

**Amy Harvey**

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**From:** Ross Tompkins  
**Sent:** Tuesday, September 18, 2018 4:03 PM  
**To:** Amy Harvey  
**Subject:** FW: Eastowne Update

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Packet Process

**From:** Maurice Jones  
**Sent:** Friday, September 14, 2018 6:36 PM  
**To:** Pam Hemminger <[phehmminger@townofchapelhill.org](mailto:phehmminger@townofchapelhill.org)>; Jess Anderson <[janderson@townofchapelhill.org](mailto:janderson@townofchapelhill.org)>; Donna Bell <[dbell@townofchapelhill.org](mailto:dbell@townofchapelhill.org)>; Allen Buansi <[abuansi@townofchapelhill.org](mailto:abuansi@townofchapelhill.org)>; Hongbin Gu <[hgu@townofchapelhill.org](mailto:hgu@townofchapelhill.org)>; Nancy Oates <[noates@townofchapelhill.org](mailto:noates@townofchapelhill.org)>; Michael Parker <[mparker@townofchapelhill.org](mailto:mparker@townofchapelhill.org)>; Rachel Schaevitz <[rschaevitz@townofchapelhill.org](mailto:rschaevitz@townofchapelhill.org)>; Karen Stegman <[kstegman@townofchapelhill.org](mailto:kstegman@townofchapelhill.org)>; Town Council <[mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)>  
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**Subject:** Eastowne Update

Mayor and Council,

There have been several questions raised concerning Eastowne. Staff responses are below.

Let me know if you have any additional questions.

All the Best,  
Maurice

**Council Question:** Will the parking deck serve other functions?

**Staff Response as Confirmed by Applicant:** The 1,100 space parking deck will serve the Medical Office Building-1 and the future Medical Office Building -2 (to be approved under subsequent approvals). No additional parking uses are proposed. For more information, you can also reference the Applicant's response in question #25 in the [Public Questions and Responses](#) attachment to the September 19 Eastowne agenda item.

**Council Question:** With the increase in the proposed parking deck to 1,100 spaces, do the numbers used in the traffic study reflect the capacity of the full deck or just the first building?

**Staff Response:** Traffic analyses focus on activities that draw traffic to and from a site. In this case, the traffic generator is the Medical Office Building as employees and patients come to the site to work and utilize the medical services. As a result, the Transportation Impact Analysis (TIA) calculates trip generation numbers based on the Medical Office Building, not the size of the parking deck. The additional capacity of the parking deck could be used by additional development on the site, if approved under a separate future application that would require its own TIA. However, it would not increase the amount of traffic generated by the building currently being proposed. See also questions #19-32 in the [Council Questions and Responses](#) attachment to the September 19 Eastowne agenda item.

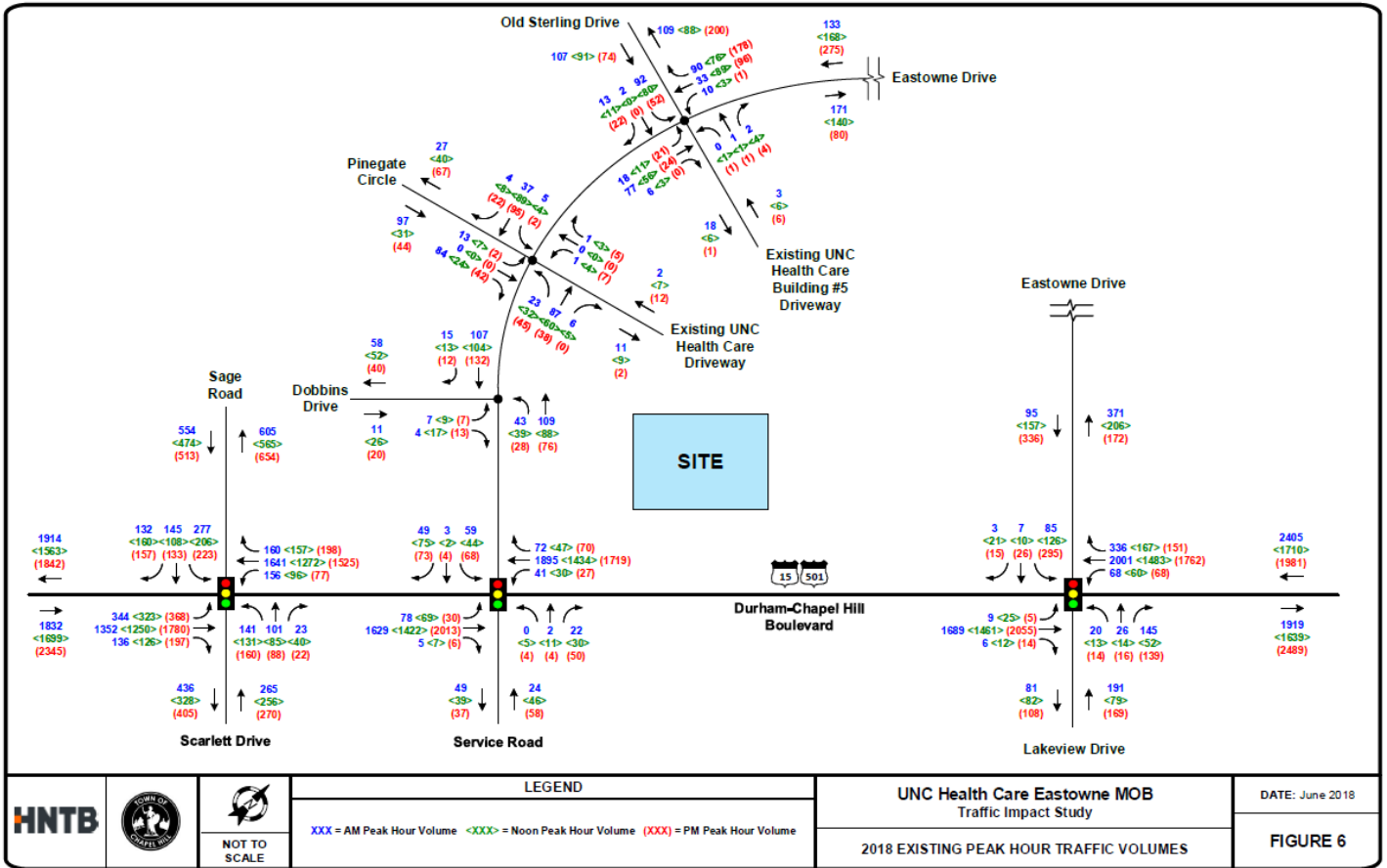
**Council Question:** What are the current traffic counts at the Eastowne & 15-501?

