



# 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 Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, May 24, 2023 7:00 PM**

**RM 110 | Council Chamber**

### Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကို ဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或  
书面翻译服  
务，请拨打  
919-969-5105.

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### In-Person Meeting Notification

#### View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV))
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

#### Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.



### *Entry and COVID-19 Protocols*

- *Entrance on the ground floor.*
- *Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain*

### *Speakers*

- *Sign up with the Town Clerk to speak at the meeting.*
- *If more than 14 people sign up for an item, Council will reduce time from 3 min. to 2 min./person. The maximum number of people who can speak on one topic is 45.*
- *Please do not bring signs.*

## **ROLL CALL**

## **OPENING**

## **ANNOUNCEMENTS BY COUNCIL MEMBERS**

## **PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

*Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.*

## **CONSENT**

*Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.*

1. Approve all Consent Agenda Items.

[\[23-0443\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

2. Approve Amending the HOME Investment Partnership American Rescue Plan Allocation Plan.

[\[23-0444\]](#)



By adopting the resolution, the Council authorizes the HOME-ARP Allocation Plan be added as an amendment to the 2021-2022 HOME Investment Partnership Program Plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

- 3.** Award a Bid and Authorize the Town Manager to Execute a Contract for the Resurfacing and Construction of the Three Tennis Courts at Hargraves Park. [\[23-0445\]](#)

By adopting the resolution, the Council awards a bid and authorizes the Town Manager to execute a contract with Salisbury and Moore Construction, Inc. in an amount of \$509,923. The resolution also authorizes the Town Manager to approve change orders as necessary provided that the contract cost remains within the budgeted amount.

- 4.** Amend Chapter 21-13 of the Town Code of Ordinances to Include an All-Way Stop at the Intersection of Henderson Street and North Street. [\[23-0446\]](#)

By enacting the ordinance, the Council establishes an all-way stop at the intersection of Henderson Street and North Street.

- 5.** Approve the Amended Charter Resolution of Central Pines Regional Council (Formerly Triangle J Council of Governments). [\[23-0447\]](#)

By adopting the resolution, the Council approves the amended charter resolution of Central Pines Regional Council (formerly Triangle J Council of Governments).

- 6.** Authorize the Mayor to Execute a Comprehensive Participation Agreement, A Component of the Orange County Transit Governance Interlocal Agreement. [\[23-0448\]](#)

By adopting the resolution, the Council authorizes the Mayor to execute the Comprehensive Participation Agreement, a component of the Orange County Transit Governance Interlocal Agreement, between the town of Chapel Hill, Research Triangle Regional Public Transportation Authority (GoTriangle), Durham-Chapel Hill-Carrboro Metropolitan Planning organization (DCHC MPO), County of Orange, Town of Carrboro, Town of Hillsborough, and City of Mebane, and in coordination with Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill).

- 7.** Authorize the Mayor to Execute a Revised Memorandum of Understanding for the Orange County Partnership to End Homelessness. [\[23-0449\]](#)



By adopting the resolution, the Council approves the updated Memorandum of Understanding with the Orange County Partnership to End Homelessness.

- 8.** Approve a Source of Income Protections Policy for Town-Supported Residential Developments. [\[23-0450\]](#)

By adopting the resolution the Council hereby adopts the attached Source of Income Protections Policy in Town-supported housing.

- 9.** Authorize the Town Manager to Seek an Affordable Housing Partner for the American Legion Property and Begin Negotiating an Agreement under which the Parties would Prepare a Proposed Development Project. [\[23-0451\]](#)

By adopting the resolution, the Council authorizes the Town Manager to seek an affordable housing development partner for the American Legion Property and begin negotiating an agreement under which the parties would prepare a proposed development project.

- 10.** Amend the 2022-23 Council Calendar. [\[23-0452\]](#)

By adopting the resolution, the Council amends the 2022-23 Council calendar to change the meeting type, time, and location for the June 7 meeting.

- 11.** Continue the Legislative Hearing and Defer Considering the South Creek Conditional Zoning Application to June 7, 2023. [\[23-0453\]](#)

By adopting the resolution, the Council continues the Legislative Hearing for South Creek and defers consideration of this item to June 7, 2023.

- 12.** Defer the Legislative Hearing to Amend the Chapel Hill Zoning Atlas for the Chapel Hill Crossings Conditional Zoning Application. [\[23-0454\]](#)

By adopting the resolution, the Council defers the Legislative Hearing for Chapel Hill Crossings application to a date to be scheduled.

- 13.** Adopt Minutes from February 15, and 22, 2023 and March 8, and 15, 2023 Meetings. [\[23-0455\]](#)

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.

## INFORMATION



- 14.** Receive Upcoming Public Hearing Items and Petition Status List. **[23-0456]**

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

## DISCUSSION

- 15.** Open the Public Hearing: Recommended Budget for FY 2023-2024. **[23-0457]**

PRESENTER: Chris Blue, Interim Town Manager

- a. Introduction by the Manager
- b. Comments from the public
- c. Comments from the Mayor and Town Council
- d. Motion to close the Public Hearing
- e. Consider enacting the Ordinance on June 7, 2023.

RECOMMENDATION: That the Council receive public comment regarding the recommended budget. See

<https://www.townofchapelhill.org/government/departments-service/s/business-management/budget/2023-2024-budget-development>

## LAND USE MANAGEMENT TEXT AMENDMENT(S)

- 16.** Open the Legislative Hearing: Land Use Management Ordinance Text Amendment- Articles 1, 3, 4, 5, 6, and 7 and Appendix A Regarding Housing Regulations and Housing Choices for a Complete Community. **[23-0458]**

PRESENTER: Anya Grahn-Federmack, Principal Planner  
Tas Lagoo, Senior Planner

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to recess the Legislative Hearing to June 21, 2023.

RECOMMENDATION: That the Council open the legislative hearing, provide feedback on the draft text amendment, and continue the hearing to June 21, 2023.

## ZONING ATLAS AMENDMENT(S)

*Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including*



*opinions, when making Legislative decisions.*

- 17.** Close the Legislative Hearing and Consider a Conditional Zoning Application for UNC Health Eastowne.

[\[23-0459\]](#)

PRESENTER: Tas Lagoo, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Legislative Hearing
- g. Motion to adopt the Resolution of Consistency and Reasonableness
- h. Motion to enact an Ordinance to rezone the property

RECOMMENDATION: That the Council adopt Resolution A and enact Revised Ordinance A, approving the Conditional Zoning Application.

- 18.** Close the Legislative Hearing and Consider a Conditional Zoning Application for Barbee Chapel Apartments at 5101 Barbee Chapel Road.

[\[23-0460\]](#)

PRESENTER: Tas Lagoo, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Legislative Hearing
- g. Motion to adopt the Resolutions of Consistency and Reasonableness with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property

RECOMMENDATION: That the Council adopt Resolution A and enact Revised Ordinance A, approving the Conditional Zoning Application.

- 19.** Open and Close a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Hamilton Road within the Glen Lennox Development.

[\[23-0461\]](#)

PRESENTER: Chris Roberts, Engineering and Infrastructure Manager



- a. Introduction and recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to close the public hearing
- e. Motion to adopt the resolution approving the right-of-way closure.

RECOMMENDATION: That the Council close a portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development.

## **APPOINTMENTS**

- 20.** Appointments to the Chapel Hill Public Library Advisory Board. [\[23-0462\]](#)
- 21.** Appointments to the Cultural Arts Commission. [\[23-0463\]](#)
- 22.** Appointments to the Historic District Commission. [\[23-0464\]](#)
- 23.** Appointments to the Orange Water and Sewer Authority Board of Directors. [\[23-0465\]](#)
- 24.** Appointments to the Transportation and Connectivity Advisory Board. [\[23-0466\]](#)

## **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

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**Item #:** 1., **File #:** [23-0443], **Version:** 1

**Meeting Date:** 5/24/2023

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### Approve all Consent Agenda Items.

#### Staff:

Sabrina M. Oliver, Director/Town Clerk  
Amy T. Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

#### Department:

Communications and Public Affairs

**Overview:** Items of a routine nature to be voted on in a block. Any item may be removed from the Consent Agenda by the request of the Mayor or any Council Member.



#### Recommendation(s):

That the Council adopt the various resolutions and ordinances.

**Fiscal Impact/Resources:** Please refer to each agenda item for specific fiscal notes.



#### Attachments:

- Resolution



**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES  
(2023-05-24/R-1)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions and ordinances as submitted by the Town Manager in regard to the following:

2. Approve Amending the HOME Investment Partnership American Rescue Plan Allocation Plan. (R-2)
3. Award a Bid and Authorize the Town Manager to Execute a Contract for the Resurfacing and Construction of the Three Tennis Courts at Hargraves Park.(R-3)
4. Amend Chapter 21-13 of the Town Code of Ordinances to Include an All-Way Stop at the Intersection of Henderson Street and North Street.(O-1)
5. Approve the Amended Charter Resolution of Central Pines Regional Council (Formerly Triangle J Council of Governments).(R-4)
6. Authorize the Mayor to Execute a Comprehensive Participation Agreement, A Component of the Orange County Transit Governance Interlocal Agreement.(R-5)
7. Authorize the Mayor to Execute a Revised Memorandum of Understanding for the Orange County Partnership to End Homelessness.(R-6)
8. Approve a Source of Income Protections Policy for Town-Supported Residential Developments.(R-7)
9. Authorize the Town Manager to Seek an Affordable Housing Partner for the American Legion Property and Begin Negotiating an Agreement under which the Parties would Prepare a Proposed Development Project.(R-8)
10. Amend the 2022-23 Council Calendar.(R-9)
11. Continue the Legislative Hearing and Defer Considering the South Creek Conditional Zoning Application to June 7, 2023.(R-10)
12. Defer the Legislative Hearing to Amend the Chapel Hill Zoning Atlas for the Chapel Hill Crossings Conditional Zoning Application.(R-11)
13. Adopt Minutes from February 15, and 22, 2023 and March 8, and 15, 2023 Meetings.(R-12)

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 2., File #: [23-0444], Version: 1

Meeting Date: 5/24/2023

### Approve Amending the HOME Investment Partnership American Rescue Plan Allocation Plan.

#### Staff:

Sarah Osmer Viñas, Director

Nate Broman-Fulks, Assistant Director

Megan Culp, Community Development Program Manager

#### Department:

Affordable Housing and Community  
Connections

**Overview:** The purpose of this item is to approve a proposed amendment to the HOME Investment Partnership American Rescue Plan (ARP) Allocation Plan approved by Council on [February 15, 2023](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6023607&GUID=621BA507-F5C1-4DCA-AAB5-ECC3AC4FE4CC) [<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6023607&GUID=621BA507-F5C1-4DCA-AAB5-ECC3AC4FE4CC>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6023607&GUID=621BA507-F5C1-4DCA-AAB5-ECC3AC4FE4CC). HUD requires one modification to the HOME-ARP Allocation Plan for approval. This amendment is designed to bring the approved plan in alignment with HUD requirements.



#### Recommendation(s):

That the Council:

- Approve the Amended HOME Investment Partnerships American Rescue Plan Program Allocation Plan.
- Authorize this plan to be incorporated into the annual update to the 2020-2024 Consolidated Plan submitted to the U.S. Department of Housing and Urban Development.

#### Summary of Modifications to the HOME-ARP Allocation Plan:

- HOME-ARP funding must be used for projects that serve four Qualifying Populations:
  - Homeless;
  - At-risk of homelessness;
  - Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking;
  - Other populations where providing supportive services or assistance would prevent homelessness or housing instability.
- The Plan approved by all jurisdictions in Orange County in February included a preference to serve homeless households. This would be accomplished by prioritizing projects that use Coordinated Entry (CE) to identify tenants for units developed using HOME-ARP funds. Coordinated Entry is the method the Orange County Partnership to End Homelessness Continuum of Care (CoC) uses for prioritizing referral services.
- Upon reviewing the HOME-ARP Allocation Plan, HUD staff notified Orange County, that HUD would not approve the Plan because Coordinated Entry is not an approved prioritization method for Affordable Rental Development projects funded by HOME-ARP because it does not allow equal access to all four qualifying populations who must be served.
- The Consortium, the body responsible for making recommendations for HOME and HOME-ARP

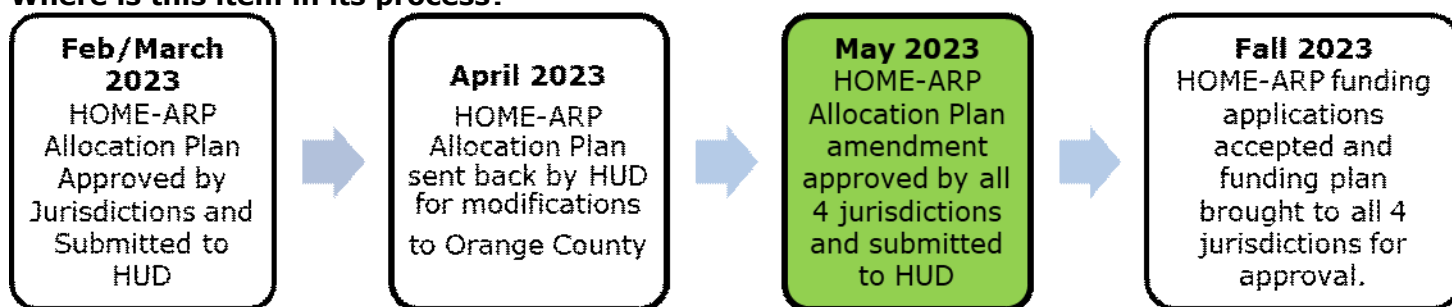


funding, voted at their May 4, 2023 meeting to recommend removing the preference to serve households experiencing homelessness and prioritization of projects that use Coordinated Entry to identify tenants for units developed using HOME-ARP funds.

- Individual projects may still accept referrals through Coordinated Entry if they still provide equal opportunity for all qualifying populations to apply for residency through other means.
- Since the units developed with HOME-ARP funding must serve households falling in at least one of the four qualifying populations, the Consortium's interest of reaching households experiencing homelessness or housing instability will still be met.

**Fiscal Impact/Resources:** There is no fiscal impact with approving the proposed amendment to the plan.

**Where is this item in its process?**



**Attachments:**

- Resolution Approving the Amended HOME Investment Partnership American Rescue Plan Allocation Plan



**A RESOLUTION APPROVING AN AMENDMENT TO THE HOME INVESTMENT PARTNERSHIP AMERICAN RESCUE PLAN ALLOCATION PLAN (2023-05-24/R-2)**

WHEREAS, on May 5, 2021, the Chapel Hill Town Council approved a 2021-2022 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium; and

WHEREAS, in September 2021 the U.S. Department of Housing and Urban Development (HUD) notified the Consortium of an additional one-time award of HOME Investment Partnership American Rescue Plan Program (HOME-ARP) funding in the amount of \$1,371,401 to reduce homelessness and increase housing stability; and

WHEREAS, HUD requires a HOME-ARP Allocation Plan be submitted for the funding as an amendment to the 2021-2022 HOME Investment Partnership Program Annual Plan; and

WHEREAS, Orange submitted a HOME-ARP Allocation Plan that was rejected and must be changed; and

WHEREAS, the Orange County HOME Consortium recommends removing the preference for serving households experiencing homelessness and the Coordinated Entry prioritization for projects.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the Consortium recommended amendment to the plan to remove Coordinated Entry.

BE IT FURTHER RESOLVED that the Council authorizes this amended plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

This the 24th day of May, 2023.

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

By adopting the resolution, the Council authorizes the HOME-ARP Allocation Plan be added as an amendment to the 2021-2022 HOME Investment Partnership Program Plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 3., File #: [23-0445], Version: 1

Meeting Date: 5/24/2023

### **Award a Bid and Authorize the Town Manager to Execute a Contract for the Resurfacing and Construction of the Three Tennis Courts at Hargraves Park.**

#### **Staff:**

Atuya Cornwell, Director

Marcia Purvis, Principal Planner

#### **Department:**

Parks and Recreation

**Overview:** The purpose of this item is to recommend that the Council authorize the Town Manager to award a bid to Salisbury and Moore Construction, Inc. for the resurfacing and construction of the Hargraves Park Tennis Courts.



#### **Recommendation(s):**

That the Council:

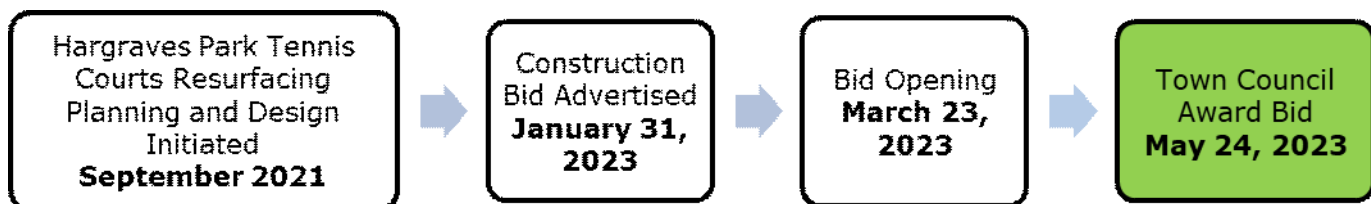
- Adopt the attached resolution awarding a bid and authorizing the Town Manager to execute a contract with the lowest responsive, responsible bidder, Salisbury and Moore Construction, Inc. in an amount of \$509,923.
- Authorize the Town Manager to approve change orders as necessary provided that the contract cost remains within the budgeted amount.

#### **Key Issues:**

- The Town initiated planning, public engagement and design for the project in September 2021, advertised the project for bid on January 31, 2023, and held two mandatory pre-bid conferences on February 8, 2023, and March 8, 2023. The Town received three bids on March 23, 2023, and staff qualified Salisbury and Moore Construction, Inc. as the lowest responsive bidder.
- Staff anticipates that the contract will begin work in June of this year and construction is anticipated to last 4-6 months.
- Town staff, the project landscape architecture and engineering firm, and the department's Marketing and Resource Development Administrator will provide information on the project progress on the project webpage and through the TOWNnews and Social Media sites.

**Fiscal Impact/Resources:** Project funding is available from 2/3 bonds issued in 2021 and from the Recreation Area Payment-in-Lieu (PIL) Development fees.

#### **Where is this item in its process?**





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**Item #: 3., File #: [23-0445], Version: 1**

**Meeting Date: 5/24/2023**

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**Attachments:**

- Resolution



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Item #: 3., File #: [23-0445], Version: 1

Meeting Date: 5/24/2023

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**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT WITH SALISBURY AND MOORE CONSTRUCTION, INC. IN AN AMOUNT OF \$509,923 FOR CONSTRUCTION RESURFACING OF THE HARGRAVES PARK TENNIS COURTS (2023-05-24/R-3)**

WHEREAS, the Town of Chapel Hill solicited formal bids for the Hargraves Park Tennis Courts Resurfacing Project on the Town website on January 21, 2023 in accordance with N.C. General Statute Sec. 143-129; and

WHEREAS, the Town of Chapel Hill held pre-bid conferences on February 8, 2023 and March 8, 2023; and

WHEREAS, three responsive bids were received and opened on March 23, 2023; and

WHEREAS, the responsive bids were evaluated and Salisbury and Moore Construction, Inc. was determined to be the lowest responsive, responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute a contract with the lowest responsive, responsible bidder, Salisbury and Moore Construction, Inc. in an amount of \$509,923.

BE IT FURTHER RESOLVED that the Town Manager is authorized to approve change orders as necessary provided that the contract cost remains within the budgeted amount.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council awards a bid and authorizes the Town Manager to execute a contract with Salisbury and Moore Construction, Inc. in an amount of \$509,923. The resolution also authorizes the Town Manager to approve change orders as necessary provided that the contract cost remains within the budgeted amount.





# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
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## Item Overview

**Item #:** 4., **File #:** [23-0446], **Version:** 1

**Meeting Date:** 5/24/2023

### **Amend Chapter 21-13 of the Town Code of Ordinances to Include an All-Way Stop at the Intersection of Henderson Street and North Street.**

#### **Staff:**

Celisa Lehew, Chief  
Lance Norris, Director  
Roger Henderson, Transportation Engineering Manager

#### **Department:**

Police Department  
Public Works

**Overview:** Enacting the ordinance will allow staff to install stops signs creating an all-way stop at the intersection of Henderson Street and North Street. This recommendation is in response to a petition on behalf of Cobb Terrace residents.



#### **Recommendation(s):**

That the Council enact the attached ordinance, which would amend and allow an all-way stop at the intersection of Henderson Street and North Street.

#### **Key Issues:**

- The Town maintains Henderson Street and North Street.
- Previously it was a two-way stop on Henderson Street and North Street.
- The travel lanes are narrow along both streets and there are limited pedestrian sidewalks along North Street.
- Town staff reviewed the concern and are amenable to the ordinance changes.

#### **Fiscal Impact/Resources:**

The staff estimate a \$500 cost for installing an additional two signs, including staff time. The Traffic Engineering Division operating budget could absorb this cost. Enforcement of the ordinance will have a minimal impact on the Police Department.



#### **Attachments:**

- Ordinance
- Petition
- Area Map



**AN ORDINANCE AMENDING CHAPTER 21 OF THE TOWN CODE OF ORDINANCES REGARDING RIGHT-OF-WAY AND STOP REGULATIONS (2023-05-24/O-1)**

BE IT ORDAINED by the Council of the Town of Chapel Hill that Chapter 21, Article III, Section 21-13-Right-of-way and stop Regulations. of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to as follows:

**Section 1.** Section 21-13(a) of the Town Code of Ordinances, "Right-of-way and stop Regulations" be amended to eliminate the following as Stop Streets:

"Through Street - ~~Henderson Street~~" and "Stop Street - ~~North Street~~"

**Section 2.** Section 21-13(c) of the Town Code of Ordinances, "Right-of-way and stop Regulations" be amended by inserting the following, in appropriate alphabetical order to add the following as All-Way Stop Streets:

"Intersection(s)

Henderson Street and North Street"

**Section 3.** This ordinance shall become effective upon enactment.

This the 24th day of May, 2023.

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

By enacting the ordinance, the Council establishes an all-way stop at the intersection of Henderson Street and North Street.



## Amy Harvey

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**From:** Jeanette Coffin  
**Sent:** Wednesday, April 19, 2023 12:22 PM  
**To:** Joseph Patterson III  
**Cc:** Mr. Chris Belcher; Carmen Cooley; Wade Dansby; Rob Dickens; Jane Little; Melissa McCollough; Daniel Munger; John Norwood; Katherine Polk; Iris Schwintzer; John Wilson; Britany Waddell; Judy Johnson; Corey Liles; Sarah Vinas; Adam Searing; Amy Ryan; Camille Berry; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Paris Miller-Foushee; Tai Huynh; Amy Harvey; Ann Anderson; Atuya Cornwell; Carolyn Worsley; CHRIS BLUE; James Baker; Loryn Clark; Mary Jane Nirdlinger; Ran Northam; Ross Tompkins; Sabrina Oliver; Shay Stevens  
**Subject:** RE: Petition to Add Stop Signs at Intersection of North St and Henderson St for Vehicles Traveling in Any Direction  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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.

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

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**From:** Joseph Patterson III <joepatterson@me.com>  
**Sent:** Wednesday, April 19, 2023 11:29 AM  
**To:** Town Council <mayorandcouncil@townofchapelhill.org>  
**Cc:** Mr. Chris Belcher <jchrisbelcher@live.com>; Carmen Cooley <carbell@aol.com>; Wade Dansby <wfdansby@gmail.com>; Rob Dickens <robdickens3@gmail.com>; Jane Little <little002@juno.com>; Melissa McCollough <melissamccnc@gmail.com>; Daniel Munger <zmunger@nc.rr.com>; John Norwood <johnhnorwood@gmail.com>; Katherine Polk <katherine.polk@unc.edu>; Iris Schwintzer <earissch@gmail.com>; John Wilson <jfwmanteo@mac.com>  
**Subject:** Petition to Add Stop Signs at Intersection of North St and Henderson St for Vehicles Traveling in Any Direction



**External email: Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)**

**To: The Mayor and Town Council**

**Petition to Add Stop Signs at Intersection of North St and Henderson St for Vehicles Traveling in Any Direction**

In order to enter or exit Cobb Terrace ("CT"), its residents must pass through the intersection of North Street and Henderson Street. In the past year, changes in traffic patterns to the west and construction disruptions in the 100 block of Rosemary Street have substantially increased the cut through traffic using this intersection. Many of those drivers travel at high speed, ignore the exiting stop sign, and cut the corner at the intersection. This situation will undoubtedly get much worse as the approved and anticipated projects on Rosemary are completed and occupied. Visibility at the intersection is also blocked by high vegetation and parked cars. All of the above makes the regular and necessary use of the intersection by CT residents a risky proposition.

In order to reduce the speed of cut through traffic and to force drivers to remain in their proper lanes at the intersection (thereby increasing the safety of drivers using the intersection) the permanent residents of Cobb Terrace hereby petition the Town Council to add stop signs at the intersection for all Henderson St traffic. Similar four way stop intersections already exist (established in Code Section 21.13(c)) at approximately one hundred intersections in neighborhoods around town. Please add the North Street/Henderson Street intersection to Section 21.13(c) as soon as possible.

Thank you.

For the Permanent Residents of Cobb Terrace,

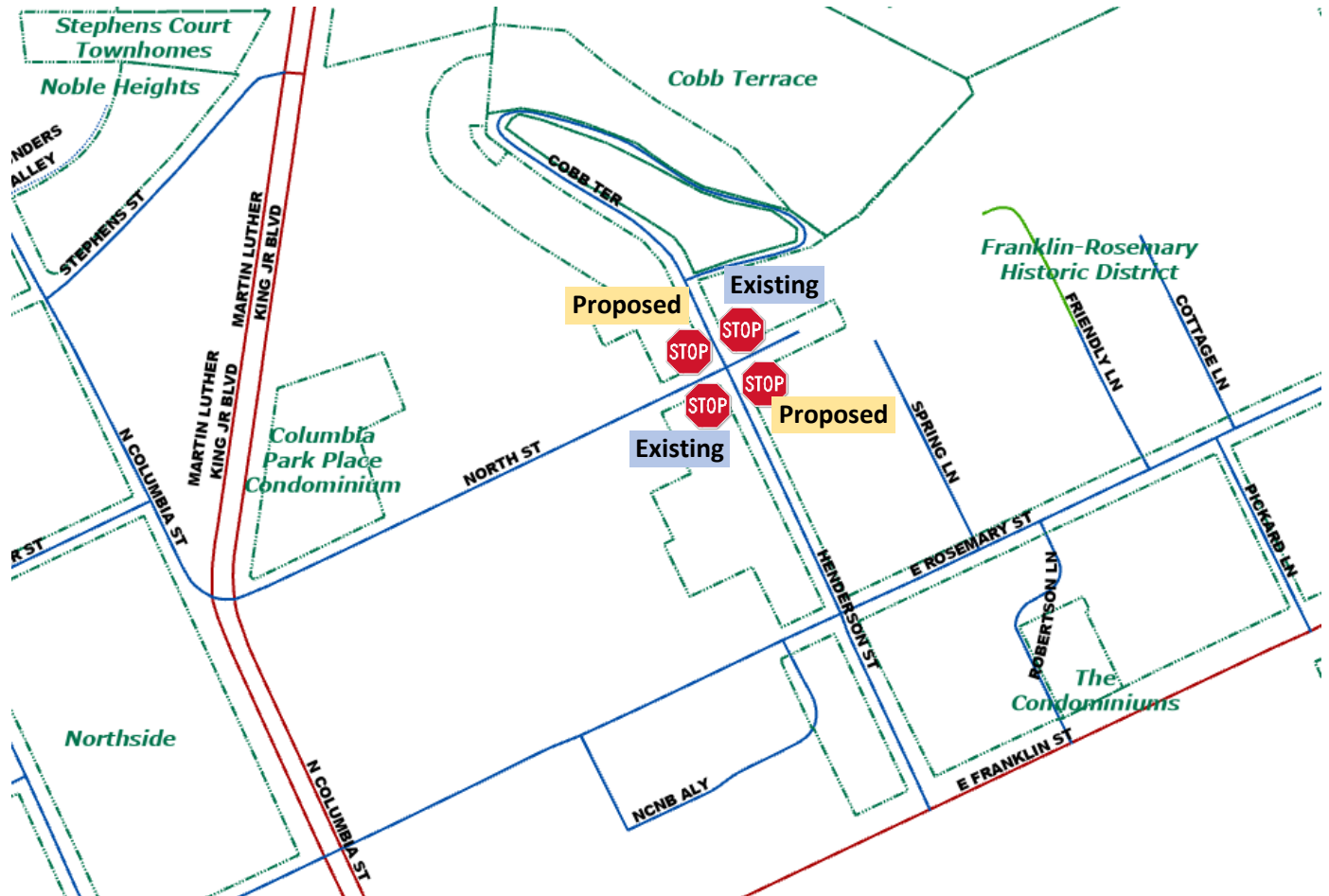
#

Joe Patterson  
7 Cobb Terrace  
Chapel Hill, NC 27514

Tel: 919-818-4741



## HENDERSON STREET AT NORTH STREET AREA MAP







# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 5., **File #:** [23-0447], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Approve the Amended Charter Resolution of Central Pines Regional Council (Formerly Triangle J Council of Governments).**

**Staff:**

Chris Blue, Interim Town Manager

**Department:**

Town Manager

**Overview:** The Central Pines Regional Council (formerly Triangle J Council of Governments) requires the approval of two thirds of its member municipalities to approve the name and logo change.



**Recommendation(s):**

That the Council approve the amended charter resolution of Central Pines Regional Council (formerly Triangle J Council of Governments).

**Key Issues:**

- The Councils of Governments system was created by the State of North Carolina in 1970 and the Triangle J Council of Governments (TJCOG) was designated as the regional entity serving Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties.
- The TJCOG Board of Delegates approved an organization rebrand process in their Fiscal Year 2023 budget.
- The rebrand process, assisted by rebranding consultant, Carrboro Creative, was presented and approved by the TJCOG Executive Committee and Board of Delegates in March 2023.
- The TJCOG governing document requires two thirds of member governments to endorse the rebranding.

**Fiscal Impact/Resources:** None.



**Attachments:**

- Resolution



**A RESOLUTION APPROVING THE AMENDED CHARTER RESOLUTION OF CENTRAL PINES REGIONAL COUNCIL (FORMERLY TRIANGLE J COUNCIL OF GOVERNMENTS) (2023-05-24/R-4)**

WHEREAS, the Councils of Governments system was created by the State of North Carolina in 1970 by Governor Bob Scott designating seventeen Regional Councils to serve across the state and Triangle J Council of Governments (TJCOG), formerly the Research Triangle Regional Planning Commission, as the regional entity serving Chatham, Durham, Johnston, Lee, Moore, Orange, and Wake counties, and the municipalities within those counties; and

WHEREAS, the TJCOG Board of Delegates approved an organization rebrand process in its Fiscal Year 2022-2023 budget to identify and implement a new name, logo, and brand for the organization, and rebranding consultant Carrboro Creative was selected to conduct the process in the Fall of 2022; and

WHEREAS, the proposed rebrand, including a name change from Triangle J Council of Governments to Central Pines Regional Council was presented to the TJCOG Officers, TJCOG Executive Committee, and TJCOG Board of Delegates in December, February, and March of 2023 for consideration; and

WHEREAS, the TJCOG Executive Committee and TJCOG Board of Delegates unanimously approved the name Central Pines Regional Council and approved a proposed amended charter to reflect this change; and

WHEREAS, the charter is TJCOG's governing document and must be endorsed by all member governments when they join the organization and by a minimum of 2/3 when amendments to the document are made.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council does hereby ratify, accept, and approve the amended Charter Resolution reflecting the organization's new name of Central Pines Regional Council.

BE IT FURTHER RESOLVED that the governing body authorizes that the new name will be effective July 1, 2023, or once 2/3 of the member governments approve the Charter amendment, if it is after July 1, 2023.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council approves the amended charter resolution of Central Pines Regional Council (formerly Triangle J Council of Governments).





# TOWN OF CHAPEL HILL

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

## Item Overview

**Item #: 6., File #: [23-0448], Version: 1**

**Meeting Date: 5/24/2023**

### **Authorize the Mayor to Execute a Comprehensive Participation Agreement, A Component of the Orange County Transit Governance Interlocal Agreement.**

**Staff:**

Brian Litchfield, Director  
Caroline Dwyer, Planning Manager

**Department:**

Transit

**Overview:** The Comprehensive Participation Agreement is a component of the recently updated Orange County Transit Governance Interlocal Agreement (ILA). The Transit Governance Interlocal Agreement (ILA) was originally executed in 2012, following the adoption of Orange County's half-cent sales tax for transit. The ILA establishes a governance structure for implementing Orange County's Transit Multi-Year Vision Plan (Transit Plan) and Transit Annual Work Program (Work Program) and is executed by Research Triangle Regional Public Transportation Authority ("GoTriangle"), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization ("DCHC MPO"), and Orange County. The Transit Plan and Work Program describe transit-related projects that will be funded using Orange County Tax District Revenues.

Tax district revenues are collected and disbursed by GoTriangle, as the tax district administrator. A percentage of Orange County's tax district revenues are allocated to Chapel Hill Transit (CHT), a transit service provider in Orange County. Tax district revenues fund important projects including multiyear systemwide service expansions, the purchase of new transit vehicles, the electrification of CHT's fleet, and nearly \$30 million dollars of local funding for the North-South Bus Rapid Transit (NSBRT)'s capital improvement grant.

The governing boards of the three ILA Parties (GoTriangle, DCHC MPO, and Orange County) recently adopted a revised version of the ILA. The updated ILA formalizes requirements for allocating, receiving, and distributing transit tax district revenues to eligible project sponsors, including CHT, in a Comprehensive Participation Agreement (CPA). Many of the CPA's requirements have been followed since the original ILA was adopted in 2012 but were never documented in a formally executed agreement. To remain eligible to implement projects using transit tax district revenues, the Town of Chapel Hill is required to execute the CPA.

The CPA also provides more specific guidance for roles and responsibilities related to the Staff Working Group (SWG), the body that oversees and approves allocation of Orange County's transit tax revenues through the Work Program each year. Since 2012, Chapel Hill staff have participated in the SWG in an advisory role. The updated ILA allows the Town two voting members on the SWG (one staff member representing the Town, generally; one staff member representing Chapel Hill Transit; and one alternate). Staff members are designated by their respective Department Heads. Staff currently participating in an SWG advisory role include Nick Pittman, Transit Assistant Director; Caroline Dwyer, Transit Planning Manager; and Bergen Watterson, Transportation Planning Manager. This is a meaningful change giving the Town's SWG representatives an opportunity to play a more significant role in how transit tax dollars are spent in Orange County. Other jurisdictions gaining voting power include the Town of Carrboro, the Town of Hillsborough, and the City of Mebane (with one voting member each). Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill) will continue to participate on the SWG in an advisory role, with no voting members.



Specific provisions of the CPA include:

- Defining eligibility for participating in the development of Orange County's Transit Annual Work Program
- Defining eligibility for receiving funding generated by Orange County's Transit Tax or other Dedicated Local Transit Funding Sources (administered by GoTriangle or Orange County)
- Documenting all Parties' commitment to implementing the most up-to-date Orange County Transit Annual Work Program and participating in the annual update process
- Defining expectations for:
  - Participating in the Staff Working Group (SWG)
  - Executing implementation agreement(s) for projects in the annual Work Program
  - Implementing projects included in the Annual Work Program
  - Reviewing the Work Program each year to assess project status and reallocate funding, if necessary.



### **Recommendation(s):**

That the Council authorize the Mayor to execute the Comprehensive Participation Agreement.

### **Key Issues:**

- The CPA documents and formalizes processes and procedures that have been followed since the original ILA was adopted in 2012
- The CPA defines the Town's new and more meaningful role as a voting member of the Staff Working Group
- Orange County Transit Tax District Revenues fund important transit projects in Chapel Hill

**Fiscal Impact/Resources:** Approximately 13% of Chapel Hill Transit's budget is generated by Orange County Tax District Revenues, including all the NSBRT's local funding match (20% of total capital project cost).



### **Attachments:**

- Resolution
- Comprehensive Participation Agreement
- Transit Governance Interlocal Agreement (ILA) between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Research Triangle Regional Public Transportation Authority



**A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A COMPREHENSIVE PARTICIPATION AGREEMENT, A COMPONENT OF THE ORANGE COUNTY TRANSIT GOVERNANCE INTERLOCAL AGREEMENT (2023-05-24/R-5)**

WHEREAS, the Research Triangle Regional Public Transportation Authority ("GoTriangle"), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization ("DCHC MPO"), and the County of Orange ("Orange County") adopted the Orange County Transit Governance Interlocal Agreement ("Governance ILA") that creates a governance structure for the implementation of the Orange County Transit Multi-Year Vision Plan by and through the Orange County Transit Annual Work Program; and

WHEREAS, the Governance ILA establishes the Staff Working Group ("SWG"), comprised of staff representatives from the Governance ILA Parties and the Implementation Partners, and charged the SWG with coordinating and recommending the planning and implementation aspects of the Orange County Transit Annual Work Program; and

WHEREAS, Section 2.040 of the Governance ILA formally defines a Comprehensive Participation Agreement ("CPA") establishing standards governing eligibility for inclusion of sponsored Implementation Elements in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources; evidencing acceptance of the most up-to-date Orange County Transit Annual Work Program (now and in the future) and the associated annual update process; and confirming roles in carrying out Staff Working Group (SWG) responsibilities; and

WHEREAS, the Parties to the CPA and the Implementation Partners, have or may have specific roles in public transit implementation and public transit infrastructure support in Orange County, they have determined it is in their best interest and that of their constituents to coordinate future public transit planning, funding, expansion and construction; and

WHEREAS, the Town of Chapel Hill and Chapel Hill Transit require Orange County Transit Tax District revenues to continue providing high-quality transit service now and in the future; and

WHEREAS, to remain eligible to include projects in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources, the Town of Chapel Hill is required to execute the CPA; and

WHEREAS, local Governmental Parties are authorized to enter into this Comprehensive Participation Agreement pursuant to, inter alia, N.C.G.S. 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorize the Mayor to execute the Comprehensive Participation Agreement, a component of the Orange County Transit Governance Interlocal Agreement, between the Town of Chapel Hill, Research Triangle Regional Public Transportation Authority (GoTriangle), Durham-Chapel Hill-Carrboro Metropolitan Planning organization (DCHC MPO), County of Orange, Town of Carrboro, Town of Hillsborough, and City of Mebane, and in coordination with Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill), as described in the May 24, 2023 meeting materials.

This the 24<sup>th</sup> day of May, 2023.



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**Item #: 6., File #: [23-0448], Version: 1****Meeting Date: 5/24/2023**

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

By adopting the resolution, the Council authorizes the Mayor to execute the Comprehensive Participation Agreement, a component of the Orange County Transit Governance Interlocal Agreement, between the town of Chapel Hill, Research Triangle Regional Public Transportation Authority (GoTriangle), Durham-Chapel Hill-Carrboro Metropolitan Planning organization (DCHC MPO), County of Orange, Town of Carrboro, Town of Hillsborough, and City of Mebane, and in coordination with Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill).



**ORANGE COUNTY TRANSIT COMPREHENSIVE PARTICIPATION AGREEMENT  
("PARTICIPATION AGREEMENT")**

**Between**

**TRANSIT GOVERNANCE INTERLOCAL AGREEMENT (ILA) PARTIES:**

**RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION AUTHORITY  
("GoTriangle"), DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN  
PLANNING ORGANIZATION ("DCHC MPO"), and COUNTY OF ORANGE ("Orange  
County")**

**And**

**The TOWN OF CHAPEL HILL, TOWN OF CARBORRO, TOWN OF  
HILLSBOROUGH, and CITY OF MEBANE**

**(All parties collectively referred to herein as "Parties")**

**And Parties will further coordinate with**

**IMPLEMENTATION PARTNERS:**

**TRIANGLE J COUNCIL OF GOVERNMENTS ("TJCOG"), and UNIVERSITY OF  
NORTH CAROLINA, CHAPEL HILL ("UNC Chapel Hill")**

**As current and/or future partners through specific project agreements that shall  
incorporate the terms of this document**

**WITNESSETH:**

**WHEREAS**, the Parties to this Agreement and the Implementation Partners, have or may have specific roles in public transit implementation and public transit infrastructure support in Orange County, they have determined it is in their best interest and that of their constituents to coordinate future public transit planning, funding, expansion and construction; and

**WHEREAS**, in conjunction with the Orange County Transit Multi-Year Vision Plan, the Governance ILA Parties adopted the Orange County Transit Governance Interlocal Agreement ("Governance ILA") that creates a governance structure for the implementation of the Orange County Transit Multi-Year Vision Plan by and through the Orange County Transit Annual Work Program; and

**WHEREAS**, the Governance ILA establishes the Staff Working Group ("SWG"), comprised of staff representatives from the Governance ILA Parties and the Implementation Partners, and charged the SWG with coordinating and recommending the planning and implementation aspects of the Orange County Transit Annual Work Program; and



**WHEREAS**, the Parties, and the Implementation Partners intend to implement an inclusive and cooperative process to continuously develop and improve the Orange County Transit Multi-Year Vision Plan. They will further develop a public involvement plan to guide the Parties' and SWG's coordinated efforts for engagement aligned with federal, state and local policies and guidelines; and

**WHEREAS** the Parties and Partners collectively make recommendations, develop and review the Orange County Transit Annual Work Program; and

**WHEREAS** the Parties have a formal role in approving the Orange County Transit Annual Work Program through structured representation on the Orange County Board of Commissioners, DCHC MPO Board, and GoTriangle Board of Trustees as the ILA defines their oversight and jurisdiction regarding the Orange County Transit Annual Work Program development and implementation; and

**WHEREAS**, this Participation Agreement serves as the Comprehensive Participation Agreement as formally defined in Section 2.040 in the Governance ILA to establish standards that will govern the Parties' and Partners' eligibility for inclusion of sponsored Implementation Elements in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources; evidence of the Parties' acceptance of the most up-to-date Orange County Transit Annual Work Program (now and in the future) and the associated annual update process; and confirm the Parties' roles in carrying out Staff Working Group (SWG) responsibilities; and

**WHEREAS**, local Governmental Parties are authorized to enter into this Participation Agreement pursuant to, inter alia, N.C.G.S. 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449; and

**NOW THEREFORE**, in consideration of the above recitals and the mutual covenants herein contained, the Parties hereto agree as follows:

## **ARTICLE 1**

### **PURPOSE, SCOPE & LIMITATION OF AUTHORITY, RESPONSIBILITIES, TERM & EFFECTIVE DATE**

**1.01 Purpose.** The Parties hereby recognize that the Orange County Transit Multi-Year Vision Plan, as implemented by the Orange County Transit Annual Work Program, will be the guidance document for Orange County public transit investment with Local Government Public Transportation Sales Tax Act revenue and other Locally Dedicated Transit Funding Sources, as identified in the Orange County Transit Multi-Year Vision Plan. This Agreement



establishes standards for all Parties and Partners who desire to receive project funding from Dedicated Local Transit Funding Sources identified in the Orange County Transit Multi-Year Vision Plan. This Participation Agreement also confirms the Parties' respective roles for future planning, design, funding, and implementation of the Orange County Transit Multi-Year Vision Plan via their roles and responsibilities within the Staff Working Group (SWG).

**1.02 Scope & Limitation of Authority.** This Participation Agreement is limited to the purposes enumerated herein. No Party has the right to expand, abridge, limit or constrain the authority or actions of Orange County, GoTriangle, or the DCHC MPO or the SWG created by the Governance ILA with respect to the administration of the Orange County Transit Multi-Year Vision Plan, except as specifically agreed to herein. Nothing herein grants funding for any Implementation Element (defined herein in Article II) to any Party. Further, any Party receiving Dedicated Local Transit Funding Source revenue for an Implementation Element is wholly responsible for the completion of that element as set forth by future project or other specific agreements between such individual Parties. The Parties hereby recognize that the official governance and oversight for the Orange County Transit Multi-Year Vision Plan according to the terms of the Governance ILA and this Participation Agreement remains entirely with Orange County's Board of Commissioners, DCHC MPO's Policy Board, and the GoTriangle Board of Trustees.

**1.03 Responsibilities of the Governance ILA Parties.** The Governance ILA Parties have the responsibilities and duties set out in the Governance ILA.

**1.04 Responsibilities of the Participant Parties and Implementation Partners.** The Participant Parties shall:

- (a) Provide staff to serve on the SWG if designated as an SWG member in the Governance ILA; and
- (b) Negotiate and enter into Global/Capital Funding Agreement(s) and/or Global/Operating Agreement(s) for any project (using the Work Program Project Code as a unique identifier).
- (c) Receive dedicated Local Transit Funding Sources identified in the Orange County Multi-Year Transit Vision Plan for Implementation Elements identified within the Orange County Transit Annual Work Program in accordance with the agreements negotiated in (b).

**1.05 Term & Effective Date.** This Participation Agreement becomes effective upon approval and execution by the Parties ("Effective Date"). The Term of this Participation Agreement shall be from the Effective Date through a period of seventeen (17) years unless otherwise amended by the prior express written agreement of the Parties.



## **ARTICLE 2**

### **DEFINITIONS**

2.01 "CAPITAL FUNDING AGREEMENT:" An agreement between agencies to provide a specified amount of funding for an Implementation Element. Any such agreement will include details of the capital improvements to be provided and detail expectations on Orange County Transit Annual Work Program resource funding, responsibilities, schedule, reporting and performance and shall adhere to any and all standards outlined in specific project worksheets through the Orange County Transit Annual Work Program.

2.02 "CAPITAL PROJECTS ORDINANCE:" The annual financial ordinance for the Orange Transit major capital fund pursuant to N.C.G.S. Chapter 159, tied to the multi-year Capital Improvement Plan, the Annual Capital Budget, and planned capital project funding agreements that implement needed capital projects.

2.03 "COMPONENT UNIT or SEPARATE COMPONENT UNIT:" A unit of local government within the Tax District that has administrative responsibility for the budget adoption, operation or, management of specified transit services and associated supporting implementation elements. The component unit is required to report Orange County Transit Plan Revenues, including Dedicated Local Transit Funding Sources, expenditures and fund balance in columns separate from the component's financial data in its annual audited statements.

2.04 "GOVERNANCE INTERLOCAL AGREEMENT" or "GOVERNANCE ILA:" The Transit Governance Interlocal Agreement dated March 8, 2023 between Research Triangle Regional Public Transportation Authority ("GoTriangle"), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization ("DCHC MPO"), and Orange County for implementing public transit services and projects in the fiscally constrained Orange County Transit Multi-Year Vision Plan. This Governance ILA is included as Exhibit A to this Agreement.

2.05 "IMPLEMENTATION ELEMENT:" A discrete project, operation, or study or a discrete logical grouping of projects, operations, or studies tracked separately by the Orange County Transit Annual Work Program.

2.06 "IMPLEMENTATION PARTNERS:" The listed signatories to this agreement who are non-voting members of the Orange County SWG. These implementation partners have roles supporting implementing elements of the Orange County Transit Annual Work Program. These partners fulfill their roles and responsibilities as outlined in specific project agreements to deliver approved implementation elements in the Orange County Transit Annual Work Program along with the Dedicated Local Transit Funding Sources approved in these project specific agreements.

2.07 "MAJOR FUND:" A fund as defined by the Governmental Accounting Standards Board ("GASB"), is reported in a separate column in the basic fund financial statements and is subject to a separate audit opinion in the independent auditor's report. The Tax District shall



report at a minimum Major Fund for the Orange County Transit Annual Work Program Operating Funds and a Major Fund for the Orange County Transit Annual Transit Work Program Capital Funds.

2.08 "MULTI-YEAR CAPITAL IMPROVEMENT PLAN" ("CIP"): A multi-year document that identifies projected capital projects by year, project sponsors responsible for undertaking these projects, the financial costs, and anticipated funding sources, and projected operating costs associated with those projects. The CIP shall be coordinated with the Metropolitan Transportation Plan, the Transportation Improvement Program, and the annual program of projects developed and maintained by the DCHC MPO which is the designated recipient of federal formula transit grants. The plan shall be consistent with submittal deadlines for the Transportation Improvement Program and the horizon years of the Metropolitan Transportation Plan.

2.09 "MULTI-YEAR SERVICE IMPLEMENTATION PLAN:" A document or documents that detail how transit services, including expansion and reduction, are to be operated and maintained over a specific number of years. The plan(s) shall detail timing and schedule, justifications for implementation decisions, and public involvement steps. Different transit operators may have different plans for implementation, but the different plans must be coordinated with respect to anticipated funding, public outreach, and the extent to which the different operator's plans connect services between them.

2.10 "OPERATING AGREEMENT:" An agreement or operating plan between one or more Parties or Implementation Partners, the Tax District and others as needed to provide an Implementation Element. The agreement shall state the details of the service to be provided and detail expectations on funding, responsibilities, schedule, and performance and shall adhere to any and all standards outlined in specific project worksheets through the Orange County Transit Annual Work Program.

2.13 "OPERATING BUDGET ORDINANCE" The annual financial budget ordinance for the Orange Transit major operating fund pursuant to N.C.G.S. Chapter 159. The ordinance includes the funds for the operations of implementation elements identified in the Orange County Transit Annual Work Program, allocations for reserves, and transfers to other major funds identified by the Component Unit (ex. Orange Transit). The Operating Budget Ordinance must include the Component Unit's general administrative expenses designated separately from a Project's Operating Funds.

2.14 "SPECIAL DISTRICT" or "TAX DISTRICT:" Any tax district administered by GoTriangle pursuant to authorizing resolutions and N.C.G.S. 105-508 *et seq.* or N.C.G.S. 105-561 *et seq.* to which Orange County is a member, now or in the future.

2.15 "STAFF WORKING GROUP" or "SWG:" The committee as created by the Governance ILA. The SWG is jointly charged by all parties to this Agreement, including the Implementation Partners, to coordinate and develop the Orange County Transit Annual Work



Program, the Orange County Transit Multi-Year Vision Plan, and serve in an advisory role to the Orange County Board of Commissioners, DCHC MPO Board, and GoTriangle Board of Trustees in their review consideration, and approval of these two documents.

2.16 **SUBCOMPONENT UNIT:** The subcomponent unit is required to report its financial information as aggregated at the COMPONENT UNIT level and not separately stated. Durham County Transit Plan Revenues, including Dedicated Local Transit Funding Sources, expenditures and fund balance in columns separate from the component's financial data in its annual audited statements.

2.17 **"DEDICATED LOCAL TRANSIT FUNDING SOURCES:"** All revenues derived from transit funding sources designated for use in the Orange County Transit Multi-Year Vision Plan. These shall include but are not limited to items defined through the Governance ILA in Section 2.012.

2.18 **"TRANSIT PLAN" or "MULTI-YEAR VISION PLAN:"** The comprehensive multi-year vision plan for transit operating and capital needs over a period of time of at least the next 4 years through coordination with the DCHC MPO Metropolitan Transportation Plan adoption process and shall also be prepared by the SWG for approval by appropriate governing boards, which shall include all the separate components, as further defined in the Governance ILA in Section 2.038.

2.19 **"ORANGE COUNTY TRANSIT ANNUAL WORK PROGRAM" or "WORK PROGRAM:"** shall mean the comprehensive annual program for transit capital and operations annually presented by the SWG which shall include the separate components further defined in the Governance ILA in Section 2.011.

2.20 **"GLOBAL AGREEMENT:"** An Operating or Capital Funding agreement that encompasses a discrete logical grouping of capital projects, transit operations, or studies.

### **ARTICLE 3 STAFF WORKING GROUP**

3.01 **Scope & Authorization.** The Governance ILA establishes and enables the Staff Working Group. The Parties confirm their commitment to serve on the SWG and to carry out their SWG membership responsibilities by executing this participation agreement.

3.02 **Membership.** SWG Membership includes voting & non-voting categories

- a) Voting members: two (2) staff persons appointed by each of the Governance ILA Parties; two (2) staff persons appointed by the Town of Chapel Hill; one (1) staff person appointed by the Town of Carrboro, Town of Hillsborough, and City of Mebane
- b) Non-Voting members: Each of the Implementation Parties must appoint one (1) staff person



- c) Each member may designate one (1) alternate empowered to fully participate in the SWG in the absence of the appointed staff person.

**3.03 Bylaws.** The SWG must enact bylaws. The SWG bylaws will govern quorum and voting standards, SWG operations and responsibilities, and, scheduling of efforts to develop the Orange County Transit Annual Work Program and the Orange County Transit Multi-Year Vision Plan.

**3.04 SWG Responsibility for the annual Orange County Transit Annual Work Program.** Subject to the Governance ILA, the SWG shall develop annual recommendations for the review and approval of the governing bodies. This work program approval process is documented in Article VII of the Governance ILA. Recommendations shall be developed for each of the following Orange County Transit Annual Work Program components:

- (a) Annual Work Program, including all the separate elements defined in Section 2.011 of the Governance ILA
- (b) Multi-Year Service Implementation & Capital Improvement Plans
- (c) Templates containing minimum standards for project and financial reports
- (d) Designation of project sponsors (agencies responsible for each respective capital and operating project), including agencies responsible for each Implementation Element;
- (e) A strategy for each Implementation Element which includes a scope, schedule, project boundaries, an estimated budget, specifies the sponsoring agency/jurisdiction, purpose and goals and (*defines the standard for individual project/Implementation Element worksheets*)
- (f) An articulated strategy for incorporating or accounting for public outreach, involvement, and communication with all components in the annual work program.
- (g) Facilitation to transcribe project worksheets (composition outlined in 3.04(e) above) into Global/Project Agreements.

The SWG shall reference the fiscal year 2024 Work Program Development process, which is to be recognized as the baseline for future work program development cycles and corresponding global/project agreement needs, as long as this Agreement and Governance ILA serve as the governing documents for county transit plan implementation efforts.

**3.05 SWG Responsibility for Engagement with Elected Officials.** The SWG shall schedule touchpoints on an annual basis with appropriate bodies of elected officials who either serve as a governing board through the Governance ILA or are responsible for a project(s) through the Orange County Transit Annual Work Program. These touchpoints shall be scheduled to allow for elected officials to:

- (a) Provide feedback on the draft Annual Work Program
- (b) Receive as information, and provide feedback as necessary, regarding progress reports developed on a quarterly basis.



**3.06 Non-Delegation.** The SWG cannot delegate its responsibility to review and present the documents and products defined in Section 3.04.

**3.07 Right to Inspect.** All Parties to this Participation Agreement, or their authorized representative(s), shall have the right to inspect, examine, and make copies of project work products as they deem necessary for the operation and day-to day business of the SWG or as specifically requested by formal action of any one of the parties' governing bodies. The SWG shall maintain all its records in a manner which facilitates review by the Parties and Implementation Partners.

## **ARTICLE IV ELIGIBILITY FOR ORANGE COUNTY TRANSIT TAX REVENUE FUNDING**

**4.01 Requirements for Inclusion in the Orange County Transit Annual Work Program.** Only Parties in good standing to this Participation Agreement, Implementation Partners recognized through the Staff Working Group, or other partners as deemed critical, may request inclusion of an Implementation Element in the Orange County Transit Annual Work Program. The Parties agree that the terms and conditions of this agreement are pre-requisites to requesting and receiving Orange County Transit Tax Revenues funding allocations.

**4.02 Implementation.** An Operating or Capital Project Funding Agreement shall be required to support each implementation element submitted by each project sponsor identified in the Orange County Transit Annual Work Program except as specified in Section 4.03. Parties to this Comprehensive Participation Agreement shall endeavor to develop global-level agreements with appropriate timeframes for each project sponsor seeking to implement operating or capital projects. These agreements must be prepared prior to distributing funds and starting the Project(s). All Operating or Capital Project Funding Agreements shall have at least two signatories from appropriate parties and shall also adhere to the requirements further defined in Section 7.07 of the Governance ILA. Signatory authorizations to any Global/Project Agreements shall be determined by the minimum financial threshold by any party to such agreement.

**4.03 Grace Period for Legacy Projects.** Active project supported by Orange County Transit Plan Revenues or other Dedicated Local Transit Funding Sources at the time of execution of this Agreement and projects in the adopted Fiscal Year 2024 Work Program shall be eligible for continued funding through the end of Fiscal Year 2024 (Grace Period). If a global/operating or global/capital project funding agreement that conforms to the conditions in this Agreement is not in place prior to the start of Fiscal Year 2025, the project shall no longer be eligible for ongoing/additional funding until such Agreement is in place.

**4.04 Capital/Operating Agreement Development.** Each Capital Funding Agreement and Operating Agreement entered into by any of the Parties or the Partners must contain all components defined in this Participation Agreement. If any Implementation Agreement involves federal or state funding must in addition contain those elements required to maintain eligibility for such funds.



**4.05 Capital Improvement Program (CIP) Review.** Each year's work program development process shall include a review of the CIP to determine which, if any, projects no longer meet the needs of the overall transit plan. Goal for this would be to remove such project(s) and reallocate funding as necessary to other areas of need.

**4.06 Good Faith Effort.** For any Party to this Agreement, or any involved Implementation Partner, that is unable to deliver a project as included in the Annual Work Program due to issues outside their control, Parties to a specific Project Agreement will work with the Staff Working Group through good faith to determine appropriate action to help resolve issues and facilitate delivery of said project. Parties shall reference supporting Orange County Transit Financial Policies and Procedures to guide the resolution process.

## **ARTICLE V**

### **SUPPLANTATION/SUPPLEMENTATION**

5.01 As of the Effective Date of this Participation Agreement, N.C.G.S. § 105-508.2 and N.C.G.S. § 105-564 require that Special District net tax proceeds must supplement and not supplant existing public transportation systems' funds or other resources as defined in Section 2.012 of the Governance ILA. The Parties acknowledge that the only funds subject to these requirements as of the execution of this Participation Agreement are:

- (a) Local Government Sales and Use Taxes for Public Transportation (N.C.G.S. 105-506:514) which is levied at its maximum allowable rate of one-half (1/2%) percent (*non-supplantation cited in N.C.G.S. 105-507.3.b*);
- (b) Regional Transit Authority Registration Tax (N.C.G.S. 105-560:569) which is levied at its maximum amount of \$8.00 per year with \$3.00 of each \$8.00 collected allocated locally to Orange County (*non-supplantation cited in N.C.G.S. 105-564*).

5.02 All Parties may pursue additional state and federal funding sources, which are not controlled locally, when appropriate for implementation of eligible projects. The use of existing funds or other resources, including state and federal funds, must be documented and made publicly available as a condition of receiving Orange County Transit Tax Revenue or other Locally Dedicated Transit Funding Sources. To the extent permitted by law, any audits required as a condition of receiving the identified funding sources shall be available for public inspection as well.

5.03 The most recently audited and reported local fiscal year prior to the January 15, 2012 of the one half (½%) percent Public Transportation Sales Tax Act local option sales and use tax as defined by N.C.G.S. 105-508 is the baseline for comparing all Parties' annual budgets for the Agreement.

5.04 Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control transportation projects pursuant to enumerated authority or funding sources separate from the authority and funding sources outlined in this Participation Agreement.



5.05 All Parties shall work together in good faith to determine if the Participation Agreement's intent and purpose can be accomplished by executing necessary Amendments if statutory language in or judicial interpretation of N.C.G.S 105-508.2 or N.C.G.S 105-564 changes after Participation Agreement, execution.

## **ARTICLE VI**

### **AMENDMENT, TERMINATION AND NOTICE**

6.01 **Amendment.** This Participation Agreement may be amended to add or remove Parties or to change content. After the Effective Date of this Participation Agreement, any Eligible Participant Party or Governance ILA Party may become a Party to this Participation Agreement upon execution of the Participation Agreement by an authorized designee of that Party's governing board (or equivalent). If any Party proposes to amend Participation Agreement content, then the proposed amendment and the reasons for the proposed amendment must be communicated in writing to the SWG. All the Parties that have executed the Participation Agreement must adopt the amendment. The Parties will conduct a review of the Agreement at least every four (4) years to consider any desired updates through the Agreement through the Amendment process. If any Party desires to amend the Agreement outside the four (4) year review cycle, then the proposed amendment and the reasons for the proposed amendment shall be communicated in writing to the other Parties. If the Parties agree to the proposed amendment, then the amendment shall be affected by entering a written amendment to the Agreement. An amendment that does not change the substantive or financial commitments of the Agreement may be executed by the Durham County Manager, the DCHC-MPO Executive Director, and the GoTriangle Chief Executive Officer. Any other amendment to the terms of this Agreement to be effective must be in the form of a written instrument properly authorized and executed by the governing boards of each Party to this Agreement.

6.02 **Termination upon a year's notice.** Any Party may terminate its obligations to this Participation Agreement by giving written notice of intent to terminate to the other Parties at least one (1) year prior to the effective termination date. A withdrawing Party must fulfill all obligations and duties of their Implementation Agreements unless such Agreements are terminated in accordance with their provisions. Any Party terminating participation is ineligible for future Orange County Transit Tax Revenue Funding or other Locally Dedicated Transit Funding Sources for any Implementation Element until and unless the Party re-enters into the Participation Agreement.

6.03 **Cooperation Provisions.** In the event of a termination, the terminating Party must fulfill existing and unperformed obligations until the effective termination date. The Participation Agreement remains in effect for the remaining Parties. The non-withdrawing Parties, beginning at the time notice of termination is received, shall work together in good faith to determine if the Participation Agreement's intent and purpose can be accomplished by executing necessary amendments and/or adding necessary Parties to perform the executory obligations of the withdrawing Party.



6.04 **Notice.** Any written or electronic notice required by this Participation Agreement shall be delivered to the Parties at the following addresses, with a copy where designated for each party, which copy shall not in and of itself constitute notice:

For DCHC MPO:

Durham Chapel Hill Carrboro Metropolitan Planning Organization  
Executive Director  
101 City Hall Plaza  
Durham, NC 27701

For GoTriangle:

GoTriangle General  
President/CEO  
PO BOX 13787  
Research Triangle Park, NC 27709

with a copy to:

GoTriangle General Counsel  
PO Box 13787  
Research Triangle Park, NC 27709

For the Town of Hillsborough:

Town of Hillsborough  
Attn: Town Manager  
PO Box 429  
Hillsborough, NC 27278

with a copy to:

Town of Hillsborough  
Attn: Town Attorney  
PO Box 429  
Hillsborough, NC 27278

For the Town of Carrboro:

Town of Carrboro  
Attn: Town Manager  
301 W Main Street  
Carrboro, NC 27510

with a copy to:

Town of Carrboro  
Attn: Town Attorney  
301 W Main Street  
Carrboro, NC 27510



For the Town of Chapel Hill:

Town of Chapel Hill  
Attn: Town Manager  
405 Martin Luther King Jr Blvd  
Chapel Hill, NC 27514

with a copy to:

Town of Chapel Hill  
Attn: Town Attorney  
405 Martin Luther King Jr Blvd  
Chapel Hill, NC 27514

For the City of Mebane:

City of Mebane  
Attn: City Manager  
106 East Washington Street  
Mebane, NC 27302

with a copy to:

City of Mebane  
Attn: City Attorney  
106 East Washington Street  
Mebane, NC 27302

For Orange County:

Orange County  
Attn: County Manager  
300 West Tryon Street  
PO Box 8181  
Hillsborough, NC 27278

with a copy to:

Orange County Attorney  
300 West Tryon Street  
PO Box 8181  
Hillsborough, NC 27278



## ARTICLE VII MISCELLANEOUS PROVISIONS

**7.01 Representations and Warranties.** The Parties each represent, covenant, and warrant for the other's benefit as follows:

- (a) Each Party has all necessary authority to enter into this Participation Agreement and to conduct the processes created by this Participation Agreement. This Participation Agreement has been executed by each Party's governing body. This Participation Agreement is a valid and binding obligation of each Party.
- (b) To the knowledge of each Party, the execution and delivery of this Participation Agreement, the fulfillment of or compliance with its terms and conditions, and/or completing transactions conducted within this Participation Agreement results in a breach of the terms, conditions and provisions of any agreement or instrument to which a Party is now a party or by that it is bound or constitutes a default.
- (c) To the knowledge of each Party, there is no litigation or other court, or administrative proceeding pending or threatened affecting the Party's rights to execute or deliver this Participation Agreement or to comply with its obligations under this Participation Agreement.
- (d) Neither such Party's execution and delivery of this Participation Agreement, nor its compliance with its obligations under this Participation Agreement, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.
- (e) The Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Participation Agreement.

**7.02 Agreement Related Dispute Resolution.** It is the desire and intent of the Parties to resolve any disputes in a collaborative manner and to avoid, if possible, the expense and delay of litigation. In the event that any Party cannot resolve an issue with another Party under this Agreement, the affected party shall engage in the following process:

- (a) Any Party may give written notice to another Party or Parties of any dispute not resolved in the ordinary course of business. Within ten (10) business days after delivery of the written notice by regular or electronic mail, the receiving Party(ies) shall submit a written response to the disputing Party and designate in the notice a representative who will represent that Party in the negotiation to resolve the dispute. If a third-party mediator is necessary, the Party providing initial written notice will indicate as such in the notice and seek confirmation/approval by the receiving parties in written response. It shall be the responsibility of the Party giving notice to cover any costs related to any third-party mediator once confirmed/approved by the receiving parties.
- (b) Within ten (10) business days of receiving the response, the appointees of the disputing and receiving Parties shall meet at a mutually acceptable time and place, and thereafter, as often as necessary to resolve the dispute.



- (c) All reasonable requests for information made by one Party to the other shall be honored in a timely fashion to permit constructive discussion.
- (d) The duty to engage in dispute resolution is a material part of this Agreement enforceable by equitable relief.
- (e) Upon failure to resolve a dispute through the steps outlined in this Agreement, any Party may engage in other dispute resolutions processes agreed upon by the Parties or pursue any legal or equitable remedies available.

**7.03 Waivers of Non-Compliance with Participation Agreement.**

- (a) No provision of this Participation Agreement may be waived once the grace period as defined in Section 4.03, as applied to Legacy Projects, has concluded.
- (b) Any waiver of a provision or provisions of this document must be formally executed in accordance with section 7.07 of this Participation Agreement.
- (c) The failure of any Party to require timely compliance with this agreement or another agreement executed based upon this agreement shall not affect the right of the other Party to enforce the provisions of the agreement.
- (d) No waiver or acquiescence by a Party to any breach of any provision of an agreement is to be taken as authorization or a waiver to commit any subsequent breach of that provision or any other provision.

**7.04 Governing Law.** The parties intend that this Participation Agreement be governed by the law of the State of North Carolina. Proper venue for any action shall solely be Orange County.

**7.05 Assignment.** No Party may sell or assign any interest in or obligation under this Participation Agreement without the prior express written consent of the other Parties.

**7.06 Independence of the Parties.** Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control Implementation Elements pursuant to enumerated authority or funding sources separate from those outlined in this Participation Agreement.

**7.07 Execution in Counterparts/Electronic Version of Participation Agreement.** This Participation Agreement may be executed via the use of counterparts. Any Party may convert the fully executed Participation Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for record retention purposes. Such electronic record of the Participation Agreement shall be deemed for all purposes to be an executed Participation Agreement.

**7.08 No Waiver of Sovereign Immunity.** Nothing in this Participation Agreement shall be construed to mandate purchase of insurance by Orange County pursuant to N.C.G.S. 153A-435 or purchase of insurance by any municipality pursuant to N.C.G.S. 160A-485; or to in any other



way waive any Party's defense of sovereign or governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law.

**7.09 No Waiver of Qualified Immunity.** No officer, agent or employee of any Party shall be subject to any personal liability by reason of the execution of this Participation Agreement or any other documents related to associated transactions. Such officers, agents, or employees execute this Participation Agreement in their official capacities only and not in their individual capacities. This section shall not relieve any such officer, agent, or employee from the performance of any official duty provided by law.

**7.10 Verification of Work Authorization; Iran Divestment Act.** All Parties, and any permitted subcontractors, must comply with Article 2, Chapter 64, of the North Carolina General Statutes. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

**7.11 Third-Party Beneficiaries.** There are no third-party beneficiaries to this Participation Agreement.



The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the Orange County Board of Commissioners by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:****ORANGE COUNTY, NORTH CAROLINA**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_  
Commissioners

TITLE: Chairperson, Board of County

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:****DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: Chairperson, Durham-Chapel Hill-Carrboro  
Metropolitan Planning Organization Board

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the GoTriangle Board of Trustees by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:****RESEARCH TRIANGLE REGIONAL PUBLIC  
TRANSPORTATION AUTHORITY D/B/A  
GOTRIANGLE**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: Chairperson, Board of Trustees



The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the Town of Chapel Hill Town Council by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**TOWN OF CHAPEL HILL, NORTH CAROLINA**

BY: \_\_\_\_\_

TITLE: Chairperson, Town Council

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the Town of Carrboro Town Council by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**TOWN OF CARRBORO, NORTH CAROLINA**

BY: \_\_\_\_\_

TITLE: Chairperson, Town Council

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the Town of Hillsborough Board of Commissioners by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:**

**CAROLINA**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**TOWN OF HILLSBOROUGH, NORTH**

BY: \_\_\_\_\_

TITLE: Chairperson, Board of Commissioners

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was \_\_\_\_\_ by the City of Mebane Town Council by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:**

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

**CITY OF MEBANE, NORTH CAROLINA**

BY: \_\_\_\_\_

TITLE: Chairperson, City Council



**Transit Governance**  
**Interlocal Agreement**  
**Between**  
**Orange County**  
**Durham-Chapel Hill-Carrboro Metropolitan Planning Organization**  
**And**  
**Research Triangle Regional Public Transportation Authority**

This Interlocal Agreement (the “Agreement”), is entered into this \_\_\_\_ day of \_\_\_\_\_ 2023, by and between Orange County, North Carolina, a public body politic and corporate of the state of North Carolina (hereinafter “Orange County”), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, a metropolitan planning organization (hereinafter “DCHC MPO” or “MPO”) and Research Triangle Regional Public Transportation Authority d/b/a GoTriangle, a public body politic and corporate of the State of North Carolina; each individually referred to as a “Party” and collectively referred to herein as “the Parties”;

Witnesseth:

Whereas, Orange County, DCHC MPO and GoTriangle, all of which have specific roles in the implementation of public transit in the Orange County area, have determined that it is in their best interest to coordinate public transit planning, funding, expansion, and construction; and

Whereas, GoTriangle is a regional public transportation authority created in accordance with the provisions of N.C.G.S 160-603 *et seq.* by concurrent resolution of Durham, Orange and Wake counties and duly incorporated as a body corporate and politic and vested with the general powers set forth in N.C.G.S. Chapter 160A Article 26; and

Whereas, DCHC MPO is the Metropolitan Planning Organization for the Durham-Chapel Hill-Carrboro Urbanized Area, established pursuant to 23 U.S.C. 134 *et seq.* and recognized under the laws of North Carolina pursuant to N.C.G.S. 136-200.1; and

Whereas, Orange County is a body politic and corporate vested with the corporate powers set forth in N.C.G.S 153A-11; and

Whereas, GoTriangle, DCHC MPO and Orange County, among others, are parties to an agreement signed in 2016 titled “Agreement setting Forth the Mutual Understanding of the Parties as to the Scope and Content of the Financial Plan”, which defined the creation of the Triangle Tax District; and

Whereas, GoTriangle serves as the regional public transportation authority that administers the Triangle Tax District pursuant to N.C.G.S 105-508; and



Whereas, the Parties to this Agreement, in collaboration with local partners and stakeholders, shall carry out the implementation of the Orange County Transit Multi-Year Vision Plan, which shall include an approved financial plan pursuant to N.C.G.S 105-508.1; and

Whereas, the Parties pursuant to the authority of N.C.G.S. 160A-461 *et seq.* are authorized to enter into this Agreement and joint planning and implementation efforts in order to pursue the above stated goals.

Now Therefore, for and in consideration of the promises and covenants contained in this Agreement and the mutual benefits derived therefrom, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

## Article I

### Purpose and Scope

- 1.01 **Purpose.** The purpose of this Agreement is to provide a plan of governance that will efficiently, effectively, and equitably implement public transit services and projects as set forth in the Orange County Transit Multi-Year Vision Plan (see 2.038 for definition) and associated Orange County Transit Annual Work Programs (see 2.011 for definition). This Agreement will also guide updates and amendments to the Orange County Transit Multi-Year Vision Plan which include the planning, design, funding, implementation, and operation of transit services; reporting expectations; and resolution of issues.
- 1.02 **Scope.** The scope of this Agreement shall be the governance of the planning, financing, and implementation of the Orange County Transit Multi-Year Vision Plan, as it may be amended from time to time as provided for herein.
- 1.03 **Objective.** The objective of this Agreement is to create a governance structure to successfully meet the purposes of this agreement.

## Article II

### Definitions

- 2.01 “Annual Capital Budget” shall mean the upcoming year of the multi-year Capital Improvement Plan (CIP) which is enacted by adoption of the capital projects ordinance pursuant to N.C.G.S. Chapter 159. This budget shall include the allocation of financial resources to specific project sponsors for specific projects. Appropriations that are made pursuant to the Annual Capital Budget shall be budgeted to project elements such as, but not limited to, infrastructure projects or vehicle rolling stock (depreciable items) in a multi-year major fund such that funding does not revert to available capital fund balance at the end of the fiscal year.
- 2.02 “Annual Operating Budget” shall mean the upcoming year of the annual operating program, which is enacted by the adoption of the operating projects ordinance pursuant to N.C.G.S. Chapter 159. This budget shall include the allocation of financial resources to specific project sponsors for specific projects. Appropriations that are made pursuant to the Annual Operating Budget shall be budgeted to elements such as, but not limited to, elements to support the operations, maintenance, and administrative oversight of public transportation services and the



overhead costs related to Tax District functions. The annual operating budget shall be budgeted by major fund. The annual operating budget shall also contain the annual administrative functions, the details of which shall be provided independently of operating costs associated with transit operating projects.

- 2.03 “Annual Orange Transit Report” shall mean a report that provides information regarding meeting strategic public transit objectives and includes the performance achieved, the strategies being followed, and performance targets and key milestones for capital projects and operating services.
- 2.04 “Annual Work Program Development Calendar” shall refer to the agreed upon schedule that is developed at the start of each fiscal year. This schedule outlines critical milestone-dates for which elements supporting the Annual Work Program are to be developed, drafted, and coordinated for review and approval by the SWG, and presented as information to all governing boards that are parties to this agreement.
- 2.05 “Audited Financial Statements” shall refer to financial statements which have been audited by a Certified Public Accountant and for which an opinion has been expressed to meet US generally accepted accounting principles or principles adopted by Governmental Accounting Standards Board (GASB) and prepared in accordance with N.C.G.S. 159-34.
- 2.06 “Capital Funding Agreement” shall mean an agreement between agencies to provide funding supporting an Implementation Element for specified capital improvements. Any such agreement will include details of the capital improvements to be provided and detail expectations on Orange County Transit Annual Work Program resource funding, responsibilities, schedule, and performance and shall adhere to any and all standards outlined in the supporting Comprehensive Participation Agreement.
- 2.07 “Capital Projects” shall mean purchase of land or interests in land; purchase, construction or demolition of buildings or other physical facilities; purchase of services of architects, engineers, as well as other studies; site improvements or development necessary for the implementation of transit projects; purchase or installation of fixed or moveable equipment necessary for the installation and operation of transit services; rolling stock or vehicles as defined by the Federal Transit Administration; corridor and project planning studies; infrastructure projects; and information technology costs that result in a long-term asset.
- 2.08 “Capital Projects Ordinance” shall mean the annual financial ordinance budgeted for the Orange Transit major capital fund pursuant to N.C.G.S Chapter 159., tied to the multi-year Capital Improvement Plan, the Annual Capital Budget and planned capital project funding agreements that implement needed capital projects.
- 2.09 “Component Unit” or “Separate Component Unit” shall refer to a unit of local government within the Tax District if the primary entity has administrative responsibility for the budget adoption and operation and management of transit services provided by the unit. The primary entity shall report in its financial statements information about the relationship between any component unit(s) and the primary entity. The primary entity also is required to report Orange Transit Plan Revenues, including Dedicated Local Transit Funding Sources, expenditures and fund balance in columns separate from the primary entity’s financial data in its annual audited statements.



- 2.010 “Annual Comprehensive Financial Report” (“ACFR”) shall mean the report prepared by governmental entities that complies with the accounting regulations promulgated by the Governmental Accounting Standards Board (GASB).
- 2.011 “Orange County Transit Annual Work Program” or “Work Program” shall mean the comprehensive annual program for transit capital and operations presented by the SWG (see 2.034) which shall include all of the separate components of:
- a. Annual Operating Budget Ordinance. This shall be supplied for the Orange Transit major operating fund which will appropriate funds for the operation, administration, and implementation of projects identified in the Work Program as operating projects;
  - b. Annual Tax District administration budget for the Orange Transit major operating and capital fund;
  - c. Multi-Year Capital Improvement Plan (CIP) supplied for the Orange Transit major capital fund that clearly identifies specific projects, project sponsors responsible for undertaking those projects, project funding sources, and project expenditures. (NOTE: The Multi-year CIP shall be updated annually to coincide with the annual capital budget always being the first year of appropriation of funding for capital projects identified in the CIP. The Multi-year CIP shall be coordinated with the Metropolitan Transportation Plan, Transportation Improvement Program, and annual program of projects developed and maintained by the DCHC MPO designated recipient of federal formula transit grants so as to be consistent with submittal deadlines for the Transportation Improvement Program and the horizon years of the Metropolitan Transportation Plan.);
  - d. Annual Capital Budget Ordinance supplied for the Orange Transit major capital fund that allocates financial resources to specific project sponsors for specific projects and represents the current year of appropriation of funding for capital projects identified in the Multi-Year CIP;
  - e. Annual Operating Program (as defined *supra.*);
  - f. Adjustment of the Current Orange Transit Financial Plan and financial model assumptions and corresponding update of the planning horizon of Orange County Transit Multi-Year Vision Plan future projects not included in the current Multi-year CIP. The Parties shall use good faith efforts to align planning horizon year with the horizon year of the current DCHC MPO MTP. The Financial Model shall contain agreed upon financial assumptions of the SWG (and supporting subcommittees as designated) for the Orange County Transit Annual Work Program revenues involving federal, state, and local sources and multi-year capital and operating costs including liquidity targets and debt ratios relevant to rating agency metrics;
  - g. Multi-year Capital Funding Agreements or Global Agreements; and
  - h. Multi-year Operating Agreements or Global Agreements.
- 2.012 “Dedicated Local Transit Funding Sources” shall be defined as all revenues derived from transit funding sources in support of the Orange County Transit Multi-Year Vision Plan, which shall include, but not limited to (for potential future need):
- a. Article 43 Half-Cent (0.5 percent) Sales and Use Tax. This is the ½ percent local option sales and use tax as defined by N.C.G.S 105-508;



- b. Article 51 Three-Dollar (\$3) increase to GoTriangle Regional Vehicle Registration Fee. This is the increased portion of the regional vehicle registration fee assessed by GoTriangle in accordance with N.C.G.S 105-561 *et seq.* allocated to Orange County;
  - c. Article 52 Seven-Dollar (\$7) County Vehicle Registration Fee. This is the County vehicle registration fee assessed by the Orange County Board of Commissioners in accordance with N.C.G.S 105-570 *et seq.*; and
  - d. Vehicle Rental Tax. Any portion of vehicle rental tax collected by GoTriangle pursuant to N.C.G.S. 105-550 *et seq.* that is allocated to Orange County by the GoTriangle Board of Trustees. Future allocations of the Vehicle Rental Tax after FY23 shall be subject to the sole discretion of the GoTriangle Board of Trustees approval. If the GoTriangle Board of Trustees chooses to suspend any allocations of the Vehicle Rental Tax to Orange County, the Board of Trustees shall provide said county with three (3) months' notice of such suspension.
- 2.013 "Orange County Transit Plan Revenue" shall mean Dedicated Local Transit Funding Sources, any federal or state funds allocated by a designated recipient, debt proceeds, fares, local contributions, and any other sources of revenue used to fund the Orange County Transit Multi-Year Vision Plan
- 2.014 "Equitable Use of Net Proceeds Within or To Benefit the Special District" as that term is used in N.C.G.S. 105-508.1 shall mean:
  - a. The revenues collected in Orange County must be spent for the benefit of that County. That does not mean they have to be spent in the County.
  - b. For Cross-County projects, rates that are negotiated on some agreed upon periodic basis by the counties are by definition equitable
- 2.015 "Financial Model" shall mean a long-term financial planning model, that projects revenues and expenditures and includes all Dedicated Local Transit Funding Sources, as well as additional projected sources for projects and planned uses of funds as necessary for both capital projects and operating expenses, and is used to evaluate the impact of operating and funding decisions on the Orange Transit major operating and capital funds' financial condition to ensure the Orange County Transit Multi-Year Vision Plan's policies and objectives are maintained in the long-term, including liquidity targets and debt ratios relevant to rating agency metrics. Only Orange County Transit Plan Revenue, including Dedicated Local Transit Revenues, and expenditures of projects in support of the Orange County Transit Multi-Year Vision Plan shall be included in the Financial Model.
- 2.016 "Financial Plan" as that term is used in N.C.G.S. 105-508.1(2) shall mean:
  - a. the Financial Plan requiring approval shall mean the Plan Implementation and Finance components of the most current Orange County Transit Multi-Year Vision Plan as supported by the details of the Orange County Transit Multi-Year Vision Plan and modeled in the associated Financial Model. Approval authority over the Financial Plan by the parties to this agreement only applies to the Dedicated Local Transit Funding Sources. Any other funding sources comprising the Financial Plan should be provided by appropriate project sponsors (as approved by their governing body) during the Annual Work Program and/or Multi-Year Vision Plan development processes.
  - b. **If now or in the future the Special District consists of Orange County and one or more other counties**, the Financial Plan shall only include funds that would be budgeted and



reported in the Orange Transit major operating and capital funds, provided that financial plans for other counties in the District, if any, have previously been approved by those counties.

- 2.017 "Financial Statements" shall mean the statement of financial condition prepared in accordance with N.C.G.S 159-25.
- 2.018 "GASB" shall mean the Governmental Accounting Standards Board (GASB) which establishes standards and principles for state and local governmental accounting and financial reporting.
- 2.019 "Implementation Element" shall mean a discrete project, operation or study or a discrete logical grouping of projects, operations or studies tracked separately by the Orange County Transit Annual Work Program.
- 2.020 Local Government Commission ("LGC") is established by N.C.G.S. 159-3 and provides assistance to local governments and public authorities in North Carolina. It is staffed by the Department of State Treasurer and approves the issuance of debt for all units of local government and assists those units with fiscal management.
- 2.021 "Major Fund" shall be, as defined by the GASB, a fund that is reported in a separated column in the basic fund financial statements and is subject to a separate audit opinion in the independent auditor's report. As defined, the Tax District shall report at a minimum major fund for the Orange Transit Work Plan Operating Funds and a major fund for the Orange Transit Work Plan Capital Funds.
- 2.022 "Global Agreement" shall mean an Operating or Capital Funding agreement that encompasses a discrete logical grouping of capital projects, transit operations or studies.
- 2.023 "Enhanced Quarter-2 Report" shall mean a report delivered approximately 6 months into the year of current work program implementation that provides information regarding progress toward strategic objectives outlined in the Orange County Transit Annual Work Program and includes the performance achieved, the strategies being followed, and performance targets and key milestones for Capital Projects and operating services identified in the Orange County Transit Annual Work Program.
- 2.024 "Multi-Year Capital Improvement Plan" ("CIP") shall mean a multi-year document that identifies by year projected capital projects, project sponsors responsible for undertaking these projects, the financial costs, and anticipated sources of funding for those projects, and identifies any projected operating costs associated with those projects. The CIP shall be coordinated with the Metropolitan Transportation Plan, Transportation Improvement Program, and annual program of projects developed and maintained by the DCHC MPO as designated recipient of federal formula transit grants so as to be consistent with submittal deadlines for the Transportation Improvement Program and the horizon years of the Metropolitan Transportation Plan.
- 2.025 "Annual Operating Program" shall mean the annual document describing transit operating programs, which could include the development of local bus, express bus, Bus Rapid Transit, Commuter Rail Transit, or other public transportation-type services not specifically highlighted here to be funded by the Tax District. It will describe service changes planned for the year and preliminary service proposals and financial projection for the subsequent years. A detailed report on the status of each bus and rail route shall also be included, along with performance objectives for the coming year. The document shall also describe administrative, planning, marketing, or other functions that are not directly accounted for in specific infrastructure



project delivery or allocated to service delivery, but which are essential to the implementation of the Transit Plan.

- 2.026 “Multi-Year Service Implementation Plan” shall mean a document or documents that detail how transit services will be modified, to include expansion and reduction, operated and maintained over a specific number of years. The plan(s) shall detail timing and schedule, justifications for implementation decisions, and public involvement steps. Different transit operators may have different plans for implementation, but the different plans must be coordinated with each other particularly with respect to anticipated funding and public outreach.
- 2.027 “Non-Orange County Revenues” shall mean all revenues collected on behalf of member counties other than Orange County within the Tax District or Special District that are derived from transit funding sources associated with counties other than Orange County.
- 2.028 “Operating Agreement” shall mean an agreement between an agency tasked to provide an Implementation Element, the Tax District and other agencies as needed, or an operating plan if the Implementation Element is to be provided by the Agency. The agreement shall state the details of the service to be provided and detail expectations on funding, responsibilities, schedule, and performance. The agreement shall adhere to any/all standards outlined in the supporting Comprehensive Participation Agreement.
- 2.029 “Operating Budget Ordinance” shall mean the annual financial ordinance budgeted for the Orange Transit major operating fund pursuant N.C.G.S. Chapter 159, tied to Operating Agreements, that includes funds for the operations identified in the Orange Transit Work Plan, allocations for reserves, and transfers to other such funds such as other Orange Transit major funds identified by the Component Unit. The Operating Budget Ordinance shall include the general administrative and maintenance expenses of the unit separate from the Project Operating Funds.
- 2.030 “Operating Funds” shall mean funds appropriated in the annual operating budget for the administration, operation and maintenance of the transit system.
- 2.031 “Operating Fund Balance” shall mean the reported amounts restricted by enabling legislation for the Orange Transit major operating fund, presented in the basic financial statements, and disclosed in the notes to the Financial Statements as required under generally accepted accounting standards.
- 2.032 “Project Operating Funds” shall mean funds appropriated in the annual Operating Budget Ordinance to support the operation of projects identified in the Orange County Transit Annual Work Program.
- 2.033 “Quarterly Financial Reports” shall mean the quarterly statement of financial condition prepared in accordance with N.C.G.S. 159-25.
- 2.034 “Special District” shall mean any tax district administered by GoTriangle pursuant to authorizing resolutions and N.C.G.S. 105-508 *et seq.* or N.C.G.S 105-561 *et seq.* to which Orange County is a member, now or in the future.
- 2.035 “Staff Working Group” or “SWG” shall mean a committee created by this Agreement for the purposes enumerated and as defined in Article III herein. The SWG is jointly charged by all parties to this Agreement with coordinating planning and implementation aspects of the Orange County Transit Annual Work Program (as defined in 2.011), as well as facilitating elements of the Orange County Transit Multi-Year Vision Plan (as defined in 2.038) and serving in an advisory



role to the Orange County Board of Commissioners, DCHC MPO Executive Board, and GoTriangle Board of Trustees.

- 2.036 “Supplantation” shall mean the opportunity for parties to this agreement to use certain funding sources to replace existing funds or other resources for public transportation systems.
- a. Local Funding Source that allows supplantation: the County Vehicle Registration Tax (N.C.G.S 105-570) which is levied at its maximum amount of \$7.00 per year;
  - b. Local Funding Sources that do not allow supplantation:
    - i. Local Government Sales and Use Taxes for Public Transportation (N.C.G.S. 105-506:514) which is levied at its maximum allowable rate of one-half percent (*non-supplantation cited in N.C.G.S 105-507.3.b*);
    - ii. Regional Transit Authority Registration Tax (N.C.G.S. 105-560:569) which is levied at its maximum amount of \$8.00 per year with \$3.00 of each \$8.00 collected allocated locally to Orange County (*non-supplantation cited in N.C.G.S. 105-564*).
- 2.037 “Tax District” shall mean any tax district administered by GoTriangle pursuant to authorizing resolutions and N.C.G.S. 105-508 *et seq.* or N.C.G.S 105-561 *et seq.* to which Orange County is a member, now or in the future.
- 2.038 “Transit Plan,” or “Multi-Year Vision Plan,” shall mean the comprehensive multi-year vision plan for transit operating and capital needs over a period of time of at least 4 years, through coordination with the DCHC-MPO Metropolitan Transportation Plan adoption process and shall also be prepared by the SWG for approval by appropriate governing boards, which shall include all the separate components of:
- a. Multi-year Capital Improvement Plan
  - b. Annual Operating Program, or Multi-Year Service Implementation Plan, which shall include assumptions for administrative staff needs to support plan implementation efforts across the period of time defined by the Transit Plan
  - c. Financial Plan (as defined in section 2.016)
  - d. Update of the Financial Model Assumptions (if applicable)
- 2.039 “Triangle Tax District” shall mean the tax district, also referred to as the Special District created by GoTriangle on or about May 25, 2016, pursuant to authorizing resolutions and N.C.G.S. 105-508 *et seq.*
- 2.040 “Comprehensive Participation Agreement” shall mean an agreement that formally invites parties to participate in plan implementation elements that are not explicitly parties to this Transit Governance Interlocal Agreement.

Nothing herein shall prevent Orange County from entering a mutually negotiated Cost Sharing Agreement with other jurisdictions for any regional transit projects or systems so long as they are detailed in the Multi-Year Vision Plan.



## Article III

### Staff Working Group (“SWG”)

- 3.01 SWG Established. The Parties hereby establish the Orange County Staff Working Group (“SWG”). Pursuant to the authority set forth in this Agreement, the SWG shall coordinate planning and oversee the implementation of the Annual Work Program, as well as facilitate development of elements for the Multi-Year Vision Plan. It shall also serve in an advisory role to the Orange County Board of Commissioners, DCHC MPO Board and GoTriangle Board of Trustees.
- 3.02 Membership, Organization and Objectives.
- a. Initial Membership. The initial membership of the SWG shall be comprised in two categories – voting & non-voting.
    - i. Voting members: two (2) staff members shall be appointed by each of the ILA Parties (“ILA Party Members;” each party should consider a planning/administrative representative as well as a finance representative); two (2) staff members shall be appointed by the Town of Chapel Hill (one general representing the Town; the other representing Chapel Hill Transit); and one (1) staff member appointed by each of the following, the Town of Carrboro, Town of Hillsborough and the City of Mebane.
    - ii. Non-Voting members: each party shall appoint one (1) staff member appointed from the following organizations to advise County Transit Plan Implementation efforts. These organizations are: Triangle-J Council of Governments, and University of North Carolina, Chapel Hill
  - b. Voting Structure for Initial Membership. When a vote is called by the chair on any issue, each ILA Party Member, as well as the Town of Chapel Hill, shall have two (2) votes; the Town of Carrboro, Town of Hillsborough, and City of Mebane shall have one (1) vote.
  - c. Regular Membership. The meeting of the SWG shall be called by the SWG Administrator by way of the DCHC MPO within fifteen (15) days of the execution of this Agreement. The meeting shall abide by rules set forth in this agreement. A Chair and Vice-Chair shall be elected by the voting members at this initial meeting. Prior to June 30, 2023, the SWG should finalize and approve rules, agencies and expectations for regular membership and organizational function. The initial members of the SWG should take into consideration various required skill sets, specifically in local planning, budgeting, finance, project construction and operations.
  - d. Operational Rules of SWG. By June 30, 2023, the members of the SWG shall, consistent with the responsibilities outlined in Section 3.03 and the flexibilities outlined in 3.04, submit to the Orange County Board of Commissioners, DCHC MPO Board and GoTriangle Board of Trustees for
    - i. Approval: 1) bylaws including the provisions of Section 3.05; 2) rules dictating the composition, organization, and function of the SWG; 3) rules dictating amendment procedure for both the Annual Work Program and Multi-Year Vision Plan; and
    - ii. Review as information through appropriate timeframe cycles 1) a meeting schedule; 2) a list of deadlines for the submittals defined herein; and 3)



identification of the Party to serve as the lead agency for each of the responsibilities enumerated in Section 3.03.

- e. The SWG, which serves as an administrative and advisory arm to the parties of this agreement, shall adhere to public meeting laws as outlined in N.C.G.S. 143-318.9:18 (Article 33 of Chapter 143, "Meetings of Public Bodies").
- f. Timeliness. The SWG shall develop processes and procedures to allow decision to be made in a timely manner. Duties not specifically denoted under Section 3.03 may be delegated to other groups. The designation and delegation of these duties shall be approved by the appropriate governing boards based on plan elements' (i.e., Annual Work Program or the Multi-Year Vision Plan) impacts and shall include the governing boards that represent the parties to this agreement.

- 3.03 Responsibilities. The SWG shall be charged with the development or delegation to a Party as a lead agency of the following:
- a. Annual Work Program, including all the separate elements defined in Section 2.011
  - b. a Multi-Year Vision Plan;
  - c. Templates containing minimum standards for project and financial reports (first version by June 30, 2023)
  - d. Designation of project sponsors (agencies responsible for each respective capital and operating project), including agencies responsible for each Implementation Element;
  - e. A strategy for each Implementation Element or agreement, which shall include scope, geography, estimated budget, sponsoring agency/jurisdiction, purpose, and goals; and
  - f. An articulated strategy for incorporating or account for public outreach, involvement, and communication with the deliverables set forth in a, b, d, and e.
- 3.04 Assignment. The SWG may, by vote or by other mechanism allowed in its bylaws, assign the creation and maintenance of certain documents for which it is responsible to Parties or SWG members. However, the SWG shall not delegate its responsibility to review and present documents and products which are defined in Section 3.03 as SWG responsibilities. All documents related to the duties of Section 3.03 produced on behalf of the SWG must be reviewed and formally approved, by SWG prior to release.
- 3.05 Minimum Quorum and Voting. The Parties to this Agreement agree that the SWG deliberation process must allow decisions to be made in an efficient and timely manner. A quorum shall be when 7 of 11 SWG members appointed by the Parties to this Agreement are present for a SWG meeting.
- 3.06 Right to Inspect. All Parties to this Agreement, or their authorized representative(s), shall have the right to inspect, examine, and make copies of any and all books, records, electronic files, agreements, minutes, and other writings and work products related to the operation and day to day business of the SWG.
- 3.07 Staff Working Group Lead Agency Determination. Any party to this Agreement shall be responsible for hosting, convening and administering (serving as the 'Lead Agency') the Staff Working Group (SWG) and hosting the role of the Staff Working Group Administrator, which is a critical role to facilitate program development and plan implementation. The parties to this Agreement shall determine SWG Administration Lead Agency by June 30, 2023 and shall be reevaluated with each multi-year vision plan update process. DCHC MPO shall continue to serve as the SWG Administrator upon execution of this agreement through the aforementioned



deadline. Lead Agency assignment for SWG Administration shall be recommended by the SWG to all three governing boards represented through this Agreement for approval.

#### Article IV

##### Term, Termination, Amendment

##### 4.01 Term.

- a. Effective Date. This Agreement shall become effective upon the properly authorized execution of the Agreement by all Parties.
- b. This Agreement shall continue for a period of seventeen (17) years from the Effective Date, unless otherwise amended by the prior express written agreement of the Parties. This term aligns with horizon year of the current County Transit Multi-year Vision Plan at the time of execution of this Agreement.
- c. Any amendment, termination, or renewal of the Term must be in the form of a written instrument properly authorized and executed by the governing boards of each Party.
- d. The Parties agree that the Term shall be extended by mandatory amendment though the final maturity dates of any debt issued and payable from Orange County Transit Tax Revenues seventeen (17) year initial term.

##### 4.02 Termination.

- a. Material Breach. If any Party violates a responsibility, duty, or assumption stated in Article V, the other Party(ies) shall give written notice of the breach and request to cure. If such breach is not cured within thirty (30) days of written notice thereof, any non-breaching Party may, without further notice or demand, in addition to all other rights and remedies provided in this Agreement, at law or in equity, terminate this Agreement and recover any damages to which it is entitled because of said breach. In the event of a non-material breach of the Agreement, the termination procedure set forth in 4.02(b) shall apply.
- b. Termination upon one (1) year's notice. Any Party may terminate its participation in this Agreement with or without breach by giving written notice to each other Party of intent to terminate, as well as reasons for terminating (which shall be in the sole discretion of the terminating party), at least one (1) year prior to the effective termination date.
- c. Bankruptcy/Insolvency Special Provisions. If any Party applies for or consents to the appointment of a receiver, trustee or similar officer for it or any substantial part of its property or assets, or any such appointment is made without such application or consent by such Party and remains discharged for sixty (60) days, or files a petition in bankruptcy or makes a general assignment for the benefit of creditors, then such action shall constitute a material breach of this Agreement not requiring notice and opportunity to cure and the other Party(ies) may terminate effective immediately.
- d. Cooperation Provisions. In the event of termination pursuant to any subsection hereunder, the terminating Party shall not be relieved of any existing and underperformed obligations up until the effective date of termination, and the Agreement shall remain in effect as to the non-withdrawing Parties. The non-withdrawing Parties, beginning at the time of notice of termination is received, shall work together in good faith to determine if the intent and purpose of the Agreement



can be accomplished by executing any Amendments deemed necessary and/or adding any parties deemed necessary to perform the executory obligations of the withdrawing Party.

- e. Non-Exclusive Remedies. No remedy provided in this Agreement shall be considered exclusive of any other remedy in law or in equity.
- f. Repeal and Dissolution. Nothing herein shall be construed to restrict Orange County's ability to repeal any transit tax previously enacted and consideration will be given by the County to any transit taxes levied in support of debt service in support of the Orange County Transit Annual Work Program. Nothing herein shall be construed to restrict Orange County's ability to request dissolution of the special tax district in accordance with N.C.G.S. 105-509.1 and N.C.G.S. 105-473(a).
- g. Notice. Any written or electronic notice required by this section shall be delivered to the Parties at the following addresses:

For Orange County:

Orange County  
Attn: County Manager  
300 West Tryon Street  
PO Box 8181  
Hillsborough, NC 27278

With a copy to:

Orange County Attorney  
300 West Tryon Street  
PO Box 8181  
Hillsborough, NC 27278

For DCHC-MPO:

Durham Chapel Hill Carrboro Metropolitan Planning Organization  
Attn: Executive Director  
101 City Hall Plaza  
Durham, NC 27701

For GoTriangle:

GoTriangle  
Attn: General Manager  
PO Box 13787  
Research Triangle Park, NC 27709

With a copy to

Attn: GoTriangle General Counsel  
PO Box 13787  
Research Triangle Park, NC 27709



- 4.03 Amendment. The Parties will conduct a coordinated review of the Agreement at least every four (4) years to consider any desired updates through the Agreement amendment process. If any Party desires to amend the Agreement outside the (4) four-year review cycle, then the proposed amendment and the reasons for the proposed amendment shall be communicated in writing to the other Parties. If the Parties agree to the proposed amendment, then the amendment shall be affected by entering a written amendment to the Agreement. An amendment that does not change the substantive or financial commitments of the Agreement may be executed by the Orange County Manager, the DCHC-MPO Executive Director, and the GoTriangle Chief Executive Officer. Any other amendment to the terms of this Agreement to be effective must be in the form of a written instrument properly authorized and executed by the governing boards of each Party to this Agreement.

## Article V

### Responsibilities, Financial Duties and Assumptions of the Parties

The responsibilities of the Parties are as follows:

- 5.01 Orange County shall carry out its legal, contractual, fiscal, and fiduciary duties as government as follows:
- a. Shall provide staff to serve on the SWG;
  - b. Shall enter into Capital Funding Agreements and Operating Funding Agreements to study, plan, and construct public transit infrastructure capital Implementation Elements for which Orange County is a designated project sponsor and/or providing funding in-part or wholly and to deliver such Implementation Elements as identified within the Orange Transit Annual Work Program and or the Orange Transit Multi-Year Vision Plan;
  - c. Shall provide required financial and status reports on Implementation Elements for which Orange County is providing funding in-part or wholly (i.e., serving as a project sponsor);
  - d. Shall coordinate approval of the components of the Annual Work Program identified in Section 2.011 by the Orange County Board of Commissioners;
  - e. Shall coordinate, as needed, to review documents, as defined in Article II or in subsequently developed policies & procedures that support transit plan implementation, and recommend for approval by the Orange County Board of Commissioners when necessary;
  - f. Shall coordinate approval of the Multi-Year Vision Plan identified in Section 2.038 by the Orange County Board of Commissioners;
  - g. Comply with N.C.G.S. 143-6A-4, the "Iran Divestment Act Certification";
  - h. Perform other any other actions consistent with the powers and duties set forth in N.C.G.S. Chapter 153A and N.C.G.S 105-561 *et seq.*; and
  - i. To the extent applicable, shall comply with 23 U.S.C. 134, 49, U.S.C. Chapter 53, and N.C.G.S. Chapter 136;
- 5.02 DCHC-MPO shall carry out its legal, contractual, fiscal, and fiduciary duties as the Metropolitan Planning Organization as follows:



- a. Shall coordinate/align Dedicated Local Transit Funding sources with other transportation investments and state and federal funding;
  - b. Shall provide staff to serve on the SWG
  - c. Shall enter into Operating and Capital Funding Agreements, for which the DCHC MPO is a party to, to study and plan public transit Capital Projects and deliver Implementation Elements as identified within the Orange County Transit Annual Work Program;
  - d. Shall provide required financial and status reports on Implementation Elements for which DCHC MPO is responsible (i.e., serving as a project sponsor) that are funded in-part or wholly by the Tax District;
  - e. Shall serve as the coordinating agency between the Parties, N.C. Department of Transportation, and federal agencies including but not limited to the Federal Highway Administration, the Federal Transit Administration, and the Federal Railroad Administration when coordination of regional need is deemed necessary by the SWG;
  - f. Shall coordinate, as needed, to review and approve documents, as defined in Article II or in subsequently developed policies & procedures that support transit plan implementation, by the DCHC-MPO Executive Board;
  - g. Shall coordinate approval of the Multi-Year Vision Plan by the DCHC-MPO Executive Board;
  - h. Shall identify projects using federal transit funding and ensure that the multi-year operating program, the Annual Operating and Capital Budgets including such projects are coordinated with the MPO's annual planning for projects process and Transportation Improvement Program;
  - i. Shall comply with N.C.G.S. 143-6A-4, the "Iran Divestment Act Certification";
  - j. When applicable and appropriate, shall apply for, secure, and direct reasonably available funding toward components of the Orange County Transit Annual Work Program consistent with its other responsibilities within the MPO;
  - k. Shall program and administer funding, including but not limited to grant funding, and perform all required duties to apply for, coordinate, and align transit funding if applicable and appropriate, with other transportation investment and state and federal funding; and
  - l. Shall perform any other actions consistent with the powers and duties set forth in 23 U.S.C. 134 *et seq.*, 49 U.S.C. Chapter 53 and as recognized under the laws of North Carolina pursuant to N.C.G.S. Chapter 136.
- 5.03 GoTriangle shall carry out its legal, contractual, fiscal, and fiduciary duties as a unit of local government as follows:
- a. Shall administer and manage the Tax District, including carrying out its legal, contractual, fiscal, and fiduciary duties;
  - b. Shall comply with the responsibilities of a local government prescribed by the North Carolina Budget and Fiscal Control Act;
  - c. Shall adhere to the Financial Plan as defined by this Agreement, and any amendments authorized thereto;
  - d. Shall adhere to the Equitable Use of Net Proceeds within or to benefit the Special District as defined in this Agreement;



- e. Shall distribute the Financial Plan to each unit of local government within its jurisdiction in accordance with N.C.G.S. 105-508.1;
- f. Shall use or expend all Dedicated Local Funding Sources only as specifically budgeted in the approved Orange County Transit Annual Work Program;
- g. Shall not pledge, represent, appropriate, or covenant to appropriate any portion of the Dedicated Local Funding Sources to cover any debt service, encumbrances, or operating or other expenses that do not arise from the Orange County Transit Annual Work Program;
- h. Shall maintain adequate Operating Fund Balances and Capital Fund Balances in the Orange Transit major operating and capital funds per Financial Policies & Procedures and related guidelines mutually agreed to by SWG;
- i. Shall obtain approval from the Local Government Commission for all issuances of debt, certain capital leases, and other financial agreements as required by law;
- j. Shall not under the provisions of N.C.G.S. 160A-20, create any security interest in real or personal property funded by Orange Transit major operating and capital funds unless 100% of the proceeds of the related financing are for projects in the Orange County Transit Annual Work Program, unless such security interest and financing are approved by the Orange County Board of Commissioners;
- k. Shall ensure that any proceeds from the sale, transfer, and disposition of property, or from insurance proceeds for projects funded by Orange Transit major operating and capital funds be used for Orange Transit projects in accordance with the Orange County Transit Annual Work Program;
- l. Shall include provisions in all applicable financing documentation to the effect that GoTriangle has entered into an Agreement prohibiting the use of Dedicated Local Funding Sources to fund debt service or other expenses that do not arise from the Orange County Transit Annual Work Program unless otherwise agreed to or approved by the Orange County Board of Commissioners or included in the Orange County Transit Annual Work Program or the Orange County Transit Multi-Year Vision Plan;
- m. Shall, in connection with the financing of capital facilities outside of Orange County, unless such financing is agreed to or approved by the Orange County Board of Commissioners through project/umbrella agreements (for projects that are debt eligible) between the County, GoTriangle and/or project sponsor (if not GoTriangle), include provisions in all applicable financing and agreement-related documentation to the effect that these funds shall not be used to pay debt service or fund operating expenses or other costs associated with such capital facilities or the operation thereof from Dedicated Local Transit Funding Sources and that GoTriangle has entered into an agreement prohibiting the use of Dedicated Local Transit Funding Sources for such purpose;
- n. Shall maintain such books, records, and systems of accounts so that the expenditures of Dedicated Local Transit Funding Sources and Orange Transit Plan Revenue are accounted for as expended on the Orange County Transit Annual Work Program as budgeted and reported in the Orange Transit major operating and capital funds;
- o. Shall provide any and all Financial Statements, accountings, reports, and information to SWG within thirty (30) days of request, and produce drafts of documents created on



- behalf of the SWG for review and feedback from SWG prior to GoTriangle's issuance, approval, and release of Comprehensive Annual Financial Reports, adopted budget documents, and applications for Grant Funding approval;
- p. Shall not issue or authorize the issuance of any Preliminary Official Statement, Official Statement, or similar securities offering documents in connection with the financing of improvements by GoTriangle unless such document has previously been submitted to Orange County for review and comments regarding the nature of the security and sources of payment of the amounts due in connection with the financing;
  - q. Shall provide staff to serve on the SWG;
  - r. Shall enter into Operating or Capital Funding Agreements to study and plan public transit infrastructure Capital Projects and deliver Implementation Elements as identified within the Orange County Transit Annual Work Program;
  - s. Shall provide required financial and status reports on Implementation Elements for which GoTriangle is responsible (i.e., serving as project sponsor) that are funded in-part or wholly by the Tax District, and reported for the Orange Transit major operating and capital funds;
  - t. Shall annually review and approve required documents and perform any other actions consistent with the terms of this Agreement or powers authorized by a process to be established by SWG;
  - u. Shall coordinate approval of the components of the Orange County Transit Annual Work Program identified in Section 2.011 by the GoTriangle Board of Trustees;
  - v. Shall coordinate, as needed, to review and approve documents, as defined in Article II or in subsequently developed policies & procedures that support transit plan implementation, by the GoTriangle Board of Trustees;
  - w. Shall coordinate approval of the Multi-Year Vision Plan by the GoTriangle Board of Trustees;
  - x. Shall comply with N.C.G.S. 143-6A-4 regarding submissions or award of any bid or proposals to vendors, and contractors or subcontractors for any and all operating and project agreements;
  - y. Perform other any other actions consistent with the powers and duties set forth in N.C.G.S. 160A, Article 26;
  - z. Comply with N.C.G.S. 143-6A-4, the "Iran Divestment Act Certification"; and
  - aa. To the extent applicable, shall comply with 23 U.S.C. 134, 49 U.S.C. Chapter 53, and N.C.G.S. Chapter 136.

## Article VI

### Roles of Transit Service Providing Entities and Non-Transit Service Providing Entities

- 6.01 Transit Service Providing Entities. The Parties contemplate that the Transit Service Providing Entities, meaning any municipality or agency that directly or through contract provides public transportation services in Orange County, including but not limited to Orange County, Town of Chapel Hill and GoTriangle (when functioning as a transit provider), may participate at a minimum as follows:



- a. Provide staff to serve on the SWG;
  - b. Enter into Global/Capital Funding Agreements and Global/Operating Agreements to deliver Implementation Elements as identified within the Orange County Transit Annual Work Program (which includes the approved annual budget);
  - c. Provide required financial and status reports on Implementation Elements funded in-part or wholly by the Tax District; and
  - d. Perform any other responsibility it agrees to undertake consistent with statutory authority and the terms of this Agreement.
- 6.02 Non-Transit Service Providing Entities. The Parties that the Non-Transit Service Providing Entities, meaning any entity located in Orange County that does not provide public transportation services, may participate, if and when invited through SWG membership, at a minimum as follows:
- a. Provide staff to serve on the SWG in a non-voting role;
  - b. Enter into Global/Capital Funding Agreements and Global/Operating Agreements to deliver Implementation Elements as identified within the Orange County Transit Annual Work Program if identified as a project sponsor'
  - c. Provide required financial and status reports on Implementation Elements funded in-part or wholly by the Tax District; and
  - d. Perform any other responsibility consistent with statutory authority and the terms of this Agreement.

## Article VII

### Process for Recommendation, Approval, and Development of Orange County Transit Annual Work Program and Operating and Capital Project Ordinances and Agreements

- 7.01 The Annual Work Program shall consist of the component documents outlined in Section 2.011. It shall be assembled and reviewed in accordance with the Annual Work Program Development Calendar
- 7.02 The SWG shall recommend the Annual Work Program to the Orange County Board of Commissioners and the GoTriangle Board of Trustees for approval in accordance with the Annual Work Program Development Calendar. The schedule shall allow each agency adequate time to review documentation. Each of the parties will receive the plan in the order identified in 7.03 & 7.05 and identify any concerns or issues prior to the commencement of the fiscal year covered by the plan. Included in the schedule shall be a procedure for the SWG to plan for and schedule elements of public outreach and involvement. At the time when the Orange County Board of Commissioners receives the recommended Annual Work Program, GoTriangle may also provide comments during the County's official business meeting processes. The SWG may present the Annual Work Program to the DCHC MPO for review and comment at an official MPO Board meeting if time/schedule allows.
- 7.03 Upon receipt of the draft Orange County Transit Annual Work Program, the Orange County Board of Commissioners, shall review it, and can take the following actions:
- a. Approve the Orange County Transit Annual Work Program as submitted;



- b. Deny, while providing a list of minor issues, technical corrections, or a specific listing of Significant Concerns with the Orange County Transit Annual Work Program.
- 7.04 If the Orange County Board of Commissioners denies the work program and creates a detailed listing of minor issues, technical corrections, or Significant Concerns for the recommended Orange County Transit Annual Work Program, Orange County staff shall coordinate with other SWG members to make corrections and then submit for a second review and recommendation of approval by the SWG. Upon recommendation of the SWG, the Orange County Board of Commissioners will then vote on the revised work program.
- 7.05 Upon approval action taken by the Orange County Board of Commissioners, GoTriangle will then receive for review and take one of the following actions:
  - a. Approve the Orange County Transit Annual Work Program as recommended by the SWG and approved by the Orange County Board of Commissioners;
  - b. Deny, while providing a list of minor issues, technical corrections, or a specific listing of Significant Concerns with the Orange County Transit Annual Work Program.
- 7.06 All parties in this Agreement, or their authorized representative, shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records, electronic files, agreements, minutes, and other writings and work products related to the funding of Tax District operations or projects. The cost of any audit or review conducted under the authority of this Section is the responsibility of the Party requesting the audit or review unless a material breach is detected, in which case the breaching party shall be responsible for the reasonable costs of audit or review.
- 7.07 Implementation. An Operating or Capital Project Funding Agreement shall be consistent with the requirements outlined in the supporting Comprehensive Participation Agreement. Parties to this Interlocal Agreement shall endeavor to develop global-level agreements with appropriate timeframes for each project sponsor seeking to implement operating or capital projects. These agreements must be prepared prior to distributing funds and starting the Project(s). All Operating or Capital Project Funding Agreements shall have at least two signatories from appropriate parties and shall also adhere to the following:
  - a. MPO Role with Managed Funding: If a project is covered by a global operating or capital funding agreement that involves federal or state funding that is otherwise under the distribution and program management responsibility of DCHC MPO, or regardless of funding source, constitutes a regionally significant project as defined in 23 CFR § 450.104, DCHC MPO shall be a party to the agreement.
  - b. Tax District Administrator Role: The tax district administrator shall always be a party to each agreement.
  - c. County Role: In addition to being a party to any agreement where the County serves as the project sponsor, the County shall be a party to each agreement where the tax district administrator is also the project sponsor.
  - d. Agreement where a special case exists. Parties to an operating or capital project agreement shall be brought to the tax district administrator as a recommendation for review and approval by the SWG when a special case arises outside the three categories described in 7.08.a-c
  - e. Standalone Agreement Need: When an operating or capital project of significant cost is programmed and approved, members of the SWG shall review and determine a



significant-cost threshold that requires a standalone agreement to be developed and signed by all appropriate parties.

- 7.08 Interim Work Program. In the event a resolution cannot be met to address the list of issues or technical corrections upon a vote of denial from either party highlighted in 7.03 & 7.05, an interim work program will be utilized for the upcoming fiscal year, pursuant to N.C.G.S. 159-13, until such time as a new work program is adopted by the parties identified in 7.04 and 7.05. In the case that an interim budget goes into effect, the current year operating budget will be assumed for the upcoming fiscal year. No additional capital expenses will be approved, nor any additional reimbursements paid for capital projects, until such time that a new work program is adopted by the parties identified in 7.04 and 7.05. This interim budget does not require approval of either body in 7.04 or 7.05. In the event an Interim Work Program is enacted, and specialized fiscal analysis is required to further inform achieving a new Annual Work Program, the tax district administrator shall bring such request to the SWG for review & approval.

#### Article VIII

##### Process for Recommendation, Approval, and Development of Orange County Transit Multi-year Vision Plan

- 8.01 The Multi-year Vision Plan shall include the component documents outlined in Section 2.038. The plan shall be assembled and reviewed in accordance with the Annual Work Program Development Calendar or other agreed upon schedule based on timing and need for multi-year plan adoption.
- 8.02 The SWG shall recommend the Multi-Year Vision Plan to the Orange County Board of Commissioners, DCHC MPO Board and the GoTriangle Board of Trustees for approval in accordance with the Annual Work Program Development Calendar or agreed upon schedule to meet the needs for the Multi-year plan adoption. The schedule shall allow each agency adequate time to review documentation, identify concerns and coordinate issues. Included in the schedule shall be a procedure for the SWG to plan for and schedule elements of public outreach and involvement.
- 8.03 Upon recommendation from the SWG, the Orange Transit Multi-year Vision Plan shall go before each governing board (Orange County Board of Commissioners, DCHC MPO Board and GoTriangle Board of Trustees) for review and the opportunity to take the following actions:
- a. Approve the Orange Transit Multi-year Vision Plan as recommended;
  - b. Deny, while providing a list of minor issues, technical corrections, or a specific listing of Significant Concerns with the Orange Transit Multi-year Vision Plan.
- 8.04 If any of the three governing boards denies the Multi-Year Vision Plan and creates a detailed listing of minor issues, technical corrections, or Significant Concerns for the recommended Orange Transit Multi-Year Vision Plan, SWG staff members who represent the dissenting board shall communicate the issues to other staff representatives of the other governing board(s) and coordinate with other SWG members to revise the plan and then submit for an additional review and approval by all three governing boards.



## Article IX

### Process for Capital, Non-Capital, Infrastructure, and Service Delivery Projects Reporting

- 9.01 The Tax District shall be reported as a Component Unit and shall include the Orange Transit major operating and capital funds separate from any and all major funds and/or other special tax districts within the Tax District, in the body of annually audited financial statements as required by GASB standards for major funds reported by blended component units. As administrator of the Tax District, GoTriangle shall present an annually audited financial statement for the separate component unit by December 15<sup>th</sup> of the subsequent fiscal year to the Orange County Board of Commissioners, DCHC MPO Board, and GoTriangle Board of Trustees.
- 9.02 At the time of the presentation of the annually audited financial statements, GoTriangle shall present an update of the Orange County Transit Annual Work Program projects including project milestones and timelines and operations of the system. This presentation shall be considered an Annual Orange Transit Report.
- 9.03 GoTriangle, as administrator of the Tax District, shall issue the following to the parties of this agreement, as well as any associated project sponsors:
  - a. Enhanced Quarter-2 Report for half-year period ending December 31<sup>st</sup>. to the SWG for the Orange Transit major operating and capital funds. This Report will be due to the SWG Administrator by March 15<sup>th</sup>. The format of this report shall be agreed upon by the Parties to this Agreement by June 30, 2023.
  - b. Quarterly Financial Condition Report. This report will be due 45 days after the end of each quarter which provides statement of financial condition of all program/plan implementation elements prepared in accordance with N.C.G.S. 159-25. Quarterly Financial Condition Report shall apply for all quarters but shall also be incorporated elements into the Enhanced Quarter-2 and Annual Reports.
- 9.04 At the time of the submittal of the Enhanced Quarter-2 reports, each agency that has a project funded in that fiscal year through the annual work program shall also submit an update of projects including project milestones and timelines and transit operations. The format of the Enhanced Quarter-2 Report and Quarterly Financial Condition Report shall be agreed upon by the Parties of this agreement by September 1, 2023.

## Article X

### Agreement Related Dispute Resolution

It is the desire and intent of the Parties to resolve any disputes in a collaborative manner and to avoid, if possible, the expense and delay of litigation. In the event that any Party cannot resolve an issue with another Part under this Agreement, the affected party shall engage in the following process:



- 10.01 Any Party may give written notice to another Party or Parties of any dispute not resolved in the ordinary course of business. Within ten (10) business days after delivery of the written notice by regular or electronic mail, the receiving Party(ies) shall submit a written response to the disputing Party and designate in the notice a representative who will represent that Party in the negotiation to resolve the dispute. If a third-party mediator is necessary, the Party providing initial written notice will indicate as such in the notice and seek confirmation/approval by the receiving parties in written response. It shall be the responsibility of the Party giving notice to cover any costs related to any third-party mediator once confirmed/approved by the receiving parties.
- 10.02 Within ten (10) business days of receiving the response, the appointees of the disputing and receiving Parties shall meet at a mutually acceptable time and place, and thereafter, as often as necessary to resolve the dispute.
- 10.03 All reasonable requests for information made by one Party to the other shall be honored in a timely fashion to permit constructive discussion.
- 10.04 The duty to engage in dispute resolution is a material part of this Agreement enforceable by equitable relief.
- 10.05 Upon failure to resolve a dispute through the steps outlined in this Agreement, any Party may engage in other dispute resolutions processes agreed upon by the Parties or pursue any legal or equitable remedies available.

## Article XI

### Non-Assignment

#### Delegation of Duty

- 11.01 No Party shall assign any portion of this Agreement or the rights and responsibilities hereunder to another person or entity who is not a party to this Agreement without the prior written consent of the other Parties. Notwithstanding the above, nothing herein shall restrict the rights of any party to contract with any third parties for the implementation of the Orange County Transit Annual Work Program as contemplated herein.
- 11.02 Except as expressly stated herein, this Agreement shall not change the delegation of any duty previously delegated to Party by federal law, state statute, local ordinance, or resolution, and shall not create any new duty which does not exist under federal law, state statute, local ordinance, or resolution.
- 11.03 Nothing herein shall modify, abridge, or deny any authority or discretion of Orange County with regard to calling for a special election as set forth in N.C.G.S. 163-287 or considering authorization to conduct a referendum by vote as set forth in N.C.G.S. Chapter 105, Article 43, Part 3.
- 11.04 Nothing herein shall modify, abridge, or deny any authority or discretion of any Party or municipality to independently develop, administer, or control transportation projects pursuant to enumerated authority or funding sources separate from the authority and funding sources outlined in this Agreement.



## Article XII

### Other Provisions

- 12.01 No Third-Party Beneficiaries. This Agreement is not intended for the benefit of any third party. The rights and obligations contained herein belong exclusively to the Parties hereto and shall not confer any rights or remedies upon any person or entity other than the Parties hereto.
- 12.02 No Waiver of Qualified Immunity. No officer, agent or employee of any party shall be subject to any personal liability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute this Agreement in their official capacities only, and not in their individual capacities. This section shall not relieve any such officer, agent, or employee from the performance of any official duty provided by law.
- 12.03 Ethics Provision. The Parties acknowledge and shall adhere to the requirements of N.C.G.S. 133-32, which prohibits the offer to, or acceptance by any state or local employees of any gift from anyone with a contract with the governmental entity or from a person seeking to do business with the governmental entity.
- 12.04 Governing Law, Venue. The Parties acknowledge that this Agreement shall be governed by the laws of the State of North Carolina. Venue for any disputes arising under this Agreement shall be in the courts of Orange County, North Carolina.
- 12.05 Entire Agreement. The terms and provisions herein contained constitute the entire agreement by and between the parties hereto and shall supersede all previous communications, representations, or agreements, either oral or written between the Parties hereto with respect to the subject matter hereof.
- 12.05 Severability. If any provision of this Agreement shall be determined to be unenforceable by a court of competent jurisdiction, such determination will not affect any other provision of this Agreement.
- 12.06 Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original.
- 12.07 Verification of Work Authorization. The extent applicable, all parties and any subcontractors hired for purposes of fulfilling any obligations under this Agreement or any Operating Agreement or Funding Agreement contemplated by this Agreement, will comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," and will provide documentation or sign affidavits or any other documents requested by either party demonstrating such compliance.



The Transit Governance Interlocal Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Research Triangle Regional Public Transportation Authority was \_\_\_\_\_ by the Orange County Board of Commissioners by a vote of \_\_\_\_\_ on \_\_\_\_\_, 2023.

**ATTEST:****ORANGE COUNTY, NORTH CAROLINA**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: Chairperson, Board of County Commissioners

The Transit Governance Interlocal Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Research Triangle Regional Public Transportation Authority was \_\_\_\_\_ by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board by a vote of \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

**ATTEST:****DURHAM-CHAPEL HILL-CARRBORO  
METROPOLITAN PLANNING ORGANIZATION**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: Chairperson, Durham-Chapel Hill-Carrboro  
Metropolitan Planning Organization Board

The Transit Governance Interlocal Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Research Triangle Regional Public Transportation Authority was \_\_\_\_\_ by the Research Triangle Regional Public Transportation Authority d/b/a GoTriangle by a vote of \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

**ATTEST:****RESEARCH TRIANGLE REGIONAL PUBLIC  
TRANSPORTATION AUTHORITY D/B/A  
GOTRIANGLE**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: Chairperson, Board of Trustees





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 7., File #: [23-0449], Version: 1

Meeting Date: 5/24/2023

### **Authorize the Mayor to Execute a Revised Memorandum of Understanding for the Orange County Partnership to End Homelessness.**

#### **Staff:**

Sarah Viñas, Director

Nate Broman-Fulks, Assistant Director

#### **Department:**

Affordable Housing and Community Connections

**Overview:** The [Orange County Partnership to End Homelessness <https://www.ocpehnc.com/>](https://www.ocpehnc.com/) was established in 2008 to coordinate funding and activities to end homelessness in Orange County. A Memorandum of Understanding (MOU) was created to outline the roles and responsibilities of the partner jurisdictions of Orange County and the Towns of Chapel Hill, Carrboro, and Hillsborough. This item proposes two changes to the existing MOU, last updated in June of 2022. The proposed changes have been determined by staff to be minor and are shown in the attached 2023 Draft Memorandum of Understanding. It is anticipated that the Mayors, Managers, and Chair (MMC) committee will continue their discussions on addressing affordable housing and homelessness needs, and there may be further revisions to the MOU in the coming year.



#### **Recommendation(s):**

That the Council approve the updated Memorandum of Understanding.

#### **Background:**

- In April 2008, the Orange County Board of Commissioners, Chapel Hill Town Council, Carrboro Town Council, and Hillsborough Board of Commissioners endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of understanding to fund a Partnership Coordinator position and support the Plan's implementation by the Orange County Partnership to End Homelessness.
- In November of 2014, the Town Council authorized an update to the MOU to reflect how the Orange County 10-Year Plan to End Chronic Homelessness had evolved to become an on-going program, which the Partnership to End Homelessness was playing a key role in implementing.
- In 2022, the Town Council authorized an update to the MOU to bring the MOU in line with the existing structure and positions of the Partnership, including a Homeless Programs Manager, a Housing Access Coordinator, and a Homeless Programs Coordinator.
- The Partnership to End Homelessness' Executive Team is recommending two minor modifications to the existing MOU as shown in the attached 2023 Draft Memorandum of Understanding.

**Fiscal Impact:** The MOU commits the County and municipalities to ensure funding for the Homeless Programs Manager, Housing Access Coordinator, and Homeless Programs Coordinator positions and operating expenses, if such funding is available. Approval of the proposed amendments to the MOU will have no anticipated fiscal impact.



**Attachments:**

- Resolution
- 2023 Draft Memorandum of Understanding
- Existing Memorandum of Understanding approved in 2022



**A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A REVISED MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY PARTNERSHIP TO END HOMELESSNESS (2023-05-24/R-6)**

WHEREAS, in April 2008, the Orange County Board of Commissioners, Chapel Hill Town Council, Carrboro Board of Aldermen, and Hillsborough Board of Commissioners endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of understanding to fund a Partnership Coordinator position and support the Plan's implementation by the Orange County Partnership to End Homelessness; and

WHEREAS, in November 2014, the 2008 memorandum of understanding was revised to better reflect how the Orange County 10-Year Plan to End Chronic Homelessness had evolved and to more accurately describe the structure of the Partnership to End Homelessness and its role in coordinating homeless program services in the County; and

WHEREAS, in 2022, the Town Council authorized an update to the MOU to bring the MOU in line with the existing structure and positions of the Partnership, including a Homeless Programs Manager, a Housing Access Coordinator, and a Homeless Programs Coordinator.

WHEREAS, the Partnership to End Homelessness Executive Team is recommending an update to the existing Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Mayor to execute a revised Memorandum of Understanding with the Orange County Partnership to End Homelessness, as described in the May 24, 2023 meeting materials.

BE IT FURTHER RESOLVED the Town Council intends to further explore the ongoing structure for the Partnership to End Homelessness and the future approach to ending homelessness in Orange County.

This the 24th day of May, 2023.

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

By adopting the resolution, the Council approves the updated Memorandum of Understanding with the Orange County Partnership to End Homelessness.



## Attachment 1

**Memorandum of Understanding between Orange County and the  
Towns of Chapel Hill, Carrboro, and Hillsborough:  
Orange County Partnership to End Homelessness (OCPEH)**

Whereas, in April 2008, the Orange County Board of Commissioners, Chapel Hill Town Council, Carrboro Town Council, and Hillsborough Board of Commissioners endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of understanding to fund and support the Plan's implementation by the Orange County Partnership to End Homelessness (OCPEH), and

Whereas, the Partnership has made significant progress in ending and preventing homelessness in Orange County over the past fourteen years, and

Whereas, the parties to this Memorandum came together and revised this Memorandum of Understanding in 2015, and

Whereas, reflecting a combination of national best practices, national funding models, and local experience, the Orange County 10-Year Plan to End Chronic Homelessness has evolved to become an ongoing program, the Orange County Plan to End Homelessness, and

Whereas, the role of the Partnership is to implement Orange County's Plan to End Homelessness and serve as the Continuum of Care for Orange County, and

Whereas, the parties to this Memorandum understand the value of this work to each jurisdiction and accordingly intend to continue to fund and support it, and

Whereas, the initial 10-Year Plan created a body called the Executive Team, now called the Leadership Team, consisting of representatives appointed from each of the above governmental partners and a cross-section of community representation, charged with providing oversight and direction to the plan, and the parties to this Memorandum intend for the Leadership Team to continue to perform this role, and

Whereas, the parties to this Memorandum intend to continue funding the Partnership's Homeless Programs Manager and Housing Access Coordinator, and provide partial funding for the Homeless Programs Coordinator, all of whom have job responsibilities outlined in a Job Description (Attachment A), and

Whereas, in order to implement the Plan, the Partnership is providing direct service programs via pass-through funding from other sources, and

Whereas, the four elected appointees continue to recommend and serve on the OCPEH Executive Team, which shall consist of the four elected appointees, to ensure that the interests of all four funding jurisdictions are consistently represented;



The parties to this Memorandum hereby clarify the roles and responsibilities of each body as it relates to funding and oversight.

A. The Executive Team will:

1. Provide ongoing supervision of the Homeless Programs Manager (HPM) through the County Manager by:
  - i. Conducting joint annual performance reviews of the HPM with the County Manager, after gathering input from the Chair of the Leadership Team and others, as appropriate;
  - ii. Approving an annual work plan for the HPM based on the goals of the Plan, subject to final approval by the County Manager;
  - iii. Meeting with and reviewing the work plan with the HPM and the County Manager quarterly;
  - iv. Participating in interviews for the hiring of the HPM;
  - v. Making recommendations to the County Manager regarding performance concerns related to the HPM.
2. Operate its program on the same fiscal year as that operated by the Towns and County.
3. Not have supervisory authority over any Town or County staff who may be assigned to provide assistance to the Leadership Team or Executive Team.
4. Meet quarterly, with staff support, to review progress under the annual work plan.

B. Towns and the County will:

1. Provide office space and supplies for the use of the Partnership staff as needed and available.
2. Provide staff assistance as needed to support the Executive Team and Leadership Team subject to Town Manager and County Manager direction.
3. Provide an annual appointment from the elected governing bodies to the Leadership/Executive Team.
4. Assist with the annual implementation efforts of the Plan.
5. Continue to support the Partnership.
6. Determine the amount of funding to be provided by each partner by utilizing a population-based formula based on the latest Census data.



Based upon the 2020 Census data, the percentage contributions, subject to each jurisdiction's approval, are as follows:

- Orange County 39.5%
- Town of Chapel Hill 39.7%
- Town of Carrboro 14.3%
- Town of Hillsborough 6.5%

7. Receive an annual report from the HPM reflective of system-level data and OCPEH programming data.
  8. Not be required or expected to continue funding Partnership staff should the funding not be available through any one or more of the other partners.
  9. Not require or suggest the HPM perform work on goals that are not in her/his work plan for the Partnership.
  10. Work with the HPM to incorporate Homeless System Gaps Analysis into County-wide housing planning and supporting data sources
- C. The Plan is understood to be a living document that the Partnership will update over time to reflect its accomplishments and the evolution of policies, evidence-based practices, and funding.
- D. This Memorandum supersedes the 2015 Memorandum of Understanding that supported the Orange County 10-Year Plan to End Chronic Homelessness. It will remain in effect for one year from the date of its adoption by all Parties. Memorandum will be renewed for up to five additional two-year terms if agreed upon by all parties. Revisions will be presented to the Executive Team for consideration no later than the final quarterly meeting of the Executive Team prior to expiration of the one year term. Any Party hereto may withdraw from the Memorandum by providing written notice to every other Party at least 6 months prior to the start of the fiscal year in which the Party wishes to withdraw.

[SIGNATURES TO FOLLOW]



Wherefore the Parties hereto have set their hands and seals on the day and dates recorded below.

