

Amy Harvey

From: Jeanette Coffin
Sent: Wednesday, March 04, 2020 1:13 PM
To: Geoffrey F. Green
Cc: Judy Johnson; Becky McDonnell; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Tai Huynh; Amy Harvey; Carolyn Worsley; Catherine Lazorko; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ralph Karpinos; Ross Tompkins; Sabrina Oliver
Subject: RE: Bella Vista

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

If your email is related to a development application or a particular issue being addressed by the Council, your comments will be made part of the record. If applicable, we encourage you to attend any public meetings related to the items addressed in your email.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin
Office Assistant
[Town of Chapel Hill Manager's Office](#)
[405 Martin Luther King Jr. Blvd.](#)
[Chapel Hill, NC 27514](#)
(o) 919-968-2743 | (f) 919-969-2063

From: Geoffrey F. Green [mailto:geoff@stuebegreen.com]
Sent: Wednesday, March 4, 2020 8:36 AM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: Bella Vista

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Mayor and council members:

As a resident of Meadowmont, I am particularly interested in the Bella Vista project. Like some of my other neighbors, I am very much in favor of this project for its opportunity to help revitalize businesses in

Meadowmont Village, its ability to bring much-needed commercial tax base to the town, and its location on top of an existing parking lot where it needs no additional infrastructure that the town will have to maintain, such as new roads or other utilities. As you provide guidance to the developers regarding their rezoning request, I hope you agree that a project like this is precisely what Chapel Hill needs and is in the right location from environmental and economic perspectives.

Below I have copied a piece I published on my blog last week.

Thank you for your consideration.

There's much more to protecting the environment than making sure trees don't get chopped down or subsidizing electric car chargers. We need to make sure we not only green our energy sources, but also live in a way that requires less energy.

That's where the controversial proposal for a [new office building in Meadowmont Village](#) comes in. Bella Vista is an office, residential and retail building proposed to be built atop a current parking lot near other existing offices and condos. Measuring about 150,000 square feet, the project is proposed to be primarily office space with ground-floor retail and condos, and will incorporate structured parking below.

Meadowmont is still a relatively new neighborhood, having begun construction in 1999. Long-time residents of Chapel Hill will recall the controversy surrounding its development, and the Town faced multiple lawsuits over its decision to permit it. Some residents of the Oaks sued the Town over the plan to extend Pinehurst Road into Meadowmont. Most people have made peace with it, and the hundreds of residents living in the community are Chapel Hill residents like any other.

But, change is disruptive. Why suffer through short-term construction pain when the long-term benefits to the Town and generally don't bring you any specific advantage? So it's not surprising that, like those who objected to the existence of Meadowmont, some Meadowmont residents object to the Bella Vista project. The reasons are what you would expect -- it's too large, it'll create too much traffic, it impinges on natural areas. One letter writer noted they "are not anti-development crazies," but it's simply not the right project in the right location. That is something you often hear with development or transit projects. It's a great idea, just don't build it near me.

In truth, there are few better locations for this office building than Meadowmont, especially from an environmental and climate-change perspective. It's being built on top of an existing surface parking lot, so there's little impact to existing natural buffers or stormwater. There's a Chapel Hill Transit bus stop right outside the development, and several regional GoTriangle routes stop nearby. The office uses are well-suited for the high number of office workers who live in Meadowmont today; there's a good chance that a few existing Meadowmont residents will end up working there, and it will be a reason for new people to move here in the future. Unlike most new office developments off in the hinterlands of RTP or in Wake County, this will mean that an appreciable number of the employees will have the opportunity to walk, bike, or take transit to get there. It'll provide more employment options for all Chapel Hill residents, giving some the chance to shorten their commutes. In an office building, it's hard to be more climate conscious than that.

Chapel Hill and Orange County are also in desperate need of additional nonresidential development to diversify the tax base and support businesses who want to open up shop or expand in Chapel Hill. There's very little office space available for lease. The Town is considering spending \$28 million to build a new parking deck downtown to support 200,000 square feet of new office space; here, a developer will build more than half that amount with no public subsidy. The Town has tried for years to encourage new office development in the Blue Hill district, with no success, but a developer is eager to build in Meadowmont. The presence of hundreds of

additional people during weekdays will also help Meadowmont's small retail hub, which has had high turnover and has leased prime ground-level retail space to office uses due to a lack of demand. More retail sales means more tax revenue for Orange County.