**Transportation Consultant and Staff Response:** The traffic counts at Eastowne Drive and US 15-501 are shown in the graphic from Figure 6 (pg 36) of the June 2018 TIA pdf document (see first graphic below). The numbers in Blue show the AM Peak Hour Traffic Volume (expressed in number of trips), the numbers in Green show the Noon Peak Hour Volume, and the numbers in Red show the PM Peak Hour Volume for each approach to each intersection.

**Council Question:** What are the traffic estimates from Wegmans?

**Staff Response:** Please see the table from the Wegmans Supermarket Traffic Impact Study (second graphic below) dated June 2017. The last row of this table indicates the net total new trips associated with the Wegmans development.

**GRAPHIC FOR QUESTION ON EASTOWNE TRAFFIC**



**GRAPHIC FOR QUESTION ON WEGMANS TRAFFIC**

**Table 5. Weekday Vehicle Trip Generation Summary  
Wegmans Supermarket**

Trip Designation	% Reduction	Daily			AM Peak Hour			Noon Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Raw ITE Vehicular Calculation – LUC 850 (Supermarket) – 140,000 Square Feet		5,383	5,383	10,766	295	181	476	302	252	554	509	490	999
Transit	5%	-269	-269	-538	-15	-9	-24	-15	-13	-28	-25	-25	-50
Ped/Bike	5%	-269	-269	-538	-15	-9	-24	-15	-13	-28	-25	-25	-50
<b>Total Vehicle Trips</b>		<b>4,845</b>	<b>4,845</b>	<b>9,690</b>	<b>265</b>	<b>163</b>	<b>428</b>	<b>272</b>	<b>226</b>	<b>498</b>	<b>459</b>	<b>440</b>	<b>899</b>
Pass-By	18% AM&NN / 36%PM	1,454	1,454	2,908	48	29	77	49	41	90	165	158	323
Balanced Pass-by Trips		-1,454	-1,454	-2,908	-39	-39	-78	-45	-45	-90	-162	-162	-324
<b>New Trips</b>		<b>3,391</b>	<b>3,391</b>	<b>6,782</b>	<b>217</b>	<b>134</b>	<b>351</b>	<b>223</b>	<b>185</b>	<b>408</b>	<b>294</b>	<b>282</b>	<b>576</b>
Existing Vehicle Trips		-1,784	-1,784	-3,568	-181	-83	-264	-168	-171	-339	-114	-208	-322
<b>Net New Trips</b>		<b>1,607</b>	<b>1,607</b>	<b>3,214</b>	<b>36</b>	<b>51</b>	<b>87</b>	<b>55</b>	<b>14</b>	<b>69</b>	<b>180</b>	<b>74</b>	<b>254</b>

Notes: No ITE Data for Noon Peak Hour - Assume 75% of Average Between AM and PM Peak Raw Generation Data and 50% of PM Peak Pass-by Data  
Data for Existing Trips for Performance Auto Taken from Peak Hour Driveway Count Summations - Data for Existing Daily Trips Taken from ITE

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## 09-19-2018 Town Council Meeting Responses

### **ITEM #6: Consider an Application for Zoning Atlas Amendment - Eastowne Redevelopment Medical Office Building - 1, 100 Eastowne Drive**

**Council Question:** Do we have examples of areas in town where, building heights are dramatically different from buildings on adjacent or opposite-facing properties?

**Staff Response:** *As zoning districts change, abutting properties have different height requirements. We have listed several development projects:*

- *140 West Franklin (on all sides until construction of Carolina Square and the AC Hotel occurred, now only on 2 sides)*
- *Greenbridge Condominiums*
- *Berkshire*
- *East 54*
- *SECU (Formerly BCBSNC)*

## 09-19-2018 Town Council Meeting Responses

### **ITEM #7: Consider a Special Use Permit Modification - Eastowne Redevelopment Medical Office Building - 1, 100 Eastowne Drive**

**Council Question:** What are the tax implications of the Eastowne redevelopment by UNC Healthcare? I reviewed the tables on pages 257 and 258 of the packet, but need help interpreting it. Both the existing revenues and the projected revenues seem low - is that because there is a separate agreement guiding what UNC Health Care pays in taxes? Has there been any discussion with UNC Health Care about this topic or any consideration of revising it based on the new development, which will have a significantly increased value than what is currently there?

**Staff Response:** *In 2011 when Healthcare Properties acquired the parcels at Eastowne from BCBS, there were agreements (Memorandum of Understanding [MOU]) put in place for Healthcare Properties to continue paying property taxes despite being exempt if it acquired property and used it for its primary mission. Healthcare properties filed multiple MOUs with County Attorney, John Roberts. The parcel numbers include: 9890807564, 9890800195, 9890800643, 9890802764, and 9890911209. Attached is a copy of one of the MOUs on file with the County.*

*If UNC Health Care progresses with development of a Master Plan, and if there are uses that are not specifically aligned with their primary mission (healthcare), they would pay taxes on the newly improved property. An example would be a hotel, which would pay taxes, as it is not related to the core mission of health care. Council could also stipulate that this issue be discussed further as part of the Master Planning process.*

**Council Question:** Based on the Q&A in our packet, it appears the applicant was not interested in following the stormwater board and the stormwater staff's recommendation to develop a stormwater management plan as if it were new development as opposed to redevelopment. Is that accurate? How significant a change would that be in terms of cost?