ORANGE COUNTY

\_\_\_\_\_  
Renee Price, Chair

\_\_\_\_\_  
ATTEST

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that \_\_\_\_\_, personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the act of said County, the foregoing instrument was signed in its name by the Chair of said Board of Commissioners and attested by her as Clerk to said Board of Commissioners.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public\_\_\_\_\_

(Notary Seal)

My commission expires:\_\_\_\_\_



## TOWN OF CHAPEL HILL

\_\_\_\_\_  
Pam Hemminger, Mayor

\_\_\_\_\_  
ATTEST

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that \_\_\_\_\_, personally came before me this day and acknowledged that he/she is the Town Clerk for the Town of Chapel Hill, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Chapel Hill, NC and attested by her as Town Clerk for the Town of Chapel Hill, NC.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public\_\_\_\_\_

(Notary Seal)

My commission expires:\_\_\_\_\_



## TOWN OF CARRBORO

\_\_\_\_\_  
Damon Seils , Mayor

\_\_\_\_\_  
ATTEST

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that \_\_\_\_\_, personally came before me this day and acknowledged that she is the Town Clerk for the Town of Carrboro, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Carrboro, NC and attested by her as Town Clerk for the Town of Carrboro, NC.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public\_\_\_\_\_

(Notary Seal)

My commission expires:\_\_\_\_\_



## TOWN OF HILLSBOROUGH

\_\_\_\_\_  
Jenn Weaver, Mayor

\_\_\_\_\_  
ATTEST

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that \_\_\_\_\_, personally came before me this day and acknowledged that he/she is the Town Clerk for the Town of Hillsborough, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Hillsborough, NC and attested by her as Town Clerk for the Town of Hillsborough, NC.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public\_\_\_\_\_

(Notary Seal)

My commission expires:\_\_\_\_\_



## Attachment 1

**Memorandum of Understanding between Orange County and the  
Towns of Chapel Hill, Carrboro, and Hillsborough:  
Orange County Partnership to End Homelessness (OCPEH)**

Whereas, in April 2008, the Orange County Board of Commissioners, Chapel Hill Town Council, Carrboro Town Council, and Hillsborough Board of Commissioners endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a memorandum of understanding to fund and support the Plan's implementation by the Orange County Partnership to End Homelessness (OCPEH), and

Whereas, the Partnership has made significant progress in ending and preventing homelessness in Orange County over the past fourteen years, and

Whereas, the parties to this Memorandum came together and revised this Memorandum of Understanding in 2015, and

Whereas, reflecting a combination of national best practices, national funding models, and local experience, the Orange County 10-Year Plan to End Chronic Homelessness has evolved to become an ongoing program, the Orange County Plan to End Homelessness, and

Whereas, the role of the Partnership is to implement Orange County's Plan to End Homelessness and serve as the Continuum of Care for Orange County, and

Whereas, the parties to this Memorandum understand the value of this work to each jurisdiction and accordingly intend to continue to fund and support it, and

Whereas, the initial 10-Year Plan created a body called the Executive Team, now called the Leadership Team, consisting of representatives appointed from each of the above governmental partners and a cross-section of community representation, charged with providing oversight and direction to the plan, and the parties to this Memorandum intend for the Leadership Team to continue to perform this role, and

Whereas, the parties to this Memorandum intend to continue funding the Partnership's Homeless Programs Manager and Housing Access Coordinator, and provide partial funding for the Homeless Programs Coordinator, all of whom have job responsibilities outlined in a Job Description (Attachment A), and

Whereas, in order to implement the Plan, the Partnership is providing direct service programs via pass-through funding from other sources, and

Whereas, the four elected appointees continue to recommend and serve on the OCPEH Executive Team, which shall consist of the four elected appointees, to ensure that the interests of all four funding jurisdictions are consistently represented;



The parties to this Memorandum hereby clarify the roles and responsibilities of each body as it relates to funding and oversight.

A. The Executive Team will:

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  - i. Conducting joint annual performance reviews of the HPM with the County Manager, after gathering input from the Chair of the Leadership Team and others, as appropriate;
  - ii. Approving an annual work plan for the HPM based on the goals of the Plan, subject to final approval by the County Manager;
  - iii. Meeting with and reviewing the work plan with the HPM and the County Manager quarterly;
  - iv. Participating in interviews for the hiring of the HPM;
  - v. Making recommendations to the County Manager regarding performance concerns related to the HPM.
2. Operate its program on the same fiscal year as that operated by the Towns and County.
3. Not have supervisory authority over any Town or County staff who may be assigned to provide assistance to the Leadership Team or Executive Team.
4. Meet quarterly, with staff support, to review progress under the annual work plan.

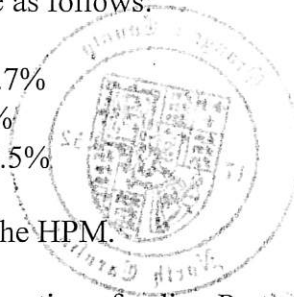
B. Towns and the County will:

1. Provide office space and supplies for the use of the Partnership staff as needed and available.
2. Provide staff assistance as needed to support the Executive Team and Leadership Team subject to Town Manager and County Manager direction.
3. Provide an annual appointment from the elected governing bodies to the Leadership/Executive Team.
4. Assist with the annual implementation efforts of the Plan.
5. Continue to support the Partnership.
6. Determine the amount of funding to be provided by each partner by utilizing a population-based formula based on the latest Census data.



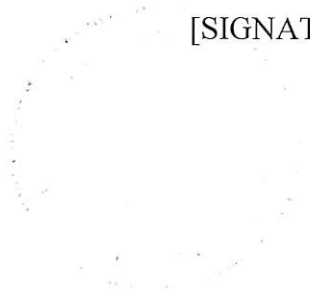
Based upon the 2020 Census data, the percentage contributions, subject to each jurisdiction's approval, are as follows:

- Orange County 39.5%
- Town of Chapel Hill 39.7%
- Town of Carrboro 14.3%
- Town of Hillsborough 6.5%



7. Receive an annual report from the HPM.
  8. Not be required or expected to continue funding Partnership staff should the funding not be available through any one or more of the other partners.
  9. Not require or suggest the HPM perform work on goals that are not in her/his work plan for the Partnership.
- C. The Plan is understood to be a living document that the Partnership will update over time to reflect its accomplishments and the evolution of policies, evidence-based practices, and funding.
- D. This Memorandum supersedes the 2015 Memorandum of Understanding that supported the Orange County 10-Year Plan to End Chronic Homelessness. It will remain in effect for one year from the date of its adoption by all Parties. Memorandum will be renewed for up to five additional two-year terms if agreed upon by all parties. Revisions will be presented to the Executive Team for consideration no later than the final quarterly meeting of the Executive Team prior to expiration of the one year term. Any Party hereto may withdraw from the Memorandum by providing written notice to every other Party at least 6 months prior to the start of the fiscal year in which the Party wishes to withdraw.

[SIGNATURES TO FOLLOW]





Wherefore the Parties hereto have set their hands and seals on the day and dates recorded below.

Laura Jensen  
ATTEST



ORANGE COUNTY

Renee A. Price  
Renee Price, Chair

STATE OF NORTH CAROLINA  
ORANGE COUNTY

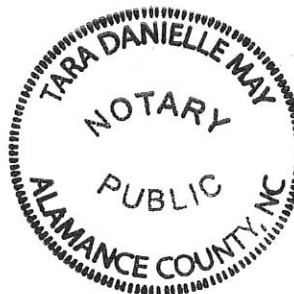
I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that Laura Jensen, personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the act of said County, the foregoing instrument was signed in its name by the Chair of said Board of Commissioners and attested by her as Clerk to said Board of Commissioners.

Witness my hand and official stamp or seal this 21st day of June, 2022.

Tara Danielle May  
Notary Public

(Notary Seal)

My commission expires: 11/19/22







TOWN OF CHAPEL HILL

Pam Hemminger, Mayor

ATTEST

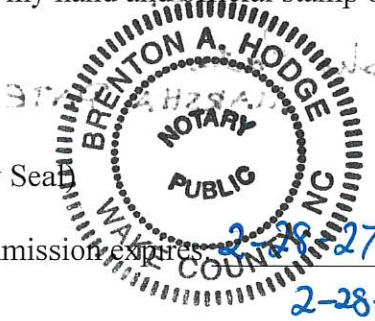
STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that Amy T. Harvey, personally came before me this day and acknowledged that ~~he~~ she is the <sup>Deputy</sup> Town Clerk for the Town of Chapel Hill, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Chapel Hill, NC and attested by her as Town Clerk for the Town of Chapel Hill, NC.

Witness my hand and official stamp or seal this 29<sup>th</sup> day of July, 2022.

(Notary Seal)

My commission expires



Notary Public Brenton Hodge





TOWN OF CARRBORO

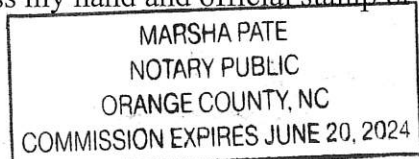
Damon Seils, Mayor

ATTEST

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that Wesley M. Barker, personally came before me this day and acknowledged that ~~she~~ <sup>he</sup> is the Town Clerk for the Town of Carrboro, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Carrboro, NC and attested by ~~her~~ <sup>him</sup> as Town Clerk for the Town of Carrboro, NC.

Witness my hand and official stamp or seal this 25<sup>th</sup> day of JULY, 2022.



(Notary Seal)

Notary Public MARSHA PATE

My commission expires: 6/20/24





Sarah Kimrey  
ATTEST

TOWN OF HILLSBOROUGH

Jenn Weaver  
Jenn Weaver, Mayor

STATE OF NORTH CAROLINA  
ORANGE COUNTY

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that Sarah Kimrey, personally came before me this day and acknowledged that he/she is the Town Clerk for the Town of Hillsborough, North Carolina and that by authority duly given and as the act of said Town, the foregoing instrument was signed in its name by the Mayor of the Town of Hillsborough, NC and attested by her as Town Clerk for the Town of Hillsborough, NC.

Witness my hand and official stamp or seal this 12 day of July, 2022.

Lindsay A Rhew  
Notary Public Lindsay A Rhew

(Notary Seal)

My commission expires: 4-29-2025









# TOWN OF CHAPEL HILL

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

## Item Overview

**Item #:** 8., **File #:** [23-0450], **Version:** 1

**Meeting Date:** 5/24/2023

### Approve a Source of Income Protections Policy for Town-Supported Residential Developments.

**Staff:**

Sarah Osmer Viñas, Director  
Nate Broman-Fulks, Assistant Director  
Emily Holt, Affordable Housing Development Officer

**Department:**

Affordable Housing and Community Connections

**Overview:** The proposed Source of Income Protections Policy would require residential developments that have received Town resources for affordable housing, including funding or land, to accept all lawful sources of income, including Housing Choice Vouchers, for payment.



**Recommendation(s):**

That the Council approve the Source of Income Protections Policy for Town-Supported Residential Developments.

**Context:** The Town Council's newly adopted [FY 2023-25 Strategic Focus Areas and Goals](https://chapelhill.legistar.com/View.ashx?M=F&ID=11932317&GUID=2794F7B0-650D-47B4-8E28-025FCB28FDD9) <<https://chapelhill.legistar.com/View.ashx?M=F&ID=11932317&GUID=2794F7B0-650D-47B4-8E28-025FCB28FDD9>> include a focus on Affordable Housing & Housing Production in order to increase housing across a range of income and housing types to achieve equitable housing outcomes for historically marginalized populations. This includes increasing the availability of affordable housing. Housing Choice Vouchers and similar housing subsidy programs provide valuable financial assistance for income-eligible families seeking affordable housing. Having a sufficient supply of units that accept these subsidies is an important way to expand the local supply of affordable housing.

Many households using vouchers, and other lawful alternative sources of income, face discrimination from landlords. County staff have reported that despite incentive packages and outreach efforts to landlords, about 15 percent of vouchers go unused (approximately 100 vouchers) and the average lease up time is consistently more than 100 days.

Many state and local governments across the country have adopted policies that prohibit landlords from denying rental applications based on the type of income they are using to pay rent.

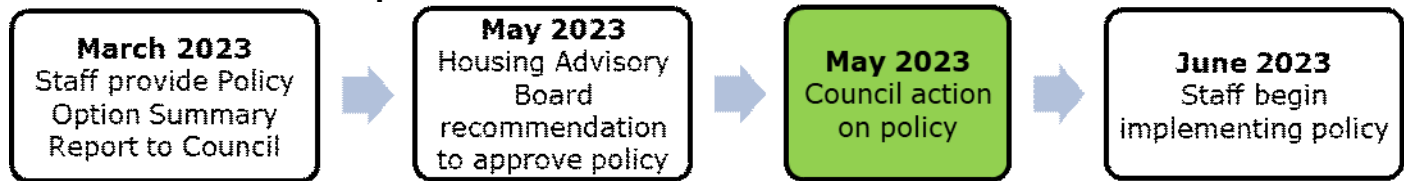
Because NC state law does not include source of income as a protected category, NC municipalities are limited in what they are allowed to mandate locally. Since 2023, several NC municipalities have adopted policies that offer limited versions of source of income protections. Specifically, policies in cities like Raleigh, Charlotte, and Winston-Salem focus on requirements for housing that use public resources, such as funding or land, to support affordable housing.

At the April Housing Advisory Board Meeting (HAB), the HAB voted to request that staff develop a Source of Income Protections policy for Council to consider. At the May 9<sup>th</sup> HAB meeting, the HAB voted unanimously to recommend that the Council approve the policy.



**Fiscal Impact/Resources:** There is no fiscal impact for this item.

**Where is this item in its process?**



**Attachments:**

- Resolution
- Draft Source of Income Protections Policy for Town-Supported Residential Development
- HAB Recommendation



**A RESOLUTION ADOPTING A SOURCE OF INCOME PROTECTIONS POLICY IN TOWN-SUPPORTED HOUSING. (2023-05-24/R-7)**

WHEREAS, One of the Town Council's Strategic Focus Areas and Goals for FY2023-25 is to increase access to housing for individuals across a range of incomes; and

WHEREAS, Housing Choice Vouchers and similar programs administered by the U.S. Department of Housing and Urban Development, the State of North Carolina, and the Orange County Housing Authority provide valuable financial assistance to families seeking housing opportunities within the Town of Chapel Hill; and

WHEREAS, the Town Council determines it to be critical that housing development subsidized with Town financial support, including the conveyance of real property, be available to residents on a non-discriminatory basis regardless of their lawful source of income; and

WHEREAS, the policy establishes that prospective residential tenants in Town- supported housing developments will not be disqualified from renting a housing unit based on a refusal by the housing operator/owner or developer to consider a lawful source of income; and

WHEREAS, the policy is not intended to require terms that prevent a property owner/operator or developer from determining, in a commercially reasonable and non-discriminatory manner, the ability of a housing applicant to afford to rent a property and other rental eligibility criteria; and

WHEREAS, on May 9, 2023, the Housing Advisory Board voted unanimously to approve recommending the Town Council adopt the proposed Source of Income Protections policy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the attached Source of Income Protections Policy in Town-supported housing, as described in the May 24, 2023 meeting materials.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution the Council hereby adopts the attached Source of Income Protections Policy in Town-supported housing.



**Source of Income Protection Policy in Town-Supported Housing**

Draft Date: May 24, 2023

Department: Affordable Housing &amp; Community Connections

**Policy**

A key strategic focus area for the Town is to increase housing across a range of income and housing types to achieve equitable housing outcomes for historically marginalized population. This includes increasing the availability of affordable housing.

Housing Choice Vouchers and similar housing subsidy programs administered by the U.S. Department of Housing and Urban Development, the State of North Carolina, or at the local level provide valuable financial assistance for income-eligible families seeking affordable housing. Having a sufficient supply of units that accept these subsidies is an important way to expand the local supply of affordable housing.

As set forth in this policy, residential developments that have received Town funds or have involved the conveyance of Town property for the provision of affordable housing must accept all lawful sources of income, including housing choice vouchers, in the payment of housing costs.

**Applicability**

Residential development projects constructed, developed, rehabilitated or renovated, in whole or part, with Town funding or other financial incentives including conveyance of real estate.

All applicable developments shall be required to consider housing vouchers and other provable and lawful sources of income as defined herein, and eligible residential tenants for Town-supported units will not be disqualified based on refusal of housing owner, operator or developer to consider lawful sources of income.

**Non-Applicability**

This policy shall not apply to housing that has not received Town resources. Providers of housing with no Town support will be encouraged to voluntarily accept tenants with all forms of rental subsidies and lawful sources of income.

**Enforcement**

- The policy will be applicable to the housing owner/provider(s) responsible for making rental eligibility decisions.
- Housing owners/providers will be in violation of this policy if a reason for denying the applicant is an applicant's provable and lawful source of income, including housing vouchers. The Policy is not intended to require terms that prevent a property owner/provider from determining, in a commercially reasonable and non-discriminatory manner, the ability of a housing applicant to afford to rent a property.
- The terms of adherence and enforcement will be spelled out in the Town's funding and/or land conveyance agreement.
- The policy will apply to applicable developments for a term equal to the affordability period of the project, as laid out in the funding agreement or land conveyance agreement.



**Source of Income Protection Policy in Town-Supported Housing**

Draft Date: May 24, 2023

Department: Affordable Housing &amp; Community Connections

**Definitions**

**Affordable Housing** means housing that is designed and constructed or renovated to serve eligible households with an income that is no more than 80 percent of the Area Median Income (AMI), as published annually by the U.S. Department of Housing and Urban Development (HUD).

**Town Funds** include funding from the Town's General Fund, bond funding, as well as funding from state and federal sources that do not have use restrictions contrary hereto.

**Lawful Source of Income** shall include wages from a lawful profession, occupation, or job; any government or private assistance, grant, loan, or rental assistance program, including vouchers directly or indirectly funded by the federal government or other rental subsidy programs; or any legal, documented gift, inheritance, pension, annuity, alimony, child support, or other consideration or benefit.

**Town Supported Developments** are those with Town-provided financial assistance or real estate conveyance for the production or preservation of affordable housing or other public benefit.

DRAFT



## HOUSING ADVISORY BOARD

*The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.*

### RECOMMENDATION SOURCE OF INCOME PROTECTION POLICY

**Recommendation:**    Approval   ☒    Approval with Conditions   ☐    Denial   ☐

**Motion:** A motion was made by Dowling, seconded by Mercer, that the Housing Advisory Board recommend the Town Council approve the proposed Source of Income Protections policy.

**Vote:**                    8-0

Ayes: Sue Hunter (Chair), Jamauria Burris, Robert Dowling, Anne Hoole, Rex Mercer, Brandon Morande, Valencia Thompson, Anthony Williams

Nays:

**Additional Comments:**

Prepared by:    Emily Holt, Staff





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 9., File #: [23-0451], Version: 1

Meeting Date: 5/24/2023

### **Authorize the Town Manager to Seek an Affordable Housing Partner for the American Legion Property and Begin Negotiating an Agreement under which the Parties would Prepare a Proposed Development Project.**

#### **Staff:**

Sarah Osmer Viñas, Director  
Nate Broman-Fulks, Assistant Director  
Emily Holt, Affordable Housing Development Officer

#### **Department:**

Affordable Housing and Community Connections

**Overview:** In [December 2022 <https://chapelhill.legistar.com/View.ashx?M=F&ID=11507568&GUID=184FEE9D-19C4-4CF0-B3F2-3CC2C1D3D173>](https://chapelhill.legistar.com/View.ashx?M=F&ID=11507568&GUID=184FEE9D-19C4-4CF0-B3F2-3CC2C1D3D173), the Town Council approved the Legion Property Committee Recommendations on the Future Use of the American Legion Property, which included designating 8-9 acres fronting Legion Road for affordable housing. Prior to and since that action, staff have explored the feasibility of development on that portion of the site, as well as competitiveness of that area for the Low Income Housing Tax Credit (LIHTC) program. As a next step, Town staff are ready to solicit interest from potential development partners to lead the Town through the planning process to develop the site.

Staff have established the following proposed goals for the development of affordable housing on American Legion Property, which are grounded in the Town's affordable housing goals and the approved Legion Property Committee Recommendations.

1. Provide housing affordable to a range of income levels with priority for units serving households earning 60% or less of Area Median Income
2. Maintain long term affordability
3. Leverage outside funding to minimize need for Town funding
4. Use environmentally friendly and sustainable principles for development
5. Facilitate connections within the community, the future park, and surrounding neighborhood
6. Retain Town ownership of the property
7. Complement the design of the future park on Legion Property
8. Align with the Town's [Complete Community Framework <https://www.townofchapelhill.org/businesses/complete-community>](https://www.townofchapelhill.org/businesses/complete-community) and [Comprehensive Plan](#)

#### **Proposed Next Steps:**

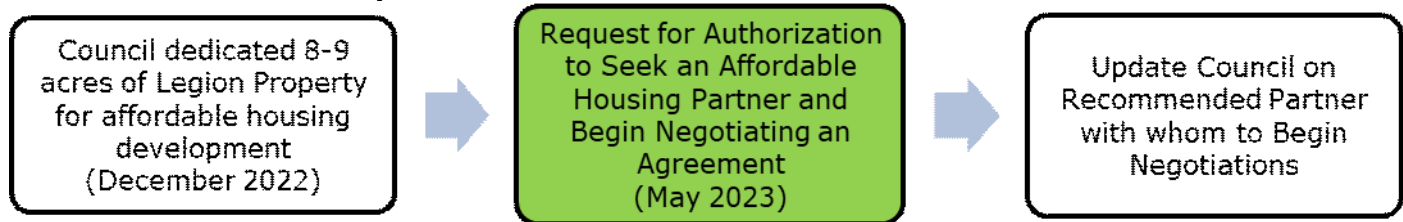
- With Town Council authorization, staff will issue a request for proposals and qualifications.
- Staff will then work with an evaluation team and the Manager to select a potential partner with whom the Town will negotiate an agreement to prepare a proposed development project.
- Once a partner is selected, staff will update Council on their partner selection and proposed planning and community engagement process.
- Staff will engage Council during the planning process to seek their feedback on the development plan prior to submitting a development application.
- The development team will submit a development application through the Town's development review process, which will include review by Town staff, opportunities for community input, and consideration by Council.



**Recommendation(s):**

That the Council authorize the Town Manager to seek an affordable housing partner for the American Legion Property and negotiate an agreement under which the parties would prepare a proposed development project.

**Fiscal Impact/Resources:** There is no fiscal impact anticipated with authorizing the Manager to seek an affordable housing partner or to begin negotiations.

**Where is this item in its process?****Attachments:**

- Resolution



**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SEEK AN AFFORDABLE HOUSING PARTNER FOR TOWN-OWNED LAND ON THE LEGION ROAD PROPERTY AND BEGIN NEGOTIATING AN AGREEMENT UNDER WHICH THE PARTIES WOULD PREPARE A PROPOSED DEVELOPMENT PROJECT. (2023-05-24/R-8)**

WHEREAS, one of the Town Council's Strategic Focus Areas and Goals for FY2023-25 is to increase access to housing for individuals across a range of incomes; and

WHEREAS, on [June 20, 2016 <https://chapelhill.granicus.com/MediaPlayer.php?view\\_id=7&clip\\_id=2801&meta\\_id=132829>](https://chapelhill.granicus.com/MediaPlayer.php?view_id=7&clip_id=2801&meta_id=132829), Council adopted guiding principles for any future development on the Legion Property that included describing how a proposed multi-family project would contribute to the mix of housing options in the Town and providing a mix of uses in the proposed development, as well as identifying a possible additional principle to outline how proposed development would support the Town's affordable housing goals; and

WHEREAS, in March 2017, the Town purchased the 36.2-acre parcel located along Legion Road from American Legion Post 6; and

WHEREAS, on May 18, 2022, the Council received a petition from several Council members requesting the Town move forward with developing and implementing a plan for the future use of the Legion Property, including to explore using a portion of the site for affordable housing; and

WHEREAS, in October 2022, the Mayor formed the Legion Property Committee (LPC) to form recommendations on the future use of the Legion Property; and

WHEREAS, on [December 8, 2022 <https://chapelhill.legistar.com/View.ashx?M=F&ID=11507568&GUID=184FEE9D-19C4-4CF0-B3F2-3CC2C1D3D173>](https://chapelhill.legistar.com/View.ashx?M=F&ID=11507568&GUID=184FEE9D-19C4-4CF0-B3F2-3CC2C1D3D173), the Town Council approved the Legion Property Committee Recommendations on the Future Use of the American Legion Property, which included designating 8-9 acres fronting Legion Road for affordable housing development.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to seek an affordable housing development partner for a portion of the American Legion Property.

BE IT FURTHER RESOLVED that the Town Manager is authorized to begin negotiating an agreement with a selected affordable housing developer to prepare a proposed development project.

BE IT FURTHER RESOLVED that staff will return to the Council with a recommendation to approve the proposed development contract with the selected affordable housing partner.

BE IT FURTHER RESOLVED that the selected partner will submit a development application for the Council to consider in its role as regulator under the Land Use Management Ordinance.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council authorizes the Town Manager to seek an affordable housing development partner for the American Legion Property and begin negotiating an agreement under which the parties would prepare a proposed development project.





# TOWN OF CHAPEL HILL

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

## Item Overview

**Item #:** 10., **File #:** [23-0452], **Version:** 1

**Meeting Date:** 5/24/2023

### Amend the 2022-23 Council Calendar.

**Staff:**

Sabrina Oliver, Director  
Amy Harvey, Deputy Town Clerk

**Department:**

Communications and Public Affairs

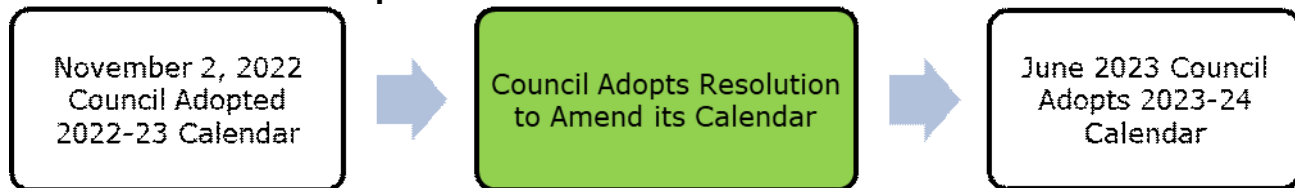
**Overview:** The Council adopted its 2022-23 meeting calendar on November 2, 2022. This action amends the Council calendar to change the meeting type, time, and location for the June 7 meeting.



**Recommendation(s):**

That the Council adopt a resolution amending the 2022-23 Council calendar to incorporate scheduling changes.

### Where is this item in its process?



**Attachments:**

- Resolution
- Proposed Chapel Hill Town Council 2022-23 Meeting Calendar



**A RESOLUTION AMENDING THE COUNCIL'S 2022-23 MEETING CALENDAR (2023-05-24/R-9)**

WHEREAS, on November 2, 2022, the Council adopted its 2022-23 meeting calendar; and

WHEREAS, the tentative budget work session on June 7 is not needed for this purpose; and

WHEREAS, the Council and staff wishes to change the meeting type, time, and location for the June 7 meeting to consider items in a regular meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends its 2022-23 meeting calendar as follows:

- Change the tentative budget work session on June 7, 2023 to a Regular Meeting to start at 7:00 p.m. in the Council Chamber in Town Hall, 405 Martin Luther King, Jr. Blvd., NC.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council amends the 2022-23 Council calendar to change the meeting type, time, and location for the June 7 meeting.



# Adopted Chapel Hill Town Council

## Fall 2022 Meeting Calendar

JULY							AUGUST							SEPTEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6					1	2	3
3	4	5	6	7	8	9		7	8	9	10	11	12	13	4	5	6	7	8	9
10	11	12	13	14	15	16		14	15	16	17	18	19	20	11	12	13	14	15	16
17	18	19	20	21	22	23		21	22	23	24	25	26	27	18	19	20	21	22	23
24	25	26	27	28	29	30		28	29	30	31				25	26	27	28	29	30
31																				
OCTOBER							NOVEMBER							DECEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5					1	2	3
2	3	4	5	6	7	8		6	7	8	9	10	11	12	4	5	6	7	8	9
9	10	11	12	13	14	15		13	14	15	16	17	18	19	11	12	13	14	15	16
16	17	18	19	20	21	22		20	21	22	23	24	25	26	18	19	20	21	22	23
23	24	25	26	27	28	29		27	28	29	30				25	26	27	28	29	30
30	31																			

## Spring 2023 Meeting Calendar

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

MARCH						
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12	13	14	15	16	17	18
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26	27	28	29	30	31	

APRIL						
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2	3	4	5	6	7	8
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

MAY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

20	Regular Meetings 7 PM @ Town Hall	10	Council Work Sessions 6:30 PM @ Library	15	Other Meetings *Check web calendar for time/location
45	Total Number of Meetings	12	Town Holidays	9	CCES Meetings**



## List of Meetings by Date

### August 2022<sup>1</sup>

- 31-W-Special Meeting<sup>2</sup>, 7 PM

### September 2022

- 14-W-Regular Meeting
- 19-M-Work Session
- 28-W-Regular Meeting

### October 2022

- 3-M-Work Session
- 12-W-Regular Meeting
- 19-W-Regular Meeting
- 20-R-Special Meeting<sup>2</sup>, 7:30 PM

### November 2022

- 2-W-Regular Meeting with Closed Session
- 14-M-Special Meeting <sup>2</sup>, 5 PM
- 14-M-Work Session
- 16-W-Regular Meeting
- 28-M-Special Meeting <sup>2</sup>, 7 PM
- 30-W-Work Session with Closed Session

### December 2022

- 7-W-Regular Meeting
- 9-F-Special Meeting <sup>2</sup>, 1 PM
- 14-W-Special Meeting, 5 PM

### January 2023<sup>1</sup>

- 11-W-Regular Meeting
- 12-R-Special Meeting<sup>2</sup>, 7 PM, Room 344, Town Hall
- 18-W-Work Session
- 24-T-Legislative Breakfast, 8:30 AM, Library Room B
- 24-T-Special Meeting<sup>2</sup>, 7 PM, Room 344, Town Hall
- 25-W-Regular Meeting

### February 2023

- 3-F-Council Retreat, Sheraton Hotel, 1 Europa Dr., 3:30 PM
- 4-S-Council Retreat, Sheraton Hotel, 1 Europa Dr., 8:30 AM
- 8-W-Work Session
- 15-W-Regular Meeting
- 22-W-Regular Meeting

### March 2023

- 1-W-Work Session, 5 PM, Library Rm B
- 8-W-Regular Meeting
- 15-W-Special meeting, 5:45 PM Library Rm C for closed session
- 15-W-Work Session
- 22-W-Regular Meeting

### April 2023

- 10-M-Work Session
- 19-W-Special Meeting<sup>2</sup>, 6:15 PM
- 19-W-Regular Meeting
- 20-R-Joint Public Hearing, 7 PM, Whitted Building, Hillsborough
- 26-W-Regular Meeting

### May 2023

- 10-W-Regular Meeting
- 17-W-Special Meeting<sup>2</sup>, 5:00 PM
- 17-W-Work Session, 7PM, Council Chamber
- 24-W-Regular Meeting
- 31-W-Budget Work Session (tentative), 6:30 PM, Council Chamber

### June 2023

- ~~7-W-Budget Work Session (tentative)~~
- ~~7-W-Regular Meeting~~
- 14-W-Regular Meeting
- 21-W-Regular Meeting

**Proposed May 24, 2023**

## **\*\*Council Committee on Economic Sustainability**

Meets monthly on the first Friday at 8 AM, unless otherwise indicated. These are held either virtually or in-person, see [web calendar](https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee) for details. For more Committee information, see <https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee>

<sup>1</sup> Unless otherwise noted, Council Regular meetings are held at 7 PM in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions are held at 6:30 PM in the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514)

<sup>2</sup> It is anticipated that the Council will go into closed session, as authorized by North Carolina General Statute Section 143-318.11(a)(6) to discuss a personnel matter.





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 11., **File #:** [23-0453], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Continue the Legislative Hearing and Defer Considering the South Creek Conditional Zoning Application to June 7, 2023.**

**Staff:**

Brittany Waddell, Director  
Judy Johnson, Assistant Director  
Corey Liles, Planning Manager  
Charnika Harrell, Planner II  
Jacob Hunt, Planner II

**Department:**

Planning

**Overview:** Staff requested to continue the Legislative Hearing for South Creek's Conditional Zoning Application to allow additional time for staff review of plan revisions. The applicant has agreed.



**Recommendation(s):**

That the Council adopt the resolution continuing the Legislative Hearing to June 7, 2023.



**Attachments:**

- Resolution



**A RESOLUTION TO CONTINUE THE LEGISLATIVE HEARING AND DEFER CONSIDERING THE CHAPEL HILL ZONING ATLAS AMENDMENT FOR CONDITIONAL REZONING OF SOUTH CREEK LOCATED AT 4511 S. COLUMBIA STREET TO JUNE 7, 2023 (PROJECT #CZD-22-1) (2023-05-24/R-10)**

WHEREAS, on April 19, 2023, the Town Council opened the Legislative Hearing to consider a Conditional Zoning Application to rezone 4511 S. Columbia Street from Development Agreement-1 (DA-1) and Residential Low-Density-1 (R-LD1) to Mixed Use-Village-Conditional Zoning District (MU-V-CZD); and

WHEREAS, the Town Council continued the Legislative Hearing to May 24, 2023; and

WHEREAS, the applicant needed additional time to finalize their revised application in response to comments received at the April 19<sup>th</sup> hearing; and

WHEREAS, staff has requested the Town Council continue the Legislative Hearing and consider South Creek's revised Conditional Zoning application on June 7, 2023, allowing staff additional time to evaluate the revisions and finalize the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues the Legislative Hearing for South Creek at 4511 S. Columbia Street and defers consideration of this item to June 7, 2023, at 7 PM, in the Town Hall Council Chamber, 405 Martin Luther King, Jr. Blvd.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council continues the Legislative Hearing for South Creek and defers consideration of this item to June 7, 2023.





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 12., **File #:** [23-0454], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Defer the Legislative Hearing to Amend the Chapel Hill Zoning Atlas for the Chapel Hill Crossings Conditional Zoning Application.**

**Staff:**

Britany Waddell, Director  
Judy Johnson, Assistant Director  
Jacob Hunt, Planner II

**Department:**

Planning

**Overview:** Due to need for continued staff review and the number of items on the Council agenda, staff recommends the Legislative Hearing for the Chapel Hill Crossings Conditional Zoning Application be rescheduled. Staff will notice a future legislative hearing date by mail and publication.



**Recommendation(s):**

That the Council adopt the Resolution to defer the Legislative Hearing to a date to be scheduled.



**Attachments:**

- Resolution



**A RESOLUTION DEFERRING THE LEGISLATIVE HEARING TO AMEND THE CHAPEL HILL ZONING ATLAS FOR CONDITIONAL REZONING OF CHAPEL HILL CROSSINGS TO A DATE TO BE SCHEDULED (PROJECT #CZD-23-2) (2023-05-24/R-11)**

WHEREAS, the Town of Chapel Hill provided notice of a Legislative Hearing on May 24, 2023 for consideration of a Conditional Zoning Application for Chapel Hill Crossings, for rezoning of property from Residential-1 (R-1) to Residential-6 (R-6-CZD) and Mixed-Use Village (MU-V-CZD); and

WHEREAS, due to need for continued staff review, staff has requested consideration of the application be deferred to a date to be scheduled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council defers the Legislative Hearing for Chapel Hill Crossings Conditional Zoning application to a date to be scheduled.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council defers the Legislative Hearing for Chapel Hill Crossings application to a date to be scheduled.





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 13., **File #:** [23-0455], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Adopt Minutes from February 15, and 22, 2023 and March 8, and 15, 2023 Meetings.**

#### **Staff:**

Sabrina M. Oliver, Director  
Amy Harvey, Deputy Town Clerk  
Nikki Catalano, Transcriptionist

#### **Department:**

Communications and Public Affairs

**Overview:** These minutes are prepared for the meetings listed below.



#### **Recommendation(s):**

That the Council approve the attached summary minutes of past meetings.



#### **Attachments:**

- Resolution
- February 15, 2023, Regular Meeting
- February 22, 2023, Regular Meeting
- March 8, 2023, Regular Meeting
- March 15, 2023, Work Session



**A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS (2023-05-24/R-12)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts summary minutes for meetings held on February 15, and 22, 2023 and March 8, and 15, 2023.

This the 24th day of May, 2023.

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

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.





## TOWN OF CHAPEL HILL

### Town Council

#### Meeting Minutes - Draft

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

Mayor Pam Hemminger  
Mayor pro tem Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

Wednesday, February 15, 2023 7:00 PM RM 110 | Council Chamber

#### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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如需口头或  
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务，请拨打  
919-969-5105.

#### In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV))
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

#### Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

#### Town Council

#### Meeting Minutes - Draft

February 15, 2023

- Entrance on the ground floor.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain

#### ROLL CALL

**Present:** 7 - Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

**Absent:** 2 - Mayor Pam Hemminger, and Mayor pro tem Karen Stegman

#### OTHER ATTENDEES

Interim Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Assistant Business Management Director Matthew Brinkley, Business Management Director Amy Oland, Principal Planner Diedra Whittenburg-McEntyre, Senior Project Manager Sarah Poulton, Assistant Planning Director Judy Johnson, Planning Director Britany Waddell, Manager of Engineering and Infrastructure Chris Roberts, Fire Marshall Roland Falana, Police Office Josh Mecimore, Communications Manager Ran Northam, and Assistant Town Clerk Brenton Hodge.

#### OPENING

Council Member Anderson called the meeting to order at 7:00 p.m. and explained that Mayor Hemminger and Mayor pro tem Stegman were both ill and had asked to be excused. Mayor Hemminger had asked her and Council Member Parker to open the meeting and the Council would then vote on who should chair the business portion, she said. She reviewed the agenda and explained the rules for participation.

#### ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Council Member Parker Leads Council in Honoring Congressman David Price. [\[23-0130\]](#)

Council Member Parker lead the Council in honoring US Congressman David Price, who had recently retired from serving NC's 4th Congressional District with honor and distinction for 34 years. Several former elected officials and community partners were present. Each Council Member read a portion of a proclamation, which outlined a long list of Congressman Price's contributions to the community and the many awards that he had received. The Council commended him for his leadership, his advocacy, and his steadfast support for the Town, and they proclaimed February 16, 2023, as David Price Day in Chapel Hill.

Congressman Price thanked the Council and said that he was pleased to be succeeded by Valerie Foushee who would do a fine job in representing



the 4th District. He respected the way Chapel Hill had been governed over the years -- with openness, transparency, widespread citizen participation, and good faith -- and he had never doubted that he had solid hometown support, he said. He discussed some of the achievements that he felt most proud of and commended Town leaders for their strong sense of community and inclusion.

Congresswoman Valerie Foushee thanked Congressman Price for working tirelessly for 34 years to make NC's 4th District a better place for all. He had been a steadfast champion for affordable housing, transportation, infrastructure, healthcare, education, gun violence prevention, international diplomacy, and countless other issues, she pointed out. She said that everything Congressman Price had done had been for the common good and that he was an inspiration to all who know him.

#### 0.02 Celebrating Successes Video: Black History Month.

[\[23-0131\]](#)

Council Member Parker proclaimed February 2023 to be Black History Month in the Town of Chapel Hill, and the Council watched a kick-off video released by Orange County's elected leaders. The video featured two poems ("Still I Rise" by Maya Angelou, and "Making the Struggle Everyday" by Ella Baker) and was narrated by Congresswoman Valerie Foushee. The video can be seen in its entirety on Carrboro's YouTube channel, via links listed on Town's website.

#### 0.03 Council Statement Regarding Shooting at Michigan State University.

[\[23-0132\]](#)

Council Members read a statement regarding a recent shooting at Michigan State University. The statement said that the Town and UNC were working hard to provide support and to keep everyone safe and that information on how to access community and crisis services was available on the Town's webpage and social media. Communities across the country were calling on state and federal leaders to set aside partisanship and put real action behind common sense gun legislation and the country's mental health crisis, stated the Council.

#### 0.04 Council Member Parker Regarding This Week's Public Meetings.

[\[23-0133\]](#)

Council Member Parker announced that two virtual meetings would be held on February 16th: an open house regarding the Housing Choice Initiative at noon, and a public meeting regarding a Martin Luther King Jr. Boulevard/Critz Street crosswalk at 7:00 p.m. Additional information and links could be found on the Town's website, he said.

#### 0.05 Council Member Parker Regarding Next Wednesday's Council Meeting.

[\[23-0134\]](#)

Council Member Parker said that the Council's next regular business meeting would be held in Council Chambers on February 22nd at 7:00 p.m.

#### 0.06 Council Vote on Chairing Meeting.

[\[23-0135\]](#)

The Council voted unanimously to have Council Members Anderson and Parker continue chairing the meeting.

A motion was made by Council Member Ryan, seconded by Council Member Miller-Foushee, that the Council be jointly chaired by Council Members Anderson and Parker. The motion carried by a unanimous vote.

### **PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

#### 1. Cultural Arts Commission Request for Name, Membership and Charge Changes.

[\[23-0117\]](#)

Council Member Parker said that the Council had received a petition from the Cultural Arts Commission to request name, membership and other changes. The Council voted unanimously to receive and refer.

This item was received as presented.

#### 1.01 1.01 Chapel Hill Downtown Partnership Request to Change Town Appointments to Board.

[\[23-0136\]](#)

A motion was made by Council Member Huynh, seconded by Council Member Berry, that the Council received and referred the petitions to the Mayor and the Manager. The motion carried by a unanimous vote.

### **CONSENT**

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

*Approval of the Consent Agenda*



A motion was made by Council Member Huynh, seconded by Council Member Berry, that R-1 be adopted as amended, which approved the Consent Agenda. The motion carried by a unanimous vote.

2. Approve all Consent Agenda Items. [\[23-0118\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

- 2.5 Grant a Paved Walkway Easement and Access License and a [\[23-0129\]](#)

Natural Gas Utility Easement on Town-owned Property at 130 E Rosemary St (Portion of Parking Lot 2) and Authorize the Town Manager to Execute the Documents.

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

3. Grant a Paved Walkway Easement and a Natural Gas Utility [\[23-0119\]](#)

Easement on Town-owned Property at 130 E Rosemary St (Portion of Parking Lot 2) and Authorize the Town Manager to Execute the Easements.

This resolution(s) and/or ordinance(s) was removed.

4. Approve Amending the 2021-2022 HOME Investment [\[23-0120\]](#)

Partnership Program Annual Plan. This resolution(s) and/or ordinance(s) was adopted and/or enacted.

5. Approve the Interim Town Manager's Employment Contract. [\[23-0121\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

6. Authorize the Mayor to Execute a Contract for the Town [\[23-0122\]](#)

Manager Recruitment and Selection Process. Council Member Anderson noted a change in Consent Agenda, and the Council voted unanimously to adopt Resolution 1, as amended, and replace Item 3 with Item 2.5.

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

## INFORMATION

7. Receive Upcoming Public Hearing Items and Petition Status [\[23-0123\]](#)

List. This item was received as presented.

## DISCUSSION

8. Initial Budget Public Forum on the Annual Budget, Capital [\[23-0124\]](#)

## Program, Use of Grants and Related Items, and Potential Legislative Requests.

Assistant Director of Business Management Matt Brinkley opened a public forum on the Town's FY-2023-2024 budget. He said that upcoming budget discussions would address the Town's Capital Program, funding for the Community Development Block Grant (CDBG) and HOME Programs, the Housing Capital Funds Program, the Downtown Service District, public transportation grants, and potential legislative proposals. He then reviewed elements of a 15-year investment plan for capital projects.

Mr. Brinkley explained the CDBG and HOME funding process, which would begin with a public forum on April 19, 2023, that would address review committee recommendations for CDBG funding (expected to be \$421,755 in FY 2023). HOME Program recommendations were expected in April 2023, and staff would present final recommendations on both programs to the Council on May 10th, he said.

Mr. Brinkley said that staff expected capital grant funding for Public Housing to be similar to that of 2022 (\$1,167, 218), and he gave examples of eligible activities. He said that Public Transportation grants would be an estimated \$2.8 million and \$3 million, from the federal and the state governments, respectively. Additional planning funds would be available through the Metropolitan Planning Organization, he pointed out.

Mr. Brinkley said that estimated funding for the Downtown Service District was \$408,000 through a designated 6.4 cent tax. That would represent an \$11,000 increase over the current year, he pointed out.

Mr. Brinkley said that items the Council had recently discussed with its legislative delegation would be considered at an upcoming Council meeting. He noted that the budget calendar included Council work sessions in the spring, which would be followed by the Manager's recommended budget presentation and public hearings. The FY 2023-24 budget was scheduled for adoption by June 30, 2023, he said.

Visitors Bureau Director Laurie Paolicelli reported that the Town's tourism industry was returning to pre-pandemic levels with visitors having spent \$194.81 million in 2022. Thirty-eight percent of that had gone toward food and beverages, she pointed out. She reported on transportation, lodging, retail and recreation income as well and provided demographic information on Town visitors and described their interests.

Ms. Paolicelli explained that calls to North Carolina's tourism office were being answered by inmates of the women's prison in Raleigh. Her staff visited those prisoners a couple of times a year to update them on what was happening in Chapel Hill, she said.



Ms. Paolicelli said that racial equity and inclusion was a top priority for the Visitors Bureau. She recommended that the Town advertise its commitment to those values and said that the Bureau had created a website (chapelhilldiveristy.com) to get that story out.

Council Member Berry confirmed with Ms. Paolicelli that those who inquire about the Town ask about outdoor amenities but primarily want to know about the Town's restaurants and live music.

The Council thanked Town staff for beginning the five-year budget strategy discussions. Some very hard decisions would need to be made, Council Member Ryan said. Council Member Anderson pointed out that the Council had been waiting for six or seven years for such a strategy.

This item was received as presented.

#### 9. Shaping Our Future - Stormwater Regulations Review

[\[23-0125\]](#)

Engineering and Infrastructure Manager Chris Roberts explained that a June 9, 2021, petition from five Council Members had asked staff to review the Town's stormwater regulations and find areas that could be enhanced to combat climate change. The following presentation would be an update on that process, he said.

Kevin Bigalke, of SRF Consulting Group, discussed an analysis of the Town's Stormwater Management Ordinance regulations for post-construction. The goal had been to determine if Chapel Hill was ready for increases in precipitation related to climate change, he explained. He reviewed the process, which had begun in 2022 and included input from several Town departments as well as community engagement, meetings with Town advisory boards, and conversations with stakeholders. His investigation had looked at rate control, water quality, the Resource Conservation District (RCD) and floodplain management, and stormwater volume, he said.

Mr. Bigalke recommended that the Town move toward increasing its current rate control standard for 24-hour storm events and adopt "Atlas 14", which was a more accurate technical report for estimating precipitation from various size storms. With regard to water quality, he said that the Town's current standard was sufficient but needed to be edited for clarification. He discussed adding language to the Town's ordinance in some areas and strengthening it in others and gave examples of alternative approaches and practices.

Mr. Bigalke said that regulating stormwater on new development would not, by itself, address changes in precipitation patterns. He recommended that the Town rewrite LUMO stormwater requirements for clarity and understandability. He proposed that the Town do the following: incorporate regional stormwater control measures into capital

improvement projects; pursue grants and other sources of funding to promote voluntary stormwater management; and incentivize individual property owners to include residential stormwater management practices, such as infiltration systems and rain gardens.

Mr. Bigalke said that next steps in the process would include additional staff review and an opportunity for public comment. Staff would present a final report and recommendations to the Council in April 2023, he said.

In response to a question from the Council, Mr. Bigalke explained that a wetland protection buffer ordinance would provide some protection in the RCD and eliminate the potential for erosion. However, the recommendation for those pertained to any place where wetlands exist and was not tied to the RCD, he said.

When asked for examples of how wetland protection would work, Mr. Bigalke explained that a developer who wanted to build on an undeveloped parcel that included a wetland would be required to establish a vegetative wetland buffer. On community-owned land, the Town could implement such buffers, he said.

The Council asked how the recommendations related to the petition's original interest in mitigating upstream rather than remediating downstream, and Mr. Bigalke explained that retention regulations were intended to hold water where it falls. However, that regulation alone would not completely alleviate the problem and additional approaches could include having a regional treatment system and/or adding retention and detention as development and redevelopment occurred, he said.

In response to the Council's questions about water quality, Mr. Bigalke pointed out that the City of Durham required phosphorous removal in specific areas of the city. Such a process added a level of complexity, and removing nitrogen as well was challenging, he said.

The Council and Mr. Bigalke discussed how the Town had created an incentive system for the Blue Hill District after the state prohibited towns from addressing any but new impervious surface. Mr. Bigalke said that he and staff had discussed how such an incentive would fit within the proposed approach and would be part of the LUMO rewriting process.

Council Member Ryan commented on the project's focused scope and pointed out the importance of having regional retention and detention as well. She asked staff to think about approaches, such as a zoning overlay, that other towns had been taking. She pointed out that a second Council petition in June 2021 had pertained to whether the Town should take a strictly engineering approach to watershed studies or have a more natural systems approach, and she stressed the importance of having that nuanced conversation. She recommended that staff tighten up some of the RCD loopholes while tightening regulations and making them more



responsive to climate change.

The Council confirmed with Mr. Bigalke that the Town's current ordinance had a fairly robust requirement for stormwater maintenance and inspections. Council Member Berry requested that staff attend to the aesthetics of rain gardens as well. She and Mr. Bigalke discussed the problem of stormwater running into residential backyards, and he pointed out that resolving issues with steep slopes required ingenuity and creativity.

The Council emphasized the importance of applying an equity lens to stormwater management with regard to communities that have been most impacted by flooding. Mr. Bigalke agreed and pointed out that regulations would be equity neutral because they would apply to every proposed new development.

The Council and Mr. Bigalke discussed the importance of the Town automatically receiving updated Atlas 14 standards. They discussed the status of nutrient reduction rules for new developers at the NC state legislature. Mr. Bigalke pointed out that the City of Durham (and perhaps Raleigh) had an incentive-based, nutrient-reduction strategy that included a training program.

Mr. Roberts said that local governments were not allowed to enforce such rules on private developers. The Council confirmed with him that developers were required to send maintenance reports each year and that staff was required to inspect a certain number of those.

This item was received as presented.

#### 10. Shaping Our Future - Transit Oriented Development and Land Use Management Ordinance Update.

[\[23-0126\]](#)

Principal Planner Diedra McEntyre presented a progress report on the Land Use Management Ordinance (LUMO) update/rewriting process. She said that staff would need the Council to make some decisions and affirmations during that process, but that policy directives were already embedded in the Chapel Hill 2020 Comprehensive Plan and the Town's Complete Communities Framework (CCF). Ms. McEntyre then discussed how those directives were being used to initiate the LUMO rewrite.

Allison Mouch, representing Orion Planning and Design, pointed out that the year long LUMO auditing process had already involved staff, stakeholders, applicants, and advisory board members. It had also included a survey, which had been presented to Council, she said. She explained that a team had been analyzing the LUMO, section by section, with an emphasis on equity, affordability, resilience, mobility, good design standards, and process.

Ms. Mouch discussed how the updating process would unfold and what a

comprehensive overhaul of the LUMO's organization, format and provisions would entail. The plan was to condense and consolidate repeated information and make the LUMO more user-friendly with pictures and tables rather than extensive content, she said.

Ms. Mouch discussed how proposed improvements regarding housing, transportation, and design could advance the Town's social equity goals. With regard to the environment, she said that the LUMO and stormwater regulations needed to be looked at comprehensively. Analyzing low-impact development and landscape buffer requirements would be part of the process, she said.

Ms. Mouch discussed improving the code to expand the opportunity for meaningful mixed-use development at appropriate scales in more of the Town's districts, and she gave examples of potential changes. She said that code improvements would do the following: incorporate neighborhood-scale, mixed-use in most or all residential districts; expand uses and use groups that might allow for incubator and co-working spaces in appropriate districts; and allow parks, open spaces, greenways and recreation amenities by right in every district.

Ms. McEntyre then proposed a timeline that would allow the Council to formally adopt the rewritten LUMO in November 2024. Training and creation of a user guide would follow that, she said. She proposed returning to the Council in June 2023 with an annotated outline and a re-composition of the LUMO that would address the values of the CCF and the Comprehensive Plan. Staff would return to the Council again for more in-depth content discussions in September or October 2023, she said.

Council Member Parker and Ms. Mouch discussed how the word "district" was currently being used to mean actual zoning district (i.e., R-1) but that nothing would preclude characterizing areas by their geographic characteristics. Ms. Mouch recommended at least re-titling districts to describe what they are rather than giving them a letter and number, and Council Member Ryan said that doing so would be especially useful for unique areas such as Downtown.

The Council confirmed with Ms. Mouch that incentivizing community benefits (perhaps with density bonuses) would be part of the focus. In response to a question from Council, Ms. Mouch said that public outreach would include having a draft document available for comment. Community members and stakeholders would be asked whether the proposed changes would accomplish Town policies and priorities, she said.

The Council and Ms. Mouch discussed how the amount of time scheduled for advisory board discussions was probably more than was needed. A Council Member asked why nine more months of public engagement was required, and Ms. McEntyre explained that processes would overlap.



Those nine months would not be for public engagement alone, she said. In response to a question from Council, Ms. Mouch said that a Council directive regarding park land would be sufficiently incorporated into the development review and requirements.

Council Member Searing said that the presentation was making it appear as though the community had agreed to increase density, especially in current single-family neighborhoods, and Ms. Mouch replied that she had not intended to imply community agreement. Where and how density could be incorporated without overburdening certain areas or neighborhoods would need to be discussed and applying an equity lens to that would be a critical component, she said.

Council Member Anderson said that the policy conversation regarding density ended when the Council approved an increase as part of the CCF. How to increase density with excellence and fidelity was the current question, she said.

Council Member Ryan emphasized the importance of revising the Design Manual and said that streetscape standards were very important. With regard to staff's comments about policy decisions having already been made, the CCF was not yet complete and the Parks Master Plan needed updating, she pointed out.

Council Member Anderson said that much of the current policy felt outdated and/or incomplete to her. She would like to give policy guidance or affirmation where necessary and check on assumptions that were being made about policy directives, she said. She pointed out that the Town's Comprehensive Plan was not a recent document.

Council Member Parker pointed out that the current budget season was the right time for staff to make sure that it had the resources to accomplish its goals. If there were places where more resources could help speed that process up, staff should make that known fairly soon, he said.

Council Member Parker recommended changing the wording regarding "allowing" parks, since the Town should be mandating them. Moreover, much of the documentation on housing choices was not understandable to the average person and needed to be simplified prior to public engagement, he said.

Planning Director Britany Waddell replied that making the information digestible to residents was one of staff's primary goals. She said that staff was currently working on the Design Manual and was aware that the CCF needed to be filled out. She pointed out that having alternate community opinions indicated a potential need for nine months of

community discussion. Staff was trying to ensure a realistic timeframe for public feedback, she said.

This item was received as presented.

# 11. Update on Administering Concept Plan and Conditional Zoning Applications [\[23-0127\]](#)

Assistant Town Manager Mary Jane Nirdlinger presented a proposal to revise how concept plans and conditional zoning applications move through the Town's planning process. The proposal was based on the Council's interest in looking at advisory boards' roles and in providing more predictability, simplicity and clarity, she said.

Ms. Nirdlinger pointed out that concept plans currently went before the Community Design Commission (CDC), Stormwater Utility Advisory Board, and sometimes the Housing Advisory Board (HAB) before coming to the Council. However, the LUMO required that only the CDC and Council reviewed those plans and staff was proposing to follow that guidance, she said.

With regard to conditional zoning applications, the current process included a staff technical review, public information meeting, and then review by the CDC, HAB, Economic Sustainability Advisory Board (ESAB), Transportation and Connectivity Advisory Board (TCAB), and Planning Commission (PC), she said. She pointed out that such extensive advisory board review added months to the process.

Ms. Nirdlinger recommended that only the PC review conditional zoning applications. That review would be followed by a public hearing, a recommendation from the Town Manager, and Council action, and would be in keeping with the LUMO, she said.

Ms. Nirdlinger did not recommend changing the final plan review process, which included a staff technical review and a CDC review of building elevations and lighting. She pointed out that it was currently a good time to test the proposed changes, since a number of projects were finishing up and new ones were coming in.

Council Member Miller-Foushee expressed interest in having the PC fill the CDC's role regarding building elevations and lighting, and Ms. Nirdlinger offered to look at the legal implications of such a text amendment.

Council Member Parker proposed exploring whether anyone, but staff needed to review those elements.

The Council and Ms. Nirdlinger discussed how staff and applicant time would be saved by the proposed changes, and Ms. Nirdlinger pointed out that applicants often get confusing information from the various boards.



Council Member Berry confirmed with her that "champions" from other Town boards do attend PC meetings.

Council Member Searing said that he had been told that the staff's presentation did not reflect some of the CDC's current role in the process, and Ms. Nirdlinger agreed to look into that. Attorney Ann Anderson commented that the staff presentation did not address the CDC's special authority related to the Town's Blue Hill District. However, that review process was different than what was currently being addressed, she said.

The majority of Council Members expressed support for the proposal, and Council Member Huynh asked staff to eliminate more. Several Council Members recommended exploring a text amendment that would allow the PC to take on the CDC's role of approving elevations and lighting. If the Town did not need advisory board feedback, and the LUMO did not require it, then why should it continue, said Council Member Berry.

Council Members Ryan, Searing and Anderson said that they supported revising the process but were opposed to the abrupt way that it was being proposed. Council Member Ryan said that the sudden change would be a disservice to hard-working board members and that she questioned taking such a step in the midst of reorganizing the Planning Department.

Council Member Anderson said that kicking advisory board members out without having another role for them did not feel like the correct approach. She would like to have a conversation about a more holistic approach to culture change and plan to get there before removing one component of the development review process, she said.

Council Member Searing recommended erring on the side of keeping the boards, which he said some viewed as the only way their voices could be heard. He argued that the Town was not being too badly affected by the current process, since there would be a near 25 percent increase in housing units in the next couple of years.

Ms. Nirdlinger commented that the Council had given staff much to think about. However, projects were coming in and staff needed to know how to direct them, she pointed out. She said that staff members had been talking with board chairs and vice chairs and had been surprised to learn that more than half of them supported the proposal.

This item was received as presented.

## APPOINTMENTS

### 12. Appointments to the Planning Commission. [\[23-0128\]](#)

The Council appointed Theodore Nollert and Erik Valera to the Planning Commission.

### 13. Request To Add Stormwater Management Utility Advisory Board to February 22, 2023 Meeting. [\[23-0137\]](#)

Council Member Ryan, liaison to the SMAUB, said that only three members had attended the last meeting and that there were currently four empty board seats. The SMAUB had put two candidates forward last fall and would like the Council to appoint those two in the current month and fill the other two seats in March, she said.

This matter was agreed by consensus.

## ADJOURNMENT

The meeting was adjourned at 10:13 p.m.





## TOWN OF CHAPEL HILL

### Town Council

#### Meeting Minutes - Draft

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

Mayor Pam Hemminger  
Mayor pro tem Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, February 22, 2023 7:00 PM RM 110 | Council Chamber**

#### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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919-969-5105.

#### In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV))
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

#### Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

#### Town Council

#### Meeting Minutes - Draft

February 22, 2023

- Entrance on the ground floor.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain.

#### ROLL CALL

Mayor Hemminger called the meeting to order and reviewed the agenda. All Council Members were present.

**Present:** 9 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

#### OTHER ATTENDEES

Interim Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Planning Director Britany Waddell, Planning Manager Corey Liles, Affordable Housing and Community Connections Director Sarah Viñas, Police Officer Steven Bradley, Transit Director Brian Litchfield, Affordable Housing and Community Connections Assistant Director Nate Broman-Fulks, Principal Planner Diedra McEntyre, Police Chief Celisa Lehew, Transit Development Manager Matt Cecil, Senior Planner Tas Lagoo, Public Housing Director Faith Brodie, Public Housing Maintenance Supervisor Julian Gerner, Management Analyst Stacey Todd, Transit Planning Manager Caroline Dwyer, Communications Manager Ran Northam, and Deputy Town Clerk Amy Harvey.

#### OPENING

0.01 Town Council Recognizes Former Police Officer Rick Fahrer. [\[23-0173\]](#)

The Mayor and Council recognized recently retired Chapel Hill Police Officer Rick Fahrer, who had provided security at more than 417 Council meetings and 51 advisory board meetings over many years. They thanked him for his service and wished him well on his next adventure.

Officer Fahrer said that it had been an honor to serve. He pointed out that he had taken the position in 2008 after an incident during which several Council members and staff had been shot in Kirkland, MO.

Council Member Anderson said that Officer Fahrer was one of the first people she met when she joined the Council and that he had gone far beyond what the job entailed. Mayor Hemminger agreed that Officer Fahrer had put his heart into his work and thanked him for caring so much.

0.02 Council Statement of Solidarity with Turkish and Syrian [\[23-0174\]](#)



### Communities in the Wake of Recent Earthquakes.

Council Member Berry read a statement expressing the Council's profound sadness for those affected by recent devastating earthquakes in Turkey and Syria. The Council was standing in solidarity with those in Chapel Hill who had loved ones in those areas, she said, adding that anyone who wished to help could learn more on the Sancar Community Center's webpage.

### **PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

#### 0.03 Downtown Partnership Requests Reduction of Board Appointments. [\[23-0175\]](#)

Mayor Hemminger explained that the Downtown Partnership was asking the Council to reduce its number of board appointments from four to two members.

This matter was received and referred. This petition is a part of the February 15, 2023 Council Meeting agenda.

#### 0.04 Orange County Affordable Housing Coalition Request for Bond Referendum and Increased Property Tax Towards Affordable Housing. [\[23-0176\]](#)

Donna Carrington, Community Empowerment Fund executive director, petitioned the Council to hold a new bond referendum for affordable housing (AH). She provided information supporting the view that more than \$30 million was needed. The petition requested that the Town dedicate two cents on the property tax and issue a 2023 bond referendum for \$50 million for creating and preserving AH, she said.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council received and referred the petitions to the Mayor and Manager. The motion carried by a unanimous vote.

### **ANNOUNCEMENTS BY COUNCIL MEMBERS**

#### 0.05 Mayor Hemminger Regarding Everywhere to Everywhere Greenways. [\[23-0177\]](#)

Mayor Hemminger said that the Town had been moving forward with its Everywhere to Everywhere Greenways Plan. She thanked members of an interdepartmental team for their hard work and said that the Transportation Department had been working on a federal grant application to fund a feasibility study.

#### 0.06 Mayor Hemminger Regarding Black History Month. [\[23-0178\]](#)

Mayor Hemminger noted that February was Black History Month in Chapel Hill. She said that staff has been sharing related information on social media and at the Public Library and she encouraged everyone to join the celebration.

#### 0.07 Mayor Hemminger Regarding Let's Talk Town. [\[23-0179\]](#)

Mayor Hemminger said that the Let's Talk Town team would be at the Public Library on February 24th at 9:45 am and would also host virtual office hours at noon on February 27th. She said that more information was available on the Town's website.

#### 0.08 Mayor Hemminger on Future Council Meetings. [\[23-0180\]](#)

Mayor Hemminger pointed out that the Council had added a March 1, 2023, work session and cancelled a March 3rd Council Committee on Economic Sustainability meeting. The next regular Town Council meeting would be on March 8, 2023, she said.

#### 0.09 Mayor Hemminger Regarding Early Birthday Wishes for Council Member Berry. [\[23-0181\]](#)

The Mayor and Council wished Council Member Berry an early Happy Birthday.

### **CONSENT**

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

#### *Approval of the Consent Agenda*

A motion was made by Council Member Ryan, seconded by Council Member Parker, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

#### 1. Approve all Consent Agenda Items. [\[23-0142\]](#)



This resolution(s) and/or ordinance(s) was adopted and/or enacted.

2. Authorize a Town of Chapel Hill Community Arts & Culture Award Program. [\[23-0143\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

3. Approve the 2022-23 Independent Audit Contract. [\[23-0144\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

4. Award a Bid for Street Patching, Milling, Resurfacing, and Re-Striping on Town-Maintained Streets. [\[23-0145\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

5. Support a RAISE Grant Application for a Feasibility Study for Everywhere to Everywhere Greenways. [\[23-0146\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

6. Authorize the Mayor to Execute a Memorandum of Understanding Creating the Intergovernmental Climate Council of Orange County. [\[23-0147\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

7. Close the Legislative Hearing for Land Use Management Ordinance Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 6, and 7 and Appendix A Regarding Housing Choices for a Complete Community. [\[23-0148\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

8. Amend the 2022-23 Council Calendar. [\[23-0149\]](#)

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

#### INFORMATION

9. Receive Upcoming Public Hearing Items and Petition Status List. [\[23-0150\]](#)

This item was received as presented.

10. Receive Quarterly Update on Climate Action Implementation. [\[23-0151\]](#)

This item was received as presented.

11. Re-Imagining Community Safety Task Force Update. [\[23-0152\]](#)

This item was received as presented.

#### DISCUSSION

12. Receive the Public Housing Quarterly Report. [\[23-0153\]](#)

Public Housing Director Faith Brodie began a PowerPoint presentation on the department's activities, properties, outreach efforts and continuing efforts to remove the "troubled" status designation that the US Department of Housing and Urban Development (HUD) had given it. Her staff would discuss steps they had taken to address building deficiencies, she said, adding that she hoped that the Council would be able to complete the HUD training that was required to address governance deficiencies.

Maintenance Program Supervisor Julian Gerner presented a list of steps that the Public Housing Department (PH) had taken to remediate deficiencies in landscaping, access, appliances and safety that a HUD inspection had identified.

Management Analyst Stacey Todd pointed out that the cost of materials, services and salaries had increased. However, the Department had absorbed those costs in the operating funds that it received from HUD, she said. She then shared demographic information on residents and said that there were 306 applicants on the waiting list.

Ms. Todd said that a 2022 bi-annual survey regarding how residents feel about the quality of their home, Town staff and available resources, had yielded a 9 percent, mostly favorable, response. Staff was currently brainstorming how to increase that response rate, she said. She reported that a joint program with the Orange County Health Department had been providing cleaning supplies and related information to new tenants. She said that elements of third-quarter goals would directly improve the physical condition of properties.

Mayor pro tem Stegman asked Ms. Brodie for her thoughts on how the Town could proactively address its troubled status, and Ms. Brodie replied that Chapel Hill would not be able to meet the 96 percent occupancy rate that HUD required until the Trinity Court development contract was approved.

Mayor pro tem Stegman asked about maintenance issues that HUD had identified, and Ms. Brodie said that the Department had addressed all of those but that new ones kept being reported. She said that funding was not a problem but that attracting contractors to do the work was.

In response to a question from the Council, Ms. Brodie said that her staff



did not always have a place to relocate residents while rehabilitating units, since HUD did not consider a hotel a relocation. Council Member Miller-Foushee requested that staff put more thought into addressing those barriers and having a plan in place.

Council Member Ryan asked if there was a limit on the number of HUD-supported units that the Town could have, and Ms. Brodie offered to find out. Council Member Ryan commented on the importance of knowing if the Town was allowed to have more density as it rehabilitated aging units.

Council Member Parker pointed out that some municipalities had public authorities that oversee public housing. He asked Ms. Brodie if she thought that having the Council serve in that role was an appropriate governance model, or if a dedicated board focused on public housing might be better.

Ms. Brodie replied that she felt good with the existing model but did not know enough about others to say if it was the best one. She pointed out that Chapel Hill's public housing governance came from the Town Manager and Deputy Town Manager, even though HUD recognized the Council as the governing board.

Council Member Anderson said that it would be wise to get the Council out of the mix, if possible, and Council Member Parker said that he did not feel as though he was providing the required oversight. The Council talked about looking at other models, and Mayor Hemminger said that such a consideration was already underway.

Mayor Hemminger thanked Ms. Brodie and her "incredible team" for all that they do and for how much they care.

This item was received as presented.

**13. Receive the Second Quarter Fiscal Year (FY) 2023 Affordable Housing Report.** [\[23-0154\]](#)

Director of Affordable Housing and Community Connections Sarah Vinas gave a PowerPoint presentation on staff's implementation of AH goals from July 1, 2022, to December 31, 2022. She discussed how staff had advanced several key initiatives reached many Town milestones. However, the Town was at a critical point where the need for AH had substantially increased but major resources had been exhausted, she said.

Ms. Vinas summarized the main pillars of the Town's current AH Plan. She pointed out that the Council had allocated more than \$10 million in the first half of FY 2023 to develop more than 300 AH units and had leveraging more than \$70 million from a variety of sources. She said that

staff had been looking at new approaches -- such as mixed-income projects and public/private partnerships -- and was creating an investment strategy to resource AH work going forward.

Ms. Vinas discussed the Town's continuing support for the Northside Neighborhood Initiative and other projects that AH partners, such as Casa and Habitat for Humanity, had undertaken. She said that a Trinity Court public housing development had been awarded a 9 percent low-income housing tax credit (LIHTC) and that another project on Jay Street had submitted a new 9 percent LIHTC application. Homestead Gardens on Town-owned land would soon be moving forward, and the Council had approved land for AH on Legion Road, she said. She presented a graph to illustrate that more than 500 AH units were already expected to come online over the next five years.

Assistant Director of Affordable Housing and Community Connections Nate Broman-Fulks discussed the ways in which staff had been initiating policies to support AH, such as collaborating with the Planning Department to receive project approvals faster. He pointed out that a new expedited review process for projects with at least 25 percent AH units would cut review time in half and likely attract AH developers to Chapel Hill.

Mr. Broman-Fulks said that Town efforts had continued to yield AH units in market-rate projects, with 18 new affordable townhomes having been approved in the first half of the current fiscal year. Six other projects were under review, which would yield more than 165 new affordable homes, if approved, he said.

Mr. Broman-Fulks said that there had been increasing interest in the Town's Employee Housing Incentive Program. He pointed out that an improved AH Dashboard was available at [chapelhillaffordablehousing.org](http://chapelhillaffordablehousing.org). He said that staff had begun working with a consultant on an AH Plan that would guide its efforts over the next five years. Staff would return to the Council regarding that in the spring and they hoped to present the plan itself by end of FY 2023, he said.

Council Member Miller-Foushee confirmed that the income cap for the Employee Housing Program was 115 percent of the area median income (AMI) for homeownership and 80 percent of AMI for rental assistance. She and staff agreed that it was time to update that cap to allow more employees to take advantage of the program. She confirmed with Ms. Vinas that some communities did not have a cap and that staff could look at that as well, if the Council wished.

Council Member Huynh said he concurred with the idea of eliminating the Employee Housing Program's income cap, and Mayor Hemminger noted



that several Council Members had been shaking their heads in agreement.

Mayor pro tem Stegman ascertained from Mr. Broman-Fulks that the Jay Street project had received a high LIHTC score in the current year. However, Trinity Court's score had been slightly higher, and the Town was limited to having only one project approved in a given year, he explained. Staff felt optimistic about Jay Street being even more competitive in 2023, said Mr. Broman-Fulks.

Council Member Parker confirmed with staff that Carraway Village had been looking at financing models other than LIHTC for a portion of its land and that the Town would be able to purchase that land for \$1 in a few years if it had not been developed for AH.

In response to Council comments, Ms. Vinas agreed that AH and homelessness were linked. The Town supported The Partnership to End Homelessness and had many development projects that served those who were transitioning out of homelessness, she said. She pointed out that the greatest need was for those living at 30 percent of AMI, and below.

The Mayor and Council expressed appreciation to staff for their extremely hard but successful work and Mayor Hemminger thanked them for presenting information in such a clear manner. She praised the new dashboard and said that staff was not only doing incredible work but was showing it in ways that people could understand.

This item was received as presented.

14. Consider a Resolution Endorsing Shaping Our Future: A Transportation and Land Use Initiative and Call a Legislative Hearing to Consider Updating the Town's Comprehensive Plan to Include Shaping Our Future: A Transportation and Land Use Initiative on April 19, 2023.

[\[23-0155\]](#)

Transit Planning Manager Caroline Dwyer asked the Council to adopt two resolutions: Resolution 9, which would accept Shaping Our Future: An Integrated Transportation and Land Use Initiative; and Resolution 10, which would call a legislative hearing for April 19, 2023, to consider updating the Chapel Hill 2020 Comprehensive Plan to include some or all of that initiative.

Ms. Dwyer discussed how the Town's North-South Transit Oriented Development (NSTOD) Plan strongly supported its Complete Community (CC) goals and strategy. Staff was enthusiastic about bringing the two together, she said. She pointed out that the Council had already reviewed the Shaping Our Future Plan, which addressed topics such as community engagement, market analysis, access analysis, station area concepts, and implementation recommendations.

Council Member Searing commented on a page in the Council's packet regarding how adopting the initiative would identify the recommendations as Town objectives, and Ms. Dwyer replied that the initiative would be viewed as guidance. Council Member Searing said that including the word "objectives" implied otherwise and that adopting Resolution 9 would mean adopting the recommendations as a policy direction.

Council Member Searing asked about another section regarding implementation strategy that referred to "by right general density in neighborhoods". He said that Council approval would mean adopting the policy objective of eliminating single-family zoning requirements and allowing duplexes, triplexes or small multi-family buildings in single-family neighborhoods in the NSTOD area.

Ms. Dwyer said that adopting Resolutions 9 and 10 would not mean accepting a regulation. Council Member Searing replied that it would mean adopting a policy objective, and Ms. Dwyer pointed out that the policy objective only pertained to areas within a 1/4-mile radius of TOD stations.

Council Member Ryan verified with Town Attorney Ann Anderson that the document would become guidance for Town policy related to land use once it had been adopted into the Comprehensive Plan. Ms. Anderson pointed out that the Town did not implement regulations without passing ordinance amendments.

In response to a question from Council about the initiative being part of the Land Use Management Ordinance (LUMO) rewrite, Senior Planner Diedra McEntyre said that the rewriting process would include looking at recommendations in the NSTOD implementation strategy and determining which should be codified. Staff would return to discuss that with the Council in the fall of 2023, she said.

Council Member Ryan asked about pulling out a section in the LUMO on stormwater regulations in order to progress with that more quickly, and Planning Director Britany Waddell replied that the Council would, of course, have the option to request that. However, staff hoped to minimize the number of projects that were separated out in that way, she said.

Council Member Ryan recommended that staff confer the school system regarding its Schools Adequate Public Facilities Ordinance's density requirements. After confirming with Ms. McEntyre that boundaries would be explicitly defined during the LUMO rewrite, she said that such decisions should be made sooner than that. She asked staff to consider that before returning for Comprehensive Plan discussions.

Council Member Parker wondered if R-9 and R-10 were redundant, but Ms.



Dwyer explained that approving R-9 would mean accepting the initiative and that approving R-10 would mean moving forward with the legislative component. Council Member Parker confirmed with Assistant Town Manager Mary Jane Nirdlinger that staff planned to propose updates to the Comprehensive Plan in April 2023. Staff would do a major revamp when the Council was ready, but that would require resources and that staff was assuming that the Council would want to finish the LUMO rewrite before revamping the Comprehensive Plan, Ms. Nirdlinger said.

Mayor Hemminger confirmed with Ms. Dwyer that she thought of the Town's Complete Community framework as the big umbrella that was overall. The NSTOD corridor had a lot of components that contribute to that Framework, Ms. Dwyer said.

Sally Shoebring Russell, a Chapel Hill resident, expressed concern about adopting a resolution that includes gentle density. She proposed removing the paragraph that seemed to imply that it had been approved. In addition, she pointed out that the half-mile around the NSTOD did include historic districts, such as McCauley Cameron and Franklin-Rosemary.

At the Mayor's request, Ms. Dwyer repeated her earlier comments about how the resolution was not regulatory and would not have any impact on any zoning district along that corridor. Those issues would be addressed during later Council discussions about station area boundaries, and staff would make sure that there was no conflict with existing historic districts, she said.

Council Member Ryan emphasized the importance of planning to mitigate the displacement of people in several vulnerable communities along the NS corridor. She also emphasized the need for a very clear vision moving forward in order to avoid the kinds of "Texas donut" apartment complexes that the market wanted to bring.

Council Member Searing said that he supported TOD development but remained concerned about the clause about a by right increase in density. He would vote for the resolution in a second if that paragraph were excluded, he said. Council Member Berry spoke in favor of retaining the paragraph and said that she wanted to hear from residents who were for and against it.

A motion was made by Council Member Anderson, seconded by Council Member Parker, that the Council adopted R-9 with attachment. The motion carried by the following vote:

**Aye:** 8 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Anderson, Council Member Berry, Council Member Miller-Foushee, Council Member Huynh, Council Member Parker, and Council Member Ryan

**Nay:** 1 - Council Member Searing

A motion was made by Council Member Huynh, seconded by Mayor pro tem Stegman, that the Council adopted R-10 to call a legislative hearing for April 19, 2023. The motion carried by the following vote:

**Aye:** 8 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Anderson, Council Member Berry, Council Member Miller-Foushee, Council Member Huynh, Council Member Parker, and Council Member Ryan

**Nay:** 1 - Council Member Searing

#### **ZONING ATLAS AMENDMENT(S)**

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

- 15.** Close the Legislative Hearing and Consider a Conditional Zoning Application for Tri Pointe Townhomes at 2217 Homestead Road. [\[23-0156\]](#)

Senior Planner Tas Lagoo gave an overview of the Tri Pointe Townhomes project. Since the Council first saw the concept plan in January 2023, the number of units had increased from 108 to 118 and staff had recommended that a connection to the adjacent Courtyards at Homestead be for emergency access only, he said. He said that the site was currently zoned Residential-5-Conditional Zoning District (R-5-CZD) and that the applicant had requested a new R-5-CZD designation.

Mr. Lagoo said that the applicant had also requested a modification to the Town's Inclusionary Zoning Ordinance, since the increased number of total units had caused the 16 affordable units to be 13.7 percent of the total, rather the 15 percent that it had been before. He recommended that the Council open and then close the legislative hearing and consider adopting Resolution 1 and enacting Ordinance 1, for approval.

Applicant Richard Gurlitz explained that there had been an 18 percent increase in the number of total units since he first brought the application before Council in October 2022. He indicated where a block of houses had



recently been added and pointed out that they would replace a small, wooded area that had been shown on previous plans.

Mr. Gurlitz said that the project's density had increased to 9.61 units per acre. That level of density would maintain the townhome neighborhood character, would not exceed impervious surface requirements, would allow sufficient space for stormwater management, and would allow a major wooded area to remain, he said. He said that he did not want to densify the site any further and lose any more of its natural characteristics.

Amanda Hoyle, representing Tri Pointe Homes, said that two different townhome types being proposed would be 22 feet and 26 feet wide, respectively, and would have one- or two-car garages. Six different plans would provide options, but those plans were similar enough to allow consistency and construction efficiency, she said.

Council Member Parker confirmed with Mr. Lagoo that the Town's AH requirement for 15 percent of total units would yield 17.7 affordable, with the 0.7 being a payment in lieu. He asked why the applicant was proposing 16, and Mr. Gurlitz replied that increasing the overall density had resulted in a reduced number of two-car garages, which had diminished the project's overall value.

Council Member Parker verified with Mr. Gurlitz that the affordable units were all 22 feet, with a mix of two- and three-bedroom units. Their exteriors would be indistinguishable from the market rate units and would be for those at 80 and 60 percent AMI, Mr. Gurlitz said.

Council Member Ryan pointed out that the Council had not asked the applicant to return with more density. It had asked for a mix of units that would lead to smaller, less expensive housing, and she was surprised to see that the unit mix had shifted in the other direction, she said. She expressed disappointment over the proposal for 13 more large units and 3 fewer small units when the Council's requested had been in the other direction. She commented on how adding 10 units on what had been non-productive greenspace would be more profitable.

Council Member Huynh asked the applicant how the profit margin would remain the same if the applicant were able to build fewer small units and 13 more larger ones.

Mr. Gurlitz replied that it depended on what the comparison was. He said that the initial proposal had been for 100 units that were all 26-feet wide with two-car garages. In the months since then, the project had changed while development costs had increased. They were trying to include as many affordable units as possible while still having a successful project, he said.

Council Member Miller-Foushee emphasized that meeting the Town's

Inclusionary Zoning Ordinance was a Council priority. Council Member Berry asked why the applicant had opted for more density when the Council's priorities for AH had been clear.

Mr. Gurlitz replied that they had opted for making a buildable project while providing 16 AH units, which was a heavy lift for them in the current climate. Ms. Hoyle said that AH was a goal but that the project's overall target had been median income. Tri Point Properties was a publicly-traded homebuilder that had to show its investors that projects would be financially viable, she said.

Council Member Anderson said that she would not be as concerned about the AH ratio if the applicant proposed a lot of great middle-income units. Council Member Parker said that a \$17,000 AH payment in lieu of the 0.7 percent seemed low and recommended that staff recheck that number.

Courtyards at Homestead residents Dianne Martin, Bill Crittenden, Derek Ross and Jeff Charles explained that their neighborhood was an "aging in place" community design for those who were older than 55. They described how various disabilities made Courtyards residents highly vulnerable to street traffic. They expressed support for staff's recommendation to restrict the connection with Tri Pointe Townhomes to bicyclists, pedestrians and emergency use only.

Mr. Ross asked that the conditions of approval include; implementing boundary plantings and a stormwater berm, protecting mature trees within or on the boundary with The Courtyards, and adding a stormwater monitoring plan. Mr. Charles emphasized the need for a sign at the connection and asked for a requirement that would protect tree-root systems.

Council Member Ryan confirmed with Mr. Lagoo that the items Mr. Ross had noted were already included as either ordinance requirements or conditions of approval.

Several Council Members expressed a desire to see more smaller units. Council Member Ryan said that she remained troubled by the proposed remix of units that had wiped out the greenspace and trees. Council Member Searing said that he preferred that previous iteration but did support the current project. Mayor pro tem Stegman said she hoped the applicant would return with something more aligned with what the Council had requested. Council Member Berry wondered if the project might be more feasible with fewer than six housing options, and Council Members Parker and Huynh questioned the proposed price points. The only way to lower prices would be to make the units smaller, Council Member Parker said.

Mayor Hemminger confirmed with the applicants that they did want to continue the hearing. Mr. Gurlitz said that he hoped the Council



understood that there was "only so much blood you could squeeze from a turnip". They had listened to the Council, and had returned with 10 additional units, which meant that other aspects of the plan had to be adjusted, he said.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council continued the Legislative Hearing to March 22, 2023. The motion carried by a unanimous vote.

### **SPECIAL USE PERMIT(S)**

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized subjects should first establish that at the beginning of their testimony.

#### **16. Open an Evidentiary Hearing for an Application for a Special Use Permit Modification for 1507 & 1509 E. Franklin Street. [\[23-0157\]](#)**

Mayor Hemminger read a statement that outlined the rules for a quasi-judicial hearing. She explained that proceedings would be similar to a court hearing in which the Council would act as impartial judges. She confirmed that no Council member had a fixed opinion, financial interest in the matter, or close relationship with a materially affected person, and that there had been no *ex parte* communication.

Mr. Lagoo introduced the SUP modification request for Dunkin Donuts, located at 1507 and 1509 East Franklin Street, which was zoned Community Commercial. The applicant was asking to add a drive-through window, reorient traffic on the site, and reduce the minimum on-site parking spaces from 43 to 37, he said. He reviewed the four findings of fact that the applicant had to achieve for approval and recommended that the Council open the hearing, receive evidence, and recess the hearing until March 22, 2023.

LeAnn Brown, a local attorney who was representing 1507 East Franklin Street LLC, introduced herself and said that she would present four witnesses. She said that one of her witnesses would testify to how traffic stacking would comply with the Town's ordinance. The amount of stacking proposed had been approved by the NC Department of Transportation (NCDOT), she pointed out.

In response to a question from Council, Attorney Brown and Town Attorney Anderson concurred that the applicant was requesting to modify an existing SUP to allow a drive-through window and to modify a parking

requirement to allow adequate stacking space for that drive-through feature.

Applicant Peter Turner gave a brief overview of the project. He said that the drive-through and a slight reduction in parking spaces were in accordance with DOT requirements. Customers -- especially those with toddlers and people with disabilities -- had been asking for faster and easier service, he said. He pointed out that the recent pandemic had revealed the need for germ-free methods of hand-off.

In response to a question from the Council, Mr. Turner said that a study of other Dunkin Donuts stores in the Triangle had found that cars did not spill out onto the street 99.5 percent of the time. He agreed to provide signage to prohibit that.

The Council asked about vehicle emissions, and Mr. Turner replied that the trend was shifting toward electric and hybrid vehicles and/or technology that could temporarily shut the engine off. There would be signage asking people not to idle, but the typical wait time was close to that of the average stop light, he said.

Phil Koch, president of EarthCentric Engineering, pointed out that the Town had originally required angled parking in that Dunkin Donuts lot in order to enhance traffic flow around the building. Having ten stacking spaces would more than offset the loss of one parking space, he said.

Sean Brennan, with Ramey Kemp and Associates, reported that typical queue lengths of three Dunkin Donuts drive-throughs that he had observed in the Triangle Area had been seven, which was one less than the NCDOT required.

Nick Kirkland, an NC-certified general appraiser and expert witness regarding property value impacts, said that the requested modifications would have no impact on adjoining property values.

David Tuttle, an area resident, said that his concerns had been addressed. However, he had noticed that large Sherwin Williams tractor trailers sometimes blocked the parking, he said.

Mr. Koch stated that his firm's study had verified that a large WB50 trailer truck would be able to get in and out of the site without any problems. Mayor Hemminger confirmed with him that blocking the drive-through would only occur when a truck was unloading but that additional space on the lane would allow a truck to avoid that. Council Member Ryan confirmed with him that the drive-through itself would never be blocked by an unloading truck.



Aaron Nelson, a nearby property-owner and former Chamber of Commerce CEO, said that the drive-through would improve and strengthen Dunkin' Donuts' business. He pointed out that 162 Orange County restaurants had closed in 2020-21 during the pandemic. Those that had survivors had been the ones who figured out how to efficiently utilize methods such as drive-throughs, he said.

Attorney Brown said that the applicant had presented evidence that had made the case that the project, as proposed, met the four LUMO standards.

A motion was made by Council Member Ryan, seconded by Council Member Berry, that the Council continued the Evidentiary Hearing to March 22, 2023. The motion carried by a unanimous vote.

### APPOINTMENTS

18. Appointments to the Stormwater Management Utility Advisory Board. [\[23-0159\]](#)

The Council Appointed Rachel Willis, Neal Bench, and Evan Kirk to the Stormwater Management Utility Advisory Board.

17. Appointments to the Board of Adjustment. [\[23-0158\]](#)

Mayor Hemminger pointed out that Town needed more applicants to its boards, especially the Board of Adjustment.

The Council appointed Judith Miller to the Board of Adjustment.

### ADJOURNMENT

The meeting was adjourned at 10:20 p.m.





## TOWN OF CHAPEL HILL

### Town Council

#### Meeting Minutes - Draft

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

Mayor Pam Hemminger  
Mayor pro tem Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, March 8, 2023**      **7:00 PM**      **RM 110 | Council Chamber**

#### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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如需口头或  
书面翻译服  
务，请拨打  
919-969-5105.

#### In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- View on cable television channel at Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV))
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

#### Parking

- Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
- See <http://www.parkonthehill.com> for other public lots on Rosemary Street
- Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

#### Town Council

#### Meeting Minutes - Draft

March 8, 2023

- Entrance on the ground floor.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain

#### ROLL CALL

Mayor Hemming called the meeting to order at 7:00 p.m. All Council Members were present, with the exception of Council Member Huynh, who was out of Town.

- Present:** 8 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing
- Excused:** 1 - Council Member Tai Huynh

#### OTHER ATTENDEES

Interim Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Assistant Planning Director Judy Johnson, Planning Manager Corey Liles, Affordable Housing and Community Connections Director Sarah Viñas, Planning Director Britany Waddell, Police Chief Celisa Lehw, Community Safety Planner Meg McGurk, Senior Project Manager Sarah Poulton, Community Outreach Manager Shay Stevens, Interim Parks and Recreation Director Atuya Cornwell, Emergency Management Coordinator Kelly Drayton, Communications Manager Ran Northam, Fire Marshall Chris Kearns, Police Officer Dave Shick, and Assistant Town Clerk Brenton Hodge.

#### OPENING

0.01 Council Vote on A Resolution In Solidarity With Chapel Hill's LGBTQ+ Community. [\[23-0206\]](#)

Mayor Hemminger said that she and the Council were releasing a joint statement with Orange County, Carrboro and other districts opposing NC Senate Bill 49 (the "Parents Bill of Rights"), which would prohibit gender-affirming care for people under the age of 18. She emphasized the importance of speaking out and supporting the LGBTQIA+ community.

Each Council Member read a portion of Resolution 0.1, which listed the reasons for the Council's support. The resolution opposed House Bill 43 as well and stated that the Council was against all legislation that eroded the safety, health, civil rights and/or bodily autonomy of LGBTQIA+ people, including minors.

A motion was made that the Council adopted R-0.1. The motion carried by a unanimous vote.

0.02 International Women's Day Video. [\[23-0207\]](#)



The Council viewed a video that showed women who lead and/or work for the Town in various capacities carrying out their tasks. Mayor Hemminger pointed out that it was International Women's Day and Women's History Month. The video's intent was to highlight some of the Town's amazing women and to recognize the contributions that women make to the community, she said.

0.03 Proclamation: National Developmental Disabilities Awareness Month. [\[23-0208\]](#)

Council Member Anderson read a proclamation declaring March 2023 to be Developmental Disability Awareness Month in Chapel Hill and expressing the Council's support for developmentally disabled community members and their families. The proclamation said that the Council was committed to addressing the barriers that people with disabilities confront.

Jacklyn Boheler, executive director of Be3 Coffee, said that B3 had no organizational hierarchy and that people with and without disabilities held leadership roles at all levels. Be3 honored diverse ways of being and believed that all people longed to be seen, heard and valued, she said. Alex Martel, an ambassador with B3 Coffee, explained how to contact the company and said it was creating a space where everyone belonged.

Lisa Kaylie, executive director at Extraordinary Ventures, said that her firm's mission was to create and nurture self-sustaining businesses with a focus on creating job opportunities for people with intellectual and developmental disabilities.

**ANNOUNCEMENTS BY COUNCIL MEMBERS**

0.04 Mayor Hemminger Regarding MPO Transportation Planning Meeting. [\[23-0209\]](#)

Mayor Hemminger said that Town had been asked during a recent Metropolitan Planning Organization meeting to join other cities in sending a letter of support for commuter rail funding for North Carolina. Metro Mayors and the League of Mayors had signed on as well, and the goal was to have all letters submitted by March 10, 2023, she said.

0.05 Mayor Hemminger Regarding Ground Breaking at U Place. [\[23-0210\]](#)

Mayor Hemminger pointed out that demolition had begun at U Place. The redeveloped project would have more gathering places, less impervious surface, more green areas and trees, and more retail opportunities, she said.

0.06 Council Member Ryan Regarding Lights Out Chapel Hill. [\[23-0211\]](#)

Council Member Ryan said that the Town had agreed to help the Audubon

Society protect migrating birds by reminding people to turn their lights off and close their drapes at night during spring migration. Information was available on the New Hope Audubon Society's Facebook page and/or website, she said.

Mayor Hemminger pointed that a wide range of activities and resources related to local waterways would be available during Orange County Creek Week, from March 17 to March 26, 2023.

0.07 Mayor Hemminger Regarding North Carolina Cities Initiative. [\[23-0212\]](#)

Mayor Hemminger said that Community Sustainability Manager John Richardson and his team had helped coordinate the North Carolina Cities Initiative and that representatives from cities throughout North Carolina had come to Chapel Hill to address environmental change. She said that passage of the Inflation Reduction Act (aka Renewable Energy Act) had opened new opportunities for towns to get tax credits.

0.08 Mayor Hemminger Regarding Advisory Boards. [\[23-0213\]](#)

Mayor Hemminger said that the Council would be making advisory board appointments later in the spring. She encouraged people to check the Town's website for vacancies and apply.

0.09 Mayor Hemminger Regarding Future Council Meeting. [\[23-0214\]](#)

Mayor Hemminger said that a Council Work Session on the Town Budget and the Eastowne Medical Campus proposal would be held at the Chapel Hill Public Library on March 15th at 6:30 p.m.

**PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

0.10 Eugene Farrar Requests Speed Tables Near Hargraves Center. [\[23-0215\]](#)

Eugene Farrar, a Chapel Hill resident, said that streets around the



Hargraves Center needed speed tables due their proximity to an elementary school and school bus stop. He described speeding incidents and said that writing tickets was only a temporary fix. He understands that there was a waiting list for speed tables but thought that speeding near a school was a matter that the Town should prioritize, he said.

Mayor Hemminger told Mr. Farrar that the Council would take his request as a petition and refer it to her and the Town Manager.

A motion was made by Council Member Anderson, seconded by Council Member Parker, that the Council received and referred the petition to the Mayor and Manager. The motion carried by a unanimous vote.

### CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

#### *Approval of the Consent Agenda*

A motion was made by Council Member Ryan, seconded by Council Member Anderson, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items. [\[23-0184\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
2. Approve the \$8.25 Million Installment Purchase Contract for the Replacement of Transit Buses. [\[23-0185\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
3. Support a Funding Request of the North Carolina Department of Transportation (NCDOT) to Install a Protected High-Visibility Crosswalk on Martin Luther King Jr. Blvd. at Critz Dr. [\[23-0186\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.
4. Amend the Town Code of Ordinance Section 3-5 to Change the Town Public Locations Permitted to Allow Alcoholic Beverages at Special Events. [\[23-0187\]](#)  
This resolution(s) and/or ordinance(s) was adopted and/or enacted.

### INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [\[23-0188\]](#)

This item was received as presented.

6. Greene Tract Update [\[23-0189\]](#)

This item was received as presented.

### DISCUSSION

7. Orange County Partnership to End Homelessness Update. [\[23-0190\]](#)

Director of Affordable Housing and Community Connections Sarah Vinas pointed out that Chapel Hill had been a founding member of the Orange County Partnership to End Homelessness, which had been established in 2008 to implement a 10-year plan to end chronic homelessness. In 2022, a memo of understanding with the Partnership had been amended to add representatives from the Council and Town staff to the leadership team and to jointly fund three positions, she said.

Ms. Vinas reviewed the Town's long-standing commitment to address homelessness and put resources towards it. In the current year's budget, the Town had committed \$7.75 million to support homelessness services and development, she said. She explained that \$7.2 million of that had gone towards development and \$544,000 went towards homelessness services, including those offered by the Partnership. She outlined key challenges that still needed to be addressed, such as obtaining funding to develop units for people transitioning out of homelessness and more fully meeting the need for emergency shelter.

Rachel Waltz, Orange County Partnership to End Homelessness manager, presented the Partnership's 2022 annual report, discussed the status of homelessness, and provided an update on efforts to close system gaps. She thanked the Town for its ongoing support and its significant investment in affordable housing and homelessness. However, part of her goal would be to explain what happens when systems and safety nets are not enough, she said.

Ms. Waltz described various kinds of housing crisis and discussed the various tools that were available to help people find and/or keep stable housing. These included referral to the Street Outreach Harm Reduction and Deflection (SOHRAD) team, she said. She emphasized that the goal was to move as quickly as possible from a housing crisis back into permanent housing.

Ms. Waltz told the Council that 312 people had been served through shelters and transitional housing between October 2021 and September 2022 and that 69 had been served through the Rapid Rehousing Program. She pointed out that Black and African American community members, which were 12 percent of the population, made up 55 percent of those experiencing homelessness in Orange County.



Ms. Waltz said that more than 8,000 people who were either homeless or teetering on the edge had contacted Orange County's Housing Helpline during calendar year 2022. She said that 524 of those households had come into the coordinated entry system. There was no same-day shelter access, but 141 people had been connected with either temporary or permanent housing and 378 had been added to the shelter referral list, she said.

Ms. Waltz outlined changes that the Partnership had been making to increase access and resources. She said that the number of households that had found housing in the current calendar year had increased. However, gaps in the current system around actual housing, services and support persisted, she said, and she discussed a list of short-term services that were lacking as well.

Mayor pro tem Stegman and Ms. Waltz talked about hurdles in the application process, such as deadlines and differences regarding criminal and/or illegal involvement. Ms. Waltz said that there had been conversations about taking referrals directly from Coordinated Entry but that progress on that had been mixed. When asked by the Council, Ms. Vinas pointed out that tax credits were very prescriptive. However, developers who receive local funding could potentially serve some the people facing the hurdles being discussed, Ms. Vinas said.

Council Member Stegman pointed out that the Council often talked about the Interfaith Council's (IFC) shelter not being a best practice or evidence-based model. With people "literally dying in the cold on our Town streets", it was past time to address that, she said. She and Ms. Waltz discussed potential revisions that might lead to the IFC serving more people. Ms. Waltz said that making such a change would likely reduce the length of time that people experience homelessness. She pointed out that it could enable the IFC to apply for Emergency Solutions Grant funding.

Council Member Anderson confirmed with Ms. Waltz that a request for crisis diversion facility design proposals had gone out but that a site had not yet been chosen. She also confirmed that the Partnership had been talking with UNC Health, which was exploring options for a community-based setting. Council Member Anderson noted a connection between having stable housing and spending less time in the emergency room, and Ms. Waltz agreed that the healthcare system was the biggest winner when access to affordable housing was increased.

Council Member Parker and Ms. Vinas talked about the possibility of the Town using money and/or land that it gives to AH development partners as leverage by establishing explicit conditions for approval.

Mayor Hemminger confirmed that the Council supported asking Town staff to work with the IFC and the Partnership and then return with a list of recommendations that would help make the shelter more available for more people.

This item was received as presented.

8. Update on the Municipal Service Center Project and Affirm Next Steps.

[\[23-0191\]](#)

Interim Town Manager Chris Blue gave an update on the Municipal Services Center (MSC) project and asked the Council to adopt Resolution-4, which would affirm next steps and reimburse early project costs with bond funds. He pointed out that the new MSC would house the Police and other Town departments. The Town had looked at various sites since 2008 and had concluded that 828 Martin Luther King Jr. Boulevard (MLK) made the most sense, due to its prominent and accessible location, he said.

Mr. Blue pointed out that the Town had removed a housing component from the site plan. Due to the presence of coal ash and construction debris at the site, the Town had enrolled in the NC Department of Environmental Quality (DEQ) Brownfields Remediation Program, he said. He reviewed remediation options and recommended letting the DEQ guide the Town's next steps.

Deputy Town Manager Mary Jane Nirdlinger provided background on efforts to manage the coal ash since it was first discovered at 828 MLK in 2013. She pointed out that substantial mitigation had been done and that the Town had conducted extensive studies and responded to many questions and requests over the years. The project had been accepted into the Brownfields program in 2019, she said.

In order to be ready to move ahead after the DEQ review, staff had selected Evoke Architects to design the MSC and would be considering how Belmont Sayre could provide construction management support and Brownfield application services, she said. She said that staff would return to the Council with a concept plan application for the MSC. Resolution-4 was to pay for project costs from the General Fund and then reimburse those funds from future bond borrowing for the MSC, she said.

Council Member Searing asked if housing would be considered for the site in the future, and Ms. Nirdlinger replied that DEQ would draft a Brownfields agreement based on the Town's concept plan, which would not include housing. If a future Council wanted to pursue putting housing there, it would have to go back through the Brownfields Program and ask for an amendment to the agreement, she said.

Council Member Searing confirmed with Ms. Nirdlinger that an estimated



\$45 million for the MSC was \$11 million more than a previous estimate. He asked if that amount of debt would affect the Town's borrowing capacity, and Ms. Nirdlinger pointed out that Director of Business Management Amy Oland had told the Council that the MSC was a planned project that had been included in her projections.

Council Member Searing referred to several other Town projects that needed funding, and Ms. Nirdlinger offered to clarify which of those would not be related to bond borrowing. Council Member Anderson confirmed with Ms. Nirdlinger that staff was not suggesting sacrificing the projects that Council Member Searing had mentioned.

Council Member Anderson verified with Mr. Blue that staff would never recommend not doing the MSC. That project had been on hold for more than a decade and was a critical need, Mr. Blue said. She confirmed with him that staff had spent much time with the Council prioritizing the other needs that Council Member Searing had listed. Those would have different financial levers, said Mr. Blue, and she emphasized that the Council was not choosing one project over another.

In response to a question from the Council about urgency, Mr. Blue said that the Police Department building at 828 MLK was in disrepair and that the need for new facilities for several Town departments was long overdue. Mayor Hemminger pointed out that a new MSC had been part of a 2015 bond referendum. She explained that the Town normally had seven years to spend bond money but had received a three-year extension. The MSC would have to be underway by 2025 or it would forfeit those bonds, she said. She confirmed with staff that Ms. Oland had raised the amount to \$45 million in projections that she had already presented to Council.

Council Member Miller-Foushee asked if remediation would make the site safer, and Ms. Nirdlinger replied that the DEQ would guide the Town on how to reduce the current risk. The remediation and the development go hand in hand, she said.

Several Chapel Hill residents said that the Town should remove all the coal ash before pursuing any development at the site. Isabel Geffner said that there was not sufficient information to move forward, and Felicia Wang said that developing the site without first removing the coal ash would be "reprehensible". Brownfields remediation programs were less environmentally rigorous than traditional clean-up programs and the Town should push for stronger clean-up measures from the DEQ, said Ms. Wang.

Ember Penny, an undergraduate at UNC, and Lib Abernathy, a Chapel Hill resident, raised similar concerns. Ms. Penny said that toxins would eventually leach into ground water if not completely removed. Ms. Abernathy said she felt concerned and frustrated that the Council would consider constructing a building at the site without getting rid of the coal ash.

Nora Westan, Caley Tucker, Sunrise Movement members, expressed concern about the plan as well. Ms. Tucker said that the Town should share more information about the Brownfields plan with the public before agreeing to it. Ms. Westan asked several questions, and Mayor Hemminger pointed out that all information was available on the Town's website.

Harmonie Ramsden, a Sunrise Movement member, read a statement from Dr. Edward Marshall, of Safe Housing for Chapel Hill, which said that the Council had refused to listen to "real" scientists, such as Dr. Abner Vengosh a professor of Environmental Quality at Duke University's Nicholas School of the Environment, who had analyzed soil samples from the site.

John Wagner, Steve Fleck and Brent Lorce also said that the Council had not been willing to listen to Dr. Vengosh, who had found 19 different toxic materials in the soil samples he had taken from the site. Mr. Fleck raised concerns about the health of people who would be working at the MSC and asked the Council to pressure the DEQ to do more than just a Brownfield agreement. Mr. Lorce said that merely capping and containing the site rather than removing all the coal ash would pose an unnecessary risk to the health and safety of Chapel Hill residents and workers.

Nick Torrey, an attorney with the Southern Environmental Law Center who was representing Friends of Bolin Creek, said that the Town should not move forward with any building on the site without having a better remediation plan than the DEQ's bare minimum Brownfields approach. It was not true that cleaning up the coal ash would be unsafe, he said, noting that Duke Energy had been safely doing that throughout the state. He emphasized that the Town must remove the coal ash that was currently eroding on land above Bolin Creek and any other areas on the site that were above a one-in-a-million cancer risk threshold. Any coal ash left on the site needed to be monitored in perpetuity, as did Bolin Creek, he said.

Several Council Members emphasized that they were merely being asked to vote on submitting a plan to the DEQ, which would let the Town know what the proposed Brownfields plan would be. Several commented on dangers and ethical issues involved with removing coal ash and shipping it to another Town. They emphasized that the process had been transparent and pointed out that the community had been involved every step of the way. The Town had invested well over \$1 million in studying the land, had followed the science, and every shred of data that it had received was on the Town website, Council Member Parker said.

Council Member Anderson said that Council Members agreed with Dr. Marshall and with other environmental experts who had told them that



some places on the steep slope would have to be removed. Coal ash would need to be removed in any area where it could not be capped, she said.

Mayor pro tem Stegman said that some of the public speakers' comments had reflected misunderstandings and misinformation. The Brownfields Program required submission of a development plan in order to get a remediation plan, and then Council would be able to discuss what, for her, was still an open question, she said.

Several Council Members emphasized that safety was everyone's top priority. Council Member Ryan said that the Town had not ignored Dr. Vangosh's opinion and had sent information from him to environmental experts as well as the DEQ. Council Member Parker said that every Council Member understood the hazards presented by coal ash and that the Town had already sent tons of it to a lined landfill in Mt. Gilead, NC. The goal was to have no exposure to coal ash to anyone anywhere near that site, he said.

Council Member Searing said that 828 MLK was not a safe place to store coal ash, regardless of what the Town built on top of it. Without total removal, there would be a risk of leaching into Bolin Creek and downstream into Jordan Lake, he said.

A motion was made by Council Member Anderson, seconded by Council Member Miller-Foushee, that the Council adopted R-4. The motion carried by the following vote:

**Aye:** 7 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Anderson, Council Member Berry, Council Member Miller-Foushee, Council Member Parker, and Council Member Ryan

**Nay:** 1 - Council Member Searing

**Absent:** 1 - Council Member Huynh

#### **ZONING ATLAS AMENDMENT(S)**

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

9. Consider a Conditional Zoning Application for Aspen Chapel Hill at 701 Martin Luther King Jr Blvd. from Neighborhood Commercial (NC) and Residential-3 (R-3) to [\[23-0192\]](#)

#### **Residential-6-Conditional Zoning District (R-6-CZD).**

Planning Manager Corey Liles presented an application to rezone property at the corner of MLK and Longview Street from Residential-3 to Residential-6-Conditional Zoning District. The purpose was to construct approximately 112 multi-family units on the site, which currently contained an auto shop and residences, he said. He said that the application process had begun in October 2019 and that recent changes included a 21+ age restriction and a \$100,000 payment for nearby greenways.

Mr. Liles explained that the applicant had increased the number of bicycle parking spaces and had included recreation space that met Town regulations. The project was not subject to the Town's Inclusionary Zoning Ordinance (IZO), but the applicant had volunteered to provide 14 affordable units on site, he said. He showed a list of proposed modifications to regulations and recommended that the Council close the legislative hearing and consider adopting Resolution-5 and enacting Ordinance-2, for approval.

Jessica Hardesty, a planner with McAdams Company, reviewed recent revisions regarding the Resource Conservation District (RCD), affordable housing (AH), age restrictions, and overall community benefits that McAdams had made based on Council feedback. She said that 10 of the 14 on-site, affordable units would be for people making 10 percent of the area median income (AMI) and 4 would be for those making 80 percent of AMI. She said that the project would vastly improve the RCD area and that Town advisory boards had given positive feedback.

Ms. Hardesty reviewed additional changes that the applicant had made in response to the Council's comments and questions. She said that the apartments would be open to anyone, including students, but would not be restricted to students. She said that renters would need to be at least 20-year-old (turning 21 during their lease period) and that the applicant was committing to accept housing vouchers for all units, not just the affordable ones. Since the RCD limited the opportunity for outdoor space, the applicant was offering \$100,000 for offsite bike and pedestrian improvements, she said.

David Helfrich, president at Aspen Heights Partners, read a statement about the long application process, which had included new Council Members being elected after the concept plan had received positive feedback. He outlined what he viewed as confusion regarding a housing report that the Council had referenced during a prior hearing. He said that Aspen Heights Partners had run a feasibility analysis and concluded that market-rate, non-student rents would not support the cost of construction, especially given the RCD constraints.

In response to a question from Council, Attorney Anderson said that she



would need to do more research but thought it was possible to include a restriction that would ensure that the 14 affordable units would not be filled with students. She pointed out that the performance agreement between the applicant and Town could incorporate as much of that as was legally permissible. She agreed to determine if there was a way to not base need on an individual's income alone, since some students were housing insecure, but others had no income but were supported by their parents.

Council Member Anderson confirmed with Mayor Hemminger that conversations between the Town and UNC were ongoing, but that UNC was awaiting the results of a survey it had done before working with the Town on joint solutions. In response to a question from Council about setting a precedent by building in the RCD, Mr. Liles pointed out that the Council had discretion with each application. A statement about why encroachment was particularly appropriate in the Aspen Heights case would be part of the record, he said.

Council Member Parker confirmed that the applicant was willing to accept a stipulation prohibiting them from starting shuttle services.

Melisa Johnson Langford, whose family had owned the land for generations, pointed out that her grandparents had rented rooms to students there. She hoped the site would continue to support students as well as other community members and that Aspen Chapel Hill would be the kind of transit-oriented development that everyone wanted to see in that area, she said.

Steve Tyler, a Chapel Hill resident who lives behind the site, expressed full support for the project, which he said would upgrade the area and enhance the value of his property.

Aaron Nelson, Chamber for Greater Chapel Hill and Carrboro president, said that the Chamber was very interested in increasing the supply of affordable and workforce housing and believed that the project could bring both. He pointed out that the Town had wanted student housing on the MLK corridor for years and said he thought the proposed location was the right place for it.

Mayor Hemminger noted that only eight Council Members were present and pointed out that a tie vote would defeat any motion. She gave the applicant the option of postponing the vote to a later Council meeting, but Mr. Helfrich chose to proceed.

Council Member Ryan said that a standalone, suburban building did not fit within the Town's vision for a Complete Community. As configured, it was not an outward-facing community asset and it only addressed one housing demographic, she said. She said that workforce housing would make more sense at that location and that she doubted that many non-students

would want to live in what would primarily be a student residence.

Council Member Anderson said that she did not recall the concept plan getting a warm reception from the previous Council, of which she was a member. And it still did not address the issues that had been brought up at that time, she said. She stated that the requested RCD and other modifications were not acceptable. She emphasized the importance of holding UNC accountable to its agreement to figure student housing out with the Town.

Council Members Parker, Berry Miller-Foushee and Stegman said that the project was not all that they wanted but that providing 14 affordable units was significant. Mayor pro tem Stegman commented that the Council could not say no to students in neighborhoods while also saying no to student housing in a college town.

Mayor Hemminger said that she was struggling with the decision. The applicant had offered a lot of benefits, but the project was not the workforce housing that the Town wanted, and she was concerned about setting a precedent regarding the RCD and steep slopes, she said.

A motion was made by Council Member Parker, seconded by Council Member Berry, that the Council closed the legislative hearing. The motion carried by the following vote:

**Aye:** 7 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Anderson, Council Member Berry, Council Member Miller-Foushee, Council Member Parker, and Council Member Ryan

**Nay:** 1 - Council Member Searing

**Absent:** 1 - Council Member Huynh

A motion was made by Council Member Parker, seconded by Council Member Berry, that the Council adopted R-5. The motion carried by the following vote:

**Aye:** 5 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Berry, Council Member Miller-Foushee, and Council Member Parker

**Nay:** 3 - Council Member Anderson, Council Member Ryan, and Council Member Searing

**Absent:** 1 - Council Member Huynh

A motion was made by Council Member Parker, seconded by Council Member Berry, that the Council enacted as amended O-2. The motion failed by the



following vote:

**Aye:** 4 - Mayor pro tem Stegman, Council Member Berry, Council Member Miller-Foushee, and Council Member Parker

**Nay:** 4 - Mayor Hemminger, Council Member Anderson, Council Member Ryan, and Council Member Searing

**Absent:** 1 - Council Member Huynh

10. Reopen the Legislative Hearing for a Conditional Zoning Application - 101 E. Rosemary Street from Town Center-2 (TC-2) to Town Center-3-Conditional Zoning District (TC-3-CZD). [\[23-0193\]](#)

Planning Director Judy Johnson gave a brief overview of a conditional zoning application for a 0.64-acre site at the corner of Columbia and East Rosemary Streets that was currently zoned Town Center-2. The applicant was requesting a rezoning to Town Center-3-Conditional Zoning District in order to construct a 7-story building with 150 apartments units, she said. She noted that the applicant was not proposing any on-site parking.

Ms. Johnson reviewed changes that had been made since the last hearing. She said that the applicant was requesting a modification to the 44-foot setback height regulations and was proposing 90-foot setbacks on all four sides. She recommended that the Council reopen the legislative hearing, receive comments, and continue the hearing to April 19, 2023.

Whitney St. Charles, of Grubb Properties, pointed out that her firm was engaged in other Downtown development projects that would result in the need for more workforce housing. She described the proposal for 101 E. Rosemary and pointed out that the site had a number of challenges, including small size and a significant grade change.

With regard to prior requests from the Council for affordable retail, Ms. St. Charles showed approximately 2,400 square feet of retail space on Rosemary Street and 1,000 square feet on Columbia Street. However, Grubb Properties had serious concerns about the viability of that space and wanted the ability to revert to housing if the retail leasing did not succeed, she said.

Ms. St. Charles presented a visual that showed unobstructed sidewalks along Columbia and Rosemary Streets. She presented renderings of the streetscape and scale and indicated where the affordable retail areas would be. Some of that retail would need to be located in the basement along Columbia Street due to grade changes, she pointed out.

Ms. St. Charles said that the affordable retail would be offered at half the market rate, which would be equivalent to 10.5 affordable housing units.

Grubb Properties was also proposing to provide a \$425,000 payment in lieu, which would be equivalent to five \$85,000 affordable units, she said.

Council Member Parker ascertained from Ms. St. Charles that Town staff had proposed the AH numbers. Deputy Town Manager Loryn Clark explained that \$85,000 was based on the Town's 2010 Inclusionary Zoning Ordinance. Attorney Anderson commented that the total payment would be better characterized as a voluntary payment of \$425,000 that the applicant was basing on what a payment in lieu would be.

Council Member Parker asked Ms. St. Charles to send the Council all her calculations for the proposed affordability standard. He confirmed with her that Grubb Properties was proposing a 10-year affordability term on the commercial component.

Several Council Members said that the project had come a long way and was almost where they wanted it to be. They praised the activation at the corner and the addition of affordable retail. Mayor pro tem Stegman asked for more information from staff on who the retail would help and if it would really make a difference.

Mayor Hemminger said that she wanted to see some affordable units, not just a payment in lieu, because the Town needed such spaces for people who work downtown. Mayor pro tem Stegman said that she, too, wanted to see affordable units but did not want to drive the prices of the other units up. She pointed out that a payment in lieu would help the Town replenish its AH reserve fund.

Council Member Parker asked the applicant to return with a more attractive AH package that included a more generous payment in lieu or a longer term. The Mayor and others also said that a 10-year term was too short.

Council Member Ryan said that she felt troubled by the lack of a building set-back, which the Town normally required. Going straight up was not ideal, but other pieces of the project, such as the retail activation, could make up for that, she said. She and Council Member Anderson asked the applicant to not put grass and plants in the sidewalks, but Mayor Hemminger said that more green space was needed downtown, and that the area had some stormwater issues.

Mayor Hemminger confirmed with staff that requirements regarding the Manager approving parking and residents being 21 and older had been included as stipulations. She thought that the project was the right fit for the location, she said.

A motion was made by Council Member Parker, seconded by Council Member Anderson, that the Council continued the Legislative Hearing to April 19, 2023. The motion carried by a unanimous vote.



**CONCEPT PLAN REVIEW(S)**

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

11. Concept Plan Review: Aura South Elliott, 200 S. Elliott Road.

[\[23-0194\]](#)

The Council agreed to continue this item to March 22, 2023.

**ADJOURNMENT**

This meeting was adjourned at 11:03 p.m.





## TOWN OF CHAPEL HILL

### Town Council

#### Meeting Minutes - Draft

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

Mayor Pam Hemminger  
Mayor pro tem Karen Stegman  
Council Member Jessica Anderson  
Council Member Camille Berry  
Council Member Tai Huynh

Council Member Paris Miller-Foushee  
Council Member Michael Parker  
Council Member Amy Ryan  
Council Member Adam Searing

**Wednesday, March 15, 2023 6:30 PM Library Meeting Room B**

#### Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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919-969-5105.

#### In-Person Meeting Notification

View the Meeting

- Public attendance is welcome.
- We will not live stream the event, but will provide the Post-Meeting Video <https://www.townofchapelhill.org/councilvideo/>
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey <https://www.townofchapelhill.org/demosurvey>.

#### Parking

- Parking is available at the Library lots. The Library is served by CL Route, D Route, and GoTriangle Routes of Chapel Hill Transit

#### Entry and COVID-19 Protocols

- Meeting Room B is to the right from the main entrance.
- Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain

#### Town Council

#### Meeting Minutes - Draft

March 15, 2023

#### ROLL CALL

- Present:** 7 - Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, and Council Member Amy Ryan
- Excused:** 2 - Mayor Pam Hemminger, and Council Member Adam Searing

#### OTHER ATTENDEES

Interim Town Manager Chris Blue, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Assistant to the Town Manager Ross Tompkins, Affordable Housing and Community Connections Director Sarah Viñas, Business Management Director Amy Oland, Assistant Business Management Director Matt Brinkley, Assistant Planning Director Judy Johnson, Economic Development and Parking Services Director Dwight Bassett, Public Works Director Lance Norris, Planning Director Britany Waddell, Transit Director Brian Litchfield, Public Housing Director Faith Brodie, Interim Parks and Recreation Director Atuya Cornwell, Technology Solutions Director Chris Butts, Senior Planner Tas Lago, Housing Operations Manager Lisa Edwards, Urban Designer Brian Peterson, Transit Assistant Director Nick Pittman, Emergency Management Coordinator Kelly Drayton, Fire Management Analyst Ryan Campbell, Mayoral Assistant Jeanne Brown, Police Officer Steven Bradley, and Communications and Public Affairs Director/Town Clerk Sabrina Oliver.

#### OPENING

Mayor pro tem Stegman opened the work session at 6:31 p.m. and reviewed the agenda. She said that Mayor Hemminger was attending a family funeral and that Council Member Searing would be absent as well.

#### ANNOUNCEMENTS BY COUNCIL MEMBERS

##### 0.01 Mayor Pro-tem Stegman Regarding Creek Week. [\[23-0225\]](#)

Mayor pro tem Stegman said that several events had been scheduled for Creek Week (March 17-26), including a clean-up along the Roberson Bike Path in Carrboro on March 18th from 1:00-4:00 p.m. More information on Bike Week activities was on the Town's website, she said.

##### 0.02 Mayor Pro-tem Stegman Regarding Next Week's Council Meeting. [\[23-0226\]](#)

Mayor pro tem Stegman said that the Council's next regular business meeting would be held at Town Hall on March 22 at 7:00 p.m.

##### 0.03 Mayor Pro-tem Stegman Regarding Upcoming Joint Hearing with Orange County. [\[23-0227\]](#)

Mayor pro tem Stegman pointed out that the Council would participate in a joint hearing with Orange County on April 20th at 7:00 p.m.

#### AGENDA ITEMS



# 1. Discuss FY 2024 Budget and Five-Year Budget Planning. [\[23-0221\]](#)

Interim Town Manager Chris Blue said that Enterprise Fund managers would present their budget challenges and staff would present possible funding scenarios to meet short- and long-term Town needs. He would then ask the Council for feedback on the level of a proposed tax increase, he said.

Transit Director Brian Litchfield presented an update on his department's financial challenges. He pointed out that inflation was affecting costs for everything and that revenues were not keeping up with expenses. Demands for service continued to grow and Transit Partners (Chapel Hill, Carrboro and the University of North Carolina at Chapel Hill) would need to discuss ways to fund those in the future, he said.

Mr. Litchfield discussed staffing recruitment and retention challenges. He noted increased costs associated with building a North-South Bus Rapid Transit system (N-S BRT) and purchasing zero emission buses and infrastructure. He said that Transit's \$31.4 million budget included \$18.9 million from the Transit Partners, \$2.5 million from the federal government, \$3.2 million from the state, \$4 million from the Orange County Transit Plan, and \$2.7 million from other sources such as grants. Seventy percent of revenue went to personnel, and only about 6 percent remained for utilities, liability insurance, technology, and so forth, he said.

Mr. Litchfield told the Council that Transit's five-year expenses would include people, services, facilities, vehicles, the NS-BRT project, and sustainability initiatives. He planned to utilize existing funding sources as well as federal grants for the upcoming year, but the Transit Partners would need to address future challenges, he said.

Director of Economic Development and Parking Services Dwight Bassett said that Parking was a self-generating fund based on fees. His goal had been to increase the Downtown parking demand, occupancy and revenue, he said. He pointed out that occupancy had reached or surpassed pre-pandemic levels and that revenue had been increasing.

Mr. Bassett said that the Parking budget was \$6.1 million and that \$1 million of that went to staffing, \$3.8 million went to debt service, and \$1.4 million was for operations, maintenance, and technology. Future needs would include addressing deferred maintenance, repairing and replacing parking meters, and improving technology at Town lots and decks, he said.

Public Housing (PH) Director Faith Brodie pointed out that she had recently presented information to Council about increased costs associated with salaries, additional positions, and building preservation. She said that 60 percent of PH's budget went to salaries, 20 percent went to operating and

programming expenses, and 15 percent went to internal services costs. Having to adjust expenses in order to absorb the cost of salary increases had resulted in a flat budget this year, she said.

Ms. Brodie said that some PH tenants had not returned to their pre-pandemic rate of rent payments. She explained that the Town's U.S. Housing and Urban Development Department (HUD) score would be improved once Trinity Court was developed, and those empty units were removed from the Town's portfolio. Grant funding, operating funds, and collected rent would allow the PH Department to operate well until 2025, she said.

Public Works (PW) Director Lance Norris said that PW staff was currently working to receive a good report from the National Pollution Discharge Elimination System (NPDES), which evaluates the Town's Stormwater program every five years. That was the greatest current challenge and staff had been keeping on schedule with that, he said. He discussed general PW responsibilities and pointed out that residents' stormwater fees had been last increased in FY 2020. He said that \$2.7 million of a \$5.9 million bond for the Booker Creek Watershed project had been issued and that \$3.2 million remained.

Business Management Director Amy Oland asked the Council to decide between two tax increase scenarios: 4 cents, and 7.5 cents. Increasing taxes would provide some level of funding for each of the priority areas that the Council had identified, she said. She explained that a 4-cent increase would allow the Town to begin catching up. She discussed current backlogs in priority areas and explained how those could be reduced with each of the two tax scenarios. A 7.5 cent increase would eliminate the Town's entire \$35.4 million backlog and let it begin to get ahead, she said.

Ms. Oland pointed out that the five-year funding goal for affordable housing (AH) was to increase the AH Development Reserve to a full penny, which would enable 10 to 20 AH units per year. That would address about 15 percent of the AH need and additional funding could be obtained through another bond, a revolving loan fund, or some other type of funding, she said.

In response to a request for clarification from Council Member Anderson, Ms. Oland said that any claim that taxpayers were having to pay for the East Rosemary Deck's overruns was incorrect. That would be funded by the Town's Debt Fund and there would be no direct tax increase due to that project, she said.

Council Member Parker confirmed with Ms. Brodie that PH's annual revenue would be about \$1.8 million, if all rents could be collected. She noted that PH also received an annual capital grant (about \$1.3 million last



year) and federal operating funds (\$937,000 last year). PH did not currently receive state funding but had begun to apply for grants, she said.

Mayor pro tem Stegman confirmed with Ms. Brodie that PH had a list of contractors that it used on a regular basis but had been having difficulty finding any to refurbish units when they were empty. Council Member Parker suggested that staff explore joint contracting with other towns, such as Durham, to get more leverage in the marketplace, and Ms. Brodie agreed to look into that.

In response to a question from Mayor pro tem Stegman about what had led to the Town's current financial situation, Manager Blue replied that Town department heads had been encouraged to "toe the line" and had tried to do so without pushing back. As prices went up, those managers had squeezed their budgets, but the backlogs had eventually caught up, he said. He emphasized that there were no bad actors, only a series of years where the Town did not talk about the hard truths.

The Council spoke in favor of the 4 cent "catching up" scenario. They recommended publicizing the real dollar impact of each scenario on different tax levels and "over communicating" why there was a need to raise taxes at the current time. They agreed that choosing the 7.5 cent scenario would be a mistake, but some said that the Town should signal that there would be gradual increases in coming years.

This item was received as presented.

## 2. UNC Health Care Development Update.

[\[23-0222\]](#)

Senior Planner Tas Lagoo pointed out that the Council had seen a concept plan for UNC Health Care's Eastowne project in Jan 2023 and said that the current presentation would be a less formal update. Staff planned to begin the public hearing process in April and was hoping for Council action on the Conditional Zoning request in May 2023, he said.

Simon George, UNC Health vice president for Real Estate, pointed out that UNC Health had told the Council in November 2022 that it would submit a Conditional Zoning (CZ) application for a 1.6 to 1.8 million square-foot healthcare campus that would include retail. He said that the original plan had been to construct one building every three to five years and reach build-out in approximately 25 years. However, UNC Health had concluded that it needed to build its second medical office building (MOB2) immediately, he said.

Bill Derks, a vice president with McAdams Company, showed the concept plan and described the site's constraints, such as existing roadways and Resource Conservation District (RCD) areas. He described recent changes and pointed out that a green area in the center of the plan would remain.

All the stream crossings, but one, had been eliminated in the northern 20 acres, he said.

Andy King, a partner with Gestalt Architecture and Design, said that Phase 2 of the development would be on the right side of the RCD with only one stream crossing to connect the two campuses. He said that UNC Health hoped that parking needs would lessen over the next 25 years and that building on the northern 20 acres would not be necessary; however, a parking structure would have to be part of the plan in case that did not happen, he said.

Mr. King presented visuals showing that MOB2 would be approximately the same height as MOB1. He indicated a tree-lined buffer along Highway 15-501 and said that the skyline would not be impacted by the proposed development. He showed greenway connections through and around the site. UNC Health had been working with Town staff to determine how the project could fit in with the Town's Complete Community Framework, he said.

David Parker, vice president with DCI, discussed a "traffic sensitivity study" that had led to mitigating the originally 1.7 million down to 1.1 million square feet, and Mr. George pointed out that UNC Health had been talking about 2.8 million square feet not too long ago.

Mr. George said that remaining outstanding points of negotiation included the following: AH, which UNC Health was committed to and had been exploring with Town staff; a pedestrian crossing at Highway 15-501; and a payment ("tax in lieu") for public services. UNC had been evaluating what it would mean for them to pay a proportional property tax, but all additions -- such as AH, property taxes, and a pedestrian crossing -- came at a cost, he pointed out. He said that his team had heard different things from different Council Members and wanted to know what the Council's general priorities were.

Mr. George said that UNC Health would hold a public information session on March 20th and would then go before the Planning Commission. Their goal was to open the public hearing on April 26th and look for a Council vote on May 24, 2023, he said.

Council Members commented on how the project had come a long way from the original proposal for 2.8 million square feet. They said that it was going in the right direction, but they still hoped to avoid building a parking deck in the northern 20 acres. Council Members Parker and Huynh recommended that any agreement stipulate that building on the northern 20 acres would be the last one that UNC Health would ever construct there. Council Member Huynh requested that a conservation easement be put in place if UNC Health did not need to build in that area.



The Council asked about the possibility of increasing the size of other parking decks rather than building an additional one on the northern 20 acres, but the applicant team replied that doing so would mean that all Eastowne's decks would be 10-stories tall. They showed a rendering of what a 10-story deck would look like and said that 8 stories were the tallest they had found in the Triangle area. They did not want patients to have to drive around and around up to a tenth level, they said.

The Council and applicant discussed their mutual hope that the Town would become less car-dependent over the next 25 years and that the additional parking deck would not be needed. However, UNC Health needed approval of the complete plan in order to entitle the additional 1.1 million square feet, Mr. George said.

The Council ascertained that all the parking decks would be clad with materials that match the buildings.

Council Members Berry, Miller-Foushee and Huynh said that AH was their top priority. Others agreed that AH was a town priority but said that they wanted to know the relative value of each benefit in order to understand the tradeoffs.

The Council emphasized the need to make sure that there was adequate capacity for a nearby Gateway development, and Mr. Parker pointed out that UNC Health would be required to submit a full-blown TIA before developing MOB3 and MOB4. UNC Health might need to mitigate based on actual conditions at that time, he said.

Council Member Anderson mentioned the need to maintain adequate buffers after NC-DOT widened Highway 15-501. She and Mr. George discussed the cost of building a pedestrian bridge or tunnel across Highway 15-501, and Mr. George said that the Council should weigh that among its priorities. Council Member Anderson recommended that a plan for that crossing be in place before such a large project is entitled.

The Council confirmed with Ms. Johnson that staff intended that the project would be entitled in May 2023 with some flexible conditions regarding things like parking numbers that would change over time based on demand. Ms. Johnson pointed out that the applicant had done a TIA for MOB2. She said that staff had included specific mitigation measures to address that. Council Member Parker confirmed that the applicant and staff had been working on a stipulation to lessen the need for parking by investing in more housing or buses.

Town Attorney Ann Anderson reminded the Council that a CZ was not an iterative process and that the project would not typically return to the Council unless it needed to be modified. Because of the 25-year

build-out, the Eastowne project would be less specific than those that the Council was accustomed to seeing, she said. Despite the difficulty of working with the build-out time, staff's hope was that the CZ would be done well enough that it would not need to be modified, she said.

This item was received as presented.

## ADJOURNMENT

The meeting was adjourned at 8:45 p.m.





# TOWN OF CHAPEL HILL

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

## Item Overview

**Item #:** 14., **File #:** [23-0456], **Version:** 1

**Meeting Date:** 5/24/2023

### Receive Upcoming Public Hearing Items and Petition Status List.

**Staff:**

Sabrina Oliver, Director and Town Clerk  
Amy Harvey, Deputy Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council accept the reports as presented.

**Background:**

Two pages on our website have been created to track:

- public hearings scheduled for upcoming Council meetings; and
- petitions received, including their status and who you can call for information.

The goal is to provide, in easily available spaces, information that allows people to know when Council will be seeking their comments on a particular topic of development and to know the status of a petition submitted at Council meetings.

In addition to being on the website, these pages will be included in each agenda for Council information,

**Fiscal Impact/Resources:** Staff time was allocated to create the semi-automated web pages, and additional staff time will be needed for maintenance.



**Attachments:**

- Scheduled Public Hearings <<https://www.townofchapelhill.org/government/mayor-and-council/council-minutes-and-videos/scheduled-public-hearings>>
- Status of Petitions to Council <<https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>>

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

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.



## SCHEDULED PUBLIC HEARINGS

This webpage lists public hearings that are scheduled for a *specific Council meeting date*, although periodically, some may be continued to a future date. Public hearings may relate to the Land Use Management Ordinance (LUMO), Residential or Commercial Development, Budget, Transportation, or Housing issues. Meeting materials are posted at [Council Meeting Agendas](#), [Minutes](#) and [Videos](#).

Interested in a development project not yet scheduled for Council review? See the [Development Activity Report](#) for the project's current status.

