



**CONSIDER AN APPLICATION FOR A MAJOR MODIFICATION TO THE DEVELOPMENT AGREEMENT– GLEN LENNOX HEIGHT MODIFICATION**

**SUMMARY REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Colleen Willger, Director  
 Judy Johnson, Assistant Director  
 Anya Grahn, Senior Planner

<b>PROPERTY ADDRESS</b> 1201 Raleigh Road	<b>DATE</b> October 13, 2021	<b>APPLICANT</b> Grubb Properties on behalf of Glen Lennox LLC
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**TOWN MANAGER RECOMMENDATION**

I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the proposal, and therefore could approve Ordinance A.

**UPDATES SINCE SEPTEMBER 22, 2021 HEARING**

An additional public information meeting was held October 11, 2021 with notifications going to property owners as well as residents within 1,000 feet of the site.

**STAFF RECOMMENDATION**

That the Town Council continue the recessed hearing and receive comment on the proposed major modification to the Glen Lennox Development Agreement (GLDA). That the Council then close the legislative hearing and make a motion to approve the proposed major modification to the GLDA, by adopting the Resolution of Consistency, and enacting Ordinance A, approving the major modification request.

**PROCESS**

The applicant requests approval of a Major Modification to the [Glen Lennox Development Agreement \(GLDA\)](#)<sup>1</sup>. Section 4.10 Amendment and Modification states that a major modification to the development agreement (DA) includes a change in maximum building height as illustrated on page 138 of the GLDA recorded with the Orange County Register of Deeds at Book 5883, Page 11. Grubb Properties presented a proposal for additional height during the Council work session on [March 17, 2021](#).<sup>2</sup>

Per the GLDA, in the event the Town Manager determines that a request to amend the GLDA is a Major Modification, the Town Manager shall require the filing of an application for approval of an amendment (see page 13 of the recorded GLDA).

In 2014, the Town entered into a development agreement with FCP Glen Lennox, LLC and Glen Lennox Shopping Center, LLC by Grubb Fund Management, LLC and by Grubb Management, Inc.. The purpose of the GLDA is to facilitate the development of the property in a way that best realizes the public benefits to the Town and the Developer Owners. The GLDA outlines the development review and approval process for site plans, urban design elements, land uses, and on- and off-site improvements. For more information, see the recorded [Glen Lennox Development Agreement](#).

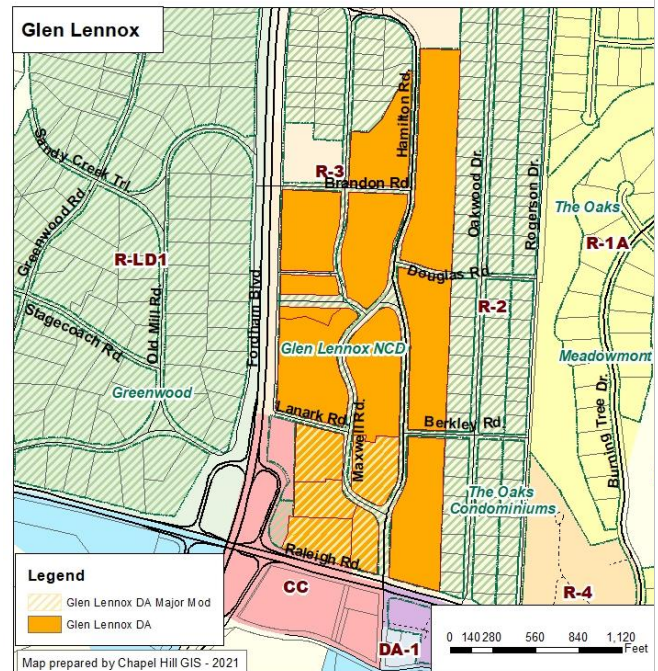
**PROJECT OVERVIEW**

The applicant proposes increasing building height. The proposal provides a transition in building height between Fordham Blvd. east to the Oakwood neighborhood and allows greater building height in the center of the development between NC 54 and Lanark Road. In response to the feedback received at the Public Information Meeting on September 2, 2021, the applicant is requesting additional building height in Blocks 4 and 9; Block 3 is no longer part of this request.

**DECISION POINTS**

The applicant requests a Major Modification to the Glen Lennox Development Agreement to allow additional building height for developments in Blocks 4 and 9.

**PROJECT LOCATION**



(This map is based on current property boundaries)

<sup>1</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/36461/636360722320830000>

<sup>2</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4853297&GUID=6A7C5DE7-B189-4AE5-BA81-77F3275AFC20>

**ATTACHMENTS**

1. Draft Staff Presentation
2. Resolution A, Resolution of Consistency
3. Ordinance A approving the request
4. Resolution B, denying the request
5. Planning Commission Recommendation
6. Applicant Materials