**Staff Response:** *There are limitations to what the Town can require regarding stormwater management measures, based on State legislation regarding the Jordan Lake nutrient rules. Even so, the applicant is working to address the issue by reducing the amount of impervious surface on the site. In addition, the Master Plan could include a stormwater management plan for the entire site.*

**Council Question:** Generally speaking, this is coming up more frequently as developers seek to redevelop existing properties. What is the advice from our stormwater staff in regards to the LUMO? Should we look to make this change and if so, is the LUMO re-write the best opportunity or could we do it sooner?

**Staff Response:** *The State limited the Town's ability to require additional stormwater improvements as part of the Jordan Lake nutrient rules. However, there are other potential*

## **09-19-2018 Town Council Meeting Responses**

*options for how to address the issue. Depending on workload, staff could potentially explore options to undertaking this revision sooner than the LUMO re-write project.*

**Council Question:** How much in actual and net office space area would be added?

**Staff Response:** *The net increase in floor area is 75,516 square feet of floor area.*

<i>Existing</i>	<i>103,030 SF</i>
<i>To Be Demolished</i>	<i>77,484 SF</i>
<i>After Demolition</i>	<i>25,546 SF</i>
<i>New Construction</i>	<i>153,000 SF</i>
<b><i>Total</i></b>	<b><i>178,546 SF</i></b>

**Council Question:** In an OI-3 district, if a building approved by an SUP is constructed to a certain height, if the owner at a later point, wants to increase the height of the building, does the owner of the building have to apply again for an SUP? If not a SUP, would the owner have to make some type of application for building height increase? If so, what type of application?

**Staff Response:** *Stipulation #11 limits the height to 90 feet as measured from finished floor elevation. Any additional increase in height beyond the 90 feet would require Council action through a modification to the Special Use Permit.*

**Council Question:** Related to stipulations stated on p. 201, how long is the existing southbound left-turn lane now from Eastowne Drive to US 15-501?

**Staff Response:** *The existing left turn lane from Eastowne Drive to US 15-501 is approximately 100 feet in length. The proposal is to extend that turn lane to provide 300 feet of queuing.*

**Council Question:** Related to stipulations stated on p. 201, how long is the existing eastbound left-turn lane now from US 15-501 to Eastowne Drive?

**Staff Response:** *The existing left turn lane from US 15-501 to Eastowne Drive is approximately 200 feet in length. The proposal is to extend that left turn lane to provide 400 feet of queuing.*

**Council Question:** Generally speaking, is there a way to determine what the various linear lengths of turn lanes correspond with in terms of the number of vehicles in vehicle queuing?

**Staff Response:** *The general rule of thumb is that 20 feet of length provides space for 1 car. For example, a 200' turn lane would provide room for 10 cars.*

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**Council Question:** Will the tree openings along the US 15-501 frontage involve simply clearing the trees within the estimated measurements of 50 feet and 95 feet, or would some other method be employed?

**Staff Response:** *The 50-foot opening would be cleared and replanted with shrubs to provide an attractive appearance while maintaining visibility into the site. The 95-foot opening would be graded to accommodate the required emergency fire lane, though replanting would be conducted to reduce the final width to 55 feet. The initial 95-foot opening for emergency fire access requires a minimum roadway width of 26', plus additional clearing and grading in order to maintain an entryway that has no more than the required 3:1 slope.*

**Council Question:** What was meant by employee demographics in the summary of the Planning Commission's Sept. 4th meeting? What kind of info did members seek to include about employees in the TIA?

**Staff Response:** *The Planning Commission was seeking information about where employees live, where they are coming from/going to, and how that affects their commute patterns.*

**Council Question:** I'm of the understanding from the last time the Eastowne project came before us that the 150K sq. ft. office building, the 3K sq. ft. utility building and the 1,100-space parking deck take up all the square footage that can be built under OI-3 zoning. Yet in the SUP materials (Item 10), UNC makes reference to building more space.

- How much more can be built if we rezone the parcel to OI-3?
- If the proposed construction takes up all of the legally allowable square footage, what is the process if UNC returns at a later date to request building more square footage?

**Staff Response:** *No additional square footage can be built without another SUP modification reviewed by the Town Council. Even if the underlying zoning allows greater density, the Special Use Permit limits the amount to a specific square footage. Modifications to that number must be approved by the Town Council. The maximum floor area that is allowed under the OI-3 zoning district is 199,772 square feet, even if the Council granted future modifications.*

**Council Question:** Would you ask the presenter to share what UNC is thinking of building on the Eastowne parcel beyond what is being proposed at present? We postponed the hearing from June until September in large part so that UNC could make progress on its master plan (which it presented at our 9/5 council meeting), but there was nothing in the 9/5 presentation or in the materials for 9/19 that indicates what UNC is planning.

My concern is that we need to make sure council and applicant don't have vastly different expectations of what happens in the future, should we approve the rezoning and SUP application.

## **09-19-2018 Town Council Meeting Responses**

**Staff Response:** *The recent discussion has been that the Master Planning process would begin following approval of the currently proposed Medical Office Building, and would continue for about two years. As a result, the details of what would happen on the rest of the site are not yet known. The applicant has agreed to the following stipulation regarding the master planning process, which specifies key aspects of the process:*

**Master Plan:** *Before any additional new buildings are developed on this site, the property owner will conduct a Master Planning process that is consistent with the Town's values as expressed in the Town's Strategic Plan and the 2020 Comprehensive Plan. In addition, the property owner will ensure that the process provides substantial opportunity for public participation and input. Once a draft of the Master Plan is prepared, the draft will be presented to the Advisory Boards and Town Council for their review and feedback.*

**Council Question:** P. 201, stipulation 10 says public amenity space is only available upon request and approval of the property owner. I'm concerned that means if someone in a nearby business or residence wants to use the picnic table, they would be trespassed. Would you ask the applicant to explain what UNC-HC's policy is on its existing grounds pertaining to public access to picnic tables, benches, etc., and what the concern is that it needs to add a stipulation to limit access?

