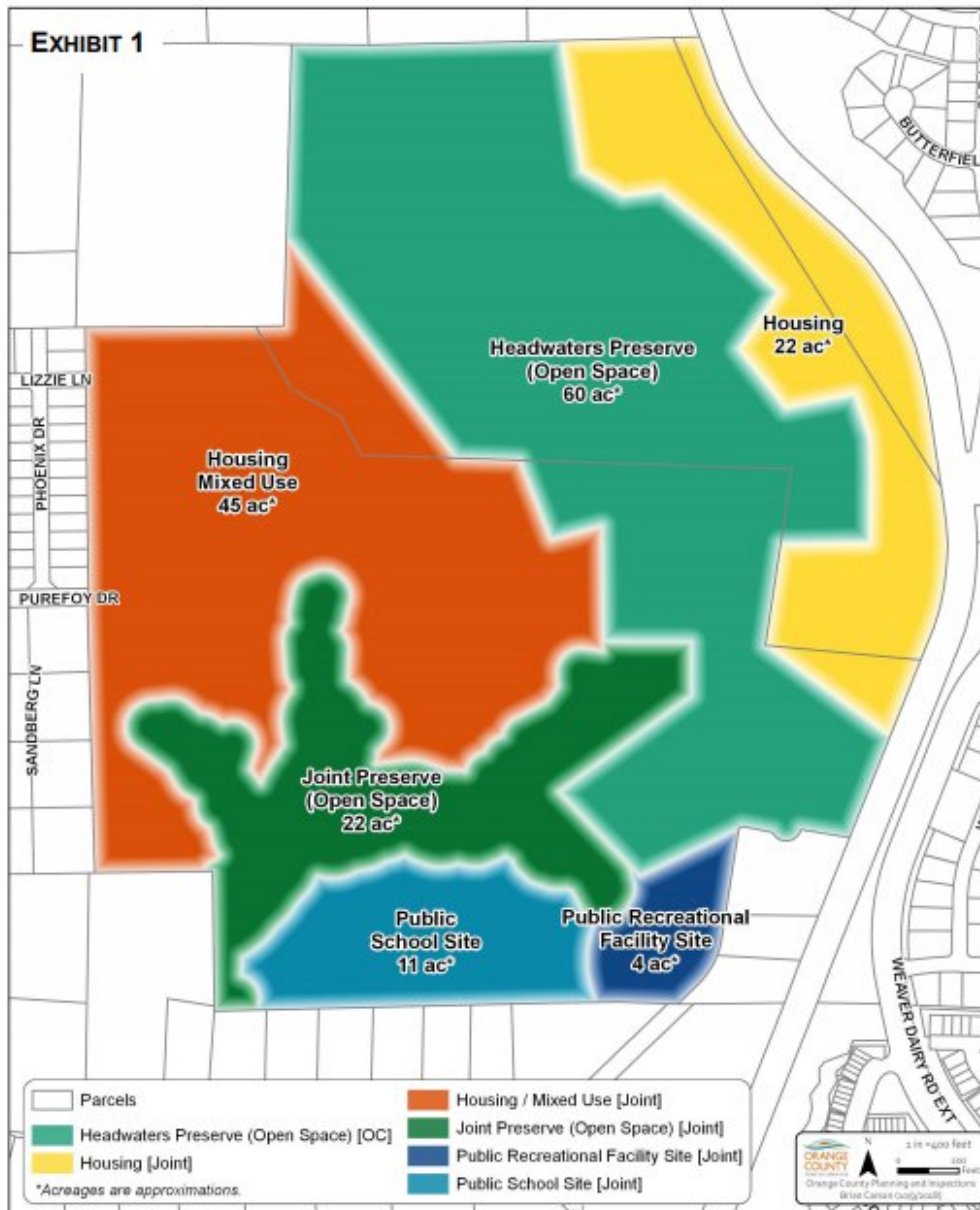
1. Approve the accompanying map to modify the existing county-owned (60 acres) and jointly-owned (104 acres) portions of the Greene Tract as shown in Exhibit 1.
2. Approve the accompanying conceptual master plan as shown in Exhibit 1 for the jointly-owned portion of the Greene Tract, not deeded exclusively to Orange County, which designates the following:

- Approximately 22 acres for joint preserve;
 - Approximately 11 acres for public school site;
 - Approximately 4 acres for public recreational facility site;
 - Approximately 67 acres for housing/mixed use.
3. Approve the exchange of acreage from Jointly-owned to County-owned and County-owned to Jointly-owned thereby commencing the recombination process as illustrated in Exhibit 2, subject to the completion of the steps required by law to effect said exchange. (approved on February 20, 2019)
 4. Explore protecting the areas shown on the conceptual plan as Joint Owned Preserve and Headwaters Preserve. (approved on February 20, 2019)
 5. Solicit input from the public and respective governing boards regarding land use and mixed income housing needs during the master planning process. (approved on February 20, 2019)

This the 15th day of July, 2019.

Greene Tract Proposed Future Land Use Map

Proposed Land Use Definitions



Headwaters Preserve (County Owned): 60 acres deeded to Orange County in 2000 under provisions of the 1999 Interlocal Agreement for Solid Waste and considered for protection by the Towns and County in the 2002 Joint Greene Tract Resolution. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Orange County Board of Commissioners may consider protecting its 60 acres of the Greene Tract by executing a conservation easement.

Joint Preserve: Approximately 21 acres* designated for future preservation. Area preliminarily identified as having environmental attributes such as stream buffers, wetlands. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Carrboro Board of Alderman, Chapel Hill Town Council, and Orange County Board of Commissioners may consider protecting the area shown on the conceptual plan as Joint Owned Preserve by executing a conservation easement.

Public School Site: Approximately 11 acres* dedicated for a future school. The area shown on the conceptual plan as a School Site will remain as public jointly owned land until needed for a future school.

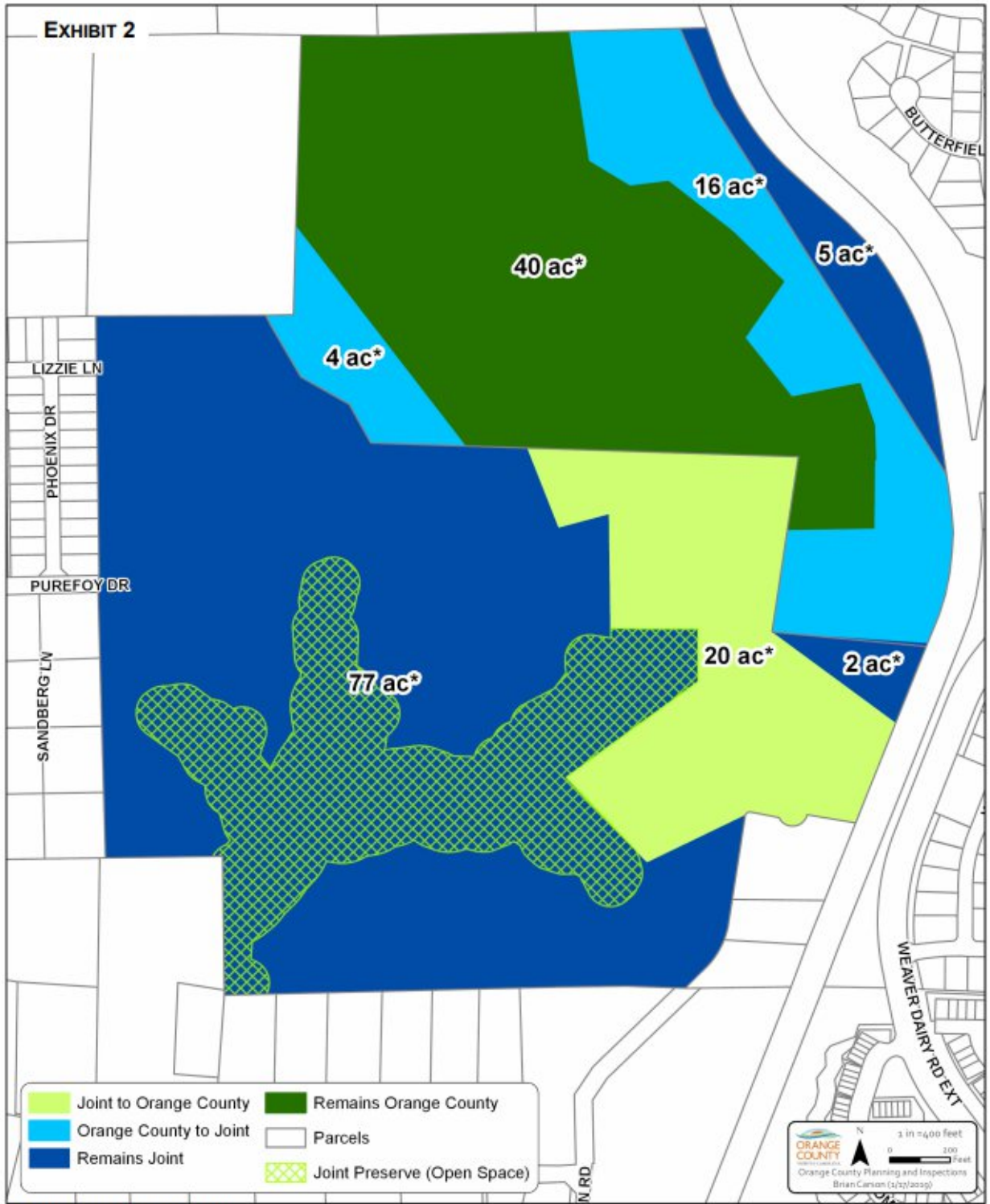
Public Recreational Facility Site: Approximately 4 acres* for an active, outdoor recreation area (playground, playfields, or other recreation purpose). The area shown on the conceptual plan as Recreational Facility Site will remain as public owned land and could be developed independently, but consistent with joint school/park facilities. Acreage will be freely dedicated for recreational purposes by the joint governments.