It's a neighborhood that can easily accommodate the building. There's plenty of roadway capacity, utility service, and multiple ultra-high-speed internet providers. I travel through the area just about every day on a bike, bus, or in my car, and there are no problems that this building is going to exacerbate. Nearby parking lots are never full.

It's hard to imagine any other location that makes as much sense -- where a developer can build office space on top of existing impervious surface, next to an existing office building, without Town subsidy, in a neighborhood designed for a mix of different uses, and with minimal impact on neighbors like me. The Chapel Hill Town Council will be meeting to review the concept plan for the project on March 4.

Geoff Green
111 Simerville Rd.

Amy Harvey

From: Jeanette Coffin
Sent: Wednesday, March 04, 2020 2:18 PM
To: wbaycock@schellbray.com
Cc: Judy Johnson; Becky McDonnell; Dwight Bassett; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Tai Huynh; Amy Harvey; Carolyn Worsley; Catherine Lazorko; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ralph Karpinos; Ross Tompkins; Sabrina Oliver
Subject: FW: Letter to Town Council re Project 19-125: Bella Vista at Meadowmont
Attachments: Revised Letter to Town Council re Bella Vista.pdf

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

If your email is related to a development application or a particular issue being addressed by the Council, your comments will be made part of the record. If applicable, we encourage you to attend any public meetings related to the items addressed in your email.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



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Office Assistant
[Town of Chapel Hill Manager's Office](#)
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(o) 919-968-2743 | (f) 919-969-2063

From: Aycock, William B.
Sent: Wednesday, March 04, 2020 2:02 PM
Update Sent: Wednesday, March 04, 2020 2:02 PM
To: 'aharvey@townofchapelhill.org'; 'rtompkins@townofchapelhill.org'
Subject: Letter to Town Council re Project 19-125: Bella Vista at Meadowmont

Mrs. Harvey, Mr. Tompkins,

Please find the attached correspondence (and Exhibit) to the Town Council regarding the presentation of the Concept Plan for Bella Vista at Meadowmont, Project No. 19-125, scheduled for tomorrow's Town Council meeting. If this letter could be included in the materials provided to the Council for tomorrow's meeting, I would appreciate it.

In addition to the delivery of this letter, I intend to sign up to provide public comment during the time provided.

Please feel free to contact me if you have any questions, or require any additional information.

Sincerely,

Bill Aycock

919.869.3081

fax:919.882.9495

wbaycock@schellbray.com

SchellBray

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SCHELL BRAY PLLC
Attorneys and Counselors at Law

WRITER'S DIRECT DIAL NUMBER
919.929.0990

WRITER'S EMAIL ADDRESS
wbaycock@schellbray.com

March 4, 2020

VIA ELECTRONIC MAIL

Mayor Pamela Hemminger and
Chapel Hill Town Council
Care of the Town Clerk
Chapel Hill Town Hall, Second Floor
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

PAUL H. LIVINGSTON, JR.
THOMAS C. WATKINS
MICHAEL H. GODWIN
BARBARA R. CHRISTY
JENNIFER L.J. KOENIG
HOLLY H. ALDERMAN
MARK T. CAIN
GARLAND G. GRAHAM
AMY H. KINCAID
CHRISTINA FREEMAN PEARSALL
THOMAS P. HOCKMAN
APRIL E. KIGHT
STACEY A. BRADY
JONATHAN L. JENKINS
EDWARD T. CHANEY
DORI J. DIXON
JAMES B. HAYNES
WILLIAM B. AYCOCK II
KRISTIN J. KING
ADRIANNE F. EDMONDS
ANDREW D. STEFFENSEN
PETER G. MATTOCKS

OF COUNSEL
DORIS R. BRAY

BRAXTON SCHELL
(1924-2008)

Re: Concerns Regarding Bella Vista at Meadowmont, Chapel Hill Project No. 19-125.

Mayor Hemminger and Town Councilors:

Our firm represents the University of North Carolina Hospitals at Chapel Hill and the University of North Carolina Health Care System (collectively, "**UNCH**") with regard to its real estate interests in Meadowmont Village. This letter is intended to supplement my public comments at the March 4 Town Council Meeting at which the Concept Plan for Bella Vista Meadowmont is being presented to the Town Council.