**Staff Response:** *The proposed site is private property, so use of the amenities would require property owner approval, as with other private properties. However, the applicant is willing to establish a process for providing such approval.*

**Council Question:** I am concerned that we may have a double standard about impervious surface in the RCD with staff apparently approving of a parking lot in the RCD for UNC (p. 194) but objecting to a paved driveway to allow the 2200 Homestead Road low-income neighborhood access to Weaver Dairy Extension, which would make a world of difference for people driving toward town or I-40 to go to work.

Rather than oppose UNC's request, I'd like to make sure that we can accommodate the Weaver Dairy Extension access for 2200 Homestead Road. Is there a way to make that happen?

**Staff Response:** *Currently, the Eastowne site has 28,369 square feet of impervious surface existing in the RCD. The application before the Council would remove 7,782 square feet of impervious, leaving a total of 20,587 square feet of impervious in the RCD.*

*The previously approved Bridgepoint application (adjacent to the 2200 Homestead Road property) has been approved with an access point to Weaver Dairy Road Extension. The Ordinance limits new development in the RCD.*

**Council Question:** P. 201, stipulation 10 says public amenity space is only available upon request and approval of the property owner. I'm concerned that means if someone in a nearby business or residence wants to use the picnic table, they would be trespassed. Would you ask



## 09-19-2018 Town Council Meeting Responses

the applicant to explain what UNC-HC's policy is on its existing grounds pertaining to public access to picnic tables, benches, etc., and what the concern is that it needs to add a stipulation to limit access?

***Staff Response:*** *The proposed site is private property, so use of the amenities would require property owner approval, as with other private properties. However, the applicant is willing to establish a process for providing such approval.*

**Council Question:** Initially we were being asked to approve a 150,000 SQF building and a 580 space parking deck with the understanding that, in a second phase, we would consider another 150,000 SQF building and a parking deck expansion. That second phase was to include TIA information which would allow council to address or adjust the building square footage and parking deck capacity if warranted.

Now we are being asked to approve the full 1,100 – 1,200 parking spaces without benefit of TIA data for those additional 520-620 parking spaces. Presumably, once UNC has built the 1,100-1,200 spaces, they have the ability to use its full capacity. That could be to serve a second building, as a Park & Ride facility or something else which means that the impacts extend beyond 255 employees or 580 spaces. That being the case, I believe we should have TIA information based on the full deck as part of the information we use to make decisions about the four findings required in the SUP process and ask, again, to have that information provided along with materials we receive on Friday.

***Staff Response as confirmed by Applicant:*** *The traffic generator for the site is the single proposed Medical Office Building (MOB). The applicant has committed that the additional spaces would not be used for other purposes (like a Park/Ride). As a result, site traffic coming to the site is limited to those trips coming to the proposed MOB. The applicant desires to build the deck to serve both the proposed building and a possible second building that would have to come forward at a later date for a separate approval. The applicant is proposing to build the full deck now at his own risk because of the construction challenges of retrofitting the deck at a future date, and the disruption to the site activities that this would cause.*

*As a result, the TIA accurately models the traffic that would come to the site with this approval. Staff believes that it gives the Council the information it would need to make the appropriate quasi-judicial findings. At such time a second building is proposed, a new TIA would be required and identify any additional system improvements on the surrounding road network.*

*Additionally the applicant has agreed to an as-built traffic analysis stipulation requiring that within one year of occupancy, the property owner shall report to Town Council with an update on traffic conditions and trip generation rates at the site. The property owner commits to making associated additional improvements if needed to meet the Town's TIA requirements.*

**Council Question:** Over the past several months, Town Council has asked to have Tony Sease review this project from the outset so that, unlike the Blue Hill district, we can protect the

## **09-19-2018 Town Council Meeting Responses**

public realm and advance good place-making from the outset rather than after-the-fact which is what Resolution A allows for.

The issue of a parking deck right on the road, especially one of this size and height, remains concerning to me and, based on the feedback I have seen, it concerns our boards as well. Was that something that Tony addressed in his first review? If so, would you ask him to provide official comments? If not, would you please check in with him about this issue and have him provide input to us? Also, are there any other stipulations that Tony feels would serve the town's interests well in this first phase?

**Staff Response:** *The applicant has agreed to Stipulation #3 requiring Urban Design Review, and has been working with Tony Sease regarding design considerations. To date, the applicant has developed preliminary sketches based on Tony Sease's initial comments and will be sharing those at the September 19th Council meeting. The stipulation on urban design review reads as follows:*

*Urban Design Review: Town Staff will select a third-party urban designer, and the applicant will pay for the urban design review based on the rate listed in the Planning and Development Services Fee Schedule for Blue Hill District Urban Design review. The Urban Designer will review the project plans in light of Town values as expressed in the Town's Strategic Plan and 2020 Comprehensive Plan, discuss them with the applicant, and present his or her recommendations to the applicant for consideration prior to submittal of Final Plans for construction of the project. The Community Design Commission shall provide courtesy review comments on the recommendations prior to issuance of a Zoning Compliance Permit.*

**Council Question:** Could we get a statement about what the distance to the parking deck and building would be if Eastowne Road had to be widened to include 2 additional lanes in the future?

Right now, there is room allowed for the buffered bike paths and the sidewalks with a middle turn lane.

It is hard to discern the information from the site plan. There is a 70 ft. public right of way that does not allow for additional lane incorporation - would widening the road for additional lanes come out of the 32 ft. buffer to the parking deck? Or would the buffered bike lanes be reduced to create the space?