### May 24

- Open the Public Hearing: Recommended Budget for FY 2023-2024
- Open a Legislative Hearing for consideration of a Land Use Management Ordinance Text Amendment regarding Housing Regulations
- Open a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Hamilton Road within the Glen Lennox Development
- Close the Legislative Hearing: Conditional Zoning Application for [UNC Health Eastowne](#), 100-988 Eastowne Drive
- Close the Legislative Hearing and Consider a Conditional Zoning Application for [Barbee Chapel Apartments](#) at 5101 Barbee Chapel Road
- *(anticipate consent action to continue to June 7)* Close the Legislative Hearing and Consider a Conditional Zoning Application for [South Creek at 4511 S. Columbia Street](#)
- *(anticipate consent action to defer to a future undefined date, notice provided when new date set)* Open the Legislative Hearing: Future Land Use Map Amendment and Conditional Zoning Application for Chapel Hill Crossing (Project #CZD-23-2)

### June 14

- Close a legislative hearing to consider incorporating the Connected Roads Plan as a component of the Town's Comprehensive Plan
- Close a Public Hearing for a Modification to the [Columbia St Annex](#)
- Close a Legislative Hearing for a Conditional Zoning Application for [Starpoint Refuel](#)



## STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted on the [Council Meetings calendar](#).

<div>Public Initiated</div> <div>Council Initiated</div> <div>LUMO</div> <div>Closed</div>					
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
05/10/2023	Olivia Ludington	<a href="#">Request Regarding Eno-New hope Landscape Conservation Group.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707		05/11/2023
04/19/2023	Transportation and Connectivity Advisory Board	<a href="#">Request for Support Regarding GoTrianagle CRX Bus Route Changes.</a>	Planning & Development Services		04/20/2023
04/19/2023	Thomas Henkel	<a href="#">Request to Exclude 200 S. Elliott Rd. Development in the Blue Hill District.</a>	Planning & Development Services		04/20/2023
04/19/2023	Joseph Patterson III	<a href="#">Request to Add Stop Signs at Intersection of North St and Henderson St</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100		04/20/2023
03/22/2023	Yaniv Cohen	<a href="#">Request for Home Occupation Permit Modification.</a>	Planning & Development Services	Staff is preparing information to respond to this request.	04/10/2023
03/08/2023	Eugene Farrar	<a href="#">Requests Speed Tables Near Hargrave Center.</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	03/13/2023
02/22/2023	Orange County Affordable Housing Coalition	<a href="#">Request for Bond Referendum and Increased Property Tax Towards Affordable Housing.</a>	Business Management <a href="#">Amy Oland</a> , Business Management Director Phone: 919-969-5017 Housing & Community	Staff will consider this request as public comment received for the budget development process.	04/13/2023
02/15/2023	Cultural Arts Commission	<a href="#">Request for Name, Membership and Charge Changes.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town	Staff will coordinate with the Council Committee on Boards and Commissions to respond to this request.	03/06/2023



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			Manager Phone: 919-968-2707 <a href="#">Communications &amp; Public Affairs</a> <a href="#">Sabrina Oliver</a> , Communications & Public Affairs Director Phone: 919-968-2757		
02/15/2023	Matt Gladdeck	<a href="#">Request to Change Town Appointments to Board.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707 <a href="#">Communications &amp; Public Affairs</a> <a href="#">Sabrina Oliver</a> , Communications & Public Affairs Director Phone: 919-968-2757	At their 03/22/2023 meeting, the Council adopted a resolution authorizing changes to the Chapel Hill Downtown Partnership Board.	04/13/2023
01/25/2023	Wendi Ramsden	<a href="#">Request for 2200 Homestead Limited Scope Review</a>	Planning & Development Services	Staff is preparing information to respond to this request.	02/13/2023
01/25/2023	Wendi Ramsden	<a href="#">Request for Limited Scope Review for 1100 S. Columbia St.</a>	Planning & Development Services	Staff is preparing information to respond to this request.	02/13/2023
01/25/2023	Will Raymond	<a href="#">Request for Ethics Guidelines</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The Council received and referred this request to the Mayor and Town Manager for consideration.	02/13/2023
01/25/2023	Environmental Stewardship Advisory Board (Tom Henkel)	<a href="#">Requests Follow-Up Regarding 828 Martin Luther King Jr. Blvd. Site</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The Council received and referred this request to the Mayor and Town Manager for consideration. The Mayor's Office and Manager's Office have each provided project updates to the board.	04/13/2023
01/11/2023	Habitat For Humanity of Orange County (George Retschle)	<a href="#">Request that the Town Council of Chapel Hill Modify the Weavers Grove Conditional Zoning Permit</a>	Planning & Development Services	This request can be evaluated as part of the established permit application/modification process. No further response is needed.	04/13/2023
01/11/2023	Joe Patterson	<a href="#">Request to Make Existing No Parking Sections of Cobb Terrace Tow Away Zones.</a>	Public Works	Staff is preparing information to respond to this request.	01/20/2023



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			<a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100		
12/07/2022	Carol Conway	<a href="#">Request Regarding Affordable Housing Needs for IDD Members.</a>	Housing & Community	The Council received and referred this request to the Mayor and Town Manager for follow-up. Town staff are able to share how these needs are considered in affordable housing development.	04/13/2023
12/07/2022	Environmental Stewardship Advisory Board (Anthony Henage)	<a href="#">Request to Acquire Eastowne Natural Heritage Site and Designate Natural Conservation Area.</a>	Planning & Development Services	This request is preserved as public input and will be considered during the legislative hearing process for the conditional zoning application, scheduled to open at the 04/26/2023 Council meeting.	04/13/2023
10/19/2022	Deon Temne	<a href="#">Request for Sidewalks at Northside Elementary School.</a>	Planning & Development Services	School zone markings are in place and Town staff are evaluating the Longfellow/Columbia intersection for a four-way stop.	04/13/2023
10/19/2022	Kelvin Hargraves	<a href="#">Request for Name Change to Hargraves Center Gym.</a>	Mayor <a href="#">Pam Hemminger</a> , Mayor Phone: 919-968-2714	The Council received and referred this request to the Mayor and Town Manager for consideration. Town staff are working with community members on how the signs showing the names will appear at the facility.	04/13/2023
10/12/2022	Elizabeth Onan (CHOCE)	<a href="#">Request for Council Review the Sign Ordinance and the Chapel Hill Transit Authority Policy and Standards to Ascertain They Fully Comply with Federal First Amendment Rights.</a>	Transit <a href="#">Brian Litchfield</a> , Transit Director Phone: 919-969-4908	Town staff have and will continue to draft and implement Town policies and ordinances in consideration of existing laws and continue to consult with the Town Attorney on these actions as needed.	04/13/2023
10/12/2022	Lisa Ostrom	<a href="#">Request to Add an Informational Sign to the Dixie Ln and Rd Signs.</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	10/24/2022
09/28/2022	Rachel Eberhard/CASA	<a href="#">Request for SUP Modification Limited Scope Review.</a>	Planning & Development Services	The Council opened a public hearing in October 2022 and took action at their 11/02/2022 meeting.	03/27/2023
09/14/2022	Barbara Driscoll and Lynda Haake	<a href="#">Request Regarding Lights Out Chapel Hill</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/17/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
05/18/2022	Sandy Douglass	<a href="#">Request To Use ARPA Money Towards Pickleball.</a>	<a href="#">Parks &amp; Recreation Phillip Fleischmann</a> , Parks and Recreation Director Phone: 919-968-2785	Final Decisions about ARPA funds will be made in January 2023.	11/21/2022
05/18/2022	Josh Romero	<a href="#">Recommendation for CPAC Charge Name Change</a>	<a href="#">Police Chris Blue</a> , Police Chief Phone: 919-968-2766	Staff will coordinate with the Council Committee on Boards and Commissions to respond to this request.	08/22/2022
05/04/2022	Cherec Morrison	<a href="#">Request to Add a Crosswalk at Holy Trinity Anglican Church.</a>	<a href="#">Public Works Lance Norris</a> , Public Works Director Phone: 919-969-5100 Planning & Development Services	Staff is supportive of the request and has submitted it for NCDOT SPOT funding.	04/13/2023
04/27/2022	Moriah Ridge, LLC	<a href="#">Request to Amend Consent Judgement to Permit the City of Durham to Annex a Property off of Mt. Moriah Road.</a>	<a href="#">Business Management Amy Oland</a> , Business Management Director Phone: 919-969-5017	The Council is scheduled to have a discussion related to this request at their 04/26/2023 meeting.	04/13/2023
01/12/2022	Environmental Stewardship Advisory Board	<a href="#">Request to Adopt New Electrification Policies for Chapel Hill.</a>	<a href="#">Town Manager Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Staff will share information related to this request at an upcoming Council meeting..	08/22/2022
11/17/2021	Will Raymond	<a href="#">Request Regarding Ethical Rules Guiding Council, Staff and Advisory Board Conduct.</a>	<a href="#">Town Manager Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707  <a href="#">Mayor Pam Hemminger</a> , Mayor Phone: 919-968-2714	The Council Committee on Boards & Commissions discussed this at their 06/27/22 meeting and will share their recommendations for Council consideration at an upcoming meeting.	08/22/2022
10/13/2021	Tara Kachgal	<a href="#">Request Regarding 110 Jay Street.</a>	Housing & Community	Staff continues to work with legal experts to adhere to all relevant statutes. The Council opened a legislative hearing for a conditional zoning application on 03/23/22 and approved the application on 04/27/22.	01/20/2023
10/13/2021	Savannah Bowers	<a href="#">Request Regarding Operational Transparency for Town</a>	Town Manager	The Council Committee on Boards & Commissions discussed this at their 06/27/22	08/29/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
		<a href="#">Government</a>	<a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707 Council Committee on Boards and Commissions	meeting and will share their recommendations for Council consideration at an upcoming meeting.	
09/22/2021	Barry Nakell	<a href="#">Request to Rename Dixie Lane</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	The Council Naming Committee will review this request and make a recommendation to the Council for consideration.	08/22/2022
09/22/2021	Joan Rehm and Karin Nelson	<a href="#">Request Regarding Downtown Exhaust Noise.</a>	Police <a href="#">Chris Blue</a> , Police Chief Phone: 919-968-2766	Staff has been actively engaged with residents on this issue and will continue to do so.	01/20/2023
09/22/2021	Kate Sayre	<a href="#">Request To Build A Splash Pad in Chapel Hill</a>	Parks & Recreation <a href="#">Phillip Fleischmann</a> , Parks and Recreation Director Phone: 919-968-2785	The Council discussed this at their 10/20/2021 work session. Staff will continue to evaluate locations, specifications, and costs for further Council consideration. UPDATE 1/20/23 discussions continue on this idea. Petitioner is engaged in the process.	01/20/2023
09/01/2021	Joe Patterson	<a href="#">Request for Modifications to the Town of Chapel Hill Noise Control Code.</a>	Police <a href="#">Chris Blue</a> , Police Chief Phone: 919-968-2766	Staff is preparing information to respond to this request.	08/22/2022
06/16/2021	Robert Beasley	<a href="#">Request Regarding Proposed Jay Street Apartments and Affordable Housing Development on Public Land Planning Process.</a>	Housing & Community	Staff continues to work with legal experts to adhere to all relevant statutes. The Council opened a legislative hearing for a conditional zoning application on 03/23/22 and approved the application on 04/27/22.	11/18/2022
06/09/2021	Robert Beasley	<a href="#">Request Regarding Jay Street Land Tract Development Project Funding.</a>	Housing & Community	110 Jay Street was one of five parcels purchased in 2005 with open space bond funding. Town Attorneys and outside counsel have advised there is no legal conflict with repurposing the site for affordable housing after this purchase.	08/22/2022
06/09/2021	Deborah Fulghieri	<a href="#">Request that Town Staff Bring Forward Historical and Environmental Information for the Town-Owned Property at Mt. Carmel Church Road and Bennett Road.</a>	Housing & Community	The Town used open space bond funds to pay closing costs for the land donation. There is no legal conflict with considering alternate uses of a site the Town acquired in this way. Council prioritized the parcel for affordable housing in September 2019.	08/22/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
05/19/2021	Phil Post	<a href="#">Request to Refer the April 21 Petition Related to 160D to the Planning Commission.</a>	Planning & Development Services Planning Commission	Staff has reviewed this request and recommends no change to the ordinance language at this time. There will be an opportunity to revisit this as part of the Town's LUMO rewrite.	04/13/2023
05/19/2021	Chapel Hill Public Library Advisory Board	<a href="#">Request for a Working Group on Equitable Library Funding.</a>	Mayor <a href="#">Pam Hemminger</a> , Mayor Phone: 919-968-2714  Library <a href="#">Susan Brown</a> , Library Director Phone: 919-969-2034  Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Orange County established a Library Services Task Force with staff and elected officials from both agencies participating. The task force first met in January 2022 and is continuing to meet regularly.	01/20/2023
11/04/2020	Residents in the area of Mason Farm Rd., Whitehead Circle, and Purefoy Rd	<a href="#">Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus.</a>	Planning & Development Services  Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	08/22/2022
06/10/2020	Community Design Commission	<a href="#">Request to Create a Downtown Design District.</a>	Planning & Development Services	The Town's partnership with UNC on the Downtown Together initiative will help inform the future of downtown development and the role that design standards may have in achieving Downtown Together objectives.	08/22/2022
02/19/2020	Steve Moore	<a href="#">Request Regarding Cemetery Needs.</a>	Parks & Recreation <a href="#">Phillip Fleischmann</a> , Parks and Recreation Director Phone: 919-968-2785  Communications & Public Affairs <a href="#">Sabrina Oliver</a> , Communications & Public Affairs Director Phone: 919-968-2757	Staff is in contact with the petitioner and is working to respond to the items raised in the petition. The driveways in Old Chapel Hill Cemetery were resurfaced in July 2021.	08/22/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
01/08/2020	Renuka Soll	<a href="#">Request for an Improved Petition Process.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The petition page has been redesigned to provide additional information and context for petitions. Petitioners can contact the Manager's office or the supporting department if they have additional questions.	01/20/2023
06/26/2019	Julie McClintock	<a href="#">Request Regarding the Blue Hill Form Based Code.</a>	Planning & Development Services	The Council and staff continue to evaluate and update the Blue Hill Form Based Code.	08/22/2022
06/26/2019	Community Design Commission	<a href="#">Request for Modifications to the Concept Plan Review Process.</a>	Planning & Development Services	The Council most recently discussed this at their 09/16/2020 work session. Staff is piloting new ways to present Concept Plans to boards, using Town projects as subjects.	08/22/2022
04/24/2019	Board of Adjustment	<a href="#">Request Regarding Neighborhood Conservation District Ordinances.</a>	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022
04/17/2019	Amy Ryan for Planning Commission	<a href="#">Commission Regarding Site Plan Review Process.</a>	Planning & Development Services	Staff will coordinate with the Council Committee on Boards and Commissions to consider this request.	08/22/2022
02/13/2019	Citizens	<a href="#">Request Regarding Coal Use and Coal Ash.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Remediation work is almost complete along the Bolin Creek Trail near the Police Department. UNC is expected to release their Climate Action Plan in 2021, which is expected to address UNC coal use in the future.	08/22/2022
06/13/2018	Mayor Pam Hemminger	<a href="#">Regarding Reviewing Policies, Procedures, and Practices for Development.</a>	Planning & Development Services	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.	08/22/2022

Last modified on 5/19/2023 3:15:03 AM



# STATUS OF PETITIONS TO COUNCIL

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<div>Public Initiated</div> <div>Council Initiated</div> <div>LUMO</div> <div>Closed</div>					
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
09/28/2022	Council Member Anderson	<a href="#">Request for Project Review by Complete Communities Team</a>	<a href="#">Town Manager Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707 Planning & Development Services	The Council received and referred this request to the Mayor and Town Manager for follow-up. This was a short-term request pending the Council's formal adoption of the Complete Community Framework.	04/13/2023
05/18/2022	Council Members Stegman, Huynh, Berry, Miller-Foushee, and Parker	<a href="#">Request American Legion Property Update</a>	<a href="#">Town Manager Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The Mayor formed a Legion Property Committee which includes two of the petitioners to recommend next steps to the Council.	11/14/2022
10/27/2021	Mayor Hemminger and the Chapel Hill Downtown Partnership	<a href="#">Request that the Town Explore Taking Over the Downtown Portion of Franklin Street.</a>	<a href="#">Town Manager Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707  <a href="#">Public Works Lance Norris</a> , Public Works Director Phone: 919-969-5100	The Council discussed this at their 01/05/22 work session.	08/22/2022
09/22/2021	Council Members	<a href="#">Regarding Long Range Planning for Future Growth</a>	Planning & Development Services	The Town hired Jennifer Keesmaat & Alex Mather with The Keesmaat Group, Jennifer Hurley with Hurley-Franks & Associates, and Rod Stevens with Business Street to conduct a future visioning based on "meeting the need" for housing in Chapel Hill.	08/29/2022
09/22/2021	Council Members Stegman, Huynh, Buansi, and Parker	<a href="#">Regarding Affordable and Missing Housing</a>	Housing & Community Planning & Development Services	Staff prepared a draft Work Plan to address the the petition's interests and is piloting an expedited application review for projects proposing 100% affordable units. Council will receive	08/22/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
				an update on expedited review at an upcoming meeting.	
06/28/2021	Council Member Ryan on Behalf of Mayor Hemminger, Council Member Stegman, and Council Member Gu	<a href="#">Request Regarding Stormwater Storage Basin Projects.</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	The Town has paused proposed stormwater projects pending a broader community discussion. The Town hosted a community information meeting about the flood storage projects identified in the Lower Booker Creek Subwatershed Study on 09/13/2021.	08/22/2022
06/09/2021	Council Members Parker, Ryan, Huynh, Stegman, and Gu	<a href="#">Request Regarding Comprehensive Review of Stormwater Regulations.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707  Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	The Council discussed this at their 10/20/21 work session. Staff will explore options for partnering with the LUMO rewrite consultant to perform this review.	08/22/2022
05/19/2021	Council Members Stegman and Parker	<a href="#">Request Regarding Tax Equity Fund.</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	In Fall 2021, Orange County launched a new Longtime Homebuyer Assistance program to provide property tax assistance to help people stay in their home. Staff recommends that funding for this program remains at the County level.	08/22/2022
05/05/2021	Mayor pro tem Parker, Council Member Buansi, and Council Member Stegman	<a href="#">Request Regarding Chapel Hill Increasing its Minority and Women Business Enterprise/Disadvantaged Business Enterprise (MWBE/DBE) Contracting Targets.</a>	Business Management <a href="#">Amy Oland</a> , Business Management Director Phone: 919-969-5017  Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Based on Council direction, staff will build increased targets into the upcoming work on the East Rosemary Parking Deck project. Staff will continue working to respond to the broader request.	08/22/2022
03/24/2021	Council Member Anderson	<a href="#">Request Regarding Manufactured Home Parks</a>	Town Manager <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707 Housing & Community	At their 04/27/22 meeting, the Council endorsed the County-Wide Manufactured Homes Action Plan.	08/22/2022
03/14/2018	Council Members Anderson, Gu, and	<a href="#">Request Regarding Addressing Blue Hill District Community Interests.</a>	Planning & Development Services	Council enacted ordinance amendments pertaining to stormwater	11/28/2022



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
	Schaevitz			management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council considered amendments for townhomes and deferred action.	
11/07/2016	Mayor Hemminger	<a href="#">Regarding Parking and Transit Needs in Downtown Area.</a>	Planning & Development Services Police <a href="#">Chris Blue</a> , Police Chief Phone: 919-968-2766 Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships.	11/28/2022

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<div>Public Initiated</div> <div>Council Initiated</div> <div>LUMO</div> <div>Closed</div>					
Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
06/23/2021	Molly McConnell	<a href="#">Request Regarding Amending the LUMO to Allow 30 Feet Buffer from Roadway.</a>	Planning & Development Services	Request was forwarded to the LUMO project team for considering as LUMO is updated	08/22/2022
05/20/2020	Elaine McVey	<a href="#">Request to Amend the Land Use Management Ordinance Related to Deer Fencing.</a>	Planning & Development Services	Staff will work to bring forward a LUMO Text Amendment for Council consideration at a future date.	10/07/2022
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	<a href="#">Request Regarding Neighborhood Preservation.</a>	Police <a href="#">Chris Blue</a> , Police Chief Phone: 919-968-2766 Planning & Development Services	Staff will continue to work with residents, the University, and other community members on concerns related to student rental housing. This topic will be considered as part of the LUMO rewrite.	08/22/2022
09/19/2018	Julie McClintock of CHALT	<a href="#">Regarding Land Use Intensification.</a>	Planning & Development Services  <a href="#">Public Works Lance Norris</a> , Public Works Director Phone: 919-969-5100	On 6/12/2019, Council received a presentation on the Town's Stormwater program. On 12/9/2020 Council adopted the use of FEMA Flood Resiliency Maps. In 2/2021, Council received more info on Stormwater programs LUMO update will consider other ideas.	08/22/2022
06/27/2018	Susanne Kjemtrup / Brian Hageman	<a href="#">Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.</a>	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. These ideas are under consideration as a part of this process.	08/22/2022
06/13/2018	Ondrea Austin	<a href="#">CHALT's Request to Revise the Tree Ordinance.</a>	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022

Last modified on 5/19/2023 3:15:03 AM





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 15., **File #:** [23-0457], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Open the Public Hearing: Recommended Budget for FY 2023-2024.**

**Staff:**

Chris Blue, Interim Town Manager  
Amy Oland, Director

**Department:**

Manager's Office  
Business Management

The FY 2023-24 Manager's Recommended Budget includes an increase of 5 cents for a combined property tax rate of 57.2 cents per \$100 of assessed value.

The Recommended budget for 2023-24 recognizes Council's most important goals and invests in strategic initiatives to achieve those objectives, even during these challenging and unprecedented times. We look forward to working with Council to continue offering the core services our residents expect.

We will return to Council at the May 24<sup>th</sup> public hearing to receive additional feedback from Council the community.

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

**PRESENTER:** Chris Blue, Interim Town Manager

- a. Introduction by the Manager
- b. Comments from the public
- c. Comments from the Mayor and Town Council
- d. Motion to close the Public Hearing
- e. Consider enacting the Ordinance on June 7, 2023.

**RECOMMENDATION:** That the Council receive public comment regarding the recommended budget. See

<https://www.townofchapelhill.org/government/departments-services/business-management/budget/2023-2024-budget-development>





# TOWN OF CHAPEL HILL

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

## Item Overview

**Item #:** 16., **File #:** [23-0458], **Version:** 1

**Meeting Date:** 5/24/2023

**Open the Legislative Hearing: Land Use Management Ordinance Text Amendment- Articles 1, 3, 4, 5, 6, and 7 and Appendix A Regarding Housing Regulations and Housing Choices for a Complete Community.**

**Staff:**

Britany Waddell, Director  
Judy Johnson, Assistant Director  
Corey Liles, Planning Manager  
Anya Grahn-Federmack, Principal Planner  
Tas Lagoo, Senior Planner  
Katherine Shor, Senior Planner

**Department:**

Planning

See the Staff Memorandum on the next page.

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

**PRESENTER:** Anya Grahn-Federmack, Principal Planner  
Tas Lagoo, Senior Planner

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to recess the Legislative Hearing to June 21, 2023.

**RECOMMENDATION:** That the Council open the legislative hearing, provide feedback on the draft text amendment, and continue the hearing to June 21, 2023.





**OPEN THE LEGISLATIVE HEARING: LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – ARTICLES 1, 3, 4, 5, 6, AND 7 AND APPENDIX A REGARDING HOUSING REGULATIONS AND HOUSING CHOICES FOR A COMPLETE COMMUNITY**

**Staff Memorandum**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Britany Waddell, Planning Director

Judy Johnson, Assistant Director

Corey Liles, Planning Manager

Anya Grahn-Federmack, Principal Planner

Tas Lagoo, Senior Planner

Katherine Shor, Senior Planner

<p><b>Amendment Request</b></p> <p>Amend sections of the Land Use Management Ordinance (LUMO) to address setback and height exceptions, encourage a range of housing choices, and allow staff approval of smaller multi-unit housing developments up to four (4) units.</p>	<p><b>Meeting Date</b></p> <p>May 24, 2023</p>
<p><b>Staff Recommendation</b></p> <p>That the Council open the legislative hearing on the LUMO text amendment, receive public comment, provide feedback on the draft text amendment, and continue the hearing to June 21, 2023.</p>	
<p><b>Process</b></p> <p>The item before the Council is for approval of a LUMO text amendment. The Council may approve the amendment if it is necessary:</p> <ol style="list-style-type: none"> <li>1. To correct a manifest error in the chapter; or</li> <li>2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or</li> <li>3. To achieve the purposes of the Comprehensive Plan</li> </ol>	
<p><b>Text Amendment Overview</b></p> <p>Based on the direction provided in the Town's adopted plans and commissioned studies, staff proposes a text amendment that seeks to:</p> <ul style="list-style-type: none"> <li>• Regulate the amount of housing on a lot through dimensional standards such as minimum lot sizes, maximum floor area ratios, setbacks, building height, and impervious surface, rather than through density caps.</li> <li>• Allow two-family developments (including single-family plus cottage) in most residential zones.</li> <li>• Allow staff approval of three- and four-family developments in districts that currently allow multifamily development.</li> <li>• Revise the current height and setback exceptions to clarify requirements.</li> </ul> <p>The proposed amendments do not supersede any regulations set forth by the Neighborhood Conservation Districts (NCDs), nor are they intended to incentivize the immediate redevelopment of single-family neighborhoods. The proposed changes are intended to encourage a context-sensitive increase in density over time and to provide additional dwelling units incrementally within existing neighborhoods.</p>	
<p><b>ATTACHMENTS</b></p> <ol style="list-style-type: none"> <li>1. Draft Staff Presentation</li> <li>2. Exhibits</li> <li>3. Resolution A (Resolution of Consistency)</li> <li>4. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)</li> <li>5. Resolution B (Deny Land Use Management Text Amendment Proposal)</li> <li>6. Noell Consulting Group Market Impact Analysis of Duplexes</li> <li>7. Planning Commission Recommendation (to be added)</li> </ol>	





# Land Use Management Ordinance Text Amendment Housing Regulations & Housing Choices for a Complete Community

May 24, 2023



# Recommendation<sup>150</sup>

- Open the Legislative Hearing
- Receive public comment
- Continue the hearing to June 21, 2023





# Text Amendment Process

**Staff  
Review**



**Advisory  
Board  
Review**



**Council  
Legislative  
Hearing  
5/24/2023**



**Council to  
Consider  
Action**



## Why are we doing this?

- September 2021 – Council members petition staff to create pathway for missing middle housing
- Projected Housing Needs, 2020-2040
  - Little variety in existing housing stock – single family homes and luxury apartments
  - Many needs are going unmet
  - Need to increase housing production by 35% (an average of 500 units annually)
- Complete Community Strategy

draft



# Timeline<sup>153</sup>



## Fall 2022

- Staff presents to Planning Commission, Housing Advisory Board, and Council Committee for Economic Sustainability (CCES)



## Winter 2022-2023

- Staff presents to Housing Advisory Board and Planning Commission
- Council opens the legislative hearing (1.25) and closes the legislative hearing (2.22)
- Staff hosts Community Open Houses and neighborhood meetings



## Early Spring 2023

- Staff hosts Community Open Houses and neighborhood meetings
- Council work session (4.10)



## Late Spring/Summer 2023

- Staff presents to Historic District Commission and Planning Commission
- Town Council Public Hearing
- Possible Town Council Action

draft



# Purpose of the Text Amendments<sup>154</sup>



Clean up the Land Use Management Ordinance (LUMO)

Diversify Housing Types

Increase Housing Production

Encourage Compatible Infill

Promote Gentle Density



# Purpose of the Text Amendments<sup>155</sup>

## Initial Proposal

### LUMO “Clean Up” Text Amendments

- Setback & Height Exceptions
- Townhouse Development Standards
- Updated Standards for Duplexes & Accessory Apartments

### Opportunities to increase Missing Middle Housing

- Remove density limitations
- Cottages on Compact Lots
- Admin. Approvals of Tri- and Fourplexes
- Cottage Courts

## Research & Stakeholder Engagement

Met with Town and County Departments

Looked at existing infrastructure (transit, walkability)

Engaged with affordable housing groups

Met with UNC about housing demands

Consulted with other cities

Community outreach

## Council Guidance & Further Refinements

Council work session on 4/10

LUMO “Clean Up” Text Amendments

Considerations for refining “Missing Middle” housing types



## Summary of Community Feedback

- Student Housing
- Parking/Traffic
- Nuisances
- Infrastructure capacity
- Equity and diversity
- Locations for density
- Housing affordability
- Neighborhood character
- Tree canopy
- Out-of-town investors
- Demolitions and loss of neighborhood character
- Historic designations
- Occupancy
- Stormwater
- Unintended consequences
- Zoning as a promise of expectations

draft



# Proposed Phasing of LUMO Clean Up & Refining Missing Middle

## Original Proposal

Setbacks & height exceptions

Townhouse development standards

Duplex & Accessory Apt. standards

Prioritize dimensional standards over density restrictions

Introduce cottages on compact lots

Administrative approval of triplexes and fourplexes

Add new missing middle housing types in most R- zoning districts:

- Triplexes
- Fourplexes
- Cottage Courts

## Current Proposal

Setbacks & height exceptions

Accessory Apartment Standards

Prioritize dimensional standards over density restrictions

Introduce single-family + cottage

Expand two-family uses into all R- zoning districts

Opportunities for Attached/Detached Three- and Four-Family Developments

## Future Work

Strategically add new missing middle housing types in more zoning districts:

- Triplexes
- Fourplexes
- Cottage Courts

Accessory apartments for cultural and institutional facilities as well as places of worship



# Staff Recommendation<sup>158</sup>

Purpose of Text Amendments is the guide for staff recommendation



Clean up the Land Use Management Ordinance (LUMO)

Diversify Housing Types

Increase Housing Production

Encourage Compatible Infill

Promote Gentle Density

Setbacks & height exceptions

Accessory Apartment Standards

Prioritize dimensional standards over density restrictions

Introduce single-family + cottage

Expand two-family uses into all R-zoning districts

Opportunities for Attached/Detached Three- and Four-Family Developments



# Summary of Proposed Changes<sup>159</sup>

## What this does not do:

- Make single-family houses non-conforming or prohibit single-family developments
- Eliminate single family residential zoning
- Supersede restrictive covenants or entitlements
- Guarantee affordable housing
- Prevent student rentals

## What this is intended to do:

- Allows **administrative approval** for small, multi-family developments up to 4 units in zones that already allow 3-7 units
- Imposes standards to ensure that new development is **compatible with existing neighborhoods**



# Part 1: Proposed Text Amendments

- Setback & Height Exceptions:
  - Fences
  - Mechanical Equipment
  - Window Wells
  - Site Access
  - Transportation-related Improvements
  - Solar Collectors
- Tree Protection & Canopy Requirements





# Part 2: Allowed Housing Types & Revised Use Table

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Two-Family Dwelling														
Single-Family with Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	A	A	A
<u>Single-Family with Cottage</u>	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Two-Family, Attached (i.e duplex)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P
<u>Two- Family, Detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Multi-Family Dwellings														
<u>Three-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Four-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-
<u>Multi-family, 5-10 units, Attached/detached</u>	-	-	-	-	-	-	-	-	P	P	P	-	-	-
<u>Multi-family, over 10 units Attached/detached</u>	-	-	-	-	-	-	-	-	-	-	P	-	-	-

P : Proposed as a new permitted use

A: Proposed as a new accessory use



## Part 2: Refining Missing Middle<sup>162</sup>

### Proposed Types & Placement:

*Highest Density*

*Lowest Density*

*Allowed in all  
residential districts*



Single Family + Accessory Apartment



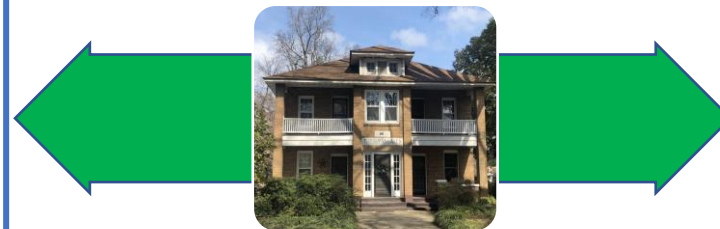
Two-Family

*Allowed in all residential  
districts except rural  
(R-LD and RT)*



Single Family + Cottage

*Allowed wherever  
multifamily is allowed  
(R-4 and higher)*



Multi-family



# Part 2: Housing Types

## Single Family + Accessory Apartment

### Accessory Apartment Dimensions

Unit Size:	<ul style="list-style-type: none"> <li>No more than 75% of the primary dwelling</li> <li>No more than 1,000 SF</li> <li>Planning Director may grant an exception allowing up to 1/3 of the floor area of the primary dwelling</li> </ul>
Maximum Height	29 ft. or height of the primary structure (whichever is less)
Density	1 accessory apartment per house
Parking	1 space/bedroom
Occupancy	No more than 4 unrelated per lot
Key changes:	<ul style="list-style-type: none"> <li>Increased size</li> <li>Height restriction</li> </ul>



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single-Family with Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	A	A	A



# Part 2: Housing Types

## Single Family + Cottage

### Lot Dimensions

Minimum Lot Size      Minimum Zoning Lot Size + 2,700 SF

### Building Dimensions

Maximum Footprint      • 1,000 SF

Maximum Floor Area      • 1,200 SF

Maximum Height      29 ft. or height of the primary structure (whichever is less)

Density      1 cottage per lot

Parking      Maximum 1 space/bedroom

Occupancy      No more than 4 unrelated

Key changes:

- New Use
- Allowed in R-1 and higher density zoning districts



	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single-Family with Cottage	-	-	-	-	P	P	P	P	P	P	P	A	A	A



# Part 2: Housing Types

## Two-Family, Attached or Detached

### Lot Dimensions

Minimum Lot Size      Minimum Zoning Lot Size

### Building Dimensions

Maximum Floor Area Ratio      0.40

Maximum Floor Area      3,000 SF

Parking      No more than 4 vehicles

Occupancy      No more than 4 unrelated/unit

Key changes:

- Existing use (Duplex)
- Allowed in R-1 and higher density zoning districts
- Create opportunities for attached and detached units



2-units attached by shared walls



2-units attached by floor/ceiling



2-units detached

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Two-Family, Attached or Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P



# Part 2: Housing Types

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## Three-Family, Attached or Detached

### Lot Dimensions

Minimum Lot Size      Minimum Zoning Lot Size x 2

### Building Dimensions

Maximum Floor Area Ratio      Follows underlying zoning

Parking      No more than 4 vehicles

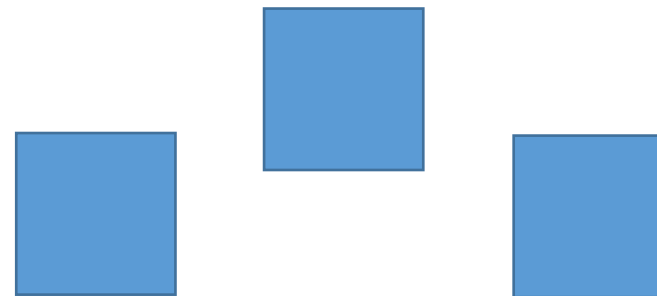
Occupancy      No more than 4 unrelated/unit

Key changes:

- Currently fall under Multifamily, 3-7 units
- Calling out Three-family as its own use
- Creating opportunities for attached or detached units
- No change to the zoning districts that allow this type of development
- Administrative approval



3-units attached by shared walls



3-units detached



3-units attached by floor/ceiling

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Three-Family, Attached or Detached	-	-	-	-	-	-	-	-	P	P	P	P	P	P



# Part 2: Housing Types

## Four-Family, Attached or Detached

### Lot Dimensions

Minimum Lot Size      Minimum Zoning Lot Size x 2

### Building Dimensions

Maximum Floor Area Ratio      Follows underlying zoning

Parking      No more than 4 vehicles

Occupancy      No more than 4 unrelated/unit

Key changes:

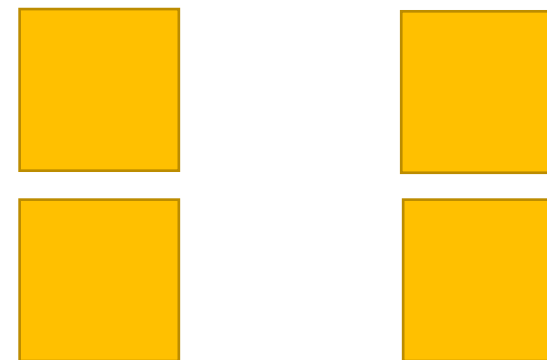
- Currently fall under Multifamily, 3-7 units
- Calling out Three-family as its own use
- Creating opportunities for attached or detached units
- No change to the zoning districts that allow this type of development
- Administrative Approval



4-units attached by shared walls



4-units attached by walls and floor/ceiling



4-units detached

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Four-Family, Attached or Detached	-	-	-	-	-	-	-	-	P	P	P	-	-	-



# Neighborhood Conservation Districts (NCDs)



- No amendments to NCDs proposed
- Additional community engagement with residents is critical to determine needs and interests
- Language in that prevents construction in NCDs that currently do not allow duplexes



# Potential Outcomes

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<b>Minneapolis 2020 Comprehensive Plan</b> (January 2020 -2022)	<ul style="list-style-type: none"><li>• Approximately 9,000 housing units permitted including:<ul style="list-style-type: none"><li>• 62 new duplexes (0.68% of total permits)</li><li>• 17 new triplexes (0.18% of total permits)</li></ul></li></ul>
<b>Durham Expanded Housing Choices (EHC)</b> (October 2019 – November 2022)	<ul style="list-style-type: none"><li>• 407 EHC-related permits:<ul style="list-style-type: none"><li>• 132 small lot options (32.4% of total permits)</li></ul></li></ul>
<b>Raleigh Missing Middle Housing Reforms</b> (August 2021-October 2022)	<ul style="list-style-type: none"><li>• Total applications related to Missing Middle Housing ordinance changes:<ul style="list-style-type: none"><li>• 11 subdivisions</li><li>• 0 Townhouses</li></ul></li></ul>
<b>Predicted Chapel Hill Outcomes</b>	<ul style="list-style-type: none"><li>• Based on the same percentages above:<ul style="list-style-type: none"><li>• 5 accessory apartments per year (current average)</li><li>• 1.78 – 9.6 duplexes per year (0.68% - 3.69%)</li><li>• 0.47 triplexes per year (0.18%)</li><li>• 84.8 new cottages on compact lots (32.4%)</li></ul></li></ul>



# Other Considerations<sup>170</sup>



- LUMO limits occupancy to 4 unrelated, but Building Code allows up to 8 unrelated
- No proposed changes to stormwater requirements for multi-family (3+ units)
- Subdivisions standards remain
- Fire code may be more restrictive than LUMO, such as access requirements



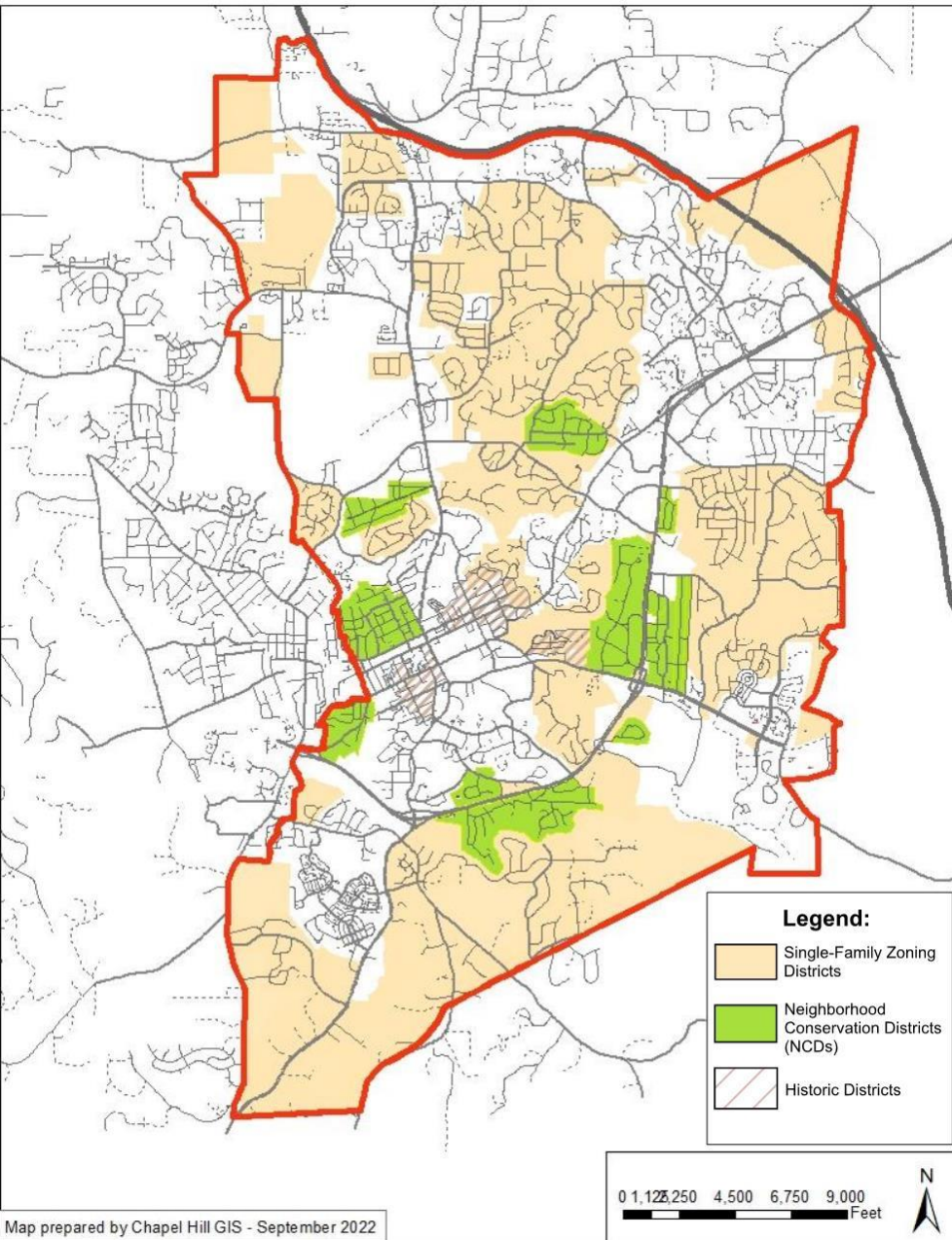
# Other Considerations<sup>171</sup>

## Zoning alone will not fix the housing shortage

### *Considerations:*

- Zoning map amendments to allow more density
- Development bonuses for affordable housing
- Transit-oriented development (underway)
- Expedited review for pre-approved housing designs
- Additional support programs could provide opportunities for affordable housing

draft





# Recommendation<sup>172</sup>

- Open the Legislative Hearing
- Receive public comment
- Continue the hearing to June 21, 2023





MAY 24, 2023

# HOUSING CHOICES FOR A COMPLETE COMMUNITY

## EXHIBITS

TOWN OF CHAPEL HILL  
PLANNING DEPARTMENT



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## Project History and Background

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Chapel Hill's available housing supply does not meet the needs of current and future residents. As written, the Land Use Management Ordinance (LUMO) has encouraged suburban development trends, fostering the construction of owner-occupied, detached single-family houses and renter-occupied multi-family housing complexes. This has led to a segregation of housing types with about 70 percent of Chapel Hill's land devoted to single-family neighborhoods. Staff propose a text amendment to the Land Use Management Ordinance (LUMO), the Housing Choices for a Complete Community text amendment, to encourage Missing Middle Housing forms, such as two-, three-, and four-family developments, to add diversity between single-family and large multi-family developments.

The historic development trends in Chapel Hill are not only inefficient but have also contributed to higher home values and higher rents for tenants, pricing many out of the community. By limiting development in low-density neighborhoods, housing demand has moved to the fringes of the community and has led to loss of tree canopy and farmland. These areas on the edges of the community contribute to longer commutes, greater automobile dependency, and increased emissions. Low-density zoning districts do not align with Council's goals for promoting social justice and creating an inclusive and integrated community.

Recognizing this, the Town Council has indicated in its adopted plans and commissioned studies the need for a mix of housing types to provide opportunities for missing middle housing. For nearly a decade, the Town Council has stressed the need for a mix of housing types to meet the price points, life stages, and preferences of current and future residents.

The *Projected Housing Needs, 2020-2040* study found that over the last 20 years, Chapel Hill has largely developed two types of housing – single-family in 2000s and large-scale apartment complexes in the 2010s. This lack of diversity has led to the community's housing stock no longer meeting the needs of many households, including first-time buyers, families with young children, divorcees, empty nesters, and seniors.

At the same time, Chapel Hill has one of the highest ratios of jobs to housing in the region. The value of owner-occupied housing is 53 percent higher than Durham. While luxury apartments may meet the needs of young professionals today, these same professionals are likely to choose lower-cost housing near their jobs when it comes time to buy.

To keep the jobs-housing ratio from rising, the study found that housing production needs to increase by 35 percent over that of the 2010s, or on average 500 units per year. Of this, 440 units are required for working-aged people and seniors while 45 units are needed for students living off-campus.

There are consequences to keeping the status quo:

- By choosing not to grow, Chapel Hill will experience higher housing prices, less social diversity, fewer middle-income jobs, and difficulty attracting faculty and staff to the university.
- By continuing to regulate growth as we currently do under a project-by-project basis, housing costs will continue to grow as we lose our sense of place.

By improving the planning process and creating new neighborhoods, we have the opportunity to keep down housing costs and achieve our goals for climate change.

## Proposal

In response to Town Council's direction, the Planning Department proposes addressing Chapel Hill's housing crisis by encouraging "gentle density." Gentle density allows small-scale residential projects such as accessory apartments as well as two-, three-, and four-family developments to be constructed within existing neighborhood fabric. The purpose of allowing these uses in existing residential zoning districts is to:

- Expand opportunities for diverse housing types that meet different price points, life stages, and preferences.
- Increase housing unit production that will in turn improve the availability and potentially the affordability of housing.



- Encourage compatible infill development specifically designed to respond to the context of existing single-family neighborhoods.
- Sensitively and slowly increase the density of existing neighborhoods. In turn, this will support community commercial centers, transit routes, and greenways.
- Increase density and promote walkability on existing and proposed greenways and trails and increase transit ridership. These alternative forms of transportation meet the Town's goals for fostering environmental suitability.

In October 2022, January 2023, and May 2023, Planning staff introduced a series of text amendments to encourage "gentle density" into existing residential neighborhoods. The table below details some of the key benefits of "gentle density" and potential applications in Chapel Hill.

General Benefits of Gentle Density	Benefits of Gentle Density for Chapel Hill
Greater variety of household sizes and demographics require variety of housing choices	Provides a range of housing options for current and future residents not currently met  Future Land Use Map (FLUM) encourages duplexes, triplexes, fourplexes, and accessory apartments to have a review process like single family and recognizes they could fit into the existing fabric of single-family neighborhoods if carefully integrated
Walkable and accessible amenities	Compact, higher density and multi-family development creates demand for greenways, walking and biking paths, as well as transit.
Variety of Transportation Options	Density around existing transportation networks supported by the Mobility & Connectivity Plan as well as the Climate Action Plan
Need for affordable and attainable housing	Range of unit types and sizes creates opportunities for – but does not guarantee – improved affordability
Sense of community	Land use, form, and density that strengthens the community, social equity, economic prosperity, and the natural environment

## Past Advisory Board and Town Council Meetings

Staff presented and received feedback on iterations of the text amendment at multiple public meetings, Open House events, Lunch and Learn gatherings, and Council Work Sessions. A full list of these meetings is in the Appendix of this report.

## Long Range Analysis

The proposed amendment is supported by the following adopted plans, commissioned reports, and the 2021 housing petition signed by several Council members:

Plan	Goals or themes supporting diversity of housing:
<a href="#"><u>Chapel Hill 2020 Comprehensive Plan</u></a> <sup>1</sup>  <b>Adopted: June 25, 2012</b>	A range of housing options for current and future residents ( <i>Place For Everyone</i> .3)  Low density, green Rural Buffers that exclude urban development and minimize sprawl ( <i>Good Places, New Spaces</i> .1)

<sup>1</sup> <https://www.townofchapelhill.org/home/showpublisheddocument?id=15001>



	<p>A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (<i>Good Places, New Spaces</i>.2)</p> <p>A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (<i>Good Places, New Spaces</i>.5)</p> <p>Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (<i>Good Places, New Spaces</i>.8)</p> <p>Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (<i>Nurturing Our Community</i>.7)</p> <p>Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (<i>Town Gown Collaboration</i>.4)</p> <p>Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (<i>Town Gown Collaboration</i>.6)</p>
<p><b><u>Future Land Use Map</u></b><sup>2</sup></p> <p><b>Adopted: December 9, 2020</b></p>	<p>Guiding Statement 1: Respond to the threats associated with climate change and environmental stewardship and resiliency by:</p> <ul style="list-style-type: none"> <li>• Creating compact, walkable, mixed-use communities where activities are in close proximity and require less time and energy to access and travel between destinations.</li> <li>• Densify at strategic locations and mixing land uses shortens trips and reduces car dependency.</li> <li>• Promote patterns and styles of development that are climate responsive and utilize existing infrastructure.</li> <li>• Support transit systems through additional housing units and more intense land uses.</li> </ul> <p>Guiding Statement 2: Ensure equitable planning and development.</p> <ul style="list-style-type: none"> <li>• Mitigate residential displacement as development and redevelopment occurs</li> <li>• Provide affordable housing options for all family sizes and incomes in all neighborhoods</li> <li>• Preserve and strengthen intact neighborhoods, building upon local assets and resources</li> <li>• Develop healthy and safe communities through, among other improvements, walkable neighborhoods.</li> </ul> <p>Guiding Statement 3: Encourage of Diversity of Housing Types</p> <ul style="list-style-type: none"> <li>• Development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to single-family detached dwellings. FLUM recognizes that small-scale multi-family uses could fit into the existing fabric of single-family neighborhoods if carefully integrated into the existing neighborhood.</li> <li>• Development of townhouses at the edge of existing neighborhoods that act as a transitional use.</li> <li>• Small lot single-family subdivisions that utilize traditional neighborhood design to create compact, livable, and accessible neighborhoods.</li> </ul>

<sup>2</sup> <https://online.flippingbook.com/view/26191/>



	<p>Guiding Statement 4: Promote distinctive, safe, and attractive neighborhoods.</p> <ul style="list-style-type: none"> <li>• Direct dense growth to multimodal and key transportation corridors to promote a multi-modal network and increase mobility options.</li> <li>• Protect and preserve historic neighborhoods and neighborhood conservation districts (NCDs).</li> </ul> <p>Guiding Principal 8: Provide appropriate transitions between land uses and buildings of different scales.</p> <ul style="list-style-type: none"> <li>• Create harmonious transitions between different types and intensities of land uses and built forms physically through form, use, architectural, and landscaped transitions.</li> </ul> <p>Guiding Principal 9: Preserve and maintain the appearance of Chapel Hill and create quality design and development</p> <ul style="list-style-type: none"> <li>• Focus high quality appearance and design of private development to public views</li> <li>• Develop design guidelines, regulations, streetscape plans, and improvements that provide guidance on building massing, scale, shape, and orientation</li> </ul>
<p><b><u><a href="#">Mobility &amp; Connectivity Plan</a></u></b><sup>3</sup></p> <p><b>Adopted October 28, 2020</b></p>	<p>Compact, higher density and multi-family development creates demand for greenways, walking and biking paths, as well as transit.</p>
<p><b><u><a href="#">Climate Action &amp; Response Plan</a></u></b><sup>4</sup></p> <p><b>Adopted: April 7, 2021</b></p>	<p>Compact, walkable, bikeable, transit-served neighborhoods require higher density development. The plan calls for incentivizing more compact, affordable, and mixed income housing, including “missing middle” and accessory dwelling units.</p>
<p><b><u><a href="#">Petition from Council Members Regarding Affordable and Missing Middle Housing</a></u></b><sup>5</sup></p> <p><b>Submitted: September 22, 2021</b></p>	<p>Several members of Council asked staff to create a new application pathway to foster the creation of missing middle housing, such as duplexes, triplexes, townhouses, and other forms of compact development.</p>
<p><b><u><a href="#">Projected Housing Needs, 2020-2040</a></u></b><sup>6</sup></p> <p><b>October 12, 2021</b></p>	<p>The Town of Chapel Hill and University of North Carolina jointly funded a report to determine housing needs. The report found that most new housing was single-family and apartments, with only 5% of new units completed serving as owner-occupied condominiums or townhouses. The Chapel Hill housing market found that more diverse housing types were needed in walkable neighborhoods to meet the needs of those left out of the current market, including first time homeowners, young families, divorcees, empty nesters, and seniors. About 485 units/year are needed to meet housing demands.</p>

<sup>3</sup> <https://www.townofchapelhill.org/residents/transportation/bicycle-and-pedestrian/chapel-hill-mobility-and-connectivity-plan>

<sup>4</sup> <https://www.townofchapelhill.org/Home/ShowDocument?id=48581>

<sup>5</sup> <https://chapelhill.legistar.com/View.ashx?M=F&ID=9834553&GUID=1DB8AFA8-3BDF-42E2-9E41-D6747BD4ECF4>

<sup>6</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000>



**Complete Community Strategy**<sup>7</sup>**December 7, 2022**

The Town of Chapel Hill worked with consultants to develop a new approach to housing that clarifies where and how its built to create inclusive, sustainable, and complete communities. The strategy supports:

Diversity of housing types, including missing middle density for both renters and homeowners.

Diversity of tenures for a diversity of households and recognizes that both units and secondary suites add gentle density.

Higher density, higher use, and lessened need for driving/parking will lower infrastructure and building costs.

## Proposed Text Amendment

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### Existing & Proposed Uses

#### Proposed Use Table

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Two-Family Dwelling														
Single-Family with Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	A	A	A
<u>Single-Family with Cottage</u>	-	-	-	-	P	P	P	P	P	P	P	P	P	P
Two-Family, Attached	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>Two-Family, Detached</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Multi-Family Dwellings														
<u>Three-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	P	P	P	P	P	P
<u>Four-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	P	P	P	-	-	-
<u>Multi-family, 5-10 units, Attached/Detached</u>	-	-	-	-	-	-	-	-	P	P	P	-	-	-
<u>Multi-family, over 10 units, Attached/Detached</u>	-	-	-	-	-	-	-	-	-	-	P	-	-	-

Uses: New uses proposed to be added to the table  
A: Permitted Accessory Use

P: Permitted Use      P: New Permitted Use  
A: Proposed Accessory Use

<sup>7</sup> <https://www.townofchapelhill.org/businesses/complete-community#:~:text=The%20Complete%20Communities%20Strategy%20is,current%20and%20future%20housing%20needs.>



## Two-Family Development

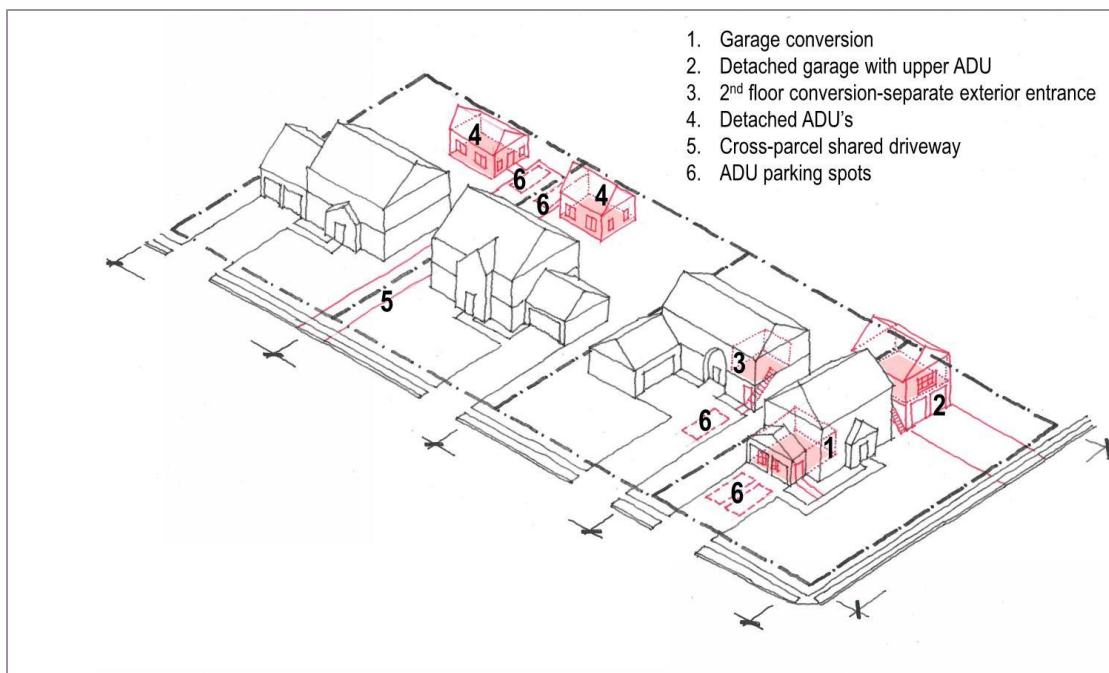
### Single-Family + Accessory Apartment

#### What is it?

A self-contained unit with cooking, sleeping, and sanitary facilities that may be attached to, within, or detached from the single-family dwelling unit.



#### Example Scenarios:



#### Proposed Dimensional Standards:

<b>Unit Size</b>	<ul style="list-style-type: none"> <li>No more than 75% of the floor area of the primary dwelling unit</li> <li>No more than 1,000 square feet total</li> <li>Planning Director may grant an exception for larger units if:               <ul style="list-style-type: none"> <li>Built within an existing structure and does not increase the footprint of the structure</li> <li>Contained within one floor, except any necessary points of access</li> <li>Does not exceed 1/3 of the floor area of the primary dwelling unit</li> </ul> </li> </ul>
<b>Height</b>	29 feet
<b>Impervious Surface Ratio</b>	0.50
<b>Parking</b>	1 space/bedroom
<b>Density</b>	1 accessory apartment per 1 single-family dwelling unit
<b>Occupancy</b>	Together with the single-family dwelling unit, no more than 4 unrelated people



### Revision to the Rules:

- Move accessory apartment development standards from Appendix A definitions to the LUMO
- Increase the allowed size of accessory apartments

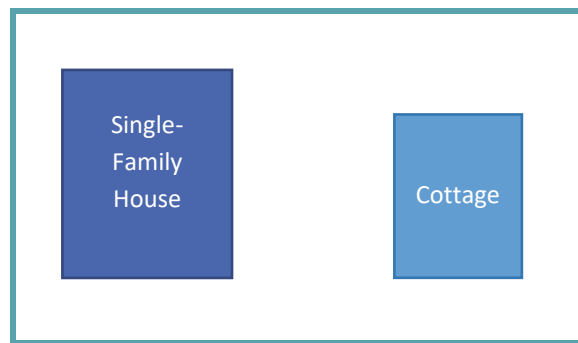
### Potential Future Work:

- Consider accessory apartments as an accessory use to institutional and cultural facilities as well as places of worship
- Explore ways to increase the size of accessory apartments in some zoning districts
- Pre-approved plans

### Single-Family + Cottage

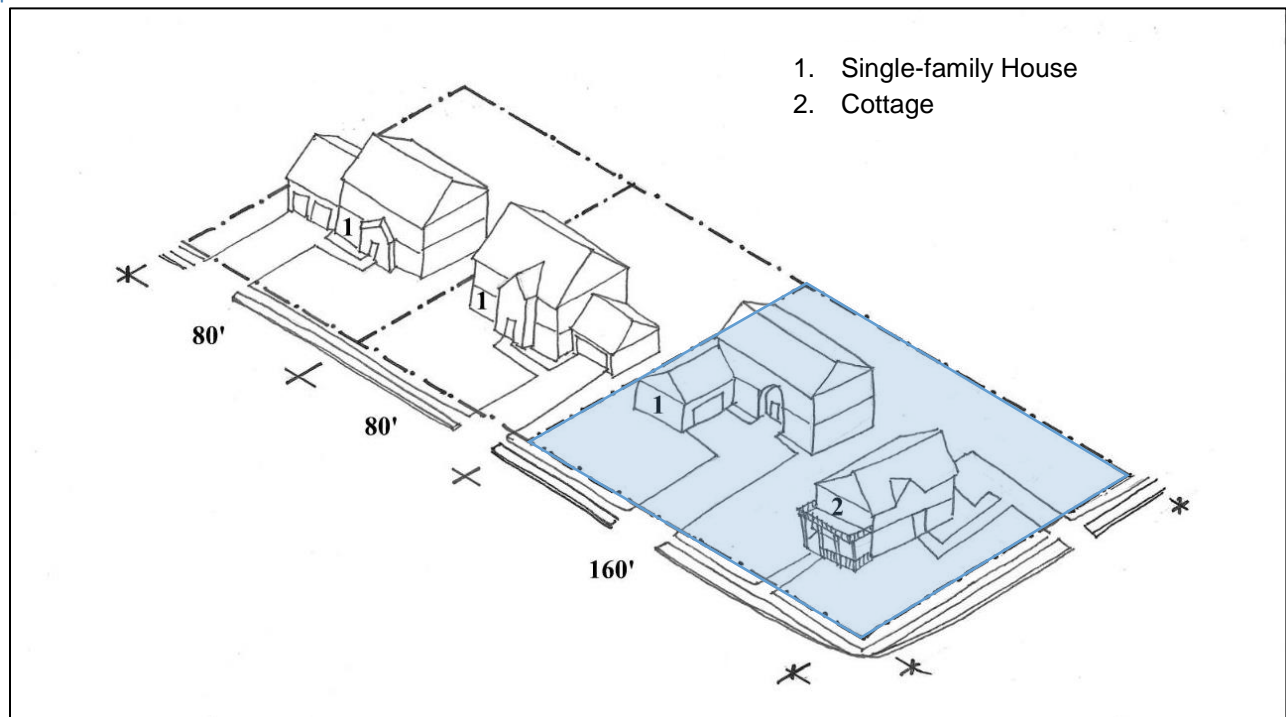
#### What is it?

A smaller, single-family dwelling unit of no more than 1,200 square feet that shares a lot with a detached single-family house.



*Single-family House + Cottage*

### Example Scenarios:





### Proposed Dimensional Standards:

<b>Minimum Lot Size</b>	Minimum lot size required by the zoning district + 2,700 square feet
<b>Building Dimensions</b>	
<b>Maximum Footprint</b>	1,000 square feet
<b>Maximum Height</b>	29 feet
<b>Building Separation</b>	Separation between dwelling units shall comply with fire code
<b>Impervious Surface Ratio</b>	0.50
<b>Parking</b>	Max. 1 space per bedroom
<b>Density</b>	1 cottage per 1 single-family dwelling unit
<b>Occupancy</b>	No more than 4 unrelated people

### Revision to the Rules:

- This is a new use based on Durham's "Small House, Small Lot" concept that allows the construction of a second single-family dwelling unit on existing lot.
- Currently, the LUMO would require a property owner to complete a townhouse subdivision to allow separate ownership of the first single-family house and the cottage.

### Potential Future Work:

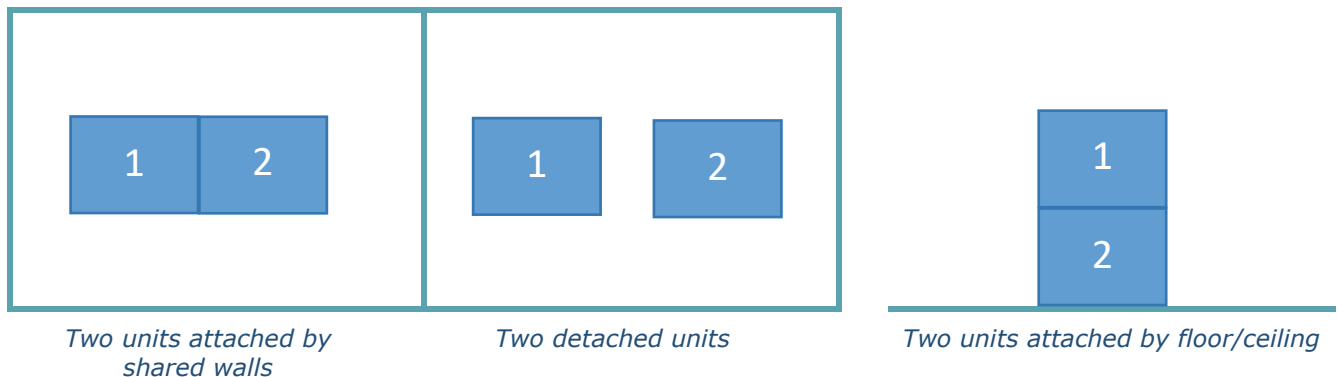
- Consider ways in which the cottage can be on a subdivided lot measuring less than the minimum lot size required by the zoning district

## Two-Family, Attached or Detached

### What is it?

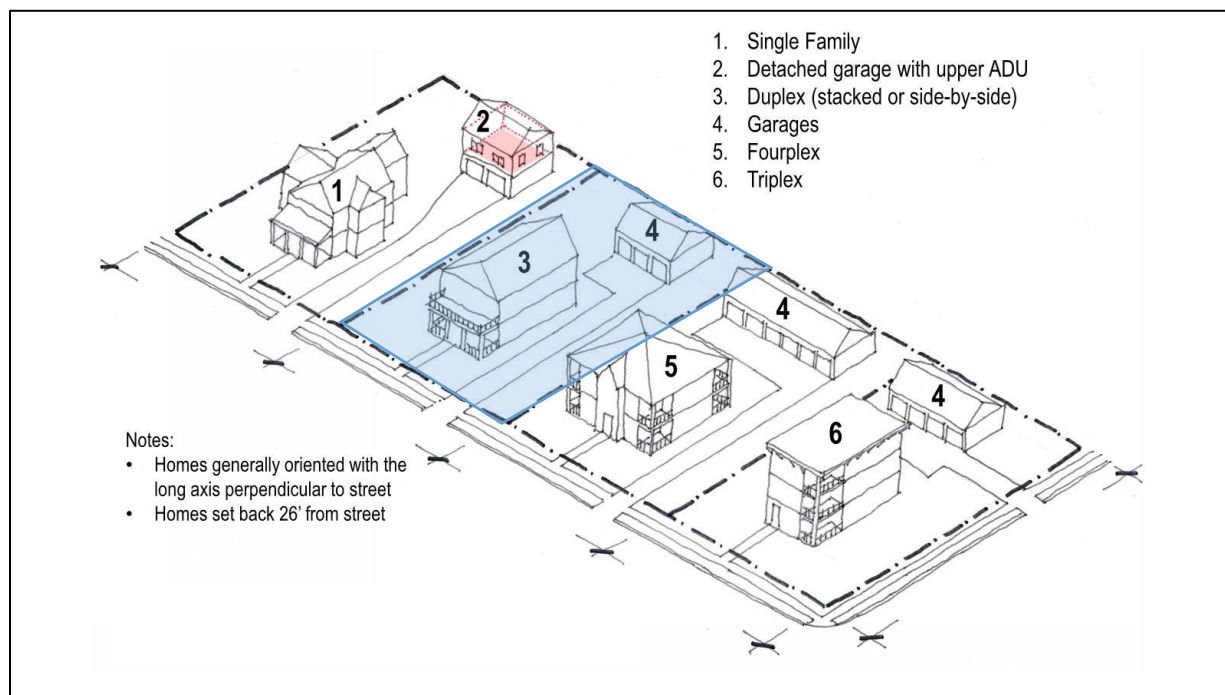
This type of housing can take two forms:

- A traditional duplex in which two dwelling units share either a vertical wall or a floor-ceiling
- Two detached units on the same lot





### Example Scenario:



### Proposed Dimensional Standards:

<b>Minimum Lot Size</b>	Minimum lot size required by the zoning district
<b>Building Dimensions</b>	
<b>Floor Area</b>	0.40
<b>Maximum Floor Area</b>	3,000 square feet
<b>Impervious Surface Ratio</b>	0.50
<b>Building Separation</b>	Shall comply with fire code
<b>Parking</b>	No more than 4 vehicles on-site
<b>Occupancy</b>	No more than 4 unrelated people per unit

### Revision to the Rules:

- No longer require two times the minimum lot size for two-family developments
- Allow two-family developments in more residential zoning districts
- Provides an opportunity for the units to either be attached, like a traditional duplex, or detached as separate structures

## Multi-family Development

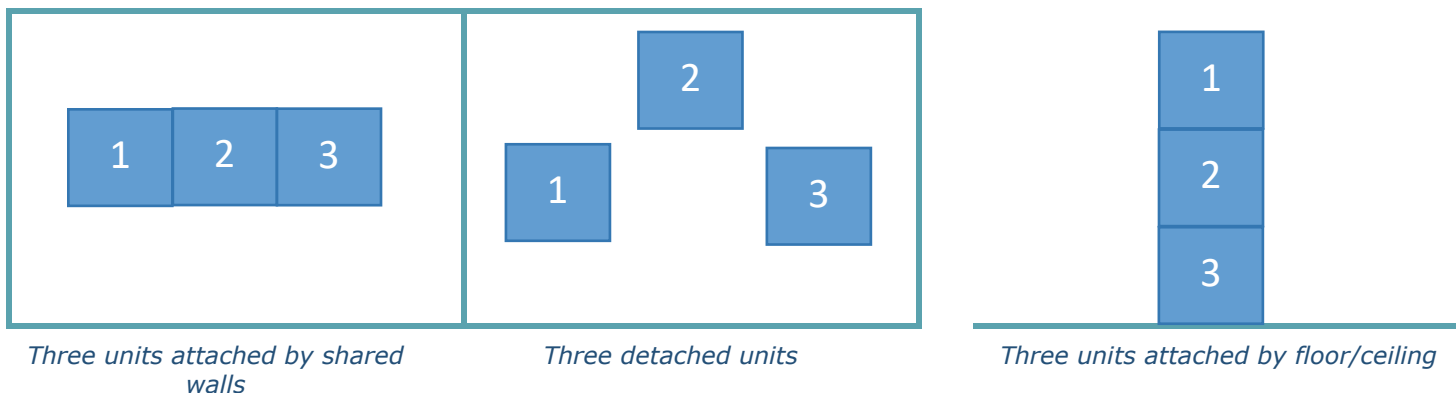
### *Three-Family, Attached or Detached*

#### What is it?

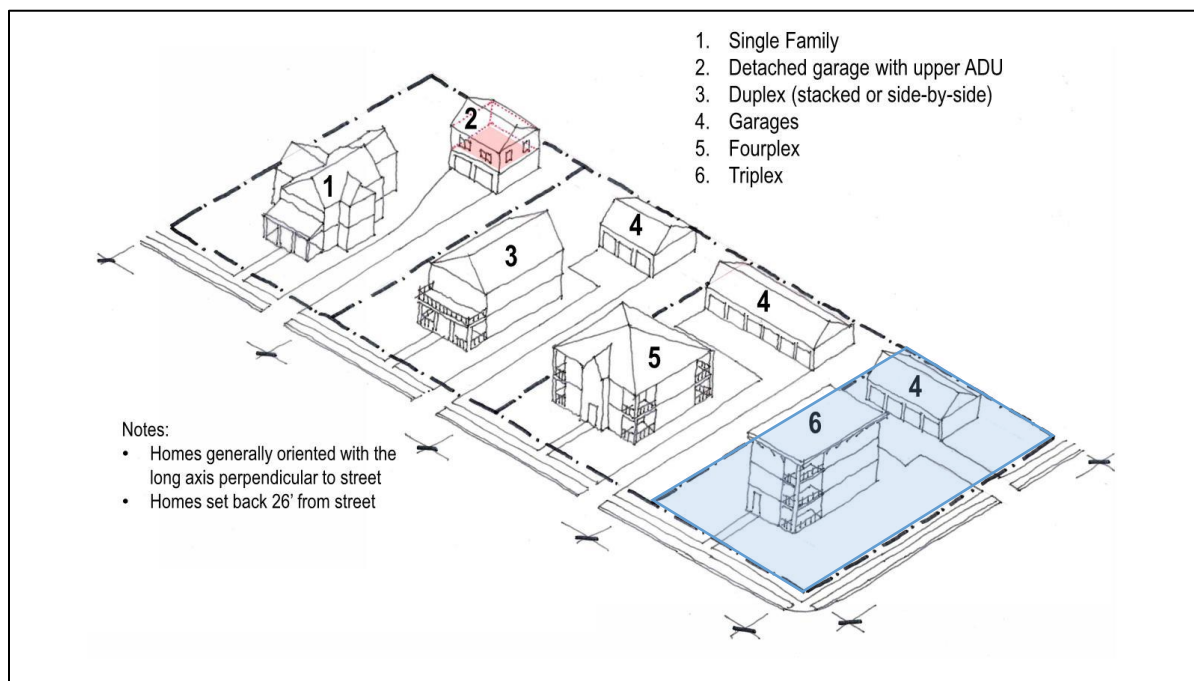
This type of housing can take two forms:

- A traditional triplex in which the dwelling units share either a vertical wall or a floor-ceiling
- Three (3) detached units on the same lot





### Example Scenarios:



### Proposed Dimensional Standards:

<b>Minimum Lot Size</b>	Two times the minimum lot size required by the zoning district
<b>Building Dimensions</b>	
<b>Floor Area</b>	Follows underlying zoning
<b>Impervious Surface Ratio</b>	0.50
<b>Tree Canopy Coverage</b>	40%
<b>Stormwater Management</b>	Required
<b>Parking</b>	Follows Multi-family parking requirements specified in <a href="#">LUMO 5.9.7</a> <sup>8</sup> Parking shall be located to the side or rear of the structures (not front yard)
<b>Occupancy</b>	No more than 4 unrelated people per unit

### Revision to the Rules:

- Three-family developments are currently classified as Multifamily, 3-7 units. This proposal would allow them to be their own uses.

<sup>8</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALOUSMA\\_ART5DEDEST\\_5.9PALO](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALOUSMA_ART5DEDEST_5.9PALO)



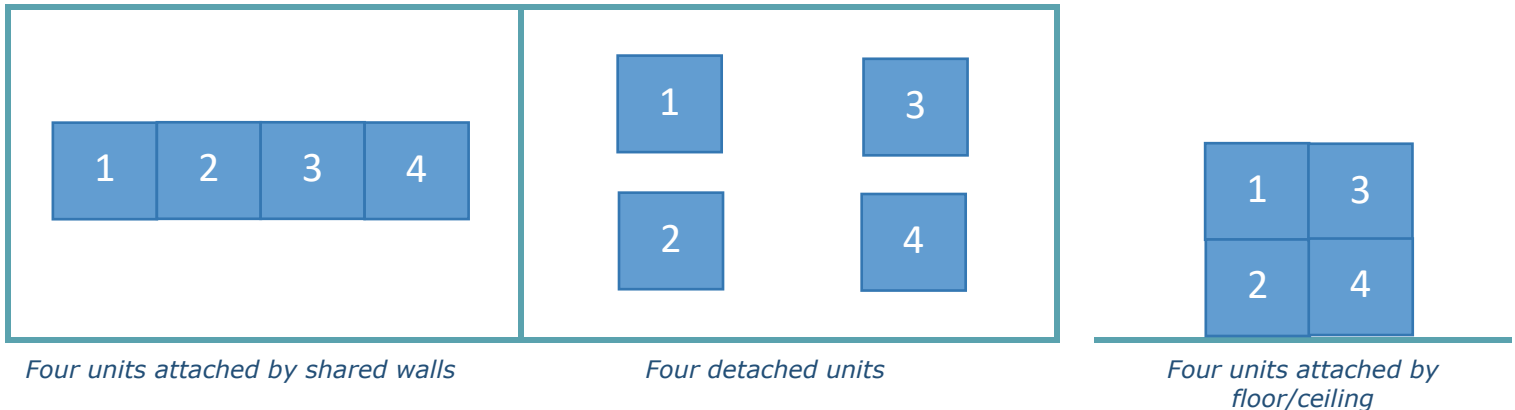
- These types of development currently require either site plan approvals, special use permits (SUPs), or conditional zoning district (CZD). Under this scenario, those projects that comply with the LUMO could be approved administratively by staff.
- This option allows for the units to be attached or detached.

### *Four-Family, Attached or Detached*

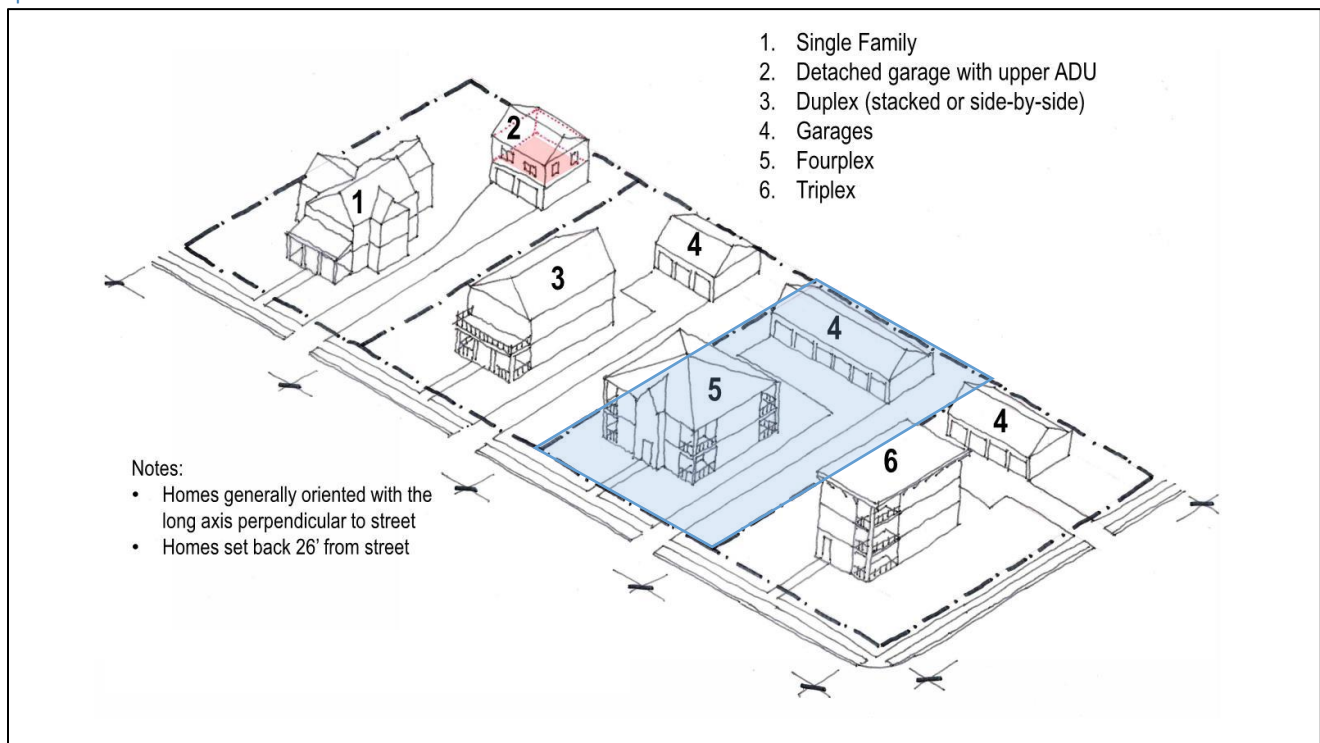
#### *What is it?*

This type of housing can take two forms:

- A traditional fourplex in which the dwelling units share either a vertical wall or a floor-ceiling
- Four (4) detached units on the same lot



#### *Example Scenarios:*





### Proposed Dimensional Standards:

<b>Minimum Lot Size</b>	Two times the minimum lot size required by the zoning district
<b>Building Dimensions</b>	
<b>Floor Area</b>	Follows underlying zoning
<b>Impervious Surface Ratio</b>	0.50
<b>Tree Canopy Coverage</b>	40%
<b>Stormwater Management</b>	Required
<b>Parking</b>	Follows Multi-family parking requirements specified in <a href="#">LUMO 5.9.7</a> <sup>9</sup> Parking shall be located to the side or rear of the structures (not front yard)
<b>Occupancy</b>	No more than 4 unrelated people per unit

### Revision to the Rules:

- Four-family developments are currently classified as Multifamily, 3-7 units. This proposal would allow them to be their own uses.
- These types of development currently require either site plan approvals, special use permits (SUPs), or conditional zoning district (CZD). Under this scenario, those projects that comply with the LUMO could be approved administratively by staff.
- This option allows for the units to be attached or detached.

## Other Considerations

### Neighborhood Conservation Districts

No changes to the Neighborhood Conservation Districts (NCDs) are proposed at this time. Of the Town's thirteen NCDs, only Northside and Pine Knolls currently allow duplexes and triplexes for affordable housing. Glen Lennox allows duplexes on specific lots. The majority of the NCDs prohibit duplexes and are silent on triplexes and fourplexes as these are currently not allowed in the underlying low residential zoning districts. It is not the intent to allow small multi-family developments in the NCDs at this time.

Staff find that the NCDs were created after significant community engagement and input. While staff is not proposing to amend NCDs at this time, staff believes further analysis should be conducted to determine what updates to the NCDs may be needed in the future. It would be helpful to receive input from Council about revising the NCDs.

### Occupancy Limits

Staff has proposed limiting occupancy to no more than four unrelated people per dwelling unit. Note, however, that the State's residential building code allows up to eight unrelated people per dwelling unit, so enforcement of the occupancy requirement would be separate from building code enforcement. Occupancy has been difficult to enforce in the past.

### Stormwater

Stormwater staff are currently considering amendments to their regulations, and staff has not made text amendments to [LUMO 5.4](#)<sup>10</sup>. Multi-family developments of 3 or more units will still be required to make stormwater improvements.

### Subdivision Standards

Staff has not proposed changes to [LUMO 5.2.4](#)<sup>11</sup> which requires that every subdivided lot front on a street meeting Town standards, which include sidewalks, curbs, and gutters.

<sup>9</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART5DEDEST\\_5.9PALO](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART5DEDEST_5.9PALO)

<sup>10</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART5DEDEST\\_5.4STMA](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART5DEDEST_5.4STMA)

<sup>11</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART5DEDEST\\_5.2LOLAST](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART5DEDEST_5.2LOLAST)



Subdivision standards of [LUMO 4.6.3\(b\)](#)<sup>12</sup> have not been amended. Any subdivision that seeks to create more than four (4) lots from any tract of land or lots of record that existed as of October 8, 1956, will require Council review as a major subdivision.

Staff has, however, included new definitions for:

- Townhouse development subdivision that would allow multiple individual lots within a larger lot
- Condominiums that allow private ownership of individual units

## Restrictive Covenants & Other Entitlements

Restrictive covenants are private property rights that run with the land. Generally, covenants with single-family restrictions are common for neighborhoods platted in the last fifty years. The Town has no role in enforcing provisions of restrictive covenants between other landowners. The onus for enforcement is on the property owners or their Homeowners Association (HOA).

The Town's GIS maps have identified approximately 247 neighborhoods in Chapel Hill. While restrictive covenants are typically recorded with the county's Register of Deeds, staff does not have the ability to certify with confidence a full listing of neighborhoods with covenants, the exact boundaries of such covenants, or whether covenants are accurate and active. In addition, multiple factors, including new and developing case law, may dictate whether any given set of covenants is enforceable as written. This work requires certification and should be left to legal professionals representing the landowners subject to these covenants.

Other neighborhoods may be encumbered by an underlying entitlement, such as a master land use plan, conditional zoning, or special use permit. These entitlements run with the land and may limit the types of housing allowed on a site.

## Short-Term Rentals (STRs)

No changes are proposed to the STR regulations at this time. Currently the Residential (R-) zoning districts only permit primary residence STRs. A primary residence is defined as, "a dwelling unit, a single-family dwelling unit with accessory apartment, or a dwelling unit with an attached duplex unit owned by the same property owner, in which a host resides a majority of the year (183 days per year or 50% of the time)." There is no provision for triplexes and fourplexes, and staff finds that these would be treated as dedicated STRs which are not permitted in the R- zoning districts.

## Zoning is One Tool in a Larger Toolbox

Zoning regulations alone will not address the housing shortage. Other tools that could be applied include:

- Amending the zoning map to allow more density
- Development bonuses for affordable housing
- Transit-oriented development, which is currently underway
- Expedited review for pre-approved housing designs
- Programs that incentivize the construction of affordable or attainable housing units

## Potential Outcomes

Based on the results of similar zoning initiatives in other communities, staff anticipates seeing the following results:

City:	Results:
<b>Minneapolis 2020 Comprehensive Plan (January 2020 – 2022)</b>	Approximately 9,000 housing units permitted including: <ul style="list-style-type: none"> <li>• 62 new duplexes (0.68% of total permits)</li> <li>• 17 new triplexes (0.18% of total permits)</li> </ul>
<b>Durham Expanded Housing Choices (EHC)</b>	407 EHC-related permits: <ul style="list-style-type: none"> <li>• 15 duplexes (3.68%)</li> <li>• 132 small lot options (32.4%)</li> </ul>

<sup>12</sup>[https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA\\_ART4PR\\_4.6SU](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.6SU)



<b>Raleigh Missing Middle Housing Reforms</b> <b>(August 2021-February 2023)</b>	Approximately 2,682 residential permits, and the following based on the code changes: <ul style="list-style-type: none"> <li>• 166 Accessory Dwelling Units (6.2%)</li> <li>• 0 Townhouses (0%)</li> </ul>
<b>California Senate Bill- 9 (SB-9)</b> <b>Outcomes in Berkley, CA (January 2022-January 2023)</b>	Approximately 550 residential permits per year and the following based on the legislative update: <ul style="list-style-type: none"> <li>• 5 applications (1%)</li> </ul>
<b>Chapel Hill Projected Results</b>	Approximately 262 new housing units/year <ul style="list-style-type: none"> <li>• 5 Accessory Apartments (Based on existing trends)</li> <li>• 1.8-9.6 duplexes</li> <li>• 84 cottages on a compact lot</li> </ul>

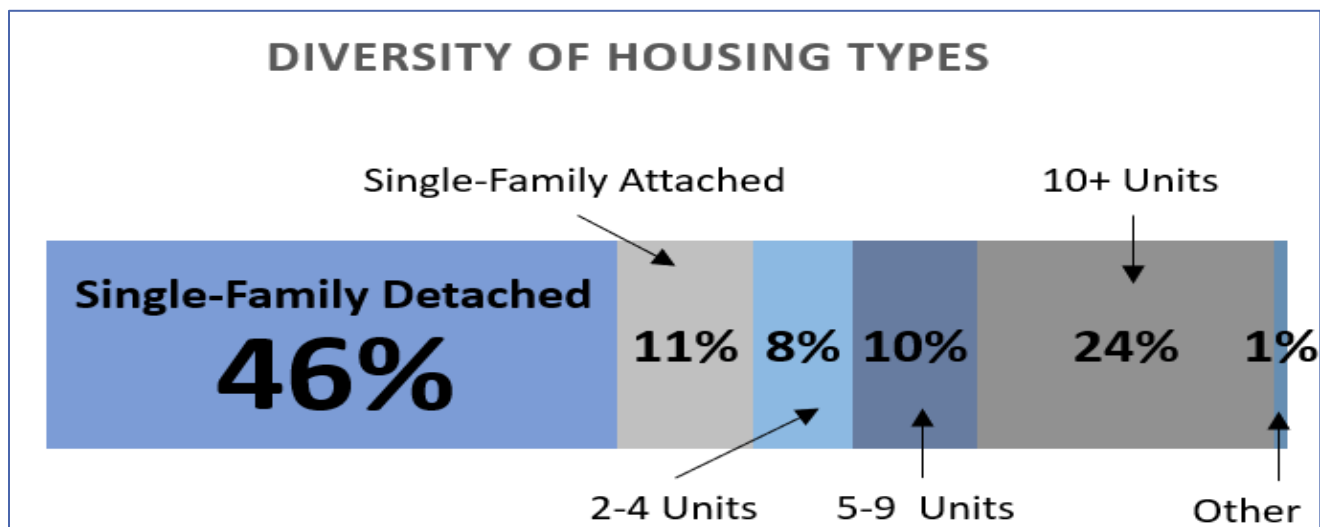
### Key Takeaways

- Research has shown that changes to the zoning ordinance alone will not significantly increase housing production.
- Durham has seen the most demand for its smaller, single-family detached units.
- Chapel Hill began permitting accessory apartments, sometimes called accessory dwelling units, in 2015 and there are only about 39 in existence today.

## Housing Units and Land in Chapel Hill

### Current Housing Stock

Chapel Hill's housing stock is dominated by single-family detached homes.

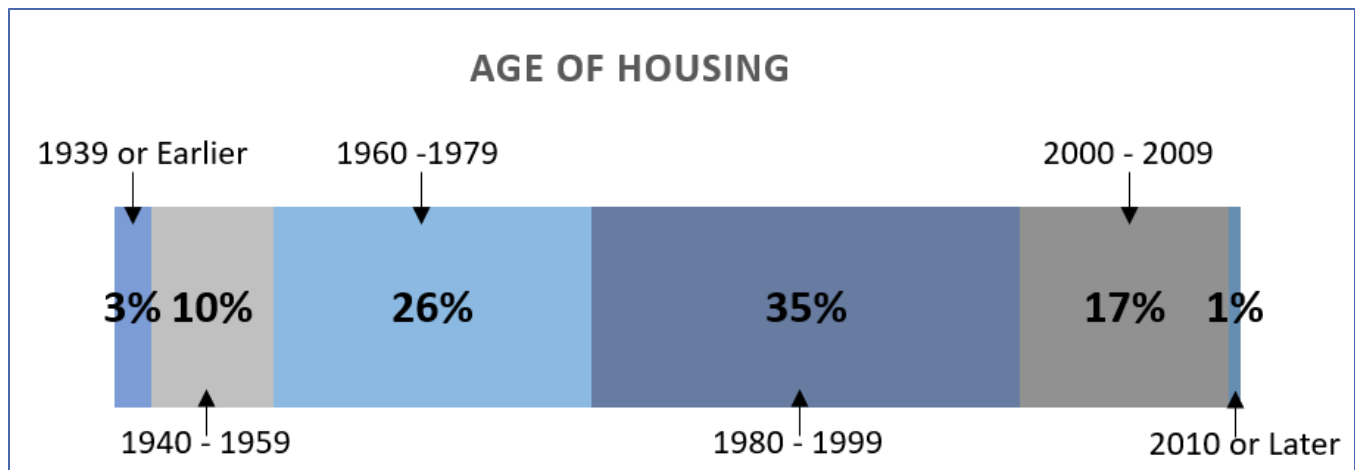


Source: [SB Friedman Market Assessment](#)<sup>13</sup>

The majority of Chapel Hill's housing stock was constructed in just four decades between 1960 and 2000.

<sup>13</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443/638151783539000000>





Source: [SB Friedman Market Assessment](#)<sup>14</sup>

Our existing housing supply is siloed into two categories: single-family homes built between 1960 and the early 2000s and multi-family units built in the past 20 years. There are limited housing options for residents with preferences, needs, and life stages that do not align with the current market. The next section further demonstrates the lack of housing options in Town.

## Distribution of Zoning Districts

The following summarizes the approximate acreage of each of Chapel Hill's zoning districts:

Zoning District:	Approximate Acreage:	Approximate Percentage of Town:
R-1	5,625	33%
R-2	2,670	16%
R-3	678	4%
R-4	731	4%
R-5	817	5%
R-6	60	Less than 1%
R-LD1	1,195	7%
R-LD5	853	5%
R-SS-CZD	53	Less than 1%
HR-L	139	Less than 1%
HR-M	34	Less than 1%
RT	739	4%
NC	72	Less than 1%
CC	217	1%
OI-1	85	Less than 1%
OI-2	912	5%
OI-3	84	Less than 1%
OI-4	566	3%
U-1	663	4%
DA-1	47	Less than 1%
IND	34	Less than 1%
LI-CZD	34	Less than 1%
MU-OI-1	228	1%
MU-R-1	141	Less than 1%
MU-V	90	Less than 1%
TC-1	8	Less than 1%

<sup>14</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443/638151783539000000>



<b>TC-2</b>	64	Less than 1%
<b>TC-3</b>	15	Less than 1%
<b>WR-3</b>	6	Less than 1%
<b>WR-7</b>	8	Less than 1%
<b>WX-5</b>	39	Less than 1%
<b>WX-7</b>	108	Less than 1%

## Analysis of Zoning Districts

Lower-density zoning districts represent nearly half of all land in Chapel Hill.

- *32 percent of land area is in R-1 zones and 15 percent is in R-2 zones.*

By design, single-family homes represent the vast majority of the housing stock within R-1 and R-2 zoning districts.

- *98 percent of housing units in R-1 zones and 86 percent of units in R-2 zones are single-family detached houses.*
- *11 percent of housing units in R-2 are categorized as "multi-family", which includes condominiums and townhomes.*

There are approximately 31 zoning districts with housing or dwelling units in Chapel Hill. An analysis of the approximate share of land area of those zoning districts is in the table below. The districts that represent 4 percent or more of land area are emphasized in **bold text**.

Distribution of Zoning Districts with Housing, by Share of Total Land Area	
<b>Zoning Districts</b>	<b>Share of Land Area (<i>approx. % of total</i>)</b>
<b>R-1</b>	<b>32%</b>
R-1A	3%
<b>R-2</b>	<b>15%</b>
R-2A	Less than 1%
<b>R-3</b>	<b>4%</b>
<b>R-4</b>	<b>4%</b>
<b>R-5</b>	<b>5%</b>
R-6	Less than 1%
<b>R-LD1</b>	<b>7%</b>
<b>R-LD5</b>	<b>5%</b>
R-SS-CZD	Less than 1%
HR-L	Less than 1%
HR-M	Less than 1%
<b>RT</b>	<b>4%</b>
NC	Less than 1%
CC	1%
OI-1	Less than 1%
<b>OI-2</b>	<b>5%</b>
OI-3	Less than 1%
OI-4	3%
<b>U-1</b>	<b>4%</b>
DA-1	Less than 1%
MU-OI-1	1%
MU-R-1	Less than 1%
MU-V	Less than 1%



TC-2	Less than 1%
TC-3-CZD	Less than 1%
WR-3	Less than 1%
WR-7	Less than 1%
WX-5	Less than 1%
WX-7	Less than 1%
<b>TOTAL</b>	<b>85%</b>

## Analysis of Housing Types by Zoning District

The table below represents the 31 zoning districts with housing or dwelling units. Each row provides a breakdown of the distribution of housing types in a particular zoning district and the total housing units in that district.

**Table - Housing Units by Type in Zoning Districts**

<b>Zoning Districts with Housing Units</b>	<b>Single-Family Units (approx. % of total units in district)</b>	<b>Two-Units (approx. % of total units in district)</b>	<b>Manufactured Homes (approx. % of total units in district)</b>	<b>Multi-family (approx. % of total units in district)</b>	<b>All other Dwelling Types (approx. % of total units in district)</b>	<b>Total Housing Units</b>
<b>R-1</b>	98	0	0	2	0	4853
<b>R-1A</b>	99	1	0	0	1	396
<b>R-2</b>	86	2	1	11	0	4928
<b>R-2A</b>	100	0	0	0	0	63
<b>R-3</b>	48	7	0	45	1	2348
<b>R-4</b>	16	2	0	81	0	4698
<b>R-5</b>	57	0	0	43	0	4178
<b>R-6</b>	45	2	0	48	5	306
<b>R-LD1</b>	93	1	6	0	0	594
<b>R-LD5</b>	100	0	0	0	0	106
<b>R-SS-CZD</b>	2	0	0	97	0	506
<b>HR-L</b>	84	3	13	0	0	75
<b>HR-M</b>	97	0	3	0	0	61
<b>RT</b>	87	7	7	0	0	31
<b>NC</b>	4	1	5	89	1	156
<b>CC</b>	55	0	18	18	9	11
<b>OI-1</b>	21	0	0	54	25	48
<b>OI-2</b>	3	0	50	47	0	343
<b>OI-3</b>	40	0	0	0	60	5
<b>OI-4</b>	1	0	0	70	29	102
<b>U-1</b>	0	0	0	100	0	1
<b>DA-1</b>	100	0	0	0	0	8
<b>MU-OI-1</b>	6	0	14	80	0	513
<b>MU-R-1</b>	2	0	0	98	0	42
<b>MU-V</b>	3	0	1	95	1	339
<b>TC-2</b>	9	1	0	88	2	175
<b>TC-3-CZD</b>	0	0	0	100	0	457
<b>WR-3</b>	1	0	0	99	0	291



<b>WR-7</b>	0	0	93	7	0	833
<b>WX-5</b>	0	0	0	99	1	163
<b>WX-7</b>	0	0	0	100	0	949
<b>TOTAL</b>	<b>53</b>	<b>1</b>	<b>4</b>	<b>40</b>	<b>0</b>	<b>27,579</b>

**Chart 1 – Total Housing Units by Zoning District**

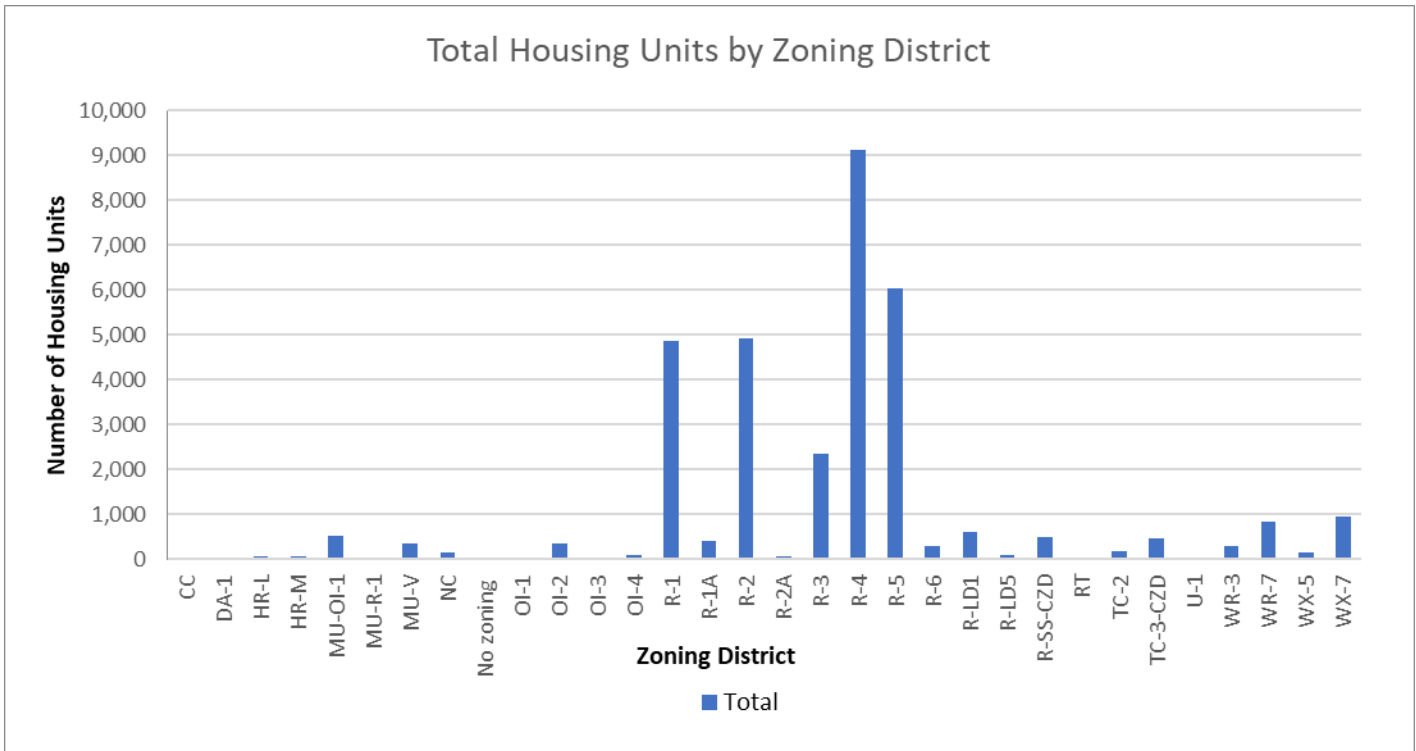


Chart 1 illustrates that the highest concentration of total housing units is in districts R-1, R-2, R-4, and R-5.

**Chart 2 – Total Housing Units by Zoning District and Housing Type, Single Family Units**

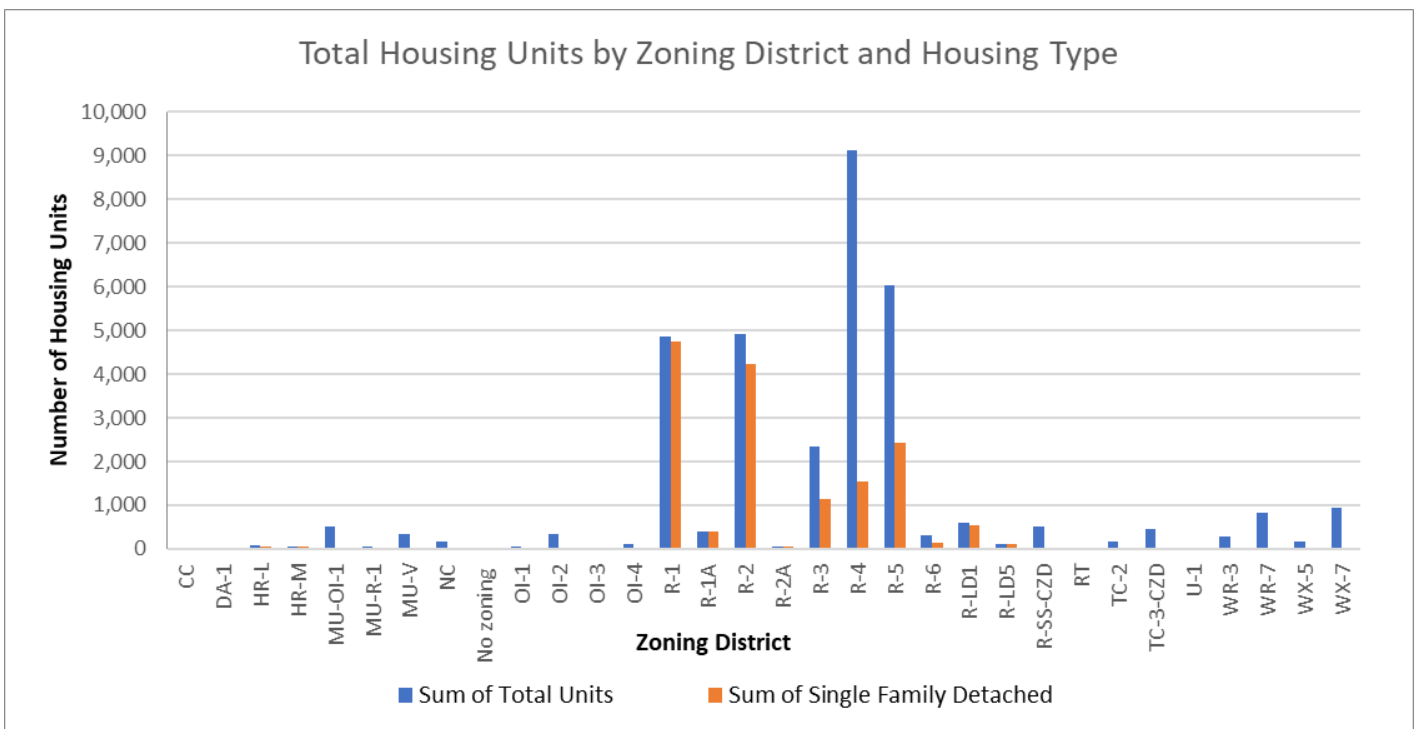




Chart 2 illustrates that single-family units are concentrated in R-1 and R-2 zoning districts and make up the largest proportion of total housing units in those districts. Single-family units are also located in other districts, such as R-3, R-4, and R-5, but they represent a smaller proportion of total units in those districts.

**Chart 3 – Total Housing Units by Zoning District and Housing Type, Manufactured Homes**

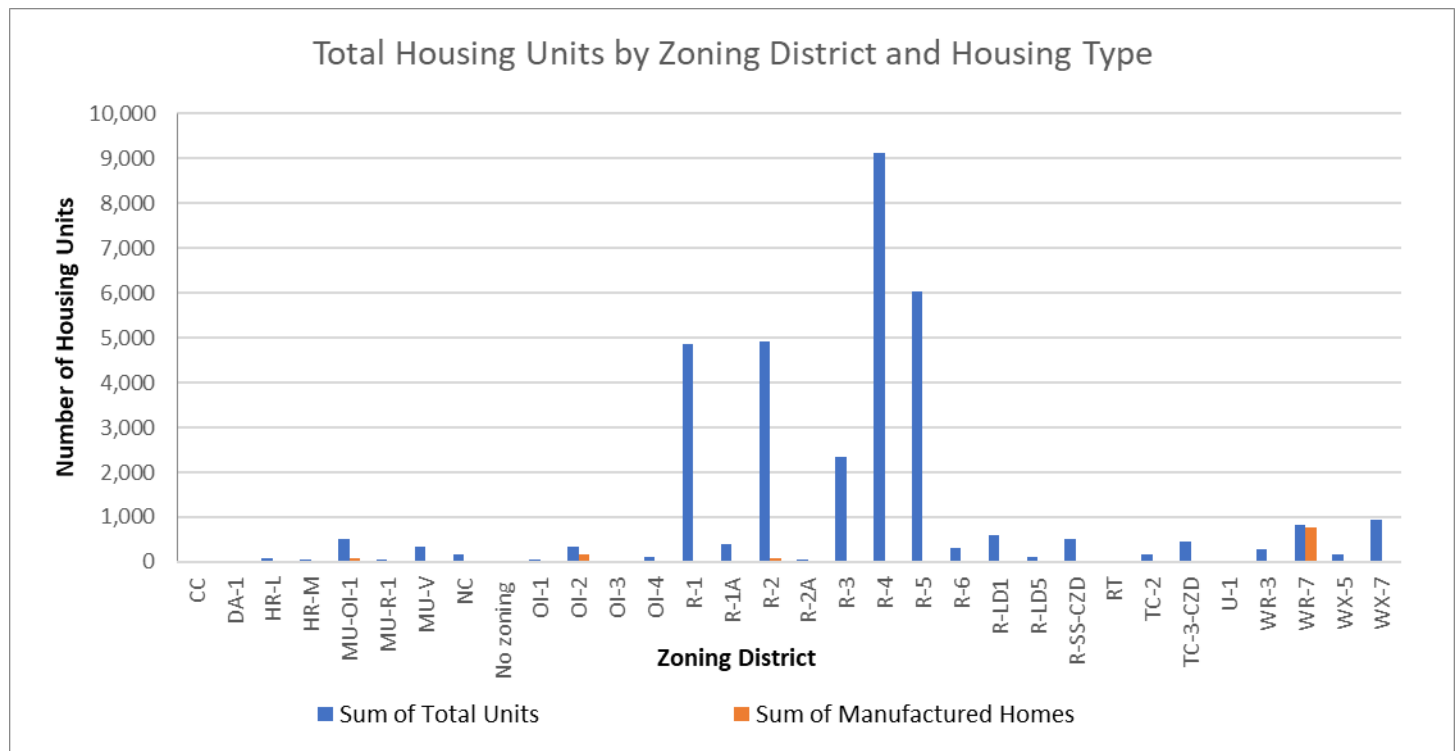


Chart 3 illustrates that the majority of manufactured homes are located in the WR-7 and OI-2 districts. The housing units in the WR-7 district are majority manufactured homes.

**Chart 4 – Total Housing Units by Zoning District and Housing Type, Two- Unit**

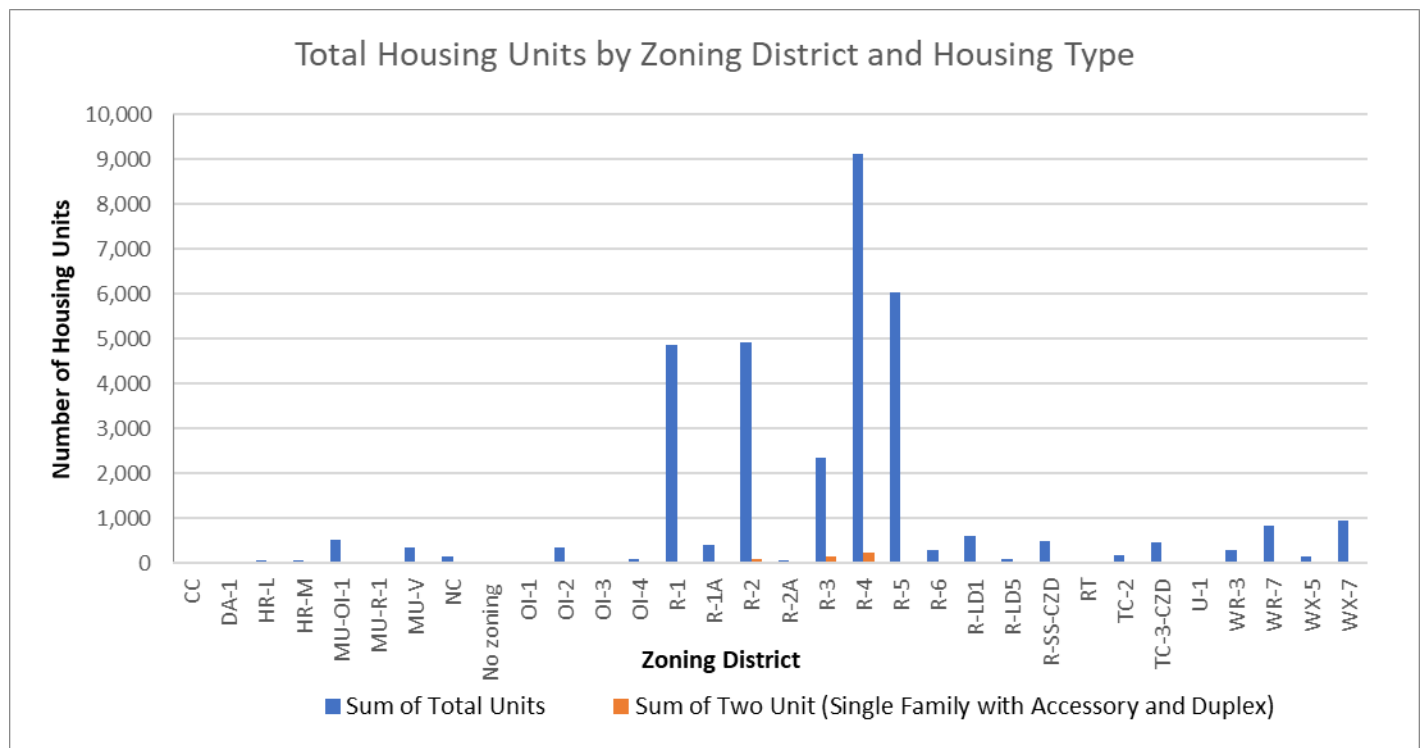




Chart 4 above illustrates that duplexes and single-family homes with accessory apartments comprise a very small percentage of total housing units. They are present in R-2, R-3, and R-4 zoning districts.

**Chart 5 – Total Housing Units by Zoning District and Housing Type, Multi-Family**

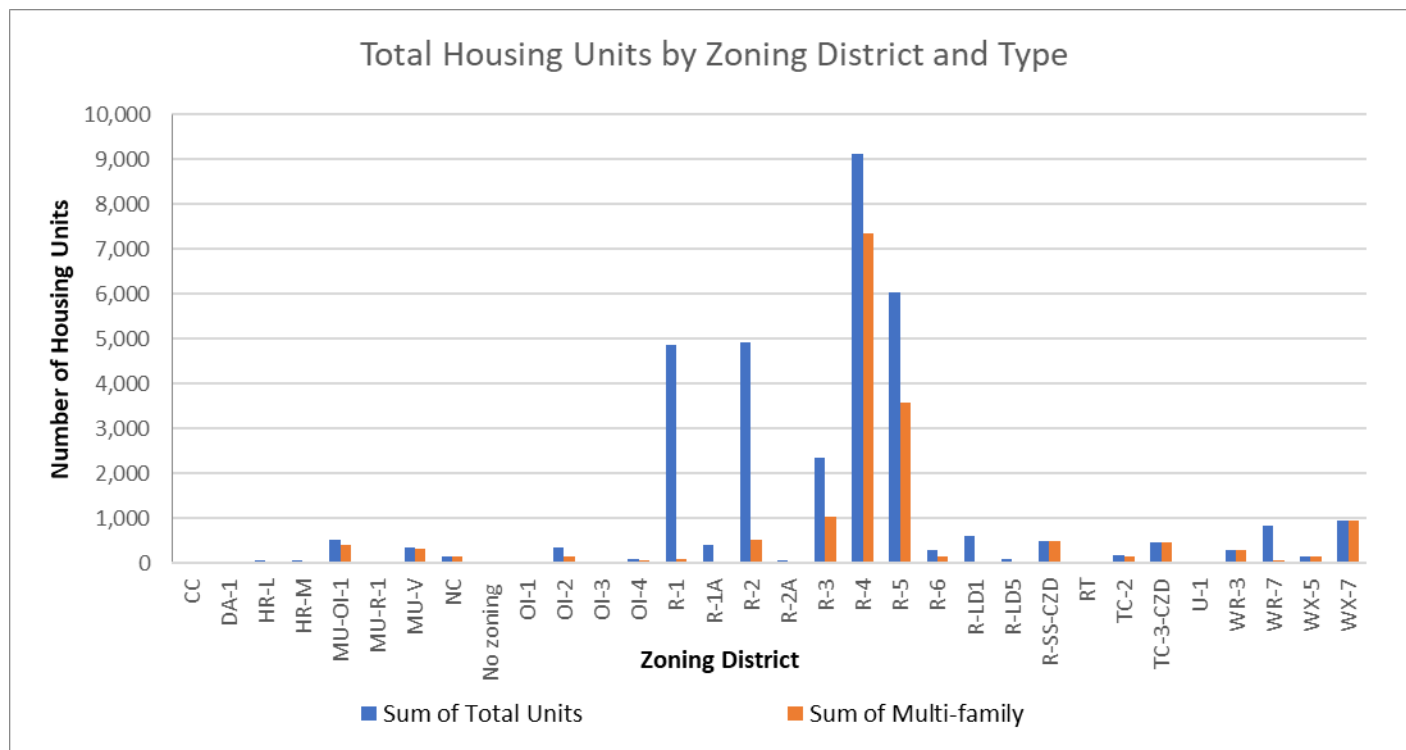


Chart 5 illustrates the distribution of multi-family units throughout each of the 31 zoning districts. The majority of multi-family units are located in R-4 and R-5. However, multi-family housing units, defined as townhomes, condominiums, and apartment buildings, are present in small numbers throughout town.

## Economic Development Analysis

### Estimated Development Costs for Duplex Construction

The following are estimated costs of constructing a duplex with two 3-bedroom units on a vacant lot:

Activity:	Estimated Costs:
<b>Cost of a vacant lot in Chapel Hill</b>	\$250,000- \$500,000
<b>Plan design, engineering, and surveying</b>	\$12,000
<b>Site Development Preparation</b>	
Clearing and grading	\$11,000
Erosion control	\$2,500
Driveways, walkways, and hardscape	\$14,000
OWASA water and sewer fees (\$7,536 per side)	\$15,072
Water and sewer line installation from OWASA Main	\$32,000
Permits and inspections	\$2,000
Landscaping	\$4,000
Miscellaneous site controls	\$2,000
<b>Duplex Construction Cost</b>	
1,200 SF x 2 units x \$150-\$250/SF	\$360,000 - \$600,000
<b>Legal, Administrative, and Construction Interest Carry</b>	\$8,000



<b>Net Total</b>	\$712,000 - \$1,200,000
<b>Contingency</b>	\$71,200-\$120,000
<b>Profit (5%-10%)</b>	\$39,160-\$132,000
<b>Total Development Costs</b>	<b>\$822,360 - \$1,452,000</b>

*Estimates courtesy of Home Builders Association of Durham, Orange, and Chatham Counties, May 4, 2023.*

Notes:

1. The total costs exceed new construction costs for a variety of reasons including scarcity of single lots and the costs of water and sewer connections.

## Racial Equity Analysis

### Advancing Racial Equity in Zoning Policy

Staff continues to analyze the racial equity impacts, benefits, and burdens of the Land Use Management Ordinance (LUMO) and the proposed Housing Choices for a Complete Community text amendments. Zoning regulations, in combination with private agreements and public systems, often create disparate outcomes among American households. There is clear evidence to suggest exclusionary zoning policies that restrict housing types limits racial and economic diversity.<sup>15</sup>

- Nearly 70% of Chapel Hill is exclusively zoned for single-family dwelling units.
- Neighborhoods with legally enforceable restrictive covenants that dictate larger lots and larger homes contribute to economic and racial segregation.

The LUMO and its predecessors have perpetuated suburban development trends in a rapidly urbanizing town.<sup>16</sup> Suburban land use requirements such as large lot zoning, minimum house size requirements, parking minimums, and open space requirements all contribute to racial and economic stratification.<sup>17</sup>

Staff acknowledge that zoning alone cannot “fix” the systemic nature of economic and racial segregation; however, changing the land use rules is one important tool of many. The proposed LUMO text amendment (LUMOTA) is aligned with at least three of the recommended policies in the American Planning Association (APA) Equity in Zoning Policy Guide.<sup>18</sup>

Equity in Zoning Policy Guidance	Housing Choices LUMO Text Amendment
<u>Zoning District Policy 1:</u> Establish new residential zoning districts or amend existing residential districts to allow more types of housing by right.	<b>Would amend existing residential districts to allow more housing types by right.</b>
<u>Zoning District Policy 4:</u> Where supported by a historically disadvantaged or vulnerable communities, consider establishing specialized overlay zones to help protect residential areas that are affordable to low- and moderate-income households, but are not protected from speculative development pressures by any local, state, or federal program.	<b>Would not change the existing 13 Overlay Neighborhood Conservation Districts (NCDs).</b>

<sup>15</sup> <https://housingmatters.urban.org/feature/zoning-matters-how-land-use-policies-shape-our-lives>

<sup>16</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>

<sup>17</sup> Equity in Zoning Policy Guide <https://www.planning.org/publications/document/9264386/>

<sup>18</sup> Ratified in December 2022



<u>Permitted Use Policy 1</u> : Where supported by historically disadvantaged and vulnerable populations, expand the list of residential use types permitted in those neighborhoods to include one or more of the following forms of non-traditional and “missing middle” housing that is more available to America’s diverse, aging population.	<b>Would expand the list of residential use types permitted in neighborhoods to include most missing middle housing types.</b>
<u>Site Development Policy 2</u> : Require high levels of accessibility and connectivity for pedestrians, bicycles, and motor vehicles in all new development and significant redevelopment	<b>Focuses incentivizing higher density development by allowing administrative review of triplexes and fourplexes in those zoning districts that already have greater access to transit and connectivity.</b>
<u>Site Development Policy 5</u> : Draft zoning standards that require or incentivize new development and redevelopment to increase the amount of landscaping, open space, and tree canopy in those neighborhoods that currently have less of these site design features.	<b>The changes increase the tree canopy requirements for triplexes and fourplexes to be better aligned with single family development tree canopy coverage.</b>

## Advancing Racial Equity in Housing Policy

Zoning is one tool in the toolbox to addressing racial disparities institutionalized by past housing policies. Planning, Diversity, Equity, and Inclusion (DEI) and Affordable Housing and Community Connections staff are considering policies and programs for mitigating inequity and incorporating reparative practices as a part of our departmental work plan.

The racial equity analysis for potential housing policy is focused on five key questions. These questions are a part of the One Orange Racial Equity Framework<sup>19</sup> and identified as an appropriate tool to analyze the proposed text amendment at this stage. This assessment is based on the [Projected Housing Needs, 2020-2040](#)<sup>20</sup> and [SB Friedman Market Analysis](#)<sup>21</sup>. A version of this was presented to Council at the April 10, 2023, work session.

### 1. *What are the racial impacts?*

The U.S. Census Bureau American Community Survey estimates that 75% of Black households and 44% of mixed race, American Indian, and/or Alaskan native households earn 60% or less of the Area Median Income (AMI) in Chapel Hill. Overall, 38% of all Chapel Hill households earn 60% AMI or less.

Median household incomes are not often aligned with median home values. Low-income earners are more likely to struggle to afford median home values. The U.S. Census Bureau American Community Survey 2020 estimates for median home value was \$435,500 and the median rent was \$1,220. The median household income that same year was \$75,249. The U.S. Census Bureau American Community Survey estimates that single family home values in Chapel Hill increased by 14% between 2020 and 2021 alone. This is an acute and long-term trend; between 2010 and 2021, the U.S. Census Bureau estimates that an additional 1,000 renter households earning between \$35,000 and \$75,000 experienced cost-burden.

Low-income and Black households are the most likely to be cost burdened. Cost-burden is defined by the U.S. Census Bureau as housing costs equal to or exceeding 30 percent of household income. Between 2010 and 2021, the U.S. Census Bureau American Community Survey estimates that 78% of renter households earning less than \$75,000, approximately 58% of renter households, and 19% of owner households in Chapel Hill experienced cost-burden.

<sup>19</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5390141&GUID=E4E7D69C-ABDA-4398-8CC3-5DA89ED1E78F&Options=ID%7CText%7C&Search=%22one+orange%22>

<sup>20</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000>

<sup>21</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>



Many low-income households have fewer resources and may live in housing that exceeds their income levels. In contrast, more affluent households occupy housing that would be affordable to lower income levels.<sup>22</sup>

## 2. *Who is or will experience burden?*

The U.S. Census Bureau American Community Survey estimates that over a ten-year period (2010-2021), Chapel Hill added approximately 1% additional housing units<sup>23</sup>, whereas Carrboro added 3%, and Durham added 21%. In the Triangle region, the majority of new housing was captured in Cary (+35%), Morrisville (+58%), Hillsborough (+71%), and Apex (+76%) over that same period.<sup>24</sup>

Black and Hispanic Latino homeownership rates tend to lag behind those of white and Asian households.<sup>25</sup> As mentioned in the previous section, Black households are more likely to be cost-burdened than white households in Chapel Hill.<sup>26</sup>

Only 30% of Chapel Hill residents work in Chapel Hill. Approximately 45,000 people commute to Chapel Hill for work every day.<sup>27</sup>

## 3. *Who is or will experience benefit?*

The status quo scenario is a highly cost-burdened community, with low- to moderate-income and Black households often facing the greatest cost-burden.<sup>28</sup> Many have been displaced from Chapel Hill and commute into Chapel Hill for work.<sup>29</sup> Between 2010 and 2021, the U.S. Census Bureau estimates that the proportion of homeowners earning less than \$150,000 declined 29% in Chapel Hill. In that period, the U.S. Census Bureau estimates that the number of households earning \$150,000 or more increased by 2,600.

There is a need for approximately 6,000 additional housing units through 2040, an average of 500 units per year.<sup>30</sup> Improving the diversity of new housing could provide more housing options for households of various compositions and income levels<sup>31</sup> and could relieve some cost-burden for all households.<sup>32</sup>

Existing homeowners have an opportunity to benefit from adding additional units to existing properties by constructing new units in existing space, building additions, or constructing new detached units. This would be consistent with a national trend of home improvements, renovations, and repairs.<sup>33</sup>

## 4. *What are the root causes of inequity?*

A number of factors have contributed to the inequality of housing access in the community over time. Chapel Hill is unique in many ways, yet our inequitable housing outcomes are replicated across the Southeast U.S.<sup>34</sup> These include, but are not limited to<sup>35</sup>:

- Access to education and jobs

<sup>22</sup> <https://www.planning.org/publications/document/9178529/>

<sup>23</sup> HR&A Affordable Housing Plan Update, <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6179411&GUID=21FA17CB-C10E-45B8-B529-50D6CE8E1EC6&Options=&Search=>

<sup>24</sup> HR&A Affordable Housing Plan Update, <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6179411&GUID=21FA17CB-C10E-45B8-B529-50D6CE8E1EC6&Options=&Search=>

<sup>25</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>

<sup>26</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>

<sup>27</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>

<sup>28</sup> HR&A Affordable Housing Plan Update, <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6179411&GUID=21FA17CB-C10E-45B8-B529-50D6CE8E1EC6&Options=&Search=>

<sup>29</sup> HR&A Affordable Housing Plan Update, <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6179411&GUID=21FA17CB-C10E-45B8-B529-50D6CE8E1EC6&Options=&Search=>

<sup>30</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000>

<sup>31</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000>

<sup>32</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/53443>

<sup>33</sup> <https://www.jchs.harvard.edu/improving-americas-housing-2023>

<sup>34</sup> Rothstein, Richard. 2018. *The Color of Law*. New York, NY: Liveright Publishing Corporation.

<sup>35</sup> <https://www.planning.org/publications/document/9178529/>



- Access to public transportation and other community amenities
- Household income
- Access to housing
- Ability to purchase and maintain property ownership, build equity, and create generational wealth
- Real estate market trends that contribute to property values (both appreciation and depreciation)
- Property ownership contributes to political influence
- Zoning regulations that restricted housing types, required minimum lot sizes, and set maximum house sizes thereby segregating residents by income and class
- Restrictive covenants that have further perpetuated these trends and, before the Fair Housing Act of 1968, included racial restrictions
- Sunset laws and policies that restricted Blacks and other people of color from being in certain neighborhoods or towns after sunset. Often enforced by police and residents, these laws often restricted people of color from residing within certain neighborhoods or even town borders.

Specific to Chapel Hill, there are several root causes of the inequitable housing outcomes outlined above:

- Development patterns that encouraged larger homes for university professors and professionals around the UNC campus and limited workforce housing to Pine Knolls and Northside
- A Land Use Management Ordinance that limits the development of new housing to detached, single-family houses and large apartment complexes

#### 5. *What might be the unintended consequences of this action or strategy?*

Staff are concerned about the overall displacement and cost-burden pressures in Chapel Hill, particularly for Black and low-income households, and continue to consider potential policies, programs, and plans to mitigate this.

Staff recognizes that new housing, especially rental housing, is typically occupied by students in those neighborhoods closest to campus.

Strategic placement and design of two-, three-, or four-family dwelling units is needed to ensure that the new regulations are not incentivizing the demolition of naturally occurring affordable housing units. Dimensional standards such as limiting building sizes through floor areas and square footage maximums contribute to the design of new developments. Three- or four-family dwelling units as a form of “missing middle” housing could benefit from access to multi-modal transportation to reduce the impacts of parking and traffic on existing neighborhoods.

Special consideration is needed to guarantee the continued preservation of local and National Register-designated historic districts. These areas are located closest to the university.

## Community Engagement

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### Survey Results

- Staff shared the [results](#)<sup>36</sup> of the initial survey with the Town Council on [April 10, 2023](#)<sup>37</sup>.
- A second survey is open and collecting comments on [PublicInput](#)<sup>38</sup>. Responses are visible to the public.

<sup>36</sup> <https://chapelhill.legistar.com/View.ashx?M=F&ID=11820284&GUID=4038DF50-3A04-4B05-A489-A745F13268E9>

<sup>37</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=1055828&GUID=FA598DED-049E-4193-A452-032251DCA772&Options=info|&Search=>

<sup>38</sup> <https://publicinput.com/v3540>



## Emails to Mayor and Council

Many residents have shared their feedback directly with the mayor and council via [email](#)<sup>39</sup>.

## Appendix

### Past Meetings

<b>Date:</b>	<b>Meeting:</b>
<i>October 4, 2022</i>	Planning Commission
<i>October 11, 2022</i>	Housing Advisory Board (HAB)
<i>October 19, 2022</i>	Town Council
<i>November 16, 2022</i>	Town Council
<i>December 2, 2022</i>	Council Committee on Economic Sustainability (CCES)
<i>January 10, 2023</i>	HAB
<i>January 11, 2023</i>	PIM
<i>January 17, 2023</i>	Planning Commission
<i>January 25, 2023</i>	Town Council
<i>February 1, 2023</i>	Greenwood Neighborhood Meeting
<i>February 2, 2023</i>	Community Open House (In-Person) Gimghoul Neighborhood Meeting
<i>February 7, 2023</i>	Franklin-Rosemary Neighborhood Meeting
<i>February 8, 2023</i>	Community Open House (Virtual) Coker Hills West Neighborhood Meeting
<i>February 9, 2023</i>	Franklin-Rosemary Neighborhood Meeting
<i>February 14, 2023</i>	Community Open House (In-Person)
<i>February 15, 2023</i>	Community Open House (In-Person)
<i>February 16, 2023</i>	Community Open House (Virtual)
<i>February 22, 2023</i>	Town Council
<i>February 27, 2023</i>	Glendale Neighborhood Meeting
<i>February 28, 2023</i>	Hidden Hills Neighborhood Meeting
<i>March 6, 2023</i>	Laurel Hills Neighborhood Meeting
<i>March 8, 2023</i>	Colony Woods
<i>March 21, 2023</i>	Pope Road
<i>March 27, 2023</i>	Community Open House (In-Person)
<i>March 29, 2023</i>	Neighborhood Conservation Districts (NCDs)
<i>March 30, 2023</i>	Westwood
<i>April 4, 2023</i>	Lake Ellen
<i>April 10, 2023</i>	Town Council

<sup>39</sup> <https://councilmail.townofchapelhill.org/searchform.do>



<b>May 9, 2023</b>	Historic District Commission
<b>May 16, 2023</b>	Planning Commission

Meeting agendas, materials, and recordings are available on the project webpage:  
<https://chplan.us/housing-choices>.

## Research Completed

### Comparison to other communities

Staff has been researching and meeting with different resources to learn more about Missing Middle Housing and zoning reforms:

<b>Cities Staff Met With:</b>	<b>Land Use Codes Reviewed:</b>	<b>Additional Resources:</b>
<ul style="list-style-type: none"> <li>• <b>Charlotte, NC</b></li> <li>• <b>Durham, NC</b></li> <li>• <b>Iowa City, IA</b></li> <li>• <b>Oxford, MS</b></li> <li>• <b>Raleigh, NC</b></li> <li>• <b>Tuscaloosa, AL</b></li> </ul>	<ul style="list-style-type: none"> <li>• Aberdeen, TX</li> <li>• Bloomington, IN</li> <li>• Burlington, NC</li> <li>• Bryant, TX</li> <li>• Charlotte, NC</li> <li>• Charlottesville, VA</li> <li>• Davidson, NC</li> <li>• Des Moines, IA</li> <li>• Fayetteville, AR</li> <li>• Gainesville, FL</li> <li>• Greensboro, NC</li> <li>• Kill Devil Hills, NC</li> <li>• Lake Stevens, WA</li> <li>• Langley, WA</li> <li>• Madison, WI</li> <li>• Missoula, MT</li> <li>• Montgomery County, MD</li> <li>• Montgomery County, PA</li> <li>• Morrisville, NC</li> <li>• Nags Head, NC</li> <li>• Sea Tac, WA</li> <li>• Seattle, WA</li> <li>• Wenatchee, WA</li> <li>• West Yellowstone, MT</li> <li>• Winston-Salem, NC</li> </ul>	<ul style="list-style-type: none"> <li>• AARP Livable Communities</li> <li>• American Planning Association</li> <li>• Chamber for Greater Chapel Hill-Carrboro</li> <li>• Congress for New Urbanism</li> <li>• Environmental and Natural Resources Law Center, University of Oregon</li> <li>• Home Builders Association of Durham, Orange, &amp; Chatham Counties</li> <li>• National Trust for Historic Preservation</li> <li>• North Carolina Historic Preservation Office</li> <li>• Orange County Tax Assessor</li> <li>• Orion Planning + Development</li> <li>• OWASA</li> <li>• Preservation North Carolina</li> <li>• SOM</li> <li>• Student Development &amp; Campus Partnerships, UNC</li> <li>• The Turner Center for Housing &amp; Innovation, UC Berkley</li> <li>• Town of Chapel Hill Affordable Housing, Inspections, Fire, Stormwater, Parking Services, and Parks &amp; Recreation</li> </ul>

### Key takeaways:

- Most cities saw the most significant increases in Missing Middle Housing through larger development projects, not as infill development on individual lots.
- Traditional residential design is necessary for Missing Middle Housing forms to fit into existing residential neighborhoods. Most of the cities we spoke to already had historic examples of smaller multi-family apartment buildings.
- Creating intentional student housing near commercial areas allows students to benefit from amenities. Both Oxford and Tuscaloosa identified student-oriented development as a specific use allowed in certain zones, and these uses measure density in terms of beds per lot. In Oxford, student-oriented development led to student housing return to single family houses in some cases.
- Durham saw that there was still a significant demand for single family homes and their “small house on a small lot” option has been the most popular.



- To discourage out-of-town developers, there is a significant need for connecting small scale home builders to lending and financing options that facilitate missing middle housing. Tuscaloosa worked with their local homebuilders' and realtors' associations to host a Missing Middle Housing Symposium that facilitated conversations on how the housing could be created.
- Communities are exploring other ways to incentivize Missing Middle Housing such as expedited review using pattern books, focusing on development of Missing Middle Housing on vacant or underdeveloped town-owned properties, or creating specific zones in which Missing Middle Housing is permitted.

### Tree Canopy Analysis

Staff looked to the amount of existing tree canopy coverage per zone to determine the appropriate tree canopy coverage for triplexes and fourplexes. Please note, the LUMO currently exempts tree canopy coverage from single-family and two-family developments.

Zoning District	Approximate Acres	Approximate Canopy Acres	Approximate Percentage (%) of Canopy
CC	217	63	29%
DA-1	47	34	73%
HR-L	139	90	65%
HR-M	34	13	39%
IND	34	8	24%
LI-CZD	34	23	67%
MU-OI-1	228	132	58%
MU-R-1	141	50	35%
MU-V	90	57	64%
NC	72	22	30%
OI-1	85	42	49%
OI-2	912	470	51%
OI-3	84	42	50%
OI-4	566	209	37%
R-1	5,625	4,123	73%
R-1A	567	369	65%
R-2	2,670	1,654	62%
R-2A	31	19	61%
R-3	678	379	56%
R-4	731	387	53%
R-5	817	378	46%
R-6	60	43	71%
R-LD1	1,195	753	63%
R-LD5	853	691	81%
R-SS-CZD	53	26	49%
RT	739	468	63%
TC-1	8	2	26%
TC-2	64	16	24%
TC-3	15	3	19%
U-1	663	477	72%
WR-3	6	3	44%



<b>WR-7</b>	8	2	30%
<b>WX-5</b>	39	20	51%
<b>WX-7</b>	108	26	25%

*Key takeaways:*

- As a whole, Chapel Hill has about 63% of its acreage covered by tree canopy.
- Individual zoning districts have on average 35% tree canopy coverage. In those zones that currently allow triplexes and fourplexes, the average tree canopy coverage is about 48% percent.