UNCH leases property within Meadowmont Village pursuant to two separate leases: (i) a Ground Lease Agreement for Building 300 in Meadowmont Village, and (ii) a Lease Agreement for "Unit 20" located in Building 400. UNCH operates a number clinics out of these facilities (the "**UNCH Facilities**") and provides critical health care to hundreds of residents of Chapel Hill on a daily basis.

The proposed Bella Vista development (the "**Proposed Development**") is to be located on property identified in the various Meadowmont foundational documents as "Outparcel K". Outparcel K is located adjacent to and to the north of Building 300, and is currently developed as a paved, surface parking lot. A map of Meadowmont Village (sometimes referred to herein as the "**Village Center**") identifying the various properties referenced herein is attached to this letter for your convenience.

As an owner and tenant within Meadowmont Village, UNCH is concerned by the potential reduction in available parking that would result from the Proposed Development. The general availability of parking within Meadowmont Village has been an asset to UNCH's operations in the Village Center, and the surface parking spaces located on Outparcel K have been a particular benefit to its patients, who are often elderly and appreciate the safe and short walk from those spaces to the UNCH Facilities. Any reduction in the number of parking spaces available within Meadowmont Village would be keenly felt by UNCH and its patients. We appreciate the opportunity to provide

feedback to the Town Council as part of the Council's review of the Concept Plan for the Proposed Development.

The Proposed Development is significant because it will increase several development parameters set forth in the Master Land Use Plan for Meadowmont (the "*Master Land Use Plan*"), and the Meadowmont Village Special Use Permit (the "*Village SUP*") (sometimes referred to collectively herein as the "*Meadowmont Entitlements*" or "*Entitlements*"). The Village SUP identified several parameters to help guide the development of the Village Center. Of those, four (4) are specifically related to the construction of improvements, namely: 1) the number of permitted buildings, 2) the number of permitted dwelling units, 3) the total maximum floor area, and, 4) the number of parking spaces. According to Town Planning staff, the maximum amount of floor area and the maximum number of dwelling units permitted under the Village SUP have already been developed. In addition, there remains only 22,000 square feet of floor area permitted to be constructed under the Master Land Use Plan for all of Meadowmont. These factors indicate that Meadowmont Village has already reached the highest levels of development contemplated by the Entitlements.

In order to permit the additional constructed floor space reflected in the Proposed Development, modifications to the Entitlements will be necessary to raise these parameters beyond what was originally permitted by the Town. To begin with, the maximum amount of floor area currently permitted by the Village SUP (and has already been constructed) is 267,400 sq. ft. The Proposed Development is requesting an additional 150,000 sq. ft. of floor area. This is an increase of over 50%, of what was originally approved for all of Meadowmont Village, and this additional development will be located on just 9% of the total acreage of the Village Center (approximately 2 acres out of 21, total). This sort of increase will have a dramatic impact on the Village Center.

Also, since the Proposed Development is predominately for office use, it is likely that its space will be utilized by employees who commute into the Village Center by automobile and reduce the pedestrian friendly access to the Village Center that the Entitlements intended to create. Without the benefit of a formal traffic study, it appears that the west side of Meadowmont Village experiences higher traffic (both vehicular and pedestrian) than other sections of the Village Center, due in large part to the operations within the UNCH Facilities. Rather than create a complimentary use of the resources within this portion of Meadowmont Village, the Proposed Development would further increase traffic, congestion and demands for parking most significantly during the peak times of operations of the UNCH Facilities.

As mentioned above, the Village SUP capped the number of permitted parking spaces at 987. It also contemplated a decreased need for parking in the event that light rail came to Chapel Hill, permitting (or mandating?) a reduction in the number of permitted spaces from 987 to 900. (As is now well known, negotiations regarding Triangle light rail finally dissolved last summer). While the Town Land Use Maintenance Ordinance does not articulate minimum parking requirements for any permitted use, the Town planning process attempts to ensure that each development it approves provides adequate amounts of parking. Despite the fact that several of the Village SUP development parameters have been maxed out, only 845 parking spaces were actually constructed within Meadowmont Village. (The number of existing spaces was obtained from a survey of the Village Center). While the number of parking spaces actually provided in the Village Center differs significantly from the number permitted (despite the maximum amount of floor space having been constructed) the current levels of parking have seemed to suffice, though as mentioned previously, the western parking areas of the Village Center are often full.