**Staff Response:** *Town staff believes the ultimate cross-section of Eastowne Drive would be a 2-lane roadway with turn lanes, buffered bicycle lanes, and pedestrian facilities. If for some reason there is a need to widen Eastowne Drive further in the future, additional right of way can potentially be added on opposite side of Eastowne Drive as properties redevelop.*

## Amy Harvey

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**From:** Ross Tompkins  
**Sent:** Wednesday, September 19, 2018 9:13 AM  
**To:** Amy Harvey  
**Subject:** FW: Council Meeting Questions and Responses  
**Attachments:** Staff Responses to Council Questions 9-19-18 (002).docx; AHDR Funding Summary FY18 - v01.pdf; 6\_FY 2019 Carryforward Amendment Ordinance 09.19.18.doc; MOU FOR HEALTH SYSTEM PROPERTIES Eastowne Parcel 1 re taxes final.doc; Solar Energy Petition v2.docx; Eastowne Update

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Agenda Packet Process

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**From:** Maurice Jones  
**Sent:** Tuesday, September 18, 2018 6:11 PM  
**To:** Pam Hemminger <[phemminger@townofchapelhill.org](mailto:phemminger@townofchapelhill.org)>; Jess Anderson <[janderson@townofchapelhill.org](mailto:janderson@townofchapelhill.org)>; Donna Bell <[dbell@townofchapelhill.org](mailto:dbell@townofchapelhill.org)>; Allen Buansi <[abuansi@townofchapelhill.org](mailto:abuansi@townofchapelhill.org)>; Hongbin Gu <[hgu@townofchapelhill.org](mailto:hgu@townofchapelhill.org)>; Nancy Oates <[noates@townofchapelhill.org](mailto:noates@townofchapelhill.org)>; Michael Parker <[mparker@townofchapelhill.org](mailto:mparker@townofchapelhill.org)>; Rachel Schaevitz <[rschaevitz@townofchapelhill.org](mailto:rschaevitz@townofchapelhill.org)>; Karen Stegman <[kstegman@townofchapelhill.org](mailto:kstegman@townofchapelhill.org)>; Town Council <[mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)>  
**Cc:** Flo Miller <[fmiller@townofchapelhill.org](mailto:fmiller@townofchapelhill.org)>; Mary Jane Nirdlinger <[mnirdlinger@townofchapelhill.org](mailto:mnirdlinger@townofchapelhill.org)>; Ross Tompkins <[rtompkins@townofchapelhill.org](mailto:rtompkins@townofchapelhill.org)>; Ben Hitchings <[bhitchings@townofchapelhill.org](mailto:bhitchings@townofchapelhill.org)>; Judy Johnson <[jjohnson@townofchapelhill.org](mailto:jjohnson@townofchapelhill.org)>; John Richardson <[jrichardson@townofchapelhill.org](mailto:jrichardson@townofchapelhill.org)>  
**Subject:** Council Meeting Questions and Responses

Mayor and Council,

I have attached the responses to the questions we have received so far concerning tomorrow night's agenda. I have also included attachments to support those responses, and the Eastowne responses we sent via email last week as a refresher.

There are one or two outstanding questions that I anticipate having responses to in the morning.

All the Best,  
Maurice

Maurice Jones  
Town Manager  
Town of Chapel Hill, NC  
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**MEMORANDUM OF UNDERSTANDING FOR HEALTH SYSTEM PROPERTIES ACQUISITIONS**

NOW COME Health System Properties, LLC, a corporate entity, and Orange County, a political subdivision of the State of North Carolina, together "the Parties", and acknowledge and agree to the following:

1. In return for good and valuable consideration, the receipt of which is hereby acknowledged, Health System Properties, LLC, has agreed to pay to Orange County, from 2012 forward, a sum equal to the 2011 property tax amount on a tract of land located in Orange County, Chapel Hill, North Carolina, which Health System Properties purchased on January 6, 2012 ("Eastowne Parcel"), at the following location: being all of tract 3b containing 3.733+/- acres as shown on Eastowne Office Park, recombination plat tract 1 and tract 3b shown on plat book 73, page 10 of the Orange County Register of Deeds, and also being known as all of Orange County Pin No. 9890800643.
2. The Parties agree that Health System Properties, LLC, will pay \$59,782.16 as a fixed amount on an annual basis, upon receipt of an invoice from the Orange County Tax Collector Office, for the Eastowne Parcel.
3. The Parties agree that the \$59,782.16 shall be distributed annually on a pro rata basis the same as tax receipts for any other similarly situated property would be distributed.
4. The Parties hereby agree that Health System Properties, LLC, will not pay any amount, annual or otherwise, for any future structures or equipment located in Orange County, Chapel Hill, North Carolina, on this Eastowne Parcel (Orange County Property Identifier 9890800643).
5. The Parties agree that this Memorandum will cease to apply to the Eastowne Parcel should Health System Properties, LLC, sell the parcel to an entity that is not a North Carolina governmental entity.
6. The Parties agree that this Memorandum constitutes and expresses the entire agreement and understanding between the Parties concerning the subject matter herein.

This the \_\_\_\_\_ day of \_\_\_\_\_ 2012.

Health System Properties, LLC

Orange County

By: \_\_\_\_\_  
William L. Roper, President

By: \_\_\_\_\_  
Frank Clifton, County Manager

## **Petition for Installing Roof-Mounted Solar Energy Systems**

Tom Henkel, September 11, 2018

Whereas: The Chapel Hill Town Council has previously passed a resolution to support local activities which reduce our carbon footprint in support of the Paris Climate Accords; and

Whereas: Energy consumption in buildings represent almost half of the energy use in all sectors of our economy; and

Whereas: Most of this building energy comes from the burning of fossil fuels, so that the reduction in building energy use will reduce the carbon footprint; and

Whereas: The Town cannot require owners to achieve a reduction in building energy use greater than that specified by the North Carolina building codes; and

Whereas: § 160A-383.4, Local Energy Efficiency Incentives, allows the Town to require the installation of certain desired equipment to reduce conventional energy use in new development for which a rezoning within a Special Use Permit is requested.

Therefore, be it resolved: The Environmental Stewardship Advisory Board asks the Town Council to require all new building construction and renovations in Chapel Hill which require rezoning within Special Use Permits to install roof-mounted solar energy systems over at least 80% of the unshaded roof areas. Such new construction shall include parking garages erected near occupied buildings which can utilize the solar energy produced from such systems installed over the top floor of the garage. Pitched roofs facing between southeast and southwest are included in this requirement.