**RESOLUTION A**  
**(Resolution of Consistency)**

**A RESOLUTION REGARDING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 1, 3, 4, 5, 6, AND 7 AND APPENDIX A REGARDING HOUSING REGULATIONS AND HOUSING CHOICES FOR A COMPLETE COMMUNITY AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-\_\_/R-#)**

WHEREAS, the Chapel Hill Town Council wishes to amend the Land Use Management Ordinance (LUMO) in order to allow for more and varied housing opportunities that meet different price points, life stages, and preferences; and

WHEREAS, the Town of Chapel Hill acknowledges that zoning has historically contributed to perpetuating segregation and economic exclusion of multiple generations of residents; and

WHEREAS, the Town of Chapel Hill, like many communities, recognizes that zoning, land use regulations, and the development approval process have contributed to a disparity of outcomes for residents including housing shortages and housing development that does not meet the income levels and life stages of all residents; and

WHEREAS, as housing becomes less attainable due to limited supplies, high pricing, and limited housing options, there are fewer housing options for current and new residents at different income levels and life stages to live in the community; and

WHEREAS, as the shortage of housing units have led to increased housing costs, Chapel Hill's workforce must look at housing opportunities outside of the community, leading to increased traffic and parking demands; and

WHEREAS, the Town of Chapel Hill understands the need to encourage compatible infill development that balances the character and history of neighborhoods while increasing opportunities to develop attainable and affordable housing; and

WHEREAS, the neighborhood conservation districts (NCDs) have establish special regulations especially designed for and intended to help preserve the character of individual residential neighborhoods and the majority of these NCDs have prohibited duplexes or reserved duplexes for affordable housing only; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan promotes a range of housing choices for residents, including workforce, senior, and affordable housing; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan encourages future land use, form, and density that strengthen the community, social equity, economic prosperity, and the natural environment; and

WHEREAS, the Future Land Use Map (FLUM) encourages compact, well-designed, mixed-use communities where all community members have access to jobs, transit, and places to reside; and

WHEREAS, the FLUM recommends the development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to that of single-family detached dwellings and it finds that these small scale, multifamily uses can fit within the existing fabric of some existing single-family neighborhoods; and



WHEREAS, the *Chapel Hill Housing Needs Analysis: 2020-2040* found that the demand for new housing for individual households is expected to increase to 500 units per year. Few owner-occupied townhouses or condominiums are built to meet this need and provide missing middle housing for the community's workforce; and

WHEREAS, on September 22, 2021, several members of the Town Council petitioned staff to create a new application pathway to foster the creation of missing middle housing, including duplexes, triplexes, cottage courts, townhomes, and other forms of compact development, to increase the availability and affordability of housing; and

WHEREAS, in 2022, the Chapel Hill Town Council initiated a Complete Community Strategy to identify shared interests around a new approach that clarifies where and how to build housing in order to be an inclusive, sustainable, and an economically competitive community; and

WHEREAS, the Town of Chapel Hill supports a strategy of incremental, gentle density that will increase opportunities for smaller, more affordable single-family residences and small-scale housing developments in existing residential zoning districts; and

WHEREAS, increasing density in established residential neighborhoods will utilize existing infrastructure; promote walkability, transit, and alternative forms of transportation; and encourage sustainable land use practices that reduce environmental impacts; and

WHEREAS, the Town of Chapel Hill finds that additional housing units can be integrated into existing residential neighborhoods and zoning districts through gentle density, constructing small-scale single-family houses and multifamily missing middle housing forms; and

WHEREAS, the Town of Chapel Hill recognizes the inefficiencies of single-family zoning and seeks to expand opportunities to incrementally increase density in existing residential zoning districts by allowing more attainable, smaller, single family and missing middle housing forms such as duplexes, triplexes, fourplexes, and cottage courts; and

WHEREAS, smaller houses and unit sizes reduce land acquisition and construction costs, reducing overall home prices. Small-scale development provides an opportunity for homeownership and an alternative to accessory apartments; and

WHEREAS, Land Use Management Ordinance Article 3 – Zoning Districts, Uses, and Dimensional Standards limits the diversity of housing types and needs to be expanded to provide greater opportunity for a range of housing types; and

WHEREAS, Land Use Management Ordinance Article 4 – Procedures provides certain exemptions only for single family development, requiring longer and more intensive review schedules for small-scale residential developments; and

WHEREAS, Land Use Management Ordinance Article 5 – Design and Development Standards apply to all multi-family development of three or more units, creating obstacles that discourage missing middle housing development; and

WHEREAS, Land Use Management Ordinance Article 6 – Special Regulations for Particular Uses does not provide standards for accessory apartments, triplexes, fourplexes, or townhouse developments, and these types of housing units could strategically increase the density of neighborhoods if sensitively designed and integrated; and



WHEREAS, Appendix A—Definitions requires revisions to match the standards proposed above; and

WHEREAS, the Housing Advisory Board reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 11, 2022, and January 10, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 4, 2022, January 17, 2023, and May 16, 2023 and recommended that the Council enact the text amendments; and

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on May 9, 2023 and shared their comments with the Council; and

WHEREAS, the Council called a Legislative Hearing to amend Articles 1, 3, 4, 5, 6, and 7, and Appendix A of the Land Use Management Ordinance as it relates to Housing Regulations and Housing Choices for the Council's May 24, 2023, meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Articles 1, 3, 4, 5, 6, and 7, and Appendix A; and

WHEREAS, upon consideration the Council finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A range of housing options for current and future residents (*Place For Everyone.3*)
- Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces.1*)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (*Good Places, New Spaces.2*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Good Places, New Spaces.5*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces.8*)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community.7*)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration.6*)



NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed text amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the \_\_\_\_ day of \_\_\_\_\_, 2023.



**ORDINANCE A**

**(Enacting the Land Use Management Ordinance Text Amendment Proposal)**

**AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 6, AND 7 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE REGARDING HOUSING REGULATIONS AND HOUSING CHOICES FOR A COMPLETE COMMUNITY (2023-##-##/O-)**

WHEREAS, the Chapel Hill Town Council wishes to amend the Land Use Management Ordinance (LUMO) in order to allow for more and varied housing opportunities that meet different price points, life stages, and preferences; and

WHEREAS, the Town of Chapel Hill acknowledges that zoning has historically contributed to perpetuating segregation and economic exclusion of multiple generations of residents; and

WHEREAS, the Town of Chapel Hill, like many communities, recognizes that zoning, land use regulations, and the development approval process have contributed to a disparity of outcomes for residents including housing shortages and housing development that does not meet the income levels and life stages of all residents; and

WHEREAS, as housing becomes less attainable due to limited supplies, high pricing, and limited housing options, there are fewer housing options for current and new residents at different income levels and life stages to live in the community; and

WHEREAS, as the shortage of housing units has led to increased housing costs, Chapel Hill's workforce must look at housing opportunities outside of the community, leading to increased traffic and parking demands; and

WHEREAS, the Town of Chapel Hill understands the need to encourage compatible infill development that balances the character and history of neighborhoods while increasing opportunities to develop attainable and affordable housing; and

WHEREAS, the neighborhood conservation districts (NCDs) have establish special regulations especially designed for and intended to help preserve the character of individual residential neighborhoods, and the majority of these NCDs have prohibited duplexes or reserved duplexes for affordable housing only; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan promotes a range of housing choices for residents, including workforce, senior, and affordable housing; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan encourages future land use, form, and density that strengthen the community, social equity, economic prosperity, and the natural environment; and

WHEREAS, the Future Land Use Map (FLUM) encourages compact, well-designed, mixed-use communities where all community members have access to jobs, transit, and places to reside; and

WHEREAS, the FLUM recommends the development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to that of single-family detached dwellings and it finds that these small scale, multifamily uses can fit within the existing fabric of some existing single-family neighborhoods; and



WHEREAS, the *Chapel Hill Housing Needs Analysis: 2020-2040* found that new housing for individual households is expected to increase to 500 units per year. Few owner-occupied townhouses or condominiums are built to meet this need and provide missing middle housing for the community's workforce; and

WHEREAS, on September 22, 2021, several members of the Town Council petitioned staff to create a new application pathway to foster the creation of missing middle housing, including duplexes, triplexes, cottage courts, townhomes, and other forms of compact development, to increase the availability and affordability of housing; and

WHEREAS, in 2022, the Chapel Hill Town Council initiated a Complete Community Strategy to identify shared interests around a new approach that clarifies where and how to add housing in order to be an inclusive, sustainable, and an economically competitive community; and

WHEREAS, the Town of Chapel Hill supports a strategy of incremental, gentle density that will increase opportunities for smaller, more affordable single family residences and small-scale housing developments in existing residential zoning districts; and

WHEREAS, increasing density in established residential neighborhoods will utilize existing infrastructure; promote walkability, transit, and alternative forms of transportation; and encourage sustainable land use practices that reduce environmental impacts; and

WHEREAS, the Town of Chapel Hill finds that additional housing units can be integrated into existing residential neighborhoods and zoning districts through gentle density constructing small-scale houses and multifamily missing middle housing forms; and

WHEREAS, the Town of Chapel Hill recognizes the inefficiencies of single-family zoning and seeks to expand opportunities to incrementally increase density in existing residential zoning districts by allowing more attainable, smaller, single family and missing middle housing forms such as duplexes, triplexes, fourplexes, and cottage courts; and

WHEREAS, smaller houses and unit sizes reduce land acquisition and construction costs, reducing overall home prices. Small-scale development provides an opportunity for homeownership and an alternative to accessory apartments; and

WHEREAS, Land Use Management Ordinance Article 3 – Zoning Districts, Uses, and Dimensional Standards limits the diversity of housing types and needs to be expanded to provide greater opportunity for a range of housing types; and

WHEREAS, Land Use Management Ordinance Article 4 – Procedures provides certain exemptions only for single family development, requiring longer and more intensive review schedules for small-scale residential developments; and

WHEREAS, Land Use Management Ordinance Article 5 – Design and Development Standards applies to all multi-family development of three or more units, creating obstacles that discourage missing middle housing development; and

WHEREAS, Land Use Management Ordinance Article 6 – Special Regulations for Particular Uses does not provide standards for accessory apartments, triplexes, fourplexes, or townhouse developments, and these types of housing units could strategically increase the density of neighborhoods if sensitively designed and integrated; and



WHEREAS, Appendix A—Definitions requires revisions to match the standards proposed above; and

WHEREAS, the Housing Advisory Board reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 11, 2022, and January 10, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 4, 2022, January 17, 2023, and May 16, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on May 9, 2023 and shared their comments with the Council; and

WHEREAS, the Council called a Legislative Hearing to amend Articles 1, 3, 4, 5, 6, and 7, and Appendix A of the Land Use Management Ordinance as it relates to Housing Regulations and Housing Choices for the Council's May 24, 2023, meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Articles 1, 3, 4, 5, 6, and 7, and Appendix A; and

WHEREAS, upon consideration the Council finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A range of housing options for current and future residents (*Place For Everyone.3*)
- Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces.1*)
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- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Good Places, New Spaces.5*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces.8*)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community.7*)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration.6*)



NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Appendix A. Land Use Management Ordinance, Articles 1, 3, 4, 5, 6, and 7, and Appendix A shall be amended as follows:

**Section 1. Article 1. General Provisions, Section 1.4 Applicability is revised to read as follows:**

**"1.4. Applicability.**

This appendix shall be effective throughout the town's planning jurisdiction. The planning jurisdiction of the town comprises the area described by Chapter 473 of the Session Laws of 1975, as modified from time to time in accordance with Section 160D, Article 2 of the North Carolina General Statutes.

Except as otherwise specifically provided in this appendix, no land or structure shall hereafter be used or occupied, and no excavation, removal of soil, clearing of a site, or placing of fill shall take place on lands contemplated for development, and no structure, or part thereof, shall be constructed, erected, altered, renovated, or moved, except in compliance with all of the applicable provisions of this appendix.

Notwithstanding the foregoing, regulations established in this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions ~~for single-family and two-family structures~~, shall not apply to valid special use permits, development plans, and preliminary plat applications approved by the Town Council, and valid site plan review applications approved by the Planning Commission, prior to the effective date of this enacted appendix. Such developments shall be subject to regulations that were applicable immediately prior to the effective date of this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions for single-family and two-family structures.

The appendix shall apply to all public land(s) and private land(s), and use(s) thereon over which the Town has jurisdiction under the constitution(s) and law(s) of the State of North Carolina and of the United States, including any areas within the jurisdiction of the Town pursuant to North Carolina General Statutes Section 160D, Article 2. The Planning Department (hereinafter known as the "Department") of the Town can be contacted for further information about the use of this Chapter.

For a parcel in two jurisdictions, the owner and the jurisdictions may agree that development regulations from one jurisdiction will apply to the entire parcel as authorized in Chapter 160D-203 and in Section 4.1.5 in this appendix."

**Section 2. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.4. Conditional Districts, Subsection 3.4.6 The Mixed-Use Village Conditional Zoning District (MU-V-CZD), Subsection (c)(2)A. is revised to read as follows:**

"(2) For purposes of this section:

(a) Uses within the "Residential" land use category include the following:

Dwelling units, single family,

Dwelling units, two-family,

Dwelling units, three-family.

Dwelling units, four-family.

Dwelling units, multifamily, ~~three to seven~~ five (5) to ten (10) dwelling units,



Dwelling units, multifamily, over ~~seven~~ ten (10) dwelling units,"

**Section 3. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.7. Use regulations, Subsection 3.7.2 Use Matrix, Table 3.7-1: Use Matrix is hereby amended to delete and insert rows, and revise footnotes as follows:**

[Portions of Table 3.7-1 not appearing in the excerpt below to remain unchanged.]

Table 3.7-1: Use Matrix

	Table 3.7-1: Use Matrix																																			
		Zoning District																				Historic Rogers Road Neighborhood District				Planned Development (PD-)										
Uses	Use Group	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-CZD	R-CP-CZD	TC-1, TC-2, TC-3	CC	N.C.	OI-1	OI-2	OI-3	OI-4	I	LI-CZD	MH	HR-L	HR-M	HR-X	HR-C	H	SC(N)	SCI	OI	MU	I	DA-1	
"Dwelling Units, single-family with accessory apartment	A	P	P	P	P	P	P	P	P	P	P	P	N	N	N	P	P	P	P	P	P	P	P	-	-	-	A	A	A	-	P	-	-	-	P	-
"Dwelling units, duplex (See also Article 6)	A	P	P	P	P	P	P	P	P	P	P	P	N	N	N	P	P	P	P	P	P	P	P	-	-	-	A	A	A	-	P	-	-	-	P	-
"Dwelling units, two-family (See also Article 6)																																				
Single-family with accessory apartment	A	P	P	P	P	P	P	P	P	P	P	P	C	C	C	P	P	P	P	P	P	P	P	=	=	=	A	A	A	=	P	=	=	=	P	=
Single-family with cottage	A	=	=	=	=	P	P	P	P	P	P	P	C	C	C	P	P	P	P	P	P	P	P	=	=	P	P	P	=	=	P	=	=	=	P	=
Two-family, attached	A	P	P	P	P	P	P	P	P	P	P	P	C	C	C	P	P	P	P	P	P	P	P	=	=	P	P	P	=	=	P	=	=	=	P	=
Two-family, detached	A	P	P	P	P	P	P	P	P	P	P	P	C	C	C	P	P	P	P	P	P	P	P	=	=	P	P	P	=	=	P	=	=	=	P	=
"Dwelling units, multifamily, 3 to 7 dwelling units	A	-	-	-	-	-	-	-	-	P	P	P	N	N	N	P	P	P	P	P	P	P	P	-	-	-	-	P	-	-	P	-	-	-	P	-



"Dwelling units, multifamily, over 7 dwelling units	A	-	-	-	-	-	-	-	-	-	-	-	€ Z	€ Z	€ Z	€ Z	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P	-	-	-	P	-
"Dwelling Units, multi-family																																					
Three-family, attached or detached	A	=	=	=	=	=	=	=	=	=	P	P	P	C Z	C Z	C Z	P	P	P	P	P	P	P	P	=	=	P	P	P	=	=	P	=	=	=	P	=
Four-family, attached or detached	A	=	=	=	=	=	=	=	=	=	P	P	P	C Z	C Z	C Z	P	P	P	P	P	P	P	P	=	=	=	=	=	=	=	P	=	=	=	P	=
Multi-family, 5-10 units, attached or detached	A	=	=	=	=	=	=	=	=	=	P	P	P	C Z	C Z	C Z	P	P	P	P	P	P	P	P	=	=	=	=	=	=	=	P	=	=	=	P	=
Multi-family, over 10 units, attached or detached	A	=	=	=	=	=	=	=	=	=	=		C Z	C Z	C Z	C Z	P	P	P	P	P	P	P	P	=	=	=	=	=	=	=	P	=	=	=	P	=

- Definitions of uses are listed in Appendix A

- Definitions of Wireless Communication Facility uses are listed in Appendix A, and in Section 5.20.3.

<sup>x</sup> Uses in Table 3.7-1, Use Matrix, are applicable only to private property outside improved public rights-of-way. See Section 5.20.9(d) for small wireless facilities inside improved rights-of-way.

\* Uses in this table are pursuant to a development agreement. If there is no development agreement governing the site, see Section 3.5.6(f)(1) and (2).

\*\*Two-family, three-family, and four-family developments shall not be permitted in any neighborhood conservation districts that do not otherwise allow for single-family with accessory apartment, duplexes, triplexes, or multi-family."

**Section 4. Article 3. Zoning Districts, Uses, and Dimensional standards, Section 3.8. Dimensional Standards, Subsection 3.8.2 Dimensional Regulations, is revised to read as follows:**

“About the Building Envelope. Sections (f)—(j) define the three-dimensional building envelope. All structures, or portions thereof, must be placed within the building envelope and may not encroach the building envelope unless specifically exempted by this Appendix.

- Divisions (f) and (g) regulate the setback height and core height, respectively, which together define the vertical extent of the building envelope.
- Divisions (h)—(j) regulate the street, interior, and north setback lines, respectively, which together define the perimeter setback line and horizontal extent of the building envelope.

*Definitions.* Refer to Appendix A for definitions of applicable terms.



(a) Zoning District. Column (A) refers to the applicable Zoning District. The requirements set forth in sections (b)—~~(j)~~(i) below, relate to the zoning district specified in the row under Column (A),

(b) Minimum Lot Size. Column (B) is expressed in square feet of gross land area.

Notes:

(1) Where a zoning lot is located in more than one zoning district, the minimum gross land area required of such zoning lot shall be the sum of the areas derived by multiplying the minimum gross land area required for each represented district by the proportion of the zoning lot located within that district.

(2) For all ~~dwelling~~ uses, ~~except single family and single family with accessory apartment, that consist of three (3) or more dwelling units,~~ the minimum lot size is two (2) times the figure shown in Column (B).

~~(c) Maximum Density. Column (C) applies to all residential uses except single family dwellings and single family dwellings with accessory apartments. Column (C) is a maximum residential density, expressed in dwelling units per acre of gross land area.~~

~~(d)~~ (c) Minimum Frontage. Column ~~(D)~~ (C) is the minimum width of the lot measured along the street.

Notes:

(1) Where a zoning lot fronts on two (2) or more streets, minimum street frontage width requirements shall be considered met if the frontage along any one of such streets meets the minimum street frontage width requirements.

(2) Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum street frontage width requirement shall be thirty-five (35) feet.

~~(e)~~ (d) Minimum Lot Width. Column ~~(E)~~ (D) is the minimum width of the lot, expressed in feet, measured at least twenty-five (25) feet interior from the minimum street setback. No portion of a lot, created as part of a subdivision, between a street setback and the opposite interior (rear) setback, shall be less than twenty (20) feet in width.

Exception:

(1) Authorized flag lots, created as part of a subdivision and subject to the lot layout standards in Section 5.2, may contain areas between a street setback and the opposite interior (rear) setback that are less than twenty (20) feet in width. Authorized flag lots shall reach the minimum lot width at a point not to exceed two hundred (200) feet from the street right-of-way.

Notes:

(2) Where a zoning lot fronts on two (2) or more streets, minimum lot width requirements shall be considered met if the lot width at the street setback from any one of such streets meets the minimum lot width requirement.

(3) Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum lot width shall be reached at a distance derived by the following formula:  $D = 50 (W)(35) - 50$ , where W = minimum required lot width, and D =



maximum distance from street right-of-way to where the lot width equals the minimum required width for that district.

~~(f)~~ (e) Maximum Setback Height: Column ~~(F)~~ (E) is the maximum allowable height at the perimeter setback line of a zoning lot, as defined by the minimum street, interior, and solar setbacks.

(1) Height shall be measured from mean finished grade, along the street façade of the building. Where a structure fronts more than one (1) street, height shall be measured from the lower, more restrictive mean finished grade.

(2) To determine mean finished grade, take the spot elevations from the highest and lowest points of the foundation. The average of these two (2) spots elevations is the mean finished grade and the elevation from which height measurements are made.

(3) The entire structure, and all portions thereof, is subject to the maximum setback height.

Exceptions:

A. The structure or part thereof is below the allowable core height, as described in division (g) below.

B. The structure or part thereof is explicitly exempted in section 3.8.3 Exceptions to Setback and Height Requirements, below.

C. The structure or part thereof is explicitly exempted as provided elsewhere in this Appendix.

(4) For purposes of applying setback and height regulations to development within an OI-3 or OI-4 zoning district or within a townhouse development or a planned development, all contiguous land within the district, townhouse development, or planned development shall be considered as a single zoning lot.

~~(g)~~ (f) Maximum Core Height: Column ~~(G)~~ (F) is the maximum allowable height in the interior or core area of a lot. The core height provides additional allowable height on the interior of a zoning lot based on the horizontal distance measured away from the perimeter setback line of the lot. The allowable core height increases with the distance interior to the lot, measured from the perimeter setback line at a rate described below.

(1) In all Zoning Districts, except those explicitly named in subdivision (2), the allowable core height increases at a rate of one (1) foot in height for every two (2) feet of distance interior to the lot, measured away from the perimeter setbacks. This is equivalent to a slope of  $\frac{1}{2}$  (rise/run) or 1:2.

(2) In the Town Center - 1 to 3, Office/Institutional 3 to 4 zoning districts the allowable core height increases at the following rates:

A. Street and interior setbacks: one (1) feet in height for every one (1) feet of distance interior to the lot, measured away from the street and interior setbacks. This is equivalent to a slope of 1/1 (rise/run) or 1:1.

B. Solar setbacks: one (1) feet in height for every one (1) foot and seven-tenths of a foot (1.7 feet) of distance interior to the lot, measured away from the street and interior setbacks. This is equivalent to a slope of 1/1.7 (rise/run) or 1:1.7.

(3) No structure, or part thereof, shall project beyond the allowable core height of a structure or part thereof.



Exceptions:

A. The structure or part thereof is explicitly exempted in section 3.8.3 Exceptions to Setback and Height Requirements, below.

B. The structure or part thereof is explicitly exempted as provided elsewhere in this Appendix.

(4) If a structure is located in the vicinity of an airport, the height limitations set forth in Federal Aviation Regulations, Part 77, or successor regulations, shall apply where such limitations are stricter than those established in this appendix.

~~(h)~~ (g) Minimum Street Setback. Column ~~(H)~~ (G) establishes a minimum setback from the street right-of-way line. Where a zoning lot fronts on a street with a right-of-way width not meeting the standards of this appendix, street setback shall be measured from a line running parallel to the centerline of the street at a distance from such centerline equal to one-half (1/2) the standard right-of-way width of the street.

Exception:

(1) The town manager or town council may exempt lots from this requirement upon making one of the following findings:

A. Where a building line has already been established by existing structures along the block which are situated on lots comprising at least twenty-five (25) percent of the street frontage, the building may be constructed at the established building line; or

B. The existing right-of-way is adequate to encompass any anticipated need for widening of the street or other improvements and widening of the right-of-way to town standards would create nonconforming street setbacks for other structures on the street.

~~(i)~~ (h) Minimum Interior Setback. Column ~~(I)~~ (H) establishes a minimum setback measured from the interior lot lines.

Exception:

(1) The interior setback requirements may be reduced to zero (0) under certain conditions (see section 5.2.8.).

Note:

(2) Side setbacks are set at zero (0) in many non-residential districts in order to encourage the formation of a street wall, as is found in traditional commercial centers such as the TC district along Franklin Street.

~~(j)~~(i) Minimum Solar Setback. Column ~~J~~ (I) establishes a minimum setback measured from north lot lines. Where a solar setback and either a street or interior setback both apply to the same portion of a lot line, the required minimum setback shall be the greater of the two.

Exceptions:

(1) The solar setback may be reduced to zero (0) under certain conditions (see section 5.2.8.).

(2) Minimum solar setback requirements shall not apply to any structure, or part thereof, when the proposed height of the structure is ninety (90) percent, or less, of the maximum allowed setback height. In such cases, the lesser interior setback may be used instead.



~~(k)~~(j) Maximum Impervious Surface Ratio. Column ~~K~~ (J) establishes the maximum ratio of impervious surface on a lot. The maximum amount of impervious surface area is divided by multiplying the gross land area of the lot by the ratio established in Column (K) and as described below:

(1) Single-family and two-family Rresidential development: (.50)

(2) Multifamily developments, fraternities and sororities, non-residential, or mixed-use development: (.70).

Exception:

(3) Impervious surface restrictions shall not apply to town center zoning districts.

~~(+)~~(k) Maximum Floor Area Ratio. Maximum floor area allowed shall be the number of square feet derived by multiplying gross land area by the applicable floor area ratio (FAR) as shown in Table 3.8.1. Exceptions:

(1) A maximum floor area ratio shall not apply to: ~~single family dwelling units (with or without an accessory apartment)~~

A. Dwelling Units, Single Family

B. Dwelling Units, Single Family with Accessory Apartment

C. Dwelling Units, Single Family with Cottage

D. Public Cultural Facilities

(2) For two-family ~~duplex~~ dwellings on a single zoning lot, the floor area shall be .40 in all zones and overlay zones, except where the overlay zone establishes a more restrictive floor area ratio for duplexes.

~~(3) A maximum floor area ratio shall not apply to public cultural facilities.~~

~~(4)~~ (3) For public elementary and secondary schools, the maximum floor area ratio shall be 0.174 unless a higher floor area ratio is established in Column (L).

~~(5)~~ (4) Where a lot is partially within the resource conservation district, the maximum allowable floor area of the portion of the lot outside of the resource conservation district shall be calculated as the sum of:

A. The product of, and

(i) The floor area ratio of the portion of the zoning lot outside the resource conservation district, and

(ii) The area, in square feet, of the portion of the zoning lot outside the resource conservation district

B. The product of

(i) The floor area ratio applicable to a permitted use in the resource conservation district, and

(ii) The area, in square feet, of the portion of the zoning lot within the resource conservation district."

**Section 5. Article 3, Section 3.8 Dimensional standards, Table 3.8-1: Dimensional Matrix is hereby amended to delete column (C) Density and revised to read as follows:**



(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Zoning District	Lot Size (square feet min)	Density (units per acre max)	Frontage (min feet)	Lot Width (min feet)	Building Height , Set back (max feet)	Building Height , Core (max feet)	Street Set back (min feet)	Interior Set back (min feet)	Solar Set back (min feet)	Impervious Surface Ratio (max) *	Floor Area Ratio (max)	Street Set back (max feet)
R-LD5	217,800	<del>"0.2"</del>	200	250	29	35	30	16	20	.5/.7	.025	N/A
RT	100,000	<del>"0.4"</del>	160	200	29	35	30	16	20	.5/.7	.031	N/A
R-LD1	43,560	<del>"1.0"</del>	100	125	29	35	30	16	19	.5/.7	.047	N/A
R-1A	25,000	<del>"2.0"</del>	80	100	29	38	29	15	18	.5/.7	.062	N/A
R-1	17,000	<del>"3.0"</del>	64	80	29	40	28	14	17	.5/.7	.076	N/A
R-2A	14,500	<del>"3.5"</del>	56	70	29	50	27	10	12	.5/.7	.087	N/A
R-2	10,000	<del>"4.0"</del>	52	65	29	50	26	11	13	.5/.7	.093	N/A
R-3	5,500	<del>"7.0"</del>	40	50	29	60	24	8	11	.5/.7	.162	N/A
R-4	5,500	<del>"10.0"</del>	40	50	34	60	22	8	9	.5/.7	.230	N/A
R-5	5,500	<del>"15.0"</del>	40	50	39	60	20	6	8	.5/.7	.303	N/A
R-6	5,500	<del>"15.0"</del>	40	50	39	60	20	6	8	.5/.7	.303	N/A
R-SS-CZD	N/A	<del>"N/A"</del>	N/A	N/A	39	60	10	0	N/A	.5/.7	1.10"	N/A
TC-1	N/A	<del>"N/A"</del>	12	15	44	60	0	0	0	N/A	1.97	N/A
TC-2	N/A	<del>"N/A"</del>	12	15	44	90	0	0	0	N/A	1.97	N/A
TC-3	N/A	<del>"N/A"</del>	12	15	44	120	0	0	0	N/A	4.00	N/A
CC	5,500	<del>"15.0"</del>	40	50	34	60	22	8	9	.5/.7	.429	N/A
N.C.	5,500	<del>"10.0"</del>	40	40	34	60	24	8	11	.5/.7	.264	N/A



(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Zoning District	Lot Size (square feet min)	Density (units per acre max)	Frontage (min feet)	Lot Width (min feet)	Building Height , Set back (max feet)	Building Height , Core (max feet)	Street Set back (min feet)	Interior Set back (min feet)	Solar Set back (min feet)	Impervious Surface Ratio (max) *	Floor Area Ratio (max)	Street Set back (max feet)
OI-1	5,500	10.0	40	50	29	60	24	8	11	.5/.7	.264	N/A
OI-2	5,500	15.0	40	40	34	60	22	8	9	.5/.7	.264	N/A
OI-3	2,000	N/A	15	15	N/A	N/A	0	0	0	.5/.7	.566	N/A
OI-4	2,000	N/A	12	15	N/A	N/A	0	0	0	N/A	N/A	N/A
I	17,000	N/A	64	80	26	50	26	11	13	.5/.7	.071	N/A
LI-CZD	17,000	0.0	64	80	N/A	90	15	10	10	N/A/.7	N/A	N/A
MH	100,000	N/A	160	200	29	35	30	16	20	.5/.7	.019	N/A
MU-OI-1	N/A	N/A	N/A	N/A	44	90	0	0	0	.5/.7	.264	N/A
MU-R-1	N/A	N/A	N/A	N/A	29	90	0	0	0	.5/.7	.076	N/A
MU-V, MU-V-CZD arterial	5,500	20.0	80	62	70	114	0	0	20	.5/.7	1.2	N/A
MU-V, MU-V-CZD collector	5,500	15.0	40	50	44	90	0	0	20	.5/.7	.500	N/A



(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Zoning District	Lot Size (square feet min)	Density (units per acre max)	Frontage (min feet)	Lot Width (min feet)	Building Height, Set back (max feet)	Building Height, Core (max feet)	Street Set back (min feet)	Interior Set back (min feet)	Solar Set back (min feet)	Impervious Surface Ratio (max) *	Floor Area Ratio (max)	Street Set back (max feet)
MU-V, MU-V-CZD local	5,500	15.0	70	40	32	40	0	0	17	.5/.7	.500	N/A
HR-L	14,500	4 <sup>3</sup>	64	80	29	40	10 <sup>4,3</sup>	14	17	.5/.7	.076	28 <sup>5,4</sup>
HR-M	9,000	6 <sup>3</sup>	52	65	29	40	10	14	17	.5/.7	.093	20
HR-X	N/A	8	40	N/A	29	40	20	40	17	.5/.7	.264	N/A
HR-C	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

### Footnotes:

(1) The notation "N/A" indicates that the requirements does not apply within the particular zoning district.

(2) Existing lots of record as of December 7, 1992, which are subsequently rezoned to R-LD5 can be subdivided to create up to three (3) lots of not less than two (2) acres gross land area in size each; provided, however the remaining land shall be developed with a minimum lot size of at least five (5) acres gross land area for each lot, and provided that no lot created under this exemption shall have a new direct access onto an arterial street.

(3) Because the HR subdistricts allow accessory dwelling units, duplexes, and triplexes, the maximum density (dwelling units per acre) in this table is greater than the maximum number of lots per acre. The minimum and maximum setbacks, maximum height, maximum impervious surface ratio, and maximum floor area ratio determine the potential building size and work to keep the building and lot size compatible with the surrounding neighborhood regardless of the number of dwelling units contained within the building.

(4-3) Lots that front on (take their address and ingress/egress from) Rogers Road shall have a minimum street setback of 50 feet. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor. Lots that existed on May 22,



2019 and are smaller than 17,424 square feet (.4 acres) are exempt from this standard.

(5 4) Lots that front on Rogers Road shall have no maximum street setback. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor.”

**Section 6. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.8.3 Exceptions to Setback and Height Regulations is revised to read as follows:**

“(a) The following features shall not be subject to the required minimum setbacks provided the town manager determines that such features do not significantly impair the degree of solar access provided adjacent properties through application of the appropriate solar setback requirements:

- (1) Roof overhangs which do not exceed more than thirty-six (36) inches in length into the setback;
- (2) Free-standing signs and projecting signs, provided such signs comply with the sign standards established in section 5.14;
- (3) Fences and walls not exceeding six (6) feet in height may be located within interior setbacks and those not exceeding four (4) feet in height may be located within street setbacks. Arches or trellises up to eight (8) feet in height and five (5) feet in width may be constructed over a gate if integrated into the fence or gate design and not located within a sight triangle. No more than two (2) such arches or trellises shall be permitted per parcel:
- (4) Flagpoles, home satellite dishes and TV antennas, bridges, and transmission poles, towers, and cables; ~~and~~
- (5) ~~The decking of~~ Patios, decks and swimming pools not exceeding three (3) feet in height, provided they are not constructed closer than five (5) feet from the property line of the zoning lot. Protective railings, as required by building code, may be added to the decking height;
- (6) Mechanical equipment, such as HVAC condenser units, water heaters, generators, electrical panels, backflow preventers no more than two (2) feet in height, and similar structures that encroach up to five (5) feet into the setback, comply with the noise regulations set forth in Chapter 11, Article 3<sup>1</sup> and are associated with residential developments of less than five (5) units;
- (7) Window wells located in interior and solar setbacks not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress;
- (8) Sidewalks, pathways, and accessibility ramps and other structures promoting access for people with disabilities;
- (9) Driveways that comply with the regulations set forth in [Chapter 17<sup>2</sup>](#);

<sup>1</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_CH11MIPROF\\_ARTIIINO](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH11MIPROF_ARTIIINO)

<sup>2</sup> [https://library.municode.com/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_CH17STSI](https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH17STSI)



(10) Electric vehicle charging stations and related mechanical equipment that maintain a minimum setback of five (5) feet from the property line;

(11) Bus shelters and rideshare shelters that are not located within sight triangles and as approved by Chapel Hill Transit; and

(12) Wells, so long as any required well house does not exceed four (4) feet in height;

(b) The following features may project above the building envelope defined by the maximum height limitations and additional setback requirements contained in Rules for Interpretation of Table 3.8-1, Columns (F) and (G), below, provided the town manager determines that such features do not significantly impair the degree of solar access provided adjacent properties through application of the appropriate solar setback requirements:

(1) ~~Chimneys,~~ Accessory radio or television antennas, flagpoles, monuments, cupolas, parapets, dormers, clock towers or decorative towers with a footprint not exceeding twenty (20) percent of the principal building, provided the projection of such structures above the building envelope does not exceed fifteen (15) percent of the maximum height limitation that defines the portion of the building envelope penetrated by such structures;

(2) ~~Steeple, or solar collectors, or spires~~ provided the projection of such structures above the building envelope does not exceed fifteen (15) percent of the maximum height limitation that defines the portion of the building envelope penetrated by such structures;

(3) ~~Spires,~~ Smokestacks, water tanks, or windmills, provided such structures do not exceed in height the horizontal distance therefrom to the nearest lot line; and

(4) Transmission poles, towers, and cables;

(5) Chimneys, flues, vents, or similar structures shall not extend more than one (1) foot above the minimum height required to comply with International Building Code (IBC) requirements; and

(6) Solar collectors that do not extend more than one (1) foot above the nearest roof peak if mounted on a pitched roof, or do not exceed ten (10) feet in height above their mounting surface if mounted on a flat roof and provided the solar collectors are not visible from the street level."

**Section 7. Article 4 Procedures, Subsection 4.6 Subdivision, new Subsection 4.6.14 Townhouse Subdivision is hereby added to read as follows:**

**"4.6.14 Townhouse Development Subdivision.**

It is the intent of this section that applicable subdivision review under the subdivision regulations be carried out as an integral part of the review of townhouse developments. It is the further intent of this section to permit the submittal of a subdivision application for the whole townhouse development, or for approved phases thereof. The form and content of applications and plans submitted for such integrated review shall be sufficient to satisfy the requirements of the subdivision regulations as well as those of this article.

The townhouse subdivision plat shall identify:



- (a) Land developed and designated for the common use and benefit of the occupants of individual lots;
- (b) Any entity designated to be legally responsible for the maintenance and control of the common land areas;
- (c) The gross land area of the commonly held land, which shall not be less than ten (10) percent of the zoning lot's total gross land area for those developments of three (3) or more dwelling units; and
- (d) The maximum impervious surface and floor area for each lot."

**Section 8. Article 4.6 Subdivision, new Subsection 4.16.15 Condominiums is hereby added to read as follows:**

**"4.6.15 Condominiums.**

Development of two or more dwelling units configured as condominiums shall comply with the following standards:

- (a) Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.
- (b) Condominiums shall conform to the requirements of the North Carolina Condominium Act in Chapter 47C of the North Carolina General Statutes.
- (c) Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Town Manager and recorded in the office of the Register of Deeds in the county where the development is located."

**Section 9. Article 4. Procedures, Section 4.7. Site plan review, Subsection 4.7.1 Applicability, Subsection (a) is revised to read as follows:**

"Site plan review and approval by the planning commission shall be required prior to issuance of a zoning compliance permit for any development or change in use subject to a zoning compliance permit (as described in section 4.9), with the following exceptions:

- (a) Any development of a single-family, two-family, or multi-family development up to four (4) units on a zoning lot, or any uses accessory thereto;"

**Section 10. Article 4. Procedures, Section 4.9 Zoning Compliance Permit, Subsection 4.9.1 Applicability is revised to read as follows:**

**"4.9.1. Applicability.**

- (a) Except as otherwise specifically provided in this chapter, it shall be unlawful to begin any excavation, removal of soil, clearing of a site, or placing of any fill on lands contemplated for development, or to begin any construction, moving, alteration, or renovation, except for ordinary repairs or maintenance, of any building or other structure, including accessory structures and signs, until the town manager has issued for such action a zoning compliance permit, certifying that such development complies with the applicable provisions of this chapter. The town manager may establish a process to waive the requirement for a zoning compliance permit for smaller-scale ~~single or two-family~~ residential activities ~~\_such as~~



landscaping and construction of decks, porches, sheds, garages, and stoops related to single-family, two-family, or multi-family development up to four (4) units.

- (b) It shall also be unlawful to change the type of use or type of occupancy of any land or structure, or to extend any use on any lot on which exists a nonconforming use, until the town manager has issued for such action a zoning compliance permit, certifying that such intended uses comply with the applicable provisions of this chapter.
- (c) Thresholds for exceptions to zoning compliance permit requirement: Single-family, two-family, or multi-family development up to four (4) units ~~Single-family development~~ meeting all conditions contained in this section 4.9.1(c) may be exempted from the requirement to obtain a zoning compliance permit after an initial review by the town manager or designee.
  - (1) The project adds less than five hundred (500) square feet of impervious surface area.
  - (2) The project includes less than one thousand five hundred (1,500) square feet of land disturbance.
  - (3) The project does not include grading or filling of soil.
  - (4) The project is at least five (5) feet away from the nearest setback line and building height limitation.
  - (5) The project work limits are at least five (5) feet from the boundary of any Resource Conservation District or Jordan Watershed Riparian Buffer.
  - (6) The project is not occurring within the regulatory floodplain.
  - (7) The project does not contain steep slopes as defined in section 5.3.2 of this ordinance.
  - (8) The project does not include removal of more than 2,500 square feet of tree canopy or 25% of the total tree canopy coverage for the site, whichever is less."

**Section 11. Article 5. Design and Development Standards, Section 5.5 Recreation is revised to read as follows:**

*"5.5.1. Applicability.*

*(a) This section applies to:*

- (1) Any major subdivision that creates lots reasonably expected to be used for dwelling units; or
  - (2) Any multifamily development of five (5) or more units; or
  - (3) Any common plan of development of five (5) or more units.
- (b) In all cases the Chapel Hill Parks and Recreation Commission shall review and make recommendations to the town council on the provision or dedication of parks and open space.
- (c) In all cases the Chapel Hill Greenways Commission shall review and make recommendations to the town council in the event that proposed development may be located on or have an impact on greenway areas identified in the town's comprehensive plan, greenway project conceptual plans adopted by the council, and/or greenway project master plans adopted by the council.



- (d) Provision or dedication of parks and open space is not required for a minor subdivision.
- (e) Phases of development within a subdivided tract that occur after the initial subdivision must provide the required parks and open space appropriate for the subsequent development of those tracts. For example, if multifamily dwellings are built within an already subdivided tract, those dwellings must comply with recreation and outdoor space ratios required for multifamily dwellings by this section.

*5.5.2. Minimum Recreation Area and Recreation Space.*

(a) *Residential subdivisions.*

This section applies to any application for subdivision approval in the zoning districts enumerated below. The minimum size in square feet of a recreation ~~area~~ space shall be derived by multiplying the gross land area of the development by the applicable ratio shown below:

Zoning district	Recreation <del>area</del> <u>space</u> ratio
R-LD5	.040
R-LD1	.050
R-1A	.061
R-1	.071
R-2A	.095
R-2	.120
R-3	.170
R-4, 5, 6 and all other nonresidential zoning districts	.218

(b) *Suitability of land.*

- (1) Land provided or dedicated as recreation ~~area~~ space shall be outside of the resource conservation district and of a character, shape and location suitable for use as a playground, playfield, or for other active recreation purposes including greenway pedestrian and non-motorized vehicle easements. Recreation ~~areas~~ spaces shall be located on land that is relatively flat and dry and is otherwise capable of accommodating active recreation uses, except as exempted under the provisions of subsections (e)(2) and (e)(3), below.
- (2) For sites that abut or include areas designated as future greenways on the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council, the town council may require that a dedicated public pedestrian and non-motorized vehicle easement along all such areas be the recreation space provided under this ordinance.
- (3) ~~Recreation areas and~~ Recreation spaces shall be conveniently accessible to all residents of the subdivision and, other than greenway pedestrian and non-motorized vehicle easements, shall have at least fifty (50) feet of frontage on at least one public street within the subdivision. Land provided or reserved for active recreation shall form a single parcel except where the town council determines that two (2) or more parcels are more suitable to the needs of a particular subdivision. The Town Council may require that such parcels be connected. In large developments it is desirable to have parks and recreation areas within walking distance of new residences.



## (c) Method of provision or dedication.

Land provided or dedicated for recreation purposes shall be designated on the subdivision's final plat(s). The town council may require that such land be dedicated to the town or other appropriate public body. If the town does not require that the land be dedicated or deeded to an appropriate public body, then the town may require that a neighborhood or homeowners' association be established for the continuing maintenance and control of common recreation area and facilities.

## (d) Payments in lieu of provision or dedication.

(1) In lieu of providing or dedicating recreation ~~area~~ space required pursuant to this section, a developer of a subdivision may, with the approval of the town council, make a payment to the town whereby the town may acquire or develop recreation land to serve the subdivision. A developer may make a partial payment in combination with the partial provision of recreation ~~area~~ space if the town council determines that the combination is in the best interests of the citizens of the area to be served.

(2) The town council may require a payment to the town in lieu of providing or dedicating recreation ~~area~~ space required pursuant to this section where the minimum recreation ~~area~~ space required by this section equals four (4) acres or less.

(3) The town shall use such payment only for the acquisition or development of recreation, park, greenways, or open space sites, as allowed by law.

(4) Payments in lieu of recreation ~~area~~ space shall be determined by the following formula:

A per square foot value of the property shall be determined, as established by Orange County and/or Durham County for real estate tax purposes. The value established by Orange County and/or Durham County shall include only the value of the land and shall not include the value of existing structures and improvements. The square foot value shall be multiplied by the number of square feet of recreation ~~area~~ space required for the development to arrive at a base value. The base value shall be multiplied by a recreation ~~area~~ space payment in lieu multiplier to determine the required amount of payment in lieu of recreation.

The payment in lieu multiplier for recreation ~~area~~ space shall be established by the town council annually as part of the budget process.

(5) The developer shall make the payment before approval of a final plat for the subdivision, provided, however, that the town manager may allow phasing of payments consistent with the approved phasing of the subdivision.

(6) In the event that a property owner successfully appeals the county valuation of the property after the payment in lieu for recreation ~~area~~ space is made to the town, and the resulting change in valuation would have reduced the amount of the payment in lieu for recreation ~~area~~ space, the town shall reimburse the developer the difference between what was paid and what would have been paid had the revised valuation been used.

## (e) Exemptions.

(1) The town council may exempt an application from the recreation ~~area-space~~ requirements in this section if the required recreation area is less than three thousand (3,000) square feet.



- (2) If the town council determines that assembling a piece of land to meet the requirements of subsection (b) either would create undue hardships or is not necessary because the active recreational needs of the subdivision are already being met by dedicated land or by existing recreation ~~areas-spaces~~, it may waive any requirements of that subsection. In such cases, the required recreational ~~area-space~~ may be used for preserving woods, steep slopes, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover. These ~~areas-spaces~~ would provide for the community's need for passive recreational areas and/or greenways.
- (3) If the site abuts or includes areas designated as future greenways on the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council, land area dedicated as a public pedestrian non-motorized vehicle easement or deeded to the town along the greenway may be applied to requirements for dedication of recreation ~~area-space~~ and exempted from the land suitability requirements of subsection (b).
- (f) Substitution of off-site land for dedicated recreation ~~area space~~.
- (1) Any subdivider required to provide or dedicate recreation ~~area-space~~ pursuant to this section may, with the approval of the town council, dedicate recreation ~~area-space~~ outside the boundaries of the land being subdivided but in a nearby area of town.
- (2) The substitute dedicated recreation ~~area-space~~ shall be in a location acceptable to the town council, shall be comparably valued, and shall meet all suitability requirements as set forth under the provisions of subsection (b), above.
- (g) Multifamily dwelling units and common plan of developments of five (5) or more units ~~Active Improved active recreation space, improved space areas~~ (either indoors or outside) shall be provided for the common active recreational use of residents of multifamily developments. For sites that abut or include areas designated as future greenways in the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council; land dedicated for a public pedestrian and non-motorized vehicle easement or deeded to the town along the greenway may be substituted for required improved active recreation space. The minimum size of such active recreation space shall be the number of square feet derived by multiplying gross land area of the development by the applicable ratio shown below.

Zoning districts	<u>Active</u> Recreation space ratio
TC-1, TC-2, TC-3	.120
CC, MU-V, MU-V-CZD	.046
N.C.	.039
OI-2	.046
OI-1	.046
I	.032
R-SS-CZD, R-6, R-5	.050
R-4	.039
R-3	.032
R-2, R-2A, R-1	.025
R-1A	.022
R-LD1	.020
All Others	.015

- (h) Payments in lieu of improved recreation space.



In lieu of providing recreation space required pursuant to this section, a developer of a multifamily dwelling or planned development may, with the approval of the town council (or planning commission if final approval is by the planning commission), make a payment to the town whereby the town may acquire or develop recreation land or greenways to serve the development. A developer may make a partial payment in combination with the partial provision of recreation space if the town council determines that the combination is in the best interests of the citizens of the area to be served.

The town council (or planning commission if final approval is by the planning commission), may require a payment to the town in lieu of providing or dedicating recreation space required pursuant to this section.

The town shall use such payment only for the acquisition or development of recreation, park, or open space sites to serve residents of the development or residents of more than one (1) subdivision or development within the immediate area. The amount of the payment shall be the product of the amount of active recreational space required, multiplied by a dollar amount established by the town council annually as part of the budget process.

The developer shall make the payment before issuance of a zoning compliance permit for the development, provided, however, that the town manager may allow phasing of payments consistent with the approved phasing of the development.

(i) Connectivity.

*Purpose statement:* The town hereby finds and determines that an interconnected system of parks, trails, greenways, and bikeways provides a greater public benefit than isolated parks with access exclusively by automobiles. Such areas can provide form to neighborhoods, a common public gathering space, and an opportunity to protect natural areas.

~~Recreation area~~ Active recreation space provided pursuant to this section shall be aligned with and shall adjoin any area designated as a park or open space area on adjoining property, including any public greenway, linear park, or similar facility. Sidewalks, trails, or similar facilities shall align with such facilities in an adjoining tract or, where adjoining tracts are unimproved, with any area designated for parks or open space in the comprehensive plan or any parks master plan adopted by the town."

**Section 12. Article 5. Design and Development Standards, Section 5.7 Tree Protection, Subsection 5.7.2 Tree Canopy Coverage Standards, Subsection (a) Minimum canopy coverage standards is revised to read as follows:**

"(a) *Minimum canopy coverage standards.* The town desires to maintain the maximum practical tree canopy cover across all land uses within the town's jurisdiction.

Tree canopy coverage standards are required for applications proposing tree removal that require council approval, including special use permits, ~~and~~ major special use permit modifications, conditional zoning district rezonings, and major conditional zoning district modifications.

For residential Neighborhood Conservation Districts, the district may request from the town council that tree protection regulations apply as per section 5.7 using a canopy coverage standard consistent with the existing neighborhood character.

When tree canopy is subject to the provisions of this section, the following minimum tree canopy coverage percentages are required within the zoning lot boundaries exclusive of public right-of-way:



Land Use	Minimum Canopy Coverage
<u>Multi-family Residential, up to four (4) units</u>	<u>40%</u>
Multifamily Residential <u>of five (5) or more units</u>	30%
Commercial (Use Group C and: Business, Office; Clinic; Funeral Home, and Hotel/Motel)	30%
Institutional (Use Group B)	40%
Mixed Use, Other	40%
All Uses in Innovative, Light Industrial Conditional Zoning District (LI-CZD)	20%

**Section 13. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.5 Parking Design Standards is revised to read as follows:**

"All parking areas shall meet the following minimum design requirement:

(a) Ingress to and egress from parking areas shall conform to the design manual for such features as curbs, driveway cuts, etc.

(b) In the town center, TND or TOD districts, if a setback is provided between a principal structure and a street, such setback shall not be used for off-street parking.

(c) All parking spaces and maneuvering space shall be surfaced with an all-weather material or gravel, which shall be maintained in a safe and sanitary condition. This division (c) does not apply to parking areas that are not within the front yard area of a single-family zoning lot.

(d) No parking area or maneuvering space shall be located within a public street right-of-way. Parked vehicles in off-street parking spaces shall be prevented from intruding on travel lanes, walkways, public streets, or adjacent properties by means of walls, curbs, wheel stops, or other appropriate means.

(e) The size of parking spaces shall be adequate for the safe parking of vehicles and maneuvering space shall be provided so that parking movements can be accomplished in one continuous maneuver. Parking facilities designed to accommodate five (5) or more vehicles shall be designed in accord with the standards for stalls and aisles as set forth in the standard details and specifications.

(f) Curbed islands shall be required at the ends of or between parking aisles where necessary for traffic control or drainage control.

(g) Except for single-family dwellings, ~~single-family dwellings with accessory apartments~~ or two-family dwelling units, parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter adjacent streets in a forward manner.



(h) Parking facilities shall be designed to connect with parking facilities on adjacent zoning lots where appropriate to eliminate the need to use the abutting street(s) for cross movements.

(i) All off-street parking facilities shall be provided with a drainage system meeting the design standards contained in section 5.4.

(j) All lighting of and within parking facilities shall conform to the lighting design standards contained in [section 5.11](#).

(k) Adequate provision shall be made for the ventilation, dispersion, and removal of smoke and gases from above-ground and below-ground parking structures.

~~(l) Parking facilities designed to accommodate five (5) or more vehicles shall provide areas as necessary for the parking of motorcycles, mopeds, and bicycles. Such areas shall be clearly defined and reserved for the exclusive use by motorcycles, mopeds, and bicycles.~~

(~~m~~ l) Parking facilities designed with the appropriate number, size and type of handicapped parking spaces, ramps, crosswalks and associated infrastructure to comply the Americans With Disabilities Act standards, North Carolina Accessibility Code, and town standard. Such spaces shall be clearly defined and reserved for the exclusive use by handicapped persons.

(~~n~~ m) Parking facilities shall be designed with walkways and lighting to facilitate safe walking movements to and from parked vehicles."

**Section 14. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements is amended to add revise the rows Dwelling, single family with and Dwelling, Duplex\*\* or multi-family, and revise the footnotes to read as follows:**

Use	Vehicular Parking				Bicycle Parking
	Town Center Zoning Districts	Non-Town Center Zoning Districts*			
	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
Dwelling, single-family with accessory apartment	1 per Accessory Apartment bedroom constructed after <del>[effective date]</del> <u>November 23, 2015</u>	N/A	1 per Accessory Apartment bedroom constructed after <del>[effective date]</del> <u>November 23, 2015</u>	N/A	N/A



Use		Vehicular Parking				Bicycle Parking
		Town Center Zoning Districts		Non-Town Center Zoning Districts*		
		Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
"Dwelling units, Duplex Two-Family** or multi-family"	Efficiency	N/A	1 per dwelling unit	1 per dwelling unit	1.25 per dwelling unit	1 per 4 dwelling units
	1 bedroom	N/A	1 per dwelling unit	1 per dwelling unit	1.25 per dwelling unit	
	2 bedrooms	N/A	1.25 per dwelling unit	1.4 per dwelling unit	1.75 per dwelling unit	
	3 bedrooms	N/A	1.5 per dwelling unit	1.75 per dwelling unit	2.25 per dwelling unit	
	4 or more bedrooms	N/A	1.67 per dwelling unit	2 per dwelling unit	2.5 per dwelling unit	

\*\* Minimum vehicular and bicycle parking requirements shall not apply for uses located within the Office/Institutional-3 or Office/Institutional-4 Districts.

~~\*\* For a duplex two-family dwelling units, please see Article 6. no minimum vehicular parking requirement shall apply and for the purposes of calculating the maximum number of vehicular parking spaces, garage spaces and the driveway are not to be counted.~~

\*\*\* See section 4.11 Bicycle Parking in the Town of Chapel Hill 2005 Design Manual.

Note: The minimum number of parking spaces required for elderly or handicapped dwellings may be reduced to one (1) per two (2) dwelling units upon findings made by the town council that (1) reasonable assurances exist that the dwelling units



served by the parking spaces will be maintained for occupancy by the elderly or handicapped and/or (2) that sufficient space exists on the property to ensure that should the units be converted to another form of occupancy or use, that sufficient parking can be provided on the site to satisfy the parking requirements of the new use, without violating the land use intensities of Table 3.8-1.

In the case of a use not listed above, the minimum and maximum bicycle and vehicular parking space requirements shall be determined by the town manager. In making such determinations, the town manager shall be guided by the requirements for similar uses, the number and kind of bicycles and vehicles likely to be attracted to the use, and studies of minimum parking space requirements for such use in other jurisdictions.

Minimum vehicular parking requirements for an individual site may be reduced by the town council in the context of a special use permit approval, or the planning commission in the context of a site plan review approval, if evidence is submitted to demonstrate and the town council, or planning commission, finds that:

- (a) Sidewalks, bicycle facilities, transit service and transit amenities are in place such that, together with the number of vehicular parking spaces that are proposed, transportation needs are adequately served; or
- (b) The particular use that would be specified in the special use permit is of a nature that generates lower-than-average trips, and that the special use permit would limit use of the property to what is specified; or
- (c) Arrangements for shared parking with nearby facilities is ensured."

**Section 15. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.9 Parking in Front Yards is revised to read as follows:**

**"5.9.9. Parking in Front Yards.**

(a) *Applicability.* The restrictions of this section shall apply to single-family, and two-family ~~and triplex~~-dwelling units in all zoning districts.

(b) *Generally.* Parking and drive areas located in front yards (between the street and a line drawn parallel to the street from the point of the house that is closest to the street) shall be maintained in a safe and sanitary condition, shall not contribute to soil erosion or to tree damage, and shall be clearly designated and covered with an all weather surface or gravel.

(c) *Coverage.* Parking and drive areas shall be limited to forty (40) percent of the front yard area of any zoning lot. Access to front yard parking shall be limited to properly approved curb cuts or other approved access points.

Single- and two-family residential driveway areas can be further reduced by:

- (1) Constructing shared driveways with a recorded shared access agreement between any pair of lots
- (2) Designing driveways as a ribbon driveway:
  - A. Each strip shall be two feet (2') to three feet (3') wide with a separation between the strips measuring three feet (3').



- B. Strips can terminate at the sidewalk or driveway apron, to a parking pad at the side or rear of the structure to accommodate side-by-side parking, or garage entry.
- C. Separation strips may be planted with grass or another ground cover, filled with landscaping rocks, or gravel.

(d) *Exceptions.* The town manager may grant an exception to subsection (c) where he/she finds all of the following conditions to exist on the property and all other parking options, including parking in the back and side yard, have been eliminated;

- (1) The parking area is clearly defined and/or marked with appropriate materials such as rocks, timbers and hedges; and
- (2) The parking area is maintained in a safe and sanitary condition; and
- (3) The parking area does not contribute to soil erosion or tree damage; and
- (4) Access to front yard parking shall be limited to properly approved curb cuts or other approved access points; and
- (5) The location and dimension of such parking area is traditionally and customarily associated with the subject structure; and
- (6) The parking area shall be screened by means of an effective screening device between the parking area and the street which is at least four (4) feet in height above the grade of the edge of the parking area. Appropriate screening devices may include decorative brick walls, fences, evergreen hedges which shall reach the required height within two (2) years of planting, or any combination of the above.
- (7) If the parking lot is located in the historic district, the historic district commission grants a certificate of appropriateness for the parking area."

**Section 16. Article 5-Design and Development Standards, Section 5.10 Disability Access is revised to read as follows:**

**"5.10. Disability Access.**

Except for single-family and two-family ~~dwellings~~ developments, all buildings and facilities shall be accessible to and usable by the physically handicapped in accordance with the building code provisions contained in chapter 5 of the Town Code of Ordinances."

**Section 17. Article 5-Design and Development Standards, Section 5.11 Lighting Standards, Subsection 5.11.6 Submittals are revised to read as follows:**

**"5.11.6. Submittals.**

Each application for a zoning compliance permit for development other than a single-family, single family with accessory apartment, ~~or duplex~~ or two-family dwelling units shall include a lighting plan that shows existing and proposed lighting fixture types and locations. The plan shall indicate, by isolux contour diagram and grid points, the measured and calculated pre-development and post-development foot-candles at grade both on the development site and on adjacent property where lighting impacts are expected. The lighting plan must be sealed by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist who is lighting certified (LC) by NCQLP (National Town Council on Qualifications for the Lighting Professions)."



**Section 18. Article 5-Design and Development Standards, Section 5.19 Jordan watershed stormwater management for new development, Subsection 5.19.7 Design and Performance Standards for Stormwater Management, Subsection (c) is revised to read as follows:**

“(c) Partial offset of nutrient control requirements. Before using offsite offset options, a development subject to this section shall attain a maximum nitrogen loading rate onsite of six (6) pounds per acre per year for single-family, ~~single-family with accessory apartment,~~ and duplex ~~two-family~~ residential development and ten (10) pounds per acre per year for other development, including multi-family residential, commercial and industrial and shall meet all requirements for structural best management practices otherwise imposed by this section. A person subject to this section may achieve the additional reductions in nitrogen and phosphorus loadings by making offset payments to the North Carolina Ecosystem Enhancement Program (program) contingent upon acceptance of payments by that program. An applicant may propose other offset measures, including providing his or her own offsite offset or utilizing a private seller. All offset measures permitted by this section shall meet the requirements of 15A NCAC 02B.0273(2) through (4) and 15A NCAC 02B.0240.”

**Section 19. Article 6-Special Regulations for Particular Uses, Section 6.19 Dwelling Units-Duplex is revised to read as follows:**

“6.19. Dwelling units—~~Duplex Two-Family.~~

~~The following standards shall apply to development of duplexes:~~

~~(a) The maximum floor area of the structure may not exceed three thousand (3,000) square feet.~~

~~(b) The maximum floor area ratio applicable shall be .40.~~

~~(c) No more than four (4) vehicular parking spaces, as defined by landscaping and hardscape materials, shall be permitted.~~

~~(d) For special use permit, special use permit modification site plan review, and site plan review applications which authorize construction of dwelling units, two-family—duplex use, the community design commission shall approve duplex building elevations and site plans to determine if the elevations are in accordance with the adopted design guidelines and if all property owners included in such an application voluntarily consent to such regulation.~~

~~Every application for community design commission review of duplex structure(s) that are approved by a special use permit, site plan review, or said modifications, shall include a list of owners of properties located within one thousand (1,000) feet of the subject property boundaries with the full name and address of each property owner, with stamped, pre-addressed mailing envelopes for each owner on the mailing list. The stamped, pre-addressed envelopes shall be used to notify the property owners of the meeting date and time during which the community design commission will consider the application.~~

6.19.1 Single-Family Dwelling Unit with Accessory Apartment The following standards shall apply to the development of accessory apartments:

(a) An accessory apartment shall be located on the same lot as the single-family dwelling to which it is an accessory use.

(b) Size: An accessory apartment shall have a floor area limit of:



- (1) No more than 75% of the floor area of the primary structure when the primary structure is less than or equal to 1,300 square feet; and
- (2) No more than one thousand (1,000) square feet when the primary structure is greater than 1,300 square feet; or
- (3) The Planning Director may grant an exception to the maximum floor area when the accessory apartment is:
  - A. Within an existing structure and does not increase the existing footprint of the structure (principal dwelling unit, garage, or other existing, standalone structure on the property)
  - B. The accessory apartment is contained with one (1) floor, with the exception of any necessary access points.
  - C. The accessory apartment does not exceed one-third the floor area of the primary dwelling unit.
- (c) Height: The maximum height of a detached accessory structure in R- zoning districts shall be twenty-nine (29) feet or the height of the primary structure, whichever is less.
- (d) Only one accessory apartment per single family lot is permitted.
- (e) Together, the principal dwelling unit and the accessory apartment shall be classified as a rooming house (a different use type and group) if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.

#### 6.19.2 Single-Family Dwelling Unit with Cottage

The following dimensional standards shall apply to the development of single-family dwelling unit with cottage:

<b><u>Lot Dimensions</u></b>	
<u>Minimum Lot Size</u>	<u>Minimum lot size required by the zoning district + 2,700 square feet</u>
<b><u>Cottage Dimensions</u></b>	
<u>Maximum Footprint</u>	<u>1,000 square feet</u>
<u>Maximum Floor Area</u>	<u>1,200 square feet</u>
<u>Maximum Height</u>	<u>29 feet</u>
<u>Building Separation from single-family dwelling</u>	<u>Separation between dwelling units shall comply with Fire Code</u>
<u>Parking</u>	<u>Max. 1 space per bedroom</u>

No more than one cottage per lot or per townhouse development is permitted.

Maximum dimensions of the single-family dwelling shall be per underlying zoning.

#### 6.19.3 Two-Family Dwelling Units, Attached and Detached



The following dimensional standards shall apply to the development:

<b><u>Lot Dimensions</u></b>	
<u>Minimum Lot Size</u>	<u>Follows underlying zoning</u>
<b><u>Building Dimensions</u></b>	
<u>Maximum Floor Area Ratio</u>	<u>0.40, when lot size is 7,500 square feet or less</u>
<u>Maximum Floor Area</u>	<u>3,000 square feet when the lot size is greater than 7,500 square feet</u>
<u>Building Separation (Applies only to Detached Dwellings)</u>	<u>Separation between dwelling units shall comply with Fire Code</u>
<u>Parking</u>	<u>No more than four (4) vehicular parking spaces, as defined by landscaping and hardscape materials, shall be permitted on site.</u>

#### 6.19.4 Additional Requirements

- (a) Driveway Design. Where feasible, driveways shall be shared with a recorded shared access agreement for any pair of townhouse lots.
- (b) Designation on Plat. Townhouse developments containing a single-family dwelling with cottage shall specify the housing type and associated limitations.
- (c) Existing Buildings. Property owners are encouraged to utilize existing structures over demolishing existing structures.
- (d) Utilities. Two-family developments shall meet the requirements of Section 5.12 Utilities.
- (e) Neighborhood Conservation Districts. Two-family developments shall not be permitted in any neighborhood conservation districts that do not otherwise allow for single-family with accessory apartment or duplexes."

### **Section 20. Article 6-Special Regulations for Particular Uses, Section 6.26 Triplex dwelling unit is revised to read as follows:**

#### **"6.26 Triplex dwelling unit. Three- and four-family multi-family Dwelling Units**

##### 6.26.1. Special Requirements in the HR-L and HR-M Subdistricts

1. ~~Triplex~~ Three-family projects in the HR-L and HR-M Subdistricts shall only be permitted from nonprofit tax exempt organizations involving permanent residential development in which annual documentation is provided that 100% of the dwelling units will be occupied by low-moderate income households (less than 80% of area median income by households size as defined by the Department of Housing and Urban Development) in perpetuity.

##### 6.26.2 Other Development Standards:

###### (a) Parking & Driveway Standards

- (1) Driveways shall be located at least 2.5 feet from the side and rear lot lines, unless a shared driveway is provided between two adjoining properties.



- (2) Surface parking lots shall be located to the rear or side of the dwelling(s).
- (3) ~~(2)~~ The separation between detached dwelling units shall meet Fire Code requirements.
- (b) Existing Buildings. Property owners are encouraged to utilize existing structures over demolishing existing structures.
- (c) Connectivity. New three- and four-family dwelling units shall enhance existing transportation networks by:
  - (1) Constructing sidewalks that connect to the adjacent sidewalk system
  - (2) Continuing bike lanes, greenways, and other multi-modal paths along the frontage of the property.
  - (3) Utilities. Three- and four-family dwelling units shall meet the requirements of 5.12 Utilities."

**Section 21. Article 7-Nonconformities, Section 7.3-Nonconforming uses, Subsection 7.3.2 Regulations is hereby amended to read as follows:**

**"7.3. Nonconforming uses.**

*7.3.1. Definition.*

A nonconforming use is a use of land, buildings, or structures that was lawfully established (or for which a vested right had been established) on a property prior to the effective date of current use regulations, but does not conform to the use regulations of article 3 for the zoning district in which it is located.

*7.3.2. Regulations.*

A. Two-family dwelling, attached units (duplex)

Two-family dwelling, attached units existing or for which a vested right has been established as of October 21, 2002, may be expanded subject to two-family dwelling, regulations pursuant to section 6.19 or applicable neighborhood conservation district regulations and shall not be considered as a nonconforming use as defined herein.

B. Three- and four-family dwelling, attached units

Three- and four-family dwelling, attached units existing or for which a vested right has been established as of [Effective Date of Ordinance], may be expanded subject to regulations pursuant to section 6.26 or applicable neighborhood conservation district regulations and shall not be considered as a nonconforming use as defined herein.

C. All Other Nonconforming Uses~~Two-family duplex dwelling units existing or for which a vested right has been established as of October 21, 2002, may be expanded subject to duplex regulations pursuant to section 6.19 of the [Land Use Management] Ordinance or applicable neighborhood conservation district regulations and shall not be considered as a nonconforming use as defined herein. Nonconforming uses, other than those identified above~~two-family duplex dwelling units may be continued subject to the following limitations:

- (1) ~~(a)~~ No nonconforming use shall be extended, expanded, enlarged, or moved to occupy a different or greater area of land, buildings or structures than was occupied by such use at the time it became nonconforming, provided that a nonconforming use may be extended throughout any parts of a building which



were specifically designed and arranged for such use at the time it became nonconforming.

- (2) (b) No building structure devoted to a nonconforming use shall be enlarged, extended, or moved unless such building or structure is thereafter devoted to a conforming use.
- (3) (c) If a nonconforming uses ceases for more than ninety (90) consecutive days or a total of one hundred and eighty (180) days in any twelve-month period, subsequent use of the land, or structures previously devoted to such use shall thereafter be devoted to conforming uses."

**Section 22. Appendix A Definitions is hereby revised amending, inserting, and deleting the following definitions in the appropriate alphabetical order:**

"Condominium: A dwelling or group of dwellings containing two (2) or more individually-owned dwelling units and jointly owned and shared areas and facilities on a single lot that are subject to the North Carolina Unit Ownership Act (G.S. Ch. 47A) and/or the North Carolina Condominium Act (G.S. Ch. 47C)."

"Common Plan of Development: Any area where multiple separate and distinct construction or land-disturbing activities will occur under one (1) plan. This includes, but is not limited to, development occurring on contiguous parcels of land. A plan is any announcement or piece of documentation including, but not limited to, a sign, public notice or hearing, advertisement, loan application, drawing, permit application, zoning request, or computer design; or physical demarcation including, but not limited to, boundary signs, lot stakes, or surveyor markings indicating that construction activities may occur on a specific plot."

"Dwelling units, multifamily: A dwelling or combination of dwellings on a single lot ~~or on~~ individual lots within a townhouse development consisting of three (3) or more dwelling units."

~~"Dwelling units, single-family with accessory apartment: A dwelling or combination of dwellings on a single zoning lot consisting of two (2) dwelling units, for which: A type of two-family dwelling in which a secondary dwelling unit is established in conjunction with and clearly subordinate to the primary single-family dwelling unit, whether part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.~~

~~(1) Accessory (attached or not attached) apartments have a floor area limit of no more than seven hundred fifty (750) square feet or seventy five (75) percent of the floor area of the principal dwelling unit (whichever is smaller), except as provided in the next sentence.~~

~~(2) The floor area of an attached accessory apartment may exceed the aforementioned floor area limit of seven hundred fifty (750) square feet and be up to one thousand (1,000) square feet of floor area only if both of the following conditions are met: a) an attached accessory apartment does not increase the existing footprint of the structure (principal dwelling unit, garage or other existing, standalone structure on the property) to which it would be attached; and b) the attached accessory apartment does not exceed seventy five (75) percent of the floor area of the principal dwelling unit.~~

~~(3) Together, the principal dwelling unit and the accessory apartment that are part of a two-family dwelling shall be classified as a rooming house (a different use type and group)~~



if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, single-family with cottage:* A type of two-family dwelling in which a secondary detached dwelling unit having a floor area of no more than 1,200 square feet is constructed in conjunction with the primary single-family dwelling unit on the same lot or within the same townhouse development. Any cottage dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, three-family:* A dwelling or combination of dwellings comprised of three (3) dwelling units located on a single lot or within a single townhouse development. Dwelling units may be attached or detached. Attached dwelling units shall share common vertical walls or horizontal floors/ceilings. Any dwelling unit that is part of a three-family, multi-family dwelling(s) shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, four-family:* A dwelling or combination of dwellings comprised of four (4) dwelling units located on a single lot or within a single townhouse development. Dwelling units may be attached or detached. Attached dwelling units shall share common vertical walls or horizontal floors/ceilings. Any dwelling unit that is part of a three-family, multi-family dwelling(s) shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, two-family:* A dwelling or combination of dwellings on a single lot consisting of two (2) dwelling units. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, two-family—Attached (Duplex):* A single dwelling consisting of two (2) dwelling units (other than a ~~"two-family dwelling including single-family with accessory apartment or cottage"~~), provided the two (2) dwelling units are connected by or share a common floor-to-ceiling wall, or, if the two (2) units are arranged vertically, that they share a common floor/ceiling and not simply by an unenclosed passageway (e.g., covered walkway). Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, two-family—Detached:* Two detached dwelling units (other than a ~~"single-family with accessory apartment or cottage"~~) on a single lot or within a single townhouse development. Any dwelling unit that is part of a two-family detached dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, single-family:* A detached dwelling consisting of a single dwelling unit only. A single-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Recreation area-space:* Any land required to be dedicated under the subdivision provisions of article 5.5. These areas may be improved with recreation amenities at the time of



development, however in most cases recreation areas are generally left unimproved during the initial development of the subdivision.

Land dedicated as recreation ~~area~~ space shall generally be suitable for future recreation improvements such as playgrounds, playfields, or other active recreation purposes. Recreation ~~areas~~ space, in most cases, shall be centrally located within the subdivision, consist of land that is relatively flat and dry, and is otherwise capable of accommodating active recreation.

The town council may waive suitability requirements in order to preserve greenway corridors or other important natural areas."

"*Recreation space (active)*: Any interior or exterior space or facility, improved for active recreation purposes, required to be dedicated under the ~~multifamily development~~ provisions of article 5.5. These areas are improved with recreation amenities at the time of development.

All recreation space amenities must adhere to requirements of the Americans with Disabilities Act.

Recreation space shall be improved with recreation facilities designed for active play. All recreation space improvements must be built or installed using standards generally accepted for each type of amenity. Examples of active play facilities include:

- Playgrounds utilizing commercial grade play equipment and adhering to national safety standards for play equipment and fall surfaces.
- Ballfields and athletic fields designed and built for active recreation. Such fields must be properly graded and have appropriate turf, goals, sub-drainage, benches, and other amenities commonly required for the intended sport. Unimproved open grass areas are not considered to be athletic fields.
- Basketball courts installed with regulation goals and in hard surface court areas large enough to sustain regulation play. Half courts are acceptable. Basketball goals installed in a street or parking lot are not acceptable.
- Swimming pools and bathhouses
- Tennis courts
- Community gardens appropriately designed and constructed with at least five (5) percent of the garden area consisting of raised beds for handicap users, a source of water throughout the garden area, storage area for tools, handicap accessibility, and access for maintenance.
- Clubhouses intended to be owned by a homeowners' association and operated for the recreation needs of the community.
- Exercise rooms within an apartment, condominium, or other such building intended to be used by the residents for recreation purposes.
- Ponds improved to support fish, stocked with fish, and improved to allow fishing access by persons with disabilities.
- Roof top running tracks
- Paved Greenway Trails
- Unpaved Greenway Trails of a length that provides a meaningful recreation experience. Generally, three thousand (3,000) linear feet or longer."

"Recreation space (passive): Any exterior space or facility, improved for passive recreation purposes. These areas may be improved with recreation amenities at the time of development or may be undeveloped areas.

Examples of facilities which are ~~not~~ considered active passive in nature include:



- Open lawn areas
- Large expanses of unimproved space between or around active recreation elements
- Picnic tables and picnic facilities
- Seating areas
- Areas dedicated to lawn games such as badminton, croquet, lawn darts, horseshoes, etc.
- Areas dedicated to table top board games
- Gardens not improved for active gardening by the community
- Orchards

The town council may allow up to thirty (30) percent of the recreation space to consist of passive recreation elements if they are located adjacent to and support the more active recreation elements. For example, some picnic facilities, seating, and lawn games could be counted if they are adjacent to a children's play area and support the mission of the play area.

The town council may waive suitability requirements in order to preserve greenway corridors or other important natural areas."

*"Structure, accessory:* A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Examples of accessory structures are fencing, decks, gazebos, arbors, retaining walls, barbecue pits, detached chimneys, playground equipment, yard art, docks, piers, etc."

*"Townhouse development:* A development of a zoning lot that consists of two (2) or more attached or detached dwelling units or buildings, each of which is located on its own individual lot within a single uninterrupted perimeter boundary enclosing all of the lots. ~~plus~~ When such development contains three (3) or more individual lots, there shall be land developed and designated for the common use and benefit of the occupants of the townhouse lots, provided an entity is designated to be legally responsible for maintenance and control of the common land areas. ~~The gross land area of the commonly held land shall be not less than ten (10) percent of the zoning lot's total gross land area.~~ The individual lots within a townhouse development shall not be required to meet the lot design standards of article 3 or the intensity regulations of section 3.5, provided the zoning lot containing the townhouse development meets such standards."

~~*"Triplex dwelling unit:* A single structure comprised of three (3) dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot."~~

**Section 23.** This ordinance is effective upon enactment.

This the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2023.



**RESOLUTION B**

**(Denying the Land Use Management Ordinance Text Amendment Proposal)**

**A RESOLUTION DENYING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 1, 3, 4, 5, 6, 7, AND APPENDIX A REGARDING HOUSING REGULATIONS AND HOUSING CHOICES FOR A COMPLETE COMMUNITY (2023-\_\_-\_\_ /R-#)**

WHEREAS, the Council called a Hearing for the May 24, 2023, Council meeting to amend Articles 1, 3, 4, 5, 6, 7, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to housing regulations and expanded housing choices; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 1, 3, 4, 5, 6, 7, and Appendix A related to housing regulations and expanded housing choices, and finds that the amendments are not reasonable and in the public's interest and are not warranted to achieve the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposed Land Use Management text amendments.

This the \_\_\_\_ day of \_\_\_\_\_, 2023.





## Town of Chapel Hill

# Market Impact of Proposed Duplex Ordinance in R1, R2, & R3

May 24th, 2023





# EXECUTIVE SUMMARY

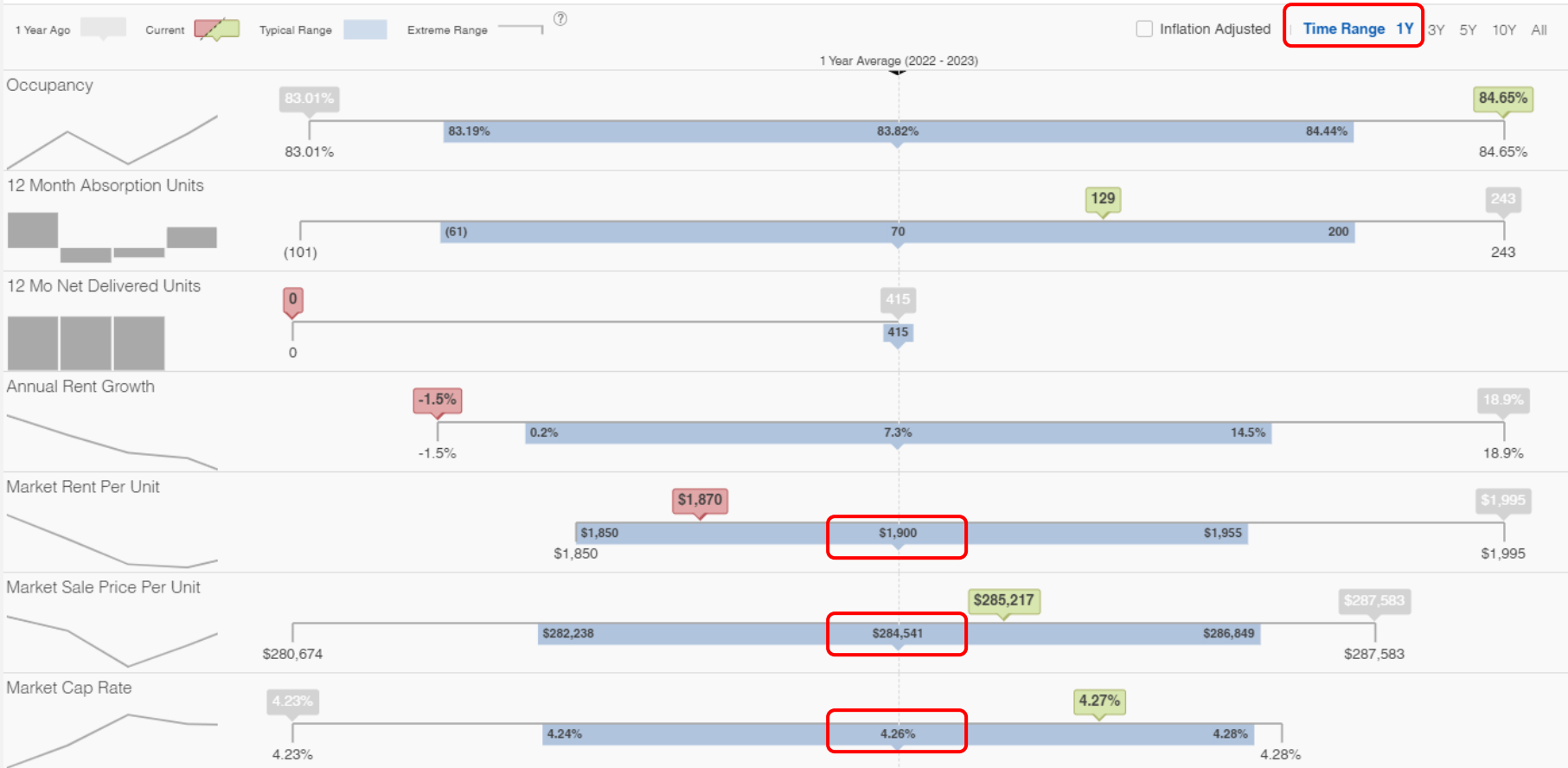
- By examining current metrics in the Chapel Hill Class A multifamily market, along with an existing analog of Class A duplexes (The Townhomes at Chapel Watch Village), we were able to build a back of the envelope proforma for a new construction duplex. Metrics included: unit size, unit rent, operating expenses, and exit sales cap rate.
- Cost inputs for the proforma were provided from local builder/developers of this product type, and include soft costs, hard costs, and return on cost margins.
- We asked the local builder/developers for target land prices as a % of total development costs for this product, but also ran the proforma to solve for supportable land costs given the local market metrics.





# CURRENT RENTAL MARKET

## Key Performance Indicators



**SOURCE: Costar for Class A market rate MF properties within Town of Chapel Hill**





# CURRENT TOWNHOME RENTAL IN MARKET EXAMPLE



- **120-unit townhome community built in 2011**
- **Fully amenitized with pool, clubhouse, fitness center, playground, etc.**
- **All two and three bedrooms**
- **Most with 1-2 car garages**
- **Average rent \$2,426 on 1,475 SF**



**SOURCE: Costar & Northwood Ravin**





# NEW CONSTRUCTION RENTAL DUPLEX FINANCIAL MODEL

- \$60,000 average site, permit, impact, landscaping/hardscaping costs
- \$175-200 per SF average vertical construction costs
- \$90,000 average soft costs – design, engineering, legal, finance costs, contingency, etc.
- Land typically 10-15% of total development budget

Unit Size	1,475		
Rent per Unit	\$2,600		
\$/SF	\$1.76		
Units on Site	2		
Total Gross Monthly Rent	\$5,200		
% Operating Expenses	30%		
Annual Net Operating Income (NOI)	\$43,680		
CAP Rate	4.25%		
Value	\$1,027,765		
Margin	5.75%		
Supportable Dev. Budget	\$759,652		
Est. Hard Costs	\$175	\$516,250	78%
Est. Site Costs	\$20	\$59,000	9%
Est. Soft Costs	\$30	\$88,500	13%
		\$663,750	
Remaining for Land		\$95,902	13%

SOURCE: NCG and local Chapel Hill builder/developer interviews



# NEW CONSTRUCTION DUPLEX IMPACT ON EXISTING SINGLE-FAMILY

- Can only support land costs of \$90-100,000
  - Will not result in tear-downs
  - Will not drive home prices up
- New construction duplexes at current market rents have a value of \$513,000
  - Median sales price in Chapel Hill last month = \$515,000
- Professional leasing & management will require 2.5-3.0 times rent in household income to qualify
  - $\$2,600 * 2.5 * 12 \text{ months} = \$78,000$  minimum annual household income
  - Median Chapel Hill household income in 2021: \$77,037
- On average the value and demographic of the duplex/renter is equal to the for-sale homes/homeowner therefore we anticipate no value drop to neighboring single-family homes in most locations
  - If duplexes were built adjacent to homes with an existing value of significantly above \$515,000, and the design/quality was noticeably inferior, some value loss may occur, but we believe it would be very minimal

SOURCE: NCG, US Census, Redfin



# WILL NEW DUPLEXES INCREASE STUDENT RENTERS?

- Based on the current market metrics we believe new duplex units would rent for \$2,600+
- This rent would also need to substantially increase if the land costs were higher than the \$90-100,000 target previously mentioned.
  - A \$200,000 lot (more typical in Chapel Hill) would require duplexes to rent for \$3,000+
- Majority of these units would be three bedrooms and thus demand \$1,000/month per bedroom if student roommates.
- New student housing developments in the market, such as Union Chapel Hill, average \$1,300 - 1,700/bedroom which included utilities and furniture.





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 17., **File #:** [23-0459], **Version:** 1

**Meeting Date:** 5/24/2023

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**Close the Legislative Hearing and Consider a Conditional Zoning Application for UNC Health Eastowne.**

**Staff:**

Britany Waddell, Director  
Judy Johnson, Assistant Director  
Tas Lagoo, Senior Planner

**Department:**

Planning

See Summary Report on the next page.

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

**PRESENTER:** Tas Lagoo, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Legislative Hearing
- g. Motion to adopt the Resolution of Consistency and Reasonableness
- h. Motion to enact an Ordinance to rezone the property

**RECOMMENDATION:** That the Council adopt Resolution A and enact Revised Ordinance A, approving the Conditional Zoning Application.





## CLOSE THE LEGISLATIVE HEARING AND CONSIDER A CONDITIONAL ZONING APPLICATION FOR UNC HEALTH EASTOWNE (PROJECT #CZD-22-7)

### SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Britany Waddell, Director  
 Judy Johnson, Assistant Director  
 Tas Lagoo, Senior Planner

<b>PROPERTY ADDRESSES</b> 100, 200, 300, 500, 600, 700, 800, 901 and 998 Eastowne Drive	<b>MEETING DATE</b> May 24, 2023	<b>APPLICANT</b> McAdams on behalf of Health System Properties LLC (Property Owner)
<b>TOWN MANAGER'S RECOMMENDATION</b> That the Council 1) close the legislative hearing, 2) adopt the Resolution of Consistency and Reasonableness, and 3) enact the Ordinance approving the Conditional Zoning application.		
<b>UPDATES SINCE THE APRIL 19, 2023, LEGISLATIVE HEARING</b> <ul style="list-style-type: none"> <li>• <b>Development on the Northern 20:</b> Construction of a parking structure on the Northern 20 shall only be authorized by the Town Manager upon demonstration of parking demand. If the deck is needed, efforts will be made to minimize impacts and to shift the construction site close to the US 15-501 and Eastowne Drive intersection.</li> <li>• <b>Community Benefits:</b> Includes a \$5 million contribution to support the creation of a loan fund supporting acquisition, preservation, and creation of affordable housing for a twenty (20) year term. Further refinement of this condition is anticipated prior to the Council meeting.</li> <li>• <b>Green Building Standards:</b> The property owner proposes all buildings designed to meet the more stringent of either (1) the North Carolina adopted energy code or (2) 20 percent better than the 2016 published version of ASHRAE 90.1.</li> <li>• <b>EV Parking:</b> The property owner shall provide a minimum of two percent of the parking spaces with EV charging stations and a minimum of 25 percent of the spaces to be "EV-capable."</li> <li>• <b>Project Phasing:</b> The property owner will be required to apply for the first Zoning Compliance Permit (ZCP) within 5 years of the approval of this Conditional Zoning District.</li> <li>• <b>15-501 Pedestrian Crossing:</b> Subject to NCDOT approval, the property owner will enhance pedestrian crossings at the southern Eastowne Drive/US 15-501 intersection.</li> <li>• <b>Urban Design Review:</b> The Town's Urban Designer has provided some comments on the proposed Eastowne streetscape summarized in the Technical Report.</li> </ul>		
<b>ZONING</b> <i>Existing:</i> Office/Institutional-3 (OI-3); Office/Institutional-2 (OI-2); Mixed Use-Office/Institutional-1 (MU-OI-1) <i>Proposed:</i> Office/Institutional-3-Conditional Zoning District (OI-3-CZD)	<b>PROCESS</b> Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address impacts on surrounding properties.	
<b>DECISION POINTS</b> <i>Modifications to Regulations:</i> The property owner requests modifications to regulations related to the following: <ul style="list-style-type: none"> <li>• RCD buffers and dimensional regulations</li> <li>• Steep slopes</li> <li>• Parking maximums and bicycle minimums</li> <li>• Floor Area Ratio</li> <li>• Buffer along Eastowne Drive</li> <li>• Maximum size of signs</li> <li>• Requirements for the "district-specific plan"</li> <li>• Staff authorization of minor modifications</li> </ul>	<b>PROJECT OVERVIEW</b> UNC Health proposes to construct multiple healthcare-related buildings (totaling approximately 1.1 million square feet) and several parking decks to create a new medical campus along Eastowne Drive. Construction of a new medical office building ("MOB 2") adjacent to the recently completed MOB 1 is slated to begin as soon as possible. Development of the remainder of the site is expected to proceed at a tempo	



**PROJECT LOCATION**

of roughly 1 new building every 3-5 years, with full buildout over at least 25 years.

The project site includes two parts. The approximately 30-acre "Inner Loop" is bounded by Eastowne Drive and US 15-501 and will host the majority of development on the site. The approximately 20-acre "Northern 20" lies between Eastowne Drive and Interstate 40. Approximately half of the Northern 20 will be placed in a permanent conservation easement and the remainder may be used to construct a parking garage during the final phase of development in the Inner Loop.

Transportation Impact Analyses were completed to determine the short-term impacts of MOB 2 and to understand potential impacts of the full development. Subsequent TIAs will be completed with each phase of development.

Prior to completion of MOB 2, UNC Health will make several improvements to and along Eastowne Drive between US 15-501 and Old Sterling Drive.

**ATTACHMENTS**

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Resolution A, Resolution of Consistency and Reasonableness
4. Ordinance A, Approving the Application
5. Resolution B, Denying the Application
6. Draft Applicant Presentation
7. Applicant Materials
8. Traffic Impact Analysis and Sensitivity Analysis
9. Plan Sheets





# TECHNICAL REPORT

## UPDATES SINCE THE APRIL 19, 2023, LEGISLATIVE HEARING

1. ***Development on the Northern 20:*** Concern was raised over the proposed construction of a parking garage on the Northern 20 acres. As shown, the property owner is proposing preservation of approximately 10 acres, or 50 percent, of the Northern 20. Some Councilmembers noted that a parking garage should only be allowed as a last resort.

The property owner and Town staff have explored other options to consider. The following conditions have been included in Revised Ordinance A and included in Revised Ordinance A:

Parking Spaces: A total ratio of 4.5 vehicular parking spaces per 1,000 sf of building area are authorized for construction within the Inner Loop (approximately 4,000 spaces). A maximum 1,200-space parking structure, to be located on the Northern 20, shall be subsequently authorized by the Town Manager upon demonstration that the need for additional parking exists.

If peak hour utilization of the vehicular parking spaces exceeds 80 percent of the capacity, a parking structure to provide the additional parking necessary to meet the overall demonstrated need for the Eastowne development shall be approved by the Town Manager on the Northern 20.

Parking Structure on Northern 20: The property owner shall investigate the option of moving the proposed parking structure closer to US 15-501 on the Northern 20. This location will require impacts to the Jordan Buffer, Resource Conservation District and intermittent stream. Access to the deck off from Eastowne Drive will be reviewed and approved by NCDOT and the Town. Current permitting requirements, at a minimum, include approvals from the Town of Chapel Hill (Jordan Buffer & RCD), US Army Corp of Engineers (wetlands), NCDENR-DWR (stream) and NCDOT (access). Any RCD encroachment reasonably associated with relocating the parking structure is permitted as part of this Conditional Zoning. If the permits can be obtained, the property owner will construct the parking deck as close as reasonably possible to US 15-501 and Eastowne Drive.

Town staff and the property owner explored several alternatives including:

- Increasing the height and capacity of parking garages within the Inner Loop. The property owner has indicated each proposed parking garage would be increased 2-3 stories.
- Providing diagonal parking along Eastowne Drive. Staff estimates this could provide 200-300 spaces and may impact the Level of Service, safety, and multimodal travel on the street.



- Executing a land swap with the Town if the Town could acquire property to support a parking deck near Eastowne.
- Providing for an off-site park-and-ride and shuttle for employees. This could be operated from Eubanks Road or the Friday Center.

2. ***By-Right Development on the Northern 20:*** Councilmembers have asked staff to outline the level of by-right development that could occur on the Northern 20. Staff note the following:

Based on the current zoning for the Northern 20 (MU-OI-1), approximately 250,000 sq. ft. of floor area is permitted by-right. Although development larger than 20,000 sq. ft. of floor area or 40,000 sq. ft. of land disturbance would require a Special Use Permit or Conditional Zoning District, the requirement could be avoided by subdividing the Northern 20 and executing multiple projects that each fall below the floor area and land disturbance thresholds.

Off-street parking is only allowed as an accessory use in MU-OI-1 districts. As a result, a standalone parking garage could not be built by-right as the primary or only use on the Northern 20.

It is also important to note that because the Northern 20 is essentially state-owned property, N.C. General Statute 160D-913 limits the Town's zoning authority to the regulation of *buildings* on the site. Activities such as tree-clearing or the construction of surface parking lots are outside the scope of the Town's zoning authority over the Northern 20.

3. ***Community Benefits:*** Councilmembers were largely supportive of UNC Health's proposal to offer \$5 million of seed funding for an affordable housing revolving loan fund and staff has been working to finalize details of loan fund. The following condition has been included in Revised Ordinance A:

Community Benefits: The Property owner or its successors or assigns (Owner) will contribute five (5) million dollars to support a revolving loan fund product for acquisition, preservation, and creation of affordable housing in the town limits of Chapel Hill (the "Loan"). The Town intends to use the Loan funds as top-tier seed funding for a larger Affordable Housing Loan Fund (the Fund) created at the direction of the Town and administered by a third party selected by the Town. A final funding Agreement ("Agreement") will be executed by Owner and the Town prior to issuance of the first Zoning Compliance Permit or establishment of the Fund, whichever occurs sooner. The following terms shall apply to the Loan:

- The Loan will be for a period of 20 years from its transfer to the Fund, extendable at the discretion of the Owner but otherwise repayable at the end of that period.
- As top-tier funding to the Fund, the Loan would be made at 0% interest to the Town or fund administrator and without recourse to the Town or fund administrator.
- The Loan funds will serve in a subordinate loss position to the Town in the case of losses being incurred by the Fund.
- The Loan proceeds would be made available to the Fund within 45 days of Agreement execution.

In the event that, through no fault of Owner, the Town should decline or fail to create the Fund or similar affordable housing finance product, or should the Fund not



continue in operation for the period of the Loan, this conditional zoning approval shall remain valid and enforceable and not be adversely affected thereby.

4. **Green Building Standards:** Based on continued discussions with Town Staff, the following condition has been included in Revised Ordinance A:

Energy Efficiency: All buildings shall either be designed to be 20 percent better than the 2016 version of ASHRAE 90.1 or in accordance with the current NC energy code, whichever is more stringent. For each building, the property owner will submit an energy model with the building permit plans to demonstrate that the building is designed to perform to the aforementioned standard.

For purposes of ASHRAE 90.1-2016 energy modeling and calculations, the following applies:

- a. Loads associated with specialty medical equipment shall be excluded from the energy models (baseline and proposed/design). Specialty equipment such as but not limited to linear accelerators, imaging equipment (CT scanners, MRI, etc), specialty pharmacy equipment, etc.
- b. Town staff shall allow a lower proposed/design improvement over baseline if applicant demonstrates that there is no commercially practical method to achieve a 20% reduction. Factors could consist of but not limited to equipment technology availability, material shortages, laws/regulations prohibiting manufacturing of certain materials, new codes, etc.

LEED building standard shall be reviewed for approach to energy conservation, indoor air quality, sustainability and building commissioning. The following LEED design goals shall be followed where practical in a facility designed for patient care:

- a. Third party building commissioning to ensure performance of energy conservation measures at completion of project.
- b. Strive to provide the highest indoor air quality design and eliminate or limit use of any materials that off gas to the indoor environment.
- c. Meet Energy efficiency measures as outlined in either ASHRAE 90.1 -2016 or NC energy code, whichever is more stringent.
- d. Where practical, specify materials made from sustainable and renewable resources.
- e. Provide on-site renewable energy production (i.e. photovoltaics)

UNC Health agrees to review with Staff the current standards and adjust criteria if mutually agreeable. The spirit of the projects is to build the most energy efficient buildings that are practical considering the mission of UNCH which is to provide the best possible medical care to its patients.

5. **EV Parking:** The property owner will provide at least 2 percent of the parking spaces in each parking structure with an EV charging station. Additionally, at least 25 percent of the spaces shall be "EV-capable". The following conditions have been included in Revised Ordinance A:

Electric Vehicle Parking: All new parking structures in the development shall adhere to the following standards:



- a. Prior to each Zoning Final Inspection for each parking structure, two percent (2%) of parking spaces, or more if demonstrated by ongoing monitoring of the use, in each parking structure shall be served by electric vehicle ("EV") charging stations. Charging stations shall be "Level 2" or higher as defined by the Society of Automotive Engineers and sites must:
  - i. Provide a Level 2 charging capacity (208/240V) or greater
  - ii. Comply with relevant regional or local standard for electrical connectors, such as SAE Surface Vehicle Recommended Practice J1772, SAE Electric Vehicle.
  - iii. Conductive Charge Coupler so that they are compatible with all types of chargers.
  - iv. When possible, EVSE-installed spaces should be identified and shared with the Town of Chapel Hill during the Zoning Compliance Permit review process.
- b. Twenty-five percent (25%) of parking spaces in each parking structure shall be "EV Designed," meaning the structure will be designed with accommodations to be installed to infrastructure at a later date. More specifically, this means that the final plans (and any amendments) show the full installation of up to 25 percent of the total spaces for Level 2 charging (or equivalent vehicle charging capacity by DCFC), including:
  - i. the locations for future charging stations, pavement markings and signage
  - ii. the locations for future pavement markings and signage related to ADA access that complies with the U.S. Access Board's latest version of the *Design Recommendations for Accessible Electric Vehicle Charging Stations* (or comparable ADA guidance agreed to by Town staff)
  - iii. the location of future conduit and raceways
  - iv. the location for future, upsized transformers
  - v. the location and durable marking of future electrical panels with dedicated circuits for EV charging\*
  - vi. the location for borings between parking deck levels and/or walls for future conduit and raceways\*

\*Completed borings between parking levels and/or walls, and the durable marking of locations to reserve space for future electrical equipment (panels, transformers), will be made during the time of construction, and observed by zoning inspections staff at the time of final review.

Electric Vehicle Utilization: An analysis of the utilization of existing EV parking spaces will be provided by the Property owner with each Zoning Compliance Permit submittal and, if the staff finds there to be reasonable justification, the required number of EV spaces can be adjusted accordingly. An increase or reduction in the required number of EV spaces will be considered a minor modification.

Electric Bicycle Charging: All parking structures shall include at least three (3) 110-volt receptacles within five (5) feet of bicycle racks that meet Town standards.

6. **Project Phasing:** The property owner will be required to submit an application for the first Zoning Compliance Permit (ZCP) within five (5) years of the approval of this Conditional Zoning District
7. **15-501 Pedestrian Crossing:** Subject to NCDOT approval, the property owner will enhance pedestrian crossings at the southern Eastowne Drive/US 15-501 intersection. The following condition has been included in Revised Ordinance A:



US 15-501 and Southern Eastowne Drive Pedestrian Improvements: That enhanced pedestrian refuge islands should be provided on both pedestrian crosswalks of US 15-501 in coordination with NCDOT and the Town.

8. **Urban Designer Review**: The Town's Urban Designer has provided the following comments: "the Eastowne Drive frontages along the UNC Health Eastowne development, from what is understood, are to be a similar configuration to that which currently exists along the parking structure that was built as part of MOB 1. This consists of an approximately 3-foot wide grass strip along the curb, and a ten-foot-wide multiuse path. Beyond the path are trees spaced approximately 40 feet apart. Consider exploring if the trees could be spaced a little closer together, if suitable for the health of the growing trees.

The Eastowne Revised Concept Site Plan dated 03-30-23, indicates a "Tree Canopy" zone and 15-foot buffer beyond the right-of-way. Ample additional shade trees and other vegetation should be provided in this zone, to create a "soft" edge to the campus along Eastowne Drive. Illustrative renderings of the project previously presented, while not featuring a specific design layout, have been generally indicative of this character."

Revised Ordinance A has a condition requiring major streets to be landscaped with, at a minimum, canopy trees planted at increments of thirty (30) feet on center with groupings or limited breaks in accordance with emergency services requirements.

## PROPOSED ZONING

The property owner proposes an Office/Institutional-3-Conditional Zoning District (OI-3-CZD) zoning district for the site.

The intent of the Office/Institutional-3 (OI-3) is "to provide for major educational, research, public service, and office uses, and their necessary support functions, while minimizing conflicts with adjacent land uses." (LUMO Section 3.3.5)

The property owner has submitted a Conditional Zoning application, which allows review of a development proposal in conjunction with a rezoning, and which allows site-specific standards to be applied as conditions through a legislative process. Conditions are typically used to:

- Address conformance of the development with Town regulations and adopted plans.
- Modify use, intensity, and development standards to be more restrictive when addressing impacts reasonably expected to be generated by development.
- Modify intensity and development standards to be less restrictive when accommodating the property owner's proposed site plan (Modifications to Regulations).

A -CZD suffix would be added to the zoning district designation to indicate the site-specific nature of the rezoning.

## SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:



- The site consists of approximately 50 acres.
- The site fronts on US 15-501, a NCDOT-maintained arterial road that serves as one of Chapel Hill's primary travel corridors. The site is adjacent to Interstate-40, which provides vehicular access to the broader region.
- The "Northern 20" is recognized as a "Moderate Natural Area" under the [North Carolina Natural Heritage Program](#)<sup>1</sup>.
- The "Inner Loop" has been heavily developed and includes the recently completed Eastowne Medical Office Building 1 (MOB 1), a multilevel parking deck, and several one- and two-story office buildings that were constructed during the 1970's and 1980's.
- The site contains the following hydrological features:
  - A manmade pond and perennial stream located in the "Inner Loop" subject to a Resource Conservation District (RCD).
  - Intermittent streams on the "Northern 20" and portions of the "Inner Loop" are also subject to RCDs.
- The site is adjacent to the following uses and zoning districts:
  - The Pine Gate Apartments to the west are zoned Residential-4 (R-4).
  - The Eastowne Office Park to the north is zoned Office/Institutional-2 (OI-2).
  - The Parkline office building to the south is zoned Office/Institutional-2 (OI-2). Several other vacant parcels to the south are zoned Residential-1 (R-1).
- The site includes multiple steep slopes of at least 25 percent grade. A large share of steep slopes within the "Inner Loop" are manmade. The majority of naturally occurring steep slopes are found in the "Northern 20".

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 3.6.3 Resource Conservation District (RCD) Buffer:** The property owner proposes to modify the RCD Buffer standards as shown:
- a) RCD buffers for the restored stream shall only consist of the 50-foot streamside zone. There shall be no buffers associated with the managed use zone or the upland zone.
  - b) RCD impacts shall be allowed for the pond draining and stream restoration project from US 15-501 to Eastowne Drive.
  - c) RCD impacts shall be allowed for the construction of the site access opposite the intersection of Old Sterling Drive with Eastowne Drive and the extension of the multi-use path along Eastowne Drive.
  - d) RCD impacts shall be allowed for the construction of an above ground stormwater control (SCM) measure for the small RCD area on the north side of the project inside the "Inner Loop".
  - e) RCD impacts shall be allowed for the two (2) stream vehicular crossings shown on the current Conditional Zoning plan. A total of three (3) vehicular stream crossings may be permitted if deemed necessary to provide adequate emergency access to the Parcel Identifier Number 9890-91-1209. Pedestrian and bicycle crossings are permitted with the approval of the Town Manager.

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<sup>1</sup> <https://ncnhde.natureserve.org/content/map>



*Staff Comment:* RCD regulations are intended to be applied to the areas within and along watercourses within the town's planning jurisdiction in order to preserve the water quality of the town's water supply, to minimize danger to lives and properties from flooding in and near the watercourses, to preserve the water-carrying capacity of the watercourses, and to protect them from erosion and sedimentation, to retain open spaces and greenways and to protect their environmentally-sensitive character, to preserve urban wildlife and plant life habitats from the intrusions of urbanization, to provide air and noise buffers to ameliorate the effects of development, and to preserve and maintain the aesthetic qualities and appearance of the town.

A manmade pond and a severely impaired stream are responsible for a majority of RCD buffers in the "Inner Loop". The property owner is proposing to drain the pond and invest in a stream restoration project that will return the stream to a natural form that supports a diverse riparian ecosystem. This work is entirely in keeping with the intent of the Town's RCD regulations. Other work in the RCD will be limited to features that are necessary to allow for adequate pedestrian and vehicular access to the site and sufficient stormwater management. Impacts on the RCD will be minimized through the use of low-impact features such as boardwalks and bottomless culverts.

- 2) Section 3.6.3 Dimensional Regulations in the Resource Conservation District (RCD):** The property owner proposes to modify the Dimensional regulations of the RCD as shown below in order to allow for the proposed stream crossings, construction of a stormwater control measures, and stream restoration:

Zone	Square Footage
Resource Conservation District Total Land Disturbance	180,000 sq. ft.
Resource Conservation District Streamside Zone Land Disturbance	172,000 sq. ft.
Resource Conservation District Streamside Zone Impervious Surface Area	25,000 sq. ft.

*Staff Comment:* Land disturbance and impervious surface within the RCD are proposed in to order to implement a stream restoration project, build stormwater management features, and provide adequate vehicular and pedestrian access on the site. Each of these activities represent commitments made by the property owner that exceed Town standards, enhance the project, and help the project achieve the goals of the Comprehensive Plan.

- 3) Table 3.8.1 Dimensional Matrix:** The property owner proposes to remove the maximum Floor Area Ratio (FAR) for this development. The FAR for Office/Institutional-3 zoning is 0.566.

*Staff Comment:* Floor Area Ratio (FAR) is used to regulate the total floor area that can be built on a site based on its gross land area. A FAR is not necessary in this case because total floor area is capped by the terms and conditions of the Conditional Zoning District.

- 4) Section 4.4.7(g)-(h) Procedures – All Other Conditional Zoning Districts:** The definitions of major and minor modifications to this conditional zoning ordinance and associated district-specific plan will be modified to allow administrative approval of the following:
- relocation of public amenity spaces
  - reconfiguration of pedestrian, bicycle, or vehicular circulation



- c. an increase of building height up to 15 percent of the approved height
- d. improvements related to construction of future Bus Rapid Transit stop on US 15-501
- e. an increase of less than 20 percent of the approved floor area
- f. an increase of less than 10 percent of the approved number of parking spaces
- g. relocation of vehicular access points to public rights-of-way by less than 50 feet from their approved location
- h. relocation of building envelopes by less than 100 feet from their approved location

*Staff Comment:* Administrative approval of minor modifications can provide property owners with greater flexibility to adjust to changing circumstances or unforeseen constraints as development progresses. Staff would only be permitted to approve a minor modification request if it is compliant with all applicable regulations.

- 5) Section 5.3.2 Steep Slopes:** The property owner proposes to increase the total allowable percentage of disturbance of *naturally occurring* steep slopes from 25 percent to 35 percent and to exempt manmade steep slopes associated with prior development of the site.

*Staff Comment:* Steep slope regulations are intended to protect streams, lakes, and wetlands from the effects of erosion on water quality and water body integrity; to protect the plant and animal habitat of steep slopes from the effects of land disturbance; and to preserve the natural beauty and economic value of the town's wooded hillsides.

The majority of disturbed steep slopes on the property are manmade slopes associated with previous development activity. The current steep slopes regulations exempt only manmade slopes associated with roads, driveways, and parking areas.

- 6) Section 5.6.2: Landscape Buffers:** The property owner proposes modifications to the required width and type of buffer, as detailed in the table below.

Buffer Location	Required Buffer	Proposed Buffer
Eastowne Drive	15 ft. Type B	No buffer required. Street trees to be planted at intervals of approximately 30 feet
US 15-501	20-ft, Type C	20-ft, modified buffer to be consistent with existing plantings along US 15-501.

*Staff Comment:* Landscape buffers are intended to separate proposed development from different adjacent land uses or zoning designations to minimize potential nuisances, reduce the visual impact of unsightly aspects of adjacent development, provide separation of spaces, and establish a sense of privacy.

The property owner proposes reduced buffers along Eastowne Drive in order to facilitate an activated street frontage along Eastowne Drive, which is consistent with the Comprehensive Plan.

- 7) Section 5.9.7 Minimum and Maximum Off-Street Vehicular and Bicycle Parking Requirements:** The property owner proposes to set the maximum total parking space limit at 4.5 spaces per 1,000 square feet of floor area. Minimum bicycle parking spaces shall be 2.5 percent of total vehicular parking.



*Staff Comment:* The proposed parking maximum is consistent with the various LUMO-mandated maximums for uses that are anticipated on the site. A harmonized parking maximum is proposed because the exact use-mix is not known at this time. The property owner proposes to provide a parking demand analysis with each application for a new building.

- 8) Section 5.12.1.a.4 Utilities – Water Main and Hydrant Installation:** The requirement for installation of water mains and fire hydrants will be amended as follows:

“No work shall commence building permits shall be issued with combustible materials until all required water mains and operational fire hydrants necessary for fire protection are installed and operational. For purposes of this subsection, "operational" means that the water mains and fire hydrants are capable of delivering sufficient water to meet domestic and fire fighting needs.”

*Staff Comment:* The proposed modification is consistent with building codes and has been vetted by Town staff responsible for enforcing said codes.

- 9) Section 5.14 Signs:** The property owner proposes to increase the maximum size of signs visible from the public right of way. Signs not visible from the public right of way will be exempt from the Town’s sign ordinance.
- a. Four (4) new UNC Health Eastowne Business Park and/or medical office site type commercial center signs up to 240 square feet each on Eastowne Drive shall be allowed for the proposed development on the Inner Loop. Sign dimensions shall be restricted to the following:
    - i. Maximum Height: 12 feet
    - ii. Maximum Width: 20 feet
    - iii. Maximum Thickness: 18 inches
    - iv. Minimum Letter Height on Panels: 12 inches
  - b. External wall signage (to include building address and/or name) shall be permitted on each building and parking structure at a location that allow for optimal visibility and wayfinding.
  - c. Internal site wayfinding signage shall be permitted at each intersection for vehicular and pedestrian traffic.
  - d. Internal building signage not facing the public right-of-way for identification and wayfinding is not subject to review by the Town.
  - e. The northern parcel will be allowed up to two (2) ground mounted signs if the parking structure is constructed.

*Staff Comments:* Sign regulations are intended to ensure that signs are compatible with their surroundings; appropriate to the identity of individual properties and the community; and appropriate to traffic safety.

Larger signs than those typically allowed under the sign ordinance would be appropriate given the scale of the proposed development and its potential to serve as a gateway feature to Chapel Hill.

- 10) Appendix A “District-Specific Plan”:** The property owner proposes to amend the definition of the “district-specific plan” accompanying this ordinance as follows:

“A plan, to scale, showing the approximate location of uses and structures proposed for a parcel of land as required by the applicable application and regulations, including but not limited to lot lines, streets,



building sites envelopes, reserved open space, buildings, major landscape features - both natural and manmade - and, depending on requirements, the location of proposed utility lines.”

*Staff Comment:* A “District-Specific Plan” is the site plan that accompanies an approved Conditional Zoning District. The proposed definition of a “District-Specific Plan” differs from the standard definition by removing the requirement to demonstrate the exact location of proposed buildings. Instead, the proposed definition allows the property owner to indicate “building envelopes” that define which areas of the site will be built upon. This modification is intended to balance the property owner’s need for greater flexibility (given the prolonged build-out period for the project) and the Town’s need to ensure that the rezoning is consistent with community interests.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.4.7 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the property owner’s alternative is to revise the proposal to comply with the regulations.

## AFFORDABLE HOUSING

The property owner proposes to support affordable housing by providing \$5 million in seed funding to the Town to establish an affordable housing revolving loan fund. The fund could support the acquisition of existing affordable housing under threat of redevelopment and creation of new affordable housing. Once initial funding is committed, staff anticipate that a fund administrator could quadruple the fund size by attracting additional private funding. With \$5 million in seed funding, the revolving loan fund could preserve or create around 500 affordable housing units or around 1,000 units for a fund with \$10 million in seed funding over 20 years.

This community benefit proposal aligns with the Town’s affordable housing goals, the Council-approved [Preservation Strategy Framework](#)<sup>2</sup>, and best practices in the field of affordable housing development and preservation.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

North Carolina General Statute 160D-605 requires the Town Council to consider a statement of Plan consistency when reviewing any Zoning Atlas Amendment. Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>3</sup>, the standards of the [Land Use Management Ordinance](#)<sup>4</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>5</sup> and provides the following evaluation of consistency for the UNC Health Eastowne proposal:

	Description of Plan Element	Staff Evaluation
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<sup>2</sup> <https://www.townofchapelhill.org/government/departments-services/affordable-housing-and-community-connections/affordable-housing/strategies-and-plans/preservation-strategy>

<sup>3</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>4</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>5</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>



<p><b>Land Use Category</b></p>	<p><b>Future Land Use Map:</b> The site is located in Sub-Area A of the North 15-501 Corridor Focus Area. Commercial/Office uses are identified as primary uses in the Sub-Area while Institutional/University/Civic uses are identified as secondary uses.</p> <p>The FLUM notes that this Focus Area “should include employment centers, whether single user or in a mixed office setting, within proximity to future transit stops” and housing of various price points.</p> <p>The FLUM also notes that “redevelopment and development should enhance how people are connected to and experience the area’s natural resources.</p> <p><b>Chapel Hill 2020:</b> The site is located in the North 15-501 Focus Area (Area 5) as identified by the Chapel Hill 2020 Comprehensive Plan. The plan calls for “efforts, in partnership with property owners in the area, to identify sections to rezone and to provide enhanced connectivity for bicycles, transit, pedestrians, and vehicles using the complete streets approach.”</p>	<p>The FLUM and Chapel Hill 2020 envision the North 15-501 Corridor as a vibrant gateway into Chapel Hill that is well served by multimodal transportation options. The proposed rezoning is consistent with the character envisioned by the FLUM and Chapel Hill 2020 because the proposed zoning district will allow for the creation of a major employment center in close proximity to existing and future transit stops as well as a broad range of existing and proposed residential developments.</p> <p>The property owner has proposed to enhance pedestrian and bicycle connectivity in the area by providing:</p> <ul style="list-style-type: none"> <li>• buffered bicycle lanes and updated sidewalks along Eastowne Drive;</li> <li>• a multiuse path along US 15-501;</li> <li>• easements to support potential connections to the Dry Creek Trail and New Hope Commons; and</li> <li>• a multiuse trail connecting Old Sterling Drive to US 15-501.</li> </ul> <p>The property owner will support transit service in the area by providing up to two additional bus stops along Eastowne Drive and by providing the land necessary to construct a Bus Rapid Transit Station along US 15-501.</p>
<p><b>Building Height</b></p>	<p>The FLUM states that typical building heights in Sub-Area A should be 4-6 stories with 6 stories along activated street frontages.</p>	<p>The property owner proposes to construct several 6-story medical buildings throughout the project site.</p>



<b>Mobility And Connectivity</b>	<p>The Mobility and Connectivity Plan recommends multi-use paths along major roadways in the 15-501 corridor, bike lanes along Eastowne Drive, a bicycle/pedestrian overpass or underpass at the intersection of US 15-501 and Eastowne Drive, and significant transit-oriented improvements such as dedicated transit lanes in the center median of US 15-501. The plan also calls for an extension of the Dry Creek Trail through the site.</p>	<p>The property owner proposes to construct a new multi-use path along the US 15-501 frontage, bike lanes and improved sidewalks along Eastowne Drive, and a multiuse trail through the "Inner Loop".</p> <p>The property owner will dedicate an easement through the "Northern 20" to allow for a connection to the Dry Creek Trail.</p> <p>The property owner will provide land necessary for a Bus Rapid Transit station along US 15-501.</p>
<b>Greenway Master Plan</b>	<p>The existing Dry Creek Trail is proposed to extend to the site.</p>	<p>The property owner will dedicate an easement through the "Northern 20" that will allow the Dry Creek Trail to connect to Eastowne Drive.</p>
<b>Climate Action and Response</b>	<p>The Climate Action and Response Plan identifies Sustainable Development as a top strategy to reduce our community carbon footprint and build resiliency.</p> <p>The Transportation and Land Use chapter calls for creating walkable, bikeable, transit-served neighborhoods through strategies such as supportive zoning and integrated land use – transportation planning.</p>	<p>As discussed above, the property owner proposes improvements that will support pedestrian, bicycle, and transit infrastructure in the area.</p> <p>By developing a major employment center near existing and proposed housing, the proposal can reduce car-dependence in the US 15-501 corridor.</p> <p>Because the property owner proposes a medical campus that is expected to draw patients from across the region and divert patients away from existing medical uses at the UNC main campus, its proximity to major roadways (US 15-501 and I-40) has the potential to relieve congestion and reduce vehicle-miles-traveled closer to the Town's core.</p> <p>The property owner has committed to installing solar photovoltaic panels on all new buildings and electric vehicle charging stations in all new parking decks.</p>
<b>Chapel Hill 2020 Goals</b>	<p>Opportunities for this application to support goals of Chapel Hill 2020 include:</p> <ul style="list-style-type: none"> <li>• The property owner proposes a medical campus with open spaces and trails that should provide a welcoming experience for a wide variety of people. (<i>A Place for Everyone. 1</i>)</li> </ul>	



- Structured parking is oriented in a manner that will provide visitors direct access to medical office buildings with limited conflict points with vehicular traffic. (*A Place for Everyone. 1*)
- The proposed medical campus is expected to be a major employment center that will also help to support local restaurants, retail, and other businesses. (*Community Prosperity and Engagement. 2*)
- The multi-use paths, trail connections, and proposed internal street connectivity promote a safe, vibrant, and connected community. (*Community Prosperity and Engagement.3*)
- The proposed medical campus is within walking distance to public transit routes along Eastowne Drive. Multiple bicycle and pedestrian improvements will increase opportunities for active transportation for patients, employees, and nearby residents. (*Getting Around.1*)
- Committed support for a future Bus Rapid Transit station will help connect the site to a regional transportation system. (*Getting Around. 3*)
- Proposed sidewalks, multi-use path, trails, and access to bus routes along US 15-501 and Eastowne Drive offer multimodal access to the site. Alternative modes of transportation promote air quality, sustainability, and energy conservation. These strategies align with the theme of *Getting Around*.
- The proposed medical campus will contribute to a diversity of neighborhoods in the North 15-501 Corridor. (*Good Places, New Spaces. 5*)
- The proposed medical campus will bring significant density and economic activity to underutilized properties and ensure the permanent conservation of environmentally sensitive lands. (*Good Places, New Spaces. 8*)
- The proposed medical campus will include the draining of a manmade pond, stream restoration, and permanent conservation of a state-designated Natural Heritage Area. Stormwater control measures will be designed to accommodate the 50-year storm event. (*Nurturing Our Community. 2*)
- The proposed medical campus will include several upgrades to existing sidewalks, add a multiuse path along 15-501, and provide easements that will enable pedestrian connections to the Dry Creek Trail and New Hope Commons. (*Nurturing Our Community. 4*)

## REASONABLENESS OF THE ZONING ATLAS AMENDMENT

Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The analysis below considers the property owner's proposed zoning district and overall proposed use program. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.



## SUMMARY OF ANALYSIS FOR REASONABLENESS

### Supporting Factors

- The proposed zoning of OI-3 is appropriate as it facilitates a range of neighborhoods in the North 15-501 Corridor, as proposed by Chapel Hill 2020 and the FLUM.
- The rezoning facilitates the construction of a medical campus that will strengthen Chapel Hill's employment base and relieve development pressure on UNC Hospital.
- The development of a medical campus in this location aligns with multiple themes of Chapel Hill 2020.
- The proposed Conditional Zoning district would bring significant density to an underutilized portion of Chapel Hill.
- Conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

### Other Considerations

- Further analysis and/or zoning conditions may be needed to determine whether adequate pedestrian connectivity, vehicular access, and transit service are in place to support the proposed zoning.
- Existing regulations include measures for protecting environmental features such as steep slopes and the stream corridor. Zoning conditions may be useful for enhanced protection, if warranted by further environmental analysis.

## FINDINGS OF FACT

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings are made.

### **FINDING #1:** The proposed zoning amendment is necessary to correct a manifest error.

<b>Arguments</b>	To date, no arguments in support or in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	There appears to be no manifest error in the Town's Zoning Atlas.

### **FINDING #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

<b>Arguments</b>	<p>As Chapel Hill continues to densify and as UNC Health continues to grow as a regional healthcare provider, the development of a medical campus in close proximity to both US 15-501 and Interstate 40 is beneficial to both the Town and UNC Health. The location of the proposed medical campus has the potential to relieve the Town's urban core from a significant amount of traffic and place a major employment center in close proximity to housing.</p> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in Chapel Hill.



**FINDING #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

<b>Arguments</b>	<p>Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following:</p> <ul style="list-style-type: none"> <li>• Facilitating development that implements the Character Type designated on the Future Land Use Map.</li> <li>• Supporting goals of Chapel Hill 2020 including <i>A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places-New Spaces, and Nurturing Our Community</i>.</li> </ul> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	<p>The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.</p>





# PROJECT FACT SHEET







## Overview

Site Description	
<b>Project Name</b>	UNC Health Eastowne
<b>Address</b>	100, 200, 300, 400, 500, 600, 700, 800, 901 and 998 Eastowne Drive
<b>Gross Land Area</b>	2,423,112 sq. ft. (55.6 acres)
<b>Orange County Parcel Identifier Numbers</b>	9890-80-0195, 9890-80-7564, 9890-80-0643, 9890-80-2764, 9890-80-3947 and 9890-91-1209
<b>Existing Zoning</b>	Office/Institutional-3 (OI-3); Office/Institutional-2 (OI-2); Mixed Use – Office/Institutional-1 (MU-OI-1)
<b>Proposed Zoning</b>	Office/Institutional-3-Conditional Zoning District (OI-3-CZD)






## Site Development Standards

Topic	Comment			Status
Development Intensity				
Use (Sec. 3.7)	Proposed Uses: Business, office-type; Business, convenience; Hospital; Research activities; Medical clinic			
Inclusionary Zoning Ordinance (Sec. 3.10)	NA			NA
Density (Sec. 3.8)	NA			NA
Dimensional Standards (Sec. 3.8)	Setback (secondary) and Core (primary) height: No maximums per LUMO. 120 ft. maximum building height established as a voluntary condition  Setbacks: no minimum setbacks			
Floor area (Sec. 3.8)	Maximum allowed: 1,100,000 sq. ft. (in addition to existing Medical Office Building 1)			
Landscape				
Buffers (Sec. 5.6.2)	US 15-501: Eastowne Drive:  requested)  I-40: Interior:	Required 20 ft, Type C 15 ft, Type B  30 ft, Type D 15 ft, Type B	Proposed 20 ft, modified street trees (modification  100 ft, Type D 15 ft, Type B	M




<b>Tree Canopy (Sec. 5.7)</b>	<i>Minimum required:</i> 16.7 acres (30% of GLA) <i>Proposed:</i> 19.5 acres (35% of GLA)	
<b>Landscape Standards (Sec. 5.9.6)</b>	Final Plans application must comply	<b>FP</b>
<b>Environment</b>		
<b>Resource Conservation District (RCD) Uses (Sec. 3.6.3)</b>	A greenway and sidewalks are proposed within the RCD and are permitted uses. A maximum of three stream crossing are permitted in order to vehicular and pedestrian connection within the "Inner Loop" and the "Northern 20". These are permitted where there is a practical necessity to their location.	
<b>RCD Dimensional Standards (Sec. 3.6.3)</b>	<i>Proposed Impervious surfaces:</i> 25,000 sq. ft. <i>Proposed Land disturbance:</i> 180,000 sq. ft.	<b>M</b>
<b>Erosion Control (Sec. 5.3.1)</b>	Orange County Erosion Control permit required	
<b>Steep Slopes Land Disturbance (Sec. 5.3.2)</b>	<i>Maximum Disturbance allowed:</i> 25% of areas with existing 4:1 slopes or greater <i>Proposed:</i> Disturb up to 35% of naturally occurring steep slope areas (modification requested)	<b>M</b>
<b>Stormwater Management (Sec. 5.4)</b>	Meet or exceed LUMO standards Property owner proposes to design stormwater control measures to accommodate the 50-year, 24-hour duration storm event.	
<b>Land Disturbance</b>	Will comply at final plans.	<b>FP</b>
<b>Impervious Surface</b>	<i>Maximum allowed:</i> 1,696,178 sq. ft. (70% of GLA) <i>Will comply at final plans</i>	<b>FP</b>
<b>Solid Waste &amp; Recycling</b>	Application must comply	<b>FP</b>
<b>Jordan Riparian Buffer (Sec. 5.18)</b>	<i>Minimum buffer required:</i> 50 ft. <i>Proposed:</i> 50 ft.; land disturbance as noted for RCD	
<b>Access &amp; Circulation</b>		
<b>Traffic Impact Analysis (Sec. 5.9)</b>	TIA completed	
<b>Road Improvements (Sec. 5.8)</b>	Road Improvements Required for MOB 2: a. <u>Southern Eastowne Drive/US 15-501 Intersection</u> : The existing left-turn lane on Eastowne Drive shall be extended to provide a minimum of 375 feet of vehicle storage. b. <u>Eastowne Drive</u> : The section of Eastowne Drive between the existing Medical Office Building Parking Deck Access Driveway and Old Sterling Drive shall have on-street parking eliminated. Buffered bicycle lanes and a three-	<b>C</b>




	<p>lane vehicular cross-section shall be implemented, including street widening where necessary. Left-turn lanes with 100 feet of storage shall be delineated in this vicinity for the relocated Parking Deck Access Driveway and Old Sterling Drive.</p> <p>c. <u>Parking Deck Access Driveway</u>: The access driveway for the existing parking deck shall include a southbound right-turn auxiliary egress lane with at least 75 feet of storage at the Eastowne Drive intersection.</p> <p>d. <u>Signal Timing</u>: The property owner shall provide a payment of \$15,000 to the Town to support optimization of signal timing. Signal timings at the following intersections shall be reoptimized to account for site-related traffic:</p> <ul style="list-style-type: none"> <li>i. Northern Eastowne Drive/US 15-501</li> <li>ii. Southern Eastowne Drive/US 15-501</li> <li>iii. Sage Road/US 15-501</li> </ul> <p>e. <u>Dobbins Drive</u>: Dobbins Drive shall be restricted to a right-in/right-out intersection. A median of sufficient length shall be installed to effectuate this restriction.</p> <p>f. <u>US 15-501 and Southern Eastowne Drive Pedestrian Improvements</u>: That enhanced pedestrian refuge islands should be provided on both pedestrian crosswalks of US 15-501 in coordination with NCDOT and the Town.</p> <p>Roadway improvements for all development after MOB 2 shall be determined by subsequent TIAs that will be conducted prior to each development phase.</p>	
<b>Vehicular Access (Sec. 5.8)</b>	Five driveways spread across the Eastowne Drive frontage	
<b>Bicycle Improvements (Sec. 5.8)</b>	Buffered bike lanes along Eastowne Drive	
<b>Pedestrian Improvements (Sec. 5.8)</b>	<ul style="list-style-type: none"> <li>• Greenway along stream restoration project</li> <li>• Multiuse path along US 15-501</li> <li>• Multiuse path along Eastowne Drive</li> </ul>	
<b>Transit Improvements (Sec. 5.8)</b>	Property owner to provide up to two additional bus shelters on Eastowne Drive and dedicate land necessary for a Bus Rapid Transit station on US 15-501.	
<b>Vehicular Parking (Sec. 5.9)</b>	<i>Maximum Parking</i> : 4.5 spaces per 1,000 sq. ft. of floor area	<b>M</b>
<b>Bicycle Parking (Sec. 5.9)</b>	<i>Minimum required</i> : 2.5 percent of vehicular spaces	<b>M</b>
<b>Electric Vehicle Parking</b>	EV chargers located at 2% of parking spaces and 25% of parking spaces to be EV-ready.	
<b>Parking Design Standards (Sec. 5.9)</b>	Application must comply	<b>FP</b>



<b>Loading (Sec 5.9)</b>	Application must comply	<b>FP</b>
<b>Technical</b>		
<b>Fire</b>	Built to Town Standards	
<b>Recreation Area (Sec. 5.5)</b>	NA	<b>NA</b>
<b>Lighting Plan (Sec. 5.11)</b>	Built to Town Standards; not to exceed 0.3 footcandles at property line	<b>FP</b>
<b>Signage (Sec. 5.14)</b>	Modification requested for maximum size.	<b>M</b>
<b>Schools Adequate Public Facilities (Sec. 5.16)</b>	NA	<b>NA</b>
<b>Homeowners Association (Sec. 4.6)</b>	NA	<b>NA</b>

### Project Summary Legend

Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plans
<b>NA</b>	Not Applicable





# Town Council

## Conditional Zoning – UNC Health Eastowne





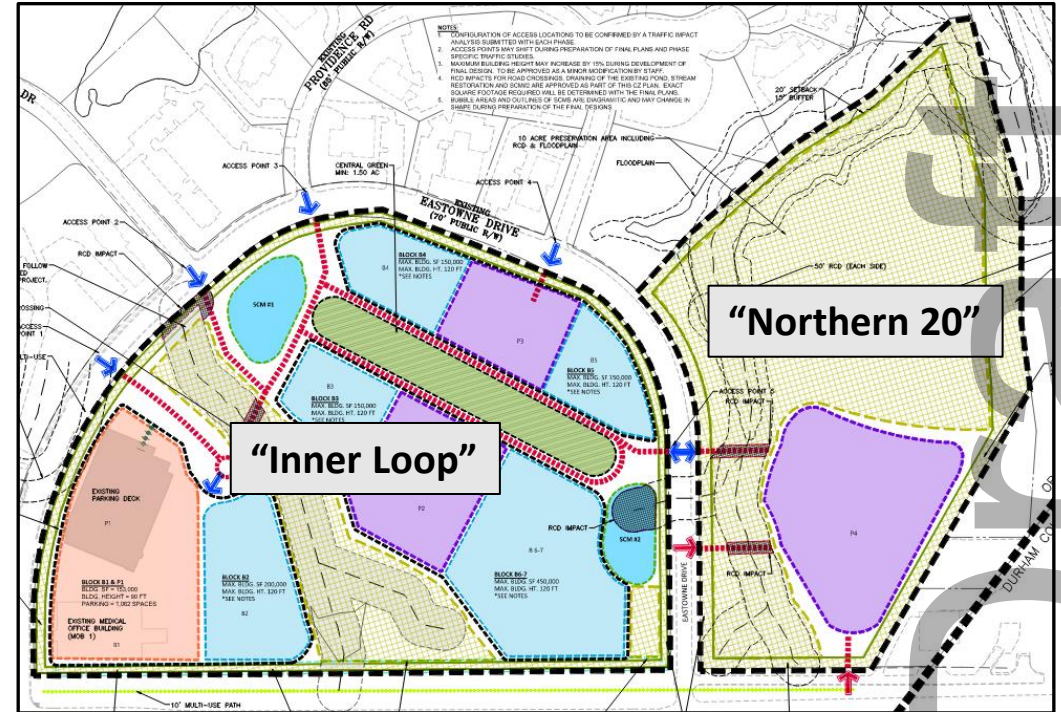


# RECOMMENDATION<sup>273</sup>

Close the Legislative Hearing

Adopt Resolution A

Enact Ordinance A







# TIMELINE

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STAFF  
REVIEW



COUNCIL  
WORK  
SESSION  
MAR 15,  
2023



PLANNING  
COMMISSION  
APRIL 18,  
2023



OPEN  
PUBLIC  
HEARING  
APRIL 26,  
2023



COUNCIL  
ACTION  
MAY 24,  
2023



## Development on the Northern 20:

- Parking structure to be authorized by Town Manager *only if* UNC-Health demonstrates 80% utilization of existing parking.
- Additional RCD encroachment to be authorized if parking structure can be moved further south.

draft



## **By-Right Development on the Northern 20:**

- Approx. 250,000 sq. ft. of floor area is permitted by-right, subject to the 20/40 rule.
- Off-street parking is only allowed as an accessory use.
- Town zoning authority extends only to buildings.

for  
D



## Community Benefits:

- UNC-Health making \$5 Million contribution to establish an Affordable Housing Loan Fund
- 20-year term at 0% interest, non-resource
- Anticipated impact: 500-1,000 units of affordable housing over 20 years

affordable



## Sustainability:

- UNC Health will provide 2% EV parking spaces and 25% EV-ready spaces.
- Buildings will be designed to meet the more stringent of (1) NC energy codes or (2) 20% better than the 2016 version of ASHRAE 90.1



## **Project Phasing:**

- First ZCP must be applied for within 5 years of approval of this conditional zoning.