Given the thin margin on which Village Center parking currently operates, UNCH is especially concerned by the manner in which the Proposed Development addresses the parking situation. As has been stated, the Proposed Development will exceed the use intensity originally contemplated under the Meadowmont Entitlements. While the Bella Vista proposal increases the above mentioned development parameters, it does not make provision for additional parking to accommodate its more intensive use. During the presentation of Bella Vista to the Town Community Design Commission, the applicant's development team made a statement that it is their intention to replace the existing surface parking spaces with underground parking on a 1-to-1 basis. Maintaining current parking levels in the face of the more intensive use proposed by Bella Vista, however, would constitute a significant reduction in the available parking in the Village Center in terms of the ratio of the number of spaces available per sq. foot of floor area constructed. Also, based on conversations with the applicant, it is our understanding that design and construction costs may be prohibitive and thus render it economically infeasible to replace all 143 spaces. It is UNCH's position that, *at a minimum*, the Proposed Development should include sufficient parking so as to maintain the ratio of parking spaces per square foot of constructed floor area for Meadowmont Village. The applicant has been non-committal about whether or not the Proposed Development would refrain from implementing a pay-for-parking system to help subsidize its cost of parking construction. Such a pay-for-parking scheme would also be unacceptable to UNCH, as, even if the fees provided sufficient subsidy to permit the construction of parking sufficient to meet UNCH's request above, it would pass on these costs on to UNCH patients, effectively raising the costs of their care.

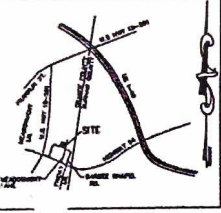
While UNCH understands and appreciates the Town concerns regarding the potential negative impacts that come with the development of large, paved parking areas, UNCH patients, doctors and staff rely on the availability of Village Center parking daily to access the UNCH Facilities. Any reduction in parking availability beyond current levels would have a significant negative impact on UNCH's ability to provide accessible and timely care.

Best regards,



William B. Aycock II

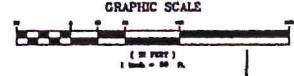
cc: Mr. Simon George, System Vice President, Real Estate & Development, UNC Health Care System
Mr. James Furr, Associate General Counsel, UNC Health Care System