**§ 160A-383.4. Local energy efficiency incentives.**

(a) Land-Use Development Incentives. - Counties and municipalities, for the purpose of reducing the amount of energy consumption by new development, and thereby promoting the public health, safety, and welfare, may adopt ordinances to grant a density bonus, **make adjustments to otherwise applicable development requirements**, or provide other incentives to a developer or builder within the county or municipality and its extraterritorial planning jurisdiction if the developer or builder agrees to construct new development or reconstruct existing development in a manner that the county or municipality determines, based on generally recognized standards established for such purposes, makes a significant contribution to the reduction of energy consumption.

(b) Repealed by Session Laws 2009-95, s. 1, effective June 11, 2009. (2007-241, ss. 1, 2; 2008-22, s. 1; 2009-95, s. 1.)

## Amy Harvey

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**From:** Ross Tompkins  
**Sent:** Wednesday, September 19, 2018 3:49 PM  
**To:** Amy Harvey  
**Subject:** FW: Eastowne Update

**From:** Maurice Jones  
**Sent:** Wednesday, September 19, 2018 3:21 PM  
**To:** Pam Hemminger <[p he mminger@townofchapelhill.org](mailto:phe mminger@townofchapelhill.org)>; Jess Anderson <[janderson@townofchapelhill.org](mailto:janderson@townofchapelhill.org)>; Donna Bell <[dbell@townofchapelhill.org](mailto:dbell@townofchapelhill.org)>; Allen Buansi <[abuansi@townofchapelhill.org](mailto:abuansi@townofchapelhill.org)>; Hongbin Gu <[hgu@townofchapelhill.org](mailto:hgu@townofchapelhill.org)>; Nancy Oates <[noates@townofchapelhill.org](mailto:noates@townofchapelhill.org)>; Michael Parker <[mparker@townofchapelhill.org](mailto:mparker@townofchapelhill.org)>; Rachel Schaevitz <[rschaevitz@townofchapelhill.org](mailto:rschaevitz@townofchapelhill.org)>; Karen Stegman <[kstegman@townofchapelhill.org](mailto:kstegman@townofchapelhill.org)>  
**Cc:** Flo Miller <[fmiller@townofchapelhill.org](mailto:fmiller@townofchapelhill.org)>; Mary Jane Nirdlinger <[mnirdlinger@townofchapelhill.org](mailto:mnirdlinger@townofchapelhill.org)>; Ross Tompkins <[rtompkins@townofchapelhill.org](mailto:rtompkins@townofchapelhill.org)>; Ben Hitchings <[bhitchings@townofchapelhill.org](mailto:bhitchings@townofchapelhill.org)>; Judy Johnson <[jjohnson@townofchapelhill.org](mailto:jjohnson@townofchapelhill.org)>; John Richardson <[jrichardson@townofchapelhill.org](mailto:jrichardson@townofchapelhill.org)>  
**Subject:** Eastowne Update

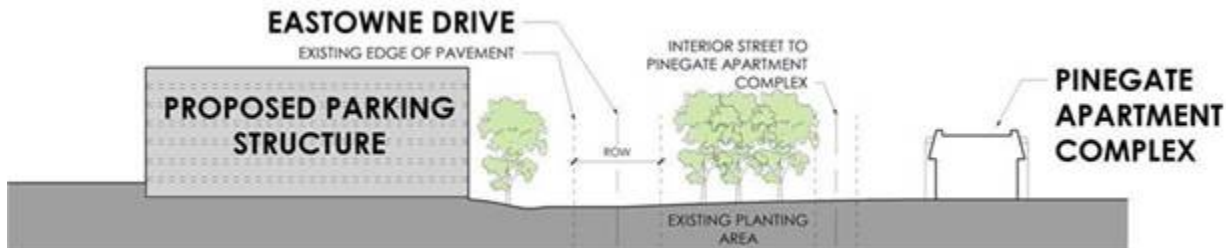
Council,

Located below are the responses to the most recent questions from the Council and CHALT on Eastowne, along with a response to a request from the Planning Commission to provide cross section diagram.

All the Best,  
Maurice

**Planning Commission Request:** Request for cross-sections to include the Pinegate Apartment complex.

**Staff Response:** The applicant has provided the cross-section below:



**Council Question:** If I read the UNC Healthcare MOU correctly, the approximately \$60,000 annual payment is not to be increased if new structures are added to the site (or for that matter if assessed values rise). Given the plans for the property this seems inadequate. What options do we have for receiving payment increases commensurate with the addition of new structures?

**Staff Response:** The annual payment made by UNC Health Care for property that it owns in Eastowne is currently fixed under the terms of the MOU. If UNC Health Care progresses with development of a Master Plan, and if there are uses that are not specifically aligned with their health care mission, they would pay taxes on the newly improved property. Town Council could also stipulate that this issue be discussed further as part of the Master Planning process, with a possible renegotiation of the terms of the MOU.

**Council Question:** While Stipulation #3 calls for an urban design review, if I interpret it correctly, it is not binding. What mechanisms could we put in place to ensure that the urban design review has a meaningful effect?