## **Pedestrian Crossings:**

- Subject to NCDOT approval, UNC Health will enhance US 15-501 pedestrian crossings



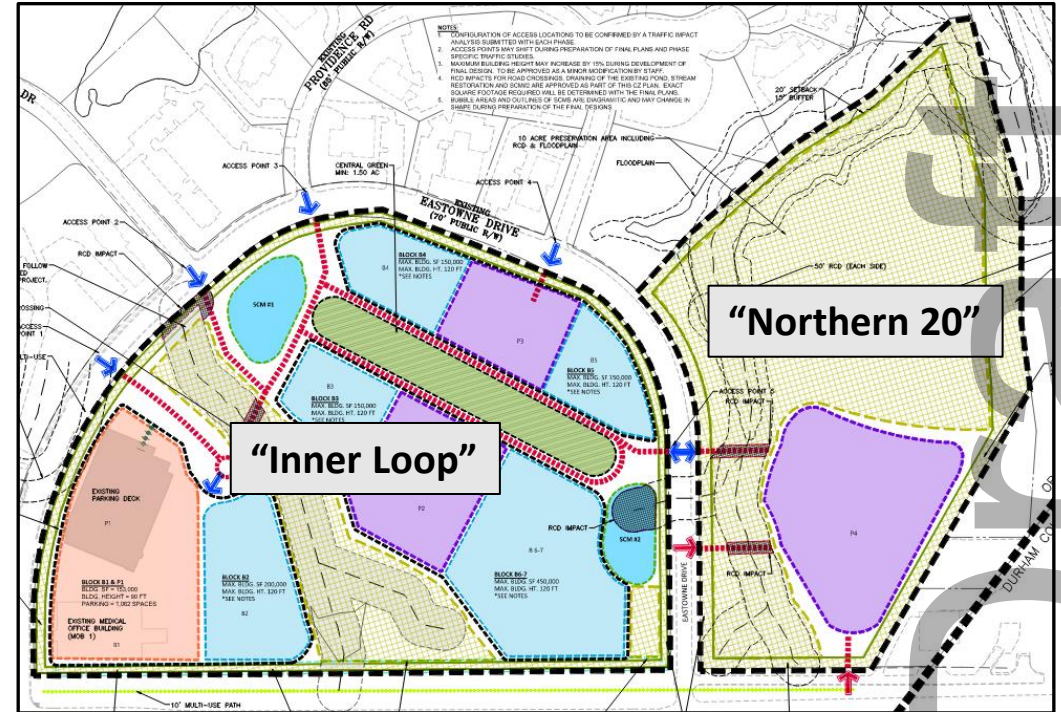


# RECOMMENDATION<sup>280</sup>

Close the Legislative Hearing

Adopt Resolution A

Enact Ordinance A





Draft



**RESOLUTION A**  
**Resolution of Consistency and Reasonableness**

**A RESOLUTION REGARDING THE APPLICATION FOR A CONDITIONAL ZONING ATLAS AMENDMENT FOR THE PROPERTY LOCATED AT 100-998 EASTOWNE DRIVE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #CZD-22-7) REASONABLENESS AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-05-24/R-13)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of owner Health System Properties, LLC, to rezone six parcels totaling approximately 50 acres located at 100, 200, 300, 400, 500, 600, 700, 800, 901 and 998 Eastowne Drive on property identified as Orange County Property Identifier Numbers 9890-80-0195, 9890-80-7564, 9890-80-0643, 9890-80-2764, 9890-80-3947 and 9890-91-1209, to allow a medical campus; and

WHEREAS, the Council finds that the amendment, if enacted, is consistent with the Town's Comprehensive Plan, as explained by, but not limited to, the following elements of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*A Place for Everyone.1*)
- A welcoming and friendly community that provides all people with access to opportunities (*A Place for Everyone.4*)
- Foster success of local businesses (*Community Prosperity and Engagement.2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Community Prosperity and Engagement.3*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Getting Around.2*)
- Connect to a comprehensive regional transportation system (*Getting Around.3*)
- Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (*Getting Around.5*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Getting Around.8*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Good Places, New Space.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Good Places, New Spaces.7*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Space.8*)
- Maintain and improve air quality, and manage stormwater to heal local waterways and conserve biological eco systems within the town boundaries and the Extra Territorial Jurisdiction (*Nurturing Our Community.2*)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. (*Nurturing our Community.3*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Nurturing*



*our Community.4)*

- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Nurturing our Community.8)*
- The University, the UNC Health Care System, and the Town will coordinate closely to manage development in ways that respect history, traditions, and the environment while fostering revitalization and innovation (*Town and Gown Collaboration.5)*
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town and Gown Collaboration.6)*

WHEREAS, the Council finds that the amendment if enacted, is reasonable and in the public's interest, as explained by, but not limited to, the following considerations:

- 1) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code with modifications shown below.
- 2) Conform with the Comprehensive Plan
- 3) Be compatible with adjoining uses
- 4) Mitigate impacts on surrounding properties and the Town as a whole
- 5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- 6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the 24th day of May, 2023.



**REVISED ORDINANCE A**

(Approving the Conditional Zoning Application)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 100-998 EASTOWNE DRIVE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #CZD-22-7) (2023-05-24/O-2)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of owner Health System Properties, LLC, to rezone six parcels totaling approximately 50 acres located at 100, 200, 300, 400, 500, 600, 700, 800, 901 and 998 Eastowne Drive on property identified as Orange County Property Identifier Numbers 9890-80-0195, 9890-80-7564, 9890-80-0643, 9890-80-2764, 9890-80-3947 and 9890-91-1209, to allow a medical campus and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to support the purposes of the Comprehensive Plan; and

WHEREAS, the application, if rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) according to the district-specific plan dated April 6, 2023 and the conditions listed below would:

- 1) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code with modifications shown below.
- 2) Conform with the Comprehensive Plan
- 3) Be compatible with adjoining uses
- 4) Mitigate impacts on surrounding properties and the Town as a whole
- 5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- 6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

**MODIFICATIONS TO REGULATIONS**

WHEREAS, the Council of the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

1. **Section 3.6.3 Resource Conservation District (RCD) Buffer:** Modify the RCD Buffer standards as shown:
  - a) RCD buffers for restored stream shall only consist of the 50-foot stream side zone. There shall be no buffers associated with the managed use zone or the upland zone.
  - b) RCD impacts shall be allowed for the pond draining and stream restoration/enhancement project from US 15-501 to Eastowne Drive.
  - c) RCD impacts shall be allowed for the construction of the site access opposite the intersection of Old Sterling Drive with Eastowne Drive and the extension of the multi-use path along Eastowne Drive.
  - d) RCD impacts shall be allowed for the construction of an above ground stormwater control (SCM) measure for the small RCD area on the north side of the project inside the "Inner Loop".
  - e) RCD impacts shall be allowed for the two (2) stream vehicular crossings shown



on the district-specific plan. A total of three (3) vehicular stream crossings may be permitted if deemed necessary to provide adequate emergency access to the Parcel Identifier Number 9890-91-1209. Pedestrian and bicycle crossings are permitted with the approval of the Town Manager.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the stream restoration and improvements proposed along with the need to provide vehicular access through the site are appropriate for the site for development providing employment and health care opportunities.

**2. Section 3.6.3 Dimensional Regulations in the Resource Conservation District**

**(RCD):** Disturbance for proposed vehicular and pedestrian crossings of the RCD, construction of the access point opposite Old Sterling Road, construction of SCM#2, as shown on the plans, and restoration of the stream between US 15-501 and Eastowne Drive shall be permitted. Dimensional regulations for the RCD are modified to allow the following:

Zone	Square Footage
Maximum Resource Conservation District Land Disturbance	180,000 sq. ft.*
Maximum Resource Conservation District Stream side Zone Land Disturbance	172,000 sq. ft.*
Maximum Resource Conservation District Stream side Zone Impervious Surface Area	25,000 sq. ft.*

\*Potential additional land disturbance and impervious surfaces may be authorized by the Town Manager in addition to the figures above. Such additional impacts must be associated with relocation of the parking structure to increase the preservation area of the Northern 20.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because development in the RCD is necessary to ensure adequate circulation on the project site, to facilitate sufficient stormwater management, to allow for restoration of an impaired water body, and will be designed in a manner that minimizes impacts.

- 3. Table 3.8-1 Dimensional Matrix:** The Dimensional Matrix Floor Area Ratio (FAR) for Office/Institutional-3 (OI-3) zoning district is a maximum of 0.566. The request is to eliminate the FAR as the maximum floor area permitted as part of the project is limited to 1,100,000 square feet.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because total buildable floor area on the project site is effectively capped by the terms and conditions of this ordinance.

- 4. Section 4.4.7(g)-(h) Procedures – All Other Conditional Zoning Districts:** LUMO Sections 4.4.7(g) and 4.4.7(h) notwithstanding, the definitions of major and minor modifications to this conditional zoning ordinance and associated district specific plan shall be as follows:

- a. Items i through v listed below shall constitute a minor modification and shall be approved by the Town Manager. All minor modifications must be consistent with the approved district specific plan and comply with all applicable requirements. Consistency means the changes would not significantly negatively alter the development's impervious coverage, demand on public facilities, stormwater



runoff, or other characteristic from that indicated by the approved district-specific plan. Where measurable and except where provided otherwise, a ten (10) percent change shall be considered significant whether such change is proposed through one (1) request or through multiple requests over an extended period of time.

Notwithstanding, the following shall constitute a minor modification:

- i. Relocation of public amenity spaces, provided that the total amount of public amenity space is not reduced and accessibility is not negatively impacted.
  - ii. Reconfiguration or relocation of internal streets, sidewalks, trails, or parking areas provided that no increase in encroachment or disturbance in the Resource Conservation District (RCD) is required (unless required for emergency services).
  - iii. Addition, or relocation, of bicycle or pedestrian access points to a preexisting public right-of-way.
  - iv. Clearing, grading or other improvements required for a future Bus Rapid Transit stop.
  - v. An increase of up to 15 percent of the approved height of each building.
- b. The following shall constitute a major modification to district specific plan and will require the filing of an application for approval of a major modification. Any requests pursuant to these items will be deemed minor if below the thresholds stated below.
- i. A change in the uses permitted or the density of overall development.
  - ii. An increase of ten (10) percent or more in the floor area approved by the Town Council.
  - iii. An increase or redistribution of ten (10) percent or more in the number of parking spaces approved by the Town Council, not exceeding a ratio of 4.5 per 1,000 square feet vehicular parking spaces.
  - iv. A change in the size, location, or orientation of an impervious feature that decreases the width of a landscape buffer below the minimum applicable buffer width requirements.
  - v. Elimination of an approved bicycle/pedestrian access point to a public right-of-way
  - vi. Relocation of vehicular access points to public right-of-way by more than fifty (50) feet from the approved location (to be measured from approved centerline to proposed centerline and, when appropriate, subject to approval by the North Carolina Department of Transportation (NDOT)); removal of bicycle/pedestrian or vehicular access points to public right-of-way (unless dictated by Town of Chapel Hill Transportation or NCDOT); addition of vehicular access points to preexisting public rights-of-way (unless dictated by Town of Chapel Hill Transportation, Town of Chapel Hill Emergency Services or NCDOT).
  - vii. Relocation of building envelopes to more than one hundred (100) feet from their approved location or to within fifty (50) feet of exterior property lines. For building envelopes that are approved within fifty (50) feet of an exterior property line, relocation to more than one hundred (100) feet from their approved location or to a location that is more than fifteen (15) percent closer to an exterior property line. Any relocation of building envelopes that results in additional encroachment into buffers associated with Resource Conservation Districts shall be considered a major modification.
  - viii. A change in a condition of Town Council approval.



This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree to provide flexibility for the future phases of the development.

5. **Section 5.3.2 Steep Slopes:** The total percentage of disturbed slopes with a grade of 25 percent or greater will not exceed 30 percent of steep slopes that are not manmade and resulting from the previous construction of roadways, parking lots, buildings, sidewalks, stockpiles, or the pond dam.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because a significant portion of the disturbed slopes were created during previous development of the property.

6. **Section 5.6.2: Landscape Buffers**

	<u>Required</u>	<u>Proposed</u>
Eastowne Drive	15-ft, Type B Buffer	No buffer; Street tree plantings 30 foot on-center average spacing to be consistent with existing plantings along Eastowne Drive.
US 15-501	20-ft, Type C Buffer	20-ft, modified buffer to be consistent with existing plantings along US 15-501.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because bufferyards along Eastowne Drive will hinder opportunities to develop a "complete street" as envisioned by the Chapel Hill 2020 Comprehensive Plan.

7. **Section 5.9.7 Minimum and Maximum Off-Street Vehicular and Bicycle Parking Requirements:** Maximum total vehicular parking spaces shall be 4.5 spaces per 1,000 square feet of floor area. Minimum bicycle parking spaces shall be 2.5 percent of total vehicular parking.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the proposed maximum is consistent with existing LUMO standards.

8. **Section 5.12.1.a.4 Utilities – Water Main and Hydrant Installation:** The requirement for installation of water mains and fire hydrants will be amended as follows:

No work shall commence with combustible materials until all required operational fire hydrants necessary for fire protection are installed and operational. For purposes of this subsection, "operational" means that the water mains and fire hydrants are capable of delivering sufficient water to meet domestic and fire fighting needs.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the proposed modification is consistent with relevant requirements of applicable building codes.

9. **Section 5.14 Signage:** The requirements for signage shall be amended as follows:



- a. Four (4) new Eastowne Business Park and/or medical office commercial center signs up to 240 square feet each on Eastowne Drive shall be allowed for the proposed development on the Inner Loop. Sign dimensions shall be restricted to the following:
  - i. Maximum Height: 12 feet
  - ii. Maximum Width: 20 feet
  - iii. Maximum Thickness: 18 inches
  - iv. Minimum Letter Height on Panels: 12 inches
- b. External wall signage (to include building address and/or name) shall be permitted on each building and parking structure at a location that allow for optimal visibility and wayfinding.
- c. Internal site wayfinding signage shall be permitted at each intersection for vehicular and pedestrian traffic.
- d. Internal building signage not facing the public right-of-way for identification and wayfinding is not subject to review by the Town.
- e. The northern parcel will be allowed up to two (2) ground signs if the parking structure is constructed.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the proposed signage will be appropriate in the context of a medical campus and will highlight a gateway feature to Chapel Hill.

- 10. Appendix A "District-Specific Plan":** The definition of a "district-specific plan" accompanying this ordinance shall be amended as follows:

A plan, to scale, showing the approximate location of uses and structures proposed for a parcel of land as required by the applicable application and regulations, including but not limited to lot lines, streets, building sites envelopes, reserved open space, buildings, major landscape features - both natural and manmade-and, depending on requirements, the location of proposed utility lines.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the modified district-specific plan, in conjunction with the conditions of this ordinance, provide sufficient certainty and control over the nature of the proposed development.

### **CONDITIONAL ZONING DISTRICT**

WHEREAS the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

#### **SECTION I**

The following Orange County parcels identified by Parcel Identifier Number (PIN) 9890-80-0195, 9890-80-0643, 9890-80-2764, 9890-80-3947, 9890-80-7564, 9890-91-1209, described below, shall be rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD):



"Inner Loop" Tract

Being all of the land as shown on Plat Book 38, Page 25 in the Orange County Register of Deeds. Being more particularly described as:

Beginning at an existing concrete monument at the intersection of the northern right of way of U.S. Highway 15-501 and the eastern right of way line of Eastowne Drive, the point of beginning; thence with the right of way line of Eastowne Drive, North 29°06'48" West a distance of 119.95 feet to a concrete monument; thence with a curve to the right a radius of 937.70 feet, an arc length of 650.17 feet, a chord bearing of North 08°53'16" West, a chord length of 637.22 feet to an existing iron pipe; thence with a curve to the right a radius of 937.70 feet, an arc length of 156.48 feet, a chord bearing of North 15°45'23" East, a chord length of 156.30 feet to an existing iron pipe; thence North 20°12'27" East a distance of 140.69 feet to an existing iron pipe; thence North 19°58'31" East a distance of 51.64 feet to a point; thence with a curve to the right a radius of 445.03 feet, an arc length of 99.79 feet, a chord bearing of North 24°49'13" East, a chord length of 99.58 feet to a point; thence with a curve to the right a radius of 445.03 feet, an arc length of 139.07 feet, a chord bearing of North 40°11'45" East, a chord length of 138.50 feet to a point; thence with a curve to the right a radius of 443.57 feet, an arc length of 230.65 feet, a chord bearing of North 66°18'32" East, a chord length of 228.06 feet to a point; thence North 80°56'20" East a distance of 305.22 feet to a point; thence with a curve to the right a radius of 429.63 feet, an arc length of 165.79 feet, a chord bearing of South 88°01'34" East, a chord length of 164.76 feet to an existing iron pipe; thence with a curve to the right a radius of 429.63 feet, an arc length of 358.57 feet, a chord bearing of South 53°03'42" East, a chord length of 348.26 feet to a point; thence South 29°18'14" East a distance of 532.19 feet to an existing iron pipe on the northern right of way line of U.S. Highway 15-501; thence with the northern right of way line of U.S. Highway 15-501, South 60°45'37" West a distance of 755.12 feet to an existing iron pipe; thence South 61°02'01" West a distance of 279.53 feet to an existing iron pipe; thence South 60°59'56" West a distance of 235.02 feet to an existing iron pipe; thence South 61°01'00" West a distance of 214.68 feet to the point and place of beginning, containing an area of 1,304,919 square feet or 29.96 acres and including to a midpoint of the adjoining Eastowne Drive and US 15-501 rights-of-way.

"Northern 20" Tract

Being all of the land shown as "Tract 4" on Plat Book 73, Page 142 in the Orange County Register of Deeds. Being more particularly described as:

Beginning at an existing iron pipe on the northern right of way line of Eastowne Drive, being the southeast corner of lot 12 of Eastowne Hills Subdivision, as shown on Plat Book 33, Page 113, the point of beginning; thence with the common line of Eastowne Hills Subdivision, North 13°08'17" East a distance of 180.20 feet to an existing iron pipe; thence North 20°29'33" East a distance of 314.94 feet to an existing iron pipe; thence North 28°29'11" East a distance of 224.86 feet to an existing iron pipe; thence North 18°33'35" East a distance of 250.18 feet to an existing iron pipe being the southeast corner of lands now or formerly owned by the Town of Chapel Hill, as described in Deed Book 2148, Page 271; thence with said common line, North 52°33'44" East a distance of 50.72 feet to an existing iron pipe on the southern right of way line of Interstate 40; thence with the southern right of way line of Interstate 40, South 43°25'41" East a distance of 224.01 feet to a concrete monument; thence South 46°05'51" East a distance of 198.08 feet to a concrete monument; thence South 28°35'04" East a distance of 305.84 feet to a concrete monument; thence South 36°14'20" East a distance of 155.91 feet to an existing iron pipe, being the northwest corner of lands now or formerly owned by the Straw Valley Project,



LLC, as described in Deed Book 5889, Page 410; thence with the common line of Straw Valley Project and others, South 01°01'31" West a distance of 751.15 feet to a concrete monument on the northern right of way line of U.S. Highway 15-501; thence with the northern right of way line of U.S. Highway 15-501, South 61°02'59" West a distance of 397.02 feet to an existing iron pipe at the intersection of the northern right of way line of U.S. Highway 15-501 and the eastern right of way line of Eastowne Drive; thence with the right of way line of Eastowne Drive, North 29°15'19" West a distance of 535.87 feet to an existing iron pipe; thence with a curve to the left a radius of 499.63 feet, an arc length of 382.51 feet, a chord bearing of North 51°11'32" West, a chord length of 373.24 feet to the point and place of beginning, containing an area of 893,234 square feet or 20.51 acres including to a midpoint of the adjoining Eastowne Drive and US 15-501 rights-of-way.

## **SECTION II**

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

1. Expiration of Conditional Zoning Atlas Amendment: An application for the first Zoning Compliance Permit must be filed by May 24, 2028 (5 years from the date of this approval). Consistent with the requirements of LUMO 4.4.7(f), the Town Manager may grant additional 12-month extensions. The time extension request shall have paramount considerations for health, general welfare, or public safety or will require Council re-approval as a major modification to this conditional zoning. [LUMO 4.4.7(f)]
2. Consent to Conditions: This approval is not effective until the property owner provides written consent to the approval. Written consent must be provided within ten (10) business days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Permitted Uses: Business, office-type; Business, convenience, Hospital; Research activities; Medical Clinic</b>	
Gross Land Area	2,423,112 sq. ft. (55.6 acres)
Floor Area (IN ADDITION to MOB-1)	1,100,000 sq. ft.
Maximum Parking Spaces	4.5 spaces per 1,000 sf of floor area
Minimum Bicycle Parking Spaces	2.5% of number of vehicular spaces
Total Impervious Surface	70% (per LUMO)
Maximum Land Disturbance	1,700,000 sq. ft.
Minimum Tree Canopy Coverage	35% of GLA
Resource Conservation District Maximum Total Land Disturbance	180,000 sq. ft.
Resource Conservation District Maximum Stream side Zone Land Disturbance	172,000 sq. ft.*
Resource Conservation District Maximum Stream side Zone Impervious Surface Area	25,000 sq. ft.

\*Land Disturbance in the RCD Streamside Zones shall be limited to the following:

- Maximum of 13,000 square feet for construction of a stormwater control measure in the Inner Loop.
- Maximum of 40,000 square feet for pedestrian and vehicular crossings.



- Maximum of 119,000 square feet for pond draining and stream restoration.
  - Maximum of 8,000 square feet for site entrance work at the intersection of Eastowne Drive and Old Sterling Road.
4. Building Height: Maximum height of all structures shall be 120 feet from the main entrance elevation to the top of the roof deck and shall exclude screening, mechanical penthouses, and other mechanical equipment.
  5. Cumulative Tracking: Each Final Plan application shall include a cumulative tally of the existing and proposed:
    - a. Floor Area
    - b. Tree Canopy
    - c. Impervious surface
    - d. Green Stormwater Infrastructure
    - e. Land disturbance
    - f. Resource Conservation District (RCD) disturbance
    - g. Bicycle parking
    - h. Vehicular parking spaces (including Electric Vehicle parking spaces)
  6. Illustrative Site Plans: The illustrative site plans that accompany the District Specific Plan for this development are not regulatory documents. The Illustrative site plans are intended only to provide examples of potential building configurations within the building envelopes defined in the District Specific Plan.
  7. Notice of Minor Modifications: All requests for minor modifications to this ordinance or associated District Specific plan shall be publicly advertised.
  8. Phasing Plan: Each Zoning Compliance Permit application shall include a phasing plan for the current and remaining phases of the Eastowne development. The phasing plan will include detailed information on the phase seeking a ZCP and updated tracking data for the future phases. Proposed revisions to the phasing plan can be submitted at any time for approval by the Town staff. Approval of a phasing plan shall be reviewed as a minor modification provided that it is consistent with the conditions of this ordinance. The phasing plan shall depict the path of achieving Ordinance standards for the overall project and how each phase contributes to the total. The phasing plan shall include:
    - anticipated number,
    - exact location and type of structures,
    - floor areas,
    - impervious area of the structures seeking a ZCP,
    - general location of the remaining structures,
    - estimated tree canopy coverage, and
    - timing for public amenities including vehicular and bicycle/pedestrian improvements and connectivity.
  9. Lot Subdivision/Recombination - Recombination Plat: Prior to the start of any on-site construction activity, a recombination plat application combining the development site lots shall be approved by the Town and recorded at the County Register of Deeds.
  10. Detailed Plan Review and Approval: Town staff will review the individual building proposals for compliance with the Conditional Zoning District, including the Land Use Management Ordinance and the property owner's Design Principles.



Plans, plats, and associated detailed requirements as set forth in this ordinance shall be reviewed and approved by the Town Manager, or their designee, as well as outside agencies, such as NC Department of Transportation (NC DOT), Orange Water and Sewer Authority (OWASA) and Duke Energy, where appropriate.

11. Demolition Plan: Prior to beginning any proposed demolition activity, the property owner must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).
12. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the property owner shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.
13. Community Benefits: The Property owner or its successors or assigns (Owner) will contribute five (5) million dollars to support a revolving loan fund product for acquisition, preservation, and creation of affordable housing in the town limits of Chapel Hill (the "Loan"). The Town intends to use the Loan funds as top-tier seed funding for a larger Affordable Housing Loan Fund (the Fund) created at the direction of the Town and administered by a third party selected by the Town. A final funding Agreement ("Agreement") will be executed by Owner and the Town prior to issuance of the first Zoning Compliance Permit or establishment of the Fund, whichever occurs sooner. The following terms shall apply to the Loan:
  - The Loan will be for a period of 20 years from its transfer to the Fund, extendable at the discretion of the Owner but otherwise repayable at the end of that period.
  - As top-tier funding to the Fund, the Loan would be made at 0% interest to the Town or fund administrator and without recourse to the Town or fund administrator.
  - The Loan funds will serve in a subordinate loss position to the Town in the case of losses being incurred by the Fund.
  - The Loan proceeds would be made available to the Fund within 45 days of Agreement execution.

In the event that, through no fault of Owner, the Town should decline or fail to create the Fund or similar affordable housing finance product, or should the Fund not continue in operation for the period of the Loan, this conditional zoning approval shall remain valid and enforceable and not be adversely affected thereby.
14. Essential Services: The property owner continue to provide annual payments to the Town of Chapel Hill as indicated in the existing Memorandum of Understandings between the property owner and Orange County for provision of essential services (including fire and police protection).

#### Street Design and Ownership

15. Internal Streets: All streets, utilities, landscaping and other infrastructure within the development shall be constructed, owned, and maintained by the property owner.



16. Accessible Corridors: Prior to issuance of a Zoning Compliance Permit for each development phase the property owner shall identify and provide pedestrian corridors through and around that phase that are accessible to people with disabilities.
17. Construction of Internal Streets: Prior to the issuance of a Zoning Compliance Permit for any construction east of the stream mitigation project, the property owner shall provide a plan demonstrating that adequate vehicular circulation and emergency access will be provided at all phases of development. Approval by the Town Manager shall be required prior to issuance of a Zoning Compliance Permit.
18. Public Access Easements & Private Maintenance: Public access easements, providing public ingress and egress, to and connecting the development blocks must be recorded prior to issuance of a Zoning Final Inspection for the Block or the phase being developed.
19. Street Lighting – Eastowne and 15-501: Prior to issuance of a Zoning Final Inspection of proposed Medical Office Building – 4 (MOB-4), the property owner shall design and install street lighting along the site frontage on Eastowne Drive. Prior to issuance of a Zoning Final Inspection for the final phase within the Inner Loop the property owner shall design and install street lighting along the site frontage on US 15-501 pursuant to North Carolina Department of Transportation (NCDOT) approval. Design and construction details including at signalized and unsignalized intersections must be approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. An approved phasing plan may detail the installation sequence for the lighting installation.
20. Eastowne Drive Improvements: Prior to the Zoning Final Inspection of the proposed MOB-4, Eastowne Drive shall, at a minimum, be improved to include buffered bicycle lanes and include street widening where deemed necessary by a subsequent Traffic Impact Analysis for MOB-4.

#### Landscape and Buffers

21. Tree Canopy: The development shall maintain no less than thirty-five percent (35%) tree canopy coverage, including all conservation easement areas and buffers.
22. Street Trees: Major streets shall be landscaped with, at a minimum, canopy trees planted at increments of thirty (30) feet on center average with groupings or limited breaks in accordance with emergency services requirements.

#### 23. Landscape Bufferyards:

Frontage	Type
US 15-501	20-foot Modified
Eastowne Drive	Street trees to be planted 30 feet on-center on average
I-40 Interstate	100-foot Type E
Internal	15-foot Type B

The buffer requirement noted in the schedule of required buffers may be reduced by one grade of intensity (e.g., C to a B) if the development is designed such that there is no parking between the buildings located on the site and the adjacent street.



24. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the property owner shall identify on the planting plan any known invasive exotic species of vegetation within that phase, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC) and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]
25. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]
26. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, tree protection fencing details, and location of tree protection fencing. [LUMO 5.7.3]
27. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the property owner shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]
28. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the property owner shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval.
29. Site Retaining Wall Construction: If applicable, the final location and wall heights of all site retaining walls shall be shown on the Final Plans for each phase and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

#### Parking

30. Parking Deck Design: All parking decks shall utilize a horizontal deck design and shall be screened on all sides that are visible from the public right-of-way.
31. Structured Parking: At full build-out of the Inner Loop, at least eighty percent (80%) of parking spaces shall be located in structured parking facilities. Early phases of development may have a lower percentage of parking provided in structured parking facilities.
32. Parking Needs Assessment: The property owner shall provide to the Town an updated parking assessment addressing parking utilization and expected needs, to be submitted with each Zoning Compliance Permit for each Phase of development. Demonstration of parking needs may include surveys of existing parking lot utilization with documentation provided by the property owner of vehicular parking utilization at peak hours, number of staff on-site, number of patients, use of bicycle parking spaces and efforts to increase alternative modes of transportation use by employees. In addition, the Town shall be required to provide information on transit use at the Eastowne stop(s).
33. Parking Spaces: A total ratio of 4.5 vehicular parking spaces per 1,000 sf of building area are authorized for construction within the Inner Loop (approximately 4,000



spaces). A maximum 1,200-space parking structure, to be located on the Northern 20, shall be subsequently authorized by the Town Manager upon demonstration that the need for additional parking exists.

If peak hour utilization of the vehicular parking spaces exceeds 80 percent of the capacity, a parking structure to provide the additional parking necessary to meet the overall demonstrated need for the Eastowne development shall be approved by the Town Manager on the Northern 20.

34. Parking Structure on Northern 20: The property owner shall investigate the option of moving the proposed parking structure closer to US 15-501 on the Northern 20. This location will require impacts to the Jordan Buffer, Resource Conservation District and intermittent stream. Access to the deck off from Eastowne Drive will be reviewed and approved by NCDOT and the Town. Current permitting requirements, at a minimum, include approvals from the Town of Chapel Hill (Jordan Buffer & RCD), US Army Corp of Engineers (wetlands), NCDENR-DWR (stream) and NCDOT (access). Any RCD encroachment reasonably associated with relocating the parking structure is permitted as part of this Conditional Zoning. If the permits can be obtained, the property owner will construct the parking deck as close as reasonably possible to US 15-501 and Eastowne Drive.
35. Electric Vehicle Parking: All new parking structures in the development shall adhere to the following standards:
  - a. Prior to each Zoning Final Inspection for each parking structure, two percent (2%) of parking spaces, or more if demonstrated by ongoing monitoring of the use, in each parking structure shall be served by electric vehicle ("EV") charging stations. Charging stations shall be "Level 2" or higher as defined by the Society of Automotive Engineers and sites must:
    - i. Provide a Level 2 charging capacity (208/240V) or greater
    - ii. Comply with relevant regional or local standard for electrical connectors, such as SAE Surface Vehicle Recommended Practice J1772, SAE Electric Vehicle.
    - iii. Conductive Charge Coupler so that they are compatible with all types of chargers.
    - iv. When possible, EVSE-installed spaces should be identified and shared with the Town of Chapel Hill during the Zoning Compliance Permit review process.
  - b. Twenty-five percent (25%) of parking spaces in each parking structure shall be "EV Designed," meaning the structure will be designed with accommodations to be installed to infrastructure at a later date. More specifically, this means that that the final plans (and any amendments) show the full installation of up to 25 percent of the total spaces for Level 2 charging (or equivalent vehicle charging capacity by DCFC), including:
    - i. the locations for future charging stations, pavement markings and signage
    - ii. the locations for future pavement markings and signage related to ADA access that complies with the U.S. Access Board's latest version of the *Design Recommendations for Accessible Electric Vehicle Charging Stations* (or comparable ADA guidance agreed to by Town staff)
    - iii. the location of future conduit and raceways
    - iv. the location for future, upsized transformers
    - v. the location and durable marking of future electrical panels with dedicated circuits for EV charging\*



- vi. the location for borings between parking deck levels and/or walls for future conduit and raceways\*

\*Completed borings between parking levels and/or walls, and the durable marking of locations to reserve space for future electrical equipment (panels, transformers), will be made during the time of construction, and observed by zoning inspections staff at the time of final review.

- 36. Electric Vehicle Utilization: An analysis of the utilization of existing EV parking spaces will be provided by the Property owner with each Zoning Compliance Permit submittal and, if the staff finds there to be reasonable justification, the required number of EV spaces can be adjusted accordingly. An increase or reduction in the required number of EV spaces will be considered a minor modification.
- 37. Electric Bicycle Charging: All parking structures shall include at least three (3) 110-volt receptacles within five (5) feet of bicycle racks that meet Town standards.
- 38. Gameday Parking: If requested by the Town, the property owner shall consider, and negotiate in good faith, to provide parking spaces to support weekend athletic events at the University of North Carolina at Chapel Hill.

#### Bicycle/Pedestrian Facilities

- 39. Old Sterling/US 15-501 Pathway: Prior to the Zoning Final Inspection for Medical Office Building Three (MOB-3), the property owner shall construct a 5-foot wide pathway that runs in the outer 20-feet of the stream side zone of the RCD adjacent to the stream mitigation project and connects Old Sterling Drive to the multi-use path along US 15-501. Permeable pavements will be explored and implemented where feasible.
- 40. US 15-501 Multi-use Path: Subject to the approval of the North Carolina Department of Transportation (NCDOT), the property owner shall construct a multi-use path within the US 15-501 right-of-way along the development's full US 15-501 frontage. The multiuse path shall be completed prior to the earlier of the following:
  - a. The Zoning Final Inspection for the final phase of development in the Inner Loop
  - b. The first Zoning Compliance Permit issued after NCDOT completes its planned widening of US 15-501
- 41. Eastowne Multi-use Path: Prior to the Zoning Final Inspection for MOB-5, the property owner shall complete the Eastowne Multi-use Path along the full frontage of Eastowne Drive.
- 42. Shower Facilities: The property owner shall provide at least four (4) showers and associated facilities in each new building.
- 43. Greenways/Multi-use Paths: The property owner shall grant public access easements for all greenways, multiuse paths, and sidewalks in the development except where doing so would compromise the security or privacy of employees, patients, or other visitors.
- 44. Easements for Bicycle/Pedestrian Connectivity: If requested by the Town of Chapel Hill, the property owner shall grant the necessary easements and/or dedicate the necessary right-of-way to allow for the construction of bicycle/pedestrian connections to New Hope Commons Drive, the Dry Creek Trail, or other publicly maintained trail systems.



Requested easements shall not reduce, or otherwise impact, the development area (Block P4) as shown in approved the district-specific plan.

45. Design of Bicycle and Pedestrian Facilities: All pedestrian, bicycle, and greenway facilities within and adjacent to the development shall be designed and constructed to meet Town standards unless otherwise approved by the Town Manager. For all sidewalk, bicycle and greenway facilities, easements shall be granted to the Town and the public for public use. All facilities along public rights-of-way shall have adequate lighting, to be reviewed and approved by the Town Manager.
46. Sidewalk Dimensions: Minimum sidewalk widths shall be five (5) feet. The multi-use path and greenway along US 15-501 shall be ten (10) feet wide. Internal sidewalks along the building frontages will be a minimum eight (8) feet wide.
47. Location of Bicycle and Pedestrian Facilities: The location of greenways and paths for pedestrians and cyclists in the development will be generally consistent with the District Specific Plan.
48. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the property owner shall provide dimensioned details that comply with the Town parking standards for proposed bicycle parking spaces in accordance with this ordinance. Bicycle parking spaces may be placed near building entrances, or within parking structures. Spaces shall be located in well-lit and visible areas. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 5.9.7 and Town of Chapel Hill Design Manual]
49. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.

#### Transit

50. Eastowne Drive Bus Stops: Prior to the issuance of any Zoning Compliance Permit, the property owner shall coordinate with Chapel Hill Transit to determine the need, and timing of construction, for additional bus stops along Eastowne Drive. Prior to full build-out of the Inner Loop, the property owner shall provide up to two (2) additional bus stops in locations negotiated with Chapel Hill Transit.
51. Bus Rapid Transit Station: Upon request by the Town, the property owner shall dedicate sufficient land for the construction of a Bus Rapid Transit (BRT) station along US 15-501. After completion of the BRT station, no Zoning Compliance Permits shall be issued for new buildings within development until the property owner provides an adequate pedestrian connection to the station. Clearing, grading, buffer impacts or Resource Conservation District (RCD) impacts necessary to construct the connection to the BRT will be considered a minor modification.

#### Traffic/Transportation

52. Subsequent Transportation Impact Analysis (TIA) Updates: With the first Final Plan submittal of each development phase, the property owner will provide a TIA that is consistent with Town and NCDOT standards for the development phase. The TIA shall be conducted by a qualified party chosen by the Town and the cost of preparation of the



TIA shall be borne by the property owner. The property owner shall be responsible for all mitigation measures necessary for NCDOT and Town approval.

53. North Carolina Department of Transportation (NCDOT) Approvals: NCDOT approval shall be required prior to the issuance of a Zoning Compliance Permit for any new construction (of more than 5,000 square feet) in the development. Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT.
54. Medical Office Building Two ("MOB-2") Traffic Mitigation Measures: Prior to the issuance of a Zoning Final Inspection for MOB-2, the property owner shall provide the following, subject to NCDOT and Town approval:
  - a. Southern Eastowne Drive/US 15-501 Intersection: The existing left-turn lane on Eastowne Drive shall be extended to provide a minimum of 375 feet of vehicle storage.
  - b. Eastowne Drive: The section of Eastowne Drive between the existing Medical Office Building Parking Deck Access Driveway and Old Sterling Drive shall have on-street parking eliminated. Buffered bicycle lanes and a three-lane vehicular cross-section shall be implemented, including street widening where necessary. Left-turn lanes with 100 feet of storage shall be delineated in this vicinity for the relocated Parking Deck Access Driveway and Old Sterling Drive.
  - c. Parking Deck Access Driveway: The access driveway for the existing parking deck shall include a southbound right-turn auxiliary egress lane with at least 75 feet of storage at the Eastowne Drive intersection.
  - d. Signal Timing: The property owner shall provide a payment of \$15,000 to the Town to support optimization of signal timing. Signal timings at the following intersections shall be reoptimized to account for site-related traffic:
    - i. Northern Eastowne Drive/US 15-501
    - ii. Southern Eastowne Drive/US 15-501
    - iii. Sage Road/US 15-501
  - e. Dobbins Drive: Dobbins Drive shall be restricted to a right-in/right-out intersection at Eastowne Drive. A concrete median of sufficient length shall be installed to effectuate this restriction.
  - f. US 15-501 and Southern Eastowne Drive Pedestrian Improvements: That enhanced pedestrian refuge islands should be provided on both pedestrian crosswalks of US 15-501 in coordination with NCDOT and the Town.
55. Easements for Vehicular Connectivity: If requested by the Town of Chapel Hill, the property owner shall grant the necessary easements and/or dedicate the necessary right-of-way to allow for the construction of a vehicular connection to New Hope Commons Drive. The requested easements and right-of-way shall not reduce, or otherwise impact, the development area (Block P4) as shown in the approved district-specific plan.
56. Traffic Management Plan: Prior to the issuance of a Zoning Compliance Permit for each development phase, an updated Traffic Management Plan shall be submitted to the Town Manager. The Transportation Management Plan shall include monitoring of electric



vehicle parking spaces usage. Management and monitoring of employee parking shall be included. [LUMO 4.5.2]

57. Traffic Signs: The property owner shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.

#### Stormwater Management

58. Stormwater Management: All stormwater control measures shall be designed to accommodate the 50-year, 24-hour rainfall event (exceeding the Town's requirement for the 25-year storm event).
59. Treatment of Existing Impervious Surface: The development shall include adequate infrastructure to treat all new impervious surface and at least 50 percent of existing impervious surface as of the date of enactment of this ordinance.
60. Green Stormwater Infrastructure for Impervious Area: A minimum of 1 acre of impervious area shall be treated using green stormwater infrastructure (GSI) designed to the current NCDEQ Minimum Design Criteria to the maximum extent practicable.

#### Resource Conservation District and Jordan Buffer

61. Stream Crossings: The development shall be limited to two (2) vehicular stream crossings and two (2) pedestrian stream crossings. A total of three (3) vehicular stream crossings may be permitted if deemed necessary to provide adequate emergency access to the Parcel Identifier Number 9890-91-1209. All crossings shall be constructed in a manner that, to the maximum practicable extent, minimizes impacts on Resource Conservation District (RCD) and Jordan Buffers. Bottomless culverts or bridges shall be used for all stream crossings.
62. Stream Mitigation: Prior to any land disturbance within the stream and issuance of a Zoning Compliance Permit, plans and design standards for stream restoration should be designed to follow the guidelines set forth by Dave Rosgen's (as outlined in the Appendix of this ordinance and available at: [https://wildlandhydrology.com/resources/docs/River%20Restoration%20and%20Natural%20Channel%20Design/Rosgen\\_Geomorphic\\_Channel\\_Design.pdf](https://wildlandhydrology.com/resources/docs/River%20Restoration%20and%20Natural%20Channel%20Design/Rosgen_Geomorphic_Channel_Design.pdf)) natural channel design methods. All restoration work shall be completed prior to issuance of a Zoning Final Inspection for Medical Office Building-3 (MOB-3). The designs will seek to establish physical, chemical, and biological functions within the stream systems that are self-regulating and emulate a natural stable form within the constraints imposed by the site's conditions. Not only will the channel be restored to a natural stable form, the floodplain and riparian areas will be graded and revegetated to ensure stability and re-establishment of natural riparian processes. Work will include assessing the existing reach and watershed; determining appropriate channel dimensions, pattern and profile; designing appropriate floodplain widths; incorporating channel and floodplain structures to maintain stability, hold grade, and provide habitat; and providing an appropriate planting plan for channel banks and floodplain to establish a diverse riparian ecosystem.
63. Development in the Resource Conservation District (RCD) and Jordan Buffer: Streets, bridges, and other similar transportation facilities as depicted in the District-Specific Plan are permitted in the RCD. Pedestrian access trails; greenways; bridges; driveway crossings; maintenance access on modified natural streams; playground equipment;



protection of existing structures, facilities, and stream bank; road crossings; road relocation; stormwater best management practice (BMP); utility, electric, aerial, crossings of streams; utility electric underground crossings; utility, non-electric crossings; wetland, stream and buffer restoration; and wildlife passage structures are allowed with or without mitigation (as per LUMO Section 5.18.7(b)) in the Jordan Buffer.

Parcel 9890-91-1209 ("Northern 20")

64. Development and Permitted Uses on the Parcel 9890-91-1209: No uses other than structured parking shall be permitted on the parcel identified as 9890-91-1209. No construction activities or clearing of land (other than those related to public infrastructure, bicycle/pedestrians/vehicular connectivity, or recreational facilities) shall begin on this parcel until the last phase of the development.
65. Preservation of the Parcel 9890-91-1209: Prior to issuance of a Zoning Compliance Permit for MOB-2, the property owner shall record an easement for the perpetual conservation of at least 10-acres of land located in the parcel. The easement shall be dedicated to an appropriate conservation organization subject to Town Manager approval.

Public Amenity Spaces

66. Public Amenity Spaces: All public amenity spaces shall be designed in accordance with the Design Principles for the Eastowne Campus.
67. Central Green: A central green shall be provided within the Eastowne Drive site and be completed prior to issuance of a Zoning Final Inspection for Medical Office Building #4 and shall include publicly accessible gathering spaces.

Green Building and Sustainable Infrastructure

68. Energy Efficiency: All buildings shall either be designed to be 20 percent better than the 2016 version of ASHRAE 90.1 or in accordance with the current NC energy code, whichever is more stringent. For each building, the property owner will submit an energy model with the building permit plans to demonstrate that the building is designed to perform to the aforementioned standard. For purposes of ASHRAE 90.1-2016 energy modeling and calculations, the following applies:
- a. Loads associated with specialty medical equipment shall be excluded from the energy models (baseline and proposed/design). Specialty equipment such as but not limited to linear accelerators, imaging equipment (CT scanners, MRI, etc), specialty pharmacy equipment, etc.
  - b. Town staff shall allow a lower proposed/design improvement over baseline if applicant demonstrates that there is no commercially practical method to achieve a 20% reduction. Factors could consist of but not limited to equipment technology availability, material shortages, laws/regulations prohibiting manufacturing of certain materials, new codes, etc.

LEED building standard shall be reviewed for approach to energy conservation, indoor air quality, sustainability and building commissioning. The following LEED design goals shall be followed where practical in a facility designed for patient care:



- a. Third party building commissioning to ensure performance of energy conservation measures at completion of project.
- b. Strive to provide the highest indoor air quality design and eliminate or limit use of any materials that off gas to the indoor environment.
- c. Meet Energy efficiency measures as outlined in either ASHRAE 90.1 -2016 or NC energy code, whichever is more stringent.
- d. Where practical, specify materials made from sustainable and renewable resources.
- e. Provide on-site renewable energy production (i.e. photovoltaics)

UNC Health agrees to review with Staff the current standards and adjust criteria if mutually agreeable. The spirit of the projects is to build the most energy efficient buildings that are practical considering the mission of UNCH which is to provide the best possible medical care to its patients.

69. All-Electric Design: All buildings shall be designed to allow for all-electric operation or all-electric capable design, as possible and where it does not interfere with energy conservation standards stated in Energy Efficiency condition and where suitable for a medical use.
70. Sustainable Rooftops: Solar photovoltaic systems, green roofs, or a combination thereof shall be installed on fifty (50) percent of available rooftop space remaining after necessary roof access and mechanical equipment is designed. The remainder of available rooftop space shall be designed to allow for future installation of solar photovoltaic systems, green roofs, or a combination thereof.
71. Plantings and Water Conservation: The development shall be landscaped using drought-resistant plants wherever possible. Only native non-invasive species may be used. The property owner shall not install or operate any permanent irrigation systems.
72. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the property owner shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; and (c) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

### Design Principles

73. Design Principles for the Eastowne Campus: Prior to issuance of the first Zoning Compliance Permit, the property owner shall receive input from the Community Design Commission (CDC) and work with the Town's Urban Designer and other Town staff to review and evaluate design principles subject to approval by the Town Manager. The approved documents will be recorded and cross-referenced with this ordinance prior to issuance of the first Zoning Compliance Permit. Town and CDC review and approval of the design principles shall not exceed a total of 90 working days from the initial submission to the Town or within such further time consented to in writing by the property owner. No new vertical development may occur until the Town Manager approves the design principles unless such development otherwise complies with the dimensional requirements of the Land Use Management Ordinance. After initial approval of the design principles, minor modifications to the final, approved design principles may be approved by the Town. Should the Town Manager deny the design principles, unless



such development complies with the dimensional requirements of the Land Use Management Ordinance and complies with this ordinance and associated District-Specific plan, a Zoning Compliance Permit shall not be issued.

74. Design Principles Certification: Submission of each Final Plan shall include a signed and sealed certification that the proposed plan complies with the approved Design Principles for the UNC Heath Eastowne Campus.



### Fire Safety

75. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.
76. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
77. Fire Department Connections, Locations: FDCs shall be installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5" siamese.
78. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.

### Solid Waste Management and Recycling

79. Refuse Collection Service: Prior to the issuance of any Zoning Compliance Permit involving a land use that generates refuse or solid waste, the property owner shall verify that refuse collection service is to be contracted privately, unless the property owner demonstrates that all requirements for public refuse collection have been met in the design and construction of one or more sections of the project.
80. Deconstruction Assessment: For any existing structure 500 square feet or larger a deconstruction assessment shall be conducted by OCSW staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO). Prior to any demolition or construction activity on the site, the property owner shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be held at the same pre-construction meeting held with other development/enforcement officials.

### State and Federal Approvals

81. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.

### Miscellaneous

82. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete or a bond is place with the Town for incomplete improvements. A note to this effect shall be placed on the final plats.



If the Town Manager approves a phasing plan, no Certificates of Occupancy shall be issued for a phase until all required public improvements for that phase are complete, and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase. A note to this effect shall be placed on the final plats.

83. New Street Names and Numbers: The name of the development and its streets and building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
84. Vested Right: This Conditional Zoning constitutes a site-specific vesting plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160D-108.1 and the Chapel Hill Land Use Management Ordinance. The Town makes no further representations regarding vested rights as they relate to this approval. During the period of vesting this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
85. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
86. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Conditional Zoning for UNC Heath Eastowne at 100-998 Eastowne Drive.

This the 24<sup>th</sup> day of May, 2023.



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United States  
Department of  
Agriculture

Natural  
Resources  
Conservation  
Service

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## Part 654 Stream Restoration Design National Engineering Handbook

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### Chapter 11

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## Rosgen Geomorphic Channel Design





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Issued August 2007

**Cover photo:** Stream restoration project, South Fork of the Mitchell River, NC, three months after project completion. The Rosgen natural stream design process uses a detailed 40-step approach.

### Advisory Note

Techniques and approaches contained in this handbook are not all-inclusive, nor universally applicable. Designing stream restorations requires appropriate training and experience, especially to identify conditions where various approaches, tools, and techniques are most applicable, as well as their limitations for design. Note also that product names are included only to show type and availability and do not constitute endorsement for their specific use.

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# Chapter 11

# Rosgen Geomorphic Channel Design

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## Chapter 11

## Rosgen Geomorphic Channel Design

### 654.1100 Purpose

This chapter outlines a channel design technique based on the morphological and morphometric qualities of the Rosgen classification system. While this approach is written in a series of steps, it is not a cookbook. This approach is often referred to as the Rosgen design approach. The essence for this design approach is based on measured morphological relations associated with bankfull flow, geomorphic valley type, and geomorphic stream type. This channel design technique involves a combination of hydraulic geometry, analytical calculation, regionalized validated relationships, and analogy in a precise series of steps. While this technique may appear to be straightforward in its application, it actually requires a series of precise measurements and assessments. It is important for the reader to recognize that the successful application of this design approach requires extensive training and experience.

The contents of this chapter were submitted to the technical editors of this handbook as a manuscript titled *Natural Channel Design Using a Geomorphic Approach*, by Dave Rosgen, Wildland Hydrology, Fort Collins, Colorado. This material was edited to fit the style and format of this handbook. The approaches and techniques presented herein are not universally applicable, just as other approaches and techniques presented in this handbook are not necessarily appropriate in all circumstances. However, the Rosgen Geomorphic Approach for Natural Channel Design has been implemented in many locations and is cited as the methodology of choice for stream restoration by several state and local governments.

### 654.1101 Introduction

River restoration based on the principles of the Rosgen geomorphic channel design approach is most commonly accomplished by restoring the dimension, pattern, and profile of a disturbed river system by emulating the natural, stable river. Restoring rivers involves securing their physical stability and biological function, rather than the unlikely ability to return the river to a pristine state. Restoration, as used in this chapter, will be used synonymously with the term rehabilitation. Any river restoration design must first identify the multiple specific objectives, desires, and benefits of the proposed restoration. The causes and consequences of stream channel problems must then be assessed.

Natural channel design using the Rosgen geomorphic channel design approach incorporates a combination of analog, empirical, and analytical methods for assessment and design. Because all rivers within a wide range of valley types do not exhibit similar morphological, sedimentological, hydraulic, or biological characteristics, it is necessary to group rivers of similar characteristics into discreet stream types. Such characteristics are obtained from stable reference reach locations by discreet valley types, and then are converted to dimensionless ratios for extrapolation to disturbed stream reaches of various sizes.

The proper utilization of this approach requires fundamental training and experience using this geomorphic method. Not only is a strong background in geomorphology, hydrology, and engineering required, but the restoration specialist also must have the ability to implement the design in the field. The methodology is divided into eight major sequential phases:

- I Define specific restoration objectives associated with physical, biological, and/or chemical process.
- II Develop regional and localized specific information on geomorphologic characterization, hydrology, and hydraulics.
- III Conduct a watershed/river assessment to determine river potential; current state; and the nature, magnitude, direction, duration, and consequences of change. Review land



use history and time trends of river change. Isolate the primary causes of instability and/or loss of physical and biological function. Collect and analyze field data including reference reach data to define sedimentological, hydraulic, and morphological parameters. Obtain concurrent biological data (limiting factor analysis) on a parallel track with the physical data.

- IV Initially consider passive restoration recommendations based on land use change in lieu of mechanical restoration. If passive methods are reasonable to meet objectives, skip to the monitoring phase (VIII). If passive efforts and/or recovery potential do not meet stated multiple objectives, proceed with the following phases.
  - V Initiate natural channel design with subsequent analytical testing of hydraulic and sediment transport relations (competence and capacity).
  - VI Select and design stabilization/enhancement/vegetative establishment measures and materials to maintain dimension, pattern, and profile to meet stated objectives.
  - VII Implement the proposed design and stabilization measures involving layout, water quality control, and construction staging.
  - VIII Design a plan for effectiveness, validation, and implementation monitoring to ensure stated objectives are met, prediction methods are appropriate, and the construction is implemented as designed. Design and implement a maintenance plan.
- Validate the analog, empirical, and analytical methods used for the assessment and design.
  - Determine effectiveness of the restoration methods to the stated physical and biological restoration objectives.

The conceptual layout for the phases of the Rosgen geomorphic channel design approach is shown in figure 11–1. The various phases listed above are indicated on this generalized layout. The flowchart is indicative of the full extent and complexity associated with this method.

Because of the complexity and uncertainty of natural systems, it becomes imperative to monitor each restoration project. The following are three objectives of such monitoring:

- Ensure correct implementation of the design variables and construction details.



**Figure 11-1**





## 654.1102 Restoration phases

### (a) Phase I—Restoration objectives

It is very important to obtain clear and concise statements of restoration objectives to appropriately design the solution(s). The potential of a certain stream to meet specific objectives must be assessed early on in the planning phases so that the initial restoration direction is appropriate. The common objectives are:

- flood level reduction
- streambank stability
- reduce sediment supply, land loss, and attached nutrients
- improve visual values
- improve fish habitat and biological diversity
- create a natural stable river
- withstand floods
- be self-maintaining
- be cost-effective
- improve water quality
- improve wetlands

It is essential to fully describe and understand the restoration objectives. The importance of formulating clear, achievable, and measurable objectives is described in detail in [NEH654.02](#). Often the objectives can be competing or be in conflict with one another. Conflict resolution must be initiated and can often be offset by varying the design and/or the nature of stabilization methods or materials planned.

The assessment required must also reflect the restoration objectives to ensure various related processes are thoroughly evaluated. For example, if improved fishery abundance, size, and species are desired, a limiting factor analysis of habitat and fish populations must be linked with the morphological and sedimentological characteristics.

### (b) Phase II—Developing local and regional relations in geomorphic characterization, hydrology, and hydraulics

#### Geomorphic characterization

The relations mapped at this phase are the geomorphic characterization and description levels for stream classification (Rosgen 1994, 1996). Valley types (table 11-1) are mapped prior to stream classification to ensure reference reach data are appropriately applied for the respective valley types being studied. Morphological relations associated with stream types are presented in figures 11-2 (Rosgen 1994) and 11-3 (Rosgen 1996) and summarized in table 11-2. In natural channel design using the Rosgen geomorphic channel design approach, it is often advantageous to have an undisturbed and/or stable river reach immediately upstream of the restoration reach. Reference reach data are obtained and converted to dimensionless ratio relations to extrapolate channel dimension, pattern, profile, and channel material data to rivers and valleys of the same type, but of different size. If an undisturbed/stable river reach is not upstream of the restoration reach, extrapolation of morphological and dimensionless ratio relations by valley and stream type is required for both assessment and design.

An example of the form used to organize reference reach data, including dimensionless ratios for a given stream type, is presented in table 11-3. Specific design variables use reference reach data for extrapolation purposes, assuming the same valley and stream type as represented. These relations are only representative of a similar stable stream type within a valley type of the disturbed stream.

#### Hydrology

The hydrology of the basin is often determined from regional curves constructed from long-term stream gage records. Relationships of flow-duration curves and flood-frequency data are used for computations in both the assessment and design phases. Stream Hydrology is also addressed in [NEH654.05](#). Relations are converted to dimensionless formats using bankfull discharge as the normalization parameter. Bankfull discharge and dimensions associated with stream gages are plotted as a function of drainage area for extrapolation to ungaged sites in similar hydro-physiographic provinces. A key requirement in the development of

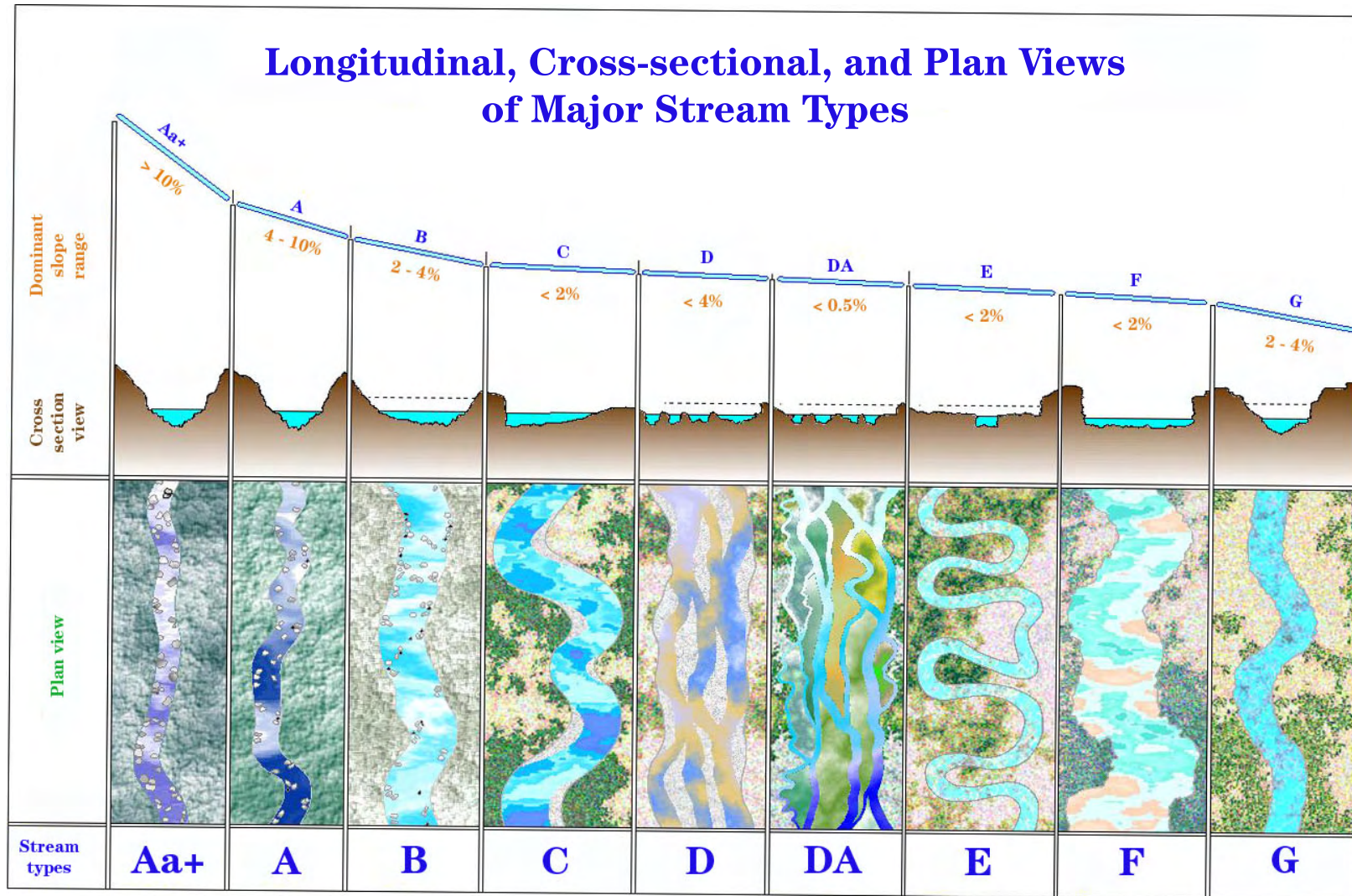


**Table 11-1** Valley types used in geomorphic characterization

Valley types	Summary description of valley types
I	Steep, confined, V-notched canyons, rejuvenated side slopes
II	Moderately steep, gentle-sloping side slopes often in colluvial valleys
III	Alluvial fans and debris cones
IV	Gentle gradient canyons, gorges, and confined alluvial and bedrock-controlled valleys
V	Moderately steep, U-shaped glacial-trough valleys
VI	Moderately steep, fault, joint, or bedrock (structural) controlled valleys
VII	Steep, fluvial dissected, high-drainage density alluvial slopes
VIII	Wide, gentle valley slope with well-developed flood plain adjacent to river and/or glacial terraces
IX	Broad, moderate to gentle slopes, associated with glacial outwash and/or eolian sand dunes
X	Very broad and gentle valley slope, associated with glacio- and nonglacio-lacustrine deposits
XI	Deltas

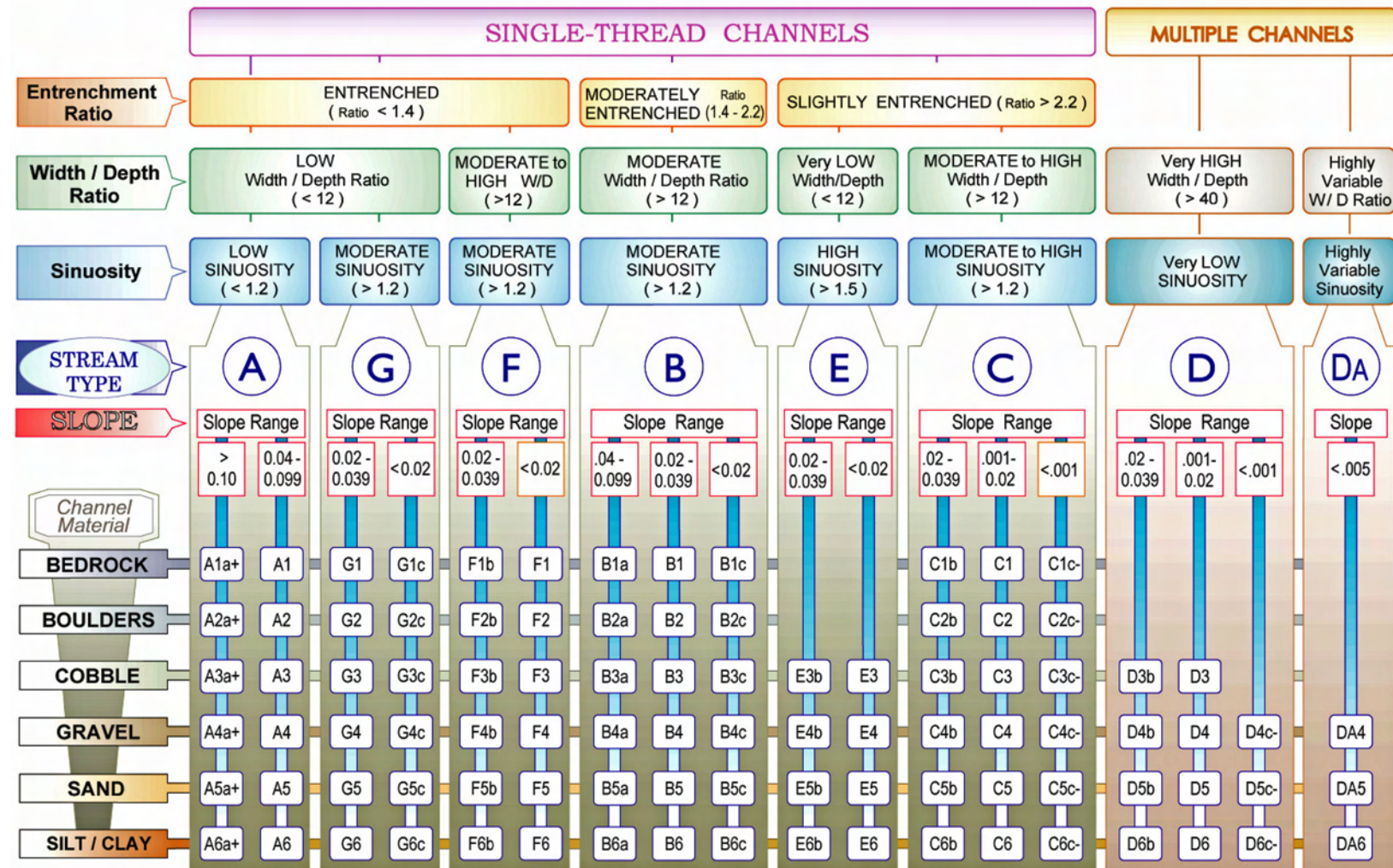


**Figure 11-2** Broad-level stream classification delineation showing longitudinal, cross-sectional, and plan views of major stream types





**Figure 11-3** Classification key for natural rivers



**KEY to the *ROSGEN* CLASSIFICATION of NATURAL RIVERS.** As a function of the "continuum of physical variables" within stream reaches, values of **Entrenchment** and **Sinuosity** ratios can vary by +/- 0.2 units; while values for **Width / Depth** ratios can vary by +/- 2.0 units.



**Table 11–2** General stream type descriptions and delineative criteria for broad-level classification (level 1)

Stream type	General description	Entrenchment ratio	W/d ratio	Sinuosity	Slope	Landform/soils/features
Aa+	Very steep, deeply entrenched, debris transport, torrent streams	<1.4	<12	1.0 to 1.1	>.10	Very high relief. Erosional, bedrock, or depositional features; debris flow potential. Deeply entrenched streams. Vertical steps with deep scour pools; waterfalls
A	Steep, entrenched, cascading, step-pool streams. High energy/debris transport associated with depositional soils. Very stable if bedrock or boulder-dominated channel	<1.4	<12	1.0 to 1.2	.04 to .10	High relief. Erosional or depositional and bedrock forms. Entrenched and confined streams with cascading reaches. Frequently spaced, deep pools in associated step-pool bed morphology
B	Moderately entrenched, moderate gradient, riffle dominated channel with infrequently spaced pools. Very stable plan and profile. Stable banks	1.4 to 2.2	>12	>1.2	.02 to .039	Moderate relief, colluvial deposition and/or structural. Moderate entrenchment and width-to-depth ratio. Narrow, gently sloping valleys. Rapids predominate with scour pools
C	Low gradient, meandering, point bar, riffle/pool, alluvial channels with broad, well-defined flood plains	>2.2	>12	>1.2	<.02	Broad valleys with terraces, in association with flood plains, alluvial soils. Slightly entrenched with well-defined meandering channels. Riffle/pool bed morphology
D	Braided channel with longitudinal and transverse bars. Very wide channel with eroding banks	n/a	>40	n/a	<.04	Broad valleys with alluvium, steeper fans. Glacial debris and depositional features. Active lateral adjustment with abundance of sediment supply. Convergence/divergence bed features, aggradational processes, high bed load and bank erosion
DA	Anastomizing (multiple channels) narrow and deep with extensive, well-vegetated flood plains and associated wetlands. Very gentle relief with highly variable sinuosities and width-to-depth ratios. Very stable streambanks	>2.2	Highly variable	Highly variable	<.005	Broad, low-gradient valleys with fine alluvium and/or lacustrine soils. Anastomized (multiple channel) geologic control creating fine deposition with well-vegetated bars that are laterally stable with broad wetland flood plains. Very low bed-load, high wash load sediment
E	Low gradient, meandering riffle/pool stream with low width-to-depth ratio and little deposition. Very efficient and stable. High meander width ratio	>2.2	<12	>1.5	<.02	Broad valley/meadows. Alluvial materials with flood plains. Highly sinuous with stable, well-vegetated banks. Riffle/pool morphology with very low width-to-depth ratios
F	Entrenched meandering riffle/pool channel on low gradients with high width-to-depth ratio	<1.4	>12	>1.2	<.02	Entrenched in highly weathered material. Gentle gradients with a high width-to-depth ratio. Meandering, laterally unstable with high bank erosion rates. Riffle/pool morphology
G	Entrenched gully step-pool and low width-to-depth ratio on moderate gradients	<1.4	<12	>1.2	.02 to .039	Gullies, step-pool morphology with moderate slopes and low width-to-depth ratio. Narrow valleys, or deeply incised in alluvial or colluvial materials (fans or deltas). Unstable, with grade control problems and high bank erosion rates



**Table 11–3** Reference reach summary data form

River Reach Summary Data									
Channel dimension	Mean riffle depth ( $d_{bkt}$ )		ft	Riffle width ( $W_{bkt}$ )		ft	Riffle area ( $A_{bkt}$ )		ft <sup>2</sup>
	Mean pool depth ( $d_{bkfp}$ )		ft	Pool width ( $W_{bkfp}$ )		ft	Pool area ( $A_{bkfp}$ )		ft <sup>2</sup>
	Mean pool depth/mean riffle depth		$d_{bkfp}/(d_{bkt})$	Pool width/riffle width		$W_{bkfp}/W_{bkt}$	Pool area/riffle area		$A_{bkfp}/A_{bkt}$
	Max riffle depth ( $d_{mbkt}$ )		ft	Max pool depth ( $d_{mbkfp}$ )		ft	Max riffle depth/mean riffle depth		
	Max pool depth/mean riffle depth						Point bar slope		
Streamflow: estimated mean velocity at bankfull stage ( $u_{bkt}$ )					ft/s	Estimation method			
Streamflow: estimated discharge at bankfull stage ( $Q_{bkt}$ )					ft <sup>3</sup> /s	Drainage area			
						mi <sup>2</sup>			

Geometry		Mean	Min.	Max.	Dimensionless geometry ratios		Mean	Min.	Max.
Channel pattern	Meander length ( $L_m$ )			ft	Meander length ratio ( $L_m/W_{bkt}$ )				
	Radius of curvature ( $R_c$ )			ft	Radius of curvature/riffle width ( $R_c/W_{bkt}$ )				
	Belt width ( $W_{blt}$ )			ft	Meander width ratio ( $W_{blt}/W_{bkt}$ )				
	Individual pool length			ft	Pool length/riffle width				
	Pool to pool spacing			ft	Pool to pool spacing/riffle width				

Valley slope (VS)			ft/ft	Average water surface slope (S)			ft/ft	Sinuosity (VS/S)	
Stream length (SL)			ft	Valley length (VL)			ft	Sinuosity (SL/VL)	
Low bank height (LBH)	start end		ft ft	Max riffle depth	start end		ft ft	Bank height ratio (LBH/max riffle depth)	start end

Facet slopes		Mean	Min.	Max.	Dimensionless geometry ratios		Mean	Min.	Max.
Channel profile	Riffle slope ( $S_{rit}$ )			ft/ft	Riffle slope/average water surface slope ( $S_{rit}/S$ )				
	Run slope ( $S_{run}$ )			ft/ft	Run slope/average water surface slope ( $S_{run}/S$ )				
	Pool slope ( $S_p$ )			ft/ft	Pool slope/average water surface slope ( $S_p/S$ )				
	Glide slope ( $S_g$ )			ft/ft	Glide slope/average water surface slope ( $S_g/S$ )				
	Feature midpoint <sup>a/</sup>	Mean	Min.	Max.	Dimensionless geometry ratios		Mean	Min.	Max.
Riffle depth ( $d_{rit}$ )			ft	Riffle depth/mean riffle depth ( $d_{rit}/d_{bkt}$ )					
Run depth ( $d_{run}$ )			ft	Run depth/mean riffle depth ( $d_{run}/d_{bkt}$ )					
Pool depth ( $d_p$ )			ft	Pool depth/mean riffle depth ( $d_p/d_{bkt}$ )					
Glide depth ( $d_g$ )			ft	Glide depth/mean riffle depth ( $d_g/d_{bkt}$ )					

Geometry		Reach <sup>b/</sup>	Riffle <sup>c/</sup>	Bar	Reach <sup>b/</sup>		Riffle <sup>c/</sup>	Bar
Channel materials	% Silt/clay				$D_{16}$			mm
	% Sand				$D_{35}$			mm
	% Gravel				$D_{50}$			mm
	% Cobble				$D_{84}$			mm
	% Boulder				$D_{95}$			mm
	% Bedrock				$D_{100}$			mm

a/ Minimum, maximum, mean depths are the average midpoint values except pools which are taken at deepest part of pool

b/ Composite sample of riffles and pools within the designated reach

c/ Active bed of a riffle

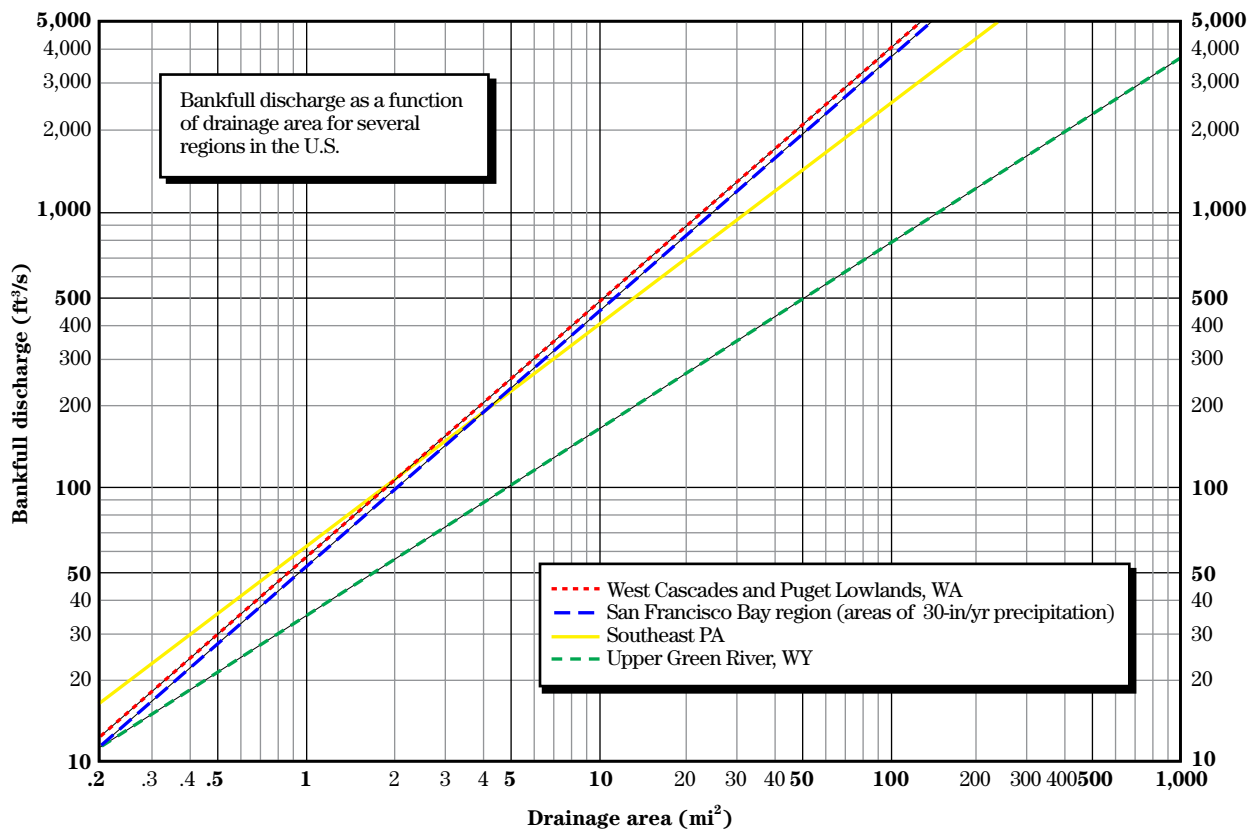


such relations is the necessity to field-calibrate the bankfull stage at each gage within a hydro-physiographic province (a drainage basin similar in precipitation/runoff relations due to precipitation/elevation, lithology and land uses).

*Regional curves*—The field-calibrated bankfull stage is used to obtain the return period associated with the bankfull discharge. Regional curves of bankfull discharge versus drainage area are developed (fig. 11–4) (adapted from Dunne and Leopold 1978)). To plot bankfull dimensions by drainage area, the U.S. Geological Survey (USGS) 9–207 data (summary of stream

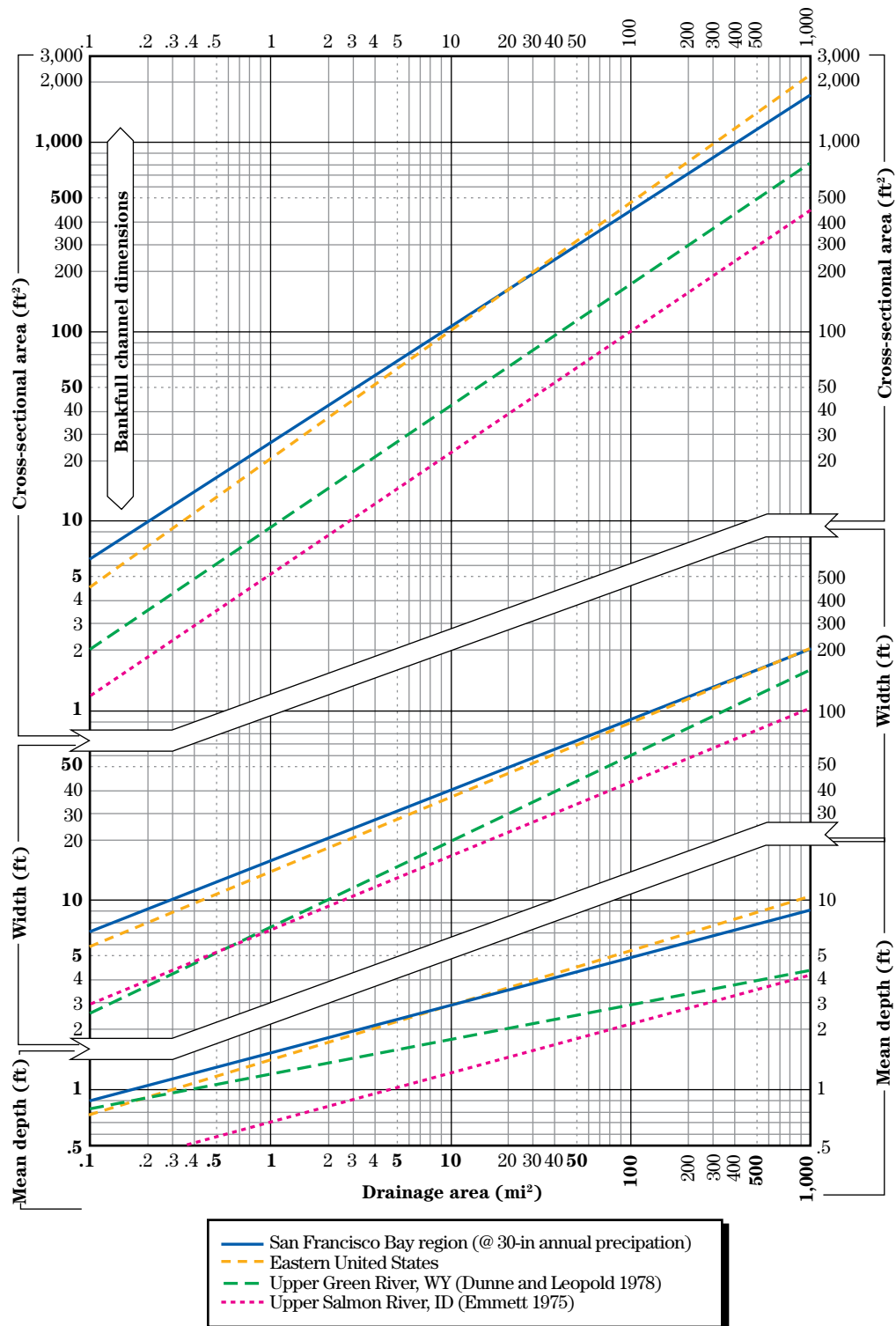
discharge measurements at the gage) are obtained to plot the at-a-station hydraulic geometry relations (fig. 11–5 (adapted from Rosgen 1996; Rosgen and Silvey 2005)). These data are then converted to dimensionless hydraulic geometry data by dividing each value by their respective bankfull value. These relations are used during assessment and design to indicate the shape of the various cross sections from low flow to high flow. In the development of the dimensionless hydraulic geometry data, current meter measurements must be stratified by stream type (Rosgen 1994, 1996) and for specific bed features such as riffles, glides, runs, or pools.

**Figure 11–4** Regional curves from stream gaging stations showing bankfull discharge ( $\text{ft}^3/\text{s}$ ) vs. drainage area ( $\text{mi}^2$ )





**Figure 11-5** Regional curves from stream gage stations showing bankfull dimensions (width, depth, and cross-sectional area) vs. drainage area ( $\text{mi}^2$ )





### Hydraulic relations

Hydraulic relations are validated using resistance equations for velocity prediction at ungaged sites. (Stream Hydraulics is addressed in more detail in NEH654.06) Validation is accomplished by back calculating relative roughness ( $R/D_{84}$ ) and a friction factor ( $u/u^*$ ) from actual measured velocity for a range of streamflows including bankfull:

$$u = \left[ 2.83 + 5.66 \log \left( \frac{R}{D_{84}} \right) \right] u^* \quad (\text{eq. 11-1})$$

where:

$u$  = mean velocity (ft/s)

$R$  = hydraulic radius

$D_{84}$  = diameter of bed material of the 84th percentile of riffles

$u^*$  = shear velocity ( $gRS$ )<sup>1/2</sup>

$g$  = gravitational acceleration

$S$  = slope

Measured velocity, slope, channel material, and hydraulic radius data from various Colorado rivers using this friction factor ( $u/u^*$ ) and relative roughness ( $R/D_{84}$ ) relation are shown in figure 11-6 (Rosgen, Leopold, and Silvey 1998; Rosgen and Silvey 2005).

Manning's  $n$  (roughness coefficient) can also be back-calculated from measured velocity, slope, and hydraulic radius. Another approach to predict velocity at ungaged sites is to predict Manning's  $n$  from a friction factor back-calculated from relative roughness shown in figure 11-7 (Rosgen, Leopold, and Silvey 1998; Rosgen and Silvey 2005). Manning's  $n$  can also be estimated at the bankfull stage by stream type as shown in the relationship from gaged, large streams in figure 11-8. Vegetative influence is also depicted in these data (Rosgen 1994).

*Dimensionless flow-duration curves*—Flow-duration curves (based on mean daily discharge) are also obtained from gage stations then converted to dimensionless form using bankfull discharge as the normalization parameter (fig. 11-9 (Emmett 1975)). The purpose of this form is to allow the user to extrapolate flow-duration curves to ungaged basins. This relationship is needed for the annual suspended and bed-load sediment yield calculation along with channel hydraulic variables.

### (c) Phase III—Watershed and river assessment

Land use history is a critical part of watershed assessment to understand the nature and extent of potential impacts to the water resources. Past erosional/depositional processes related to changes in vegetative cover, direct disturbance, and flow and sediment regime changes provide insight into the direction and detail for assessment procedures required for restoration. Time series of aerial photos are of particular value to understand the nature, direction, magnitude, and rate of change. This is very helpful, as it assists in assessing both short-term, as well as long-term river problems.

#### Assessment of river stability and sediment supply

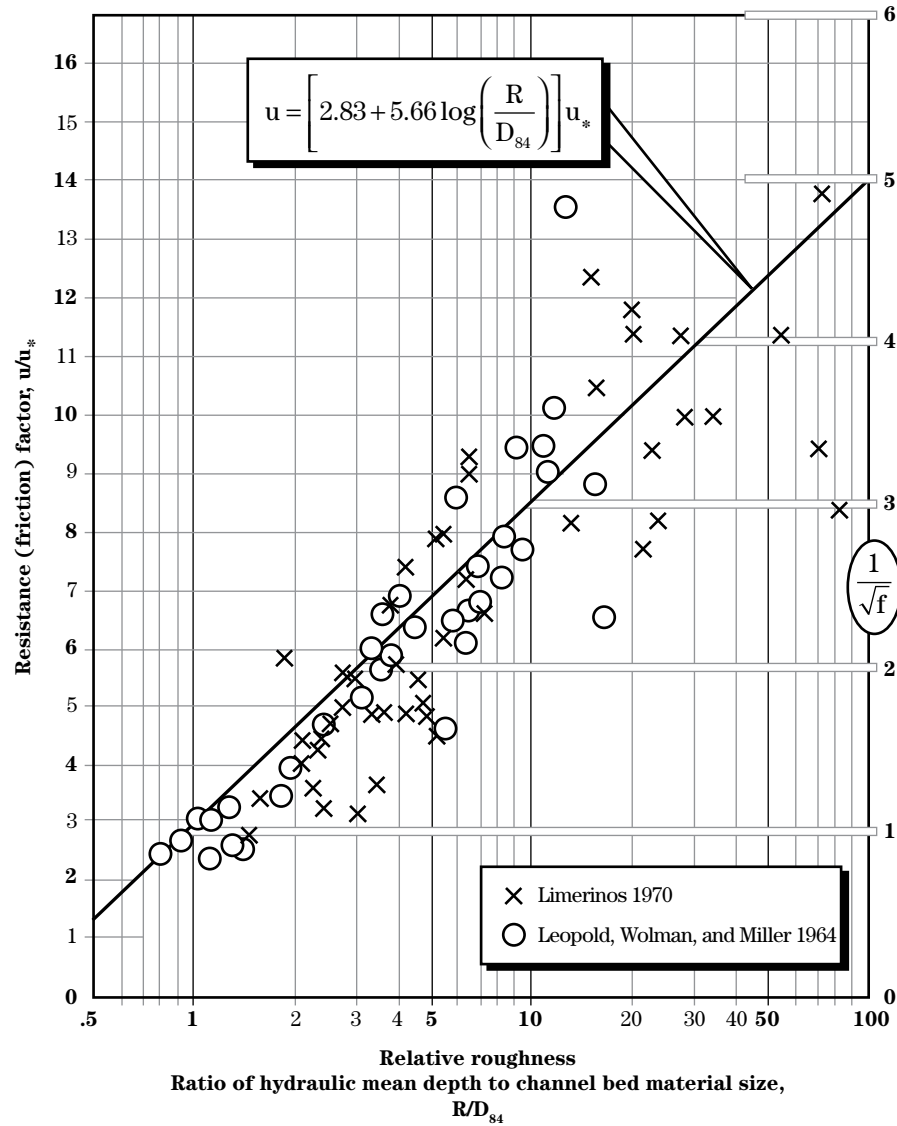
River stability (equilibrium or quasi-equilibrium) is defined as the ability of a river, over time, in the present climate to transport the flows and sediment produced by its watershed in such a manner that the stream maintains its dimension, pattern, and profile without either aggrading or degrading (Rosgen 1994, 1996, 2001d). A stream channel stability analysis is conducted along with riparian vegetation inventory, flow and sediment regime changes, limiting factor analysis compared to biological potential, sources/causes of instability, and adverse consequences to physical and biological function. Procedures for this assessment are described in detail by Rosgen (1996, 2001d) and in Watershed Assessment and River Stability for Sediment Supply (WARSSS) (Rosgen 1999, 2005).

It is important to realize the difference between the dynamic nature of streams and natural adjustment processes compared to an acceleration of such adjustments. For example, bank erosion is a natural channel process; however, accelerated streambank erosion must be understood when the rate increases and creates a disequilibrium condition. Many stable rivers naturally adjust laterally, such as the “wandering” river. While it may meet certain local objectives to stabilize high risk banks, it would be inadvisable to try to “control” or “fix in place” such a river.

In many instances, a braided river and/or anastomizing river type is the stable form. Designing all stream systems to be a single-thread meandering stream may not properly represent the natural stable form. Valley types are a key part of river assessment to understand

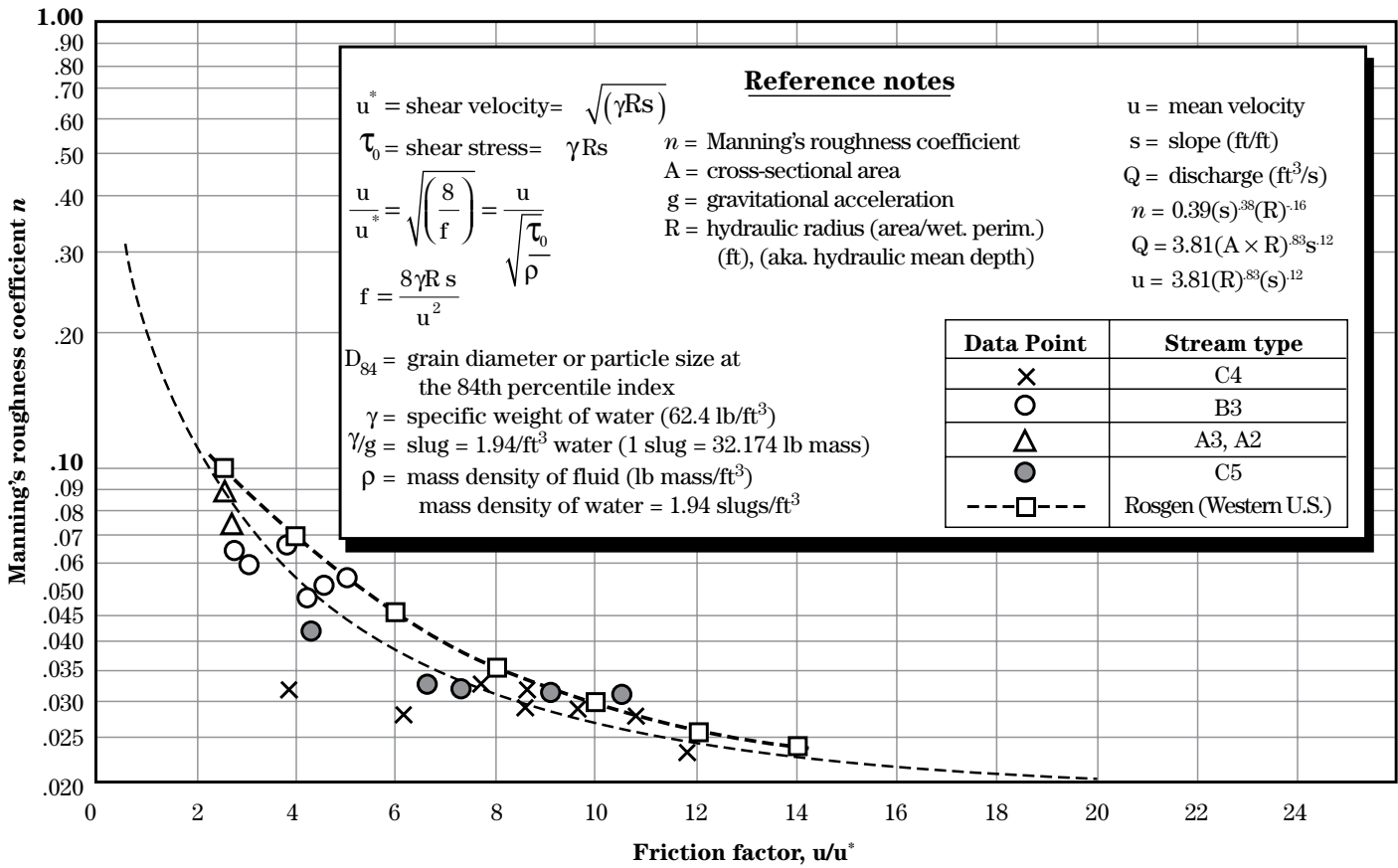


**Figure 11-6** Relation of channel bed particle size to hydraulic resistance with river data from a variety of eastern and western streams



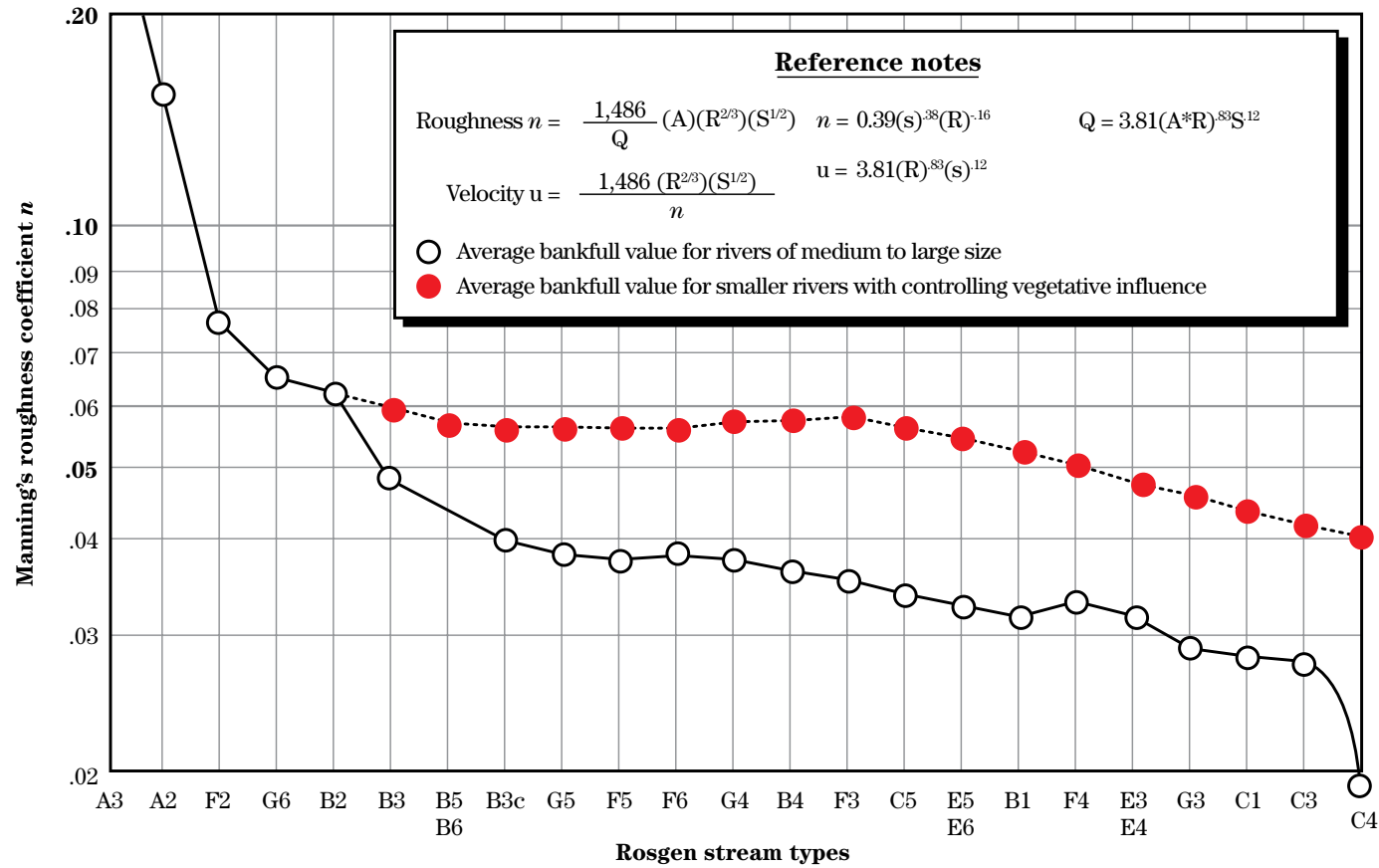


**Figure 11-7** Prediction of Manning's *n* roughness coefficient





**Figure 11-8** Bankfull stage roughness coefficients ( $n$  values) by stream type for 140 streams in the United States and New Zealand





which stream types are stable within a variety of valley types in their geomorphic settings. Reference reaches that represent the stable form have to be measured and characterized only for use in similar valley types. This prevents applying good data to the *wrong* stream type.

Time-trend data using aerial photography is very valuable at documenting channel change. Field evidence using dendrochronology, stratigraphy, carbon dating, paleochannels, or evidence of avulsion and avulsion dates can help the field observer to understand rate, direction, and consequence of channel change.

The field inventory and the number of variables required to conduct a watershed and river stability assessment is substantial. The flowchart in figure 11–10 represents a general summary of the various elements used for assessing channel stability as used in this methodology. The assessment effort is one of the key procedural steps in a sound restoration plan, as it

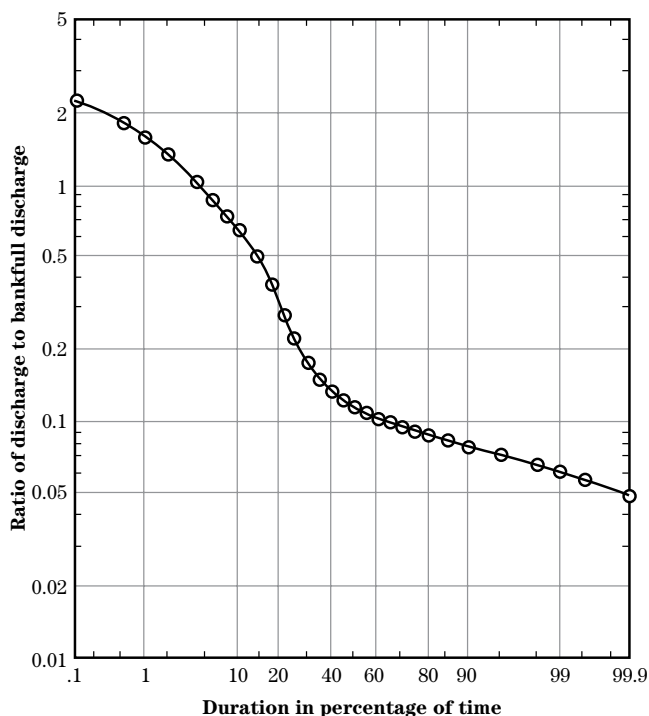
identifies the causes and consequences of the problems leading to loss of physical and biological river function. Some of the major variables are described to provide a *general* overview.

**Streamflow change**—Streamflow alteration (magnitude, duration, and timing) due to land use changes, such as percent impervious cover, must be determined at this phase. Streamflow models, such as the unit hydrograph approach, must be calibrated by back-calculating what precipitation probability generates bankfull discharge for various antecedent soil moisture and runoff curve numbers. It is critical to separate bankfull discharge from flood flows, as each flow category, including flood flow, has a separate dimension, pattern, and profile. This varies by stream type and the lateral and vertical constraints imposed within the valley (or urban “valley”).

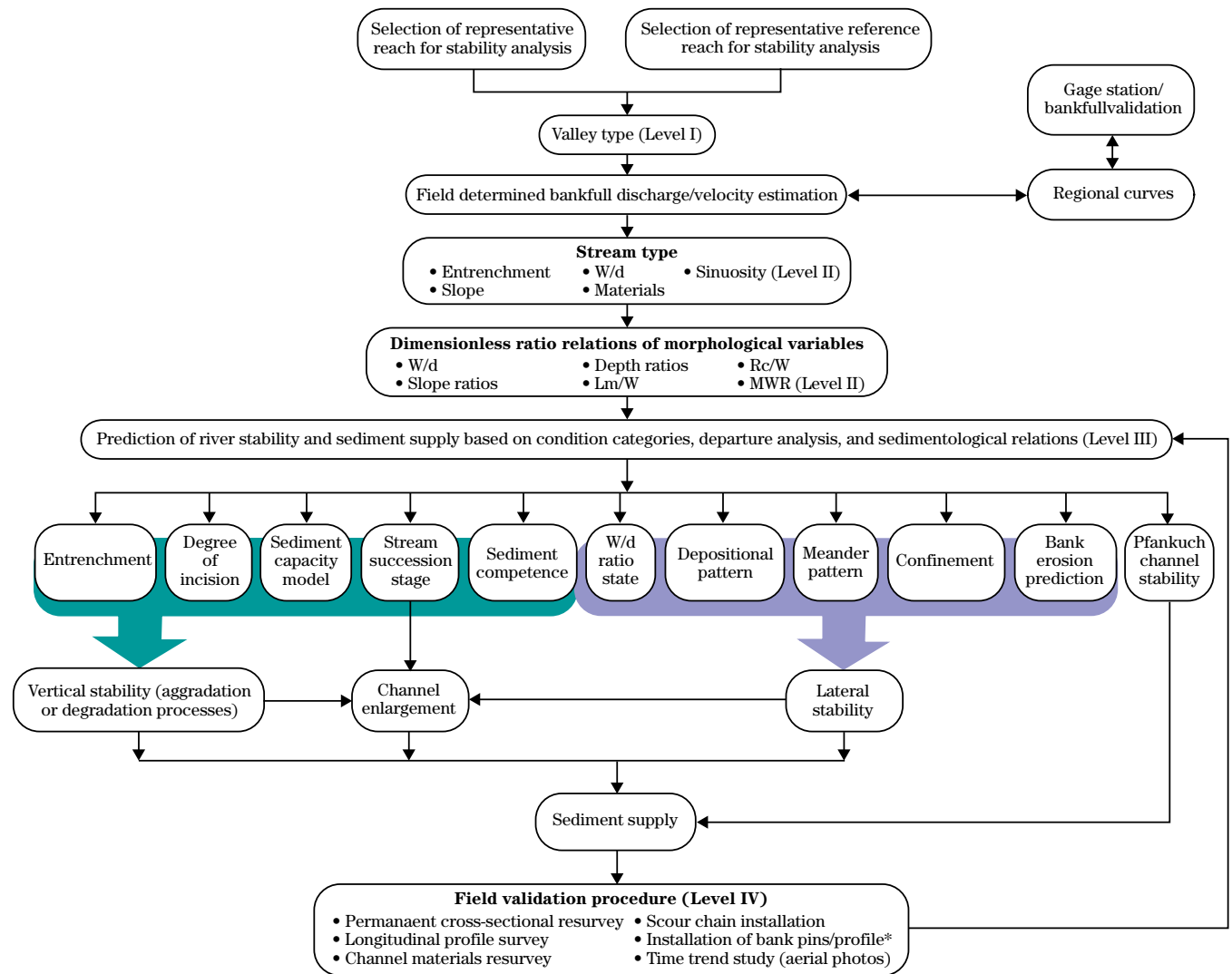
Flow-duration curves by similar hydro-physiographic provinces from gaged stations are converted to bankfull dimensionless flow duration for use in the annual sediment yield calculation. Snowmelt watershed flow prediction output (Troendle, Swanson, and Nankervis 2005) is generally shown in flow-duration changes, rather than an annual hydrograph. Similar model outputs using flow-duration changes are shown in Water Resources Evaluation of Nonpoint Silvicultural Sources (U.S. Environmental Protection Agency (EPA) 1980).

**Sediment competence**—Sedimentological data are obtained by a field measurement of the size of bar and bed material, bed-load sediment transport, suspended sediment transport, and bankfull discharge measurements at the bankfull stage. Sediment relations are established by collecting energy slope, hydraulic radius, bed material, bar material, and the largest particle produced by the drainage immediately upstream of the assessment reach. Critical dimensionless shear stress is calculated from field data to determine *sediment competence* (ability to move the largest particle made available to the channel). Procedures for this field inventory are presented in Andrews (1984) and Rosgen (2001a, 2001d, 2005). Potential aggradation, degradation, and channel enlargement are predicted for the disturbed reach, comparing the required depth and slope necessary to transport the largest size sediment available. These calculations can be accomplished by hand, spreadsheet, or by commercially available computer programs.

**Figure 11–9** Dimensionless flow-duration curve for streamflow in the upper Salmon River area





**Figure 11-10** Generalized flowchart of application of various assessment levels of channel morphology, stability ratings, and sediment supply

\*Optional: sediment measurements (largest size moved at bankfull,  $D_1$ )



Changes in channel dimension, pattern, and profile are reflected in changes of velocity, depth, and slope. These changes in the hydraulic variables are reflected in values of shear stress. Shear stress is defined as:

$$\tau = \gamma RS \quad (\text{eq. 11-2})$$

where:

- $\tau$  = bankfull shear stress (lb/ft<sup>2</sup>)
- $\gamma$  = specific weight of water = 62.4 lb/ft<sup>3</sup>
- $R$  = hydraulic radius of riffle cross section (ft)
- $S$  = average water surface slope (ft/ft)

Use the calculated value of  $\tau$  (lb/ft<sup>2</sup>) and the Shields diagram as revised with the Colorado data (fig. 11-11 (Rosgen and Silvey 2005)) to predict the moveable particle size (mm) at bankfull shear stress.

Another relationship used in assessment and in design is the use of dimensionless shear stress ( $\tau_{ci}^*$ ) to determine particle entrainment. Dimensionless shear stress is defined as:

$$\tau^* = 0.0834 \left( \frac{D_{50}}{\hat{D}_{50}} \right)^{-0.872} \quad (\text{eq. 11-3})$$

where:

- $\tau^*$  = dimensionless shear stress
- $D_{50}$  = median diameter of the riffle bed (from 100 count in the riffle or pavement sample)
- $\hat{D}_{50}$  = median diameter of the bar sample (or subpavement sample)

If the ratio  $\frac{D_{50}}{\hat{D}_{50}}$  is between the values of 3.0 and 7.0,

calculate the critical dimensionless shear stress using equation 11-3 (modifications adapted from Andrews 1983, 1984; Andrews and Erman 1986).

If the ratio  $\frac{D_{50}}{\hat{D}_{50}}$  is **not** between the values of 3.0 and

7.0, calculate the ratio  $\frac{D_{\max}}{D_{50}}$

where:

- $D_{\max}$  = largest particle from the bar sample (or the subpavement sample)
- $D_{50}$  = median diameter of the riffle bed (from 100 count in the riffle or the pavement sample)

If the ratio  $\frac{D_{\max}}{D_{50}}$  is between the value of 1.3 and 3.0,

calculate the critical dimensionless shear stress:

$$\tau^* = 0.0384 \left( \frac{D_{\max}}{D_{50}} \right)^{-0.887} \quad (\text{eq. 11-4})$$

Once the dimensionless shear stress is determined, the bankfull mean depth required for entrainment of the largest particle in the bar sample (or subpavement sample) is calculated using equation 11-5:

$$d_{\text{bkf}} = 1.65 \tau^* \frac{D_{\max}}{S} \quad (\text{eq. 11-5})$$

where:

- $d_{\text{bkf}}$  = required bankfull mean depth (ft)
- 1.65 = submerged specific weight of sediment
- $\tau^*$  = dimensionless shear stress
- $D_{\max}$  = largest particle from bar sample (or subpavement sample) (ft)
- $S$  = bankfull water surface slope (ft/ft)

The bankfull water surface slope required for entrainment of the largest particle can be calculated using equation 11-6:

$$S = 1.65 \tau^* \frac{D_{\max}}{d_{\text{bkf}}} \quad (\text{eq. 11-6})$$

Equations 11-5 and 11-6 are derived from the basic Shields relation.

If the protrusion ratios are out of the usable range as stated, another option is to calculate sediment entrainment using dimensional bankfull shear stress (eq. 11-2 and fig. 11-11).

*Sediment capacity*—In addition to sediment competence, sediment capacity is important to predict river stability. Unit stream power is also utilized to determine the distribution of energy associated with changes in the dimension, pattern, profile, and materials of stream channels. Unit stream power is defined as shear stress times mean velocity:

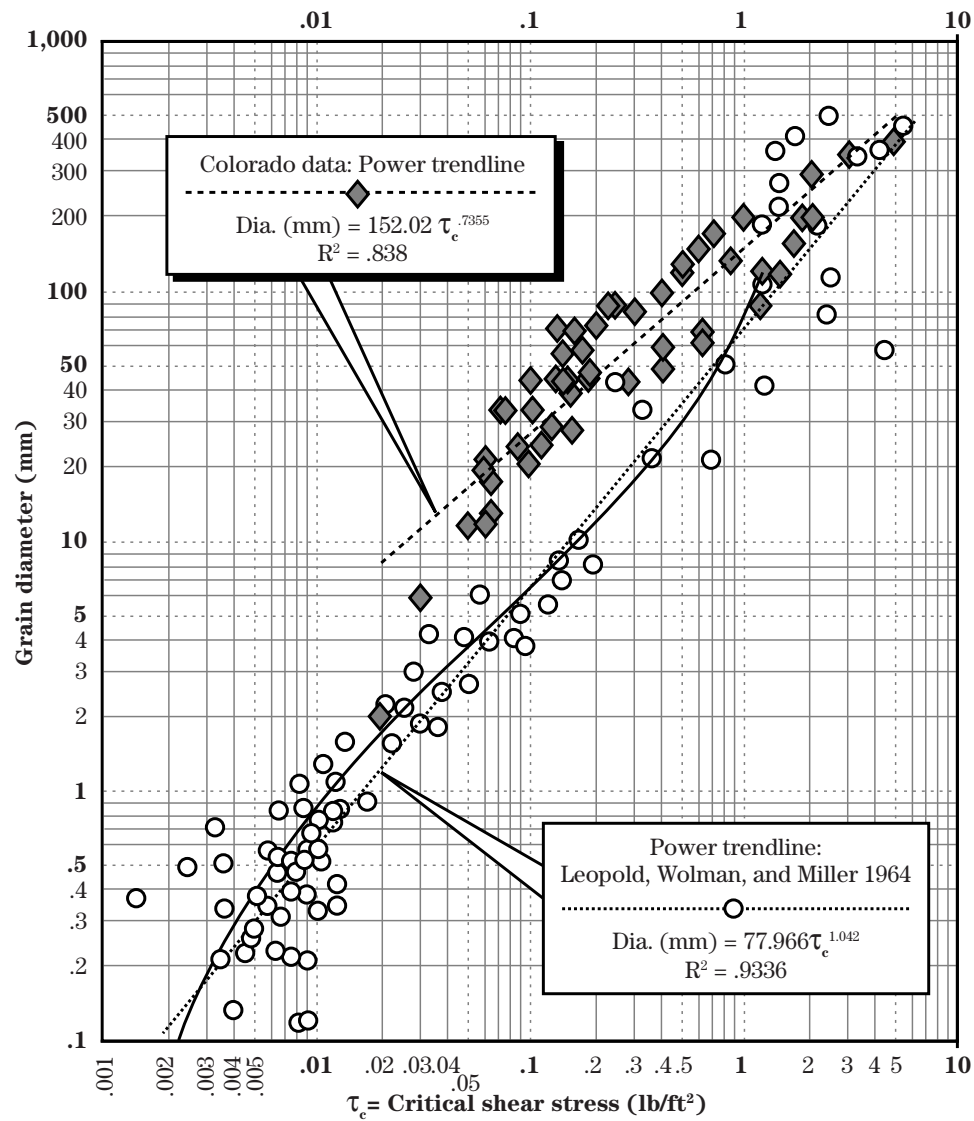
$$\omega = \tau u \quad (\text{eq. 11-7})$$

where:

- $\omega$  = unit stream power (lb/ft/s)
- $\tau$  = shear stress (lb/ft<sup>2</sup>)
- $u$  = mean velocity (ft/s)

Predicted sediment rating curves are converted to unit stream power for the same range of discharges by individual cells to demonstrate reduction or increase in coarse sediment transport.



**Figure 11-11** Relation between grain diameter for entrainment and shear stress using Shields relations

Laboratory and field data on critical shear stress required to initiate movement of grains (Leopold, Wolman, and Miller 1964). The solid line is the Shields curve of the *threshold of motion*; transposed from the  $\theta$  versus  $R_g$  form into the present form, in which critical shear is plotted as a function of grain diameter.

- Leopold, Wolman, and Miller 1964
- ◆ Colorado data (Wildland Hydrology)



The use of reference dimensionless sediment rating curves by stream type and stability rating, (Troendle et al. 2001), as well as hydrology and hydraulic data, are all needed for the stability and design phases. Additional information will be presented in the respective sequential, analytical steps of each phase of the procedure. Local suspended sediment and bed-load data can be converted to regional sediment curves by plotting bankfull and suspended sediment data by drainage area. Examples of suspended sediment data plotted by 1.5-year recurrence interval discharge/drainage area for many regions of the United States as developed from USGS gage data by the U.S. Department of Agriculture (USDA), Agricultural Research Service (ARS) are presented in Simon, Dickerson, and Heins (2004). These relations can be used if a direct measurement of bankfull sediment cannot be obtained for subsequent analysis. Caution should be exercised in using an arbitrary bankfull value without field calibration of the bankfull discharge. The 1.5-year recurrence interval discharge is often greater than the actual bankfull value in wet climates and urban areas.

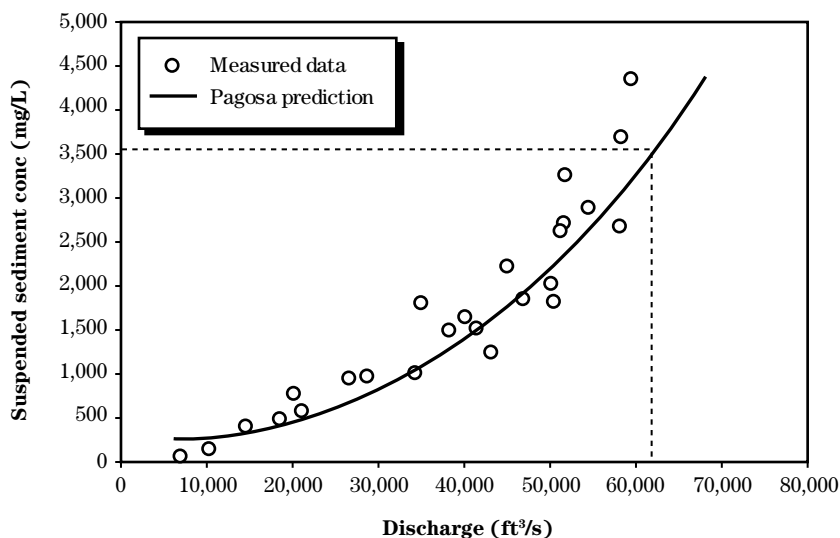
The disadvantage of using various suspended and bed load equations for the Rosgen geomorphic channel design methodology is the difficulty of determining sediment supply for sediment rating curves. It is

common in the use of these models to have predicted values of many orders of magnitude different than observed values. The use of developed dimensionless ratio sediment rating curves for both suspended (less wash load) and bed load by stream type and stability is the improvement of predicted versus observed values. Results of an independent test of predicted versus observed values for a variety of USGS gage sites are shown in figures 11–12, 11–13, and 11–14. These figures show that predicted sediment rating curves match observed values for a wide range of flows. The model for bed-load transport reflects sediment transport based on changes in the channel hydraulics from a reference condition.

Validation of sediment competence or entrainment relations can also assist in the development and application of subsequent analysis. These data can be collected by installing scour chains and actual measurements of bed-load transport grain size for a given shear stress using Helley-Smith bed-load samplers. Plotting existing data collected by others in this manner can also help in developing a data base used in later analysis.

The use of reference dimensionless ratio sediment rating curves (bed load and suspended less wash load) requires field measured bankfull sediment and dis-

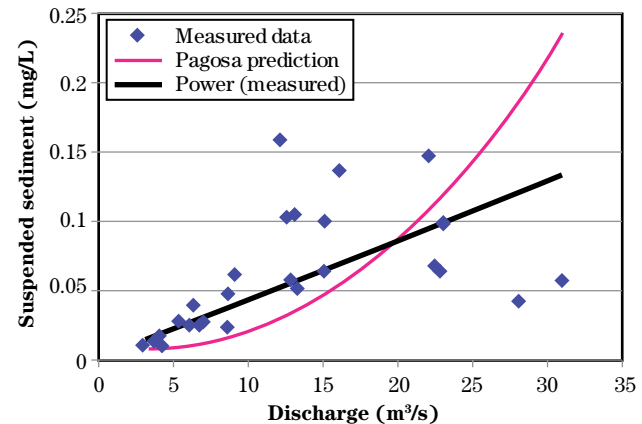
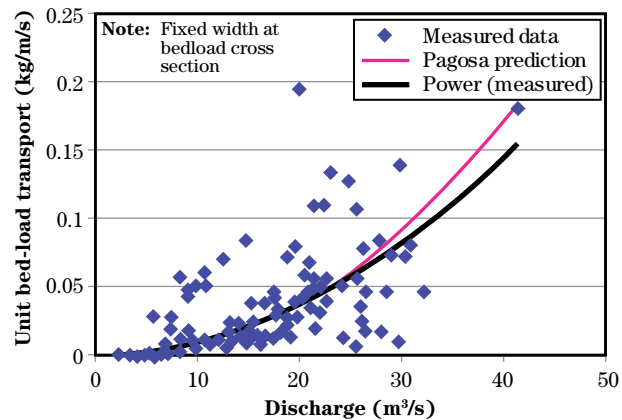
**Figure 11–12** Comparison of predicted sediment rating curve to observed values from the Tanana River, AK, using the Pagosa Springs dimensionless ratio relation



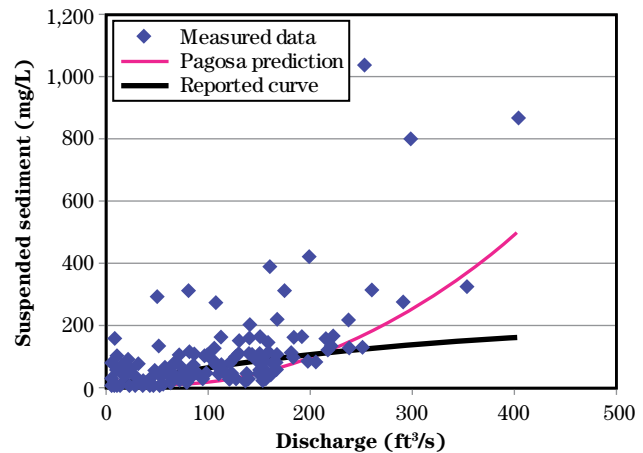
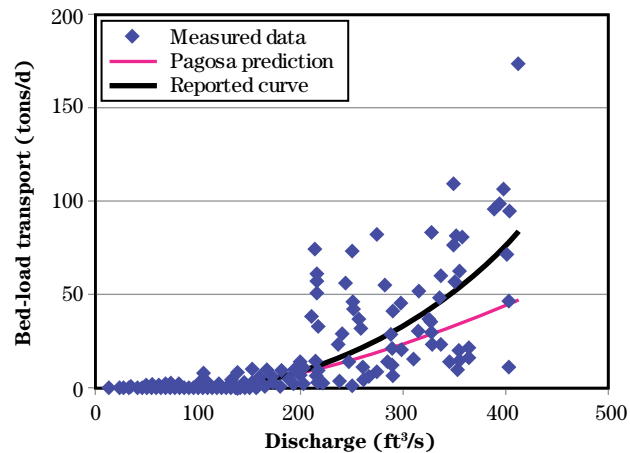


**Figure 11-13** Predicted vs. measured sediment data using reference dimensionless rating curve (data from Leopold and Emmett 1997; Ryan and Emmett 2002)

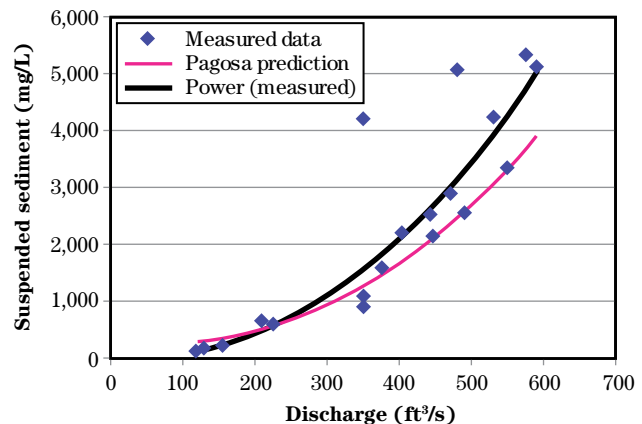
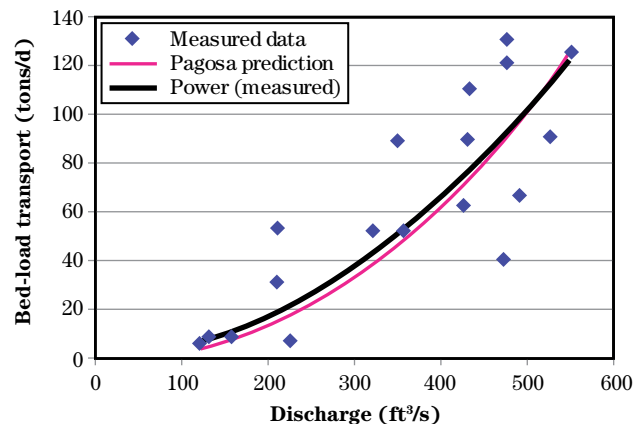
**East Fork River near Big Sandy, WY (from Leopold and Emmett 1997)**



**Little Granite Creek near Bondurant, WY (from Ryan and Emmett 2002)**



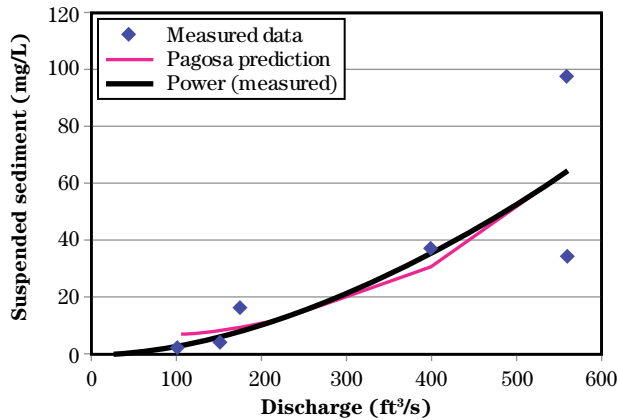
**Maggie Creek (F4)—NV**



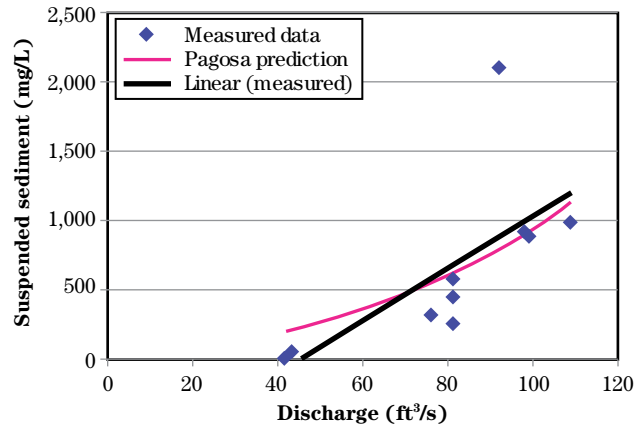


**Figure 11-14** Predicted vs. measured suspended sediment data using dimensionless reference curve (data from Emmett 1975)

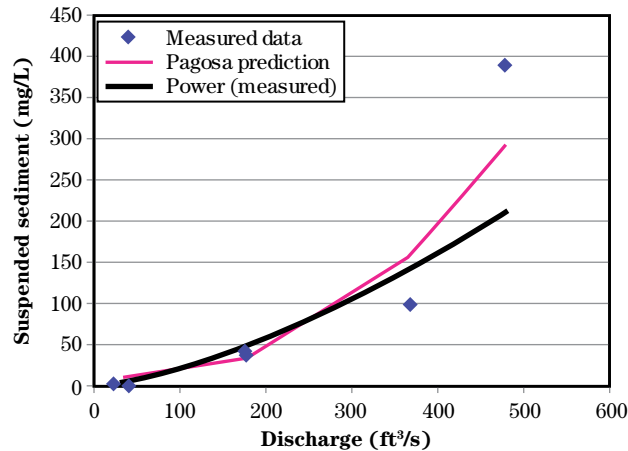
**Warm Springs Creek near Clayton, ID 13297000**



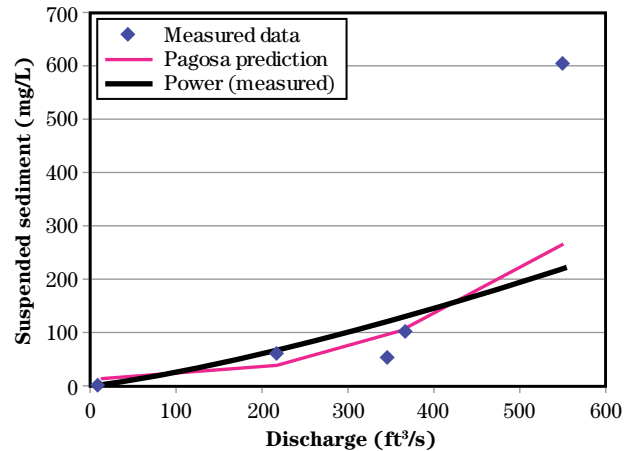
**Upper Salmon Watershed 13297250**



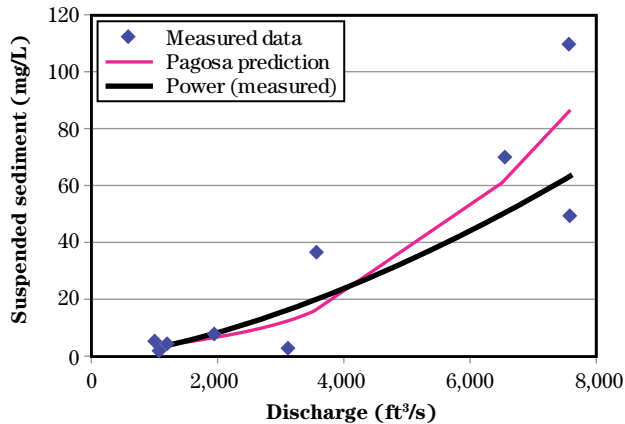
**Upper Salmon Watershed 13297340**



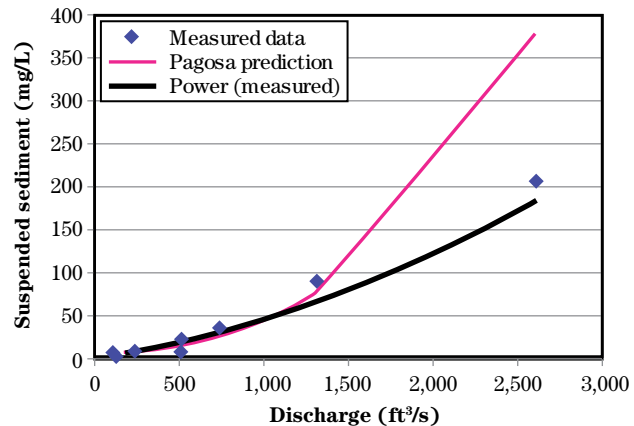
**Upper Salmon Watershed 13297360**



**Upper Salmon Watershed 13297380**



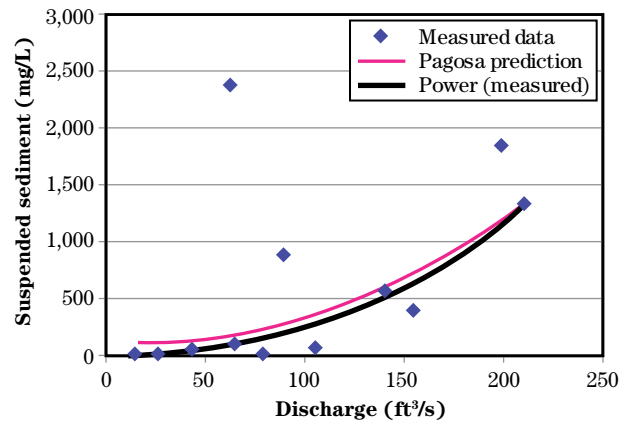
**Upper Salmon Watershed 13297425**



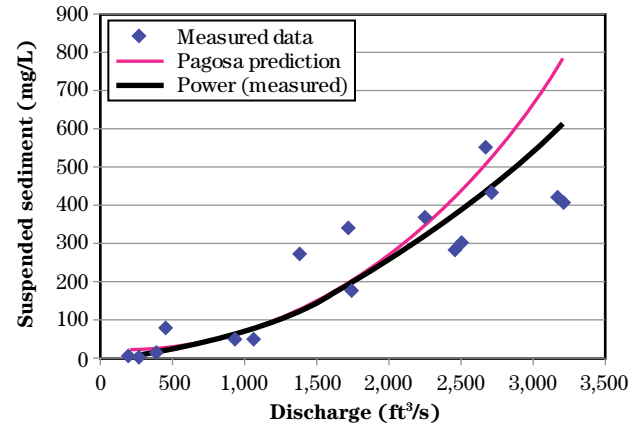


**Figure 11-14** Examples of predicted vs. measured suspended sediment data using dimensionless reference curve (data from Emmett 1975)—Continued

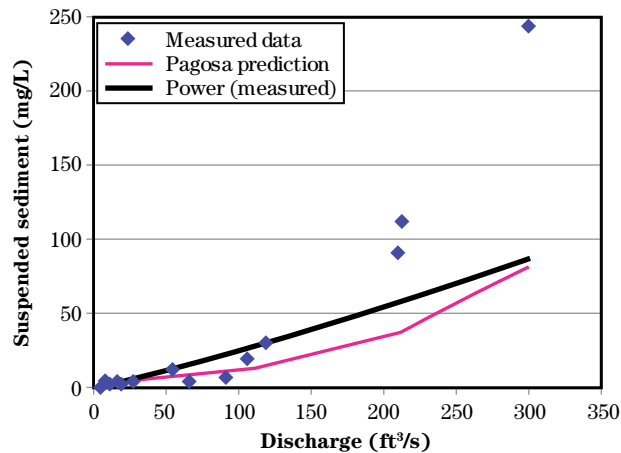
**Big Boulder Creek near Clayton, ID 13297500**



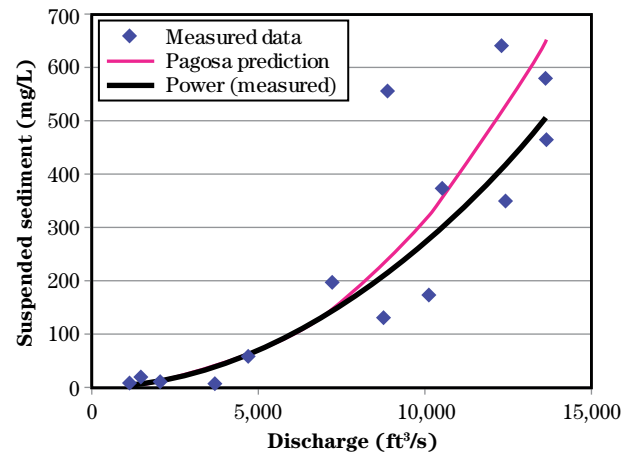
**East Fork Salmon River near Clayton, ID 13298000**



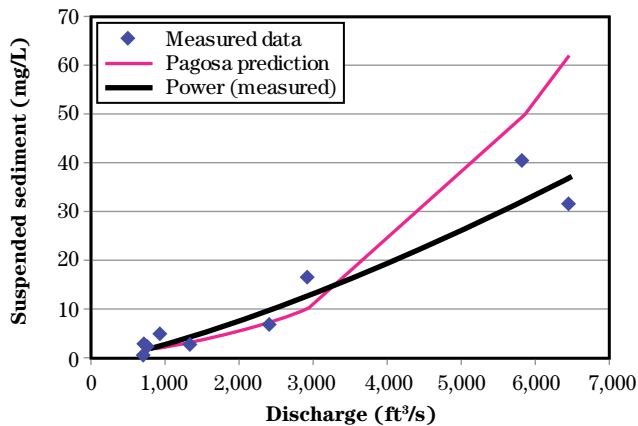
**Little Boulder Creek near Clayton, ID 13297450**



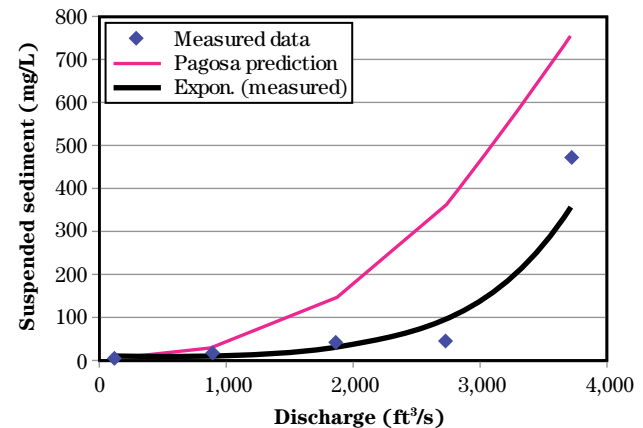
**Salmon River near Challis, ID 13298500**



**Salmon River below Yankee Fork 13296500**



**Yankee Fork Salmon River near Clayton, ID 13296000**





charge. Regional bankfull sediment relations versus drainage area may be substituted if actual bankfull measurements are impossible to obtain, but must be extrapolated from streams of similar lithology, stream type, and stability. Examples of such relations using 1.5-year recurrence interval discharge for suspended sediment are shown in Simon, Dickerson, and Heins (2004). Dimensionless flow-duration curves are also used to produce total annual sediment yield once dimensionless ratio sediment and flow-duration curves are converted to dimensional relations. The examples of predicted sediment rating curves to observed values using a dimensionless sediment rating curve were presented in figures 11–12 to 11–14. Changes in unit stream power (eq. 11–7) are calculated to determine changes in transport rate due to change in depth, slope, and/or velocity. Dimensionless flow-duration curves are used to generate total annual sediment yield from the generated sediment rating curves and bed-load transport by unit stream power.