Housing/Mixed Use: Approximately 45 acres* for residential and commercial development in the short term. The location for this land use is based on site elevations and proximity to existing infrastructure. The area shown on the conceptual plan as Housing/Mixed Use will allow for appropriate development based on land suitability, public services, available infrastructure, accessibility to activity centers, and surrounding land uses. Permitted residential uses shall include single-family detached (one unit per lot), two-family attached (duplex), multifamily (apartments, townhomes), accessory dwelling units, manufactured housing, and group homes (i.e. adult care homes, child care homes). Affordable housing is of primary interest. The area may support low intensity commercial, service uses, and maker/incubator space which serve the needs of the surrounding neighborhoods, limit conflicts with the adjacent community, and are compatible with the surrounding residential development. The area will not be utilized predominantly for commercial purposes.

Housing: Approximately 22 acres* for future residential development. The area shown on the conceptual plan as Housing will remain as public owned and undeveloped land in the short term, but may be evaluated for development in the future (10–20 years) depending on the needs at that time.

* Acreage may deviate up to 15%

Greene Tract Ownership Status/ Transfer Map



* Acreage may deviate up to 15%

ALTERNATIVE RESOLUTION

Option B for consideration on July 15, 2019

~~CHAPEL HILL'S ALTERNATIVE A RESOLUTION APPROVING MODIFICATIONS TO THE 60-ACRE PORTION OF THE GREENE TRACT IN COUNTY OWNERSHIP AND CONCEPTUAL PLAN PROPOSAL FOR THE 104- ACRE PORTION IN JOINT OWNERSHIP (2019-07-15/R-1B)~~

WHEREAS, in 1984 Orange County and the Towns of Carrboro and Chapel Hill jointly purchased 104 acres of property known as the Greene Tract from the joint solid waste management system; and

WHEREAS, in 2000 title to 60 acres (also known as Headwaters Preserve) of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund under provisions of the 1999 Interlocal Agreement for Solid Waste Management and was purchased by Orange County via reimbursement to the Solid Waste Enterprise Fund in 2016; and

WHEREAS, in 2002 Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly-owned land; and

WHEREAS, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro ~~are researching~~ have researched market development potential and zoning to implement a planning program in the overall area; and

WHEREAS, over the last 16 years, various joint planning studies and collaborations with the community and school district have suggested land use and acreage needs; and

WHEREAS, the Chapel Hill Carrboro City Schools in a letter dated May 22, 2019, have indicated the district's continued interest in designation of a school site to be located on the Greene Tract with a minimum of 20 acres; and

WHEREAS, Mayors for Carrboro and Chapel Hill and the Orange County Board of Commissioners Chair have agreed to jointly pursue an update to the 2002 Resolution and have been meeting with respective management and supporting staff, as suggested by the elected officials at an Assembly of Governments meeting in 2017, to determine next steps for preservation and development of the Greene Tract; and