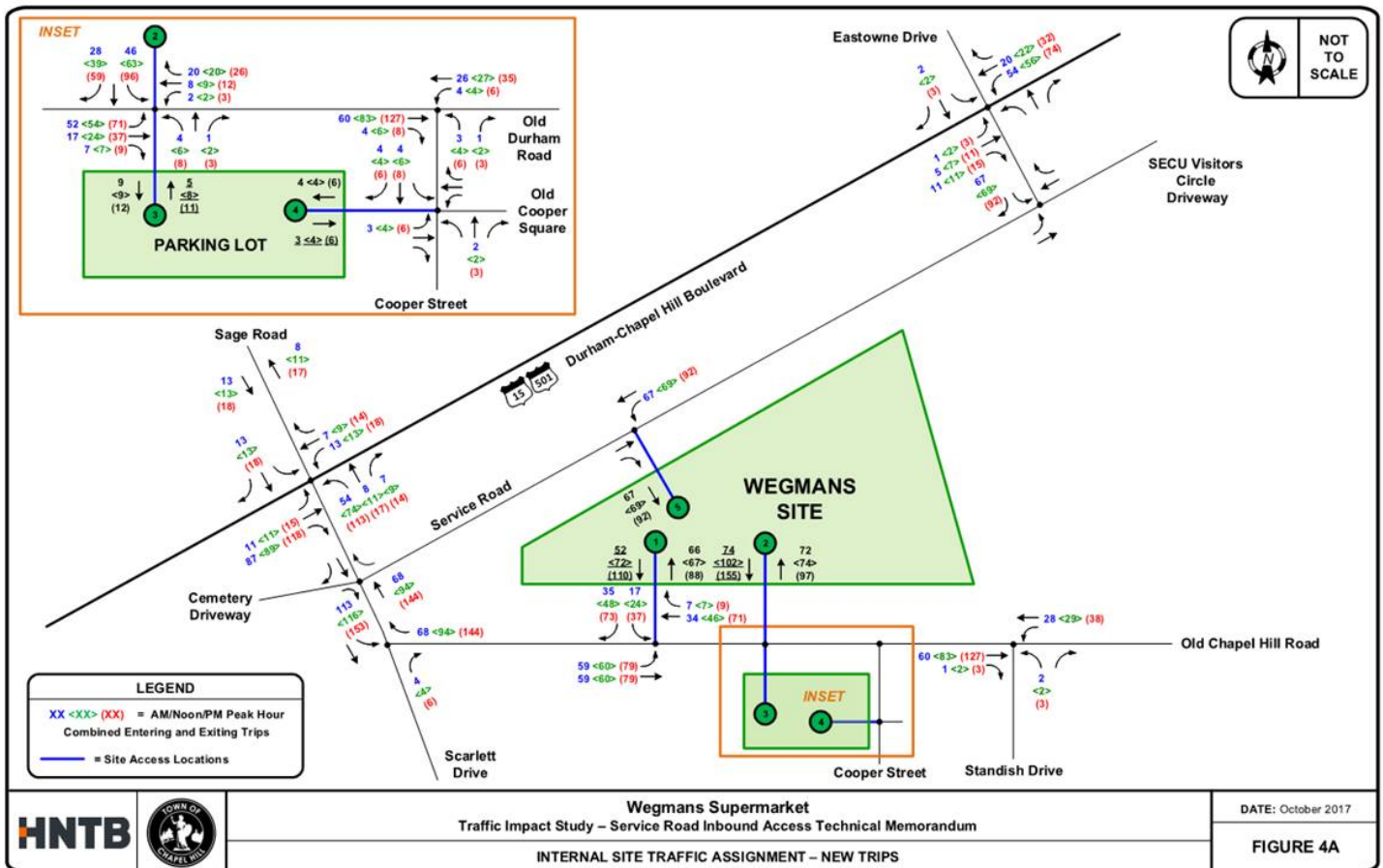
**Staff Response:** In response to preliminary discussions with urban designer Tony Sease, the applicant is proposing to make improvements to the site to help transit riders and pedestrians on Eastowne Drive walk safely to the medical office building. The applicant will describe these at the meeting tonight.

**Council Question:** Why does the requirement to keep new development out of the Resource Conservation District (RCD) apply only to the 2200 Homestead Road property and not the Eastowne property? Both are redeveloping land that has at least one building on it already.

**Staff Response:** The Eastowne Redevelopment project is requesting a Modification to Regulations to permit land disturbance, impervious surface, and parking within the Resource Conservation District. The work in the RCD is associated with removal of existing structures, existing parking, and to provide five accessible parking space to serve Building 500 which will remain. The net effect is to reduce the amount of impervious surface in the RCD. The 2200 Homestead Road project has not applied for a Special Use Permit. The project could request a Modification to Regulations similar to the Eastowne Redevelopment project when appropriate.

**Council Question:** To make sure that I'm not comparing apples and oranges, can you tell me which intersection the Wegmans analysis is based upon?

**Staff Response:** The primary analysis is based on the intersections of 15/501 and Sage, 15/501 and Eastowne, Old Chapel Hill Road and Standish, and Old Chapel Hill Road and Scarlett Drive. The analysis provided previously showed the net new trips being generated as a result of the Wegmans project. The graphic below shows how those trips are projected to be distributed on the surrounding road network.





**CHALT Question:** The newest proposal has been changed to allow for single phase construction of an 1,100 – 1,200 space deck 90 feet tall, clearing of the adjacent building site and detailed infrastructure plans (see the council packet) which appears to represent de-facto approval of 300,000+ square feet based on a Traffic Impact Analysis for 150,000 square feet.

A cursory look at the new site plan shows the parking deck and entrance off Eastowne Drive very close to the RCD but with one less lane than was required in the earlier Phase 2 TIA. Please check.

**Staff Response:** The proposed plan shows the parking deck and entrance outside of the RCD limits.

**CHALT Question:** Without a Traffic Impact Analysis on the full capacity of the deck, how can you be sure that the development will meet your expressed goal of staying out of the RCD to the greatest extent possible?

**Staff Response:** The applicant says that he/she has designed the site infrastructure to accommodate two buildings. The applicant notes that there is also room between the existing driveway and the parking deck to include another drive aisle, if needed.

**CHALT Question:** How can the council approve this SUP application when you do not have the facts needed to support the four findings, especially those related to public safety, general welfare and impacts on contiguous properties?

**Staff Response:** Staff believes the necessary information is in the record for the Council to make the four findings. This information includes the applicant's materials, including the Statement of Justification, as well as the staff report, and additional testimony provided. Ultimately, it is up to the Council to decide if the justification meets the standards of the Town.

**CHALT Request:** Please do not approve the Rezoning or Special Use Permit until you have been provided with a Traffic Analysis for Phase 2. We remain very concerned that the Town does not have a plan to address expected traffic on 15-501 which includes a 300 unit apt building approved just east in Durham (across the street from old Kroger's in Patterson Place), Wegman's, and all of the EF developments.