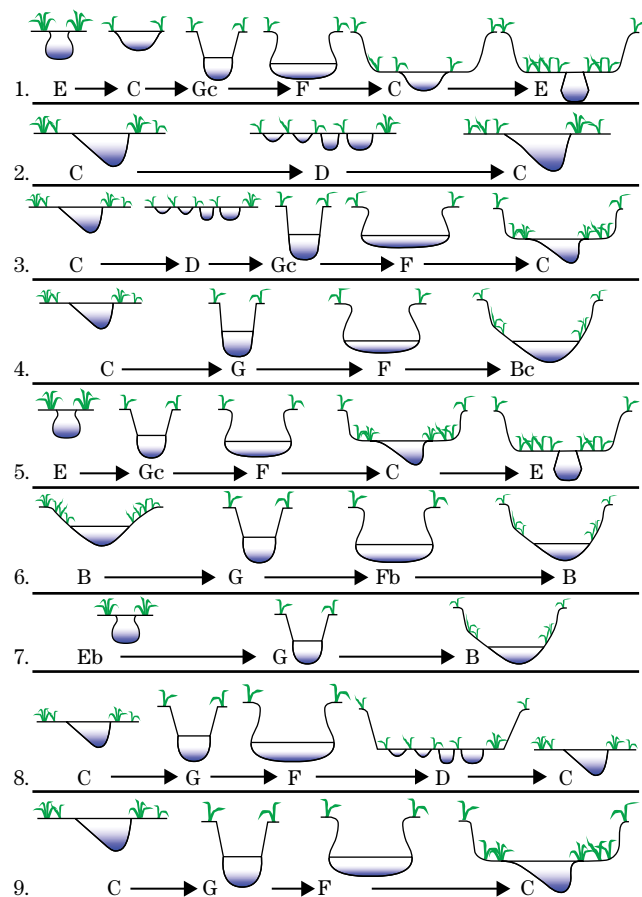
**Streambank erosion**—Streambank erosion rate (lateral erosion rate and sediment, tons/yr) is predicted as part of the river stability assessment. The influence of vegetative change, direct disturbance, and other causes of bank instability is quantitatively assessed. One of the major consequences of stream channel instability is accelerated streambank erosion and associated land loss. Fish habitat is adversely affected not only due to increased sediment supply but also by changes in pool quality, substrate materials, imbrication, and other physical habitat loss. Water temperatures are also adversely affected due to increases in width-to-depth ratio due to lateral accretion. The prediction methodology is presented in Rosgen (1996) and in Rosgen (2001d) utilizing a Bank Erodibility Hazard Index (BEHI) and Near Bank Stress (NBS) calculations.

**Successional stages of channel evolution**—A useful tool at this phase is the determination of various stream type scenarios and stages of channel evolution as depicted in figure 11–15. It is imperative to identify the present stage of the stream and predict the direction and consequence of change. The various stages and scenarios depicted in figure 11–15 assist the observer in this assessment. River channels undergo morphological change due to various disturbance and/or recovery (Rosgen 1996, 2001d, 2005). The assessment phase must identify current states and scenarios. For each state within a scenario, there are specific

morphological, sedimentological, hydraulic, and biological relations depicted. The associated interpretations of these relations assist in river assessments.

**River stability analysis**—Additional stability variables are required for assessment, including the influence of large woody material, flow regime, depositional features, meander patterns, riparian vegetation, and channel stability ratings by stream type, and are summarized in the form shown in table 11–4.

**Figure 11–15** Various stream type succession scenarios





**Table 11–4** Stream channel stability assessment summary form

<b>Stream</b>	<b>Stream</b>										<b>Date</b>		<b>Observers</b>	
<b>Level III variables</b>	Stream type		Flow regime		Stream size		Stream order		Meander pattern		Depositional pattern		Debris/channel blockage	
	Riparian vegetation	Current composition/density				Potential composition/density				Altered channel state (dimension, pattern, profile, materials)				
<b>Channel dimension</b>	Mean bankfull depth (ft)		Mean bankfull width (ft)		Cross section area (ft <sup>2</sup> )		Remarks							
<b>Channel dimension relationships</b>	Width/depth ratio (W/D)		Reference condition width/depth ratio (W/D <sub>ref</sub> )				(W/D)/(W/D <sub>ref</sub> )		Circle	Stable	Moderately unstable	Unstable	Highly unstable	
<b>Channel pattern</b>	Mean (range)	MWR	Ln/W <sub>bkf</sub>		Rc/W <sub>bkf</sub>		Sinuosity							
<b>River profile and bed features</b>	Circle	Riffle/pool	Step/pool	Plane bed	Convergence/divergence		Dune/antidunes/smooth bed							
	Max bankfull depth (ft)	Riffle	Pool	Depth ratio (max/mean)	Riffle	Pool	Pool to pool spacing	Slope		Valley	Average bankfull			
<b>Channel stability rating</b>	Pfankuch rating					Pfankuch adjusted by stream type (use potential/reference reach)								
<b>Bank erosion summary</b>	Length of reach studied (ft)		Annual streambank erosion rate (ton/yr)		Curved used		Remarks							
<b>Degree of confinement</b>	Reference MWR	MWR/Reference MWR		Unconfined (1.0–0.80)		Moderately confined (0.79–0.30)		Confined (0.29–0.1)		Severely confined (<0.1)				
<b>Lateral stability</b>	Circle	Stable	Moderately unstable		Unstable		Highly unstable (accelerated lateral erosion)							
<b>Sediment capacity</b>	Sufficient capacity		Insufficient capacity											
<b>Stream channel scour/deposition</b>	Largest particle-bar sample (mm)		$\tau_{ci}$		Existing depth <sub>bkf</sub>		Required depth <sub>bkf</sub>		Existing slope <sub>bkf</sub>		Required slope <sub>bkf</sub>			
<b>Degree of incision</b>	Bank height ratio		Stable (no incision)		Slightly incised		Moderately incised		Deeply incised		Width of flood prone area (ft)		Entrenchment ratio	
<b>Channel enlargement</b>	Circle	Stable	Slight	Moderate	Extensive									
<b>Stream successional stage</b>		→	→	→	→	→	Existing stream state (type)		Potential stream state (type)					
<b>Vertical stability</b>	Circle	Stable	Aggradation		Degradation									
<b>Sediment supply (channel source)</b>	Circle	Very high	High	Moderate	Low	Score	Remarks/causes							



*Base-level change*—A key part of channel stability analysis. Degree of channel incision (lowering of local base level) is determined by the ratio of the lowest bank height divided by maximum bankfull depth, called the bank height ratio. A stream may not be entrenched (vertically constrained), but may be partially incised, leading to entrenchment. A grade-control structure requirement is often associated with partially incised channels (Rosgen 1997a).

*Direct disturbance and riparian vegetation*—The direct disturbance of stream channels must be offset by correcting dimension, pattern, profile, and often channel materials. Levees adjacent to both banks should be set back allowing room for a flood plain. Riparian vegetation change is not only a major cause of instability and loss of function, but is a key solution in restoration and natural channel design. Riparian vegetation reestablishment should contain the correct overstory and understory species to be compatible for a self-sustaining, long-term solution.

*Biological assessments*—Biological assessments that describe fish species, food chains, diversity with broad categories of ecoregions, and stream types (habitat units) are currently collected with the assessment level for identifying biological potential. Limiting factor analysis provides information that identifies specific problems that may be corrected by changed management and/or restoration.

It is readily apparent that this procedure involves extensive field observations and an extensive data base followed by a thorough and detailed analysis. All of this must be completed prior to restoration planning, as it forms much of the foundation for what follows.

It is important to understand the various causes of instability responsible for loss of physical and biological function and corresponding loss of value. Recommendations that follow are critically linked to land uses, disturbance regime, and other problem sources. The flowchart (fig. 11–10) depicts the assessment criteria of channel stability.

#### **(d) Phase IV—Passive recommendations for restoration**

A first priority in restoration is to seek a natural recovery solution based on changes in the variables causing the instability and/or loss of physical and biological function. Changes in land use management can influence riparian vegetation composition, density and vigor, flow modifications (diversions, storage, and reservoir release schedule modifications based on the operational hydrology), flood control measures, road closures/stabilization, hillslope erosional processes, and other process influences of river stability. Often, a change in management strategies can be very effective in securing stability and function. This often has to be determined based on the recovery potential of various stream types and the short- and long-term goals associated with the stated objectives (including costs). The alternative of self-stabilization is always a key consideration in any stability assessment. The time-trend aerial photography from phase III may help to provide insight into stream recovery potential following disturbance.

Successional stages of channel adjustment (fig. 11–15) can also assist at looking at natural recovery potential. It is very important to ensure that objectives are met through effectiveness monitoring required to provide the documentation on the nature, magnitude, rate, and consequences of natural recovery. If natural recovery potential is poor and/or does not meet specific objectives, phase V would be appropriate (Rosgen geomorphic channel design methodology).

#### **(e) Phase V—The stream restoration and natural channel design using the Rosgen geomorphic channel design methodology**

Phase V involves combining the results of the previous phases. A good design can only follow a good assessment. It is preferred not to patch symptoms, but rather provide solutions to restoration that will offset the cause of the problem and allow for the river to be self-maintaining. The practitioner must be very familiar with the processes involved in hydrology, hydraulics, sedimentology, geomorphology, soil science, aquatic habitat, and riparian vegetation. Due to the inherent complexity, it is usually necessary to obtain technical



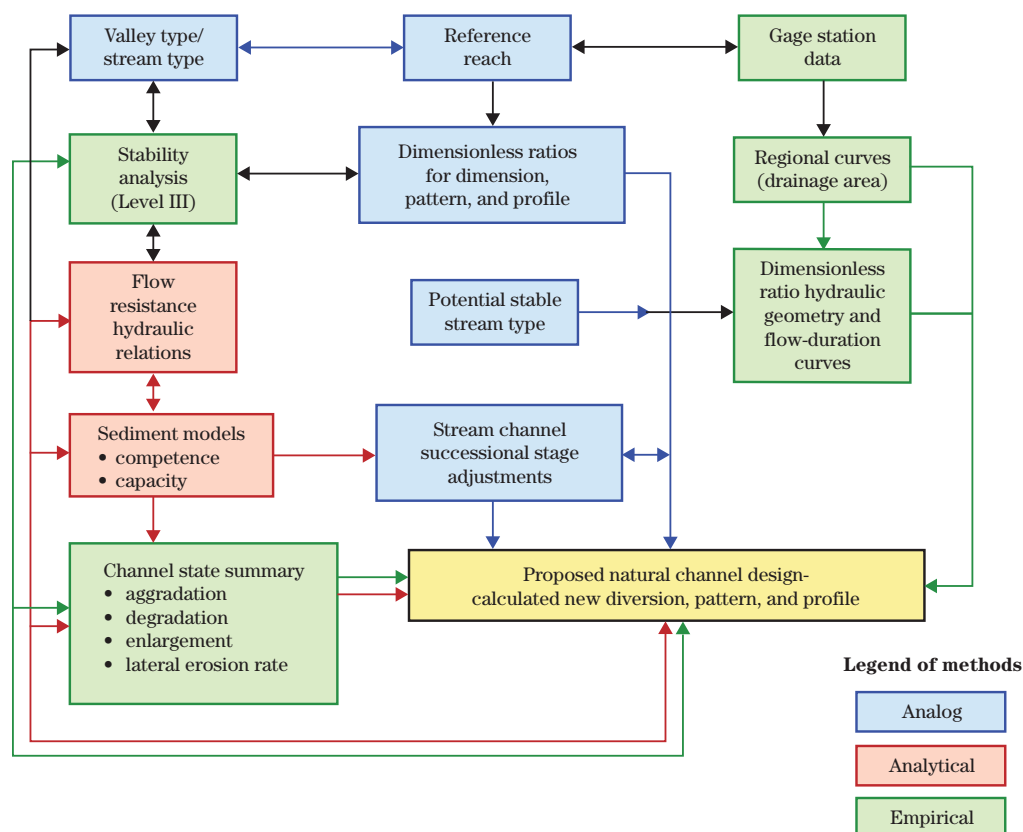
assistance for assessment and design, depending on the practitioner's experience and training.

The conceptual, generalized flowchart shown in figure 11-16 depicts the general sequence of the mixed use of analog, empirical, and analytical methods in this design procedure. The early sequence is required to determine the existing valley type and potential stream type of the stable form. The proposed channel type must be converted to a dimension, pattern, and profile

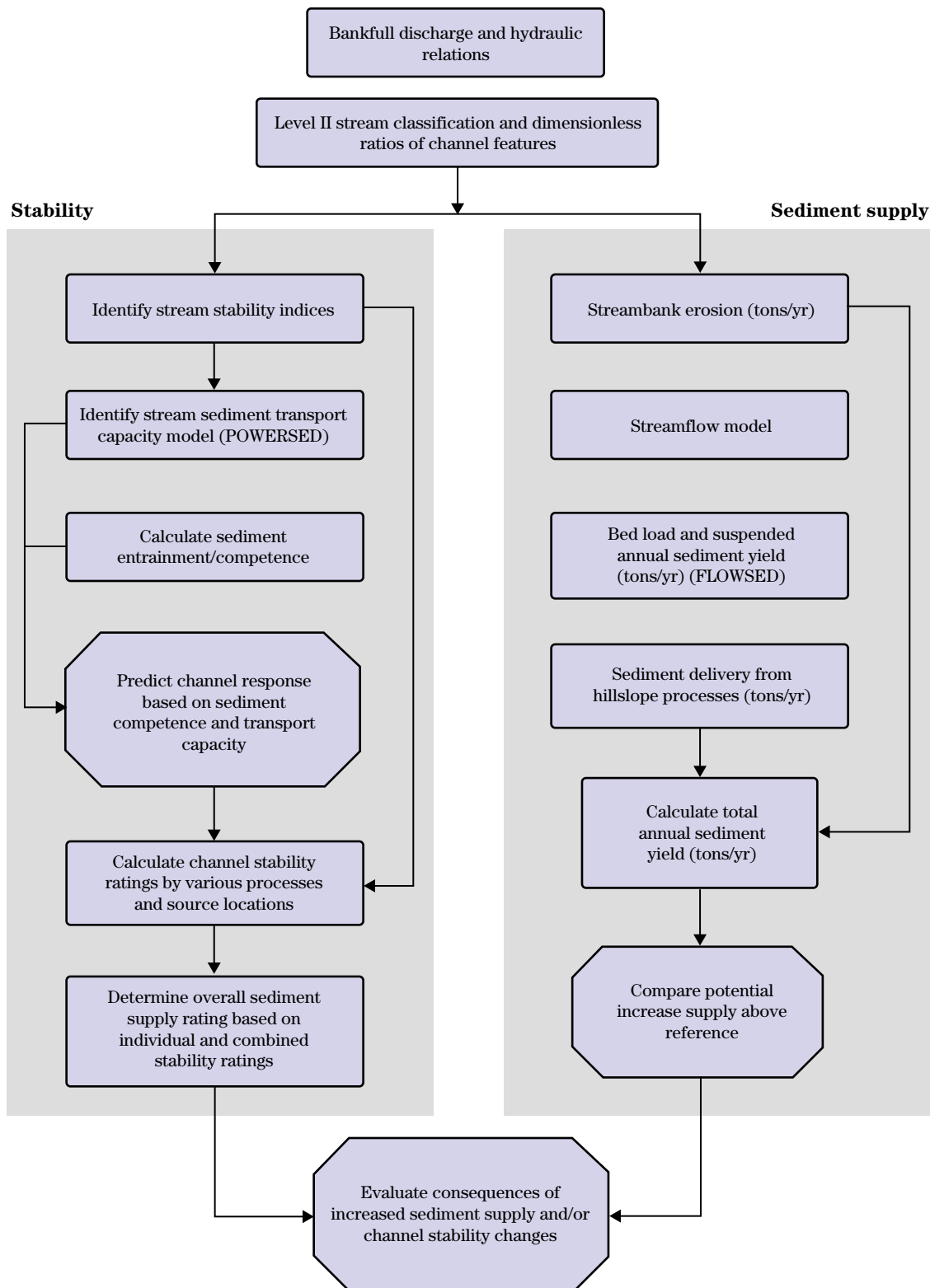
to initially test whether the hydraulic and sediment relations associated with the watershed are compatible prior to advancing through all of the procedural steps.

The watershed and river assessment that predicts the consequence of streamflow, sediment supply, and channel change is reflected in figure 11-17. The procedure is incorporated into the following sequential analysis steps.

**Figure 11-16** Generalized flowchart representing Rosgen geomorphic channel design utilizing analog, analytical, and empirical methodologies





**Figure 11-17** Flowchart for determining sediment supply and stability consequences for river assessment



The procedural sequence utilized in the Rosgen geomorphic channel design methodology is shown in the following operational steps:

**Step 1** Obtain and/or verify regional curves (bankfull discharge, cross-sectional area, width and depth versus drainage area). The regional curves must be located in the same hydro-physiographic province as that of the restoration reach.

**Step 2** Obtain hydraulic geometry (USGS 9-207 forms, summary of current meter measurements) from the gage station stratified by stream type and bed features.

**Step 3** Create dimensionless hydraulic geometry by dividing all values by the bankfull value.

**Step 4** Obtain flow-duration curves from the gage station for a representative hydro-physiographic region.

**Step 5** Create dimensionless flow-duration curve by dividing all flow values by the bankfull discharge.

**Step 6** Identify the valley type for the restoration reach(s). Identify stream type(s) of the restoration reach.

**Step 7** Obtain corresponding reference reach data for the same valley and stream type. The reference reach is not required to be located within the same watershed or hydro-physiographic province. Examples of the dimensionless ratio and other reference reach data by stream type/valley type are presented in table 11-3.

**Step 8** Complete and/or review the stability examination data for the restoration reach (fig. 11-10 and table 11-4). Evaluate variables/states that represent instability relations (width, depth, and slope values that do not meet sediment transport requirements).

**Step 9** Select appropriate scenario of successional stages of channel adjustment for channel evolution scenario (fig. 11-15). This determines the stream type of the current state and the potential state to match the valley type. (This step is completed in the stability phase, phase III).

**Step 10** Obtain drainage area (mi<sup>2</sup>) for the restoration reach.

**Step 11** Obtain bankfull cross-sectional area ( $A_{bkf}$ ) from the regional curves (step 1).

**Step 12** Obtain reference reach width-to-depth ratio associated with the stable design stream type commensurate with the valley type (step 7).

**Step 13** Calculate design bankfull channel width of riffle reach:

$$W_{bkf} = \left[ \left( \frac{W_{bkf}}{d_{bkf}} \right)_{ref} A_{bkf} \right]^{\frac{1}{2}} \quad (\text{eq. 11-8})$$

**Step 14** Calculate mean riffle depth:

$$d_{bkf} = \frac{A_{bkf}}{W_{bkf}} \quad \text{or} \quad \left[ \frac{W_{bkf}}{\left( \frac{W_{bkf}}{d_{bkf}} \right)_{ref}} \right] \quad (\text{eq. 11-9})$$

**Step 15** Calculate meander wavelength ( $L_m$ ) for average and range of values. Obtain meander length ratio average and range of values, where:

$$MLR = \left[ \left( \frac{L_m}{W_{bkf}} \right)_{ref} \right] \quad \text{from reference reach data (step 7, table 11-3).}$$

$$L_m = \left[ (MLR)_{ref} \right] W_{bkf} \quad (\text{from step 13}) \quad (\text{eq. 11-10})$$

**Step 16** Calculate belt width ( $W_{blt}$ ) for average and range of values from meander width ratios (MWR).

$$MWR = \left[ \left( \frac{W_{blt}}{W_{bkf}} \right)_{ref} \right] \quad (\text{step 7, table 11-3}).$$

$$W_{blt} = [(MWR)_{ref}] W_{bkf} \quad (\text{eq. 11-11})$$

**Step 17** Calculate radius of curvature ( $R_c$ ) for average and a range of values from ratio of radius of curvature ratio. (step 7, table 11-3).

$$R_c = \left[ \left( \frac{R_c}{W_{bkf}} \right)_{ref} \right] W_{bkf} \quad (\text{eq. 11-12})$$

**Step 18** Obtain an aerial photo depicting vegetation, channel features and terrain character. Lay-out the range of values for meander length ( $L_m$ ), belt width ( $W_{blt}$ ) and radius of curvature ( $R_c$ ) on aerial photo or detailed topographic map. Adjust pattern to utilize terrain features and existing vegetation where possible within the range of the



pattern variables. Once the preliminary layout is complete, measure stream length (SL) of the proposed channel. Measure valley length (VL) by following the fall line of the valley, rather than straight line segments between meanders.

**Step 19** Calculate sinuosity ( $k$ ) of the proposed channel where:

$$k = \frac{SL}{VL} \quad (\text{eq. 11-13})$$

**Step 20** Calculate valley slope ( $S_{val}$ ). Measure the water surface elevation difference (DE) between the same bed features along the fall line of the valley using valley length (VL), where:

$$S_{val} = \frac{DE}{VL} \quad (\text{eq. 11-14})$$

**Step 21** Calculate proposed channel average slope ( $S$ ):

$$S = \frac{S_{val}}{k} \quad (\text{eq. 11-15})$$

**Step 22** Calculate bankfull channel velocity ( $u_{bkt}$ ) and check design bankfull discharge with velocity, cross-sectional area (continuity) regional curves:

$$uA = Q \quad (\text{eq. 11-16})$$

$$\frac{Q}{A} = u \quad \text{Compare to regional curve (step 1)} \quad (\text{eq. 11-17})$$

**Steps 23 through 26** Predict stream competence (entrainment) by utilizing particle entrainment computations. A general flowchart depicting the procedural steps is shown in figure 11-18.

First, obtain bar sample gradation from field sampling and sieving procedure upstream of the proposed restoration (Rosgen 1996). A field procedure for bar sampling, pavement/subpavement sample and wet-sieving onsite is presented in tables 11-5 and 11-6. The user is advised to review additional details of particle size sampling by Bunte and Abt (2001). Sediment sampling is also addressed in NEH654 TS13A. Bar samples are field-sieved and recorded in the entrainment worksheet (table 11-7).

The sediment competence computations that determine bed stability (aggradation/degradation) are completed and summarized in table 11-8. This

method has shown consistency when actual bed-load/scour chain data are compared to predicted values. Use the value of the largest particle in the bar sample (or subpavement sample),  $D_{max}$  in millimeters, and the revised Shields diagram to predict the shear stress required to initiate movement of the largest particle in the bar and/or subpavement (fig. 11-11).

If the protrusion ratios described in equations 11-3 or 11-4 are outside the ranges indicated in table 11-8, the user should use the shear stress equation (eq. 11-2) and apply it with a revised Shields relation using Colorado data or local data if available (fig. 11-11).

$$\tau^* = 0.0834 \left( \frac{D_{50}}{D_{50}^A} \right)^{-0.872} \quad (\text{eq. 11-3})$$

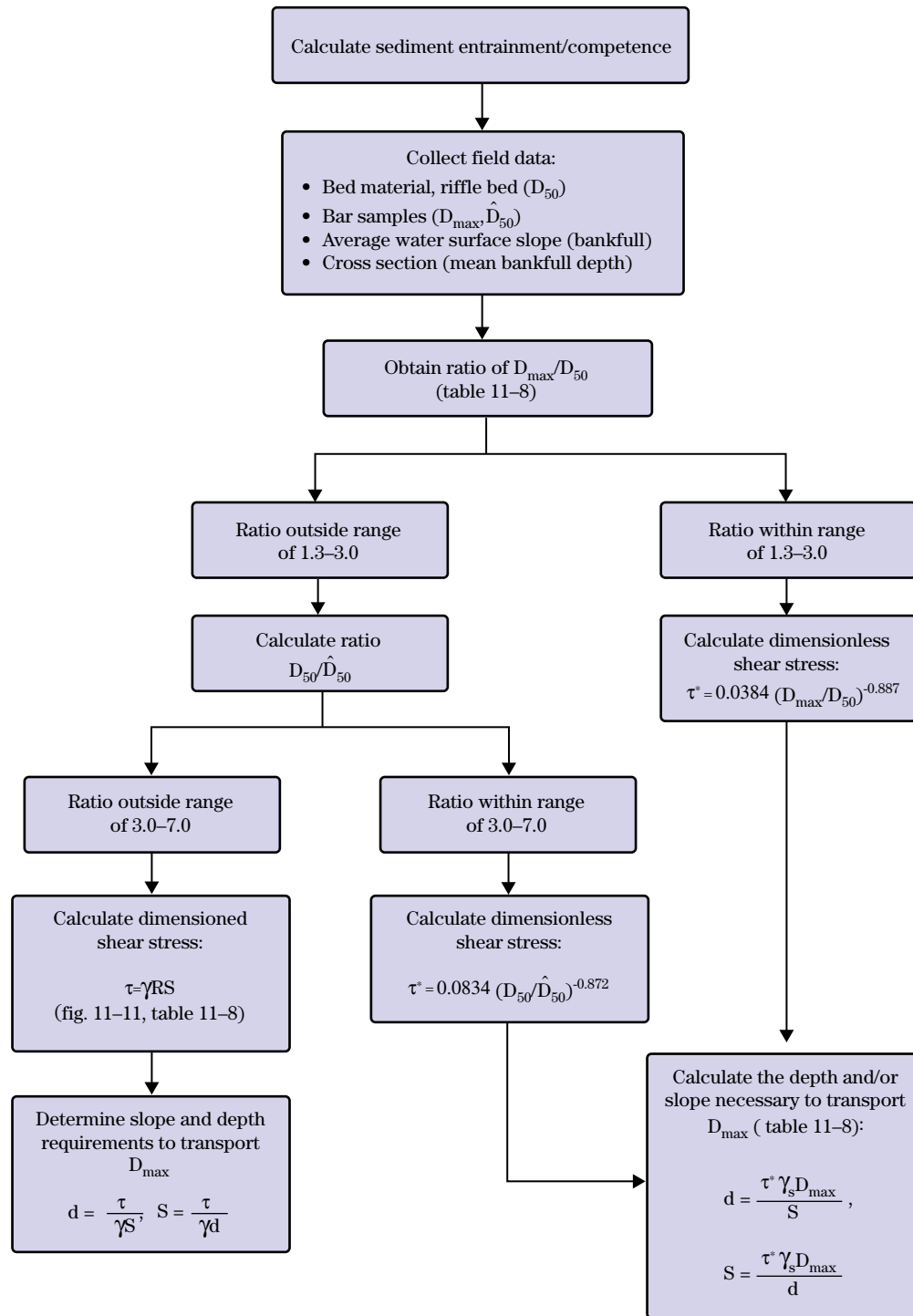
$$\tau^* = 0.0384 \left( \frac{D_{max}}{D_{50}} \right)^{-0.887} \quad (\text{eq. 11-4})$$

$$\tau = \gamma RS \quad (\text{eq. 11-2})$$

A grain size corresponding with shear stress is selected to determine what sizes the river can potentially move. Based on measured bed-load sizes, in a heterogeneous mixture of bed material comprised of a mixture of sand to gravel and cobble, the previously published Shields relation generally underestimates particle sizes of heterogeneous bed material in the shear stress range of 0.05 pounds per square foot to 1.5 pounds per square foot. The Shields relationship is appropriately used for entrainment sizes below and/or above this value range. Without this adjustment, most computations underestimate the largest sizes of heterogeneous bed material moved during bankfull discharge. The measured data in figure 11-11 indicate the magnitude of the underestimate of particle size entrainment from comparing published relations to measured values.

To determine the ability of the existing stream reach to transport the largest clast size of the bed-load sediment, it is necessary to calculate the bankfull dimensionless shear stress ( $\tau^*$ ). This calculation determines the depth and slope necessary to mobilize and transport the largest particle made available to the channel. The dimensionless shear stress at bankfull stage is used in the entrainment



**Figure 11-18** Generalized flowchart depicting procedural steps for sediment competence calculations



**Table 11–5** Field procedure for bar samples\***Bar sample field procedure**

Collect sediment core samples from point bars along the project and reference reaches. At least one sample should be collected from each reach associated with a change in stream type. Conduct a critical shear stress analysis using the following procedures:

Locate a sampling point on the downstream a third of a meander bend. The sample location on the point bar is halfway between the thalweg elevation (the point of maximum depth) and the bankfull stage elevation. Scan the point bar in this area to determine the sampling location by observing the maximum particles on the surface of the bar.

Place a 5-gallon bottomless bucket at the sampling location over one of the representative larger particles that are observed on the lower third of the point bar. Remove the two largest particles from the surface covered by the bottomless bucket. Measure the intermediate axis for each particle and individually weigh the particles. Record these values. The largest particle obtained is  $D_{max}$ , the largest particle from the bar sample. Push the bottomless bucket into the bar material. Excavate the materials from the bottomless bucket to a depth that is equal to twice the intermediate axis width of the largest surface particle. Place these materials in a bucket or bag for sieving and weighing.

For fine bar materials, follow the directions above, except that when the bottomless bucket is pushed into the bar material, excavate materials from the bucket to a depth of 4 to 6 inches. Place these materials in a bucket or bag for sieving and weighing.

Wet-sieve the collected bar materials using water and a standard sieve set with a 2-millimeter screen size for the bottom sieve. Weigh the bucket with sand after draining off as much water as possible. Subtract the tare weight of the bucket to obtain the net weight of the sand.

Weigh the sieved materials and record weights (less tare weight) by size class. Be sure to include the intermediate axis measurements and individual weights of the two largest particles that were collected.

Determine a material size class distribution for all of the collected materials. The data represents the range of channel materials subject to movement or transport as bed-load sediment materials at bankfull discharge.

Plot data; determine size-class indices,  $D_{16}$ ,  $D_{35}$ ,  $D_{50}$ ,  $D_{84}$ ,  $D_{95}$ . The  $D_{100}$  should represent the actual intermediate axis width and weight (not the tray size) when plotted. The largest size measured will be plotted at the  $D_{100}$  point (Note:  $D_{100} = D_{max}$ ). The intermediate axis measurement of the second largest particle will be the top end of the catch range for the last sieve that retains material (use the record data in the entrainment worksheet, table 11–7).

Survey a typical cross section of a riffle reach at a location where the stream is free to adjust its boundaries. Plot the survey data. Determine the hydraulic radius of the cross section.

Conduct a Wolman Pebble Count (100 count in riffle) of the bed material in the coarsest portion of the wetted riffle area (active channel). The pebble count should be conducted at multiple transects that represent the riffle. Plot data and determine the size-class indices.

\*Sediment sampling is also addressed in NEH654 TS13A.



**Table 11-6** Field procedure for pavement/sub-pavement samples**Pavement/subpavement sample field procedure (alternate procedures for obtaining a pavement/sub-pavement sample if you are unable to collect a bar sample)**

Locate a sampling point in the same riffle where cross-sectional survey was conducted. The sampling point should be to the left or right of the thalweg, not in the thalweg, in a coarse-grain size portion of the riffle.

Push a 5-gallon bottomless bucket into the riffle at the sampling location to cut off the streamflow. The diameter of the bucket (sample size) should be at least twice the diameter of the largest rock on the bed of the riffle.

Remove the pavement material (surface layer only) by removing the smallest to the coarsest particles. Measure the intermediate axis and weight of the largest and second largest particles. Record these values. Place the remaining pavement materials into a bucket or bag for sieving and weighing.

Remove the sub-pavement material to a depth that is equal to twice the intermediate axis width of the largest particle in the pavement layer, or at least 150-millimeter depth. Caution: if a coarser bed material persists under the sub-pavement, it generally is material remnant of the previous bed. Stop at this condition and do not excavate deeper, even if the depth is not at twice the maximum pavement particle diameter. This residual layer is generally not associated with the size distribution of bed load transported at the bankfull stage. Collect the sub-pavement materials into a separate bucket or a bag. Measure the intermediate axis and weight of the two largest particles in the sub-pavement sample. Record these values. Sieve and weigh the remaining sub-pavement materials. The sub-pavement sample is the equivalent of the bar sample; therefore, use the largest particle from the sub-pavement sample in lieu of the largest particle from a bar sample in the entrainment calculations. Note: If the largest particle collected from the sub-pavement is larger than the pavement layer, the largest rock should be discarded from the sub-pavement layer. Drop back to the next largest particle size to determine the largest particle size to be used in the entrainment calculation.

Wet-sieve the collected pavement materials and then the subpavement materials using water and a standard sieve set with a 2-millimeter screen size for the bottom sieve. Weigh the bucket with sand after draining off as much water as possible. Subtract the tare weight of the bucket to obtain the net weight of the sand.

Weigh the sieved materials and record weights (less tare weight) by size class for both the pavement and sub-pavement samples. Be sure to include the mean intermediate axis width and individual net weights of the two largest particles that were collected (table 11-7).

Determine a material size-class distribution for the materials. The subpavement data represent the range of channel materials subject to movement or transport as bed-load sediment materials at bankfull discharge.

Plot data; determine size-class indices,  $D_{16}$ ,  $D_{35}$ ,  $D_{50}$ ,  $D_{84}$ ,  $D_{95}$ . The  $D_{100}$  should represent the actual intermediate axis width and weight (not the tray size) when plotted. The largest size measured will be plotted at the  $D_{100}$  point. (Note:  $D_{100} = D_{\max}$ ). The intermediate axis measurement of the second largest particle will be the top end of the catch range for the last sieve that retains material.

The pavement material size class distribution may be used to determine the  $D_{50}$  of the riffle bed instead of doing the 100 count in the riffle bed.

Determine the average bankfull slope (approximated by the average water surface slope) for the study reach from the longitudinal profile.

Calculate the bankfull dimensionless shear stress required to mobilize and transport the largest particle from the bar sample (or sub-pavement sample). Use the equations and record the data in the entrainment worksheet (table 11-8).



**Table 11-7** Bar sample data collection and sieve analysis form

S U B  S A M P L E S	Point / Side BAR-BULK MATERIALS SAMPLE DATA: Size Distribution Analysis															Party:			
	Location:										Date:			Notes:					
	Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		Sieve SIZE		
	Tare Weight		Tare Weight		Tare Weight		Tare Weight		Tare Weight		Tare Weight		Tare Weight		Tare Weight		Tare Weight		
Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights		Sample Weights	
Total		Net		Total		Net		Total		Net		Total		Net		Total		Net	
1																			
2																			
3																			
4																			
5																			
6																			
7																			
8																			
9																			
10																			
11																			
12																			
13																			
14																			
15																			
Net Wt. Total																			
% Grand Tot.																			
Accum. % <																			

**SURFACE MATERIALS DATA**  
(Two Largest Particles)

No.	Dia.	WT.
1		
2		

Bucket + Materials Weight \_\_\_\_\_

Bucket Tare Weight \_\_\_\_\_

Materials Weight \_\_\_\_\_  
(Materials less than: \_\_\_\_\_ mm.)

*Be Sure to Add Separate Material Weights to Grand Total*

**GRAND TOTAL SAMPLE WEIGHT**

NOTES




**Table 11–8** Sediment competence calculation form to assess bed stability (steps 23–26)

Stream:		Reach:			
Observers:		Date:			
<b>Enter required information</b>					
	$D_{50}$	Rifle bed material $D_{50}$ (mm)			
	$\hat{D}_{50}$	Bar sample $D_{50}$ (mm)			
	$D_{\max}$	Largest particle from bar sample (ft)		(mm)	304.8 mm/ft
	$S$	Existing bankfull water surface slope (ft/ft)			
	$d$	Existing bankfull mean depth (ft)			
1.65	$\gamma_s$	Submerged specific weight of sediment			
<b>Select the appropriate equation and calculate critical dimensionless shear stress</b>					
	$D_{50} / \hat{D}_{50}$	Range: 3 – 7	Use equation 1:	$\tau^* = 0.0834 \left( \frac{D_{50}}{\hat{D}_{50}} \right)^{-0.872}$	
	$D_{\max} / D_{50}$	Range: 1.3 – 3.0	Use equation 2:	$\tau^* = 0.0384 \left( \frac{D_{\max}}{D_{50}} \right)^{-0.887}$	
	$\tau^*$	Bankfull dimensionless shear stress	Equation used:		
<b>Calculate bankfull mean depth required for entrainment of largest particle in bar sample</b>					
	$d$	Required bankfull mean depth (ft)	$d = \frac{\tau^* \gamma_s D_{\max}}{S}$		
Circle: Stable    Aggrading    Degrading					
<b>Calculate bankfull water surface slope required for entrainment of largest particle in bar sample</b>					
	$S$	Required bankfull water surface slope (ft/ft)	$S = \frac{\tau^* \gamma_s D_{\max}}{d}$		
Circle: Stable    Aggrading    Degrading					
<b>Sediment competence using dimensional shear stress</b>					
	Bankfull shear stress $\tau = \gamma d S$ (lb/ft <sup>2</sup> ) (substitute hydraulic radius, R, with mean depth, d)				
	Moveable particle size (mm) at bankfull shear stress (fig. 11-11)				
	Predicted shear stress required to initiate movement of $D_{\max}$ (mm) (figure 11-11)				
	Predicted mean depth required to initiate movement of $D_{\max}$ (mm) $d = \frac{\tau}{\gamma S}$				
	Predicted slope required to initiate movement of $D_{\max}$ (mm) $S = \frac{\tau}{\gamma d}$				



analysis for both the reference reach and project reach. This analysis of the reference, stable condition is compared to the potentially disturbed reach. To maintain stability, a stream must be competent to transport the largest size of sediment and have the capacity to transport the load (volume) on an annual basis. These calculations provide a prediction of sediment competence as required in steps 23 through 26.

**Step 27** Compute sediment transport capacity. Following this analysis, the depth and/or slope may need to be adjusted by recalculating steps 14 through 27.

FLOWSED and POWERSED are sediment supply/sediment transport models that predict the following:

- total annual suspended sediment yield
- total annual suspended sand sediment yield
- total annual bed-load sediment yield
- potential aggradation and/or degradation
- flow-related annual sediment yield due to changes in streamflow magnitude and duration

The models are based on the use of dimensionless reference sediment rating and flow-duration curves. The normalization parameters include:

- bankfull discharge
- bankfull stage bed load
- suspended and suspended sand sediment

The appropriate dimensionless sediment curves are selected for representative stream types and stability ratings. The dimensionless flow-duration curves are developed from representative hydro-physiographic province data from USGS stream gage data.

The FLOWSED model reflects sediment supply and generates the total annual sediment yield for both suspended and bed load. Changes in flow are also reflected in flow-duration curves and corresponding sediment yield. To determine annual sediment yield, near-bankfull stage values must be field measured to convert dimensionless sediment and flow-duration curves to actual values.

The POWERSED model compares sediment transport capacity from a stable, reference condition by predicting transport rate change due to channel hydraulics. The hydraulics reflect potential change in morphological variables such as channel width, depth, and slope. The corresponding changes in flow resistance are used to predict velocity, shear stress, and unit stream power (velocity multiplied by shear stress). Sediment rating curves from the FLOWSED model are converted from discharge to unit stream power for a wide range of flows. Revised values of annual sediment transport can then be compared to the reference condition from the subsequent change in the hydraulic geometry of the stream channel and corresponding response in sediment transport. Any flow modifications can also be simulated by revised flow-duration curves.

Detailed descriptions and model tests are provided for FLOWSED/POWERSED in Rosgen (2006). This analysis is complicated and detailed. However, it can be computed by spreadsheet or commercially available computer programs (RIVERMorph® 4.0). The basis of the calculations and model descriptions, however, are described to better understand how the models work. Table 11–9 lists the data required to run the FLOWSED and POWERSED models. With these data, the user can generate average annual sediment yields (tons/yr).



**Table 11–9** Data required to run the FLOWSED and POWERSED supply/sediment transport models**Data requirements for FLOWSED/POWERSED**

- Background reference data (flow and sediment)
  - Dimensionless suspended sediment rating curves by stream type or stability
  - Dimensionless bed-load rating curves by stream type or stability
  - Dimensionless flow duration (from local or representative hydro-physiographic province)
  - Momentary maximum bankfull discharge
  - Mean daily bankfull discharge (the mean daily discharge the day bankfull occurs at a gage station)
  - Flow-duration curves indicating change in flow regime (increase and/or decrease)
- Field measured values (for both reference and impaired condition)
  - Cross section
  - Longitudinal profile
  - Pebble count on active riffle bed to obtain  $D_{50}$  and  $D_{84}$  of bed material
  - Stream classification (level II)
  - Pfankuch channel stability rating
  - Measured bankfull discharge ( $\text{ft}^3/\text{s}$ )
  - Measured suspended sediment ( $\text{mg/L}$ )
  - Measured suspended sand sediment ( $\text{mg/L}$ )
  - Measured bed-load sediment ( $\text{kg/s}$ ) (Helley-Smith bed-load sampler)



## FLOWSED

The FLOWSED model is graphically depicted in figures 11–19 and 11–20. The procedure in table 11–10 and accompanying worksheet depicted in table 11–11 provide a more detailed understanding of the model. The following provides insight into the basis of the model.

*Predict runoff response*—Several applicable models for runoff exist, including TR–55, WRENS (EPA 1980), the unit hydrograph approach (U.S. Army Corps of Engineers (USACE) 1998b), and others (EPA 1980; Troendle, Swanson, and Nankervis 2005). This step also considers operational hydrology from reservoirs, diversions, and other flow modifications that influence the magnitude, duration, and timing of streamflow. The input variables for most models are precipitation data, a vegetation alteration map by aspect and elevation, drainage area computations, percent of drainage area in impervious condition, and similar data specified based on the specific model being selected. The output from these models needs to be in the form of flow-duration curves. Flow-duration curves must represent reference conditions (full hydrologic utilization or recovery) and existing departures from reference. Because few stream gages are located on smaller watersheds, dimensionless ratio procedures become essential for data extrapolation in flow models. The data are entered into the flow-duration portion of the FLOWSED worksheet (table 11–11).

*Develop dimensionless flow-duration curves*—If a water yield model or operational hydrology data with actual flow-duration curve data are not available, it will be necessary to utilize dimensionless flow-duration curves. This information is obtained from gage station data and made dimensionless by dividing the mean daily discharge data by bankfull discharge. Bankfull discharge data are divided into all of the ranges of mean daily discharge and then plotted; see figures 11–9 and 11–21 as an example of the application for Weminuche Creek. The user must develop dimensionless flow-duration curves from gaging stations that represent a hydro-physiographic region similar to the impaired stream being assessed. If the user is applying these relations to a stormflow-generated hydrograph, rather than snowmelt (as in the case of Weminuche Creek), the following changes are recommended:

- Convert bankfull discharge (momentary maximum discharge in  $\text{ft}^3/\text{s}$ ) to mean daily bankfull. This is accomplished by obtaining the mean daily discharge on the day during which bankfull discharge occurs. This ratio of mean daily discharge divided by momentary maximum discharge is used to develop the dimensionless flow-duration curves for a stormflow-dominated region. For example, if the mean daily discharge from a gage in a stormflow-dominated hydrograph was 125 cubic feet per second, but bankfull was 550 cubic feet per second, the ratio is 0.227. This ratio would be multiplied by the bankfull discharge from the regional curves or from a flood-frequency curve relation to convert bankfull discharge from a momentary maximum to a mean daily discharge value.
- Divide the mean daily discharge values by mean daily bankfull to establish the dimensionless relations similar to those in figures 11–9 and 11–21.
- Convert from dimensionless to dimensioned mean daily bankfull values. The momentary maximum value must be adjusted by the appropriate ratio, then multiplied by the appropriate ratio value in the dimensionless flow-duration curve. The dimensioned flow-duration curve data are entered into the FLOWSED worksheet (table 11–11). This would be done separately for reference or baseline conditions, and then would be compared to impaired or impacted watershed conditions to calculate annual streamflow and sediment yield.



## FLOWSED—Continued

*Collect bankfull discharge, suspended sediment, and bed-load sediment*—This step is eventually used to convert the reference dimensionless sediment rating curves to actual values. It is very important to capture the bankfull discharge and have several data points to compute an average of the flow and sediment values due to the high spatial and temporal variability of sediment movement. Field methods and equipment used should follow the procedures outlined in book 3, chapter C2 of Field Methods for Measurement of Fluvial Sediment (USGS 1999).

It may be necessary to separate the wash load (silt/clay fraction) from the total suspended sediment load for calculation and interpretation. For channel stability purposes, the silt/clay fraction is not energy limited or hydraulically controlled, and in some settings, it can be subtracted from the suspended sediment yield data for the prediction of potential aggradation. This would not be the case, however, if there were concerns over accelerated fine sediment deposition into extremely low-gradient streams, deltas, reservoirs, lakes, marshes, or estuaries. Colloidal sediments can present problems for impaired waters; thus, wash load may need to be retained in suspended sediment analysis. Enter these measurements in the FLOWSED worksheet (table 11–11).

*Obtain or establish reference dimensionless suspended and bed-load rating curves*—These curves should be developed for stable reference reach sites representing stable streams. A similar relation can be stratified for poor stability or unstable streams. These reference curves are used to establish sediment rating curves for the calculation of flow-related sediment increases and to establish an annual sediment yield estimate for proportioning contributing sediment sources. The equations for these curve relations are used in the FLOWSED worksheet (table 11–11).

*Convert dimensionless suspended and bed-load sediment rating curves to actual (dimensioned) values*—Convert dimensionless values by multiplying the field-measured bankfull discharge and sediment values by each of the ratios appropriate for the relation selected. Dimensionless ratio bed-load and suspended rating curves are used to convert data to dimensioned rating curves (fig. 11–20). Examples of dimensioned bed-load and suspended sediment rating curves are shown in figures 11–22 and 11–23 for the Weminuche Creek in Colorado. Tests of this relation are reported in the text in figures 11–13, 11–14, and 11–15, where reference dimensionless rating curves were used to establish sediment rating curves.

If it is not possible to obtain measured bankfull discharge, suspended sediment, and bed-load sediment data to convert dimensionless sediment rating curves to actual values, regional curves can be temporarily substituted. The user must obtain drainage area in square miles to calculate bankfull discharge from a similar hydro-physiographic province. The bankfull flow is used to convert the dimensionless flow-duration to dimensioned flow duration. The bankfull discharge is also used to convert the dimensionless discharge portion of the dimensionless bed-load and suspended rating curve to actual values. The sediment data obtained from the drainage area must be derived from existing measured bankfull suspended sediment and bed-load sediment data, then converted to unit area sediment values from the corresponding drainage area. These data need to represent the same lithology, stream type and stability condition of the stream being evaluated. These data are entered in the FLOWSED worksheet (table 11–11).

An example of unit area suspended sediment data from USGS sites throughout the United States is shown in Simon, Dickerson, and Heins (2004). These measured sediment values were separated by evolutionary stages. Additional stability or stream type data may help to identify appropriate relations for extrapolation. This drainage area extrapolation procedure represents only an interim procedure until measured bankfull values can be obtained.



## FLOWSED—Continued

*Convert dimensionless flow duration to dimensioned flow duration*—The bankfull discharge is multiplied by each of the ratios to convert dimensionless data to actual discharge values representing mean daily discharge for each percentile. An example of a dimensioned flow-duration curve using bankfull discharge to convert from the dimensionless relation (fig. 11–21) is shown in figure 11–24.

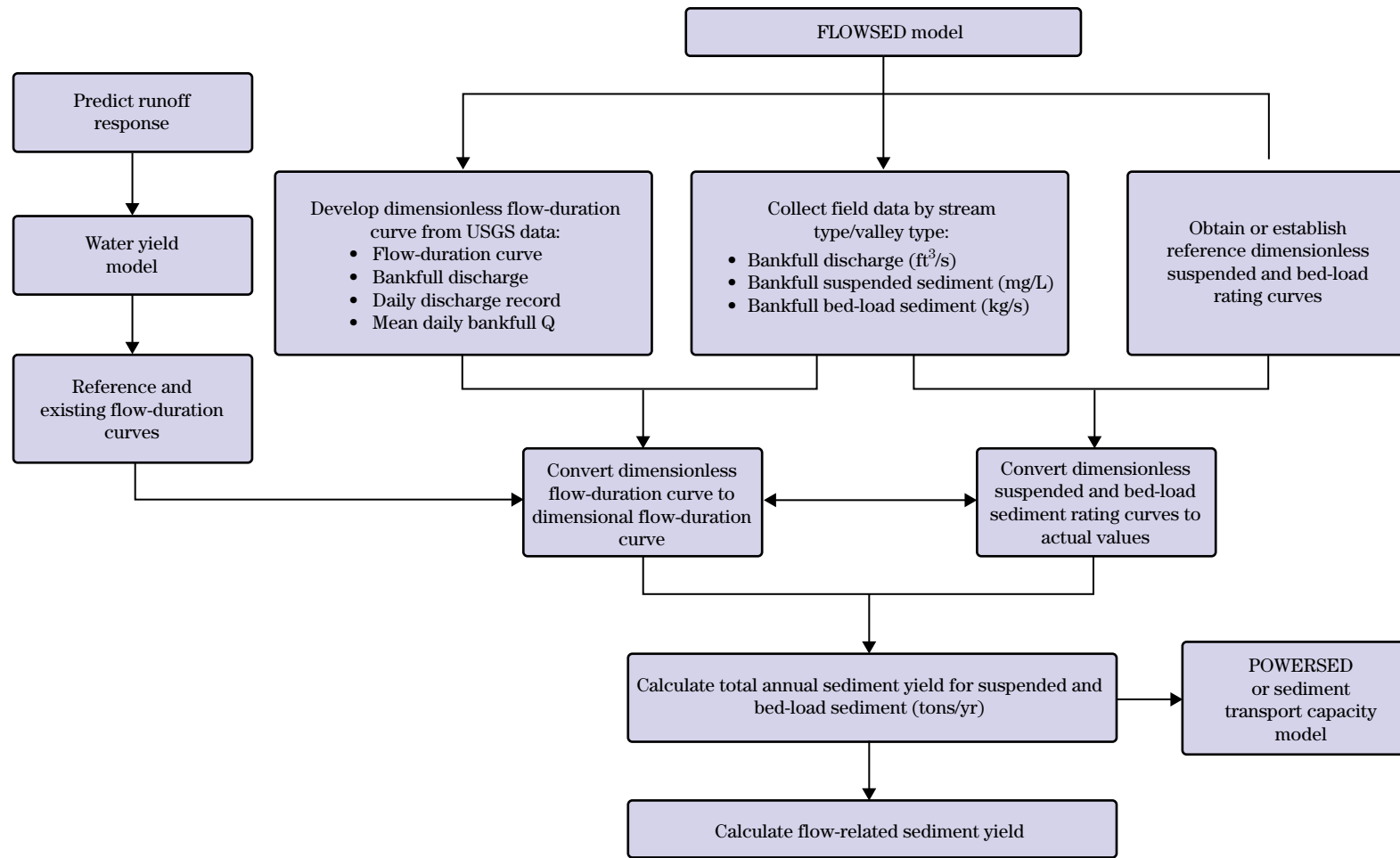
*Calculate annual sediment yield for both suspended and bed-load sediment*—This is accomplished by taking the dimensioned flow-duration curve and multiplying flow increments for duration of time in days by the sediment yield associated with that flow. Enter these calculations in the FLOWSED worksheet (table 11–11).

*Calculate flow-related sediment yield*—This calculation is accomplished using the output of the flow-duration curves showing the increase in magnitude and duration of flow. The post-treatment flows are routed through the calculation in the FLOWSED worksheet (table 11–11). The excess water calculation output from the WRENS snowmelt model (EPA 1980) or a similar model integrates the flow with flow-duration changes. Dimensionless flow-duration curves are also converted to dimensioned values by multiplication of the bankfull discharge value. Reference conditions for watersheds in relative hydrologic recovery are compared to watersheds where streamflow has been increased or decreased by change in vegetation or by reservoirs and/or diversions.

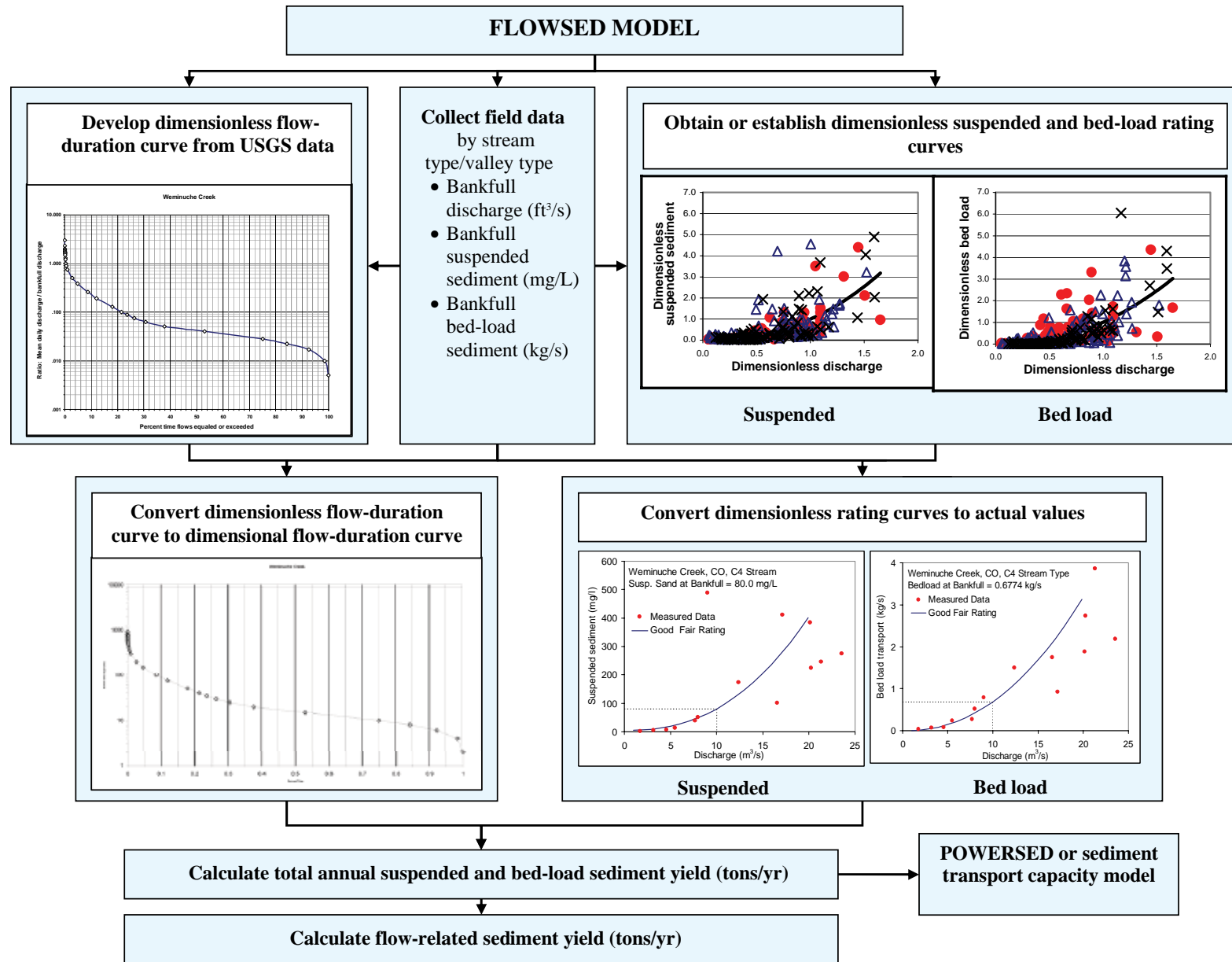
Stormflow models, such as TR–55, need to be used to compute new bankfull values, converting dimensionless values to new dimensioned flow durations. It is important to calibrate the bankfull discharge, as the precipitation probability for a given antecedent moisture content and runoff curve number that generates the bankfull discharge needs to be determined. Any greater flow will be distributed on flood plains or a flood-prone area if the stream is not entrenched. Thus, flow-related sediment changes are determined by the use of dimensionless sediment rating curves and dimensionless flow-duration curves. Other appropriate models can also be used for this step, based on the user's familiarity with the various models selected. The output required, regardless of the model, is bankfull discharge and pre- and post-treatment flow-duration curves.



**Figure 11-19** General overview of the FLOWSED model





**Figure 11-20** Graphical depiction of the FLOWSED model



**Table 11-10** FLOWSED model procedure to calculate annual bed-load and suspended sediment yield**FLOWSED procedure**

FS-1	Measure stream cross section (on riffle), profile, pattern, and materials.
FS-2	Measure bankfull width, mean depth, and velocity, and compute discharge.
FS-3	Measure suspended sediment at the bankfull stage; separate wash load in lab
FS-4	Measure bed-load sediment at the bankfull stage, sieve particle sizes, and measure largest size.
FS-5	Compute average water surface slope.
FS-6	Collect point bar sample, weigh by size fraction and record $D_{50}$ and largest size ( $D_{max}$ ).
FS-7	Collect pebble count on active riffle bed: obtain $D_{50}$ , $D_{84}$ sizes (mm).
FS-8	Determine stream type.
FS-9	Conduct channel stability assessment procedure, including Pfankuch channel stability rating.
FS-10	Obtain reference dimensionless bed-load sediment rating curve for appropriate stream type/stability rating.
FS-11	Obtain reference dimensionless suspended sediment rating curve for appropriate stream type/stability rating.
FS-12	Determine ratio of wash load/suspended sediment by $Q/Q_{bkr}$ relation.
FS-13	Construct a bed-load rating curve (enter range of $Q/Q_{bkr}$ ratios into the reference bed-load relation from step 10 and multiply by the measured bankfull bed load from step 4).
FS-14	Construct suspended sediment rating curve in the same manner as in step 13 using reference dimensionless sediment relations (step 11) and bankfull suspended sediment (step 3).
FS-15	Construct a suspended sediment rating curve less wash load (silt/clay) for potential settleable sediment by multiplying ratio of wash load/suspended sediment for appropriate $Q/Q_{bkr}$ .
FS-16	Convert suspended sediment less wash load from mg/L to tons/day on rating curve: $\text{tons/d} = 0.0027 \times \text{ft}^3/\text{s} \times \text{mg/L}$ .
FS-17	Convert suspended sediment less wash load from mg/L to tons/d as in step 16.
FS-18	Convert bed load in lb/s to tons/d, where $\text{tons/d} = (\text{lb} \times 86,400)/2000$ (if metric, convert kg/s to lb/s by multiplying by 2.205).
FS-19	Obtain dimensionless flow-duration curve from either water yield model or regionalized relation.
FS-20	Develop the dimensionless flow-duration curves using the normalization parameter of mean daily bankfull discharge, rather than momentary maximum values from flood-frequency data. Divide the mean daily discharge (the day bankfull discharge occurs) by the momentary maximum value to determine the appropriate conversion ratio.
FS-21	Convert dimensionless flow-duration curve to actual flow by multiplying bankfull discharge (step 2) times the $Q/Q_{bkr}$ ratios from dimensionless flow-duration curve (step 19).
FS-22	Calculate total annual sediment yield for suspended sediment, suspended sediment less wash load, and bed load from sediment rating curve/flow-duration curve procedure (table 11-11). Obtain flow from the water yield model for hydraulically recovered condition to compare departure from existing/proposed condition (step 22). This represents the pre-treatment flow duration/sediment relation.
FS-23	To determine flow-related increase in sediment, multiply post-treatment flow-duration curve times appropriate sediment rating curves for suspended, bed-load and total sediment rating curves to calculate total annual sediment yield using the same procedure as step 21 (table 11-11).

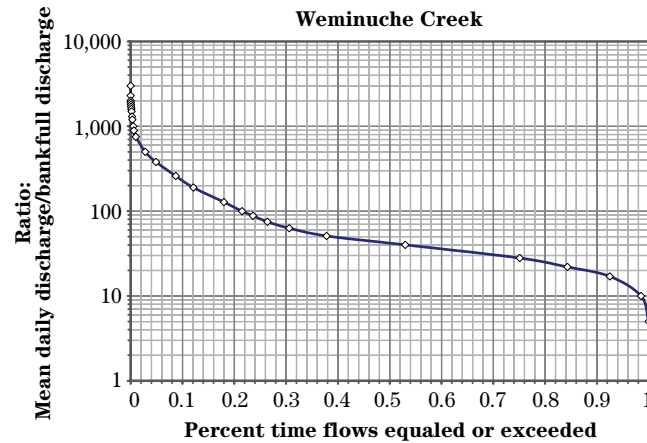
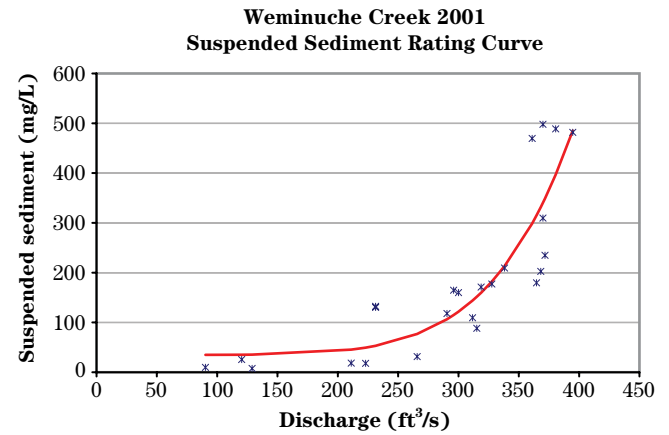
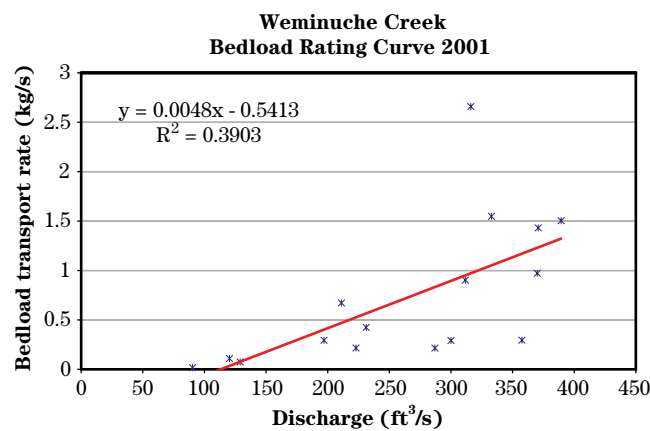
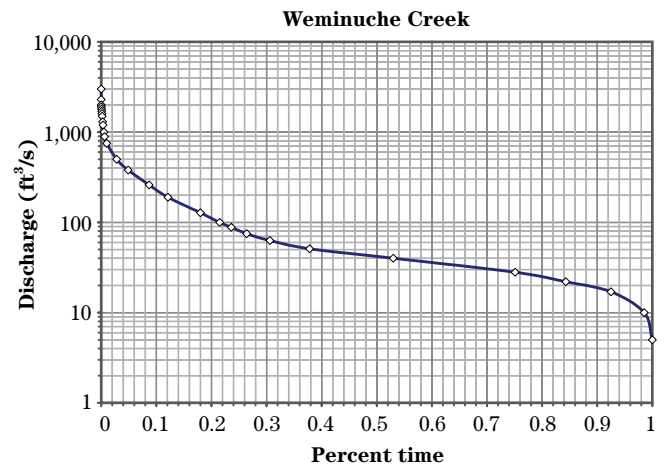


	From flow-duration curve					From sediment rating curves					Calculate	Calculate daily mean sediment yield					
Flow exceedance	Daily mean discharge	Mid-ordinate stream-flow	Increment	Mid-ordinate stream-flow	Dimensionless stream-flow	Dimensionless suspended sediment discharge	Suspended sediment discharge	Suspended sediment minus wash load	Dimensionless bed-load discharge	Bed load	Time adjusted stream-flow	Suspended sediment	Suspended sediment minus wash load	Bed load	Bed load plus suspended	Bed load plus suspended minus wash load	
(%)	(ft <sup>3</sup> /s)	(%)	(%)	(ft <sup>3</sup> /s)	(Q/Q <sub>bkr</sub> )	(S/S <sub>bkr</sub> )	(tons/d)	(tons/d)	(b <sub>s</sub> /b <sub>bkr</sub> )	(tons/d)	(ft <sup>3</sup> /s)	(tons/d)	(tons/d)	(tons/d)	(tons/d)	(tons/d)	
									Annual totals:		(acre-ft)	tons/yr	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	

Bankfull discharge (ft <sup>3</sup> /s)	
Bankfull bed load (kg/s)	
Bankfull suspended (mg/L)	

Dimensionless sediment rating curve used							
Type	Intercept	Coefficient	Exponent	X	Y	Form	Notes
Bed load							
Suspended							



**Figure 11-21** Dimensionless flow-duration curve for Weminuche Creek, CO**Figure 11-23** Suspended sediment rating curve for Weminuche Creek, CO**Figure 11-22** Bed-load sediment rating curve for Weminuche Creek, CO**Figure 11-24** Dimensioned flow-duration curve for Weminuche Creek, CO



## POWERSED

A generalized flowchart depicting the POWERSED model is shown in figure 11–25, and a graphical depiction of the model is shown in figure 11–26.

*Evaluate channel characteristics that change hydraulic and morphological variables*—Changes in the cross section and/or pattern (slope) for potentially impaired reaches are measured to determine width, depth, slope and calculated velocity. Comparisons are made between hydraulic characteristics of the reference versus the impaired reach. This analysis is used in the bed-load transport model (POWERSED) or in a comparable bed-load model selected by the user. Shear stress and unit stream power are calculated using equations 11–2 and 11–7:

$$\tau = \gamma d S \quad (\text{eq. 11-2})$$

where:

- $\gamma$  = specific weight of the fluid
- $d$  = mean depth
- $S$  = water surface slope

Unit stream power or power per unit of streambed area ( $\omega_a$ ) is defined as:

$$\omega_a = \tau u \quad (\text{eq. 11-7})$$

where:

- $\tau$  = bankfull shear stress (lb/ft<sup>2</sup>)
- $u$  = mean velocity

POWERSED can be used to simulate hydraulic geometry (width, depth, slope, velocity, and discharge) for a wide range of stages for reference and impaired reach hydraulic evaluations. POWERSED can also be used to compute changes in hydraulic character due to modified channel dimension, pattern, profile or materials. This information is used to determine changes in unit stream power for increased or decreased discharge. This model predicts channel stability response to imposed sediment load, change in flow, and/or change in distribution of energy due to channel change. The model determines sediment transport and predicts aggradation, stability, or degradation, depending on the nature and extent of the channel and/or flow change. The hydraulic/sediment departure is compared to the corresponding reference or stable condition. A recent comparison of predicted to observed values on an independent data set was shown in Rosgen (2006) where predicted annual sediment yield values were predicted within 3 percent of measured values for a C4 stream type and within 6 percent of measured values for a D4 stream type on Weminuche Creek, Colorado.

*Calculate bed-load and suspended sand-bed material load transport (stream power)*—Bed load and suspended sand-bed material load transport calculations may use various equations, such as the Bagnold equation. The POWERSED model (figs. 11–25, 11–26 and tables 11–12 and 11–13) assists in the analysis of sediment transport and channel response. This model was developed to predict the effects of channel instability and sediment supply changes in sediment transport. Other bed-load and suspended sand-bed material load transport models can be employed by the user, based on familiarity with and calibration/validation of the model for application to the particular stream types being analyzed.

The POWERSED model applies the suspended sand-bed material and bed-load sediment rating curves/flow duration/revised unit stream power-transport curves or a comparable model selected by the user to predict sediment transport and channel stability. The prediction includes river stability and total annual bed-load sediment yield in tons/year. The equations or computer program generates a change in coarse bed-load transport that will be influenced by changes in channel cross section and/or slope. Changes in streamflow, velocity, unit stream power, critical dimensionless shear stress, and other variables due to land use changes predict changes



**POWERSED—Continued**

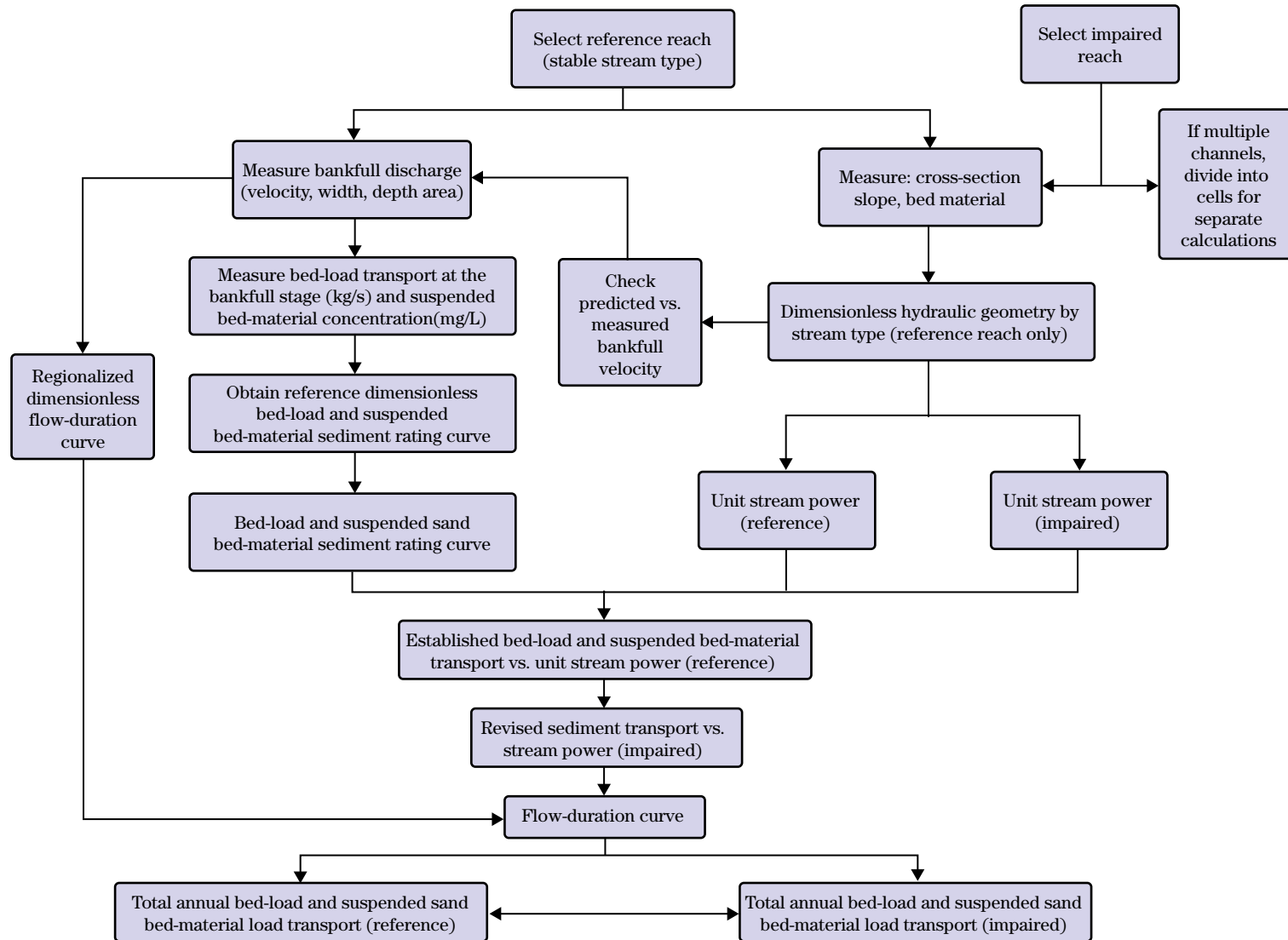
in river stability and total annual bed-load sediment yield. The sediment supply component is predicted using the FLOWSED model and is derived from dimensionless bed-load and suspended sediment rating curves for corresponding stream and stability types. These changes are compared to stable reference conditions for a departure comparison.

Procedural steps for computations of the POWERSED model are presented in table 11–12. Bed-load transport and suspended sand-bed material load is calculated using the POWERSED worksheet (table 11–13).

The POWERSED model is used to predict the transport rate and capacity for each reach independently. Reaches may be stable (sediment in versus sediment out), aggrading, or degrading. The model identifies reaches that may have serious instabilities due to changes in sediment supply and/or hydraulic characteristics. The analysis assists in pinpointing various river reaches for mitigation. The sediment transport changes reflect the sediment supply of the existing condition compared to the reference condition. Annual streambank erosion rates and other sources are compared to the total annual sediment yield.

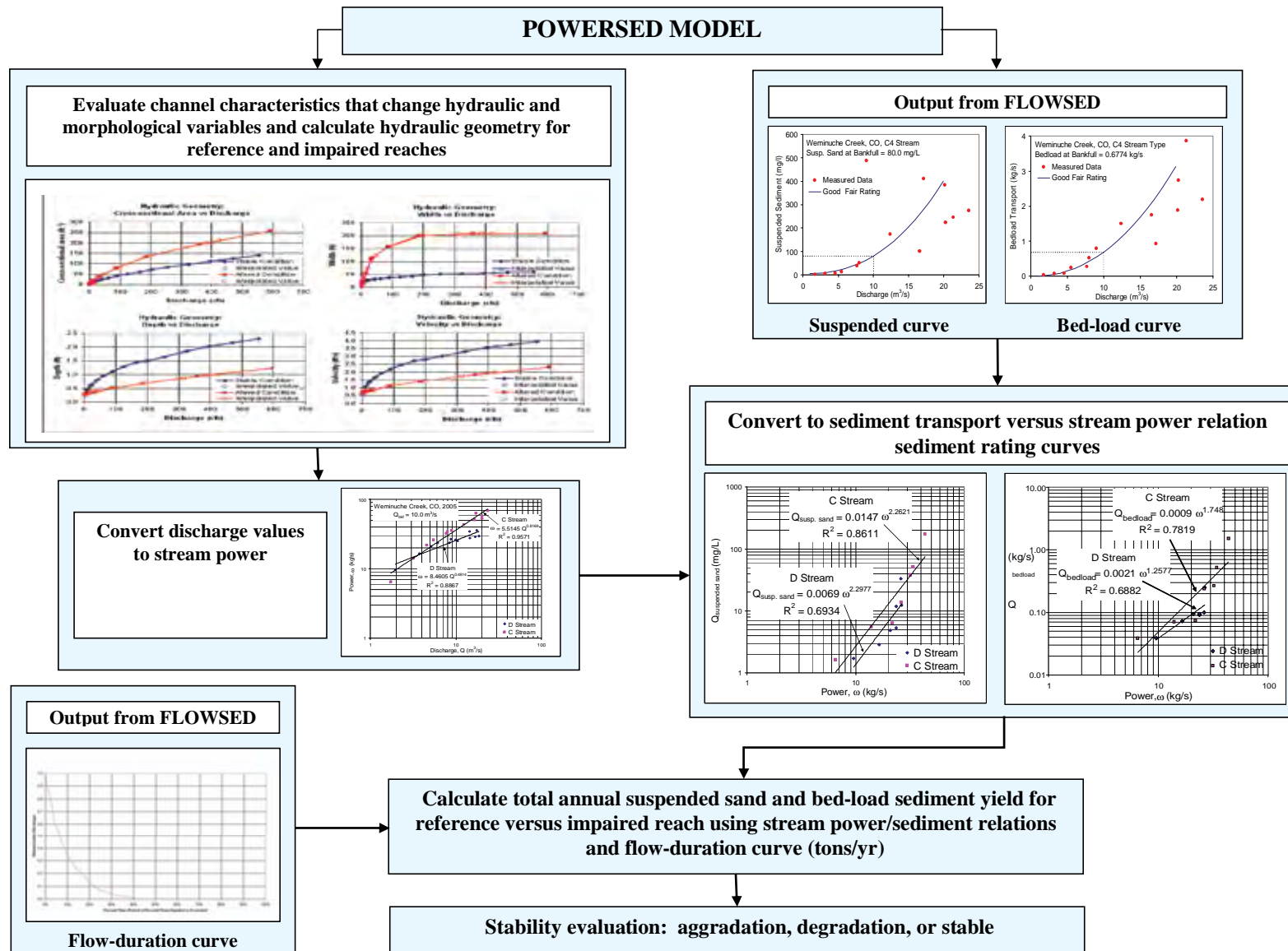


**Figure 11-25** POWERSED model to predict bed-load and suspended sand-bed-material load transport





**Figure 11-26** Graphical depiction of POWERSED model





**Table 11-12** POWERSED procedural steps of predicted bed-load and suspended sand-bed material transport changes due to alterations of channel dimension or slope (same stream with different bankfull discharges)**POWERSED procedure**

PS-1	Select a reference reach: <ul style="list-style-type: none"> <li>a. Survey a stable cross section; measure the stream gradient and bed material.</li> <li>b. Measure bankfull discharge (<math>\text{ft}^3/\text{s}</math>).</li> <li>c. Measure bankfull bed load (<math>\text{kg/s}</math>).</li> </ul>
PS-2	Obtain an appropriate dimensionless bed load and suspended sand sediment rating curve: <ul style="list-style-type: none"> <li>a. Construct a dimensional bed load and suspended sand sediment rating curve for the defined range of flow using the measured bankfull discharge, bankfull bed load transport and suspended sand-bed material load.</li> </ul>
PS-3	Obtain the drainage area of the reference reach: <ul style="list-style-type: none"> <li>a. Predict bankfull discharge and cross-sectional dimensions using regional curves.</li> <li>b. Validate the regional curves using the measured bankfull discharge and cross-sectional dimensions.</li> </ul>
PS-4	Use dimensionless hydraulic geometry by stream type to predict the hydraulic geometry of the stable cross section for a full range of discharge (baseflow to above bankfull): <ul style="list-style-type: none"> <li>a. Construct hydraulic geometry curves.</li> <li>b. Check predicted versus measured bankfull velocity.</li> <li>c. Obtain hydraulic geometry for each discharge value within the defined range of flow.</li> <li>d. Calculate unit stream power for each discharge value within the defined range of flow.</li> </ul>
PS-5	Select an impaired reach on the same stream: <ul style="list-style-type: none"> <li>a. Obtain the drainage area.</li> <li>b. Predict bankfull discharge from the validated regional curve.</li> <li>c. Survey the cross section, and measure the stream gradient and bed material.</li> </ul>
PS-6	Obtain the stable (potential) dimension, pattern, and profile for the impaired reach. If reference reach is not immediately upstream and/or is of different size or drainage area, complete the following procedure: <ul style="list-style-type: none"> <li>a. Slope = valley slope/sinuosity.</li> <li>b. Obtain appropriate cross-sectional area from regional curve.</li> <li>c. Obtain width-to-depth ratio (<math>W/d</math>) from reference dimensionless ratios by stream type.</li> <li>d. Calculate appropriate width.</li> </ul>
PS-7	Use the RIVERMorph® procedure or applicable spreadsheet calculations to predict the hydraulic geometry of the impaired and potential cross sections for a full range of discharge (baseflow to above bankfull). Follow the step below for the impaired and potential cross sections: <ul style="list-style-type: none"> <li>a. Construct hydraulic geometry curves.</li> <li>b. Obtain hydraulic geometry for each discharge value within the defined range of flow. <ul style="list-style-type: none"> <li>* If channel has multiple channels, divide the channels into thirds and treat as a separate channel</li> </ul> </li> <li>c. Calculate unit stream power for each discharge value within the defined range of flow.</li> </ul>
PS-8	Plot unit stream power vs. bed load and suspended sand-bed material transport for the stable cross section.
PS-9	Construct a unit stream power versus bed-load transport curve for the impaired and potential cross sections using the relationship constructed in step 8.
PS-10	Obtain a dimensionless flow-duration curve for the appropriate region: <ul style="list-style-type: none"> <li>a. Create a dimensional flow-duration curve using the bankfull discharge for the stable reach.</li> <li>b. Create a dimensional flow-duration curve using the bankfull discharge for the impaired reach.</li> </ul>



**Table 11–12** POWERSED procedural steps of predicted bed-load and suspended sand-bed material transport changes due to alterations of channel dimension or slope (same stream with different bankfull discharges)—Continued**POWERSED procedure**

PS–11	<p>Calculate total annual sediment yield (bed-load and suspended sand-bed-material load) in tons/yr for all three (stable, impaired, potential) cross sections using the appropriate flow-duration curve:</p> <ol style="list-style-type: none"> <li>Convert the predicted bed-load transport for each discharge value within the defined range of flow from kg/s to tons/d by multiplying kg/s by 95.24. Convert values of suspended sand-bed material load in mg/L to tons/d by multiplying <math>(\text{mg/L})(.0027)(\text{ft}^3/\text{s})</math>.</li> <li>Multiply the predicted bed-load and suspended sand-bed material load transport (tons/d) by the percent time factor from flow-duration curve.</li> <li>Sum the time adjusted bed-load transport and multiply by 365 days to obtain annual bed load yield in tons/yr.</li> <li>Divide the annual yield for both bed-load and suspended sand-bed material load by the drainage area to obtain the annual unit area bed-load and suspended sand-bed material load yield (tons/yr/mi<sup>2</sup>).</li> <li>Compare the annual unit area bed-load and suspended sand-bed material load yield predicted for all three conditions (stable, impaired and potential).</li> </ol>
PS–12	Record data for impacted and reference condition (separately) in POWERSED worksheet (table 11–13).



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**Step 28** Obtain maximum bankfull riffle depth ( $d_{\max}$ ) from ratio of maximum riffle depth divided by mean bankfull depth from dimensionless ratios of reference reach data (step 7) (table 11-3).

$$d_{\text{mbkf}} = \left[ \left( \frac{d_{\text{mbkf}}}{d_{\text{bkf}}} \right)_{\text{ref}} \right] d_{\text{bkf}} \quad (\text{eq. 11-18})$$

**Step 29** Determine entrenchment ratio of proposed channel by measuring the width of the flood-prone area at an elevation of twice the maximum bankfull depth ( $d_{\max \text{ bkf}}$ ). Entrenchment ratio is calculated by:

$$\text{ER} = \frac{W_{\text{fpa}}}{W_{\text{bkf}}} \quad (\text{eq. 11-19})$$

**Step 30** Calculate flood-prone area capacity. This involves estimating velocity associated with the cross-sectional area and slope of the stream channel and flood-prone area. Determine cross-sectional area of the flood-prone area. Plot the bankfull cross-section and flood-prone area elevation ( $2 \times d_{\max \text{ bkf}}$ ) and width. Use valley slope for hydraulic calculations for the flood-prone area. Estimate roughness from Manning's equation based on vegetative cover and other roughness elements. HEC-2, HEC-RAS, or other models can be used to obtain the corresponding discharge of the flood-prone area. Calculate the 50- and 100-year flood levels based on the proposed design. Use the bankfull channel capacity from step 22.

**Step 31** Calculate depth of pool (ratios from table 11-3):

$$d_{\text{mbkfp}} = \left[ \left( \frac{d_{\text{mbkfp}}}{d_{\text{bkf}}} \right)_{\text{ref}} \right] d_{\text{bkf}} \quad (\text{eq. 11-20})$$

**Step 32** Calculate depth of glide (ratios from table 11-3):

$$d_g = \left[ \left( \frac{d_g}{d_{\text{bkf}}} \right)_{\text{ref}} \right] (d_{\text{bkf}}) \quad (\text{eq. 11-21})$$

**Step 33** Calculate depth of run (ratios from table 11-3):

$$d_{\text{run}} = \left[ \left( \frac{d_{\text{run}}}{d_{\text{bkf}}} \right)_{\text{ref}} \right] (d_{\text{bkf}}) \quad (\text{eq. 11-22})$$

**Step 34** Calculate slope of pool (ratios from table 11-3):

$$S_p = \left[ \left( \frac{S_p}{S} \right)_{\text{ref}} \right] S \quad (\text{eq. 11-23})$$

**Step 35** Calculate slope of glide (ratios from table 11-3):

$$S_g = \left[ \left( \frac{S_g}{S} \right)_{\text{ref}} \right] S \quad (\text{eq. 11-24})$$

**Step 36** Calculate slope of run (ratios from table 11-3):

$$S_{\text{run}} = \left[ \left( \frac{S_{\text{run}}}{S} \right)_{\text{ref}} \right] S \quad (\text{eq. 11-25})$$

**Step 37** Calculate pool-pool spacing (from plan view and profile layout).

**Step 38** Design stabilization/fish habitat enhancement measures (grade control, energy dissipation, bank stability, holding cover). See phase VI.

**Step 39** Prepare revegetation plan compatible with native plants, soil, and site conditions. Make recommendations on vegetative maintenance and management for long-term solutions.

**Step 40** Design a monitoring plan including effectiveness, validation, and implementation monitoring. Prepare maintenance plan to ensure long-term success.

The variables associated with existing, proposed, gage station, and reference reach data are summarized in the form as demonstrated in table 11-14 (Rosgen 1998). The variables used in table 11-14 and forms used in field data collection are in the Reference Reach Field Book (Rosgen, Leopold, and Silvey 1998; Rosgen and Silvey 2005).



**Table 11–14** Morphological characteristics of the existing and proposed channel with gage station and reference reach data**Restoration site (name of stream and location):****Reference reach (name of stream and location):**

Variables		Existing channel	Proposed reach	USGS station	Reference reach
1	Stream type				
2	Drainage area, mi <sup>2</sup>				
3	Mean riffle depth, ft ( $d_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
4	Riffle width, ft ( $W_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
5	Width-to-depth ratio ( $W_{bkf}/d_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
6	Riffle cross-sectional area, ft <sup>2</sup> ( $A_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
7	Max riffle depth ( $d_{mbkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
8	Max riffle depth/mean riffle depth ( $d_{mbkf}/d_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
9	Mean pool depth, ft ( $d_{bkfp}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
10	Mean pool depth/mean riffle depth	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
11	Pool width, ft ( $W_{bkfp}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
12	Pool width/riffle width	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
13	Pool cross-sectional area, ft <sup>2</sup> ( $A_{bkfp}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
14	Pool area/riffle area	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
15	Max pool depth ( $d_{mbkfp}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
16	Max pool depth/mean riffle depth ( $d_{mbkfp}/d_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:



**Table 11-14** Morphological characteristics of the existing and proposed channel with gage station and reference reach data—Continued

Variables	Existing channel	Proposed reach	USGS station	Reference reach
17 Low bank height (LBH)	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
18 Low bank height to max riffle depth ( $LBH/d_{mbkf}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
19 Width of flood-prone area, ft ( $W_{fpa}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
20 Entrenchment ratio ( $W_{fpa}/W_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
21 Point bar slope	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
22 Bankfull mean velocity, ft/s ( $u_{bkf}$ )				
23 Bankfull discharge, ft <sup>3</sup> /s ( $Q_{bkf}$ )				
24 Meander length, ft ( $L_m$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
25 Meander length ratio ( $L_m/W_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
26 Radius of curvature, ft ( $R_c$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
27 Ratio of radius of curvature to bankfull width ( $R_c/W_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
28 Belt width, ft ( $W_{blt}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
29 Meander width ratio ( $W_{blt}/W_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
30 Individual pool length, ft	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
31 Pool length/riffle width	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:
32 Pool to pool spacing (based on pattern), ft (p-p)	Mean:	Mean:	Mean:	Mean:
	Range:	Range:	Range:	Range:



**Table 11-14** Morphological characteristics of the existing and proposed channel with gage station and reference reach data—Continued

Variables		Existing channel	Proposed reach	USGS station	Reference reach
33	Ratio of p-p spacing to bankfull width ( $p\text{-}p/W_{bkt}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
34	Stream length (SL)				
35	Valley length (VL)				
36	Valley slope (VS)				
37	Average water surface slope (S)		$S = VS/k$		
38	Sinuosity (k)	SL/VL:	SL/VL:	SL/VL:	SL/VL:
		VS/S:		VS/S:	VS/S:
39	Riffle slope (water surface facet slope) ( $S_{rif}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
40	Ratio riffle slope to average water surface slope ( $S_{rif}/S$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
41	Run slope (water surface facet slope) ( $S_{run}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
42	Ratio run slope/average water surface slope ( $S_{run}/S$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
43	Pool slope (water surface facet slope) ( $S_p$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
44	Ratio of pool slope/average water surface slope ( $S_p/S$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
45	Glide slope (water surface facet slope) ( $S_g$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
46	Ratio glide slope/average water surface slope ( $S_g/S$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
47	Max run depth, ft ( $d_{run}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
48	Ratio max run depth/ bankfull mean depth ( $d_{run}/d_{bkt}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
49	Max glide depth, ft ( $d_g$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:



**Table 11-14** Morphological characteristics of the existing and proposed channel with gage station and reference reach data—Continued

Variables		Existing channel	Proposed reach	USGS station	Reference reach
50	Ratio max glide depth/ bankfull mean depth ( $d_g/d_{bkf}$ )	Mean:	Mean:	Mean:	Mean:
		Range:	Range:	Range:	Range:
<b>Materials</b>					
51	Particle size distribution of channel material (active bed)				
	$D_{16}$ (mm)				
	$D_{35}$ (mm)				
	$D_{50}$ (mm)				
	$D_{84}$ (mm)				
	$D_{95}$ (mm)				
52	Particle size distribution of bar material				
	$D_{16}$ (mm)				
	$D_{35}$ (mm)				
	$D_{50}$ (mm)				
	$D_{84}$ (mm)				
	$D_{95}$ (mm)				
	Largest size particle at the toe (lower third) of bar (mm)				
<b>Sediment transport validation</b>					
<b>(Based on Bankfull Shear Stress)</b>			<b>Existing</b>	<b>Proposed</b>	
Calculated shear stress value ( $lb/ft^2$ ) from curve					
Size from Shields diagram - Original data (mm)					
Size from Shields diagram - Colorado data (mm)					
Largest size (mm) to be moved ( $D_{max}$ )					
Dimensionless shear stress ( $\tau^*$ )					
Mean $d_{bkf}$ (ft) calculated using dimensionless shear stress equations for given slope					
Remarks:					



## (f) Phase VI—Selection and design of stabilization and enhancement structures/methodologies

The objectives of river structures are often primarily designed to:

- buy time to protect the new channel from excess erosion until significant riparian vegetation can become established
- reduce accelerated streambank erosion
- provide grade control
- provide recreational boating
- obtain stable flow diversions
- enhance fish habitat including instream cover, holding cover, spawning habitat, and habitat diversity
- reintroduce and stabilize large wood for fishery, stability, and aesthetic purposes
- protect infrastructure adjacent to streams
- protect bridges, culverts, and drainageway crossings
- reduce flood levels
- transport sediment
- provide energy dissipation

River stabilization and enhancement structures are numerous and continue to be improved and developed. The effort here will not be to make a complete listing, but rather present methods used in the Rosgen geomorphic channel design methodology consistent with the objectives. The structures and methods primarily utilize native materials such as natural boulders, logs, rootwads, and vegetative transplants.

Design objectives will be presented to provide the user with alternatives to standard or traditional structures.

### Grade control

Often cross-channel check dams are used for grade control. NRCS has successfully used many types of channel grade control structures, but streams with high sediment loads have experienced some adverse channel adjustment in some case. The adjustments are associated with aggradation, lateral erosion, flood

stage increase, migration barriers for fish, increased recreational boating risk, land loss, channel incision through lateral migration and channel avulsion. To prevent these stability problems, the cross vane was developed (fig.11–27 (Rosgen 2001e)).

Application of this design is also very effective for bridge pier scour reduction (Johnson, Hey, et al. 2002). A photograph depicting the structure as constructed on the lower Blanco River, Colorado, is shown in figure 11–28. The structure also decreases near-bank shear stress, minimizing streambank erosion.

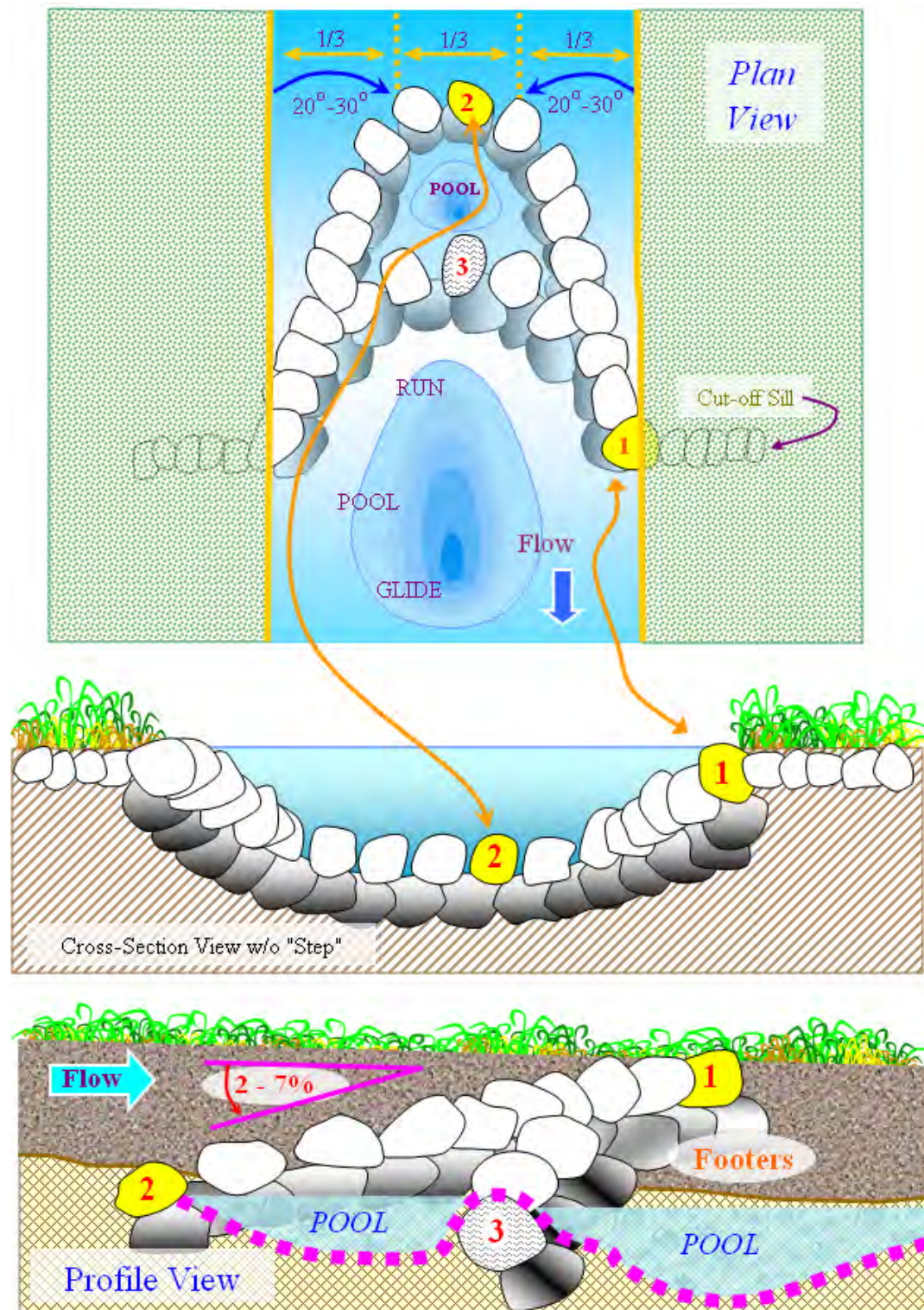
The photographs in figures 11–29 and 11–30 demonstrate the use of cross vanes in river restoration. In this example, a reconstructed river project on the East Fork Piedra River, Colorado, in a valley type V (glacial trough), converted a braided (D4) stream type to a meandering (C4) stream type. The use of the cross vane structure was effective at maintaining grade control, transporting excessive coarse bed load, reducing bank erosion, buying time for riparian vegetation colonization, and providing trout habitat. The structures located along 3 miles of this project withstood floods at twice the bankfull discharge magnitude in 2004. Logs and rootwads can also be utilized in this structure as designed in Rosgen (2001e) and as shown in figure 11–31. The use of large wood in this structure assists in the visual, as well as biological enhancement objectives. The step in the upper third of the structure dissipates energy, reduces footer scour, and minimizes risk for recreational boating and fish passage.

A structure designed for larger rivers for grade control and streambank protection is the W-weir. This structure can also be effectively used for irrigation diversions, protection of central piers and approach sections on bridges, bed-load transport, recreational boating, and fish habitat. Visually, it is improved over a line of rock often used in grade control. It resembles natural bedrock features in stream channels. Figure 11–32 depicts the design (Rosgen 2001e), and figure 11–33 shows a typical W-weir structure as installed on the Uncompahgre River in Colorado.

### Streambank stabilization

Most stream restoration projects require some degree of streambank stabilization. Often the stabilization involves riparian vegetation reestablishment or change in management. Regardless, there is a time element that is needed to establish rooting depth, density, and



**Figure 11-27** Cross section, profile, and plan view of a cross vane



**Figure 11-28** Cross vane installed on the lower Blanco River, CO



**Figure 11-30** Cross vane/step-pool on the East Fork Piedra River, CO



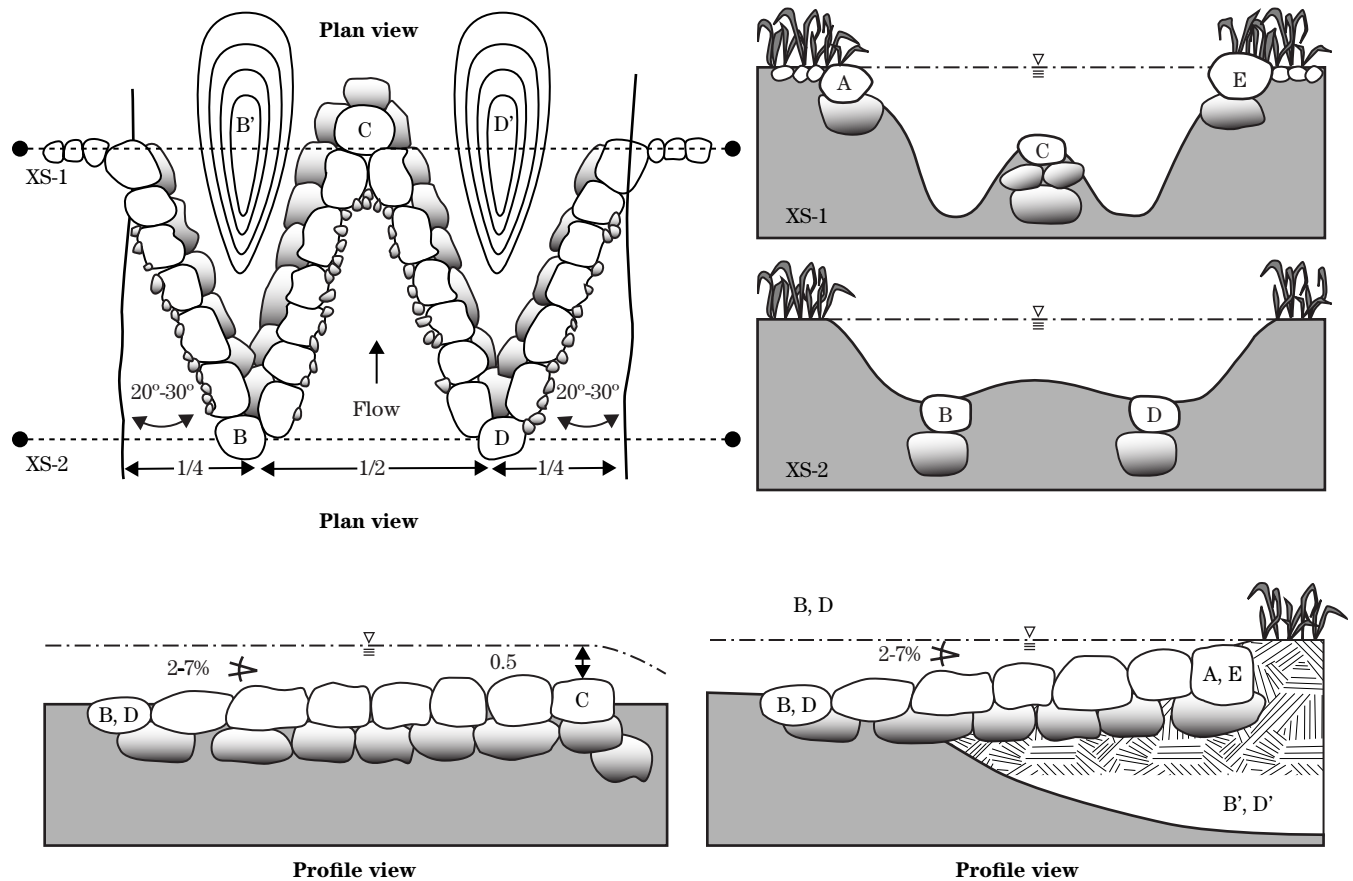
**Figure 11-29** Cross vane structure with step on the East Fork Piedra River, CO



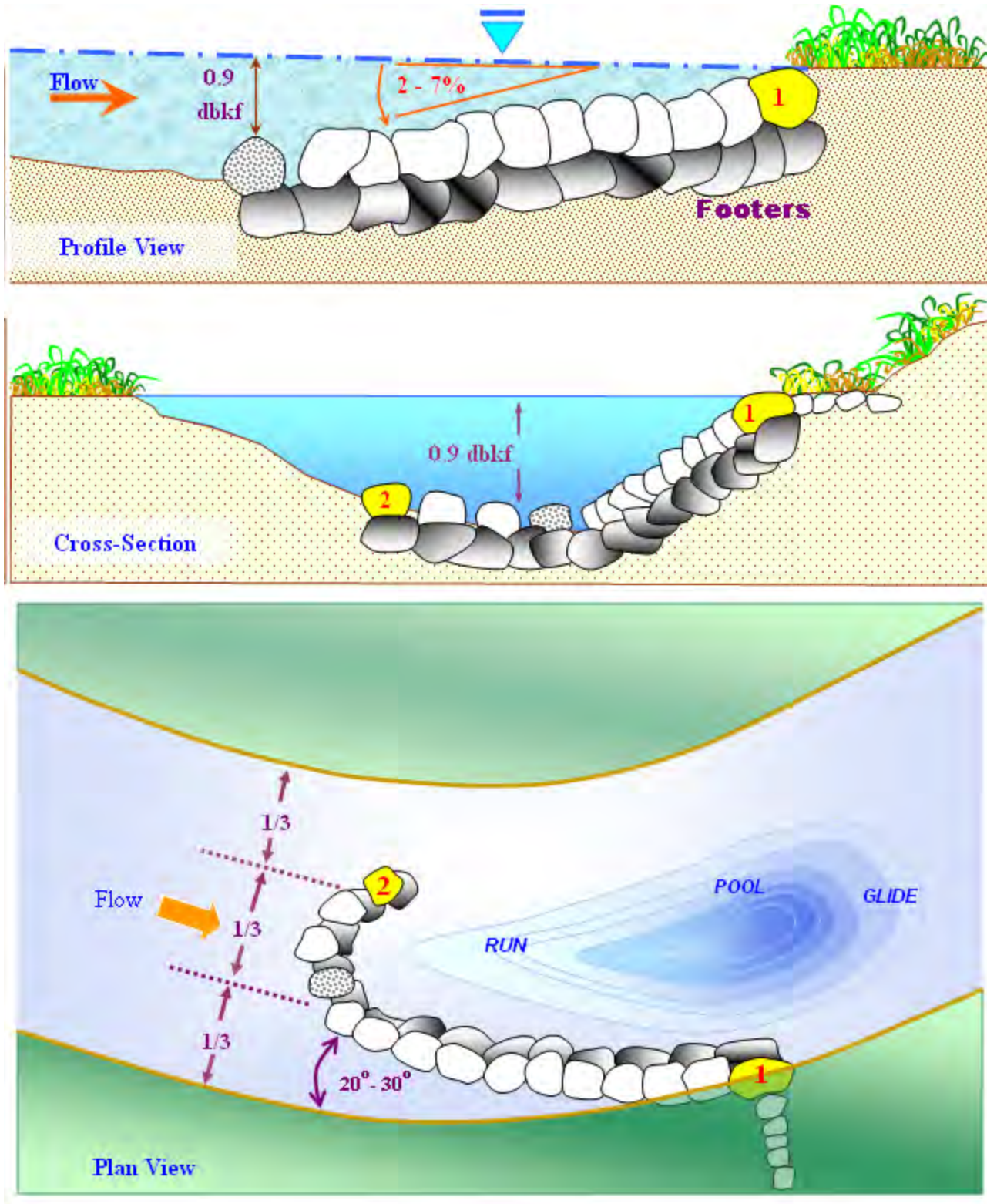
**Figure 11-31** Cross vane/rootwad/log vane step-pool, converting a braided D4→C4 stream type on the East Fork Piedra River, CO



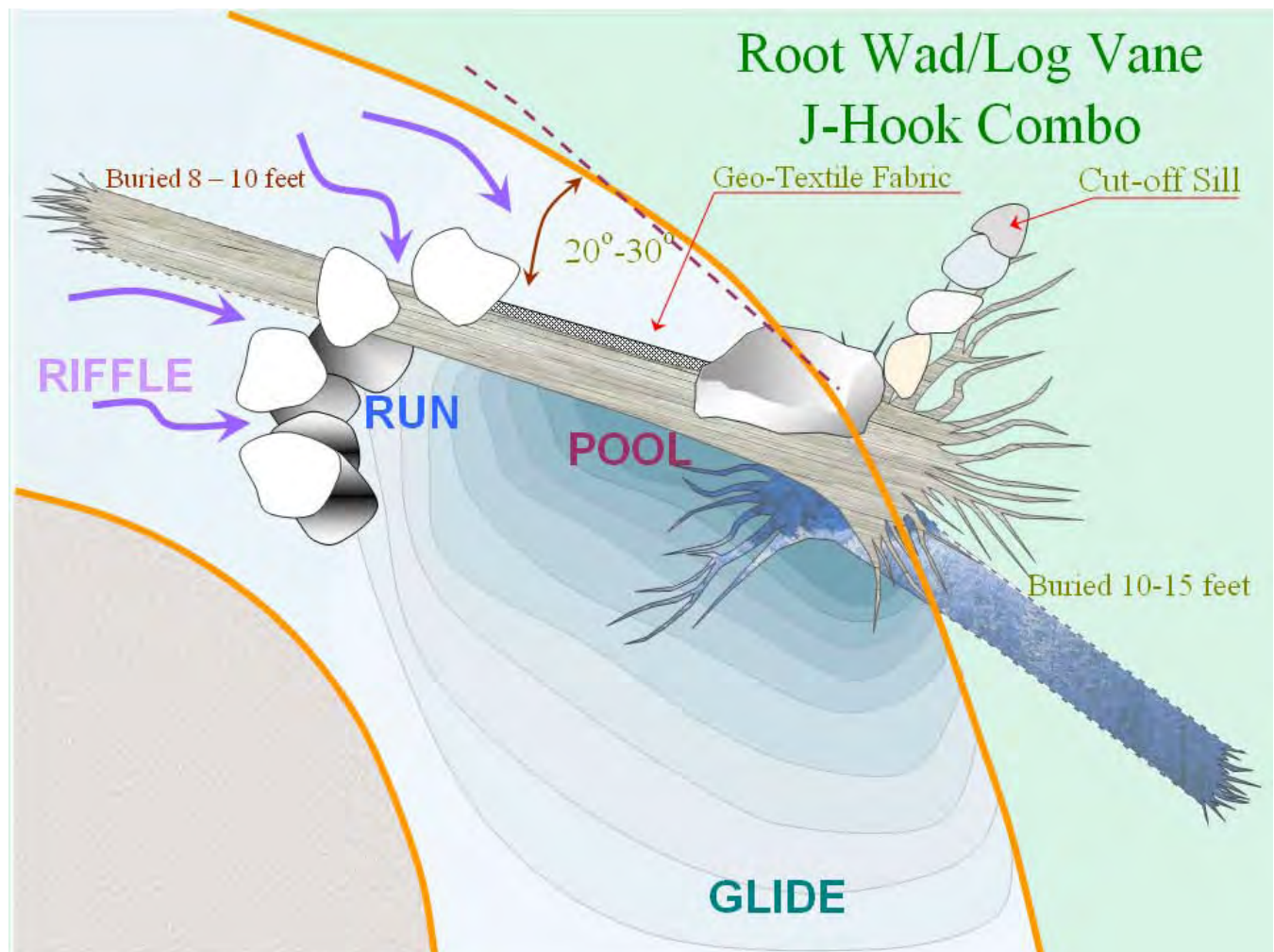


**Figure 11-32** Plan, cross section, and profile views of a W-weir structure**Figure 11-33** W-weir installed on the Uncompahgre River, CO

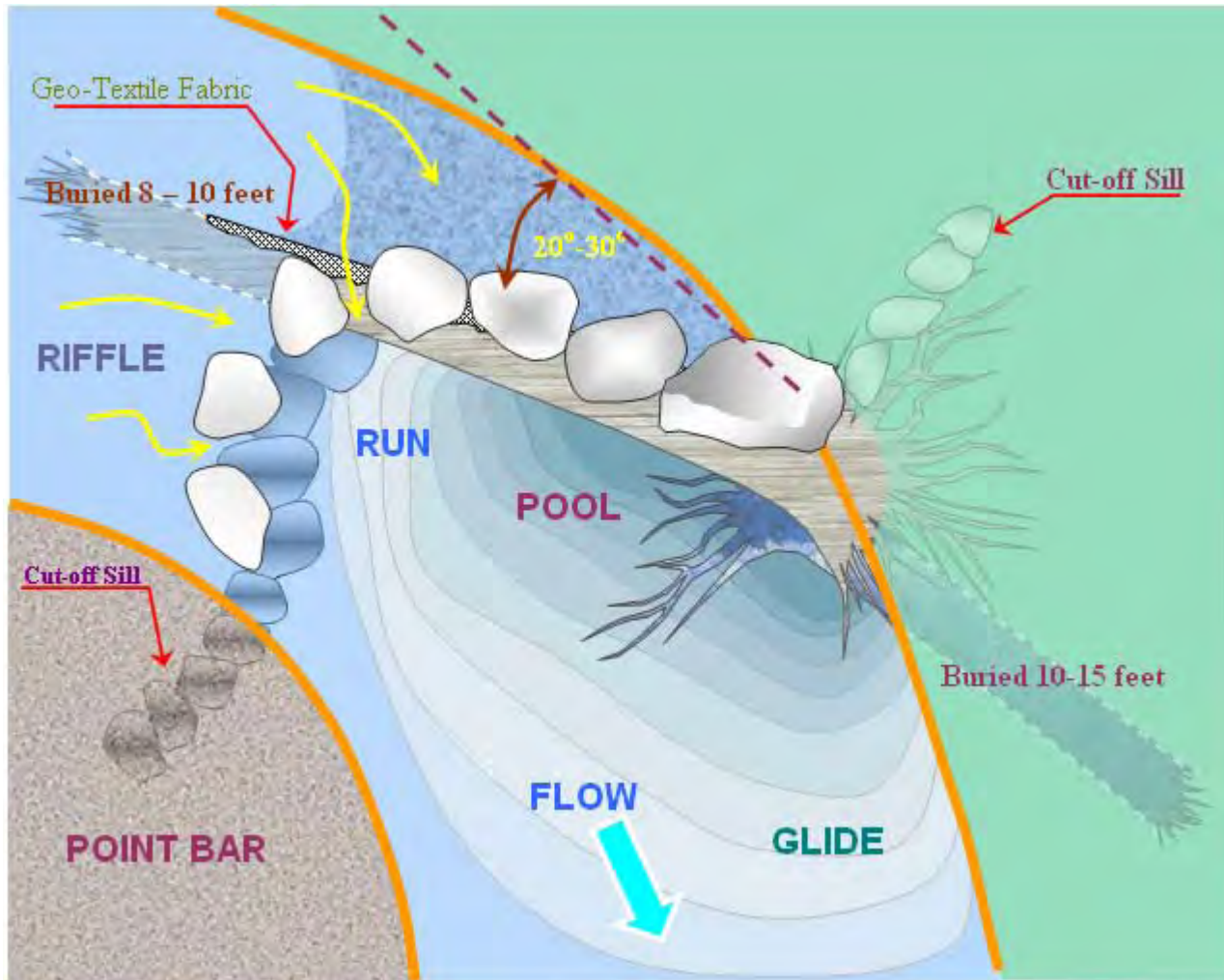


**Figure 11-34** Plan, profile, and section views of the J-hook vane structure



**Figure 11-35** Log vane/J-hook combo with rootwad structure



**Figure 11-36** Rock vane/J-hook combo with rootwad and log vane footer



**Figure 11-37** Native boulder J-hook with cut-off sill, East Fork Piedra River, CO



**Figure 11-39** J-hook/log vane/log step with cut-off sill, East Fork Piedra River, CO

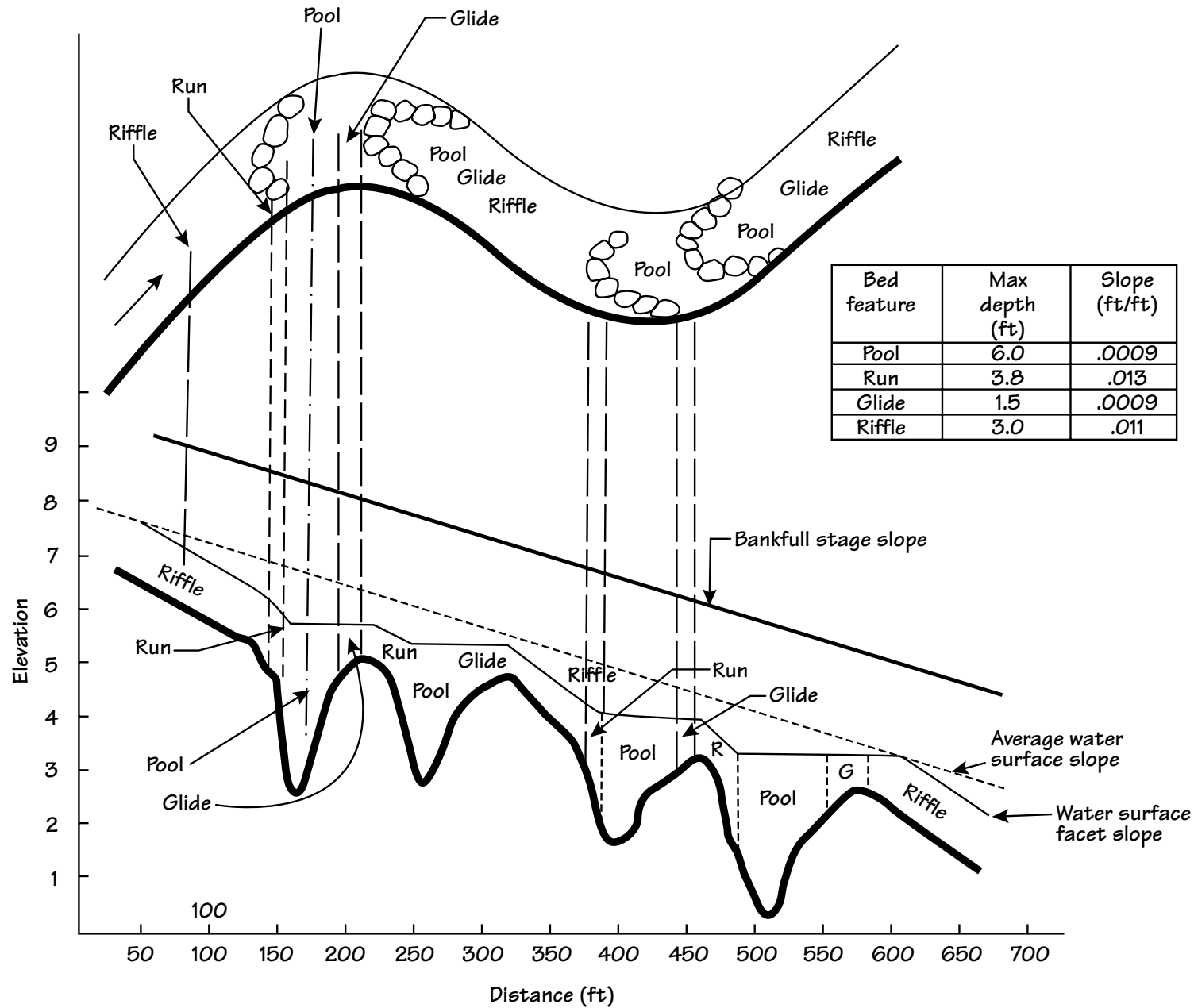


**Figure 11-38** Rootwad/log vane/J-hook structure, East Fork Piedra River, CO

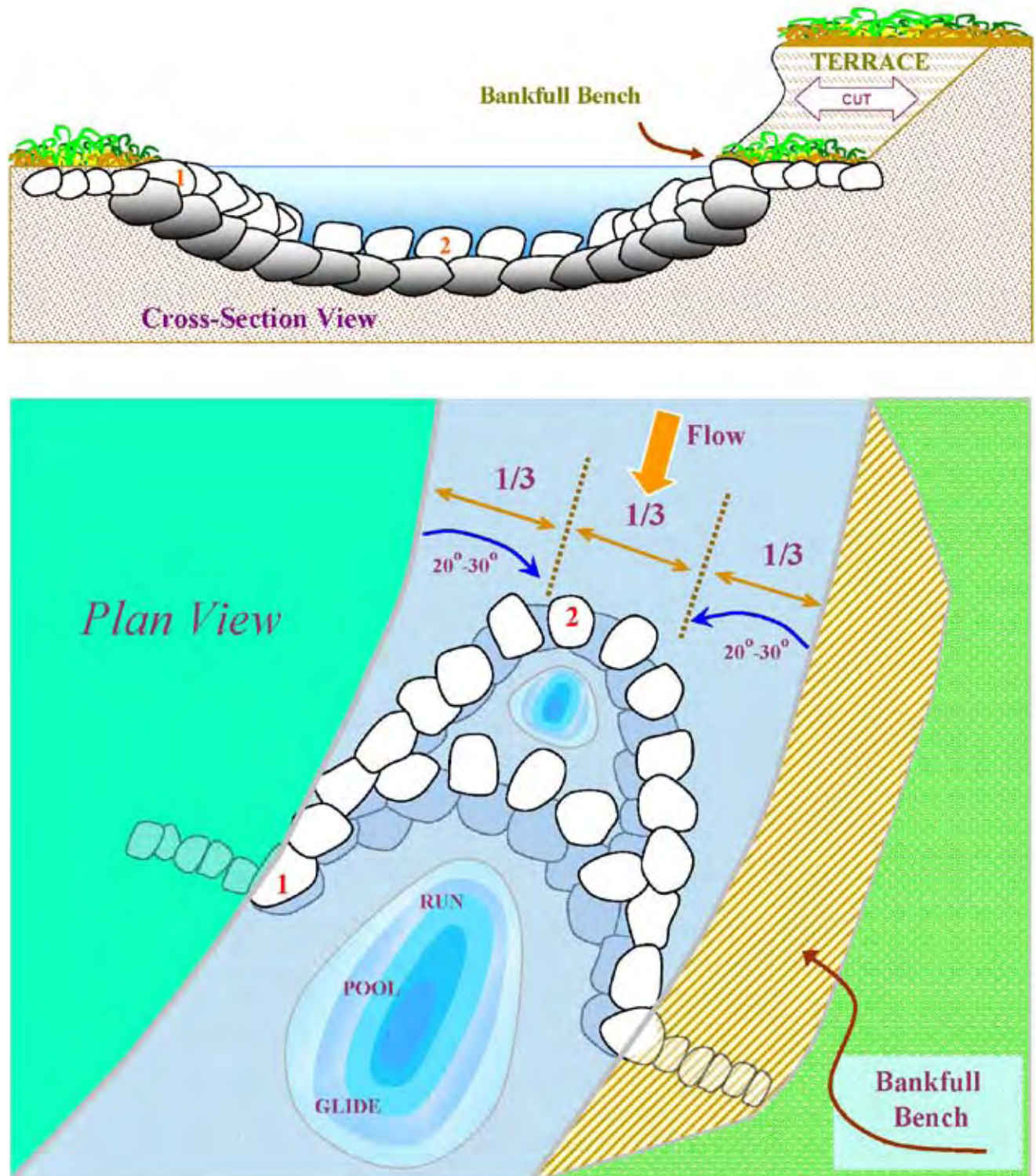




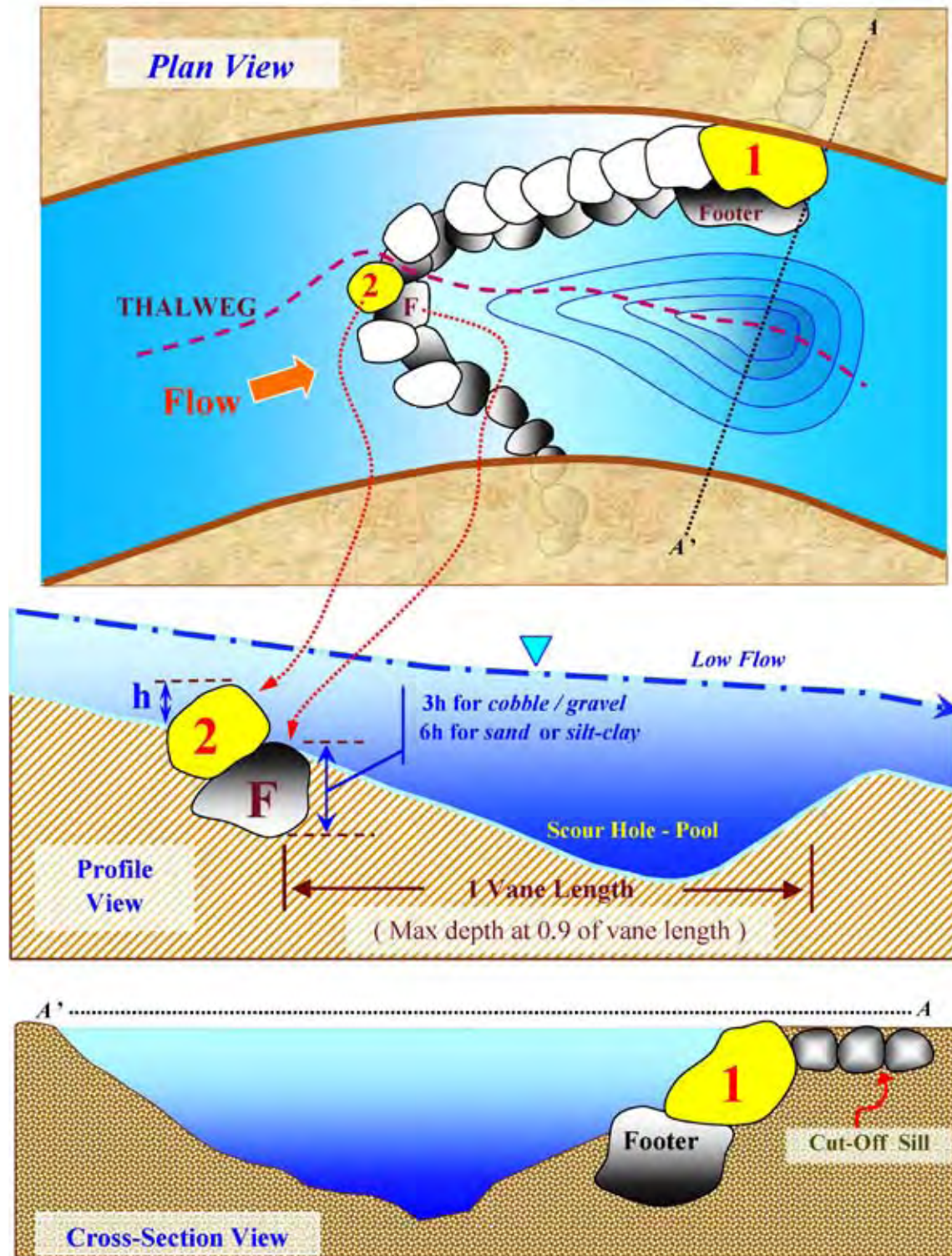
**Figure 11-40** Longitudinal profile of proposed C4 stream type showing bed features in relation to structure location





**Figure 11-41** Boulder cross vane and constructed bankfull bench



**Figure 11-42** Locations/positions of rocks and footers in relation to channel shape and depths



strength to help maintain bank stability. The use of the J-hook (or fish hook) vane was developed to reduce near-bank stress to buy time for root development. The design is shown in figure 11-34 (Rosgen 2001e). Materials other than boulder are used in the J-hook vane. Logs and rootwads can be effectively used for multiple objectives (fig. 11-35 (Rosgen 2001e)). Variations in the use of materials are shown in figure 11-36 (Rosgen 2001e). An example of a J-hook vane is shown in figure 11-37, as constructed out of native boulders located in a reconstructed East Fork Piedra River. The structure also provides fish habitat, energy dissipation, bed-load transport, and provides protection of developments along streambanks. The use of a J-hook vane reduces the need for toe rock stabilization or a surfacing or hardening of the bank with riprap or other resistant structure. The length of bank protected is approximately two and a half to three times the length of the vane. The J-hook vane also is used to protect bridges and structures (Johnson, Hey, et al. 2001). Figures 11-38 and 11-39 provide examples of a J-hook vane using logs, rootwads, and log steps, as well as native boulders.

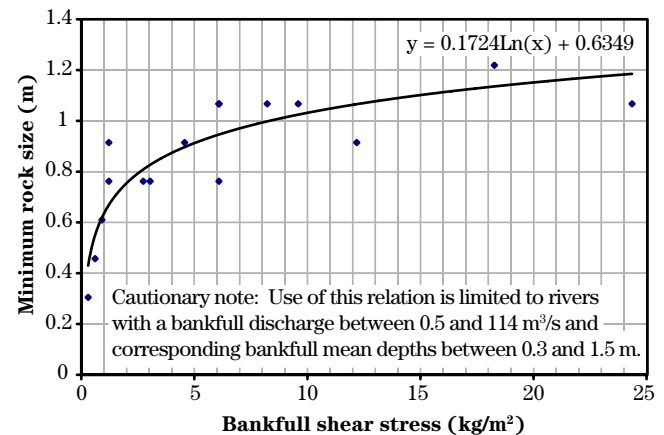
An example of the use of structure location forming compound pools consistent with meander curvature and bed features is shown in figure 11-40. The accompanying data indicate the slope and depth of the corresponding bed features. Regardless of structures, riparian vegetation establishment and management must be an active part of Rosgen geomorphic channel design.

### Vane design specifications

The use of structures must be compatible with curvature and bed features of natural rivers. Figures 11-41 and 11-42 illustrate the use of rock for cross vanes, as well as for footers. Figure 11-43 provides guidance on rock sizing.

**Vane slope**—The slope of the vane extending from the bankfull stage bank should vary between 2 to 7 percent. Vane slope is defined by the ratio of bank height/vane length. For installation in meander bends, ratios of J-hook vane length/bankfull width is calculated as a function of the ratio of radius of curvature/bankfull width and departure angle (table 11-15). Equations for predicting ratios of J-hook vane spacing/bankfull width on meander bends based on ratio of radius of curvature/bankfull width and departure angle are shown in table 11-16. Vane length is the distance measured from the bankfull bank to the intercept with

**Figure 11-43** Rock size



**Table 11-15** Equations for predicting ratio of vane length/bankfull width ( $V_L$ ) as a function of ratio of radius of curvature/width and departure angle, where  $W$  = bankfull width (SI units)

Rc/W	Departure angle (degrees)	Equation
3	20	$V_L = 0.0057 W + 0.9462$
3	30	$V_L = 0.0089 W + 0.5933$
5	20	$V_L = 0.0057 W + 1.0462$
5	30	$V_L = 0.0057 W + 0.8462$

**Table 11-16** Equations for predicting ratio of vane spacing/width ( $V_s$ ) as a function of ratio of radius of curvature/width and departure angle, where  $W$  = bankfull width (SI units)

Rc/W	Departure angle (degrees)	Equation
3	20	$V_s = -0.006 W + 2.4781$
3	30	$V_s = -0.0114 W + 1.9077$
5	20	$V_s = -0.0057 W + 2.5538$
5	30	$V_s = -0.0089 W + 2.2067$



the invert elevation of the streambed at a third of the bankfull channel width for either cross vanes or J-hook vanes. For very large rivers, where it is impractical to extend the vane length to a third of the bankfull width, vane slope is calculated based on the specified angle of departure and the ratio of bank height/vane length where the vane arm intercepts the proposed invert of the structure.

The spacing of J-hook vanes can be increased by  $0.40W$  for a low BEHI of less than 30 (Rosgen 1996, 2001b).

**Bank height**—The structure should only extend to the bankfull stage elevation. If the bank is higher, a bankfull bench is constructed adjacent to the higher bank, and the structure is integrated into the bench. The use of a cross vane is shown in figure 11–41 where a bankfull bench is created adjacent to a terrace bank.

**Footers**—The minimum footer depth at the invert for cobble and gravel-bed streams is associated with a ratio of three times the protrusion height of the invert rock. This is applicable to all three structures and is shown in figure 11–41 for a J-hook vane. For sand-bed streams, the minimum depth is doubled due to the deeper scour depths that occur. All rocks for all three structures require footers. If spaces are left between the invert rocks for cross vane and W-weirs, the top of the footer rocks becomes the invert elevation for grade control. If no gaps are left, the top of the surface rock becomes the base level of the stream.

**Rock size**—The relationship of bankfull shear stress to minimum rock size used for all three structures is shown in figure 11–43. The application of this empirical relation is limited to size of rivers whose bankfull discharge varies from 0.56 cubic meters per second ( $20 \text{ ft}^3/\text{s}$ ) to 113.3 cubic meters per second (4,000

$\text{ft}^3/\text{s}$ ). For example, appropriate minimum rock sizes for values of bankfull shear stress less than 1.7 kilograms per square meter ( $0.35 \text{ lb}/\text{ft}^2$ ) are associated only with stream channel bankfull depths from 0.26 to 1.5 meters (2–5 ft). This relation would not be appropriate for applications outside the limits of the data for a river slope of 0.0003 and a mean depth of 6.1 meters, even though a similar shear stress results, as in the example presented.

## (g) Phase VII—Design implementation

A key requirement at this phase is to correctly implement the proposed design. This involves the layout, construction supervision, and water quality controls during construction.

### Layout

It is necessary to pre-stake the alignment of the channel and to provide for protection of existing vegetation outside of the construction alignment. The layout involves making necessary onsite adjustments to the design based on constraints that may have been previously overlooked. Terrain irregularities, vegetation, property boundaries, and channel changes since the field data were collected can all require local modifications to placement. Staging areas for materials must be located for both the collection and temporary storage of materials. Stockpile areas, vegetative donor sites, and boundary references/facilities requiring special identification must be flagged. Locations of structure placement and type must be flagged.

### Construction supervision (oversight)

Without exception, it is critical to have daily onsite inspection and construction coordination. It is essential to check grades, dimensions, structure placement, slopes, angles, and footers as an on-going requirement. It is most effective to coordinate this work during construction, rather than wait and provide a postconstruction inspection and find problems after the work is completed. The daily field review and documentation at this phase is very helpful to properly implement the design.

### Water quality controls

As part of the layout, sediment detention basins, diversions, silt fences, and pump sites must be located to prevent onsite and downstream sediment problems and as required by Federal, state, and local ordinances. Staging of construction should also be conducted in such a manner to minimize sedimentation problems. Monitoring of water quality during construction may be required; thus, preventative measures will reduce future potential problems.



## (h) Phase VIII—Monitoring and maintenance

### Monitoring

The key to a successful monitoring program is the focus on the question or the specific objectives of monitoring. Monitoring is generally recommended to:

- measure the response of a system from combined process interaction due to imposed change
- document or observe the response of a specific process and compare to predicted response for a prescribed treatment
- define short-term versus long-term changes
- document spatial variability of process and system response
- ease the anxiety of uncertainty of prediction
- provide confidence in specific management practice modifications or mitigation recommendations to offset adverse water resource impacts
- evaluate effectiveness of stabilization or restoration approaches
- reduce risk once predictions and/or practices are assessed
- build a data base to extrapolate for similar applications
- determine specific maintenance requirements

Watershed and river assessments leading to restoration involve complex process interactions, making accurate predictions somewhat precarious. Measured data reflecting specific processes will continually improve understanding and prediction of sedimentological, hydrological, morphological, and biological process relations. Another great benefit resulting from monitoring is the demonstration of the effectiveness of reduced sediment problems and improved river stability due to management/mitigation—the central purpose of watershed and sediment assessments and restoration.