WHEREAS, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Preserve valuable environmental features including tree canopy, open space, stream buffers, and wildlife corridors ~~Preserve valuable environmental features and corridors~~
- Protect historical and cultural resources
- Promote cost effective infrastructure
- Incorporate school and recreation site
- Earmark development areas for mixed income housing and mixed use potential
- Promote mixed-income housing opportunities
- Promote multimodal connectivity into and through the Greene Tract

WHEREAS, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual ~~plan~~ process for the Greene Tract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council:

- ~~1. Approve the accompanying map to modify the existing county-owned (60 acres) and jointly-owned (104 acres) portions of the Greene Tract as shown in Exhibit 1.~~
2. Approve the accompanying conceptual master plan as shown in Exhibit 1 for the jointly-owned portion of the Greene Tract, not deeded exclusively to Orange County, which designates the following land uses:
 - ~~Approximately 22 acres for joint conservation preserve;~~
 - ~~Approximately 11 acres for public school site;~~
 - ~~Approximately 4 acres for public recreational facility site;~~
 - ~~Approximately 67 acres for housing/mixed use.~~
 - Public school site and associated recreation facilities;
 - Mixed-income housing;
 - Mixed Use;
 - Open Space.
- ~~3. Approve the exchange of acreage from Jointly-owned to County-owned and County-owned to Jointly-owned thereby commencing the recombination process as illustrated in Exhibit 2, subject to the completion of the steps required by law to effect said exchange.~~
4. ~~Explore~~ Initiate protecting the areas shown on the conceptual plan as the Joint Owned Conservation Preserve and Headwaters Preserve in perpetuity.
5. Commit to hold a series of community information meetings in the fall 2019 utilizing a "Community First" planning process regarding density and development potential for the property.
6. Solicit input from the public and respective advisory boards and governing boards regarding land uses and ~~mixed-income housing~~ density standards during the ~~master-planning process~~ overall site planning process.
7. Work with our partners to initiate an environmental assessment and multimodal connectivity analysis of jointly-owned property.

~~This the 20th day of February, 2019.~~

This the 15th day of July, 2019.



May 22, 2019

Penny Rich, Chair
 Orange County Board of County Commissioners
 200 South Cameron Street
 Hillsborough, NC 27278

Mayor Pam Hemminger
 Town of Chapel Hill
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514

Mayor Lydia Lavelle
 Town of Carrboro
 Town Hall
 301 W. Main Street
 Carrboro, NC 27510

Subject: School District "Greene Tract" Land Reservation for Future School Site

Dear Chair Rich, Mayor Lavelle, and Mayor Hemminger:

On behalf of the Chapel Hill-Carrboro Board of Education, this letter is to provide feedback on the Greene Tract "Proposed Future Land Use Map". We thank you for your support and want to convey the critical importance that the Board of Education preserves land to provide space for a future school site for the district.

The district acknowledges that a future school site has been designated and indicated on the Greene Tract for many years. In review of the proposed conceptual plan, the "School Site" indicated will need to be increased in size from approximately eleven (11) acres to twenty (20) acres. The basis for the request is to ensure the site meets current and future school building capacities as indicated by the Department of Public Instruction for an elementary school: a minimum of ten (10) acres of land plus an additional one (1) acre for every 100 students. Using the above formula, we estimate a minimum of sixteen (16) acres for a school site and request an additional four (4) acres to allow for optimal placement of the school due to irregularities in the shape and topography of the parcel. Possible school locations within or next to the preserved buffer areas within the Greene Tract make the actual land space required for a school site slightly larger than the recommended sixteen (16) acres.

The district also requests an opportunity to review the planned or reserved location of a school site prior to designation of the actual space location for a school within the Greene Tract.

Again, we appreciate the opportunity to provide feedback and look forward to additional conversations with Orange County, Town of Carrboro and Town of Chapel Hill staff on the reservation of a school site within the Greene Tract.

Sincerely,

A handwritten signature in cursive script that reads "Joal H. Broun".