**Staff Response:** The Town requires applicants to provide a traffic analysis for the actual project that is being proposed for approval. A second building is not part of this request, and if proposed, would require its own Transportation Impact Analysis. A TIA includes the traffic generated by all approved development nearby at the time the analysis is conducted, and also includes a growth factor for additional development that might occur in the area.

**CHALT Request:** Do not waive setbacks and height limits for the parking deck along Eastowne to avoid the Berkshire effect. Limit the size of this deck to a more appropriate size and impact for this location.

**Staff Response:** A revised stipulation regarding the parking deck has been included. The proposed parking deck Eastowne Drive frontage does include a 30-foot buffer with landscaping between the building and the edge of the street right of way.

**CHALT Question:** Maintain your support for a cap of the building height at 90'; make efforts to reduce the massive parking deck which is too tall (80' on the new plan), too long (295' on the new plan), and too close to the road.

**Staff Response:** The length of the proposed parking deck is less than the distance that triggers a requirement for a pass through (330 feet) in the Blue Hill District. In addition, the applicant has included a 30-foot setback and landscaped buffers to help mitigate the massing of the garage. A pedestrian pathway to stairs and an elevator has been included to help facilitate pedestrian access from Eastowne Drive.

**CHALT Question:** Where is Tony Sease's input to identify place-making requirements that were promised to be included in this agreement?

**Staff Response:** The applicant has been working with Tony Sease regarding design considerations. The applicant has agreed to Stipulation #3 requiring Urban Design Review, and has already developed preliminary sketches based on preliminary discussions with Tony Sease to share at the September 19<sup>th</sup> Council meeting.

**CHALT Request:** Please make sure we get the buffers and massing right appropriate for the location. Heights above 90 feet would allow a new zoning type, incongruous and out of scale next to the 2 - 3 story Pinegate Apartments. Parking garages can fit in if they are not too long or tall. Setbacks and buffers add enormously to the sense of scale and feel of a town and provide more opportunity for planting trees. Please require them.

**Staff Response:** The length of the proposed parking deck is less than the distance that triggers a requirement for a pass through (330 feet) in the Blue Hill District. In addition, the applicant has included a 30-foot setback and landscaped buffers to help mitigate the massing of the garage. A pedestrian pathway to stairs and an elevator has been included to help facilitate pedestrian access from Eastowne Drive.

**CHALT Question:** As requested by the Stormwater Board and staff, please “require an overall stormwater management plan that meets current ordinance criteria for all redeveloped impervious footprints on-site as if it all were new impervious surface” (Staff Response to question #32). In their answer to public questions, staff has outlined a request the council could make to require stronger stormwater standards in this agreement.

**CHALT Request:** Please follow up and implement the Stormwater Advisory Board’s recommendation. The Stormwater Management Utility Advisory Board approved a recommendation that UNC Health Care provide stormwater treatment to meet the nutrient reduction requirements under the Jordan Lake Existing Development rules. By doing so, UNC Health Care would demonstrate good stewardship of the environment, promote public health and safety, and model fiscal responsibility by proactively addressing the Jordan Lake rules.

**Staff Response:** The State limits the Town’s ability to require additional stormwater improvements as part of the Jordan Lake nutrient regulations. The applicant has helped address stormwater flowing from the site by reducing the overall impervious surface compared with what exists today.

**CHALT Question:** We ask that you require the developer to install a rooftop solar energy system on the building and adjacent parking garage.

**CHALT Request:** Adopt the Environmental Stewardship Commission recommendation. See attached resolution.

**Staff Response:** As part of the ESAB’s motion to approve the petition described above, the Board asked that it be shared with the Council as well as the Planning Commission and the Community Design Commission for review and consideration.

**CHALT Request:** A final overall comment: At a later point in your land use planning, please reestablish the Entranceway Ordinances which were part of the previous Comprehensive Plan. They provided a blueprint for maintaining green spaces at each entrance to town. A ride through the UNC medical campus demonstrates what we do not want to happen at our northern gateway to Chapel Hill.

Maurice Jones  
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## Amy Harvey

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**From:** Ross Tompkins  
**Sent:** Wednesday, September 19, 2018 5:25 PM  
**To:** Amy Harvey  
**Subject:** FW: Eastowne Drive Update

**From:** Maurice Jones  
**Sent:** Wednesday, September 19, 2018 4:16 PM  
**To:** Pam Hemminger <[phehmminger@townofchapelhill.org](mailto:phehmminger@townofchapelhill.org)>; Jess Anderson <[janderson@townofchapelhill.org](mailto:janderson@townofchapelhill.org)>; Donna Bell <[dbell@townofchapelhill.org](mailto:dbell@townofchapelhill.org)>; Allen Buansi <[abuansi@townofchapelhill.org](mailto:abuansi@townofchapelhill.org)>; Hongbin Gu <[hgu@townofchapelhill.org](mailto:hgu@townofchapelhill.org)>; Nancy Oates <[noates@townofchapelhill.org](mailto:noates@townofchapelhill.org)>; Michael Parker <[mparker@townofchapelhill.org](mailto:mparker@townofchapelhill.org)>; Rachel Schaevitz <[rschaevitz@townofchapelhill.org](mailto:rschaevitz@townofchapelhill.org)>; Karen Stegman <[kstegman@townofchapelhill.org](mailto:kstegman@townofchapelhill.org)>  
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**Subject:** Eastowne Drive Update

Mayor and Council,

A follow-up on the questions concerning any future widening of Eastowne Drive.

All the Best,  
Maurice

### Future Widening of Eastowne

Typically, we ask properties on each side of a road to be responsible for their half of the right of way. In the case of the Eastowne Medical Office Building, our internal review indicates that only one lane is necessary along Eastowne Drive in each direction. As a comparison, Weaver Dairy Road carries much more traffic than Eastowne Drive is anticipated to carry, and only has one lane in each direction. If additional roadway capacity is needed in the future along Eastowne Drive, the place this would be needed is at major intersections such as Eastowne Drive and Old Stirling Road. This intersection is not affected by the building placement in the current proposed project, and so added right of way could be protected in this area based on future traffic analysis if/when this site comes forward for redevelopment.

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