Vicinity Map

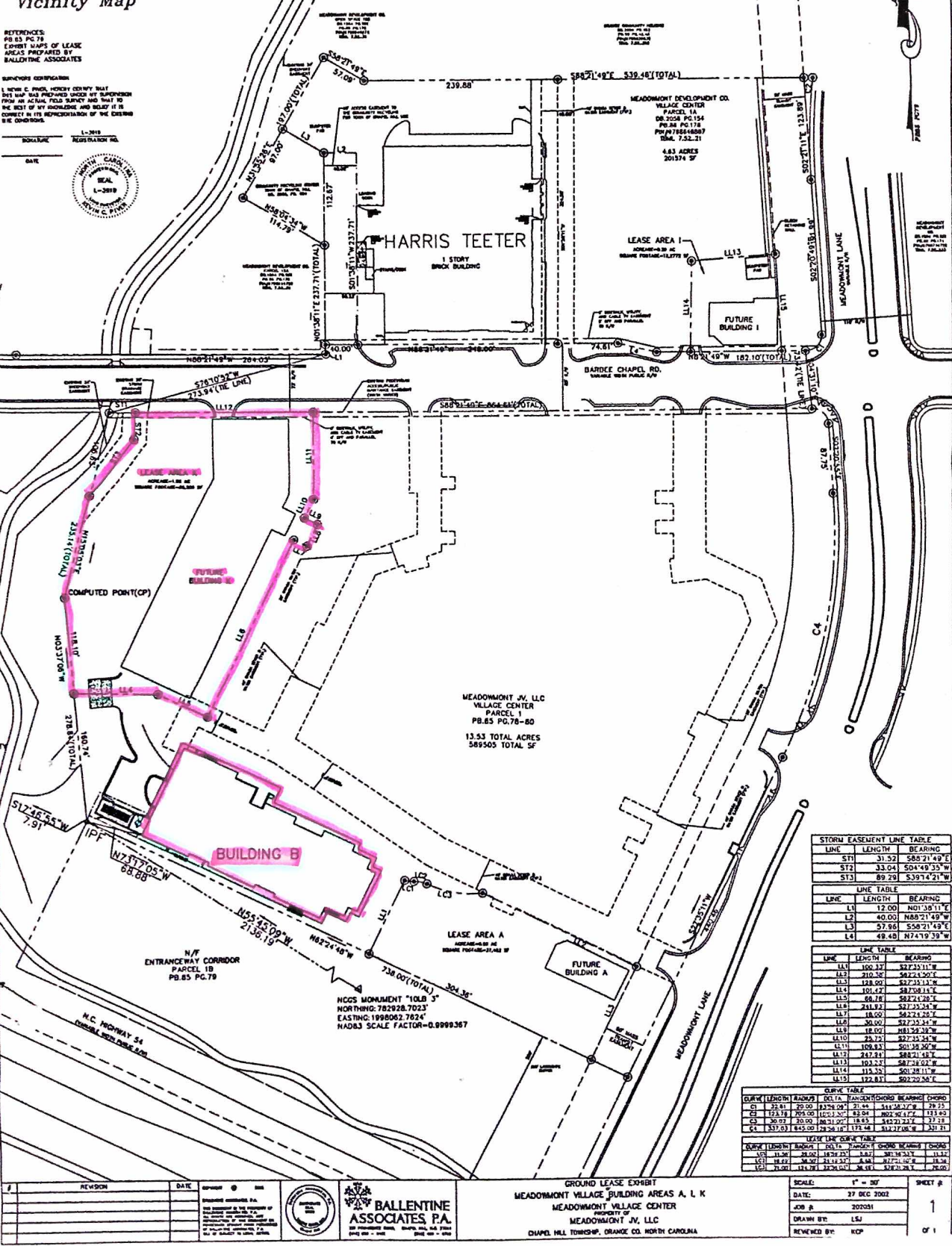
NOTES: 1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. 2. ALL DISTANCES ARE COMPUTED BY COORDINATE COMPUTATION METHOD UNLESS OTHERWISE NOTED. 3. THE SIDEWALK, CURBS, AND OTHER FEATURES SHOWN IN LIGHT ARE TAKEN FROM CONSTRUCTION DRAWINGS AND WERE NOT FIELD VERIFIED. 4. THE PROPERTY IS NOT LOCATED WITHIN THE RCD. 5. THE PURPOSE OF THIS LEASE EXHIBIT IS TO SHOW THE PROPERTY BOUNDARY, THE MEADOWMONT VILLAGE CENTER AND THE GROUND LEASE LINE FOR LEASE AREAS A, L AND K AND IS NOT INTENDED FOR ANY OTHER USE.

LEGEND table with symbols for various features like easements, boundaries, and buildings.



REFERENCES: PB 83 PG 78. EXHIBIT SHAPES OF LEASE AREAS PREPARED BY BALLHOLME ASSOCIATES.

SURVEYOR'S CERTIFICATION: I, JOHN C. PAVEL, HONORARY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS CORRECT IN ITS REPRESENTATION OF THE EXISTING CONDITIONS.



STORM EASEMENT LINE TABLE with columns for LINE, LENGTH, and BEARING.

LINE TABLE with columns for LINE, LENGTH, and BEARING.

LEASE TABLE with columns for LINE, LENGTH, and BEARING.

CURVE TABLE with columns for CURVE LENGTH, ANGLE, DELTA, TANGENT, CHORD BEARING, and CHORD.

LEASE LINE CURVE TABLE with columns for CURVE LENGTH, ANGLE, DELTA, TANGENT, CHORD BEARING, and CHORD.

REVISION table with columns for #, REVISION, DATE, and BY.

Ballentine Associates P.A. logo and contact information.

GROUND LEASE EXHIBIT MEADOWMONT VILLAGE BUILDING AREAS A, L, K MEADOWMONT VILLAGE CENTER MEADOWMONT JV, LLC CHAPEL HILL TOWNSHIP, ORANGE CO. NORTH CAROLINA

SCALE: 1" = 20'. DATE: 27 DEC 2002. JOB #: 202051. DRAWN BY: LSA. REVIEWED BY: KCP.

SHEET # 1 OF 1