Joal Broun, Chair
 Board of Education

History of the Greene Tract

1972	Landfill sited on Eubanks Road.
1984	Greene Tract was purchased by Towns of Carrboro and Chapel Hill and Orange County for a future landfill.
1987	Joint Planning Agreement between Chapel Hill, Carrboro, and Orange County for the Greene and Neville Tracts.
1999	Towns of Carrboro and Chapel Hill and Orange County agreed to convey 60 acres of the Greene Tract to Orange County Solid Waste Enterprise Fund and determine the disposition of the remaining 104 acres at a future date.
2000	Rogers Road water lines installed.
October 2001	Greene Tract Work Group formed to determine the disposition of the 104 acres of the Greene Tract.
December 2002	Adoption of the existing Greene Tract Resolution, which designated 18.1 acres for affordable housing and 85.9 acres for open space.
April 2007— May 2008	Orange County Board of Commissioners received the Historic Rogers Road Community Enhancement Plan Development and Monitoring Task Forces' recommendations and map.
2007	Chapel Hill completion of the Rogers Road Small Area Plan Task Force Final Report indicating 70 acres for open space with remainder for affordable housing and school site.
February 2012— September 2013	Historic Rogers Road Neighborhood Task Force Report.
2013	Landfill officially closes.
2014	RENA Community Center construction begins.
May 2016	Rogers Road: <i>Mapping our Community's Future</i> Report completed.
June 2016	Orange County purchased 60 acres for preservation from the Solid Waste Enterprise Fund ("Headwaters Preserve").
November 2016	Assembly of Governments Meeting — Towns of Carrboro and Chapel Hill and Orange County requested the formation of a task force including the Managers, Mayors, and Chair (MMCs) to proceed with a strategic plan for the Greene Tract.
June 2017	Rogers Road sewer project begins.
May 2017	Managers, Mayors, and Chair (MMCs) requested the staff work group examine the preservation and development potential of the existing Greene Tract and provide three alternatives illustrating high, medium, and low development alternatives.
August 2017	Managers, Mayors, and Chair (MMCs) recommended staff examine the reconfiguration of the joint owned and County owned tracts. The purpose of this request was to determine the feasibility in adopting a revised resolution supporting the reconfiguration of these tracts.

History of the Greene Tract

October 2017	Environmental scan of the Greene Tract was completed by Towns of Carrboro and Chapel Hill and Orange County planning, stormwater, engineering, and environmental staff.
December 2017	Town of Chapel Hill led a Greene Tract tour for local government staff, affordable housing partners, stakeholders, and the Rogers Road community.
	Managers, Mayors, and Chair (MMCs) reviewed the proposed reconfigured joint-owned and County-owned tracts.
January 2018	Assembly of Governments Meeting —The proposed modified headwaters preserve area and conceptual plans were presented to elected officials.
February 2018	Orange County Board of Commissioners considered this item and supported modification to the Headwaters Preserve area and the high development alternative.
March 2018	Orange County Planning and Inspections Department conducted two Greene Tract tours in order to review and discuss the proposed modified Headwater Preserve area and conceptual plans. The tour included elected officials, staff, and the public.
April 2018	Greene Tract conceptual plans were presented to the Affordable Housing Coalition on April 13.
May 2018	Staff met with the Orange County Solid Waste Management to discuss the possibility of utilizing the Neville Tract to allow for a future roadway connection.
June 2018	Chapel Hill Town Council considered this item on June 6, 2018 and supported the reconfiguration of the Headwaters Preserve Area.
	Carrboro Board of Aldermen considered this item on June 12 and supported the reconfiguration of the Headwaters Preserve Area.
September 2018	Managers, Mayors, and Chair (MMCs) reviewed the proposed Greene Tract Resolution and Conceptual Plan
January 2019	Assembly of Governments Meeting —The Greene Tract Resolution and Conceptual Plan were presented. Elected officials stated support for the Resolution and Conceptual Plan.
February 2019	2019 Greene Tract Resolution and Conceptual Plan were adopted by the Carrboro Board of Alderman on February 12 and by the Orange County Board of Commissioners on February 20.
	2019 Greene Tract Resolution and Conceptual Plan was considered by the Town of Chapel Hill Town Council on February 20.
May 2019	Chapel Hill Town Council adopts Historic Rogers Road Area zoning.
June 2019	Carrboro Board of Aldermen adopts Historic Rogers Road Area zoning.
June 2019	Rogers Road sewer project completed.
July 15, 2019	2019 Greene Tract Resolution and Conceptual Plan was considered by the Town of Chapel Hill Town Council.