The state of the science cannot be advanced, nor can the understanding of complex processes be improved without monitoring. This phase is divided into three major categories:

- implementation monitoring to ensure restoration designs were laid out and constructed correctly
- validation monitoring (matching predicted to observed response, including model calibration and model validation)
- effectiveness monitoring (response of a process or system to imposed change)

Field methods/procedures are also addressed.

*Implementation monitoring*—Often the best-laid design plans are not implemented correctly due to various reasons. Response of a process and/or system must first address the question or possible variable of potential problem in instituting the design and stabilization/enhancement structures correctly. Riparian vegetation response may be ineffective if heavy grazing of livestock occurred. Exclusion fence maintenance can also be a key in vegetative recovery. If restoration designs were correct, but the contractor installed structures at the wrong angle, slope, or position on the bank, then near-bank stress reduction or erosion rate would not be a correct design implementation related to the effectiveness of the mitigation structure.

As-built measurements of dimension, pattern, and profile are essential to compare to design plans. Documentation of exact locations and types of stabilization and/or enhancement structures is also required. Many failures observed in monitoring are due to poor structure placement locations, construction problems, as well as inability to implement correct design specifications.

Vegetation establishment problems are often traced to establishing the wrong plant associations (species), planting at the wrong time of year and at the wrong elevations on the bank (water table), using the wrong techniques in transplanting and/or cutting plantings, and lacking an irrigation plan, if needed. This monitoring leads the designer to be very thorough in the vegetative planning and implementation phase of restoration.

*Validation monitoring*—For every prediction methodology, there is a procedure to validate the model. Some methods are more difficult and time consuming to validate than others, while some results can be determined on a short-term, rather than a long-term basis.



The monitoring will improve predictive capability for the future and potentially reduce mitigation measures that would not be effective for continued implementation. Conversely, if management practices indicate that sediment and/or stability conditions create obvious impairment, revised practices or specific process-based mitigation such as restoration may be recommended. The restoration specialist will gain the most confidence in the procedure only by field measurements, which not only validate a prediction, but determine if the initial assessment objectives were met. The various categories of validation monitoring include calibration and validation.

- **Validation**—Model validation involves testing of a model with a data set representing local field data. This data set represents an independent source (different from the data used to develop the relation). Often these data are used to extend the range of conditions for which the model was developed. Due to the uncertainty of prediction, this step is very important prior to widespread application of model output. Models can be extremely helpful in comparative analysis, even if observed values depart from measured. It is important, however, to be aware of the variability in the prediction. Often this monitoring outcome develops tighter relations or subsets of the initial relation, improving the understanding of the processes being predicted. An example of this type of monitoring would be similar to the effectiveness monitoring of streambank erosion rates presented previously. However, beyond measuring bank erosion rate, the observer is additionally required to measure the same parameters used to predict streambank erosion. The streambank prediction involves calculating a bank erosion hazard index (BEHI) and near-bank stress (NBS) (Rosgen 1996, 2001b). The analysis involves plotting the observed values with the predicted values for the same prediction variables. In many cases (with sufficient numbers of observations), this monitoring can lead to improved local or regional models, adapted for unique soil types and vegetation. Validation modeling provides documentation not only on how well the mitigation performed but also on the performance of the model.

Validation modeling is designed to answer specific questions at specific sites/reaches. Design

must be matched with a strong understanding of the prediction model. Validation modeling for the dimensionless ratio sediment rating curves would involve sampling sediment over the full range of streamflows to compare predicted to observed values. The measurements would need to be stratified by the same stream type and stability rating used for the prediction.

- **Calibration**—Models are often used to predict potential impairment. Model calibration is the initial testing of a model and tuning it to a set of field data. Field data are necessary to guide the modeler in choosing the empirical coefficients used to predict the effect of management techniques. An example of this is the data set of measured suspended sediment and bed-load sediment by stream type and stability to establish dimensionless ratio sediment rating curves used for design. These data were not collected in all areas where the model would potentially be applied; thus, another type of monitoring (validation) is helpful to determine if the model is appropriate for extrapolation to a particular region.

*Effectiveness monitoring*—The specific restoration design and implementation needs to be monitored. Monitoring will determine the appropriateness or effectiveness of specific designs and is implemented to reduce potential adverse sediment and/or river stability effects. Since monitoring requires site-specific measurements, temporal, spatial, scale, streamflow variation, and site/reach, monitoring is required to properly represent such variability and extrapolate findings of a process and/or system response to imposed change. Such variability factors are summarized as:

- **Temporal**—To isolate the variability of season and/or annual change, designs of monitoring should include monitoring over time scales. For example, measuring annual lateral erosion rates should include measurements once per year at the same time of year. If the objectives are to identify seasons where disproportionate erosion occurs, measurements may be obtained during snowmelt runoff, later post stormflow runoff, ice-off, and other periods of time associated with a given erosional process. Annual replicate surveys of particle size gradation of bed material under a permanent glide cross section will provide valuable information of



magnitude, direction, and consequence of annual shifts. Temporal measurements must also cover a range of time during bed-load sampling as surges occur or slugs of bed load often appear as discontinuities of time. Sampling over recommended time periods for a given flow (generally 20 minutes) helps the probability of observing this variability (as opposed to an instantaneous point sample). Short-term versus long-term monitoring must also be considered based on the probability of change, the severity and consequence of effects, and the likelihood of variation. Sampling over many years, although costly, may be warranted to cover changes in wet/dry periods.

- **Spatial**—Variability of change/response involving spatial considerations can be identified by measurements of the same process at more than one site (cross section) or even more intense on the same site. For example, a longitudinal profile measured over a couple of meander wavelengths will indicate changes in the maximum depth and/or slope of pools, rather than just monitoring one pool at one location. Identifying more than one reach of the same morphological type can also be used to understand response trends. Sampling the spatial variability (both vertically and laterally) within a cross section of velocity and sediment helps identify or at least integrate such variability into a documented observation.
- **Scale**—Monitoring streams of various sizes and/or stream orders, but of the same morphological type and condition, will help identify variability in system response for proper extrapolation of results. For example, vertical stability measurements should be made on river reaches of the same condition and the same type, but at locations that reflect various stream widths (size) and stream order.
- **Streamflow variation**—Measurements of channel process relations need to be stratified over a range of seasonal and annual flows. For example, both suspended and bed-load sediment should be measured over a wide range of flows during the freshet, low-elevation snowmelt, high-elevation snowmelt, rising versus recession stages, stormflow runoff, and baseflow. This stratification for streamflow allows the

field observer to plot a sediment rating curve that represents the widest range of seasonal flows where changes in sediment supply can vary.

- **Site or reach variation**—Monitoring a site for soil loss should include a soil type designation for potential extrapolation for similar conditions on similar soil types. The same is true for stream types. Sediment, hydraulic, and stability monitoring need to be stratified by stream type since such data will naturally vary for the reference (stable) reach between stream types. This information is helpful to be able to readily detect departure from a reference stream type, rather than differences between stream types.
- **Design concepts for effectiveness monitoring**—The key information summary from the assessments used to identify impairment and resultant restoration designs are as follows:
  - Summarize the causes of land use impacts responsible for the impairment.
  - Understand the processes affected.
  - Identify specific locations and reaches associated with adverse impacts.
  - Determine the time trends of impacts (potential recovery periods).
  - Identify the specific nature of impairment (direction, magnitude, and trend of change).
  - Evaluate the consequence of change.
  - Determine the nature, location, extent and quality of mitigation (implementation).

The information supplied in the following list leads the observer to identify the locations, nature of processes affected, the extent of the impact, and quality of the mitigation implementation. For example, if the dominant process impacted by a land use is causing disproportionate sediment supply, land loss and river instability, and is determined to be accelerated streambank erosion, then the lateral stability monitoring would emulate the following design:

- Locate reaches of the same stream type that represent an unstable bank.
- Locate reaches of the same stream type that represent a stable bank.



- Install permanent cross sections on each set of reaches.
- Install bank pins (if conditions warrant) and/or toe pins (see monitoring methods).
- Inventory vegetation, bank material, and slope for each site (see monitoring methods).
- Resurvey both streambanks at least once per year to measure soil loss (lateral erosion) and total volume (in cubic feet and tons/year).
- Compare annual lateral erosion rates over time to the stable reach and document rate of recovery based on the nature of the mitigation.

Vertical stability and enlargement rates and direction can also be monitored using permanent cross sections in a similar stratification procedure (comparison to reference reach, above versus below, before versus after).

*Physical and biological monitoring*—The sediment and river stability changes associated with assessment and design are primarily related to physical changes. However, the consequences of such physical changes are directly related to potential impairment of the biological function. Changes in river stability, such as aggradation, degradation, enlargement, and stream type changes, are also related to habitat and food chains. Limiting factor analyses assesses habitat loss due to river instability and/or excess sediment such as relations of holding cover, instream/overhead cover, water temperature, dissolved oxygen, and benthics. A range of information associated with stream condition can be stratified by stream type by stream stability including diversity index, population dynamics, age class distribution, spawning, rearing habitat, and many more attributes related to stream health. Biological monitoring should follow similar rules of inventory stratification based on the diverse nature of streams and their natural variability.

If a biologist is studying only the biological parameters within a specific ecoregion, the natural stable differences between reference reach stream types cannot be identified if the stratification of the inventory does not include stream types. In other words, a stable C4 stream type will not have the attributes of a stable E4

or B4 stream type, even though they are all gravel-bed streams. If the biological inventory is not stratified by stream type or stream stability, departure of habitat conditions between a stable C4 and an unstable C4 cannot be easily identified. Reference conditions that reflect biological potential must be stratified as a minimum by stream type and stream stability for adequate departure analysis to identify degree, direction, and magnitude of impairment. Companion biological inventories of assessment and monitoring can be very compatible with the monitoring methods of the physical system described.

Once this information is analyzed, the monitoring design can proceed. The next step is to identify a strategy of monitoring. Effectiveness monitoring should always be conducted near the activity responsible for the initial impairment. Four primary design strategies often utilized are as follows:

- Measurements obtained before versus after the initiation of a management change in the land use activity, mitigation, restoration, and enhancement. This can be very effective as it establishes a precalibration period that identifies premitigation variability of the measured parameters. Following mitigation, departure can be readily determined, assuming measurements take into consideration the aforementioned variability factors.
- Measurements or observations taken above versus below impact areas related to specific land uses and specific mitigation. For example, if two different grazing strategies are implemented, measurements of effectiveness can be observed above versus below fence line contrasts. This can also be implemented where a mitigation may only influence the lower reach of a river compared to the upper reach (assuming the same stream type).
- Measurements obtained determining departure from a paired watershed are often helpful as similar climatic events similarly impact both watersheds. The pairing would contrast a watershed that had extensive mitigation or land management change with one that had not been changed. This also assumes variability of scale, temporal, and spatial variability and comparisons of similar landscapes and stream types have been identified.



- Measurements obtained of a disturbed reach or site, receiving mitigation compared to a reference condition. This type of monitoring can occur at locations far removed from the reference reach. The reference condition, however, must be of the same soil type, stream type, valley type, lithology, and vegetative type.

### Maintenance plan

To ensure that the implemented design is successful, it is key to have a maintenance plan. The maintenance plan must ensure the following:

- Survival of the riparian vegetation reestablishment—This could involve an irrigation supply or replanting/interplanting.
- Structure stability—Post-runoff inspections must be conducted of structures for grade control, bank stabilization and/or fish habitat enhancement. Maintenance needs are assessed and implemented to prevent future failures and to secure proper function.
- The dimension, pattern, and profile must stay within the natural variability or range as depicted in table 11–5 for each variable. Maintenance of these variables is recommended only if the values exceed the design channel ranges.
- The biological maintenance may involve reestablishment of described populations of various age classes and/or species of fish and/or food sources.

## 654.1103 Conclusion

The individual(s) responsible for the project should also become experienced by being involved in all phases of this methodology. If the same individual conducts the assessment and also completes the design, implementation, and monitoring, the desired objectives of restoration are the most likely to be accomplished. The complexity of this method requires great attention to detail, training, and an understanding of processes. The monitoring of the project, including the implementation, validation and effectiveness procedures, is the best approach to become experienced and knowledgeable about the Rosgen geomorphic channel design methodology.



## Mathematical definitions

### Variables

Riffle cross-sectional area at bankfull	$A_{\text{bkf}}$
Pool cross-sectional area at bankfull	$A_{\text{bkfp}}$
Mean riffle depth at bankfull	$d_{\text{bkf}}$
Mean pool depth at bankfull	$d_{\text{bkfp}}$
Maximum glide depth at bankfull	$d_g$
Maximum riffle depth at bankfull	$d_{\text{mbkf}}$
Maximum pool depth at bankfull	$d_{\text{mbkfp}}$
Maximum run depth at bankfull	$d_{\text{run}}$
Diameter of riffle particle at 50% finer than size	$D_{50}$
Diameter of bar sample particle at 50% finer than size	$\hat{D}_{50}$
Diameter of riffle particle at 84% finer than size	$D_{84}$
Maximum size of particle on bar	$D_{\text{max}}$
Gravitational acceleration	$g$
Weight density of water	$\gamma$
Sinuosity	$k$
Low bank height	$LBH$
Meander length	$L_m$
Meander-length ratio	$(L_m/W_{\text{bkf}})$
Manning's $n$	$n$
Pool-to-pool spacing (based on pattern)	$(p-p)$
Bankfull discharge	$Q_{\text{bkf}}$
Hydraulic radius	$R$
Radius of curvature of meander	$R_c$
Average water surface slope (bankfull slope)	$S$
Slope of glide (water surface facet slope)	$S_g$
Stream length	$SL$
Slope of pool (water surface facet slope)	$S_p$
Slope of riffle (water surface facet slope)	$S_{\text{rif}}$
Slope of run (water surface facet slope)	$S_{\text{run}}$
Bankfull shear stress	$\tau$
Dimensionless bankfull shear stress	$\tau^*$
Bankfull mean velocity	$u_{\text{bkf}}$
Shear velocity	$u^*$

### Variables

Valley length	$V_L$
Valley slope	$V_S$
Riffle width at bankfull	$W_{\text{bkf}}$
Width-to-depth ratio at bankfull	$(W_{\text{bkf}}/d_{\text{bkf}})$
Width-to-depth ratio at bankfull of reference reach	$(W_{\text{bkf}}/d_{\text{bkf}})_{\text{ref}}$
Pool width at bankfull	$W_{\text{bkfp}}$
Belt width	$W_{\text{blt}}$
Meander-width ratio	$(W_{\text{blt}}/W_{\text{bkf}})$
Width of flood-prone area	$W_{\text{fpa}}$
Entrenchment ratio	$(W_{\text{fpa}}/W_{\text{bkf}})$
Stream power	$\omega$

### Subscripts

Bankfull	$\text{bkf}$
Meander belt	$\text{blt}$
Flood-prone area	$\text{fpa}$
Glide	$g$
Maximum at bankfull	$\text{mbkf}$
Maximum at bankfull in pool	$\text{mbkfp}$
Pool	$p$
Reference reach	$\text{ref}$
Riffle	$\text{rif}$
Run	$\text{run}$



**RESOLUTION B**  
**Denying the Conditional Zoning Application**

**A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO  
 REZONE THE PROPERTY LOCATED AT 100-998 EASTOWNE DRIVE TO  
 OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD)  
 (PROJECT #CZD-22-7) (2023-05-24/R-14)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by McAdams, on behalf of owner Health System Properties, LLC, to rezone six parcels totaling approximately 50-acres located at 100, 200, 300, 400, 500, 600, 700, 800, 901 and 998 Eastowne Drive on property identified as Orange County Property Identifier Numbers 9890-80-0195, 9890-80-7564, 9890-80-0643, 9890-80-2764, 9890-80-3947 and 9890-91-1209, if rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) according to the rezoning plan dated April 6, 2023 would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the proposed application for an amendment of the Chapel Hill Zoning Atlas.

This the 24<sup>th</sup> day of May, 2023.



# Eastowne Conditional Zoning

Town Council

May 24, 2023



Draft



## Summary of Work Since Opening Public Hearing

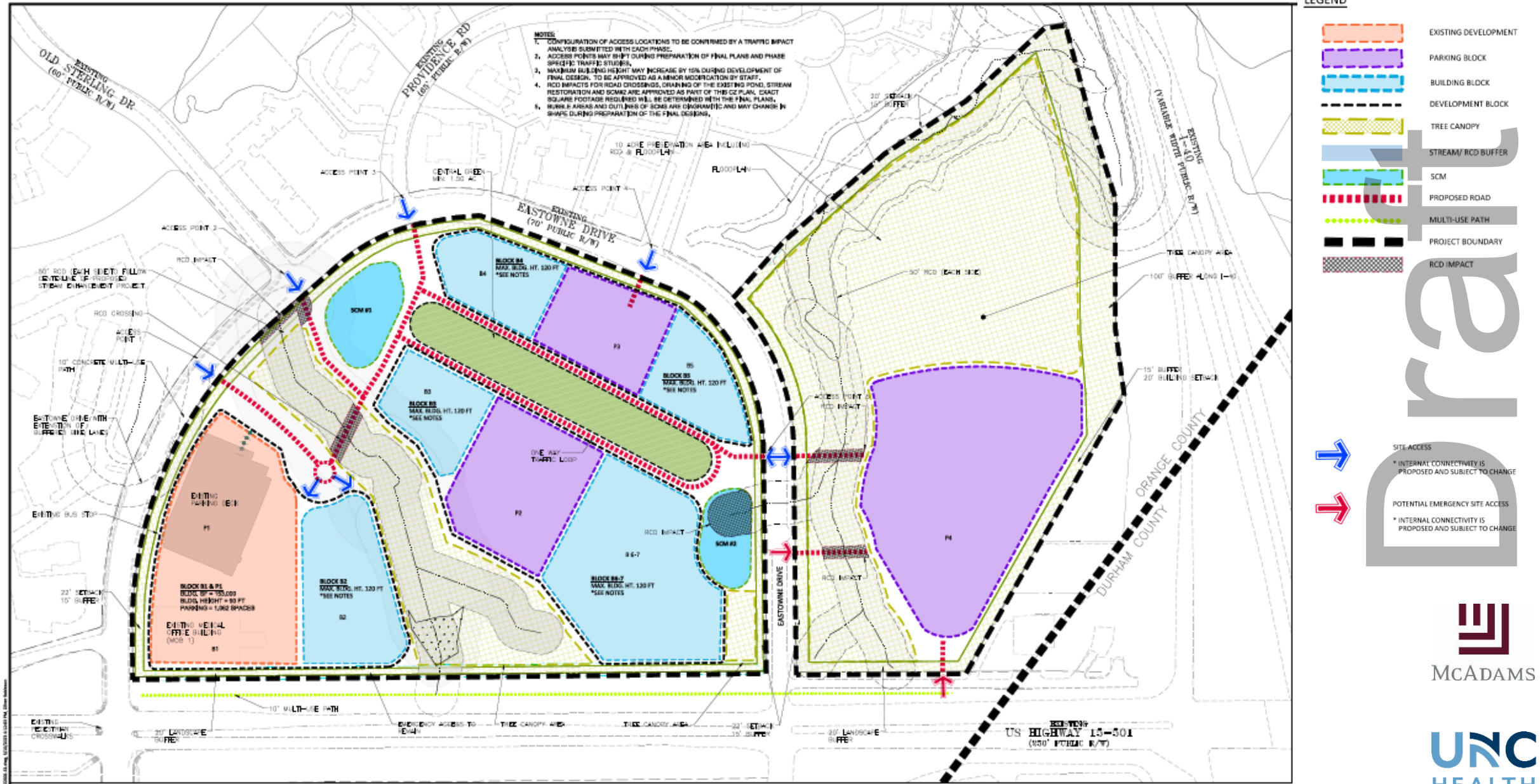
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- ☐ Continued discussion on parking needs and the Northern 20 acres
- ☐ Community Benefits
- ☐ Finalizing the site specific ordinance

Draft



# Revised Concept Site Plan





# Eastowne Development at Full Build Out with Parking on N20 (if required)





## Northern 20 acres (N20)

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UNC Health will place a minimum of 10 acres in to perpetual preservation

UNC Health have accepted an easement request from ToCH for a potential future road across the N20 (stip. #52)

Maximum 1,200-space parking structure, shall be subsequently authorized by the Town Manager upon demonstration of additional need to include:

- Surveys of existing parking lot utilization with documentation provided by UNCH of vehicular parking utilization at peak hours, number of staff on-site, number of patients, and use of bicycle parking spaces
- If peak hour utilization of the vehicular parking spaces exceed 80% of the capacity, a parking structure to provide the additional parking necessary to meet the overall demonstrated need for the Eastowne development will be approved on the N20



## Community Benefit

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UNC Health presented the following community benefit options to the Town:

- \$5M 10-year loan at 0% interest with a 10-year renewal option (UNC Health's discretion)

### Loan Opportunity Cost

- Using a 6% annual interest rate, a 10-year \$5M loan would cost UNC Health ~\$4M in opportunity costs:
  - UNC Health would otherwise use the \$5M to invest in improving healthcare delivery
  - The ~\$4M in appreciation is occurring during a time that UNC Health is experiencing increasing costs and capital needs relative to cash available
  - These factors affect UNC Health's ability to continue providing affordable care to the community

*Note: In 2022, UNC Health provided ~\$34M in unreimbursed care to patients within the Town of Chapel Hill*

*Each year, UNC Health and/or its subsidiaries directly pay (payments in-lieu) and indirectly pay (reimbursement of property taxes to third-party landlords) ~\$1.6M to Orange County and the Town of Chapel Hill*



## Action Requested

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Vote of approval by Council for the Conditional Zoning application

Draft



# Questions & Discussion

Draft



# Appendix

Draft



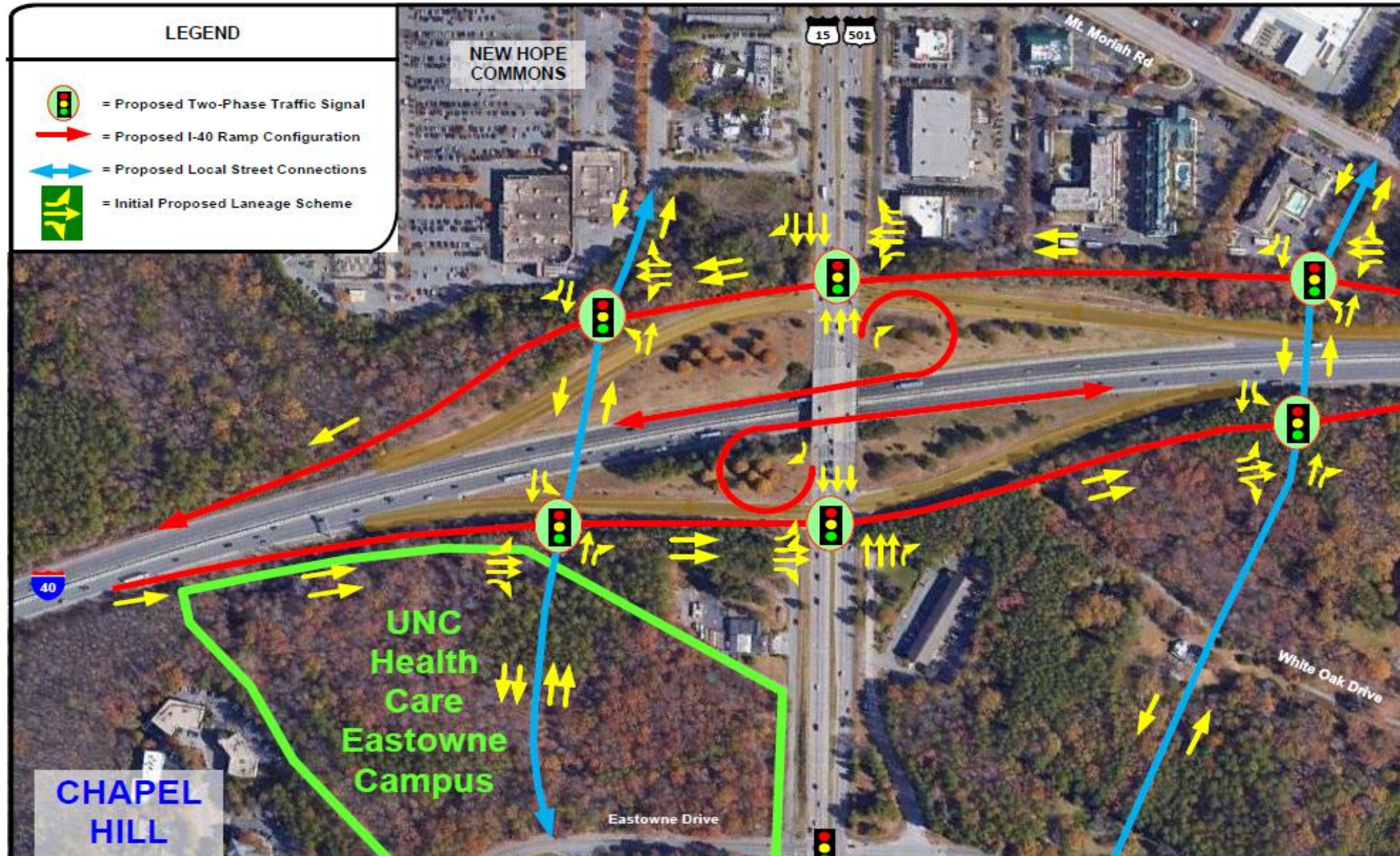
## Revised Proposed Eastowne Development – Use, Size, & Timeline

Primary Use:	Health care and associated functions, research, and site-specific retail
Size:	~1.1M sq. ft. net new (excluding ET1)
Number of buildings:	6 (plus 3-4 structured parking) (excluding ET1)
Development Timeline:	1 building every 3-5 years Full build out 25+ years Medical Office Building 2 - ASAP

Draft



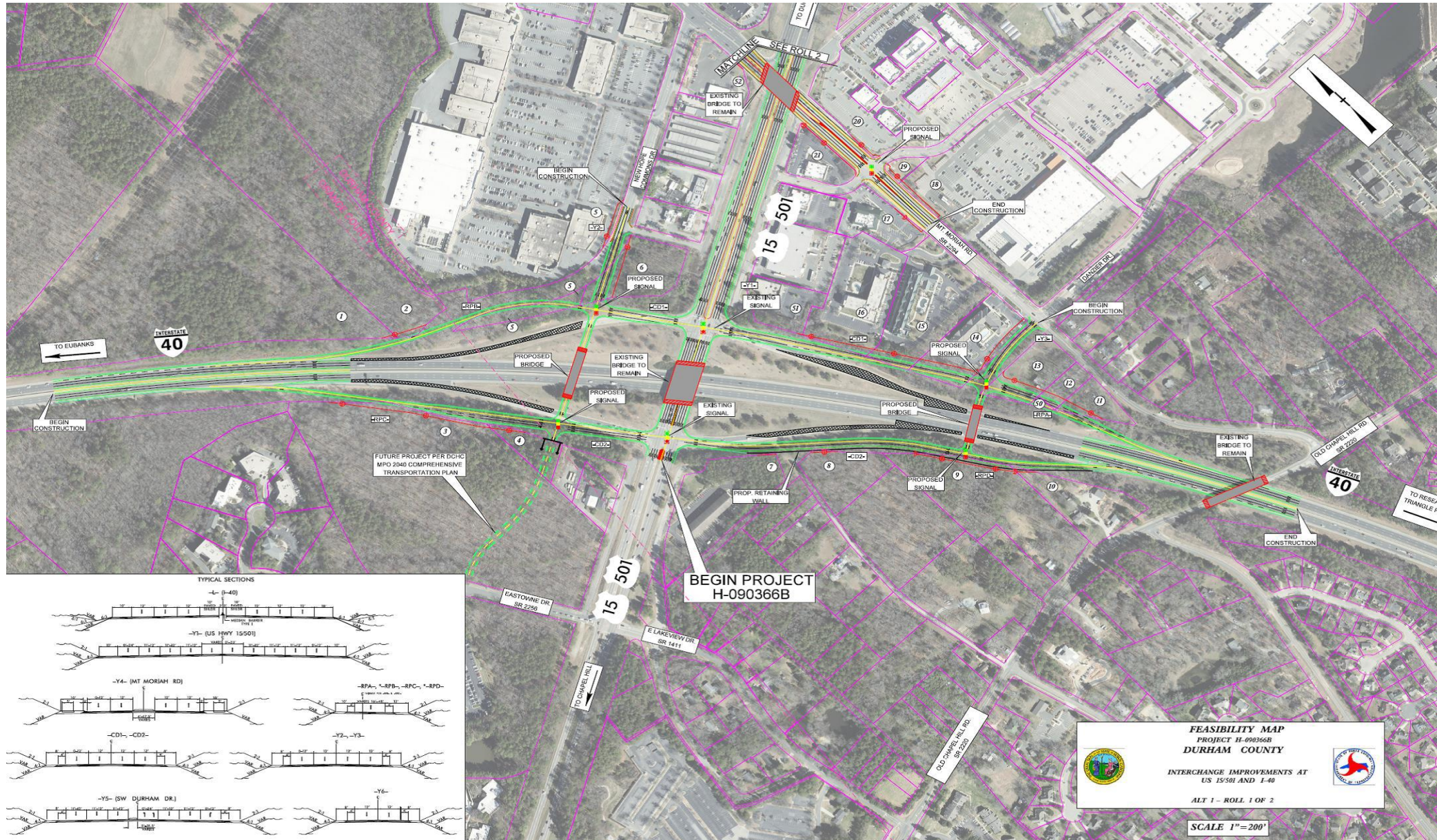
# New Hope Connector



Draft



# New Hope Connector



Draft



# New Hope Connector



Draft



# Northern 20 acres – Natural Area



Draft



# Key Points for Today

- ☐ The Importance of Eastowne
- ☐ Summary of Work to Date
- ☐ Review Updated Concept (Bubble) Plan
- ☐ Review of Masterplan
- ☐ Discuss Community Benefits Options
- ☐ Questions





## Eastowne Development – Why?

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- ☐ Provide affordable and accessible health care
- ☐ Better patient experience
- ☐ Keep it local – within the Chapel Hill community
- ☐ Move and decompress outpatient services from the Medical Center
- ☐ Increase bed capacity and throughput at the Medical Center

Draft



## Healthcare Was Changing Prior to the Pandemic

Personalization

Convenience

Affordability

Transparency





# The Pandemic Accelerated that Change and Spurred More

## How COVID Has Impacted Chronic Disease

Aside from its own direct and terrible death toll, the COVID-19 pandemic is intertwined with the trajectories of other dangerous health conditions – and the consequences are still playing out.

By [Steven Ross Johnson](#) | March 10, 2022, at 4:38 p.m.



## The Impact of COVID-19 on Cancer Screening: Challenges and Opportunities

Ramon S Cancino <sup>1, 2</sup> ; Zhaohui Su <sup>2</sup> ; Ruben Mesa <sup>2, 3</sup> ;  
Gail E Tomlinson <sup>2, 4</sup> ; Jing Wang <sup>2, 5</sup>

Published on 29.10.2020 in Vol 6, No 2 (2020): Jul-Dec



JMIR Cancer  
Patient-Centered Innovations, Education and Technology for Cancer

## COVID-19 pandemic triggers 25% increase in prevalence of anxiety and depression worldwide

2 March 2022 News release Reading time: 3 min (927 words)



## Pandemic-Driven Health Policies To Address Social Needs And Health Equity

MARCH 10, 2022

[William K. Bleser](#), [Humphrey Shen](#), [Hannah L. Crook](#), [Andrea Thoumi](#),  
[Rushina Cholera](#), [Jay Pearson](#), [Rebecca G. Whitaker](#), [Robert S. Saunders](#)

HealthAffairs

## Prepare for Shifts in Alternative Care Settings

2022 Environmental Scan



American Hospital Association

## How COVID-19 has changed the way US consumers think about healthcare

June 4, 2021 | Article

by Jenny Cordina, Eric Levin, Andrew Ramish, and Nikhil Seshan

McKinsey&Company



## Our Patients' & Community's Expectations Have Evolved



*Easy, affordable access is a must for our patients & community*

**UNC Health must respond to the changing needs  
and expectations of those we serve**

Draft



## Original Proposed Eastowne Development – Use, Size, & Timeline

Primary Use:	Health care and associated functions, research, and site specific retail
Size:	~1.6M sq. ft. - ~1.8M sq. ft.
Number of buildings:	~8 (plus structured parking)
Development Timeline:	1 building every 3-5 years Full build out 25+ years Medical Office Building 2 - ASAP

Draft



## Recent Progress

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Many productive meetings between Planning Staff and UNC Health team



Conducted Traffic Impact Analysis that shows if we build more than 1.1M net new sq. ft. major road improvements at 15-501 and I-40 would be required



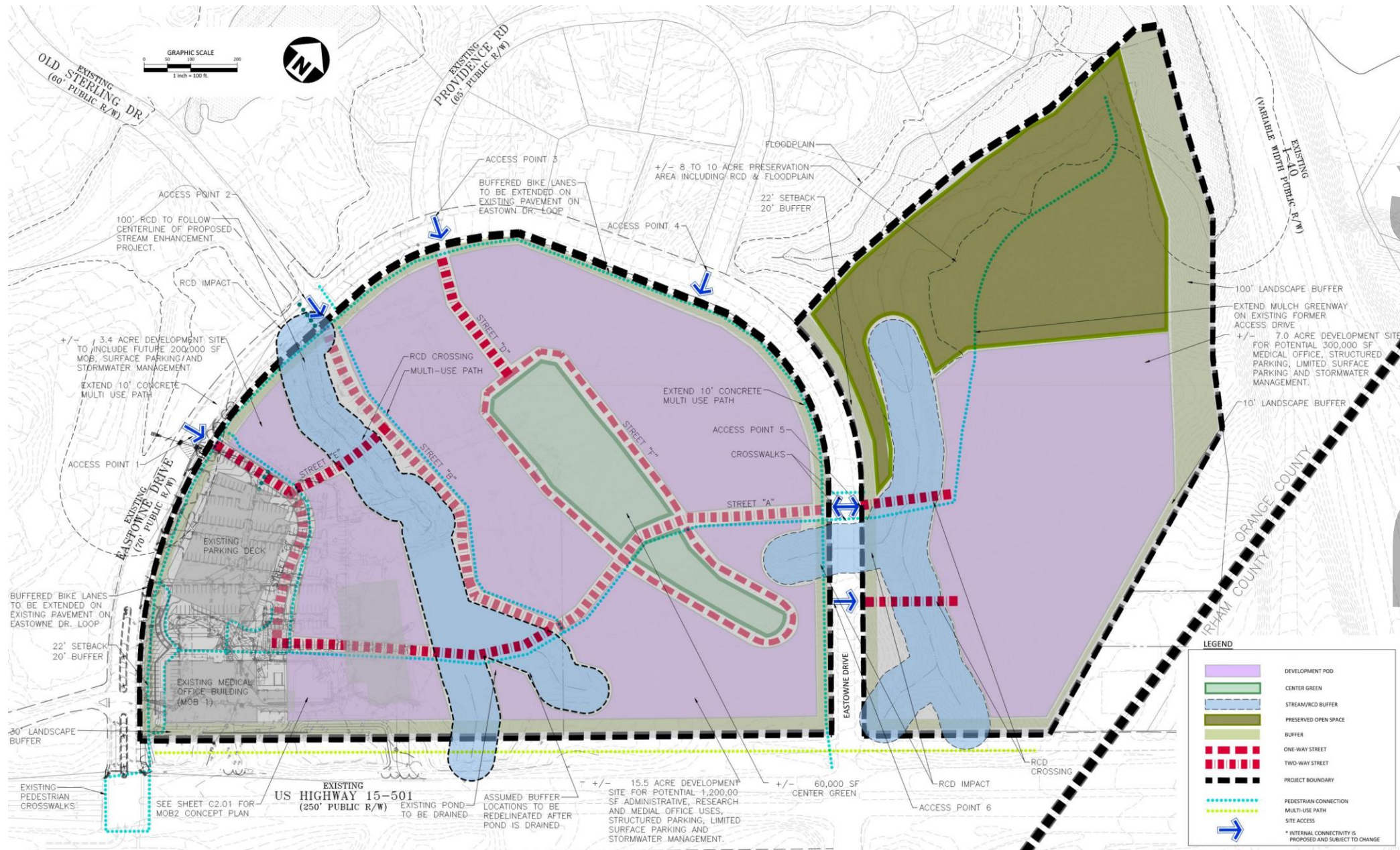
Continue to refine campus layout options for Eastowne campus

Continued discussion regarding affordable housing

Draft



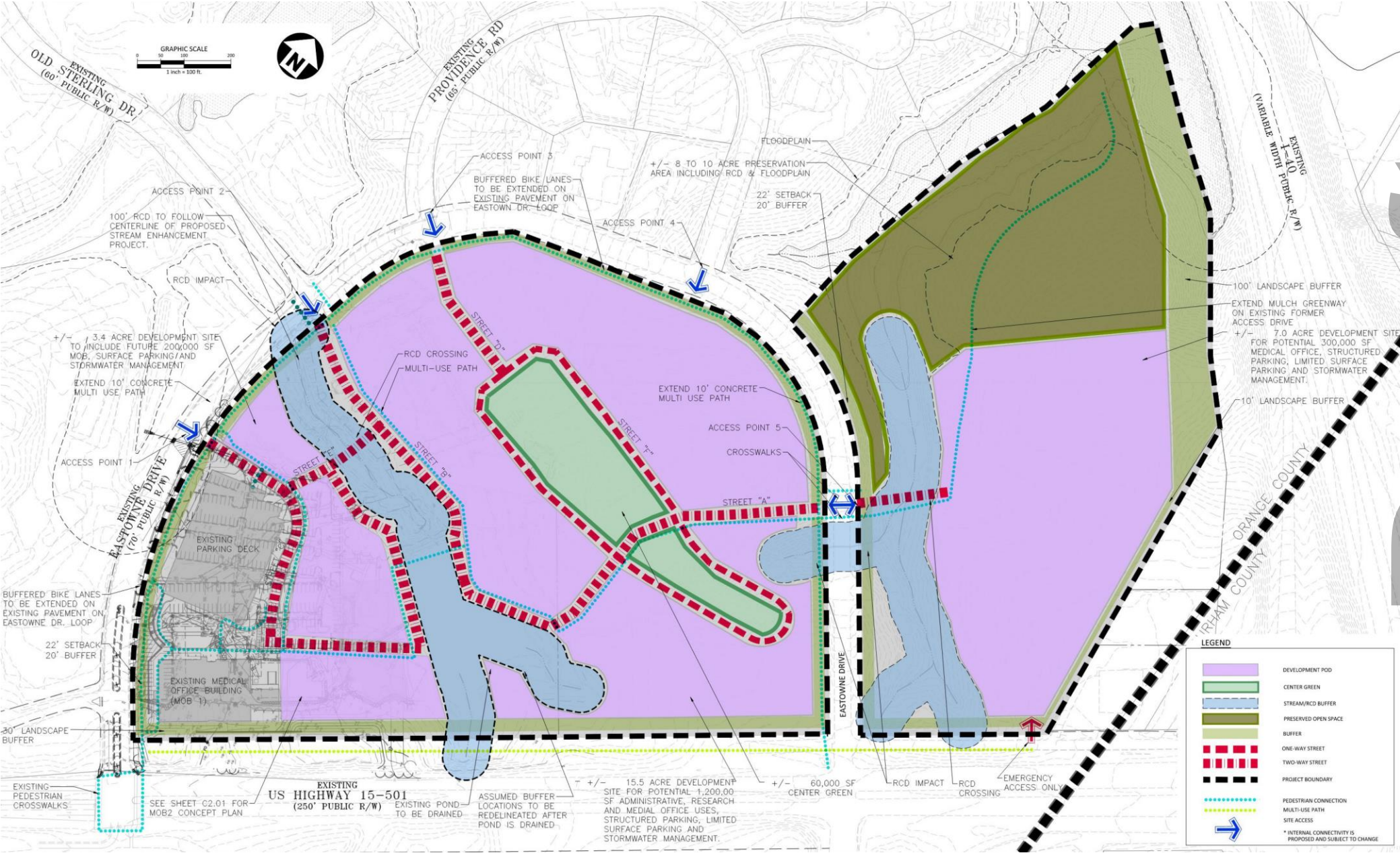
# Submitted Concept Site Plan



Draft



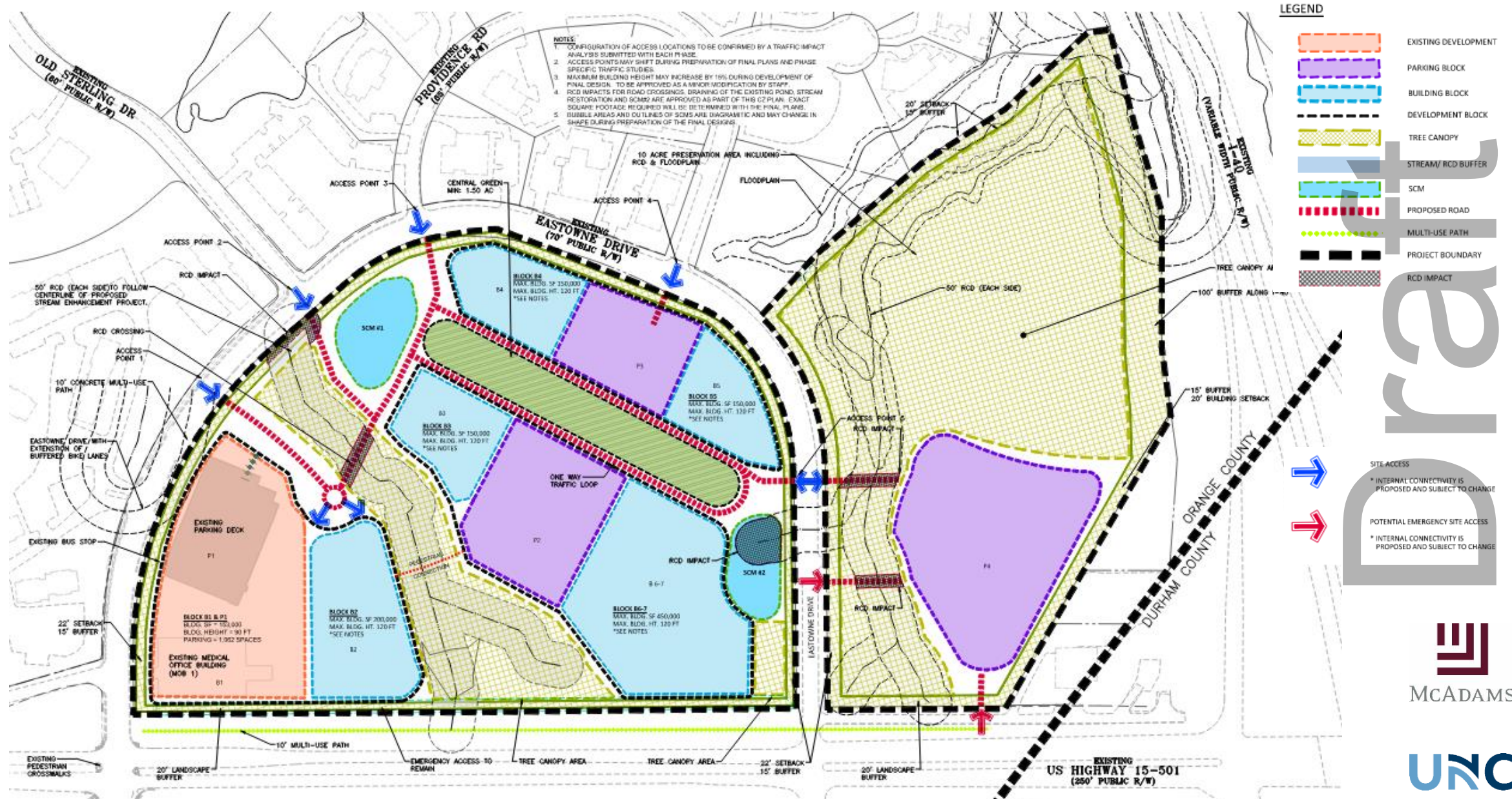
# Revised Concept Site Plan



Draft

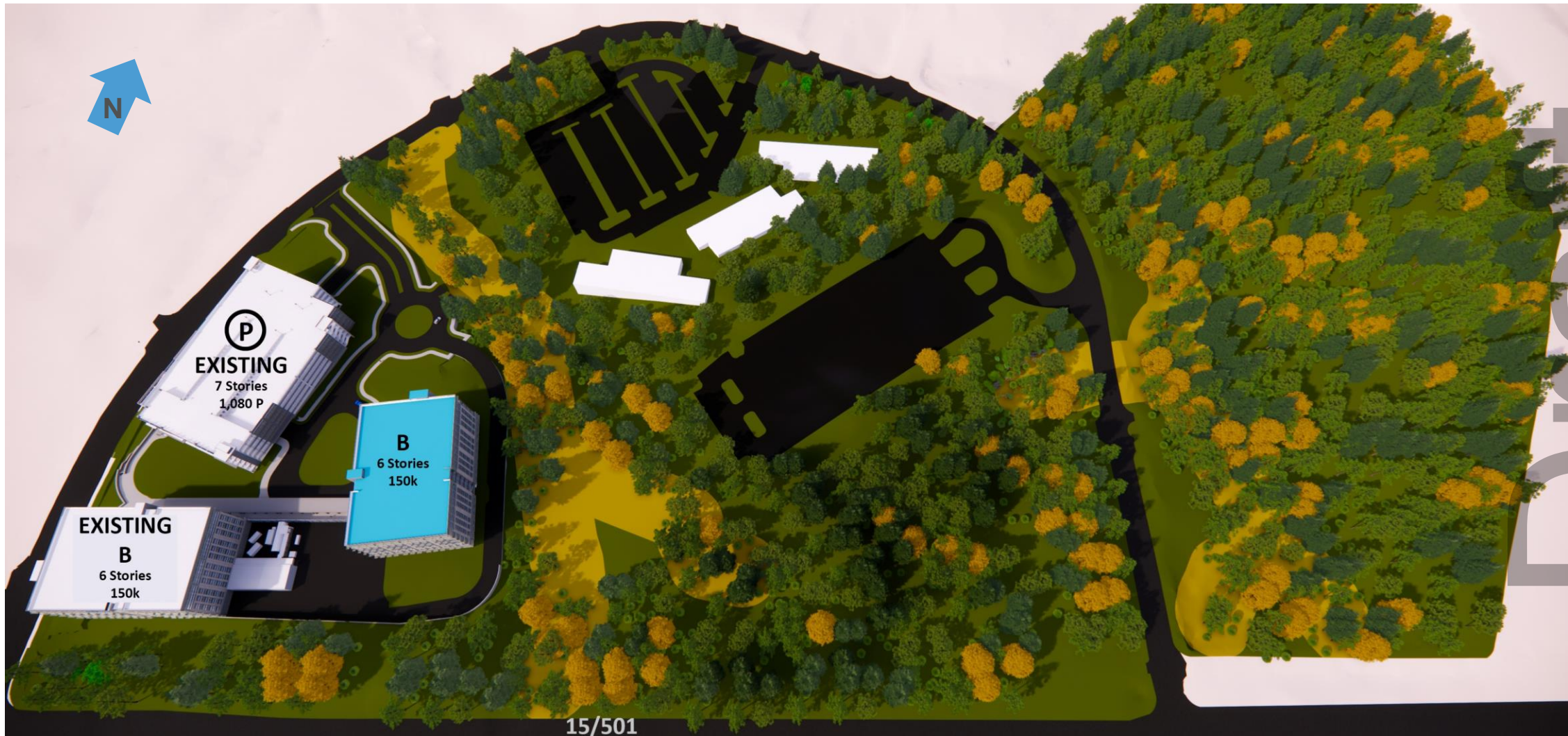


# Revised Concept Site Plan





## Eastowne Development at Phase 2





# Eastowne Development at Full Build Out





# Eastowne Development at Full Build Out with Parking on N20 (if required)





## View from Parkline/ 15-501



We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



## East Entrance to center green with six story parking decks



\* We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



## East Entrance to center green with six story parking decks



\* We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



# West Entrance to center green with six story parking decks



\* We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



## View from existing parking deck with MOB II on the right



\* We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



## View from MOB I with MOB II (and walkway) on the right



\* We are using this rendering to express massing and general circulation only and DOES NOT illustrate intended building or site design. ALL existing and or negotiated standards for planting and pedestrian paths will be followed.



# Connectivity Through and Around the Site



All pedestrian path locations are shown for conceptual progress only and are subject to change

draft



# Complete Community Diagram

## Parkline East Village

### Potential Wider Development Framework Diagram



- ..... Area Extent of 4 Current Development Projects
- Pedestrian Connection-Primary
- Pedestrian Connection-Secondary
- Multi-use Trail
- Courtyard, Park, Greenway, Stormwater, RCD
- "The Hub" Community Gathering Space
- Build-to Edge
- Bus Stop-current



Draft



03-15-23 update

The Development Framework is envisioned as a general indicator for placement and connectivity, keeping in mind the need for a degree of flexibility in final outcomes. The exact arrangement of buildings, streets, and open spaces will be determined as projects move forward, and more detailed architectural and engineering design is accomplished



# Complete Community Framework Diagram

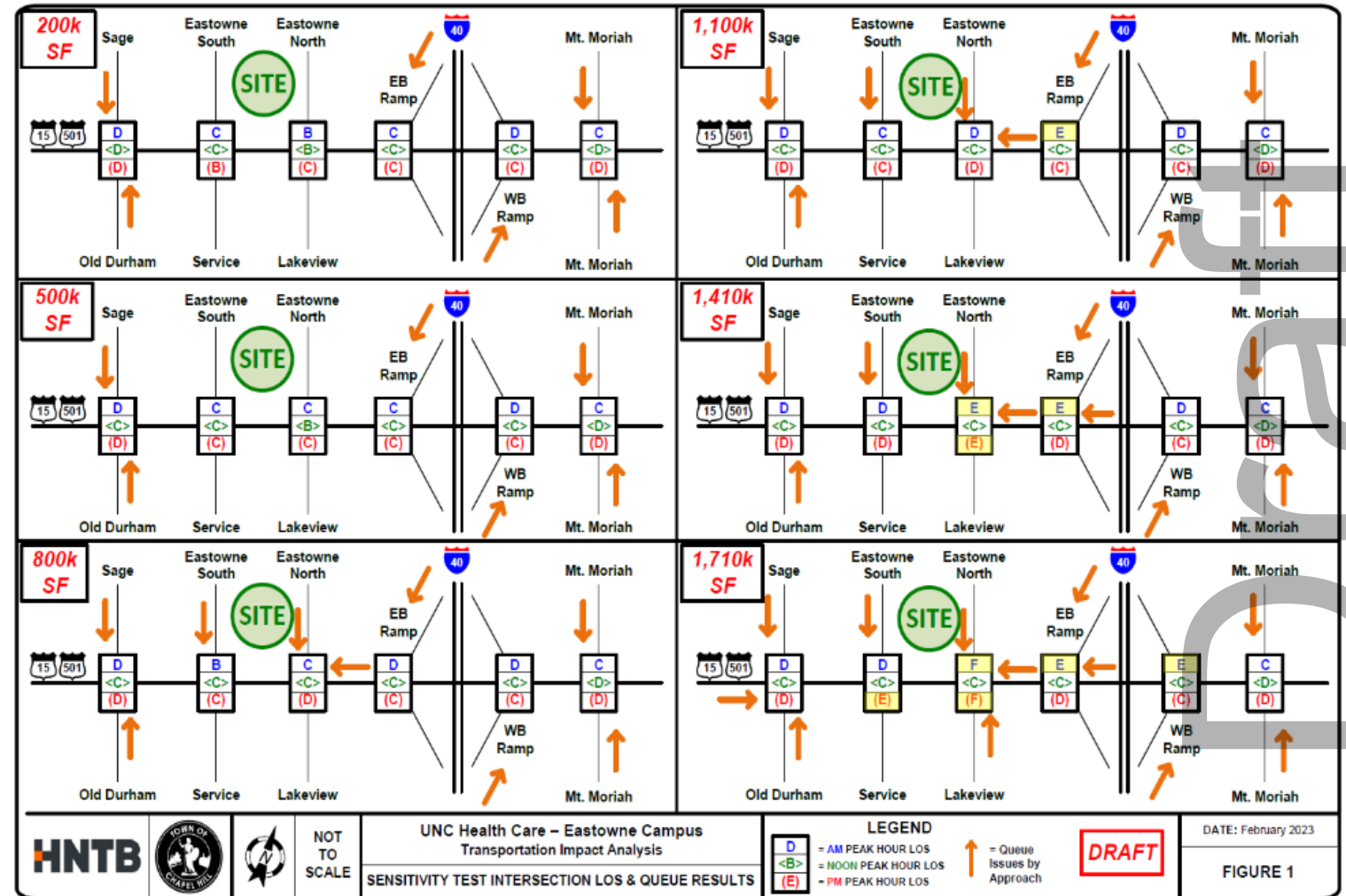
423



Draft



- Traffic mitigation requirements were studied for 6 development densities.
- Significant coordination with Town Staff, HNTB and UNC Health Team to determine appropriate study points and methodology
- UNC Health rightsized the Eastowne development based on practical road network improvements and patient needs.
- To avoid heavy modification to I-40/15-501 interchange, 1.1MSF was selected for max density.





## Traffic Impact Analysis

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Our original plan was to develop up to 1.7 million square feet of medical office, research and support services during the next 20-25 years

At the beginning of 2023, an incremental sensitivity analysis, to understand what thresholds of development on the Eastowne site would begin to stress the adjacent roadways

Based on the sensitivity analysis of the adjacent roadways, 1.7 million square feet of development would stress the system to a point of requiring roadway improvements beyond UNC Health's ability to mitigate, specifically modifications to the I-40 / 15-501 interchange

Therefore, the proposed development at Eastowne should be held to 1.1 million square feet net new (1.25M sq. ft with ET 1) to limit the traffic improvements that would be triggered by a larger development

Draft



## Current Timeline

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<b>April 18</b>	Planning Commission
<b>April 26</b>	Open Public Hearing
<b>May 24</b>	Town Council Vote on Conditional Zoning for Eastowne

Draft



Assets	
Mature Tree Canopy	<div>Preservation of a minimum of 10-acres of mature tree canopy on the northern 20</div> <div>Preservation of tree canopy at the corner of Eastowne Drive &amp; 15-501 and along the 15-501 frontage</div>
Natural landscapes, waterways, features	<div>1,000 foot stream restoration from 15-501 to Eastowne Drive inside the loop</div> <div>Limited crossings of streams / RCD</div> <div>Preservation of a minimum of 10-acres of mature tree canopy on the northern 20</div>
Opportunity to add density & create critical mass	<div>Redevelopment of an aged, low density, sub-urban office park into a high density medical/ research campus</div>
UNC Presence	<div>Allowing the growth and improvement of services by UNCH within the Town</div>
Willingness to Innovate	<div>This conditional zoning is designed to be a innovative sustainable development integrated into the complete community it will be a part of, day one. It is also flexible to adapt to the changes in the community over time.</div>

Draft



Design Attributes	
Friendly to Children and Seniors	<div>Structured visitor parking adjacent to all buildings</div> <div>One way traffic for all building drop offs</div> <div>Minimize pedestrian and vehicular crossings</div> <div>All efforts will be made to insure as much of this site as possible is meet the requirements for ADA accessibility</div>
Mitigate climate risks: Green infrastructure	<div>Stormwater management exceeding the Town's requirements</div> <div>Green stormwater infrastructure treating a minimum of 1-acre of impervious area</div>
Walkable	<div>Closely spaced buildings to parking structures</div> <div>Multi-Use Paths are designed to surround the perimeter of the development and connect to the planned multi-use paths by the town outside the scope of this development</div> <div>Multiuse paths such that they are inviting and connective</div>
Human scale	<div>All buildings will have canopies connecting each building to the parking structure that serve it, at a minimum. This canopy will also be sized to ensure the passenger side of vehicles in all drop off lanes are covered, at a minimum</div> <div>The ground floor of each building will be inviting and articulated to reinforce the pedestrian scale</div> <div>Site furniture and landscaping will be used to reinforce this experience</div> <div>No building will have an unbroken façade for more than 250 feet. If a Building façade exceeds 250 feet a recess in the building façade will be provided at a minimum of 10 feet wide and 10 feet deep</div>

Draft



## Design Attributes

### Identifiable & Distinct

The outer most corner of each building on the central green will be glazed to erode the building's higher elevations

All four side of each building will be designed with similar materials, percentage of glazing and design Building designs provide a depth and layering in the facades to minimize flatness in material expressions

The building elements and features organically express the building's function

Façades use fenestration and design features to appear largely open and transparent

### Everywhere to everywhere greenways

Completing the multi-use path around the Eastowne Drive loop

Completing the section of the multi-use path along the 15-501 frontage

Negotiating pedestrian crossing options for pedestrians to safely cross 15-501

### Watersheds as pedestrian and cycling options

Pedestrian trail along the restored stream inside the Eastowne Drive loop

## Program & Amenities

### Research & Development

UNCH is excited to be a part of this complete community and looks forward to supporting the residential and commercial components existing currently and planned for the future

R&D is an anticipated part of this campus as it grows.

Draft



Social Equity Drivers	
Active transportation options	Coordinating & constructing new bus stop locations with Chapel Hill Transit
	Completing bike lanes around the Eastowne Drive loop
	Commitment to support future BRT station on 15-501
	Providing bicycle parking and bicycle fix-it stations
Access to parks and green space	
	Internal central green
	Stream restoration project is adjacent pedestrian trail
	Commitment for easement for pedestrian connections to Dry Creek Trail and New Hope Commons Drive when needed
New affordable housing models	
	UNCH providing no-cost line of credit
Access to homeownership for historically marginalized communities	
	UNCH providing no-cost line of credit
Live/work neighborhoods	
	Eastowne provides the work for existing and future adjacent residential developments

Draft



**Finding #1:** Proposed zoning amendment is necessary to correct a manifest error.

- No manifest error in the Town's Zoning Atlas is being corrected by the requested action.=

**Finding #2:** The proposed zoning amendment is necessary because of a changed or changing conditions in a particular are or in the jurisdiction generally.




- Growth in the healthcare needs for the Town of Chapel Hill and the entire region require the decompression of the medical center by relocating outpatient services.
- The growth of UNC Health and need to provide regional access to healthcare, without entering the center of Chapel Hill is a changed condition due access challenges created by the increased development density within the Town.

**Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

- Facilitates the development as designated on the Future Land Use Map – North 15-501 Corridor Focus Area for higher intensity uses.
- Supports the Chapel Hill 2020 Plan including *A Place for Everyone, Community Prosperity & Engagement, Getting Around, Good Places-New Spaces, and Nurturing our Community.*
- Rezoning will promote public health, safety and general welfare, and is in conformance with the comprehensive plan.

draft



<b>CZD-22-7</b>	<b>Primary Location</b>	<b>Applicant</b>
Conditional Zoning Application	400 EASTOWNE DR	 Jessie Hardesty
Status: Active	CHAPEL HILL, NC 27514	 919-287-0824
Submitted On: 11/21/2022		@ hardesty@mcadamsco.com
		 621 Hillsborough St
		Suite 500
		Raleigh, NC 27603

## Application Information

**Project Name \***  
UNC Health Eastowne

<b>Application Type*</b>	<b>Application Type</b>
New Conditional Zoning District (CZD)	—
<b>Additional Addresses / PINs associated with Project</b>	<b>Existing Zoning District(s)*</b>
	OI-3, OI-2, and MU-OI-1
<b>Proposed Zoning District(s)*</b>	<b>Proposed Address(es)</b>
OI-3	
<b>Existing Use(s) *</b>	<b>Existing Use Group</b>
MOB and Head Start	—
<b>Existing Use Group(s) (A, B, C)</b>	<b>Proposed Use(s) *</b>
B	Office (medical office buildings)
<b>Proposed Use Group(s) (A, B, C)</b>	<b>Are new residential dwelling units proposed?*</b>
B	No




Project Description\*

Medical Office Building Campus

Applicant Authorization

The undersigned applicant hereby certifies that, to the best of the applicant's knowledge and belief, all information supplied with this application is true and accurate.

Applicant Signature\*

 Jessica Hardesty  
Nov 16, 2022

Relationship to Property Owner\*

Other

If other, please explain relationship to property owner. \*

Proposed Use Group(s)

Engineering and Planning Consultant

If the applicant is an entity, provide detailed information regarding the principals of the entity.

Pursuant to NCGS § 160D-703(b), a request for rezoning to a conditional zoning district shall only be made by application from all the owner(s) of property included in the area proposed to be rezoned.

A Property Owner Authorization Form must accompany this application if it's submitted by an individual or entity other than the current property owner of record.

Property Owner Information

Address / PIN of Lot Included in Proposal \*

9890800195, 9890800643,  
9890802764, 9890803947,  
9890807564, 9890911209

Property Owner Name \*

Health System Properties LLC



If the property owner is an entity, provide detailed information regarding the principals of the entity. \*

Simon George, VP of Real Estate and Development UNC Health Care

Property Owner Address \*

5221 Paramount Pkwy Suite 460,  
Morrisville, NC 27560

Property Owner Email\*

Simon.George@unchealth.unc.edu

Property Owner Phone\*

984-974-0240

Relationship to Applicant \*

Applicant is the consultant

## Project Contacts

Name

Simon George

Email

simon.george@unchealth.unc.edu

Phone

Role

Name

Bill Derks

Email

derks@mcadamsco.com

Phone

Role

Name

James Eason

Email

eason@mcadamsco.com

Phone

Role



Name	Email
Karla Carson	Karla.Carson@unchealth.unc.edu
Phone	Role

Name	Email
Cameron Ebron	cameron.ebron@unchealth.unc.edu
Phone	Role

Name	Email
David Parker	david@dcinsightllc.com
Phone	Role

Name	Email
Andy King	Aking@Gestaltad.com
Phone	Role

Site Conditions

Overlay Districts - Check all overlay districts that are present on the property, whether or not the project will intersect with them.

Resource Conservation District (RCD)

☒

Jordan Buffer

☒

Watershed Protection District (WPD)

☐

100 Year Floodplain

☐



Neighborhood Conservation District (NCD)

☐

Historic District

☐

Type of Proposed Uses / Activities in Jordan Buffer

Allowable

Land Area

Net Land Area (NLA) (sq. ft.)\*

2202829

Choose credited street area, permanent open space, or both, not to exceed 10% of NLA

Credited Street Area (sq. ft.)

220283

Credited Permanent Open Space (sq. ft.)

435600

Gross Land Area (GLA) (sq. ft.)\*

2423112

Total Land Area in RCD (sq. ft.)\*

288974

Project Area, if different from GLA (sq. ft.)

—

Land Disturbance Area

Proposed Land Disturbance (sq. ft.) \*

1742400

Proposed Land Disturbance (ac.)\*

40

Proposed Total Disturbance in Jordan Buffer (sq. ft.)

\*

43560

Disturbance in Zone One, in SQFT

Zone One Disturbance (sq. ft.)

—

Zone Two Disturbance (sq. ft.)

—



Proposed Total Disturbance in RCD (sq. ft.) \*

43560

Stream Side Zone Disturbance (sq. ft.)

43560

Managed Use Zone Disturbance (sq. ft.)

—

Upland Zone Disturbance (sq. ft.)

—

**Impervious Surface Area (ISA)**

Existing ISA (sq. ft.) \*

403365

ISA to be Removed (sq. ft.) \*

268329

New ISA (sq. ft.) \*

1420056

Street Setback, in Feet

—

Interior Setback, in Feet

—

Total Proposed ISA (sq. ft.) \*

1555092

Net Change in ISA (-/+ ) (sq. ft.)

Existing ISA Ratio\*

0.18

Solar Setback, Feet

—

Lot Width, in Feet

—

Proposed ISA Ratio\*

0.7

*Impervious Surface Area (ISA) in Resource Conservation District (RCD)*

Street Frontage, in Feet

—

Primary Building Height, in Feet

—

Is the area sewered or unsewered?

—

Stream Side: Existing ISA (sq. ft.)

—



Secondary Building Height, in Feet

—

Stream Side: New ISA (sq. ft.)

—

Managed Use: Existing ISA (sq. ft.)

—

Stream Side: Net ISA Change (-/+ ) (sq. ft.)

Managed Use: Total ISA (sq. ft.)

—

Upland: Removed ISA (sq. ft.)

—

Managed Used: Net ISA Change (-/+ ) (sq. ft.)

Stream Side: Removed ISA (sq. ft.)

—

Stream Side: Total ISA (sq. ft.)

—

Managed Use: Removed ISA (sq. ft.)

—

Managed Use: New ISA (sq. ft.)

—

Upland: Existing ISA (sq. ft.)

—

Upland: Proposed ISA (sq. ft.)

—

Upland: Total ISA (sq. ft.)

—

Proposed Setbacks and Height

Street Setback (ft.)\*

22

Solar Setback (ft.)\*

9

Lot Width (ft.)\*

15

Primary Building Height (ft.)\*

125

Interior Setback (ft.)\*

8

Upland Zone: Net ISA Change (-/+ ) (sq. ft.)

Street Frontage (ft.)\*

15

Secondary Building Height (ft.)\*

125



Please list proposed setback, height, and street frontage dimensions if project intesects multiple properties.

n/a

Proposed Net Change in ISA

—

## Floor Area and Dwelling Units

### Number of Buildings

Existing Buildings*	Buildings to be Demolished*
5	4
Buildings to be Constructed *	Total Buildings*
7	8

### Floor Area

Provide a data table with a breakdown of the proposed total floor area by use (residential and non-residential) in the site plan.

Existing Floor Area (sq. ft.)*	Floor Area to be Removed (sq. ft.)*
228000	78000
New Floor Area (sq. ft.)*	Net Change in Floor Area (-/+ ) (sq. ft.)
1710000	
Total Floor Area (sq. ft.)*	Proposed Floor Area Ratios (FAR) and Associated Zoning District(s)
1860000	

Streamside Zone: Proposed Floor Area, in SQFT, and Floor Area Ratio (FAR)



Floor Area in Resource Conservation District (RCD)

Stream Side: Existing Floor Area (sq. ft.)  
12708

Managed Use Zone: Proposed Floor Area, in SQFT, and Floor Area Ratio (FAR)

Proposed Floor Area in Resource Conservation District, if applicable

Proposed New Residential Floor Area, in SQFT —	Streamside Zone: Proposed Floor Area, in SQFT, and Floor Area Ratio (FAR) —
Upland Zone: Proposed Floor Area, in SQFT, and Floor Area Ratio (FAR)	Stream Side: Removed Floor Area (sq. ft.) 12708
Stream Side: New Floor Area (sq. ft.) —	Stream Side: Total Floor Area (sq. ft.) —
Stream Side: Existing Floor Area Ratio —	Stream Side: Proposed Floor Area Ratio —
Managed Use: Existing Floor Area (sq. ft.) —	Managed Use: Removed Floor Area (sq. ft.) —
Managed Use: Proposed Floor Area in SQFT —	Managed Use: Total Floor Area (sq. ft.) —
Managed Use: Existing Floor Area Ratio —	

Provide a breakdown of the project floor area by use in the site data table in the site plan.



New Field

—

Commercial

Managed Use: Proposed Floor Area Ratio

—

Existing Commercial Floor Area, in SQFT

—

New Total Commercial Floor Area, in SQFT

—

Upland: Existing Floor Area (sq. ft.)

—

Upland: Removed Floor Area (sq. ft.)

—

Office

Existing Office Floor Area, in SQFT

—

Upland: Proposed Floor Area (sq. ft.)

—

Upland: Total Floor Area (sq. ft.)

—

Proposed Total Office Floor Area, in SQFT

—

Institutional

Upland: Existing Floor Area Ratio

—

Upland: Proposed Floor Area Ratio

—

Existing Institutional Floor Area, in SQFT

—

Proposed Total Institutional Floor Area, in SQFT

—

Uses



Proposed Number of Hotel Rooms

—

Proposed Number of Restaurant Seats

—

Proposed Seats in Place of Worship

—

Proposed New

—

New Field

## Buffers, Recreation, and Utilities

### Landscape Buffers

#### Required Buffers

North: Required Type / Width (ft.)

20 ft Type C

South: Required Type / Width (ft.)

30 ft Type D

East: Required Type / Width (ft.)

100 ft Type E

West: Required Type / Width (ft.)

20 ft Type C

Northern Buffer Width

—

Southern Buffer Width

—

#### Proposed Buffers

North: Proposed Type / Width (ft.)\*

20 ft Type C

Eastern Buffer Width

—

Western Buffer Width

—

South: Proposed Type / Width (ft.)\*

30' Modified



East: Proposed Type / Width (ft.)\*

100 ft Type E

Percent of Proposed Tree Canopy Coverage\*

30

Proposed Recreation Space Ratios (RSR) and  
Associated Zoning District(s)

West: Proposed Type / Width (ft.)\*

20 ft Type C

Proposed Combined Total Recreation Space/  
Recreation Area

—

New Field

—

Utilities

Water\*

OWASA

Telephone

—

Solid Waste\*

Private

Cable TV / Internet

Are cable TV, internet, and telephone services  
available for the development?

Yes

Sewer\*

OWASA

Electrical\*

Underground

Recycling\*

Private

New Field

Parking

Vehicular Parking

Existing Vehicular Spaces\*

1629

Existing Accessible Vehicular Spaces\*

113



**Vehicular Spaces to be Removed\***

600

**New Regular Vehicular Spaces\***

—

**New Accessible Vehicular Spaces\***

—

**Total Vehicular Spaces\***

—

**Motorcycle/Moped Spaces**

—

**Total Vehicular Spaces**

—

**Proposed Loading Spaces\***

—

**Bicycle Parking**

**Existing Bicycle Spaces\***

30

**Bicycle Spaces to be Removed\***

4

**New Bicycle Spaces\***

—

**New Field**

—

**New Bicycle Spaces\***

—

---

**Property Owner Authorization**



Property Owner Name(s)

Property Owner Email

Property Owner Address

Property Owner Phone

The undersigned property owner hereby certifies that, to the best of their knowledge and belief, all information supplied with this application is true and accurate.

Property Owner Signature

No signature

Authorizations

Applicant Authorization

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application is true and accurate.

Applicant Authorization

Applicant Signature

Relation to Property Owner

No signature

—

Please provide the current Property Owner's Information for the selected zoning lot.

Property Owner Name(s)

Property Owner's Address

Property Owner Email

Property Owner Phone

Property Owner / Contract Purchaser Authorization





**Town of Chapel Hill**  
**Planning Department**  
 405 Martin Luther King Jr Blvd  
 Phone: (919) 968-2728

Email: [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org)  
[www.townofchapelhill.org](http://www.townofchapelhill.org)

### Property Owner Authorization of Application for Conditional Zoning District

#### Staff Use Only

Application Number:

**Pursuant to NCGS § 160D-703(b) Conditional Districts, property may be placed in a conditional district only in response to a petition by all owners of the property to be included.**

This Property Owner Authorization form must be completed and signed by the current property owner(s) of each zoning lot involved in the proposed Conditional Zoning District application. Please submit a separate form per property owner.

Project Name: UNC Health Eastowne

Property Address: See Attached Addresses

Parcel Identifier Number(s) (PINs): See Attached for PINs

Property Owner Name (must match County tax records): HEALTH SYSTEM PROPERTIES LLC

Property Owner Address: 5221 PARAMOUNT PKWY, Ste 230, Morrisville, NC 27560

Email: Simon.George@unchealth.unc.edu

Phone: 984-974-5388

Relationship to Applicant: Vice President - Real Estate Development UNC Health

If the property owner is an entity, provide detailed information regarding the principals of the entity.

#### Property Owner Authorization

The undersigned property owner hereby authorizes the application for Conditional Zoning District and certifies that, to the best of the owner's knowledge and belief, all information supplied with this application is true and accurate. The property owner also confirms their support of the application as proposed.

Signature: Simon George

Date: 11/21/2022

Print Name: Simon George



## UNC Health Eastowne CZ

### PINs

500 Eastowne Drive - 9890800195,

998 Eastowne Drive - 9890807564

600 Eastowne Drive - 9890800643

700 Eastowne Drive - 9890802764

800 Eastowne Drive - 9890803947

4 EASTOWNE OFFICE PARK P73/142 - 9890911209



April 6, 2023

## **PUBLIC PURPOSE**

The Eastowne development being proposed by UNC Health will provide an additional 1,100,000 square feet (1,250,000 square feet total) of state-of-the-art medical office services within the Town of Chapel Hill. The location, immediately adjacent to the interchange at 15-501 and I-40 provides a unique location to provide easily accessible medical services for the citizens of the Town as well as a regional impact. The location will remove the outpatient traffic trips that currently have to go to the main campus medical facility from the Town's streets. In addition, the project size has been dialed in based on anticipated traffic impacts in the area surrounding East Potential LUMO modifications needed for development of Eastowne's full build-out scenario.

The development at Eastowne will also free up, "decompress", the space at the main campus. This will allow for future changes at that location to improve the services and patient experience at that location as well.

At the same time, in conjunction with the Town, many interested groups and citizens, UNC Health has committed to preserving a minimum of 10-acres of a 20-acre parcel of woods, steep slopes and floodplain areas from development. Beyond that, UNC Health has committed that any future development on the remaining 10-acres of the 20-acre total, would be the last piece developed in what is currently seen as a 20-year build-out time frame.

Inside the Eastowne Drive loop UNC Health will undertake a stream restoration project. The existing, manmade pond will be removed and the streams from 15-501 to Eastowne Drive will be restored to its natural stable form. The stream's riparian buffers will be graded and revegetated to ensure stability and re-establishment of the natural riparian processes. The stream and vegetated buffers will become a feature of the development.

Other public benefits from the development include the addition of bike lanes and a multi-use path on Eastowne Drive, a multi-use path along the project frontage on 15-501, pedestrian connections through-out the campus, area for a future BRT stop and support for affordable housing.

These commitments; 1. A connected, state-of-the-art, walkable, multi-modal, dense medical campus, and 2. Preservation of existing developable land will require some modifications to the Town's current regulations. Those required modifications are listed below.

But, at the end of the day, the services provided to the public, both within Chapel Hill and regionally, will all be dramatically improved by the construction of the Eastowne campus. The services will remain in the Town of Chapel Hill. The investments will remain in Chapel Hill both at Eastowne and the main campus. The ongoing partnership between UNC Health and the Town of Chapel Hill and its residents will remain strong.



## LUMO MODIFICAITONS REQUIRED

Potential LUMO modifications needed for development of Eastowne full build-out scenario.

### Article 3.8 Dimensional Standards

Table 3.8-1 Dimensional Matrix (OI-3)

- > FAR
  - Current - 0.566
  - Proposed – 0.680
  - Clarification that the entire 50-acre property can be used for FAR calculation.

### Article 3.6.3 Resource Conservation District

Justification – Impact to the RCD inside the Eastowne Drive loop are necessary to complete the stream restoration project proposed from 15-501 to Eastowne Drive. In conjunction with the restoration a single road crossing of the RCD is included to provide interconnectivity for the project inside the Eastowne Drive loop. A second impact, on the tip of an intermittent stream is proposed for stormwater management. This stream, identified by the Town to be buffered, was not identified as intermittent in a determination by the USACOE.

#### Modifications.

Table 3.6.3-2 Permitted Uses with Resource Conservation District

- > Streets, bridges & other similar transportation facilities.
  - Current – Requires a SUP all zones
  - Proposed – Permitted in all zones as part of CZ approval.
- > Stream and riparian area restoration and maintenance
  - Current – Pond is allowed with a special use permit. Doesn't specifically list pond draining.
  - Proposed – CZ – Allows pond draining / dam removal
  - Current – Lists as restoration not enhancement.
  - Proposed – CZ - Enhancement permitted.
- > Detention/retention basin and associated infrastructure.
  - Current – Prohibited in stream side zone, permitted in other zones.
  - Proposed – Permitted in all zones for specific locations identified on approved CZ.
- > Art. 3.6.3(h)(4) Requirements for Development Activities
  - Current - List of requirements for development applications unless exempted by Town Manager.
  - Proposed – Development or land-disturbing activities in the RCD approved as part of the CZ with final details provided with submittal of Final Plans.

### Article 5.14 - Signage

- > Current:
  - Commercial Center Sign Dimensions:
    - Height (max) 12'



- Width (max) 10'
  - Thickness (max) 12"
  - Minimum Letter Height on Panels 9"
- External wall signage: maximum of 3 wall signs per individual establishment per street frontage.
- Ground signs: maximum 1 ground sign per street frontage
- > Proposed:
  - Four (4) new UNC Health Eastowne Business Park and/or medical office site type commercial center signs up to 240 square feet on Eastowne Drive for MOB1 shall be allowed for the proposed development on the inner Eastowne loop.
    - Height (max) 12'
    - Width (max) 20'
    - Thickness (max) 18"
    - Minimum Letter Height on Panels 12"
  - External wall signage (to include building address and/or name) shall be permitted on each building and parking structure at a location that allows for optimal visibility and wayfinding.
  - Internal site wayfinding signage shall be permitted at each intersection for vehicular and pedestrian traffic.
  - The northern 20 parcel will be allowed up to two (2) ground mounted signs if the parking structure is constructed.
  - Internal building signage not facing the public right-of-way for identification and wayfinding is not subject to review by the Town.

### Article 5.3.2 – Steep Slopes

Justification - The steep slopes being impacted are inside the Eastowne Drive loop and primarily consist of manmade slopes associated with existing parking, buildings, the pond dam and a earth stockpile from MOB1. Redevelopment of this side from a suburban office park to a state-of-the art, high density, walkable development with structured parking requires the ability to impact the steep slopes to a greater extent than allowed by ordinance.

### Modifications

- > Art. 5.3.2.(c) Applicability
  - Current – Art. 5.3.2.(c)(3) “...shall not apply to existing cut and fill slopes associated with roads, parking lots or driveways.”
  - Proposed – In addition steep slopes shall not apply to manmade slopes associated with development including grading for buildings, building pads, sidewalks, trails, ponds, stormwater treatment facilities, stockpiles, and erosion control facilities.
- > Art. 5.3.2.(f) Disturbance Limitations
  - Current – “No more than twenty-five (25) percent of the total combined area of 4:1 (25 %) or steeper slopes shall be disturbed unless a variance is granted by the Board of Adjustment.
  - Proposed – Percentage disturbed shall be approved with the approval of the CZ.



- Proposed – No more than thirty (30) percent of the non-manmade steep slopes shall be impacted.

#### Article 5.7.6.a.2.iii. – Rare & Specimen Tree Definition

- Current – 6” DBH                      Proposed – 12” DBH
- Survey required only for areas to be disturbed, or within 20-feet of the disturbed area.

#### Article 5.6.6 Schedule of Required Buffers & Design Manual Section 3.1

The Eastowne development is intended to provide an attractive gateway entrance along 15-501 for people coming into Chapel Hill. Current philosophy has changed from the LUMO standard of screening and hiding development from view from public streets. Eastowne will provide attractive buildings and architecture. Along with this appearance, the ability to selectively clean-up and thin the existing buffer area to allow visibility will allow visibility into the development to provide an attractive gateway along 15-501 and Eastowne Dr and help with wayfinding to the facility.

#### Modifications

- Current – 20’ Type C buffer along 15-501
- Proposed – 20’ Modified buffer along 15-501 to be generally consistent with current buffer planted for MOB1.
- Current – 15’ Type B buffer along Eastowne Drive
- Proposed – 15’ Modified buffer along Eastowne Dr to be generally consistent with the current buffer planted for MOB1.

#### Article 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements

Vehicular parking and bicycle parking for use for MOB1 has been monitored by UNCH since it was occupied in 2021. The current use shows that a ratio of 4.5 vehicular parking spaces per 1,000 square feet is required to meet the current demand. Bicycle parking has also been monitored and the project has not experienced full use of the spaces provided with MOB1. Therefore, the modification request is based on actual usage at this site. Monitoring of the existing use of the both the vehicular and bicycle parking within the development will continue and the number of spaces requested / ratio required will be adjusted accordingly.

#### Modifications

##### Vehicular Parking

- > Business, office-type
  - Current: Max 1 space per 250 sq ft of floor area
- > Clinic
  - Current: Max 1 space per 200 sq ft of floor area
- > Hospital
  - Current: Max 1 per 0.5 beds



- > Proposed: Total project max. 4.5 spaces per 1,000 sq ft of floor area. Owner will provide continued monitoring of the utilization of vehicular parking throughout the project and submit an updated parking analysis with each Final Plan submittal. The number of parking spaces and parking space ratio will be revised as appropriate for the change in demand over time.

Article 5.12.1.a.4 Utilities – Water Main and Fire Hydrant Installation

- Current – No building permit until water mains and hydrants are installed and operational
- Proposed – No building permit for construction with combustible materials until water mains and hydrants necessary for fire protection are installed and functional fire certification provided to the Town and OWASA.



## **NARRATIVE**

### **UNC Health Eastowne**

#### **EXISTING CONDITIONS**

The original Eastowne development was constructed with single and two-story office buildings in the 1970's and 1980's that are approaching the end of their useful life. The current site is strategically located adjacent to I-40 and 15-501 with the Phase 1 development being located at the western intersection of Eastowne Drive and 15-501. The first medical office building (MOB 1), completed in 2021, is in the southwest corner of the site which is bound on the eastern and northern boundaries by a Resource Conservation District (RCD). A parking deck was constructed with MOB 1 and accommodates parking for both MOB 1 and the future MOB 2. The balance of the current "inner loop", the property bounded by 15-501 and the Eastowne Drive right-of-way consists of four office buildings and surface parking. The "Northern 20", the property between Eastowne Drive and Interstate 40, is undeveloped.

#### **PROJECT PLAN**

When completed, the redevelopment project will consist of approximately 1.1M net new square feet of buildings. The buildings will be modern and energy efficient, constructed with a steel frame, skinned with attractive glass systems and complemented with architectural opaque cladding. The skin will be designed in consideration of the site's prominence at this gateway entrance into Chapel Hill and will be consistent with the UNC Health brand as well as the design of MOB 1.

The second MOB will be built adjacent to the MOB 1 site, optimize access for patients, and serve as the second phase of a welcoming, urban gateway for this project and to the Town. Parking will be accommodated via the existing parking garage and limited accessible surface parking near the second building. To promote walkability, a pedestrian bridge will be installed across the newly enhanced stream after the pond is drained. This bridge will provide access across the RCD to the balance of the existing buildings and will allow staff to move throughout the inner loop.

Future phases of the inner loop will front a center green that provides calming, natural views for patients, staff and visitors. The buildings will be oriented to maximize energy efficiency and views for patients and staff inside the facilities. A one-way loop around the center green will allow vehicles to drop off patients at the front entrances and then quickly move to vertical parking structures while providing a traffic calming measure due to its smaller cross section. There will ultimately be two internal roads that connect MOB 1 and MOB 2 to the balance of the inner loop. This road section will be designed for efficient movement of patients and visitors throughout the campus and will be phased as required once future phases are developed. The internal roads will be designed for multimodal traffic.





## **GOALS AND OBJECTIVES**

The project's primary goal is to redevelop this site with modern, higher density medical, research and associated uses that allow UNC Health to meet the demands for outpatient services while decompressing the Medical Center which will allow for more inpatient bed capacity. Moving and increasing the outpatient services from the Medical Center to Eastowne will enable UNC Health to provide a modern, welcoming, patient centered and family-friendly care delivery system while simultaneously allowing for backfill of vacated space at main campus with inpatient beds.

The development will add a critical and significant component to the gateway into Chapel Hill along 15-501 and the Complete Community vision for this area. The project will be a mixture of modern, sophisticated buildings that complement the architecture achieved at MOB 1 but will vary in size and scale as the needs are defined. Parking will be provided vertically by parking structures with architecture complementary of the adjacent buildings visible from 15-501 or Eastowne Drive.

Connectivity via pedestrian, biking, vehicular and public transit will be provided to give patients, staff and visitors multiple ways to ingress and egress into the campus. The goal is to create an inviting development that effectively and efficiently gets patients parked and safely moving throughout the campus.

Timing is also a critically important goal of this project. To stay competitive in the increasingly challenging healthcare landscape, UNC Health must quickly adapt to the healthcare needs of the State. Building on UNC Health's strong relationship with the Town of Chapel Hill will be instrumental to reach our goal of commencing the design and construction processes for MOB 2 in the Fall of 2023, and to provide us with the flexibility needed to move rapidly as the healthcare landscape inevitably changes in the future.



April 5, 2023

Judy Johnson  
Town of Chapel Hill Planning Department  
405 Martin Luther King Jr Boulevard  
Chapel Hill, North Carolina 27514

**RE: UNC Health Eastowne Statements of Compliance with the Comprehensive Plan and Design Guidelines**

**STATEMENT OF JUSTIFICATION**

The proposed zoning brings the subject parcels into greater conformance with the Town's Comprehensive Plan. The property is currently zoned OI-3, OI-2, and MU-OI-1, and OI-3 zoning is requested for all parcels to fulfill the themes and goals of the comprehensive plan elaborated on below. Land uses envisioned within the North 15-501 Corridor Sub-Area A include multifamily, shops & offices, commercial/office, and parks as primary uses and townhomes and institutional as secondary uses. A large portion of the land located in Sub Area A across 15-501 is planned as residential. The proposal for a medical office campus contributes to the mix of land uses desired in this area to create a well-rounded community. Statements below further support the case for the requested OI-3 zoning district.

**STATEMENT OF COMPLIANCE WITH COMPREHENSIVE PLAN**

The UNC Health Eastowne submittal is proposed in accordance with the CH2020 Comprehensive Plan. The proposed plan addresses the following themes with their corresponding goals: A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places, New Spaces, Nurturing our Community, and Town and Gown Collaboration.

**THEME 1: A PLACE FOR EVERYONE**

UNC Health Eastowne will meet the following goals under Theme 1:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses.
- A welcoming and friendly community that provides all people with access to opportunities

Redevelopment of this site will add new medical offices to the Town's inventory. The new medical offices will allow for improved levels of medical service to the citizens of Chapel Hill and surrounding areas. The master plan has been designed to emphasize green space internal to the development and integrate into the surrounding community. Development of this site will provide an abundance of job opportunities in a well-designed, welcoming medical campus. Development of the site will also include structured parking which will allow for vertical development of the parcel to lessen the environmental impacts typically caused by areas of sprawling surface parking with associated land disturbance and run-off.



## **THEME 2: COMMUNITY PROSPERITY AND ENGAGEMENT**

UNC Health Eastowne meets the following goals under Theme 2:

- Foster success of local businesses
- Promote a safe, vibrant, and connected (physical and person) community

Development of new, energy-efficient modern medical office facilities will add to the prosperity of the Chapel Hill community by allowing denser non-residential growth in the North 15-501 corridor. The UNC Health System will be able to expand to provide jobs to many Chapel Hill residents and attract new residents as well.

## **THEME 3: GETTING AROUND**

UNC Health Eastowne meets the following goals under Theme 3:

- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation
- Connect to a comprehensive regional transportation system
- Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system

This redevelopment project is located adjacent to an existing major transportation corridor, US 15-501, which will allow for easy ingress and egress. Additionally, it is located along an existing bus route to promote and support alternative means of transportation. The project will provide a pedestrian network including greenways and sidewalks to allow for connectivity within and outside of the medical campus. This project supports the initiative to create a connected community by linking neighborhoods through various means of transportation.

## **THEME 4: GOOD PLACES, NEW SPACES**

UNC Health Eastowne meets the following goals under Theme 4:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students
- Open and accessible common spaces for community gathering, cultural uses, and community development
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment

The UNC Health Eastowne development will add new, modern medical offices to a site that is currently occupied by older, obsolete buildings. The new buildings will be designed to meet the requirements of the Land Use Management Ordinance which will allow for the development of interesting buildings and spaces to serve the



citizens of Chapel Hill and surrounding areas. It will contribute to the mix of land uses envisioned for the North 15-501 Corridor, balancing the planned residential developments across 15-501 with the non-residential UNC Health Eastowne component. The development plans to incorporate a central green space as a spine to the development that correlates with the planned green space in Parkline East, creating a well-connected community.

### **THEME 5: NURTURING OUR COMMUNITY**

UNC Health Eastowne meets the following goals under Theme 5:

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. These spaces could include, among other things, Significant Natural Heritage Areas (SNHA) lands adjacent to and connecting various properties such as riparian lands, etc.
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic

Redevelopment of the subject parcel will enable the construction of upgraded structures, as well as an upgrade on all associated site improvements, such as stormwater controls, impervious surfaces, landscaping, open spaces, etc. While some stream crossings will be necessary, UNC Health Eastowne will strive to protect a majority of the environmentally sensitive areas on site and commit to maintaining open space throughout the development. Pedestrian and bicycle routes will be provided throughout and connect to the overall transportation system to provide alternative means of transportation that support the climate action goals of the Town.

### **THEME 6: TOWN AND GOWN COLLABORATION**

UNC Health Eastowne meets the following goals under Theme 6:

- The University, the UNC Health Care System, and the Town will coordinate closely to manage development in ways that respect history, traditions, and the environment while fostering revitalization and innovation
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities

Modern medical office facilities will allow UNC Health Care to better attract talent to keep them in and around Chapel Hill after graduation. The new buildings will also meet all accessibility requirements so that all citizens are able to utilize the facility without the issues typically found in older office buildings. The project promotes easy access for students and residents to health care centers, public services, and creates a platform for more active lifestyle opportunities.





Sincerely,

**MCADAMS**

A handwritten signature in black ink that reads 'Jessie Hardesty' in a cursive script.

Jessie Hardesty  
Planner III, Planning + Design



## UNC Health Eastowne

### Facility Energy Management Plan

#### **Overall:**

The energy management plan for the UNC Health Eastowne development will attempt to exceed the standards in ASHRAE 90.1 by 20 percent (current North Carolina version). Building envelope design, major building systems design, and site related elements all will contribute to the success of the energy reduction goal. Systems that will be explored include the use of higher insulated building materials, high performance glazing, higher efficiency mechanical equipment, and LED lighting. The project will also evaluate the use of low flow/reduced flow plumbing fixtures, as well as implementation of photovoltaic panels mounted on the roof of the medical office buildings where not in conflict with mechanical, plumbing, electrical devices or life safety and maintenance areas. Final PV sizes will depend on final architecture, available roof area, solar orientation considerations, and use in a net metering format or as allowed by the utility company. Energy modeling will be performed to evaluate options and verify compliance with the energy code and this project's energy goals.

The LEED building standard will be reviewed to assist the design team with its overall approach to energy conservation. Regionalism and proximity to the project site will play a large role in the selection of building products, vegetation materials, and design aesthetics. In addition, a construction waste management plan that includes recycling will be adopted and documented for the project's construction phase to minimize impacts on local landfills.

#### **Site/Landscape:**

The vegetation design for this project anticipates implementing drought-tolerant, regional planting materials to minimize the need for irrigation. This site was previously developed as an office park with surface parking lots. The new plan will not release any net new storm water and has a goal of releasing less storm water than the current development releases.

The site lighting design will address pedestrian security and aesthetics, while also considering energy efficiency and light pollution. The project will include sidewalks, pedestrian/bicycle pathways connecting through the site and beyond as well as pedestrian bridges crossing the streams. These walkable connections shall provide access to nature and green spaces throughout the campus.

The parking facility will have dedicated spaces for electric charged vehicles with charging stations, spaces for ride share users and bike lockers.

#### **Building:**

##### **Architecture + Materials:**

Materials intended to be used on the project are low maintenance, long-term products that when used in concert with high performing insulation materials will provide the owner and community a building that will stand the test of time while maintaining the original design condition. The exterior insulation on the project is within the wall cavity and outboard of the primary air barrier to remove dewpoint from within the building. This simple design decision will also increase the efficiency of the insulation by reducing thermal bridging. In addition, the glazing systems used on the project consists of high performing products that limit air infiltration and maximize thermal breaks through enhanced product design.

The building design intends to utilize high albedo paving and roofing materials. It is intended to utilize a



high albedo concrete for parking structures to help reduce the number of lighting fixtures required to light the egress paths as well as reduce the height island effect associated with impervious materials.

The materials selection for this project will place an emphasis on regional sourcing and recycled content similar to the material requirements in LEED. All paints, sealants, and other off gassing materials will be controlled by placing limitations and requirements in the specifications.

**Plumbing:**

Plumbing, like storm water management, needs to have an integral approach to the overall conservation of water. Toilet rooms will utilize low flow/limited volume toilet fixtures and faucets, and the design team will evaluate the use of sensor technology for flush activation and faucet operation. In addition, the design team will evaluate the type, configuration and quantity of domestic hot water heating systems to further reduce water and energy consumption.

This project will not include the use of gray water or other reclaimed water strategies.

**Mechanical:**

As a part of the overall approach to an energy efficient building design, the mechanical system design must be evaluated as part of the overall building's efficiency. The mechanical system type(s) and configuration(s) will be evaluated and confirmed to comply with the ASHRAE 90.1 standard (current North Carolina version). Variable volume air handling and pumping systems will be used where applicable. The mechanical design will incorporate a fresh air input and airflow measurement and control strategies to ensure the health and safety of the occupants.

**Day Lighting and Electrical Lighting:**

The glazing around the building will be designed to maximize daylighting allowing for a greater opportunity for the end users to have access to natural light and views. Interior improvement projects will be requested to evaluate the use of daylight zoning and occupancy sensors on all interior lighting, with a desired maximum lighting power density. This will reduce future energy consumption and provide the end user with a more natural circadian rhythm lighting scheme. The intent is to utilize LED lighting for all exterior and interior lighting if not in conflict with medical requirements.

**Alternative Energy:**

The building will provide infrastructure and equipment for the installation of roof mounted solar energy collection. This connection will consist of an electrical panel connection, conduit and pulls, as well as photovoltaic panels.

**Construction and Future Tenant Improvement Projects:**

As a part of the construction process, systems performance testing will be an integral part of the project. An example of this type of testing includes the AAMA hose stream testing of each different glazing assembly to ensure no water leakage exists in the system. In addition, all sealants that act as a part of the air barrier assembly will require a statement of compatibility to ensure the long-term stability of the materials and will also require an adhesion test to verify the onsite condition aligns with the compatibility statement. The mechanical and electrical system commissioning will be performed for the primary infrastructure by a qualified commissioning authority.





## **Description of Public Art Proposal**

### **UNC Health Eastowne**

UNC Health has always been supportive of the arts, both public and private. We envision public art that is located at the main entrances to the Campus from Eastowne Drive with emphasis on the inner loop development. Public art should complement our mission to improve the health and well-being of North Carolinians and others whom we serve, and reflect our focus on world changing research, and building an inclusive and equitable culture.

UNC Health commits to working with the Chapel Hill Cultural Arts Commission in the selection and placement of public art. UNC Health shall make the final artwork selection in concert with interior pieces that will aid our medical teams in promoting healing, health and wellness.

Working with local artists is preferred when suitable.



April 5, 2023  
 Conditional Zoning Permit  
 Ernest Odie-Larbi  
 Town of Chapel Hill Public Works  
 405 Martin Luther King Jr Blvd.  
 Chapel Hill, NC 27514

**RE:     UNC Health – Eastowne Campus**  
           **River Basin: Cape Fear**  
           **NMS Watershed: Jordan Lake**

Ernest,

The UNC Health Eastowne Campus lies on the north side of Highway 15-501, to the south and to the east of the Eastowne Drive loop. It is proposed that the campus be redeveloped and that the existing buildings, parking lots, and associated infrastructure except the new MOB1 building be redesigned and replaced. The proposed redevelopment of the campus will result in changes to the site's drainage patterns and to an overall increase in the impervious surface area on site.

The proposed development is located in the Cape Fear River basin and within the Jordan Lake Nutrient Management Strategy Watershed. As a result of the redevelopment, the impervious area on site could increase from approximately 18% (405,645 sf) of the site's full area in the pre-development condition to a maximum of 70% (1,538,761 sf) in the post-development condition. All existing impervious will remain on the site until its demolition is required by the proposed phased improvements. Underground detention vaults and underground sand filters are proposed to manage the stormwater runoff from the proposed development.

Pre-development hydrology and routing calculations have been attached as an exhibit, along with a drainage area map of the existing condition of the site.

The Town of Chapel Hill Requirements for stormwater management on the campus are as follows:

#### **LUMO Section 5.4 Stormwater Management**

##### ***Sec. 5.4.6.     General Performance Criteria for Stormwater Management***

The following are required stormwater management performance criteria:

- > Stormwater treatment shall be designed to achieve average annual eighty-five (85) percent total suspended solids (TSS) removal and must apply to the volume of post-development runoff resulting from the first one-inch of precipitation. Alternative treatment methods to achieve eighty-five (85) percent average annual TSS removal may be acceptable. The eighty-five (85) percent requirement applies to



eighty-five (85) percent of the additional suspended solids that are the result of the new development. (Ord. No. 2004-02-23/O-2).

- > The stormwater runoff volume leaving the site post-development shall not exceed the stormwater runoff volume leaving the site pre-development (existing conditions) for the local 2-year frequency, 24-hour duration storm event for all development except single-family and two-family dwellings on lots existing as of January 27, 2003, or on lots pursuant to a preliminary plat that was approved by the town council prior to January 27, 2003. This may be achieved by hydrologic abstraction, recycling and/or reuse, or any other accepted scientific method.
- > The stormwater runoff rate leaving the site post-development shall not exceed the stormwater runoff rate leaving the site pre-development (existing conditions) for the local 1-year, 2-year, and 25-year 24-hour storm events.
- > Land disturbance within the stream channel of any ephemeral stream shall be minimized, and prohibited unless explicitly authorized by issuance of a zoning compliance permit after demonstration of the necessity for the disturbance.

#### **LUMO Section 5.19 Jordan Watershed Stormwater Protection for New Development**

##### ***Sec. 5.19.3 Jordan Lake Watershed Management for New Development***

- > "Redevelopment" means any development on previously-developed land. Redevelopment of structures or improvements that (i) existed prior to December 2001, (ii) would not result in an increase in built-upon area, and (iii) provides stormwater control at least equal to the previous development is not required to meet the nutrient loading targets of this section.

##### ***Sec. 5.19.7 Design and Performance Standards for Stormwater Management.***

- > Nitrogen and phosphorus loading.
  - Stormwater systems shall be designed to control and treat the runoff generated from all surfaces by one (1) inch of rainfall. The treatment volume shall be drawn down pursuant to standards specific to each practice as provided in the state design manual.
  - The nitrogen load contributed by the proposed development shall not exceed 2.2 pounds per acre per year.
  - The phosphorus load contributed by the proposed development shall not exceed 0.82 pound per acre per year.
  - Notwithstanding 15A NCAC 2B. 104(q), redevelopment subject to this section that would replace or expand existing structures or improvements and would result in a net increase in built-upon area shall have the option of either meeting the loading standards identified in subsections 5.19.7(a)(2) and (3) above, or achieve thirty-five (35) percent and five (5) percent reduction for nitrogen and phosphorus, respectively, compared to the existing development.
  - The applicant shall determine the need for and shall design structural best management practices to meet these loading rate targets by using the approved accounting tool.



- > Nitrogen and phosphorus standards are supplemental. The nitrogen and phosphorus loading standards in this section are supplemental to, not replacements for, stormwater standards otherwise required by section 5.4 of the town's Land Use Management Ordinance.
- > Partial offset of nutrient control requirements. Before using offsite offset options, a development subject to this section shall attain a maximum nitrogen loading rate onsite of six (6) pounds per acre per year for single-family, single-family with accessory apartment, and duplex residential development and ten (10) pounds per acre per year for other development, including multi-family residential, commercial and industrial and shall meet all requirements for structural best management practices otherwise imposed by this section. A person subject to this section may achieve the additional reductions in nitrogen and phosphorus loadings by making offset payments to the North Carolina Ecosystem Enhancement Program (program) contingent upon acceptance of payments by that program. An applicant may propose other offset measures, including providing his or her own offsite offset or utilizing a private seller. All offset measures permitted by this section shall meet the requirements of 15A NCAC 02B.0273(2) through (4) and 15A NCAC 02B.0240.
- > Structural best management practices that are designed, constructed, and maintained in accordance with the criteria and specifications in the design manuals and the approved accounting tool will be presumed to meet the minimum water quality performance standards of this section

#### **North Carolina State Law**

The Jordan Lake Rules were suspended by Session Law 2013-395 (Senate Bill 515), effective August 23, 2013. Municipalities could voluntarily enforce the rules until Session Law 2015-246 (House Bill 44) prohibited municipalities from requiring voluntary regulations and rules. As such, LUMO 5.19.7 is not required for the site. Session Law 2018-145 (Senate Bill 469) states that stormwater runoff rules and programs shall not require private property owners to install increased stormwater controls for pre-existing development.

The State laws referenced resulted in the following stormwater requirements for the site: peak flow rate detention for the 1-, 2-, and 25-year storm events and treatment of runoff resulting from the net increase in impervious area for TSS removal.



### Proposed Stormwater Management Performance Standards

#### *Sec. 5.4.6 - General Performance Criteria for Stormwater Management*

##### Detention

In accordance with and beyond the requirements of Sec. 5.4.6 (c), detention will be provided for the 1-, 2-, 25-, and 50-year 24-hour storm event. 2-year volume control will be provided per Sec. 5.4.6 (b). Underground detention vaults are proposed to detain stormwater runoff from the development. Pre-development peak flow rates have been calculated including all existing impervious onsite.

##### TSS Removal

Beyond the requirements of Sec. 5.4.6 (a), the Eastowne project will provide TSS removal for the increase in impervious surface from existing to proposed development, as well as 50% of the existing impervious onsite, excluding MOB 1 which has already been addressed.

##### Nutrient Removal

Though nutrient mitigation is not required for the site, the proposed detention and TSS treatment facilities will reduce the total nitrogen and phosphorous loads generated by the development.

Sincerely,

**MCADAMS**

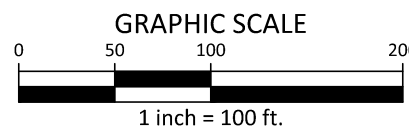
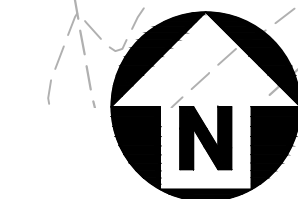
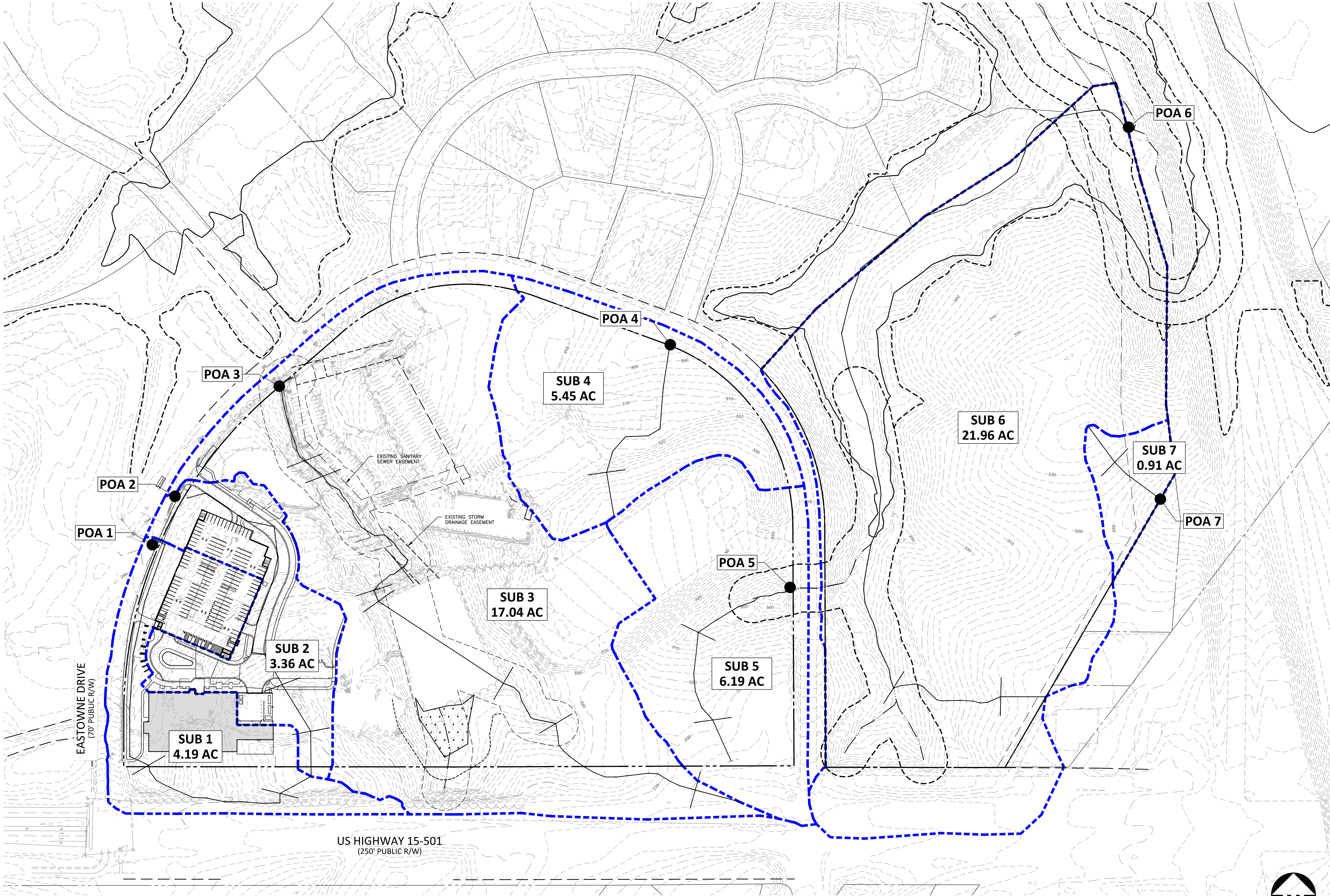
Josh Shinn, PE

Stormwater Design Support Practice Lead



## *PRE-DEVELOPMENT HYDROLOGY CALCULATIONS*





**McADAMS**

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**UNC HEALTH  
EASTOWNE  
CONCEPT PLAN**  
EASTOWNE DRIVE  
CHAPEL HILL, NORTH CAROLINA

**REVISIONS**

NO.	DATE	
1	11. 21. 2022	FIRST SUBMITTAL
2	12. 19. 2022	SECOND SUBMITTAL

**PLAN INFORMATION**

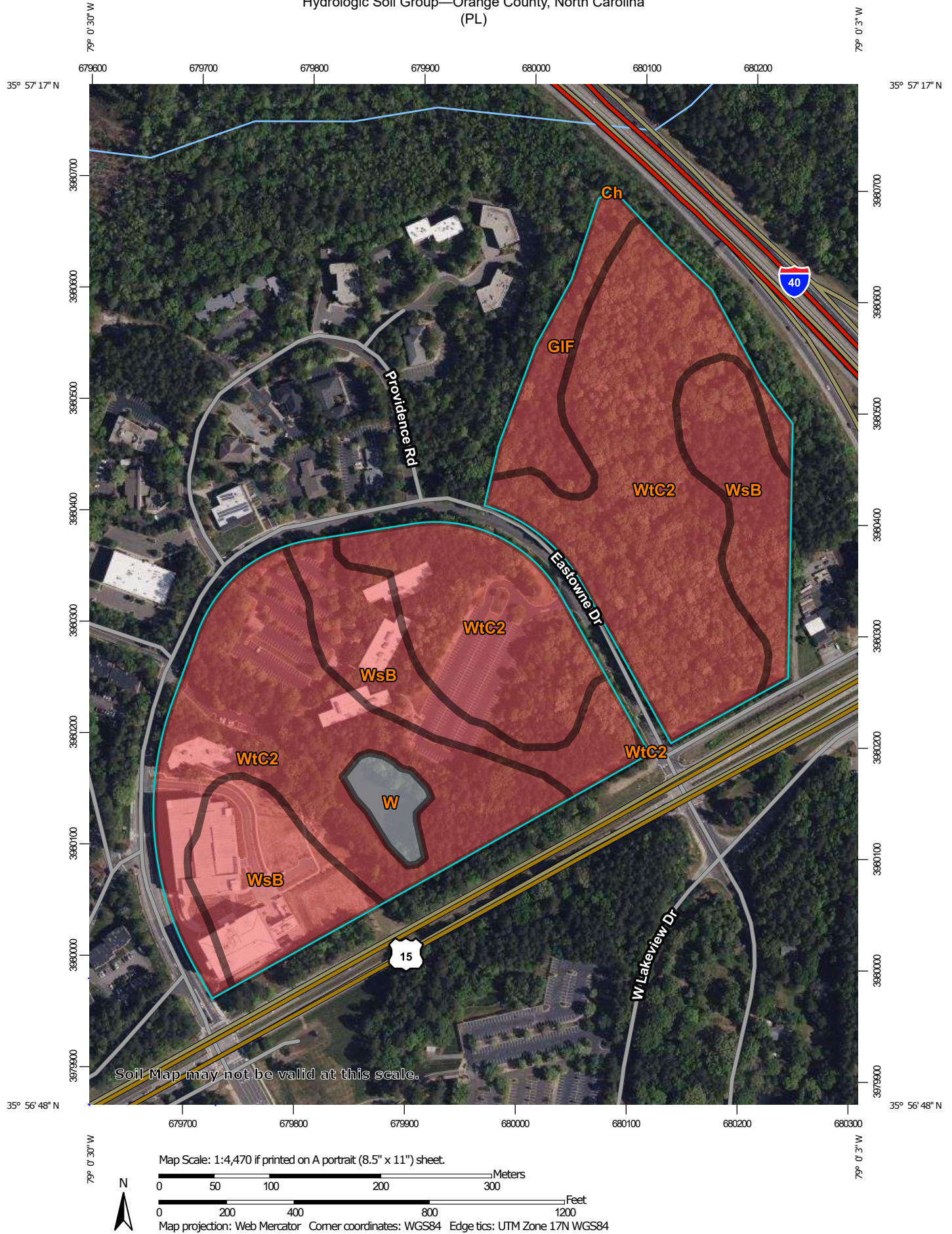
PROJECT NO.	UNH-22001
FILENAME	UNH-22001-PRE
CHECKED BY	JES
DRAWN BY	MCT
SCALE	1" = 100'
DATE	02. 07. 2023

**SHEET**

**PRE- DEVELOPMENT  
HYDROLOGY MAP**

**PRE-DA**



Hydrologic Soil Group—Orange County, North Carolina  
(PL)



Hydrologic Soil Group—Orange County, North Carolina  
(PL)

## MAP LEGEND

### Area of Interest (AOI)









Area of Interest (AOI)

### Soils

#### Soil Rating Polygons





-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

#### Soil Rating Lines


-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

#### Soil Rating Points






-  A
-  A/D
-  B
-  B/D

-  C
-  C/D
-  D
-  Not rated or not available


### Water Features

-  Streams and Canals

### Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

### Background

-  Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, North Carolina  
Survey Area Data: Version 23, Sep 12, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 23, 2022—Apr 27, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Ch	Chewacla loam, 0 to 2 percent slopes, frequently flooded	B/D	0.0	0.0%
GIF	Goldston channery silt loam, 15 to 45 percent slopes	D	2.7	5.4%
W	Water		1.1	2.2%
WsB	White Store loam, 2 to 6 percent slopes	D	13.4	26.6%
WtC2	White Store clay loam, 6 to 15 percent slopes, moderately eroded	D	33.2	65.8%
<b>Totals for Area of Interest</b>			<b>50.5</b>	<b>100.0%</b>



## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher



**PRE-DEVELOPMENT HYDROLOGY**  
*Summary of Results***HYDROLOGY INPUT SUMMARY**

Sub-basin ID	Onsite Area [acres]					Offsite Area [acres]					Total Area [acres]	SCS CN	Tc [min]
	Impervious	Open	Wooded	Pond	Total	Impervious	Open	Wooded	Pond	Total			
1	1.66	0.29	0.48	0.00	2.42	0.74	0.54	0.48	0.00	1.76	4.19	90	14.52
2	1.58	1.64	0.00	0.00	3.22	0.09	0.03	0.01	0.00	0.14	3.36	89	12.12
3	3.68	4.07	5.82	0.75	14.31	0.83	0.55	1.36	0.00	2.73	17.04	84	22.60
4	1.28	0.50	3.03	0.00	4.81	0.33	0.07	0.25	0.00	0.65	5.45	83	10.62
5	1.12	1.01	3.07	0.00	5.20	0.41	0.58	0.00	0.00	0.99	6.19	83	13.76
6	0.00	0.36	19.24	0.00	19.59	1.05	1.10	0.21	0.00	2.36	21.96	78	18.82
7	0.00	0.00	0.91	0.00	0.91	0.00	0.00	0.00	0.00	0.00	0.91	77	12.12
Totals =	9.31	7.86	32.54	0.75	50.46	3.44	2.89	2.31	0.00	8.63	59.10		



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UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 1*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	72,198	1.66	-
Onsite open	80	12,457	0.29	Assume good condition
Onsite wooded	77	20,961	0.48	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	32,105	0.74	-
Offsite open	80	23,669	0.54	Assume good condition
Offsite wooded	77	20,961	0.48	Assume good condition
Offsite pond	100	0	0.00	-

**Total area =**                      4.19                      acres  
   182,351                      sf

**Composite SCS CN =**                      90

**% Impervious =**                      57.2%



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**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 1*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	79	ft
Top Elev =	337.50	ft
Bot Elev =	334.00	ft
Height =	3.5	ft
Slope =	0.0446	ft/ft
Manning's n =	0.40	wooded
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>12.28</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	343	ft
Top Elev =	334.00	ft
Bot Elev =	309.50	ft
Height =	25	ft
Slope =	0.0715	ft/ft
Paved ? =	No	
Velocity =	4.32	ft/sec
<b>Segment Time =</b>	<b>1.32</b>	<b>minutes</b>

**Segment 3: Pipe Flow**

Length =	546	ft
Top Elev =	306.00	ft
Bot Elev =	291.01	ft
Height =	14.99	ft
Slope =	0.0275	ft/ft
Manning's n =	0.013	concrete pipe
Pipe Diameter =	1.50	ft
Flow Area =	1.77	sf
Wetted Perimeter =	4.71	lf (1.5 ft ID pipe)
Channel Velocity =	9.88	ft/sec
<b>Segment Time =</b>	<b>0.92</b>	<b>minutes</b>

<b>Time of Concentration =</b>	14.52	minutes
<b>SCS Lag Time =</b>	8.71	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	2.53	minutes (= 0.29*SCS Lag)



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**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 2*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	69,001	1.58	-
Onsite open	80	71,309	1.64	Assume good condition
Onsite wooded	77	0	0.00	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	3,990	0.09	-
Offsite open	80	1,470	0.03	Assume good condition
Offsite wooded	77	554	0.01	Assume good condition
Offsite pond	100	0	0.00	-

**Total IC area =**

3.36	acres
146,324	sf

**Composite SCS CN =** 89

**% Impervious =** 49.9%



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**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 2*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	100	ft
Top Elev =	337.50	ft
Bot Elev =	334.00	ft
Height =	3.5	ft
Slope =	0.0350	ft/ft
Manning's n =	0.24	dense grasses
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>10.91</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	121	ft
Top Elev =	334.00	ft
Bot Elev =	318.50	ft
Height =	16	ft
Slope =	0.1277	ft/ft
Paved ? =	No	
Velocity =	5.77	ft/sec
<b>Segment Time =</b>	<b>0.35</b>	<b>minutes</b>

**Segment 3: Pipe Flow**

Length =	611	ft
Top Elev =	311.00	ft
Bot Elev =	286.80	ft
Height =	24.2	ft
Slope =	0.0396	ft/ft
Manning's n =	0.013	concrete pipe
Pipe Diameter =	1.50	ft
Flow Area =	1.77	sf
Wetted Perimeter =	4.71	lf (1.5 ft ID pipe)
Channel Velocity =	11.86	ft/sec
<b>Segment Time =</b>	<b>0.86</b>	<b>minutes</b>

<b>Time of Concentration =</b>	12.12	minutes
<b>SCS Lag Time =</b>	7.27	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	2.11	minutes (= 0.29*SCS Lag)



## I. SCS CURVE NUMBERS

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

Assume:

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

## II. PRE-DEVELOPMENT

## Watershed Land Use Breakdown

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	160,226	3.68	-
Onsite open	80	177,291	4.07	Assume good condition
Onsite wooded	77	253,335	5.82	Assume good condition
Onsite pond	100	32,521	0.75	-
Offsite impervious	98	35,957	0.83	-
Offsite open	80	23,852	0.55	Assume good condition
Offsite wooded	77	59,093	1.36	Assume good condition
Offsite pond	100	0	0.00	-

Total IC area = 17.04 acres  
742,275 sf

Composite SCS CN = 84

% Impervious = 26.4%



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**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 3*

M. Torres, PE  
2/7/2023

### III. TIME OF CONCENTRATION INFORMATION

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

#### Segment 1: Overland Flow

Length = 100 ft  
Top Elev = 335.00 ft  
Bot Elev = 334.00 ft  
Height = 1 ft  
Slope = 0.0100 ft/ft  
Manning's n = 0.24 dense grasses  
P (2-year/24-hour) = 3.5 inches (Durham, NC)  
**Segment Time = 17.98 minutes**

#### Segment 2: Concentrated Flow

Length = 383 ft  
Top Elev = 334.00 ft  
Bot Elev = 311.00 ft  
Height = 23 ft  
Slope = 0.0601 ft/ft  
Paved ? = No  
Velocity = 3.95 ft/sec  
**Segment Time = 1.61 minutes**

#### Segment 3: Channel Flow

Length = 160 ft  
Top Elev = 311.00 ft  
Bot Elev = 306.50 ft  
Height = 4.5 ft  
Slope = 0.0282 ft/ft  
Manning's n = 0.045 natural channel  
Flow Area = 8.00 sf (assume 8' x 1' channel)  
Wetted Perimeter = 10.00 lf (assume 8' x 1' channel)  
Channel Velocity = 4.79 ft/sec  
**Segment Time = 0.56 minutes**

#### Segment 4: Surface Water Flow

Length = 330 ft  
**Segment Time = 0.00 minutes**

#### Segment 5: Pipe Flow

Length = 26 ft  
Top Elev = 306.50 ft  
Bot Elev = 305.00 ft  
Height = 1.5 ft  
Slope = 0.0568 ft/ft  
Manning's n = 0.024 CMP Pipe  
Pipe Diameter = 1.50 ft  
Flow Area = 1.77 sf  
Wetted Perimeter = 4.71 lf (1.5 ft ID pipe)  
Channel Velocity = 7.70 ft/sec  
**Segment Time = 0.06 minutes**

#### Segment 6: Channel Flow

Length = 160 ft  
Top Elev = 305.00 ft  
Bot Elev = 293.00 ft  
Height = 12 ft  
Slope = 0.0751 ft/ft  
Manning's n = 0.045 natural channel  
Flow Area = 1.00 sf (assume 2' x 0.5' channel)  
Wetted Perimeter = 3.00 lf (assume 2' x 0.5' channel)  
Channel Velocity = 4.36 ft/sec  
**Segment Time = 0.61 minutes**

#### Segment 7: Channel Flow

Length = 302 ft  
Top Elev = 293.00 ft  
Bot Elev = 288.31 ft  
Height = 4.69 ft  
Slope = 0.0155 ft/ft  
Manning's n = 0.045 natural channel  
Flow Area = 15.00 sf (assume 10' x 1.5' channel)  
Wetted Perimeter = 13.00 lf (assume 10' x 1.5' channel)  
Channel Velocity = 4.54 ft/sec  
**Segment Time = 1.11 minutes**

#### Segment 8: Pipe Flow

Length = 26 ft  
Top Elev = 288.31 ft  
Bot Elev = 287.82 ft  
Height = 0.49 ft  
Slope = 0.0186 ft/ft  
Manning's n = 0.012 Concrete Pipe  
Pipe Diameter = 2.50 ft  
Flow Area = 4.91 sf  
Wetted Perimeter = 7.85 lf (2 ft ID pipe)  
Channel Velocity = 12.37 ft/sec  
**Segment Time = 0.04 minutes**

#### Segment 9: Channel Flow

Length = 188 ft  
Top Elev = 287.82 ft  
Bot Elev = 285.21 ft  
Height = 2.61 ft  
Slope = 0.0139 ft/ft  
Manning's n = 0.045 natural channel  
Flow Area = 20.00 sf (assume 10' x 2' channel)  
Wetted Perimeter = 14.00 lf (assume 10' x 2' channel)  
Channel Velocity = 4.94 ft/sec  
**Segment Time = 0.64 minutes**

<b>Time of Concentration =</b>	22.60	minutes
<b>SCS Lag Time =</b>	13.56	minutes (SCS Lag = 0.6 * Tc)
<b>Time Increment =</b>	3.93	minutes (= 0.29 * SCS Lag)



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 4*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	55,545	1.28	-
Onsite open	80	21,775	0.50	Assume good condition
Onsite wooded	77	132,041	3.03	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	14,186	0.33	-
Offsite open	80	3,249	0.07	Assume good condition
Offsite wooded	77	10,801	0.25	Assume good condition
Offsite pond	100	0	0.00	-

**Total IC area =**                      5.45                      acres  
   237,597                      sf

**Composite SCS CN =**                      83

**% Impervious =**                      29.3%



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 4*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	100	ft
Top Elev =	344.00	ft
Bot Elev =	330.00	ft
Height =	14	ft
Slope =	0.1401	ft/ft
Manning's n =	0.40	wooded
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>9.42</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	359	ft
Top Elev =	330.00	ft
Bot Elev =	296.00	ft
Height =	34	ft
Slope =	0.0947	ft/ft
Paved ? =	No	
Velocity =	4.97	ft/sec
<b>Segment Time =</b>	<b>1.21</b>	<b>minutes</b>

<b>Time of Concentration =</b>	10.62	minutes
<b>SCS Lag Time =</b>	6.37	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	1.85	minutes (= 0.29*SCS Lag)



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 5*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	48,675	1.12	-
Onsite open	80	44,072	1.01	Assume good condition
Onsite wooded	77	133,587	3.07	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	17,962	0.41	-
Offsite open	80	25,376	0.58	Assume good condition
Offsite wooded	77	0	0.00	Assume good condition
Offsite pond	100	0	0.00	-

**Total IC area =**                      6.19                      acres  
   269,672                      sf

**Composite SCS CN =**                      83

**% Impervious =**                      24.7%



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 5*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	100	ft
Top Elev =	336.00	ft
Bot Elev =	329.00	ft
Height =	7	ft
Slope =	0.0701	ft/ft
Manning's n =	0.40	wooded
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>12.43</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	207	ft
Top Elev =	329.00	ft
Bot Elev =	304.00	ft
Height =	25	ft
Slope =	0.1208	ft/ft
Paved ? =	No	
Velocity =	5.61	ft/sec
<b>Segment Time =</b>	<b>0.61</b>	<b>minutes</b>

**Segment 3: Channel Flow**

Length =	212	ft
Top Elev =	304.00	ft
Bot Elev =	296.00	ft
Height =	8	ft
Slope =	0.0378	ft/ft
Manning's n =	0.045	natural channel
Flow Area =	4.00	sf (assume 4'w x 1'h channel)
Wetted Perimeter =	6.00	lf (assume 4' x 1' channel)
Channel Velocity =	4.91	ft/sec
<b>Segment Time =</b>	<b>0.72</b>	<b>minutes</b>

<b>Time of Concentration =</b>	13.76	minutes
<b>SCS Lag Time =</b>	8.25	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	2.39	minutes (= 0.29*SCS Lag)



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 6*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	0	0.00	-
Onsite open	80	15,546	0.36	Assume good condition
Onsite wooded	77	838,010	19.24	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	45,618	1.05	-
Offsite open	80	48,125	1.10	Assume good condition
Offsite wooded	77	9,099	0.21	Assume good condition
Offsite pond	100	0	0.00	-

<b>Total IC area =</b>	21.96	acres
	956,398	sf
<b>Composite SCS CN =</b>	78	
<b>% Impervious =</b>	4.8%	



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 6*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	100	ft
Top Elev =	336.50	ft
Bot Elev =	330.00	ft
Height =	6.5	ft
Slope =	0.0651	ft/ft
Manning's n =	0.40	wooded
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>12.80</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	255	ft
Top Elev =	330.00	ft
Bot Elev =	300.00	ft
Height =	30	ft
Slope =	0.1177	ft/ft
Paved ? =	No	
Velocity =	5.54	ft/sec
<b>Segment Time =</b>	<b>0.77</b>	<b>minutes</b>

**Segment 3: Channel Flow**

Length =	1712	ft
Top Elev =	300.00	ft
Bot Elev =	262.00	ft
Height =	38	ft
Slope =	0.0222	ft/ft
Manning's n =	0.045	natural channel
Flow Area =	15.00	sf (assume 10'w x 1.5'h channel)
Wetted Perimeter =	13.00	lf (assume 10' x 1.5' channel)
Channel Velocity =	5.43	ft/sec
<b>Segment Time =</b>	<b>5.26</b>	<b>minutes</b>

<b>Time of Concentration =</b>	18.82	minutes
<b>SCS Lag Time =</b>	11.29	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	3.27	minutes (= 0.29*SCS Lag)



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 7*

M. Torres, PE  
2/7/2023

**I. SCS CURVE NUMBERS**

HSG	Impervious	Open	Wooded
A	98	39	30
B	98	61	55
C	98	74	70
D	98	80	77

**Assume:**

HSG 'A' =	0.0%
HSG 'B' =	0.0%
HSG 'C' =	0.0%
HSG 'D' =	100.0%

Cover Condition	SCS CN	Comments
Impervious	98	-
Open	80	Assume good condition
Wooded	77	Assume good condition

**II. PRE-DEVELOPMENT**

**Watershed Land Use Breakdown**

Contributing Area	SCS CN	Area [sf]	Area [acres]	Comments
Onsite impervious	98	0	0.00	-
Onsite open	80	0	0.00	Assume good condition
Onsite wooded	77	39,679	0.91	Assume good condition
Onsite pond	100	0	0.00	-
Offsite impervious	98	0	0.00	-
Offsite open	80	0	0.00	Assume good condition
Offsite wooded	77	0	0.00	Assume good condition
Offsite pond	100	0	0.00	-

**Total IC area =**      0.91      acres  
39,679      sf

**Composite SCS CN =**      77

**% Impervious =**      0.0%



UNC HEALTH EASTOWNE  
UNH22001

**PRE-DEVELOPMENT HYDROLOGY**  
*Subbasin 7*

M. Torres, PE  
2/7/2023

**III. TIME OF CONCENTRATION INFORMATION**

*Time of concentration is calculated using the SCS Segmental Approach (TR-55).*

**Segment 1: Overland Flow**

Length =	100	ft
Top Elev =	336.00	ft
Bot Elev =	328.00	ft
Height =	8	ft
Slope =	0.0801	ft/ft
Manning's n =	0.40	wooded
P (2-year/24-hour) =	3.5	inches (Durham, NC)
<b>Segment Time =</b>	<b>11.78</b>	<b>minutes</b>

**Segment 2: Concentrated Flow**

Length =	130	ft
Top Elev =	328.00	ft
Bot Elev =	308.00	ft
Height =	20	ft
Slope =	0.1538	ft/ft
Paved ? =	No	
Velocity =	6.33	ft/sec
<b>Segment Time =</b>	<b>0.34</b>	<b>minutes</b>

<b>Time of Concentration =</b>	12.12	minutes
<b>SCS Lag Time =</b>	7.27	minutes (SCS Lag = 0.6* Tc)
<b>Time Increment =</b>	2.11	minutes (= 0.29*SCS Lag)



## UNC Health Eastowne

Subsection: Master Network Summary

### Catchments Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (min)	Peak Flow (ft <sup>3</sup> /s)
SUB 1	Pre-Dev 1 yr	1	0.677	727.90	9.77
SUB 1	Pre-Dev 2 yr	2	0.874	727.90	12.30
SUB 1	Pre-Dev 25 yr	25	1.717	727.90	19.55
SUB 1	Pre-Dev 100 yr	100	2.225	727.90	22.67
SUB 2	Pre-Dev 1 yr	1	0.520	725.60	8.15
SUB 2	Pre-Dev 2 yr	2	0.676	725.60	10.34
SUB 2	Pre-Dev 25 yr	25	1.347	725.60	16.67
SUB 2	Pre-Dev 100 yr	100	1.753	725.60	19.38
SUB 3	Pre-Dev 1 yr	1	2.094	732.30	23.76
SUB 3	Pre-Dev 2 yr	2	2.819	732.30	31.75
SUB 3	Pre-Dev 25 yr	25	6.051	732.20	57.86
SUB 3	Pre-Dev 100 yr	100	8.054	732.20	70.03
SUB 4	Pre-Dev 1 yr	1	0.641	725.00	10.55
SUB 4	Pre-Dev 2 yr	2	0.869	725.00	14.13
SUB 4	Pre-Dev 25 yr	25	1.893	725.00	25.29
SUB 4	Pre-Dev 100 yr	100	2.531	725.00	30.26
SUB 5	Pre-Dev 1 yr	1	0.727	726.60	10.63
SUB 5	Pre-Dev 2 yr	2	0.986	726.60	14.29
SUB 5	Pre-Dev 25 yr	25	2.148	726.50	25.88
SUB 5	Pre-Dev 100 yr	100	2.871	726.50	31.10
SUB 6	Pre-Dev 1 yr	1	2.002	730.20	24.29
SUB 6	Pre-Dev 2 yr	2	2.822	730.20	34.61
SUB 6	Pre-Dev 25 yr	25	6.666	730.20	70.58
SUB 6	Pre-Dev 100 yr	100	9.126	730.20	87.88
SUB 7	Pre-Dev 1 yr	1	0.079	727.20	1.17
SUB 7	Pre-Dev 2 yr	2	0.112	727.20	1.68
SUB 7	Pre-Dev 25 yr	25	0.269	725.60	3.43
SUB 7	Pre-Dev 100 yr	100	0.370	725.60	4.27

### Node Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (min)	Peak Flow (ft <sup>3</sup> /s)
POA 3	Pre-Dev 1 yr	1	2.094	732.30	23.76
POA 3	Pre-Dev 2 yr	2	2.819	732.30	31.75
POA 3	Pre-Dev 25 yr	25	6.051	732.20	57.86
POA 3	Pre-Dev 100 yr	100	8.054	732.20	70.03
POA 4	Pre-Dev 1 yr	1	0.641	725.00	10.55
POA 4	Pre-Dev 2 yr	2	0.869	725.00	14.13
POA 4	Pre-Dev 25 yr	25	1.893	725.00	25.29
POA 4	Pre-Dev 100 yr	100	2.531	725.00	30.26
POA 5	Pre-Dev 1 yr	1	0.727	726.60	10.63



## UNC Health Eastowne

Subsection: Master Network Summary

### Node Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (min)	Peak Flow (ft <sup>3</sup> /s)
POA 5	Pre-Dev 2 yr	2	0.986	726.60	14.29
POA 5	Pre-Dev 25 yr	25	2.148	726.50	25.88
POA 5	Pre-Dev 100 yr	100	2.871	726.50	31.10
POA 6	Pre-Dev 1 yr	1	2.002	730.20	24.29
POA 6	Pre-Dev 2 yr	2	2.822	730.20	34.61
POA 6	Pre-Dev 25 yr	25	6.666	730.20	70.58
POA 6	Pre-Dev 100 yr	100	9.126	730.20	87.88
POA 7	Pre-Dev 1 yr	1	0.079	727.20	1.17
POA 7	Pre-Dev 2 yr	2	0.112	727.20	1.68
POA 7	Pre-Dev 25 yr	25	0.269	725.60	3.43
POA 7	Pre-Dev 100 yr	100	0.370	725.60	4.27
1-2	Pre-Dev 1 yr	1	1.197	727.40	17.75
1-2	Pre-Dev 2 yr	2	1.550	726.10	22.46
1-2	Pre-Dev 25 yr	25	3.063	726.10	36.07
1-2	Pre-Dev 100 yr	100	3.979	726.10	41.95
POA 1	Pre-Dev 1 yr	1	0.677	727.90	9.77
POA 1	Pre-Dev 2 yr	2	0.874	727.90	12.30
POA 1	Pre-Dev 25 yr	25	1.717	727.90	19.55
POA 1	Pre-Dev 100 yr	100	2.225	727.90	22.67
POA 2	Pre-Dev 1 yr	1	0.520	725.60	8.15
POA 2	Pre-Dev 2 yr	2	0.676	725.60	10.34
POA 2	Pre-Dev 25 yr	25	1.347	725.60	16.67
POA 2	Pre-Dev 100 yr	100	1.753	725.60	19.38



**UNC HEALTHCARE  
EASTOWNE MEDICAL OFFICE BUILDING #2**

**DRAFT TRANSPORTATION IMPACT ANALYSIS**

**EXECUTIVE SUMMARY**



**Prepared for:**

The Town of Chapel Hill  
Public Works Department - Engineering

**Prepared by:**

***HNTB North Carolina, PC***

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Suite 200  
Raleigh, NC 27609*

*NCBELS License #: C-1554*

February 2023





# **UNC HEALTHCARE EASTOWNE MEDICAL OFFICE BUILDING #2**

## **DRAFT** TRANSPORTATION IMPACT ANALYSIS

### **EXECUTIVE SUMMARY**



#### **Prepared for:**

The Town of Chapel Hill  
Public Works Department – Traffic Engineering

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February 2023





## EXECUTIVE SUMMARY

### **Project Overview**

This study analyzes the continued redevelopment of the existing UNC Health Care property in Chapel Hill, located along US 15-501 (Durham-Chapel Hill Road) and Eastowne Drive, with a second medical-office clinic facility proposed for the site. The project proposes to demolish one existing building with a total size of 24,610 square feet and construct a new building, known as Medical-Office Building #2 (MOB #2) on the existing parcel with an approximate 200,000 square foot size. **Figure ES-1** shows the general location of the site. The project is anticipated to be fully complete by late 2025. This report analyzes the transportation impacts for the build-out scenario for the year 2026 (one year after anticipated completion), the no-build scenario for the 2026 analysis year, as well as 2022 base year traffic conditions.

The proposed site concept plans show several internal transportation network changes from existing conditions, including a relocated access point along Eastowne Drive to serve the new building which will utilize the current structured parking deck that serves MOB #1. The plan also proposes closure of an existing driveway serving existing surface parking lot facilities for the office building to be demolished. **Figure ES-2** displays the preliminary concept plan of the UNC Healthcare Eastowne MOB#2 development, transportation network changes, and nearby land uses and roadways. This report analyzes and presents the transportation impacts that the UNC Healthcare Eastowne MOB#2 redevelopment will have on the following existing and future intersections in the project study area:

- US 15-501 and Sage Road / Old Durham Road
- US 15-501 and Eastowne Drive (South) / Service Road
- US 15-501 and Eastowne Drive (North) / Lakeview Drive
- Eastowne Drive and Old Sterling Drive / UNC Health Care Building 500 Driveway
- Eastowne Drive and Existing UNC Health Care MOB Parking Deck Driveway Access
- Eastowne Drive and Pinegate Circle
- Eastowne Drive and Dobbins Drive

The impacts of the proposed site at the study area intersections were evaluated during the AM, noon, and PM peak hours of an average weekday.

### **Existing Conditions**

#### **Study Area**

The site is located in northeast Chapel Hill along US 15-501 in the Eastowne Business Park. The study area contains three signalized intersections along US 15-501 at Sage Road, Eastowne Drive/Service Road and Eastowne Drive/Lakeview Drive. All future site traffic is expected use a proposed full access site driveway along Eastowne Drive that will be relocated from its current locations. Internal driveways shown on the preliminary site plan will circulate site traffic to structured parking and a patient drop-off/pick-up location. US 15-501 is a major arterial facility providing connectivity between Chapel Hill, Durham and the I-40 corridor. Remaining study area network roadways are either minor arterial/collector facilities or local neighborhood access streets.

#### **Site Traffic Generation**

With the addition of new peak hour trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates taken from existing traffic count data at the MOB#1 Parking Deck Access Driveway and comparative growth ratios calculated from square footage proposed for MOB #2





**Town of Chapel Hill: *DRAFT* Transportation Impact Analysis**  
*UNC Health Care Eastowne Medical Office Building #2 - Proposed Redevelopment*

compared to MOB #1 building square footage. Data was also compared to information from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 11*. Trips for the existing UNC Health Care Building 500 to demolished as part of the site redevelopment were also generated to estimate “full occupancy” for this entitlement and then removed from the Build Scenario traffic volumes.

**Table ES-1. Weekday Vehicle Trip Generation Summary**

Description	Density	Daily			AM Peak			Noon Peak			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
MOB #2	200k SF	1,999	1,999	3,998	363	68	431	220	195	414	33	329	362
<b>Adjustments</b>													
Transit Reduction	5%	-100	-100	-200	-18	-3	-22	-11	-10	-21	-2	-16	-18
Ped/Bike/Internal Reduction	5%	-100	-100	-200	-18	-3	-22	-11	-10	-21	-2	-16	-18
<b>Total Net Vehicle Trips Added to Network</b>		<b>1,799</b>	<b>1,799</b>	<b>3,598</b>	<b>327</b>	<b>62</b>	<b>387</b>	<b>198</b>	<b>175</b>	<b>372</b>	<b>29</b>	<b>297</b>	<b>326</b>

### Background Traffic

Background traffic growth for the 2026 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Three developments near the project study area that are currently in the Town planning review process are expected to contribute to specific background traffic generator growth. All remaining estimated traffic volume increases are assumed to occur due to overall region-wide ambient growth (assumed 2.5 percent per year based on NCDOT/Town provided historic growth data and data related to peak hour traffic conditions rebounding from the effects of COVID-19). Additional background traffic adjustments were made for the demolition of the existing UNC Health Care Building 500 currently located on the site.

### Impact Analysis

#### Peak Hour Intersection Level of Service

Existing traffic operations at all study area intersections are acceptable during all three peak hours analyzed, though the intersection of US 15-501 and Sage Road/Old Durham Road is congested and nearing capacity during peak travel periods. The projected ambient and background development traffic growth will increase intersection delay and queue impacts by 2026. With the addition of peak hour site-generated “net” trips to the projected 2026 background traffic volumes, no study area intersections are expected to experience deficient traffic operations in any peak hour. Proposed geometric and signal timing improvements are expected to mitigate anticipated deficient LOS conditions throughout the study area and improve queue storage and safety, as well.

A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding traffic microsimulation Level-of-Service (LOS<sub>s</sub>) is shown in **Table ES-2**.

#### Access Analysis

Vehicular site access is to be accommodated by the proposed relocated full movement access driveway connecting to Eastowne Drive for entry/exit to the existing structured parking and on-site surface drop-off areas. Design details related to driveway throat lengths shown on the site plan and driveway spacing from existing intersections and adjacent driveways adhere to NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and the Town of Chapel Hill Design Manual.





**Town of Chapel Hill: *DRAFT* Transportation Impact Analysis**  
*UNC Health Care Eastowne Medical Office Building #2 - Proposed Redevelopment*

**Table ES-2. Peak Hour Intersection Capacity Analysis Summary**

Intersections	Peak Hour	2022 Existing		2026 No-Build		2026 Build		2026 Mitigated	
		LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay
US 15-501 and Sage Road / Scarlett Drive	AM	D	36.5	D	45.2	D	48.1	D	39.9
	NOON	C	31.7	C	32.9	D	41.1	C	33.1
	PM	C	34.0	D	40.6	D	42.5	D	40.7
US 15-501 and Eastowne Drive (South) / Service Road	AM	B	16.7	C	20.4	D	40.5	C	20.9
	NOON	B	16.5	B	17.1	C	23.3	C	22.3
	PM	B	14.9	B	14.6	C	20.5	C	21.6
US 15-501 and Eastowne Drive (North) / Lakeview Drive	AM	B	12.2	B	17.7	B	19.4	B	15.5
	NOON	B	10.3	B	13.2	B	16.6	B	14.8
	PM	B	13.2	B	16.5	B	17.3	C	23.2
Eastowne Drive and Old Sterling Drive / UNC Health Care Building #5 Driveway <sup>#</sup>	AM	A	5.7	A	5.9	A	6.3	A	6.2
	NOON	A	5.7	A	6.0	A	6.4	A	6.5
	PM	A	6.1	A	6.3	A	6.0	A	5.8
Eastowne Drive and Existing MOB Parking Deck Driveway Access <sup>#</sup>	AM	A	6.1	A	7.2	A	9.0	A	9.7
	NOON	A	6.0	A	6.3	A	8.9	A	8.9
	PM	A	5.6	A	5.8	<b>F</b>	<b>100</b>	A	8.6
Eastowne Drive and Pinegate Circle <sup>#</sup>	AM	A	3.8	A	3.9	A	4.8	A	4.4
	NOON	A	3.9	A	4.5	A	5.4	A	5.3
	PM	A	4.0	A	4.1	<b>F</b>	<b>107</b>	A	5.2
Eastowne Drive and Dobbins Drive <sup>#</sup>	AM	A	7.6	A	8.5	B	11.9	B	11.7
	NOON	B	13.0	B	13.3	C	23.4	C	22.2
	PM	C	22.6	D	32.1	<b>F</b>	<b>355</b>	D	31.8

**BOLD/ITALICS** – Critical Movement or Overall Intersection Requires Mitigation Per Town TIA Guidelines

<sup>#</sup> - Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

Access for pedestrians and bicyclists is subject to some limited connectivity in the project study area. Sidewalk is present on most study area facilities and connections along US 15-501 in the vicinity of Wegmans exist, along with signalized crossings of US 15-501 at Eastowne Drive adjacent to the site and at Sage Road/Old Durham Road. Connectivity is impaired due to lack of continuous sidewalk along other sections of US 15-501. Bicycle lanes exist on Sage Road, Old Sterling Drive, and a short section of Eastowne Drive immediately adjacent to the site, with the remaining cross-section width of Eastowne Drive not inhibiting bicycling, but there is no bicycling connectivity on the US 15-501 corridor.

### Signal Warrant Analysis

Based on projected 2026 traffic volumes and proposed access plans, no unsignalized intersection in the project study area would warrant the installation of a traffic signal, based on the methodology found in the *2009 Manual on Uniform Traffic Control Devices (MUTCD)*.

### Crash Analysis

Data from the NCDOT Traffic Safety Unit was provided for the five-year period 12/1/2017 to 11/30/2022 for the US 15-501 and Eastowne Drive segments in the vicinity of the proposed site. There were 396 crashes reported along the US 15-501 study area corridor between Sage Road and Eastowne





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Drive/Lakeview Drive over the five year period, with 26 crashes on Eastowne Drive. The primary crash type was rear end crashes and crashes were primarily clustered near the three signalized intersections. Overall, the number and severity of crashes along US 15-501 in the project study area are higher than state-wide averages for similar urban US highway and secondary roadway facilities.

### Other Transportation-Related Analyses

Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.

**Table ES-3. Other Transportation-Related Analyses**

Analysis	Comment
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using TransModeler maximum queue length estimates for the 2026 Build Scenario. No unsignalized intersection is expected to have excessive peak hour queues or conditions that exceed existing turn lane storage. Recommendations to improve turn lane storage were made for the US 15-501 and Eastowne Drive/Service Road intersection – as this location will have the highest degree of site traffic impact. Storage issues not due to site-related traffic impacts are not easily correctable at other upstream/downstream intersections, given the high traffic volumes along the US 15-501 corridor, but adjustments to signal timing are shown to potentially reduce side street queues at critical locations.
Appropriateness of Acceleration/Deceleration Lanes	The site concept plan shows no specifics related to acceleration/deceleration lanes. Due to the low speed limit on Eastowne Drive (25 mph) and the presence of some on-street parking in the vicinity, no acceleration/deceleration lanes are recommended for site access. Existing intersections along US 15-501 currently have left-turn and right-turn auxiliary deceleration lanes. No other specific acceleration/deceleration lane issues were analyzed in the project study area.
Pedestrian and Bicycle Analysis	Pedestrian access exists in the project study area but connectivity is limited directly along the US 15-501 corridor. Bicycle lanes extend along Sage Road, Old Sterling Drive, Old Durham Road, and a short section of Eastowne Drive that was included in the MOB #1 project. Very limited bicycle facilities exist along/parallel to the US 15-501 corridor within the project study area. The site plan shows additional sidewalk developed along site frontage. Additional pedestrian and bicycle facilities should be provided along Eastowne Drive to connect the site to the Old Sterling Drive intersection.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is adequate, with bus stops and multiple local and regional bus routes on both Eastowne Drive and US 15-501 proximate to the site.

### Mitigation Measures/Recommendations

#### Planned Improvements

There are no Town of Chapel Hill / North Carolina Department of Transportation improvement projects affecting study area roadway facilities within the analysis year time frame of 2022-2026. NCDOT STIP project EB-4707B has completed construction along Old Durham Road/Old Chapel Hill Road east of the project study area and included pedestrian and bicycle improvements connecting to the US 15-501 corridor at the Sage Road/Scarlett Drive intersection. The US 15-501 corridor is currently being studied for capacity improvements as part of NCDOT STIP U-5304F, but these improvements are not known at this time and were not considered to be complete by the 2026 analysis year.

#### Background Committed Improvements

There are currently no committed background improvements to the project study area from private development projects expected to be complete by the 2026 analysis year. Several development





projects are currently under study, but their final required transportation improvements are not known at this time.

### **Applicant Committed Improvements**

Based on the preliminary site plans and supporting development information provided, there are several minor specific transportation-related improvements proposed on or along the frontage of the UNC Health Care Eastowne MOB #2 site. These improvements include the following:

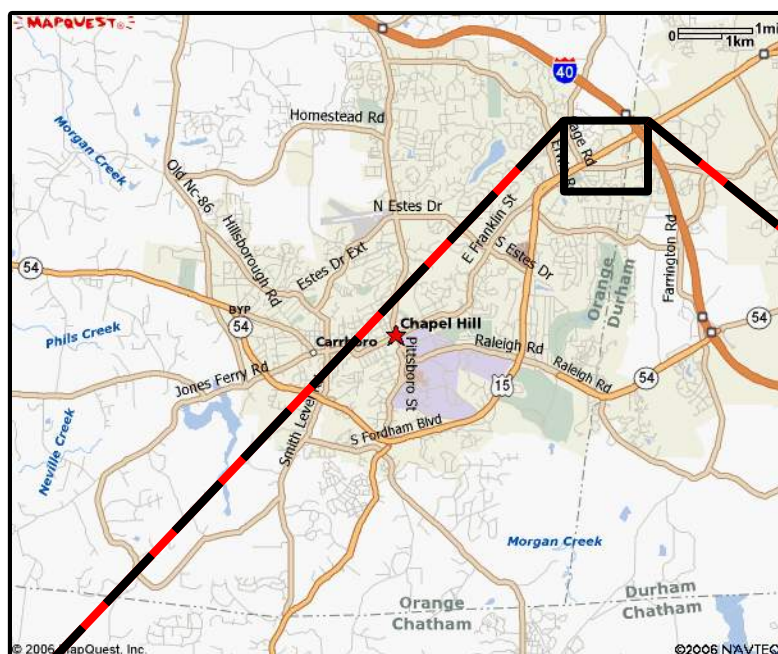
- Extension of existing sidewalk along the site frontage past the proposed relocated MOB Parking Deck Access Driveway.
- Provision of the relocated two-way access driveway with internal traffic circle connecting to future internal roadways on the UNC Health Care Eastowne Property. Driveway parking deck lower floor access connection for employee parking to include a right-turn auxiliary lane to remove this traffic from the patient traffic heading into the site.
- Demolition of the 500 Building and closure of its adjacent surface parking lot and connection to Eastowne Drive.

### **Necessary Improvements**





Based on traffic capacity analyses for the 2026 design year, and analyses of existing study area turning bay storage lengths, site access and multi-modal mobility, the following improvements (see **Figure ES-3**) are recommended as being necessary for adequate transportation network operations:

- 1) To manage projected maximum queue lengths on southbound Eastowne Drive at the US 15-501 signalized intersection, it is recommended that the existing left-turn lane be extended from 300 feet to provide 375 feet of vehicle storage. This will reduce the available left-turn storage for the Pinegate Circle intersection, but capacity analysis and queue results indicate that 75 feet of full storage for that movement should be sufficient.
- 2) To extend existing pedestrian and bicycle facilities along Eastowne Drive in the vicinity of the proposed redevelopment, the section of Eastowne Drive between the existing MOB Parking Deck Access Driveway and Old Sterling Drive should have on-street parking eliminated and buffered bicycle lanes and a three-lane vehicular cross-section should be implemented, which may require some widening along the site frontage from the existing parking deck driveway to Old Sterling Drive. Left-turn lanes with 100 feet of storage should be delineated in this vicinity for the relocated Parking Deck Access Driveway and Old Sterling Drive.
- 3) The existing pedestrian sidewalk along Eastowne Drive in front of MOB #1 and the Parking Deck should be extended to Old Sterling Drive and marked crosswalks be provided at this intersection crossing Old Sterling Drive and at the southbound approach along Eastowne Drive.
- 4) The proposed concept plan for the relocated Parking Deck Access Driveway should include the provision of a right-turn auxiliary lane with at least 75 feet of storage at the Eastowne Drive intersection. Noon and PM peak exiting traffic volumes from the parking deck are expected to be high, with a balanced proportion turning in each direction onto Eastowne Drive. Separate egress lanes would provide additional capacity and prevent the egress traffic from queuing to the vicinity of the internal traffic circle near the parking deck.
- 5) Signal timings at all three study area intersections should be reoptimized to account for the effects of site-related traffic. Signal timings for the Eastowne Drive approaches to the two US 15-501 intersections need to account for increase traffic volumes requiring more minor street green time to clear queues in one signal phase.

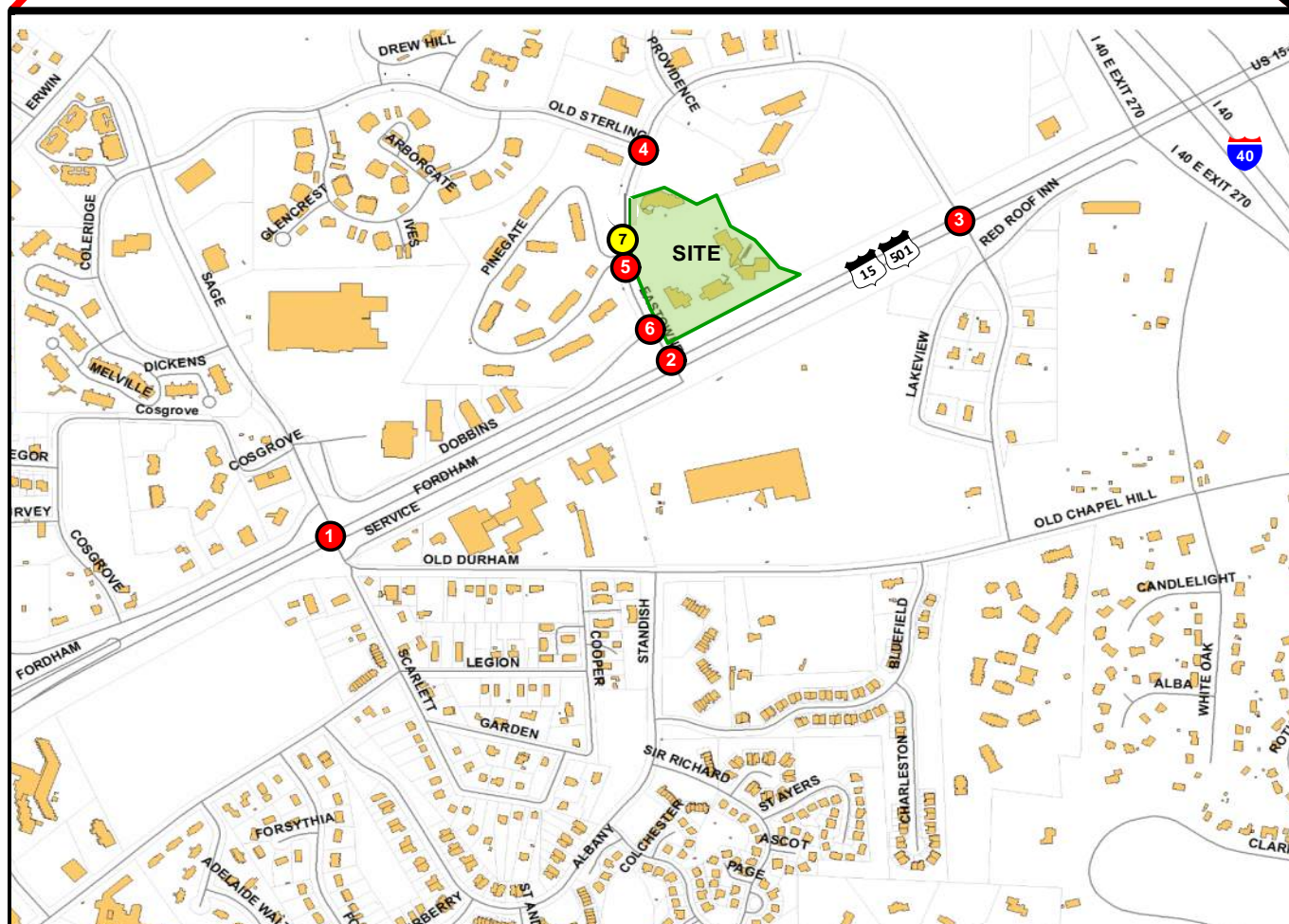




## LEGEND

-  = Existing Building Footprint  
 = Existing Study Area Intersection  
 = Proposed Site Driveway  
 = Proposed Site Parcel

**DRAFT**



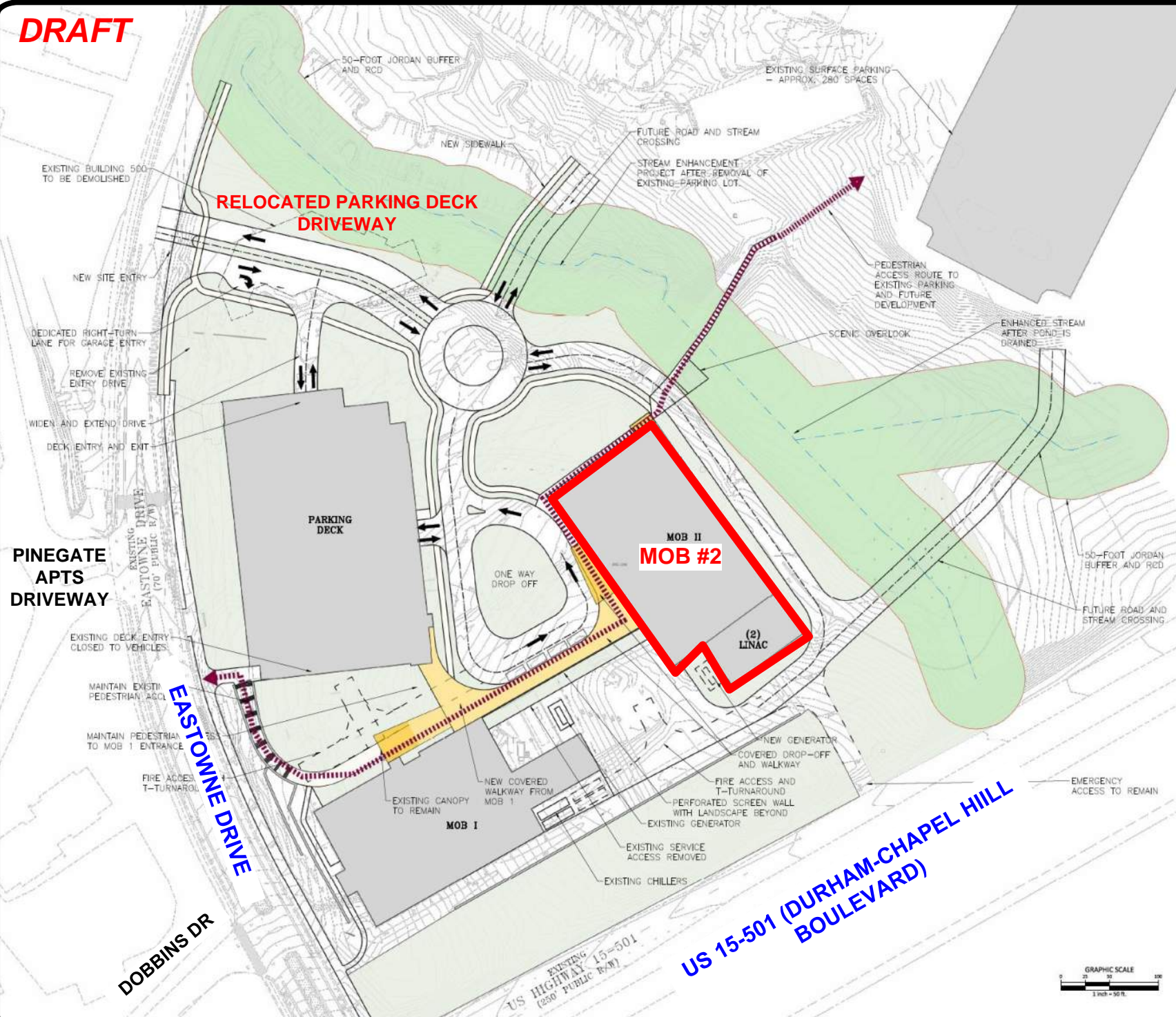
## UNC Health Care Eastowne MOB #2 Transportation Impact Analysis

## PROJECT STUDY AREA

**DATE:** February 2023

## FIGURE ES-1



**DRAFT****NOT TO SCALE****HNTB**

# UNC Health Care Eastowne MOB #2 Transportation Impact Analysis

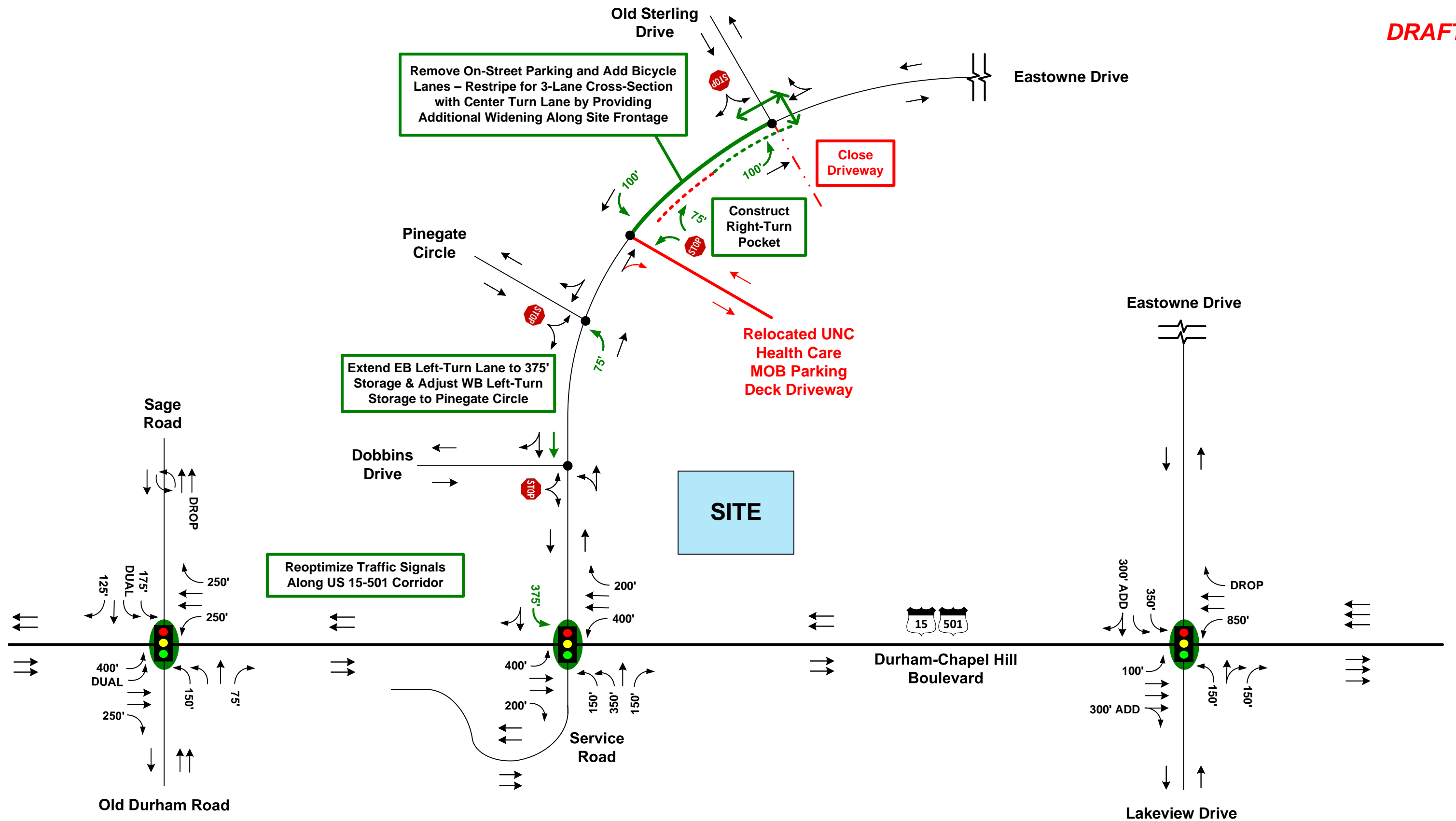
## PRELIMINARY SITE PLAN

DATE: February 2023

**FIGURE  
ES-2**



**DRAFT**

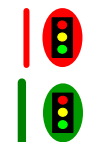


**HNTB**



NOT TO SCALE

**LEGEND**



= COMMITTED IMPROVEMENT

= NECESSARY IMPROVEMENT

--- = SIDEWALK

↔ = UNSIGNALIZED PED CROSSING

**UNC Health Care Eastowne MOB #2**  
Transportation Impact Analysis

**COMMITTED AND RECOMMENDED IMPROVEMENTS**

DATE: February 2023

**FIGURE ES-3**



**TECHNICAL  
MEMORANDUM - DRAFT****To**

Roger Henderson  
Traffic Engineering Manager  
Town of Chapel Hill

**From**

Craig Scheffler, P.E., PTOE  
HNTB North Carolina, P.C.

**Cc**

HNTB Project File: 85279

**Subject**

UNC Health Care Eastowne Campus  
Sensitivity Test Evaluation

**Date**

02/24/23

HNTB North Carolina, PC (HNTB), per direction from Town of Chapel Hill staff and the Applicant for the UNC Health Care Eastowne Campus redevelopment and as part of the scope of services for the UNC Health Care Eastowne Medical-Office Building #2 (MOB #2) Transportation Impact Analysis (TIA), has completed sensitivity tests related to intersection-level traffic operations along the US 15-501 corridor near the Eastowne site. The sensitivity tests focus on a gradation of increasing development densities on the Eastowne Campus site and their corresponding traffic impact to the US 15-501 corridor. The purpose of the analysis is to generally, and broadly, determine at what points of development density will individual intersections fall below acceptable operational standards and require additional capacity (more turn lanes, through travel lanes) to mitigate the impacts.

**Methodology and Assumptions**

Per a project scoping meeting on December 15, 2022 with Town of Chapel Hill staff, the Applicant, and HNTB, the decision was made to utilize a traffic model in the Synchro 11 software package to evaluate increasing development density impacts on 2022 base year traffic volumes and omit the typical analysis methodology that would also include background traffic growth impacts for future year conditions. This decision was made to attempt to isolate the specific impact of Eastowne Campus development-related traffic on nearby intersections and assess at what level of development density would those intersections require substantial improvements to mitigate the impact. Intersections were analyzed for typical weekday AM, noon, and PM peak hour periods for the following scenarios:

- 2022 Existing Year – 200,000 SF of redevelopment (corresponding to MOB #2)
- 2022 Existing Year – 500,000 SF of redevelopment
- 2022 Existing Year – 800,000 SF of redevelopment
- 2022 Existing Year – 1,100,000 SF of redevelopment
- 2022 Existing Year – 1,410,000 SF of redevelopment (corresponding to the maximum development potential inside the Eastowne Drive loop portion of the property, as provided by the Applicant and studied previously)
- 2022 Existing Year – 1,710,000 SF of redevelopment (corresponding to the 2032 Full Build-Out Scenario previously studied)



The following intersecting streets along US 15-501 were the primary focus of the operational analysis:

- Sage Road/Old Durham Road
- Eastowne Drive/Service Road
- Eastowne Drive/Lakeview Drive
- I-40 Eastbound Ramps
- I-40 Westbound Ramps
- Mt. Moriah Road

Operational analysis output from the model included Level-of-Service (LOS), vehicular delay, and 95<sup>th</sup> percentile queuing results by approach for each study area intersection.

### **Traffic Volume Development**

Traffic volumes used in the models were taken from balanced 2022 base year counts completed for the *UNC Health Care Eastowne Campus Phase 1 - 2032 Full Build-Out Future Scenario Transportation Impact Analysis* (HNTB, December 2022). All build-out development scenario site traffic distribution and assignment estimates were taken from the full 2032 Build-Out traffic assignments completed in the previously submitted documentation and then assigned a ratio of the proposed scenario development yield in square feet divided by the full build-out estimate of 1,710,000 square feet. Each proportioned traffic assignment scenario was added to the 2022 base year volumes for all peak hours and the results were input into the Synchro capacity analysis software for evaluation. All traffic volume calculation spreadsheets are found in *Appendix A*.

### **Scenario Testing Methodology and Assumptions**

Synchro traffic capacity analysis models were taken from previous studies completed for the Town and updated with existing coordinated signal timings and the 2022 peak hour balanced traffic volumes. Models were then modified for the following:

- Applied successive traffic volume changes for each development density scenario
- Updated coordinated traffic signal timings (holding cycle lengths constant and adjusting splits, offsets and phase order changes)

Model data (overall intersection LOS and vehicular delays) and 95<sup>th</sup> percentile queue estimates by movement and approach were extracted from the model. No geometric modifications were made for any model scenario.

### **Model Results and Comment**

**Table 1** shows the sensitivity testing results for study area intersections for all six development density scenarios. The table shows AM, noon, and PM peak hour overall intersection LOS and corresponding overall per-vehicle delays. Each intersection may have one or several individual movements or approaches (particularly on the minor side streets) that may operate at worse LOS/delays than the overall values reported. In some cases delays and LOS may actually improve with additional Eastowne development density, due to the assigned traffic volumes benefiting from coordinated traffic movements along US 15-501 or because signal reoptimization calculations for a given set of traffic volumes may progress traffic flows along the entire corridor slightly different for each given intersection.



**Table 1. Scenario Sensitivity Testing - Traffic Operations Results**

US 15-501 Intersection	AM Peak Hour		Noon Peak Hour		PM Peak Hour	
	LOS	Delay Sec/Veh	LOS	Delay Sec/Veh	LOS	Delay Sec/Veh
<b>Sage Road / Old Durham Road</b>						
2022 MOB #2 (200k SF)	D	41.3	D	35.3	D	43.9
2022 500k SF	D	41.3	C	34.8	D	41.3
2022 800k SF	D	39.3	C	34.3	D	40.6
2022 1,100,000 SF	D	38.3	C	34.0	D	40.2
2022 1,410,000 SF	D	40.1	C	34.1	D	39.9
2022 1,710,000 SF	D	40.3	C	34.1	D	39.5
<b>Eastowne Drive South / Service Road</b>						
2022 MOB #2 (200k SF)	C	25.2	C	20.5	B	19.7
2022 500k SF	C	28.6	C	21.8	C	23.9
2022 800k SF	B	19.4	C	24.7	C	27.2
2022 1,100,000 SF	C	25.4	C	28.3	C	31.5
2022 1,410,000 SF	D	38.3	C	29.6	D	42.2
2022 1,710,000 SF	D	48.4	C	31.1	E	62.0
<b>Eastowne Drive North / Lakeview Drive</b>						
2022 MOB #2 (200k SF)	B	18.8	B	14.9	C	22.8
2022 500k SF	C	22.2	B	17.7	C	29.0
2022 800k SF	C	32.2	C	20.9	D	38.6
2022 1,100,000 SF	D	50.9	C	23.7	D	49.0
2022 1,410,000 SF	E	73.5	C	27.2	E	66.6
2022 1,710,000 SF	F	105.1	C	31.4	F	80.3
<b>I-40 Eastbound Ramps</b>						
2022 MOB #2 (200k SF)	C	31.2	C	21.3	C	30.1
2022 500k SF	C	32.6	C	21.7	C	30.6
2022 800k SF	D	42.3	C	21.9	C	31.0
2022 1,100,000 SF	E	55.8	C	23.4	C	33.2
2022 1,410,000 SF	E	66.2	C	25.2	D	35.9
2022 1,710,000 SF	E	68.8	C	28.5	D	46.2
<b>I-40 Westbound Ramps</b>						
2022 MOB #2 (200k SF)	D	42.4	C	26.2	C	26.4
2022 500k SF	D	44.1	C	26.9	C	26.2
2022 800k SF	D	45.8	C	29.6	C	27.8
2022 1,100,000 SF	D	48.2	C	30.1	C	28.7
2022 1,410,000 SF	D	50.7	C	31.5	C	29.5
2022 1,710,000 SF	E	59.7	C	27.6	C	30.7
<b>Mt. Moriah Road</b>						
2022 MOB #2 (200k SF)	C	33.5	D	50.5	D	46.0
2022 500k SF	C	32.9	D	50.5	D	48.0
2022 800k SF	C	34.1	D	49.4	D	48.3
2022 1,100,000 SF	C	32.5	D	49.7	D	48.8
2022 1,410,000 SF	C	32.9	D	49.4	D	49.0
2022 1,710,000 SF	C	33.6	D	51.1	D	49.4



The tabular results indicate that the intersections furthest from the site along US 15-501 – Sage Road/Old Durham Road and Mt. Moriah Road have little variance in delay or LOS results with additional increases in development density. They both are busy intersections with conditions near capacity (LOS D) in at least one peak hour and queue issues at minor street approaches.

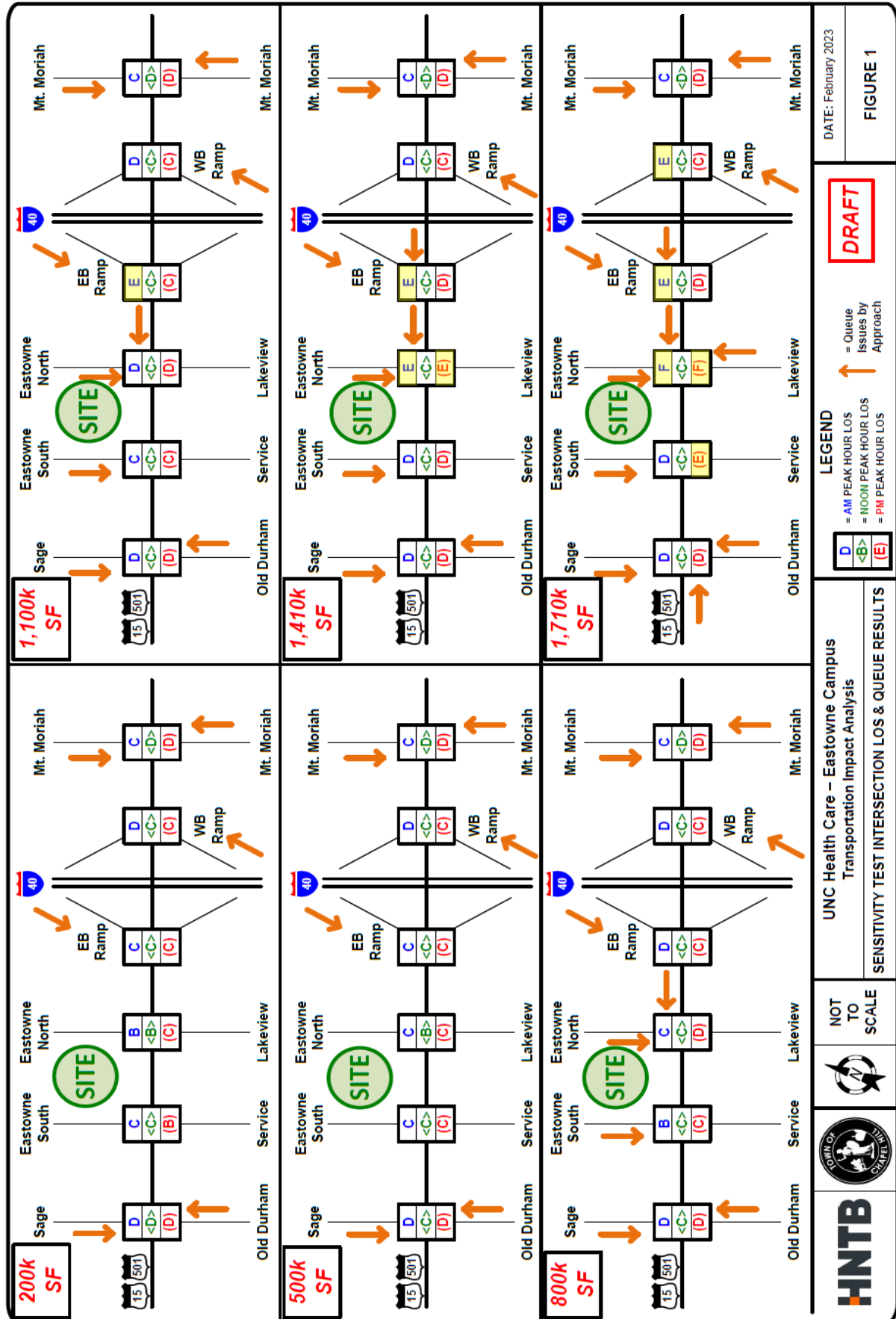
The two Eastowne Drive intersections with US 15-501 have the greatest range of impacts, as the majority of all site-related traffic for the Eastowne Campus will use these two intersections for access to the site. Both intersections initially operate well under capacity, with LOS B or LOS C results, but with increasing development densities, they fall to LOS E or F once development densities are in excess of 1,000,000 square feet. To mitigate traffic operations in the vicinity, additional through travel lane capacity and turn lanes may be needed on US 15-501 and side streets serving these intersections.

The I-40 signalized ramp terminal intersections with US 15-501 are likely to facilitate substantial amount of site-related traffic, whether it be regional trips using I-40 or trips using US 15-501 to/from areas in Durham. Below 1,000,000 square feet of development, overall intersection LOS in all peak periods is at least LOS D or better but falls to LOS E in the AM peak hour when 1,100,000 square feet was tested at the I-40 eastbound ramps intersection closest to the site. Additional queue results indicate that there are peak hour queue issues at lower development densities on the off-ramps in each direction approaching US 15-501 – some of which may include queuing back onto the I-40 mainline travel lanes - and at 800,000 square feet of development, queue issues occur for at least one peak hour on US 15-501 southbound between the ramps and Eastowne Drive/Lakeview Drive. Additional development density worsens queues, which start to back up through the interchange.

Overall intersection LOS comparisons and individual intersection approaches with queue issues in at least one peak hour are shown in **Figure 1**. As described above, queue issues are expected to occur at several intersections that feature current queue issues for minor streets in at least one peak hour in 2022. As shown in the figure, though overall intersection LOS does not fall to below LOS D thresholds, queue issues begin to occur at the 800,000 square foot development level for both Eastowne Drive connections to US 15-501 and for US 15-501 southbound just north of the site. Mitigation for queue issues may also be tied to capacity improvements or, at the very least, turn bay storage lengthening.

A final note on this sensitivity analysis study results – since the analysis was limited to increasing traffic volumes from different development densities for the UNC Health Care Eastowne Campus on 2022 base year volumes, no valid comparison can be made from these results to the results presented in the previous TIA of the 2032 Full Eastowne Campus Build-Out Scenario, or any 2026 design year results for the current UNC Health Care Eastowne MOB #2 TIA – as these studies include the effects of projected area-wide and specific local background traffic growth. All future formal TIA analyses for actual redevelopment plans that include the location of buildings and parking facilities will produce different results than what is shown in this sensitivity analysis and will need to include the updated base year traffic volumes at the time the studies are undertaken, as well as inclusion of projected background traffic growth for those studies for each development plan's anticipated build-out year.







# UNC HEALTH EASTOWNE

EASTOWNE DRIVE  
CHAPEL HILL, NC, 27560

## CONDITIONAL ZONING PLAN

PROJECT NUMBER: UNH22001  
DATE: DECEMBER 19, 2022

### GENERAL NOTES

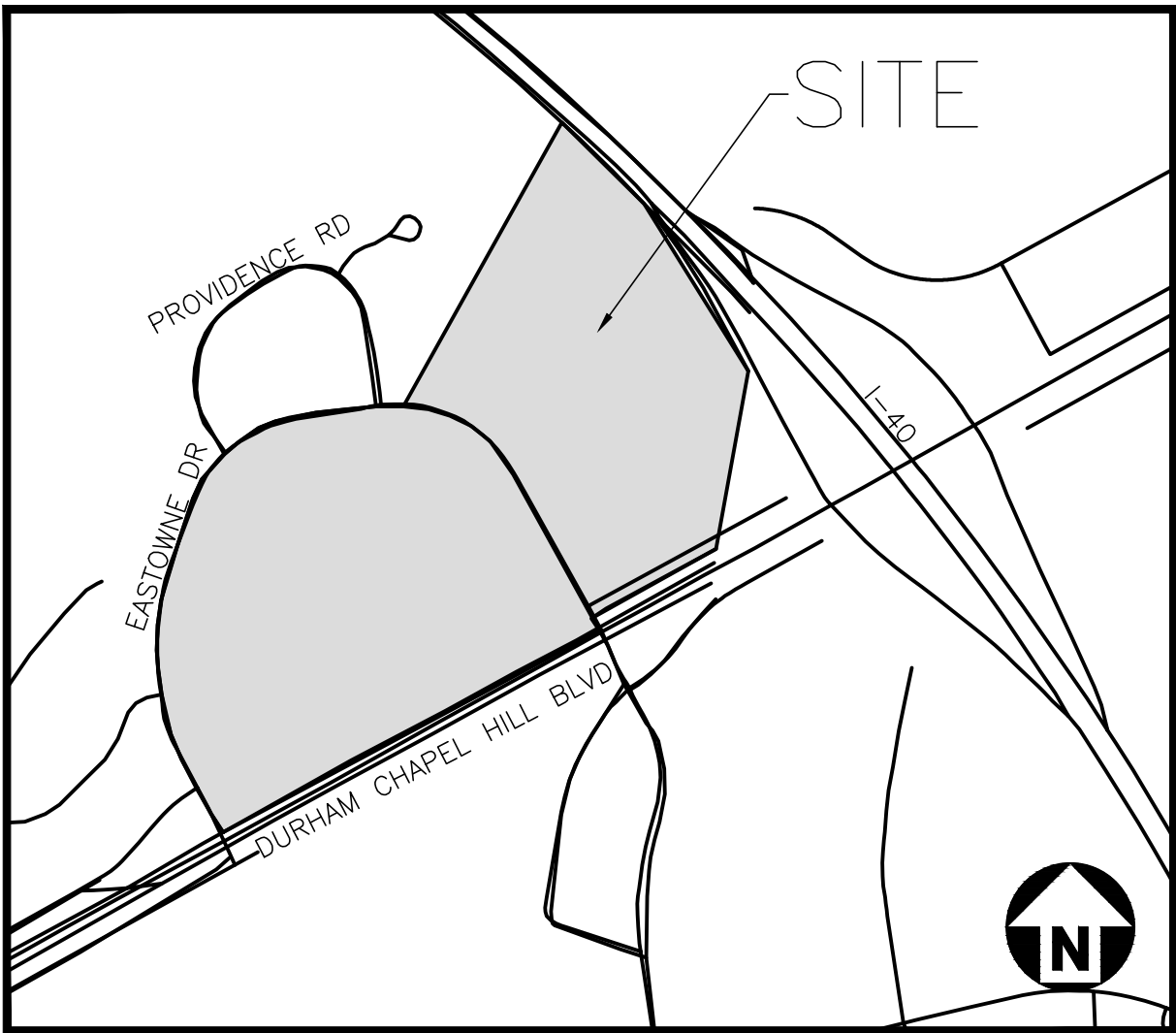
1. EXISTING FARM POND IS TO BE DRAINED. THE RESULTING STREAMS AND PROPOSED STREAM ENHANCEMENT PROJECT DOWNSTREAM OF THE EXISTING POND DAM WILL BE SUBJECT TO A CONCURRENT 50-FOOT WIDE JORDAN RIPARIAN BUFFER AND RCD.
2. STREETS AND/OR ACCESS POINTS ON EASTOWNE DRIVE MAY BE REQUIRED TO SHIFT TO ADDRESS THE FINAL INTERNAL BLOCK LAYOUT OR TO ACCOMMODATE TRANSPORTATION/TRAFFIC STUDY AND DESIGN REQUIREMENT BY NCDOT AND/OR THE TOWN. FINAL ALIGNMENTS TO BE DETERMINED WITH THE FINAL PLAN (ZCP).
3. IMPROVEMENTS SHOWN ON US HWY 15-501, EASTOWNE DRIVE IN THE PROXIMITY OF THE INTERSECTIONS WITH US HWY 15-501 AND DOBBINS DRIVE ARE SUBJECT TO THE REVIEW AND APPROVAL OF NCDOT.
4. STORMWATER MANAGEMENT WILL BE IN ACCORDANCE WITH THE STORMWATER MANAGEMENT NARRATIVE SUBMITTED WITH THE CONDITIONAL ZONING APPLICATION. FINAL LOCATIONS AND DESIGNS OF THE STORMWATER CONTROL MEASURES WILL BE DETERMINED WITH THE FINAL PLAN (ZCP) SUBMITTAL.
5. EXISTING BUILDINGS AND SURFACE PARKING LOTS MAY REMAIN IN USE AS NEEDED DURING THE DEVELOPMENT OF THE PROJECT.
6. PROPOSED CROSSINGS AND IMPACTS TO THE RCD SHOWN ON THE CONCEPTUAL PLAN ARE APPROVED AS PART OF THE CZ APPROVAL AND WILL MEET THE REQUIREMENTS OF LUMO SECTION 3.6.3-2 PERMITTED USES IN THE RCD AND SEC. 3.6.3.(G) STANDARDS FOR DEVELOPMENT IN THE RCD. DETAILED DESIGN OF THE CROSSINGS OR OTHER IMPACTS TO BE PROVIDED WITH THE FINAL PLAN (ZCP) SUBMITTAL.
7. PROPOSED MULTI-USE PATH, OR GREENWAY, MAY BE CONSTRUCTED IN THE OUTER 20-FEET OF THE JORDAN RIPARIAN AND RCD BUFFERS.
8. THE PROPOSED CENTER GREEN WILL BE A MINIMUM OF 60,000 SQUARE FEET, INCLUDE HARDSCAPE AND LANDSCAPE AREAS AND MAY INCLUDE UN-ENCLOSED ROOFED OR COVERED AREAS.
9. PHASING OF THE DEVELOPMENT WILL BE DETERMINED DEPENDING ON THE NEEDS OF UNC HEALTHCARE. ADDITIONAL PHASE SPECIFIC TRAFFIC STUDIES MAY BE REQUIRED TO IDENTIFY PHASE SPECIFIC TRAFFIC IMPROVEMENTS REQUIRED.

### SHEET INDEX

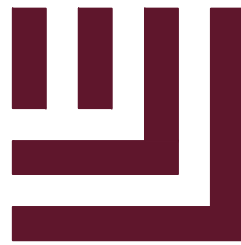
C0.00	COVER SHEET
C1.00	EXISTING CONDITIONS
C1.01	AREA MAP
C1.02	STEEP SLOPES
C2.00	OVERALL CONCEPT PLAN
C2.01	MOB 2 CONCEPT PLAN
C3.00	STREET SECTIONS

### SITE DATA

PHYSICAL ADDRESS	400 EASTOWNE DR	
OWNER	HEALTH SYSTEM PROPERTIES, LLC	
PIN	9890800195, 9890800643, 9890802764, 9890803947, 9890807564, 9890911209	
EXISTING ZONING	OI-3, OI-2, MU-OI-1	
PROPOSED ZONING	OI-3-CZ	
NET LAND AREA (SQ FT)	2,202,829	
CREDITED STREET AREA (SQ FT)	220,283	
GROSS LAND AREA (SQ FT)	2,423,112	
AREA IN RCD (SQ FT)	288,974	
AREA IN FLOODPLAIN (SQ FT)	102,752	
PROPOSED BUILDING HEIGHT (MAX)	120 FT	
FLOOR AREA		
EXISTING FLOOR AREA (SQ FT)	228,000	
FLOOR AREA TO BE REMOVED (SQ FT)	78,000	
NEW FLOOR AREA (SQ FT)	1,100,000	
TOTAL FLOOR AREA (SQ FT)	1,250,000	
MAX FAR (FA/GLA)	.566	
PROPOSED FAR (FA/GLA)	.680	
BUILDING SETBACKS	REQUIRED	PROPOSED
STREET	0'	22'
INTERIOR	0'	8'
SOLAR	0'	9'
IMPERVIOUS		
EXISTING IMPERVIOUS (SQ FT)	405,645	
EXISTING IMPERVIOUS TO BE REMOVED (SQ FT)	268,329	
NEW IMPERVIOUS	1,420,056	
TOTAL IMPERVIOUS	1,538,761 or 70% of GLA	
BUFFERS	REQUIRED	PROPOSED
15-501	20' TYPE C	30' MODIFIED
EASTOWNE DRIVE	15' TYPE B	15' MODIFIED
US 40	30' TYPE D	100' TYPE D
SIDEYARDS	15' TYPE B	15' TYPE B
PARKING		
EXISTING SPACES	1,629	
SPACES TO BE REMOVED	APPROX. 600	
MINIMUM PARKING IN OI-3	N/A	
PROPOSED MAXIMUM PARKING RATIO	4.5 SPACES PER 1000 SQ FT	



VICINITY MAP  
N.T.S.



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derks@mcadamsco.com  
PHONE: 919. 632. 0570

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SIMON GEORGE, VP OF REAL ESTATE &  
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211 FRIDAY CENTER DRIVE  
CHAPEL HILL, NORTH CAROLINA, 27571  
PHONE: 984. 974. 5388

### PROJECT DIRECTORY

DCI LLC  
DAVID PARKER  
VICE PRESIDENT  
DCI LLC

ANDY KING  
PARTNER  
GESTALT ARCHITECTURE + DESIGN PLLC

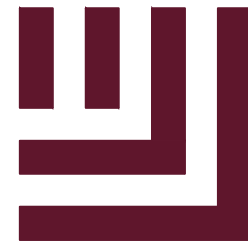
### REVISIONS

NO.	DATE	
1	11. 21. 2022	FIRST SUBMITTAL
2	12. 19. 2022	SECOND SUBMITTAL
3	04. 06. 2023	THIRD SUBMITTAL

### CONDITIONAL ZONING PLAN FOR:

UNC HEALTH EASTOWNE  
CHAPEL HILL, NORTH CAROLINA  
PROJECT NUMBER: UNH-22001





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**UNC HEALTH  
EASTOWNE  
CONDITIONAL ZONING PLAN  
EASTOWNE DRIVE  
CHAPEL HILL, NORTH CAROLINA**

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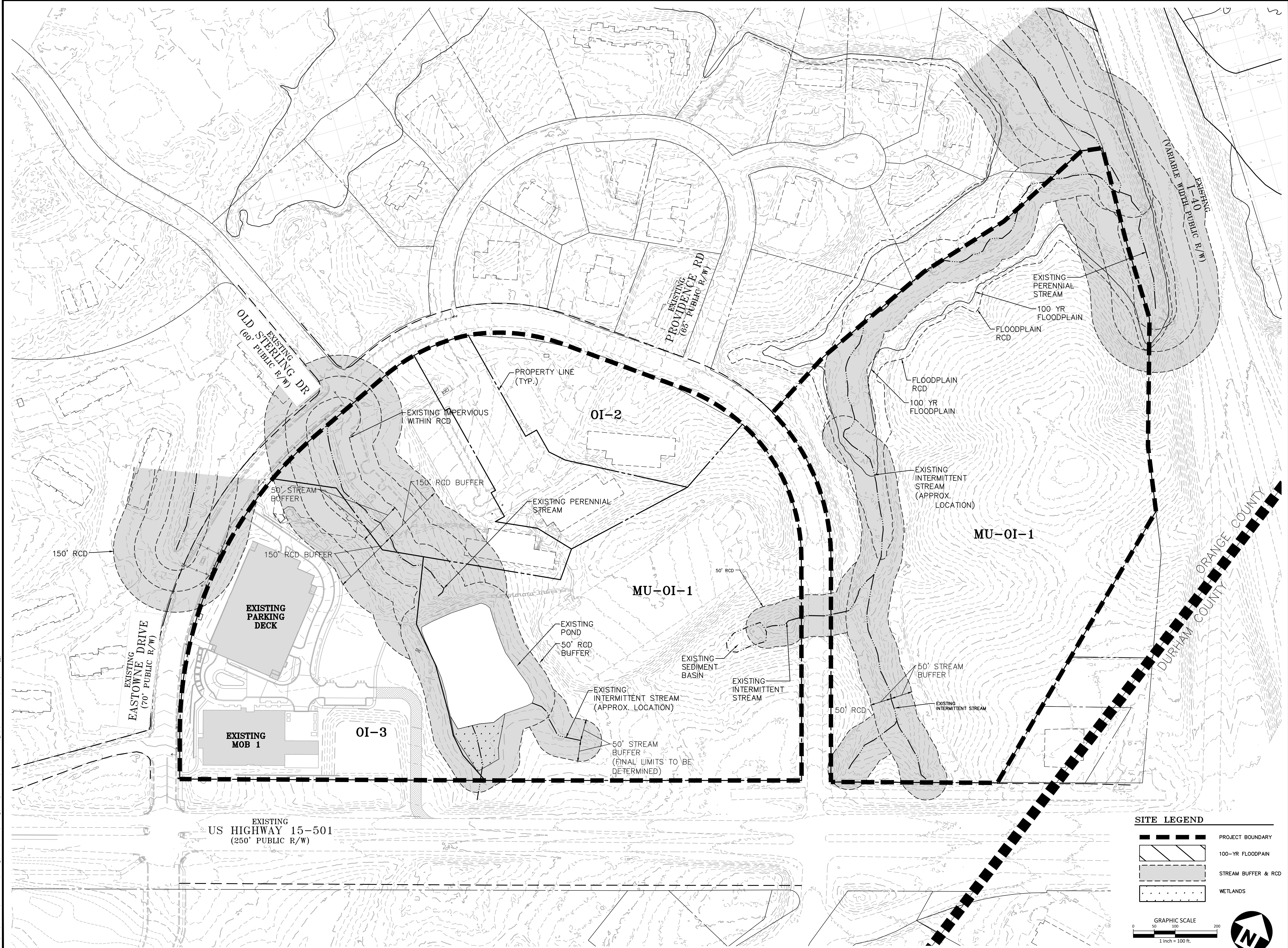
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FILENAME	
CHECKED BY	WH
DRAWN BY	OR
SCALE	
DATE	03. 30. 2023

**SHEET**

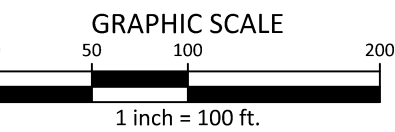
**EXISTING  
CONDITIONS**

**C1.00**



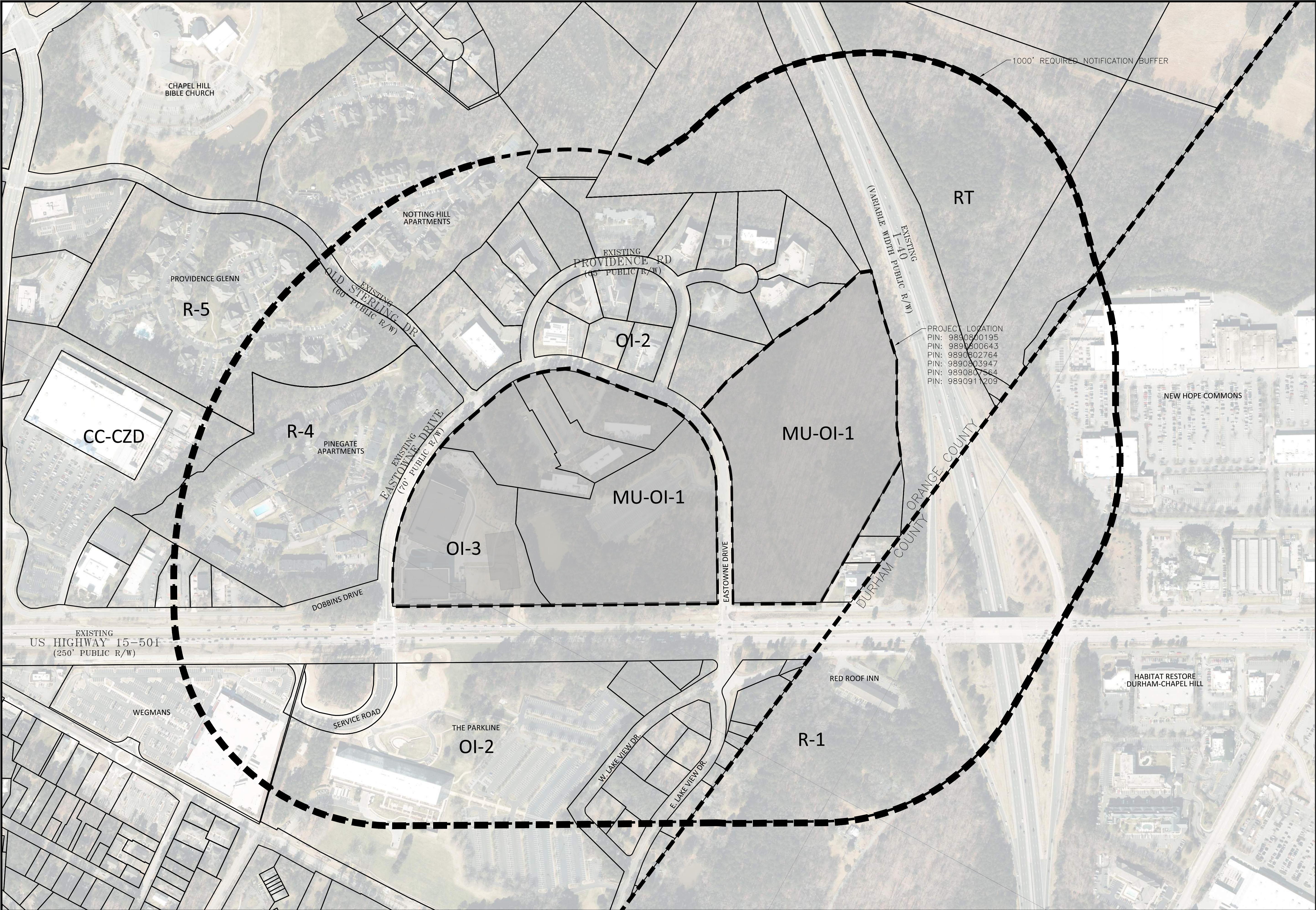
**SITE LEGEND**

	PROJECT BOUNDARY
	100-YR FLOODPLAIN
	STREAM BUFFER & RCD
	WETLANDS

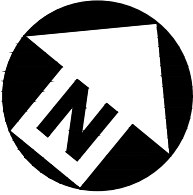
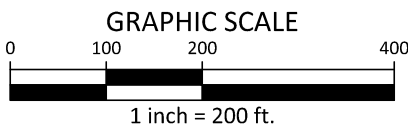
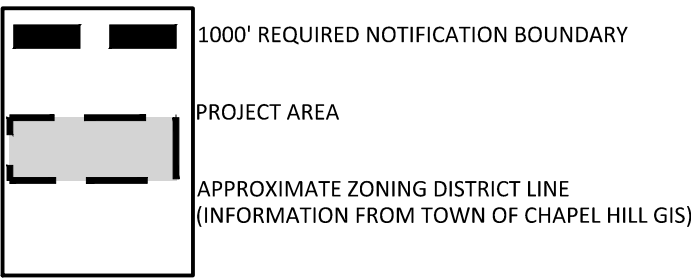


PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION





LEGEND



PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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UNC HEALTH  
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REVISIONS

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3	04. 06. 2023	THIRD SUBMITTAL

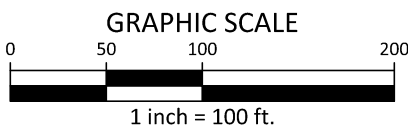
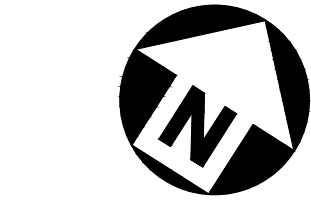
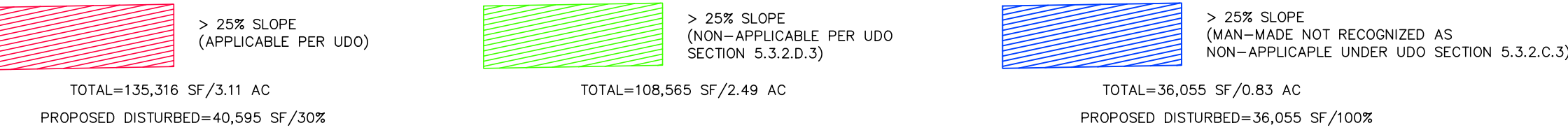
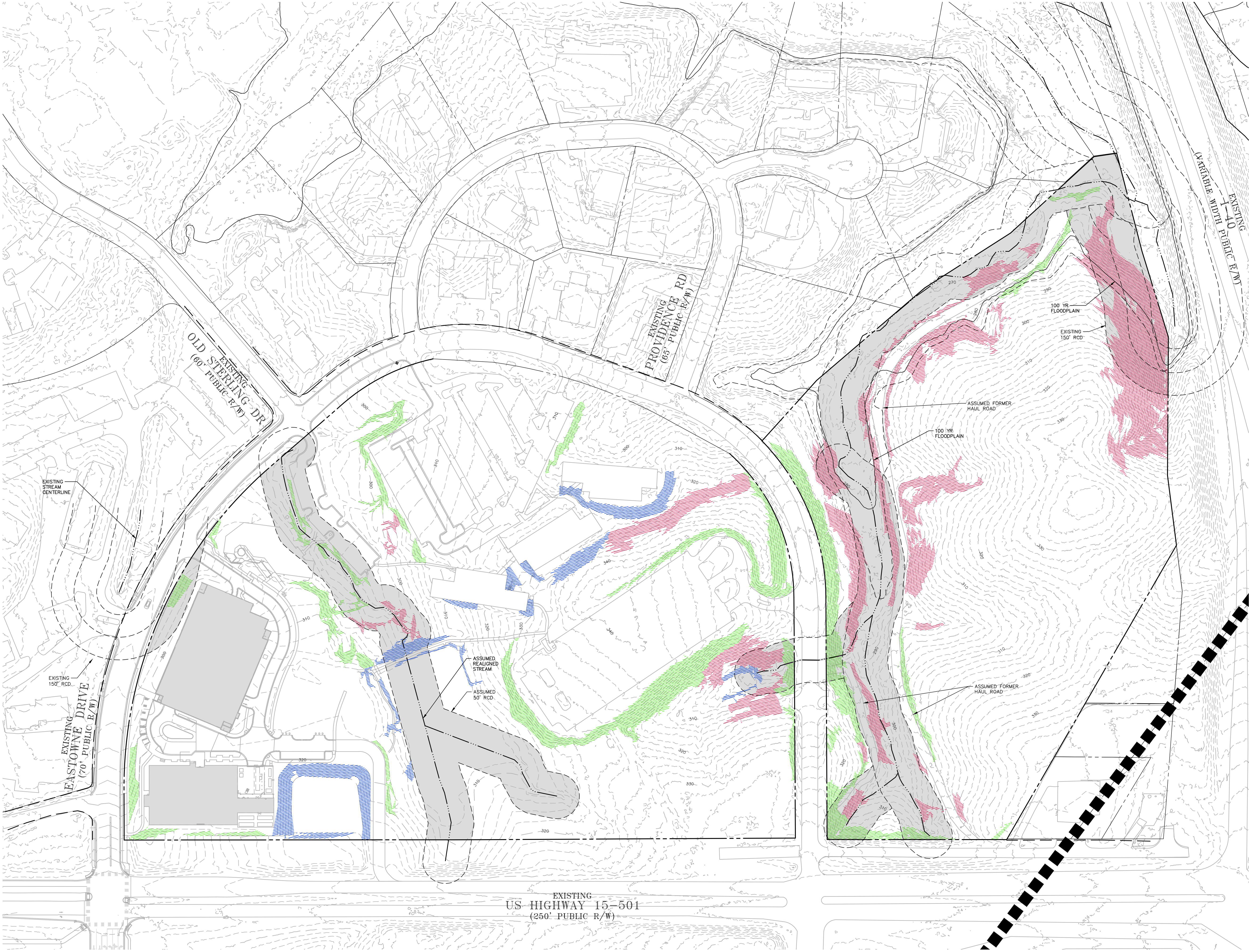
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DATE	12. 19. 2022

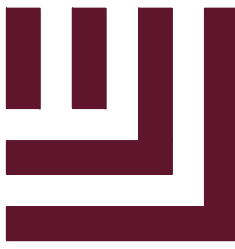
SHEET

AREA MAP  
C1.01





PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



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PLAN INFORMATION

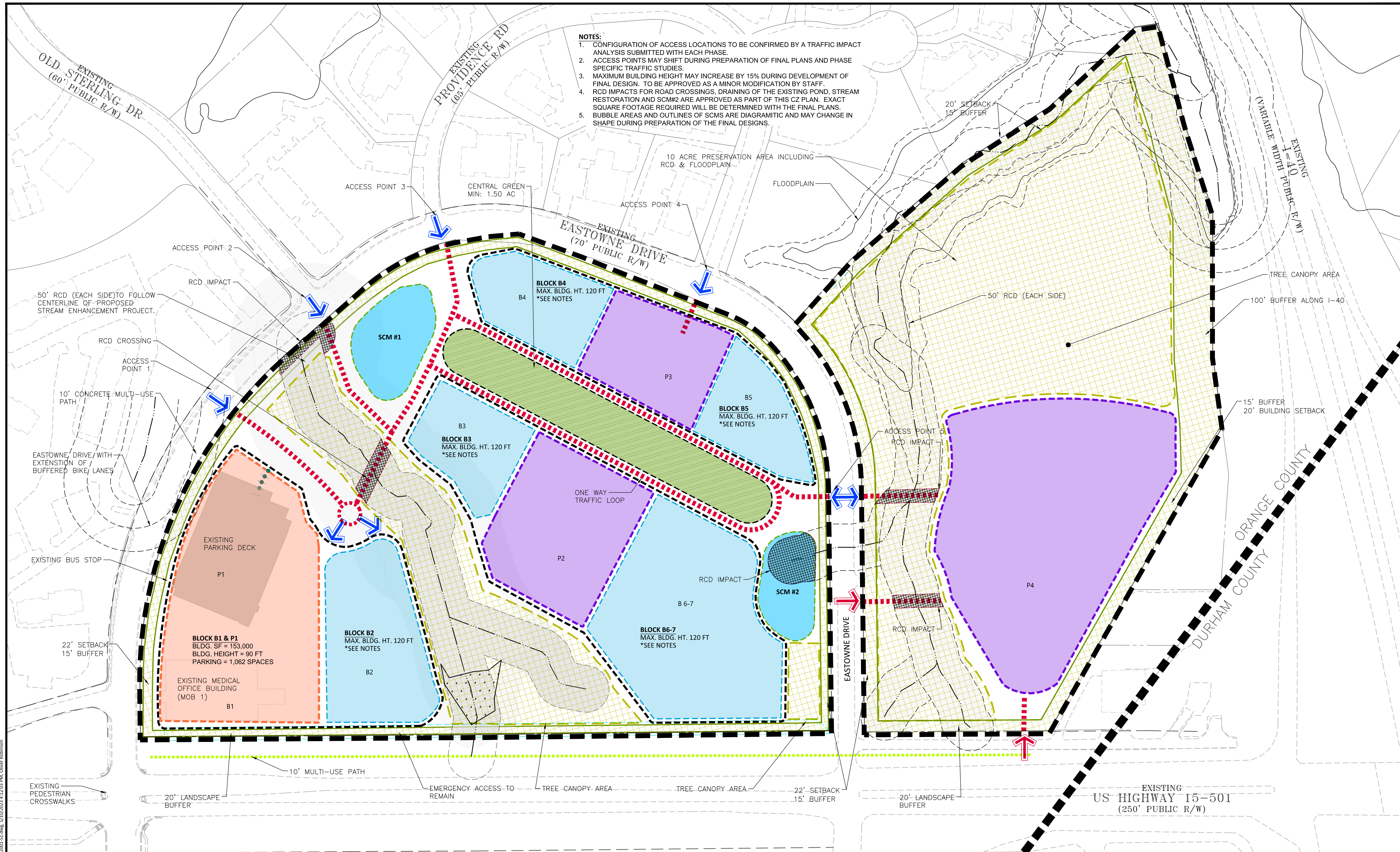
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CHECKED BY	WHD
DRAWN BY	OB
SCALE	1"=100'
DATE	03. 30. 2023

SHEET

STEEP SLOPES

C1.02





## LEGEND

	EXISTING DEVELOPMENT
	PARKING BLOCK
	BUILDING BLOCK
	DEVELOPMENT BLOCK
	TREE CANOPY
	STREAM/ RCD BUFFER
	SCM
	PROPOSED ROAD
	MULTI-USE PATH
	PROJECT BOUNDARY
	RCD IMPACT

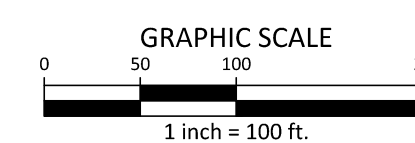


## SITE ACCESS

\* INTERNAL CONNECTIVITY IS PROPOSED AND SUBJECT TO CHANGE

## POTENTIAL EMERGENCY SITE ACCESS

\* INTERNAL CONNECTIVITY IS PROPOSED AND SUBJECT TO CHANGE



## CLIENT

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211 FRIDAY CENTER DRIVE  
CHAPEL HILL, NORTH CAROLINA, 27571  
PHONE: 984.974.5388

**UNC HEALTH  
EASTOWNE  
CONDITIONAL ZONING PLAN  
EASTOWNE DRIVE  
CHAPEL HILL, NORTH CAROLINA**

## REVISIONS

NO.	DATE	
1	11. 21. 2022	FIRST SUBMITTAL
2	12. 19. 2022	SECOND SUBMITTAL
3	04. 06. 2023	THIRD SUBMITTAL

## PLAN INFORMATION

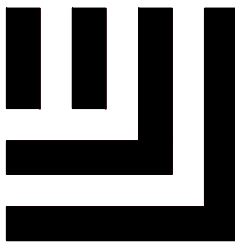
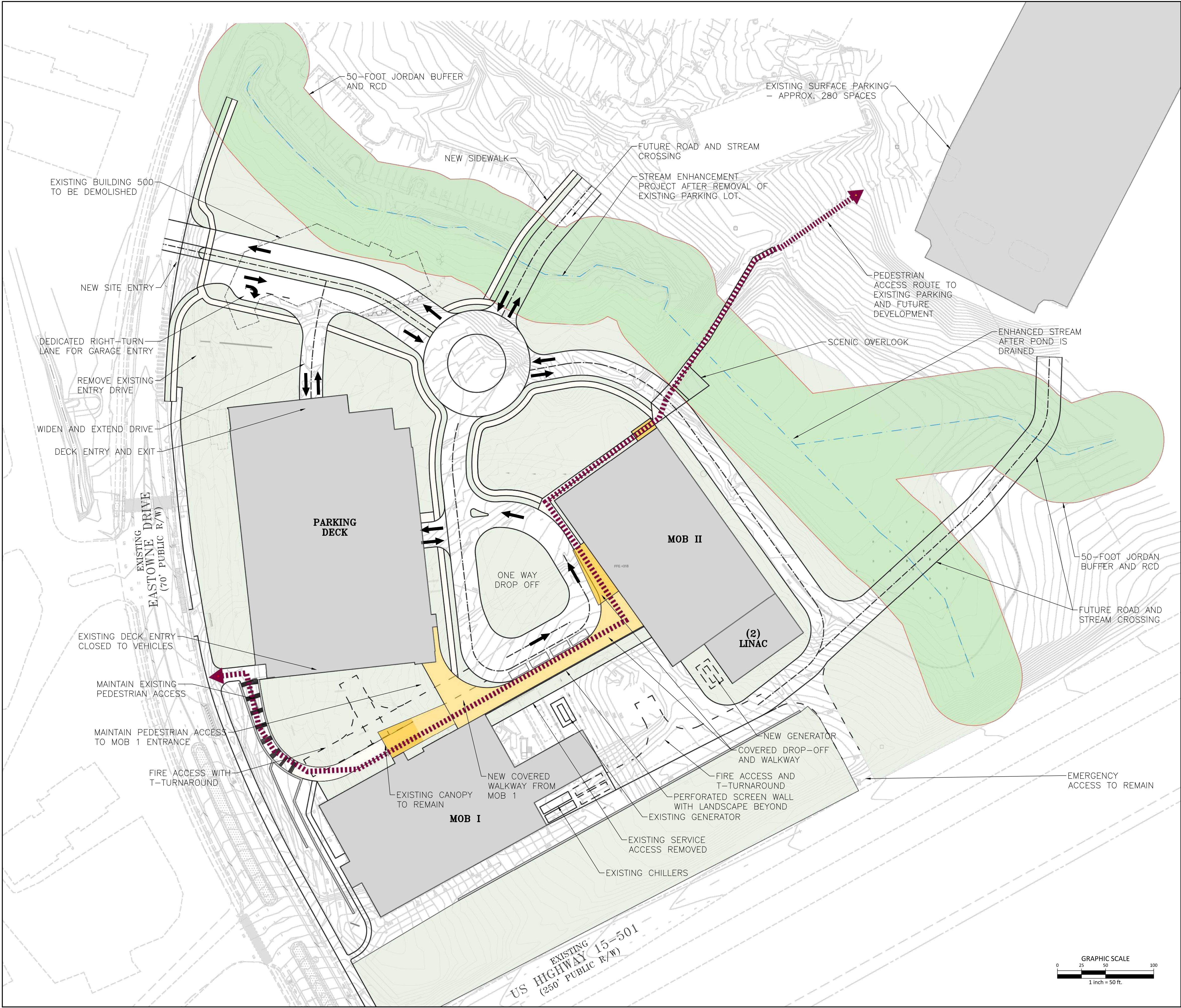
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FILENAME	UNH22001-S1
CHECKED BY	WHD
DRAWN BY	OR
SCALE	1"=100'
DATE	03. 30. 2023

## SHEET

**OVERALL CONCEPT  
PLAN**

**C2.00**





**McADAMS**

The John R. McAdams Company, Inc.  
621 Hillsborough Street  
Suite 500  
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fax 919. 361. 2269  
license number: C-0293, C-187

www.mcadamsco.com

**CLIENT**

SIMON GEORGE, VP OF REAL ESTATE & DEVELOPMENT  
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PHONE: 984.974.5388

**UNC HEALTH  
EASTOWNE  
CONDITIONAL ZONING PLAN  
EASTOWNE DRIVE  
CHAPEL HILL, NORTH CAROLINA**

**REVISIONS**

NO.	DATE	
1	11. 21. 2022	FIRST SUBMITTAL
2	12. 19. 2022	SECOND SUBMITTAL
3	04. 06. 2023	THIRD SUBMITTAL

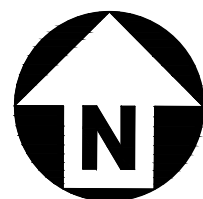
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CHECKED BY	WHD
DRAWN BY	OR
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DATE	12. 19. 2022

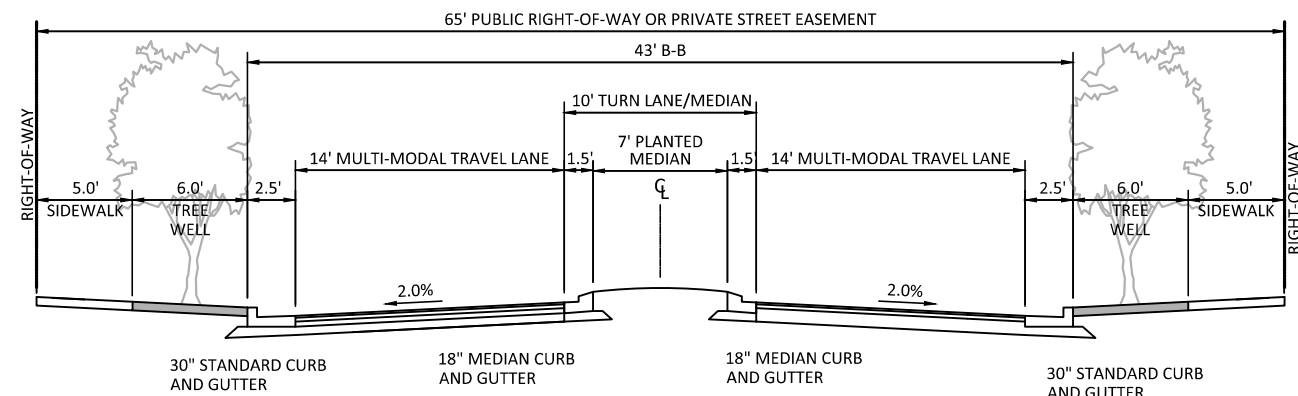
**SHEET**

**MOB 2  
CONCEPT PLAN**

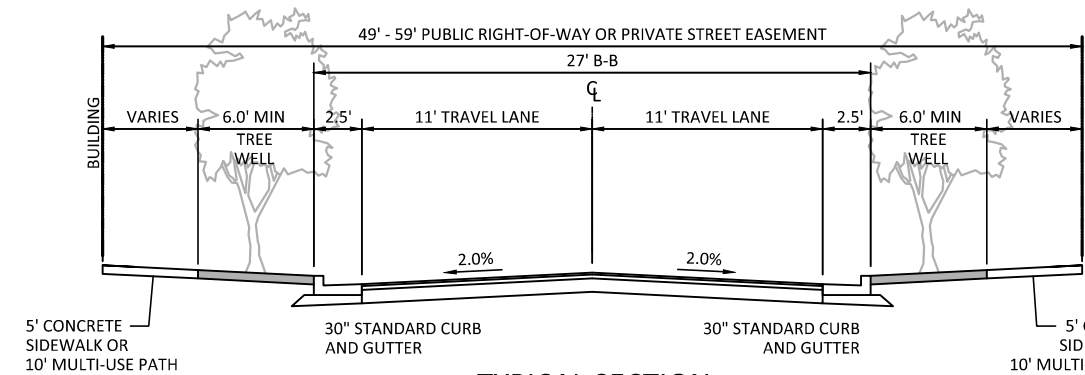
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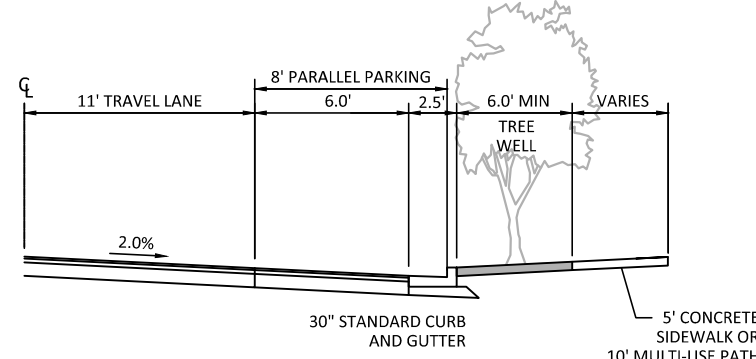




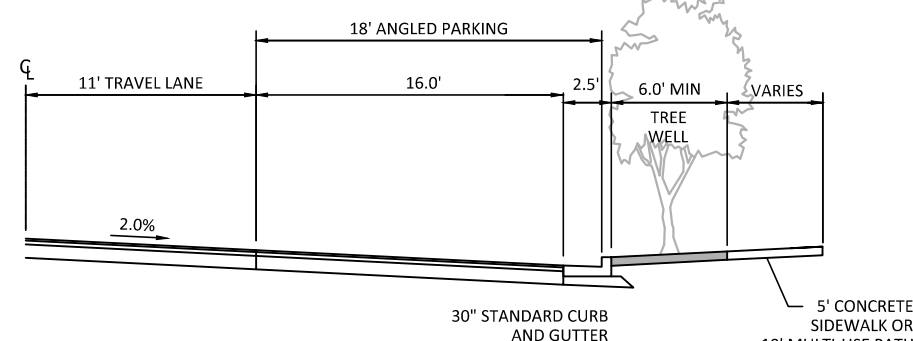
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PRIVATE STREET-WITH MEDIAN  
(65' R/W, 43' B-B)



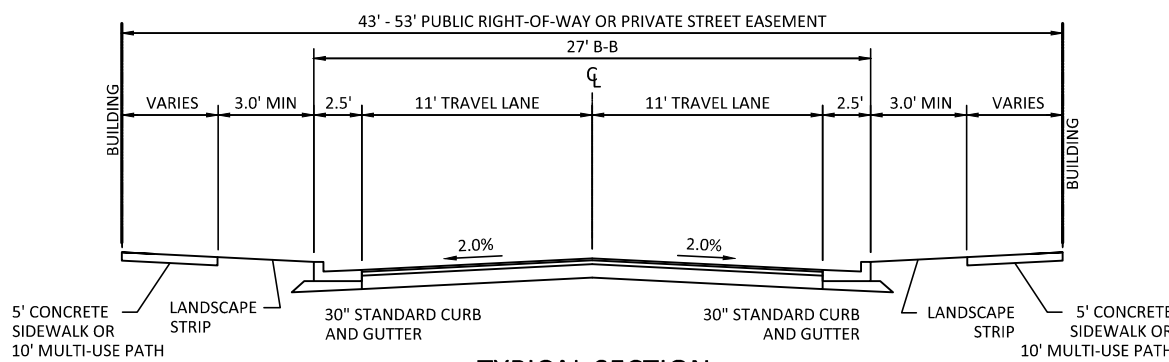
TYPICAL SECTION  
PRIVATE STREET WITH TREE WELL  
(49' - 59' R/W, 27' B-B)



PARALLEL PARKING OPTION

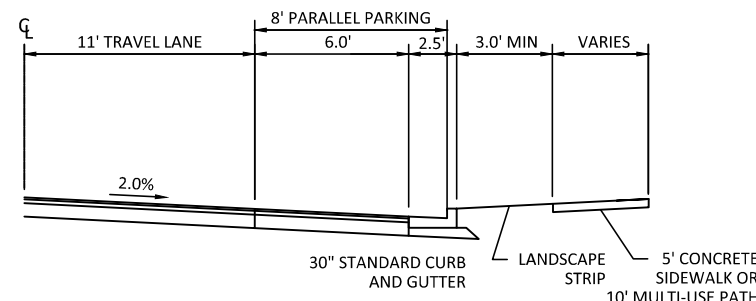


ANGLED PARKING OPTION

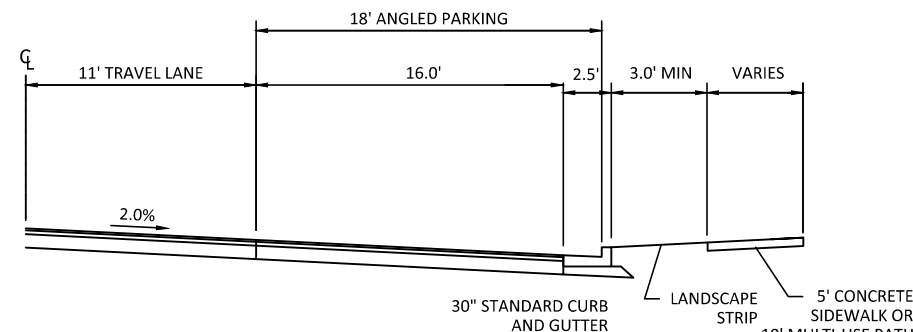


TYPICAL SECTION  
PRIVATE STREET WITH LANDSCAPE STRIP  
(43' - 53' R/W, 27' B-B)

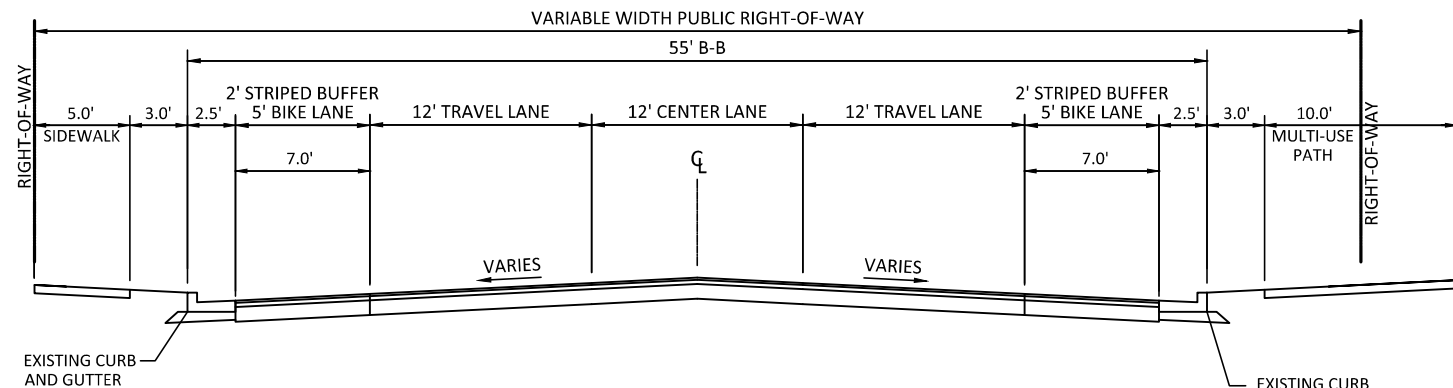
\* LANDSCAPE STRIP MAY BE REMOVED WITH 6-FOOT WIDE SIDEWALK AT THE BACK-OF-CURB TO REDUCE STREAM CROSSING WIDTH.



PARALLEL PARKING OPTION



ANGLED PARKING OPTION



TYPICAL SECTION  
EXISTING EASTOWNE DRIVE  
(VARIABLE WIDTH R/W, ~55' B-B)



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EASTOWNE  
CONCEPT PLAN  
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#### REVISIONS

NO.	DATE	
1	11. 21. 2022	FIRST SUBMITTAL
2	12. 19. 2022	SECOND SUBMITTAL

#### PLAN INFORMATION

PROJECT NO. UNH-22001  
FILENAME UNH22001-SECTIONS  
CHECKED BY WHD  
DRAWN BY OR  
SCALE 1"=10'  
DATE 12. 19. 2022

#### SHEET

STREET  
SECTIONS

C3.00





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 18., **File #:** [23-0460], **Version:** 1

**Meeting Date:** 5/24/2023

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**Close the Legislative Hearing and Consider a Conditional Zoning Application for Barbee Chapel Apartments at 5101 Barbee Chapel Road.**

**Staff:**

Britany Waddell, Director  
Judy Johnson, Assistant Director  
Tas Lagoo, Senior Planner

**Department:**

Planning

See Summary Report on the next page.

---

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

**PRESENTER:** Tas Lagoo, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Legislative Hearing
- g. Motion to adopt the Resolutions of Consistency and Reasonableness with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property

**RECOMMENDATION:** That the Council adopt Resolution A and enact Revised Ordinance A, approving the Conditional Zoning Application.

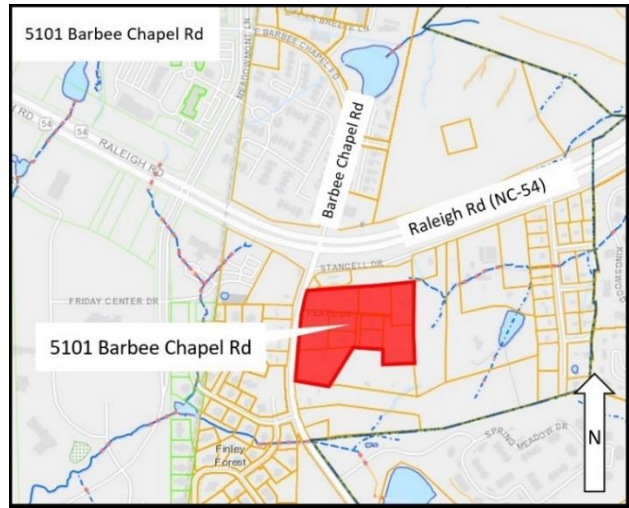




## CLOSE THE LEGISLATIVE HEARING AND CONSIDER A CONDITIONAL ZONING APPLICATION FOR BARBEE CHAPEL APARTMENTS (PROJECT #CZD-22-3)

### SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Britany Waddell, Director  
 Judy Johnson, Assistant Director  
 Tas Lagoo, Senior Planner

PROPERTY ADDRESS	MEETING DATE	APPLICANT
5101 Barbee Chapel Road	May 24, 2023	McAdams on behalf of Toll Brothers Apartment Living (contract purchaser) and Don Pendergraft et. al. (property owners)
<b>TOWN MANAGER'S RECOMMENDATION</b> <p>That the Council 1) close the legislative hearing, 2) adopt the Resolution of Consistency and Reasonableness, and 3) enact the Ordinance approving the Conditional Zoning application.</p>		
<b>UPDATES SINCE THE APRIL 19, 2023, LEGISLATIVE HEARING</b> <p><u>Affordable Housing</u>: The applicant is proposing opportunities to offer rental units that are affordable at 60% AMI.  <u>Parking</u>: The applicant is removing approximately 50 surface parking spaces.  <u>Stormwater</u>: The applicant will design stormwater infrastructure that can accommodate a 50-year storm event.</p>		
<b>ZONING</b> <p><i>Existing</i>: Residential-2 (R-2)  <i>Proposed</i>: Residential-6-Conditional Zoning District (R-6-CZD)</p>	<b>PROJECT OVERVIEW</b> <p>This proposal includes a multifamily development on approximately 10.5 acres of land consisting of:</p> <ul style="list-style-type: none"> <li>• 342 residential units (three buildings of multifamily flats and four buildings of townhomes)</li> <li>• 23 - 31 affordable units</li> <li>• 420,000 sq. ft. of floor area</li> <li>• Parking in surface lots and townhome garages</li> </ul> <p>The Transportation Impact Analysis describes necessary improvements for one limited access driveway and one full access driveway on Barbee Chapel Road.</p>	
<b>PROCESS</b> <p>Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with Comprehensive Plan and establish standards that address impacts on surrounding properties.</p>	<b>PROJECT LOCATION</b> 	
<b>DECISION POINTS</b> <p><u>Modifications to Regulations</u>: The applicant is requesting modifications for the following:</p> <ul style="list-style-type: none"> <li>• Increase the maximum density;</li> <li>• Increase the maximum floor area ratio;</li> <li>• Increase the maximum setback and core building heights;</li> <li>• Decrease the solar setback;</li> <li>• Modify buffer widths and types.</li> </ul>		
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Technical Report &amp; Project Fact Sheet</li> <li>2. Draft Staff Presentation</li> <li>3. Resolution A, Resolution of Consistency and Reasonableness</li> <li>4. Revised Ordinance A (Approving the Application)</li> <li>5. Resolution B (Denying the Application)</li> <li>6. Modifications to Regulations (Applicant Request) and Narratives</li> <li>7. Traffic Impact Analysis Executive Summary</li> <li>8. Plan Set</li> <li>9. Draft Applicant Presentation</li> </ol>	





# TECHNICAL REPORT

## UPDATES SINCE THE APRIL 19, 2023, LEGISLATIVE HEARING

### Affordable Housing:

During the April 19, 2023, Legislative Hearing, Councilmembers expressed strong support for affordable housing. The applicant is proposing two alternatives to their original proposal which would both include rental units that are affordable at 60% Area Median Income (AMI):

- **Original Proposal:** 31 affordable units (10% of total market-rate units)
  - 16 units at 80% AMI and 15 units at 65% AMI
- **Alternative 1:** 30 affordable units (9.6% of total market-rate units)
  - 15 units at 80% AMI and 15 units at 60% AMI
- **Alternative 2:** 23 affordable units (7.2% of total market-rate units)
  - all units at 60% AMI

Staff Comment: The HAB's Guiding Principles for Affordable Housing in Rental Housing Development calls for 15% of units to be affordable to households earning 60% or less of AMI. When the HAB reviewed this project in December 2022, they unanimously approved the project with the condition that if only 10% of units were affordable, that those units reach deeper affordability levels (i.e., 60% or less AMI). The HAB also noted that if 15% of units were affordable an affordability mix at 65% and 80% AMI could be appropriate. Although the proposed alternatives do not meet the HAB's expectations regarding the percentage of affordable units, they are responsive to the HAB's expectation regarding units that are affordable at 60% AMI.

Revised Ordinance A currently reflects the original proposal but can be adjusted prior to approval in order to reflect Council's preference.

### Parking:

The applicant has removed 49 surface parking spaces from their plans, thus reducing total parking from 495 spaces to 446 spaces. Several parking spaces from the central "Main Street" will be replaced with larger tree islands.

The revised parking configurations are reflected on page 2 (Sheet C2.00) of the applicant's site plans. An earlier iteration of the applicant's site plan is also included for reference.

Staff Comment: In general, the proposed reduction in parking spaces furthers Town goals of reducing automobile dependency and minimizing impervious surface. Changes to the parking configuration along the site's "Main Street" will also likely improve the pedestrian experience on the site. The revised total number of parking spaces falls approximately midway between the minimum and maximum parking requirements as defined in LUMO for this development. Staff therefore believes the amount of parking proposed is still adequate. This change has been included in Revised Ordinance A.

### Stormwater Management:



The applicant will design stormwater infrastructure that can accommodate a 50-year storm event.

Staff Comment: The proposed stormwater design furthers Town goals of bolstering resiliency and minimizing impacts on waterways. This change has been included in Revised Ordinance A.

## **PROPOSED ZONING**

The application proposes applying a Residential-6-Conditional Zoning District (R-6-CZD) to the project site.

The intent of Residential-6-Conditional Zoning District (R-6-CZD) is "to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development." (Land Use Management Ordinance (LUMO) Section 3.3.9)

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be applied as conditions through a legislative process.

Conditions are typically used to:

- Address conformance of the development with Town regulations and adopted plans.
- Modify use, intensity, and development standards to be more restrictive when addressing impacts reasonably expected to be generated by development.
- Modify intensity and development standards to be less restrictive when accommodating the applicant's proposed site plan (Modifications to Regulations).

## **SITE CONTEXT**

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The site consists of ten single-family lots and two private streets on approximately 10.5 acres.
- The site fronts on Barbee Chapel Road, a NCDOT-maintained collector road.
- The site is roughly a half-mile from the Friday Center and associated park & ride.
- The site is adjacent to the following zoning districts and uses:
  - North: Gas station and car wash in a Neighborhood Commercial (NC) Zoning District.
  - East and South: Several single-family homes and commercial properties in a Mixed-Use Village Conditional Zoning District (MU-V-CZD). All adjacent properties to the east and south are owned by NR Hillmont Property Owner LP and are subject to an active conditional zoning application for a multifamily and townhome development.
  - West: Several single-family homes in a Residential-2 (R-2) zoning district and the Finley Forest Condominiums in a Residential-4 (R-4) zoning district.
- The site contains no hydrological features. An intermittent stream is located off-site to the northeast.
- The site is in the Jordan Lake Watershed Protection District.



- The site is mostly flat.

## PROPOSED MODIFICATIONS TO REGULATIONS

- 1) Section 3.8.2: Dimensional Regulations.** The applicant proposes modifications to the following dimensional regulations:

Dimensional Regulation	Required	Proposed
Maximum Density	15 dwelling units per acre	31 dwelling units per acre
Maximum Floor Area Ratio	0.303	0.840
Maximum Building Setback Height	39 feet	65 feet
Maximum Building Core Height	60 feet	65 feet
Minimum Solar Setback	8 feet	6 feet

*Staff Comment:* In general, it is preferable to propose zoning districts that have a defined intent that is consistent with the proposed development. Dimensional regulations can then be modified to allow development that is consistent with the guidance of the Future Land Use Map (FLUM). Town staff support the proposed modifications because the proposed residential development is consistent with the FLUM, but the LUMO does not include any residential zoning districts with dimensional regulations that fully implement the FLUM's guidance for this portion of the NC 54 Focus Area.

Staff has therefore advised the applicant to propose a residential zoning district and request modified dimensional regulations that will allow the proposed development to implement the FLUM. Additional justification is provided in the applicant's statement on Modifications to Regulations.

- 2) Section 5.6: Landscaping, screening, and buffering: Required buffers.** The table below shows the buffer required and proposed buffers for this development.

Location	Required	Proposed
North	Type C – 20 ft. Internal 4 large trees, 8 small trees, and 30 shrubs per 100 linear feet	6 ft. Modified Buffer 2 large trees, 2 small trees, and 40 shrubs per 100 linear feet
South	Type B – 10 ft. Internal 4 large trees, 7 small trees, and 12 shrubs per 100 linear feet	4 ft. – 10 ft. Modified Buffer 2 large trees, 2 small trees, and 40 shrubs per 100 linear feet
East	Type B – 10 ft. Internal 4 large trees, 7 small trees, and 12 shrubs per 100 linear feet	8 ft. – 10 ft. Modified Buffer 3 large trees, 4 small trees, and 40 shrubs per 100 linear feet
West	Type B – 15 ft. External 6 large trees, 8 small trees, and 15 shrubs per 100 linear feet	10 ft. – 15 ft. Modified Buffer 3 large trees, 6 small trees, and 50 shrubs per 100 linear feet

*Staff Comment:* Landscape buffers are intended to separate a proposed development from adjacent major streets and different adjacent land uses or zoning designations to



minimize potential nuisances like noise, dust, odor, litter, and glare of lights. Buffers are also intended to reduce the visual impact of unsightly aspects of adjacent development, provide for the separation of spaces, and to establish a sense of privacy.

Staff are supportive of these modifications because they will enable a more cohesive urban form and transition the anticipated development to the east and south of the project site while providing sufficient separation from uses to the north and west.

Additional justification is provided in the applicant's statement on Modifications to Regulations.

**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.4.7 of the LUMO. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

North Carolina General Statute 160D-605 requires the Town Council to consider a statement of Plan consistency when reviewing any Zoning Atlas Amendment. Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>1</sup>, the standards of the [Land Use Management Ordinance](#)<sup>2</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>3</sup> and provides the following evaluation of consistency for the Barbee Chapel Apartments:

	Description of Plan Element	Staff Evaluation
<b>Future Land Use Map (FLUM)</b>	<ul style="list-style-type: none"> <li>• <b>Focus Area:</b> NC 54, Sub-Area A</li> <li>• Designates the site for multi-story, mixed-use buildings with smaller multi-family buildings near residential frontages.</li> <li>• Encourages greater pedestrian and cyclist-friendly routes along tree-lined activated street frontages and discourages parking along streetscapes.</li> <li>• Encourages multimodal connections and cross-connectivity between sites to accommodate pedestrians, bicycles, and transit where appropriate.</li> <li>• Seeks mixed-income housing near transit, height and density transitions between new and existing development, and buffered</li> </ul>	<p>The proposed rezoning is generally consistent with the character envisioned by the FLUM as the proposal emphasizes providing multifamily residential.</p> <p>The applicant has proposed two apartment buildings along Barbee Chapel Road, locating most of the parking areas away from the road.</p> <p>The façade design of the new multifamily buildings will need to engage with the street and encourage activity along the street frontage to comply with the FLUM. The significant amount of surface parking surrounding the multifamily buildings may make it difficult to activate street frontages.</p>

<sup>1</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>2</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>3</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>



	protections between new development and lower intensity development and single-family neighborhoods.	Adding density to this area will support future transit stops and routes, along with pedestrian and bicycle travel.
<b>Building Height</b>	Up to 6 stories in Sub-Area A, each story measuring approximately 12 feet in height (About 72 ft. tall building)	Applicant proposes buildings measuring 3, 5, and 6 stories in height, with a maximum height of 65 ft.
<b>Mobility And Connectivity</b>	<ul style="list-style-type: none"> <li>• A Bike/Ped Intersection Improvement is recommended at the intersection of NC 54 and Barbee Chapel Road</li> <li>• New multi-modal paths on both sides of NC 54 are emphasized.</li> </ul>	The application proposes a multi-modal path along its Barbee Chapel Road frontage that may extend north to NC 54 and connect with improvements proposed in the plan.
<b>Climate Action and Response</b>	<p>To reduce greenhouse gas (GHG) emissions and Vehicle Miles Traveled (VMT), the plan recommends:</p> <ul style="list-style-type: none"> <li>• Walkable, bikeable, transit-served neighborhoods.</li> <li>• Higher density development and connectivity.</li> <li>• Better connectivity for all transportation modes.</li> <li>• Expanded transit availability and connectivity, wherever possible.</li> </ul>	<p>The site offers an opportunity for infill development next to an existing neighborhood, with access to transit stops within walking distance along NC 54 and at the Friday Center.</p> <p>The developer also proposes a new multi-modal path that could connect to future adjacent developments and multimodal routes along NC 54.</p>
<b>Chapel Hill 2020 Goals</b>	<p>Opportunities for this application to support goals of Chapel Hill 2020 include:</p> <ul style="list-style-type: none"> <li>• Providing a range of housing options—apartments and townhouse rentals - for current and future residents (<i>A Place for Everyone.3</i>)</li> <li>• Promoting a safe, vibrant, and connected community by offering a segment of multimodal path (<i>Community Prosperity and Engagement.3</i>). Further, the site is within walking distance to existing bus stops at the Finley Forest Condominiums and Friday Center, as well as regional routes along NC 54 (<i>Getting Around.3</i>). Connections to existing transit lines as well the proposed multi-modal path supports a transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (<i>Getting Around.6</i>)</li> <li>• The project is adjacent to existing single- and multi-family development, contributing to a range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (<i>Good Places New Spaces.5</i>). Further, the proposal provides higher density housing development that brings opportunity to strengthen the community, social equity, economic prosperity, and natural environment by providing a range of housing options for different income levels and life stages. (<i>Good Places New Spaces.8</i>).</li> <li>• The proposal seeks to reduce vehicular dependency by incorporating a multimodal path along its street frontage. When connected with future</li> </ul>	



	<p>development on adjacent properties this segment could provide residents greater pedestrian and bike access to destinations along NC 54. This supports the Parks Comprehensive Plan and the Greenways Master Plan by providing recreation opportunities and ensuring safe pedestrian and bicycle connections (<i>Nurturing Our Community.4</i>)</p> <ul style="list-style-type: none"> <li>• The site offers access to the S and G routes that provide direct connections to UNC via transit. This supports the Town's goal of housing for Town, University, and the Health Care System employees that encourages them to reside in the community (<i>Town and Gown Collaboration.4</i>)</li> </ul>
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## REASONABLENESS OF THE ZONING ATLAS AMENDMENT

Reasonableness is determined by comparing the scale of permissible development under both the proposed and existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The factors listed below the applicant's proposed zoning district and overall proposed use program. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

### **Supporting Factors**

- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, provided that zoning conditions are applied to ensure a compatible density.
- Rezoning to accommodate redevelopment may be considered reasonable.
- The proposed zoning allows only residential uses, which is consistent with other existing residential uses in the surrounding area.
- Provision of affordable housing in this location aligns with multiple themes of Chapel Hill 2020.
- The site is located within walking distance of the Friday Center and Meadowmont.
- Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

### **Other Considerations**

- The proposed change in zoning district, including floor area proposed in the application, would allow roughly 9 times the amount of currently permissible development.
- The FLUM anticipates future transit service connecting existing development at Glen Lennox and Meadowmont as well as future transit-oriented, higher density development. Transit has not yet been improved along NC 54. This development proposes to increase the number of residents along this road and increase demand for transit.
- Further analysis and/or zoning conditions may be needed to determine whether adequate pedestrian connectivity, vehicular access, and transit service are in place to support the proposed zoning.



## FINDINGS OF FACT

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings are made.

<b>FINDING #1:</b> The proposed zoning amendment is necessary to correct a manifest error.	
<b>Arguments</b>	To date, no arguments in support or in opposition have been submitted or identified by staff.
<b>Staff Evaluation</b>	There appears to be no manifest error in the Town's Zoning Atlas.
<b>FINDING #2:</b> The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.	
<b>Arguments</b>	<p>Staff notes that the adjacent property is under consideration for a multi-family housing development.</p> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions along the NC 54 corridor.
<b>FINDING #3:</b> The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	
<b>Arguments</b>	<p>Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following:</p> <ul style="list-style-type: none"> <li>• Promoting the Focus Area Character for the NC 54 Focus Area as described in the Future Land Use Map.</li> <li>• Facilitating development that implements FLUM guidance for use and height in the Focus Area.</li> <li>• Supporting goals of Chapel Hill 2020 including <i>A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places-New Spaces, Getting Around, and Town &amp; Gown Collaboration.</i></li> </ul> <p>To date, no arguments in opposition have been submitted or identified by staff.</p>
<b>Staff Evaluation</b>	The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

Further information may be presented for the Council's consideration as part of the legislative hearing process. All information submitted at the legislative hearing will be included in the record of the hearing.





# PROJECT FACT SHEET






## Project Details

Site Description	
<b>Project Name</b>	Barbee Chapel Apartments
<b>Address</b>	5101 Barbee Chapel Road
<b>Property Size (NLA)</b>	455,841 sq. ft. (10.5 acres)
<b>Gross Land Area (GLA)</b>	501,425 sq. ft. (11.5 acres)
<b>Durham County Parcel Identifier Numbers</b>	9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550
<b>Existing Zoning</b>	Residential-2 (R-2)
<b>Proposed Zoning</b>	Residential-6 CZD (R-6-CZD)



## Site Development Standards

Topic	Comment	Status
<b>Development Intensity</b>		
<b>Use (Sec. 3.7)</b>	Multifamily dwelling units, over 7 units; Single-family dwelling units (townhomes)	✓
<b>Inclusionary Zoning Ordinance (Sec. 3.10)</b>	Voluntary – Rental housing proposed <i>Alternative 1:</i> 31 affordable apartments (16 @ 80% AMI and 15 @ 65% AMI) <i>Alternative 2:</i> 30 affordable apartments (15 @ 80% AMI and 15 @ 60% AMI) <i>Alternative 3:</i> 23 affordable apartments (all @ 60% AMI)	NA
<b>Density (Sec. 3.8)</b>	<i>Permitted:</i> 15 units per acre maximum <i>Proposed:</i> 31 units per acre	M
<b>Dimensional Standards (Sec. 3.8)</b>	<i>Setback height:</i> 39 ft. maximum <i>Proposed:</i> 65 ft. maximum  <i>Core height:</i> 60 ft. maximum <i>Proposed:</i> 65 ft. maximum  <i>Setbacks:</i> 8 ft. solar, 20 ft. street, 6 ft. interior – all minimums <i>Proposed:</i> 6 ft. solar, other setbacks comply	M
<b>Floor area (Sec. 3.8)</b>	<i>Maximum allowed:</i> 151,931 sq. ft. <i>Proposed:</i> 420,000 sq. ft.	M
<b>Landscape</b>		
<b>Buffers (Sec. 5.6.2)</b>	<u>Adjacent Use/Zoning</u>	<u>Required</u>
	<u>Proposed</u>	
	<b>North</b>	Gas station; car wash
		20 ft. Type C
		6 ft. Modified
		M




	<b>South</b>	Single Family	10 ft. Type B	4 ft. - 10 ft. Modified	
	<b>East</b>	Single Family	10 ft. Type B	8 ft. - 10 ft. Modified	
	<b>West</b>	Barbee Chapel Road	15 ft. Type B	10 ft. - 15 ft. Modified	
<b>Tree Canopy (Sec. 5.7)</b>	Minimum required: 114,025 sq. ft. (30% of NLA) Proposed: Application will comply				<b>FP</b>
<b>Parking Landscape Standards (Sec. 5.9.6)</b>	Final Plans application must comply				<b>FP</b>
Environment					
<b>RCD Dimensional Standards (Sec. 3.6.3)</b>	Impervious surfaces: Required: 10% of Stream Side zone area, maximum Proposed: None Land disturbance: Required: 20% of Stream side zone area, maximum Proposed: Stream Side Zone: 3,500 sq. ft. (<20%)				
<b>Erosion Control (Sec. 5.3.1)</b>	Orange County Erosion Control permit required				<b>FP</b>
<b>Steep Slopes Land Disturbance (Sec. 5.3.2)</b>	No steep slopes land disturbance proposed				
<b>Stormwater Management (Sec. 5.4)</b>	Meet or exceed LUMO standards				<b>FP</b>
<b>Land Disturbance</b>	Proposed: 480,000 sq. ft.				
<b>Impervious Surface</b>	Existing: 1.69 acres (14.7%) Maximum allowed: 8.06 acres (70%) Proposed: 8.06 acres (70%)				
<b>Solid Waste &amp; Recycling (Sec. 5.13)</b>	Application must comply				<b>FP</b>
<b>Jordan Riparian Buffer (Sec. 5.18)</b>	Application must comply				<b>FP</b>
Access & Circulation					
<b>Traffic Impact Analysis (Sec. 5.8)</b>	TIA completed				
<b>Road Improvements (Sec. 5.8)</b>	The developer proposes improvements to Barbee Chapel Road to accommodate additional vehicular access points.				<b>FP</b>
<b>Vehicular Access (Sec. 5.8)</b>	Two vehicular access points are proposed along Barbee Chapel Road: <ul style="list-style-type: none"><li>The northern access point will be limited to right-in/right-out traffic.</li><li>The southern access point will be full-access.</li></ul>				<b>FP</b>



	Several stub-outs on the site will facilitate future connections to adjacent development to the east and south.	
<b>Bicycle and Pedestrian Improvements (Sec. 5.8)</b>	The developer proposes a multi-modal trail along Barbee Chapel Road.	
<b>Transit Improvements (Sec. 5.8)</b>	None requested	<b>NA</b>
<b>Off-street Vehicular Parking (Sec. 5.9)</b>	<i>Minimum required:</i> 408 spaces <i>Maximum allowed:</i> 513 spaces <i>Total Proposed:</i> 446 spaces <ul style="list-style-type: none"> <li>• Surface Parking: 406 spaces</li> <li>• Covered Garages: 16 spaces</li> <li>• Townhouse Garages: 24 spaces</li> </ul>	
<b>Bicycle Parking (Sec. 5.9)</b>	<i>Minimum required:</i> 88 spaces <i>Proposed:</i> Application must comply	<b>FP</b>
<b>Electric Vehicle Parking</b>	The developer proposes EV chargers to serve at least 5% of surface parking spaces. All townhome garages will include 220-volt outlets.	<b>C</b>
<b>Parking Design Standards (Sec. 5.9)</b>	Application must comply	<b>FP</b>
<b>Loading (Sec 5.9)</b>	Application must comply	<b>FP</b>
<b>Technical</b>		
<b>Fire</b>	Built to Town Standards	<b>FP</b>
<b>Recreation Area (Sec. 5.5)</b>	<i>Minimum required:</i> 25,071 sq. ft. <i>Proposed:</i> 25,750 sq. ft. on-site and potential off-site extension of multiuse path.  A payment based on 25% of the required recreation space will be provided if the off-site multiuse path or Barbee Chapel sidewalk extension are not constructed.	<b>C</b>
<b>Lighting Plan (Sec. 5.11)</b>	Built to Town Standards; not to exceed 0.3 footcandles at property line	<b>FP</b>
<b>Signage (Sec. 5.14)</b>	Built to Town Standards	<b>FP</b>
<b>Schools Adequate Public Facilities (Sec. 5.16)</b>	Application must comply	<b>FP</b>

## Project Summary Legend

Symbol	Meaning
	Meets Requirements



<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plans
<b>NA</b>	Not Applicable





# CONDITIONAL ZONING

May 24, 2023

## Barbee Chapel Apartments

5101 Barbee Chapel Road,  
Chapel Hill, NC 27517





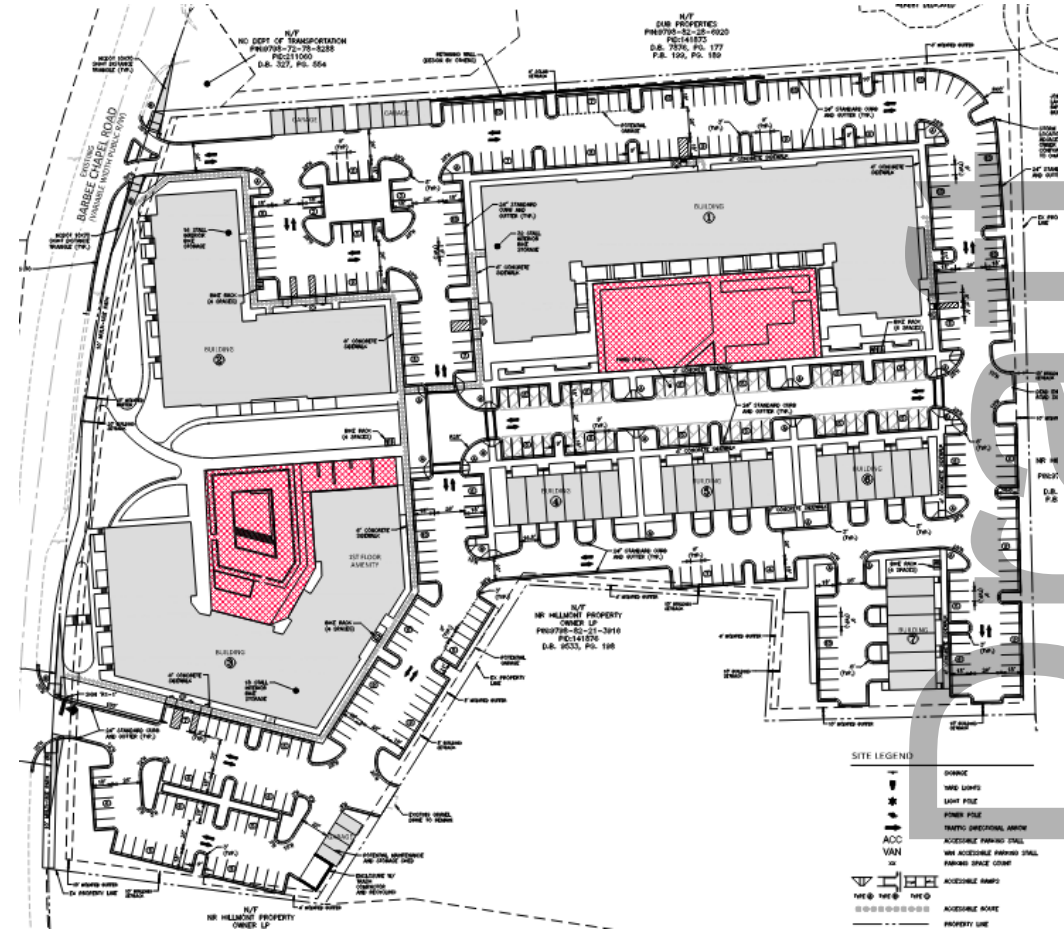


# RECOMMENDATION

Close the Legislative Hearing

Adopt the Resolution of  
Consistency and Reasonableness  
(R-#)

Enact an Ordinance approving the  
Conditional Zoning Atlas  
Amendment (O-#)

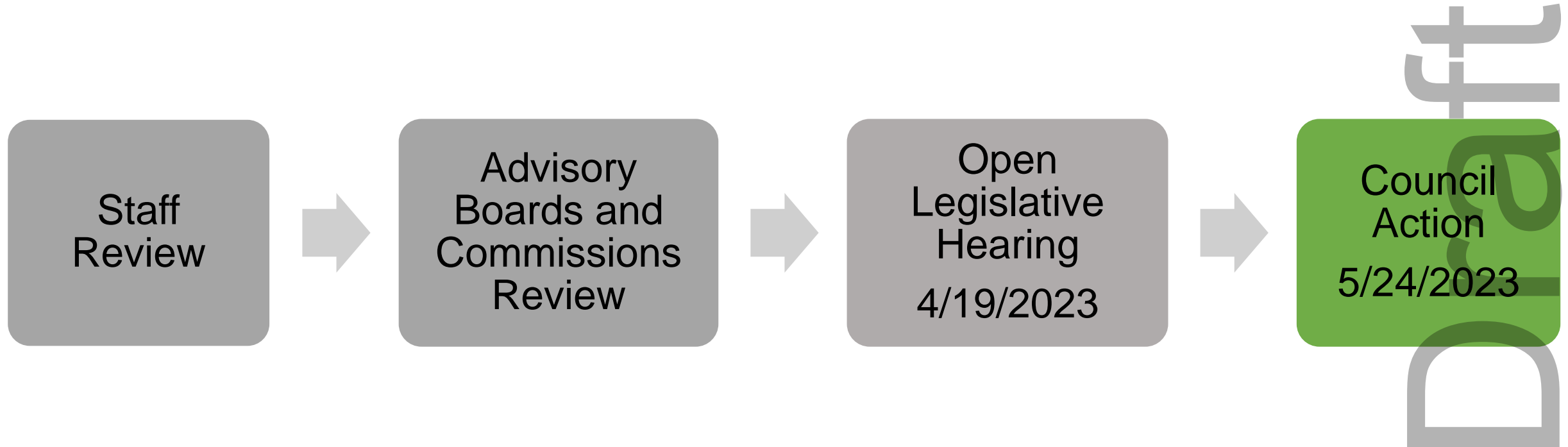






# PROCESS

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# UPDATES SINCE APRIL 19<sup>527</sup>

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**Affordable Housing:** The applicant is proposing options to offer rental units that are affordable at 60% AMI.

- 30 units (15 @ 60% AMI and 15 @ 80% AMI)
- 23 units (all @ 60% AMI)

**Parking:** The applicant is removing 49 surface parking spaces.

**Stormwater:** The applicant will design stormwater infrastructure that can accommodate a 50-year storm event.





# Modification to Regulations

528

## Section 3.8.2 - Dimensional Regulations

Dimensional Regulation	Required	Proposed
Maximum Density	15 dwelling units per acre	31 dwelling units per acre
Maximum Floor Area Ratio	0.303	0.840
Maximum Building Setback Height	39 feet	65 feet
Maximum Building Core Height	60 feet	65 feet
Minimum Solar Setback	8 feet	6 feet





# Modification to Regulations

529

## Section 5.6: Required Buffers

Location	Required	Proposed
North	Type C – 20 ft. Internal	6 ft. Modified Buffer
South	Type B – 10 ft. Internal	4 ft. – 10 ft. Modified Buffer
East	Type B – 10 ft. Internal	8 ft. – 10 ft. Modified Buffer
West	Type B – 15 ft. External	10 ft. – 15 ft. Modified Buffer



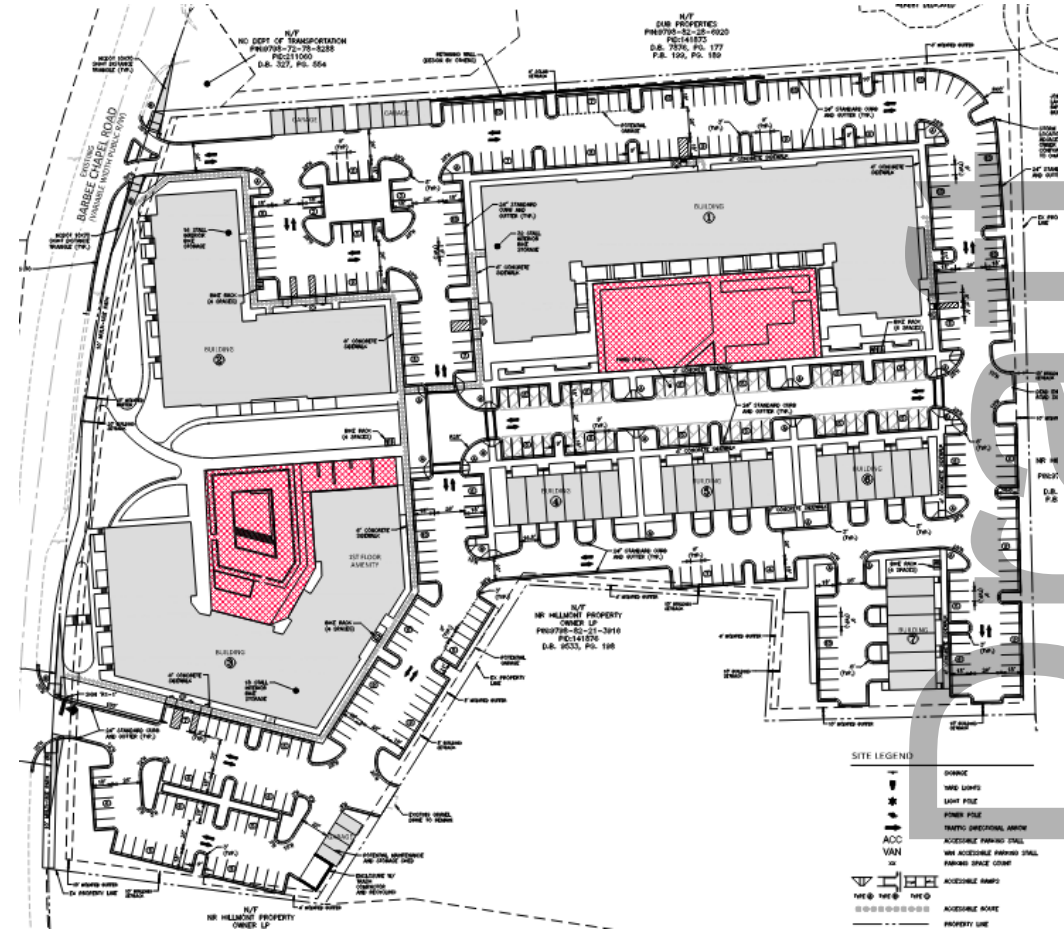


# RECOMMENDATION

Close the Legislative Hearing

Adopt the Resolution of  
Consistency and Reasonableness  
(R-#)

Enact an Ordinance approving the  
Conditional Zoning Atlas  
Amendment (O-#)





**RESOLUTION A**  
**Resolution of Consistency and Reasonableness**

**A RESOLUTION REGARDING THE REASONABLENESS AND CONSISTENCY WITH THE COMPREHENSIVE PLAN OF AN APPLICATION FOR A CONDITIONAL ZONING ATLAS AMENDMENT FOR THE BARBEE CHAPEL APARTMENTS TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (2023-05-24/R-15)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of contract purchaser Toll Brothers Apartment Living and property owners Don W Pendergraft, Frank Herlant, Stephen D Pendergraft, Sandy L Pendergraft, Square Wheel Ventures LLC, Quentin Todd Krantz, Donna Roberson Sayers, Roderick Lane Roberson, and Elmdale and Pearl Lane LLC, to rezone a 10.46-acre collection of parcels located at 5101 Barbee Chapel Drive on property identified as Durham County Property Identifier Numbers 9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550, to allow a multifamily and townhome development; and

WHEREAS, the Council finds that the amendment, if enacted, is consistent with the Town's Comprehensive Plan, as explained by, but not limited to, the following elements of the Comprehensive Plan:

- Promoting the Focus Area Character for the NC-54 Focus Area as described in the Future Land Use Map (FLUM).
- Facilitating development that implements FLUM guidance for Character Types in the Focus Area.
- Contributing to a range of housing options for current and future residents, which aligns with the theme of *A Place for Everyone*.
- Locating housing within walking distance of public transit routes and multiuse paths. The location offers multimodal access to employment, education, services, and shopping, and aligns with the theme of *Getting Around*.
- Providing safe pedestrian and bicycle connections which aligns with the theme of *Nurturing Our Community*.
- Opportunities for new housing that expand the range of neighborhood types, evolve Chapel Hill's character for residents, and shapes land use in a way that strengthens community and protects the natural environment. These elements align with the theme of *Good Places New Spaces*.

WHEREAS, the Council finds that the amendment if enacted, is reasonable and in the public's interest, as explained by, but not limited to, the following considerations:

- The proposed zoning is compatible with the zoning of adjacent sites (Residential-2 (R-2), Residential-4 (R-4), Mixed Use-Village (MU-V), and Neighborhood Commercial (NC).
- Additional development activity is anticipated in the surrounding area, including other housing types. The uses allowed under the proposed zoning are compatible with existing residential uses in the surrounding area.
- The surrounding road network, pedestrian and bicycle facilities (existing and planned) and transit service (existing and planned) indicate a transportation network that supports medium-to-high density residential development.



- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses.
- Zoning conditions provide an opportunity to establish standards that address impacts on surrounding properties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the 24th day of May 2023.



**REVISED ORDINANCE A**

(Approving the Conditional Zoning Application)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE BARBEE CHAPEL APARTMENTS TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (PROJECT CZD-22-3) (2023-05-24/O-3)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of contract purchaser Toll Brothers Apartment Living and owners Don W Pendergraft, Frank Herlant, Stephen D Pendergraft, Sandy L Pendergraft, Square Wheel Ventures LLC, Quentin Todd Krantz, Donna Roberson Sayers, Roderick Lane Roberson, and Elmdale and Pearl Lane LLC to rezone a 10.46-acre collection of parcels located at 5101 Barbee Chapel Road on properties identified as Durham County Property Identifier Number 9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550 to Residential-6-Conditional Zoning District (R-6-CZD), to allow a multifamily and townhome development and finds that the amendment to the Zoning Atlas is:

- Consistent with the Town's Comprehensive Plan, per NCGS 160D-605;
- Reasonable and in the public's interest, per NCGS 160D-605; and
- Warranted because of changing conditions and warranted to achieve the purposes of the Comprehensive Plan, per LUMO 4.4

WHEREAS, the application, if rezoned according to the district-specific plan dated May 18, 2023, and the conditions listed below would, per LUMO 4.4.3(f):

- 1) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- 2) Conform with the Comprehensive Plan
- 3) Be compatible with adjoining uses
- 4) Mitigate impacts on surrounding properties and the Town as a whole
- 5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- 6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

**MODIFICATIONS TO REGULATIONS**

WHEREAS, the Council of the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modification to regulations satisfies public purposes to an equivalent or greater degree:

- 1) Section 3.8.2 Dimensional Regulations - Density:** Increase the maximum allowable residential density from 15 dwelling units per acre to 31 dwelling units per acre (31 du/ac).

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed density is consistent with the Town's Future Land Use Map.



- 2) Section 3.8.2 Dimensional Regulations – Floor Area Ratio:** Increase the maximum allowable floor area ratio from 0.303 to 0.840.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed floor area ratio enables development that is consistent with the Town's Future Land Use Map.

- 3) Section 3.8.2 Dimensional Regulations – Building Height:** Increase the maximum setback height from 39 ft. to 65 ft.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed setback height enables development that is consistent with the Town's Future Land Use Map.

- 4) Section 3.8.2 Dimensional Regulations – Building Height:** Increase the maximum core height from 60 ft. to 65 ft.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed core height enables development that is consistent with the Town's Future Land Use Map.

- 5) Section 3.8.2 Dimensional Regulations – Setback:** Decrease the solar setback from 8 ft. to 6 ft.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposed modification allows for more productive use of the project site and results in only minimal encroachments into the regulatory setback.

- 6) Section 5.6.6 Schedule of Required Buffers:** Modify the buffer width and planting requirements as shown below:

Buffer	Width and Plantings
North	6 ft. Modified Buffer 2 large trees, 2 small trees, and 40 shrubs per 100 linear feet
South	4 ft. – 10 ft. Modified Buffer 2 large trees, 2 small trees, and 40 shrubs per 100 linear feet
East	8 ft. – 10 ft. Modified Buffer 3 large trees, 4 small trees, and 40 shrubs per 100 linear feet
West	10 ft. – 15 ft. Modified Buffer 3 large trees, 6 small trees, and 50 shrubs per 100 linear feet

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the modified buffers will provide an adequate level of separation and privacy while also enabling a streetscape and development pattern that is consistent with the Town's Future Land Use Map.



## **CONDITIONAL ZONING DISTRICT**

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council finds, in this particular case, the proposed rezoning, subject to the conditions below, satisfies the purposes of Residential-6-Conditional Zoning District (R-6-CZD).

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

### **SECTION I**

The following parcels, identified by Durham County Property Identifier Numbers 9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550, and described below, shall be rezoned to Residential-6-Conditional Zoning District (R-6-CZD):

BEGINNING at an iron stake in the eastern property line of Barbee Chapel Road at the northwest corner of Elmer Pendergraft' as shown on plat hereinafter referred to, and running thence with his line North 87 degrees East 200 feet to an iron stake; thence North 5 degrees East 288 feet to an iron stake; thence north 86 degrees West 200 feet to Barbee Chapel Road; thence with said street South 5 degrees West 290 feet to the beginning as shown on the plat of property of Dallas H. Roberson and wife, recorded in Plat Book 35 at Page 34, to which plat reference is hereby expressly made for a more particular description of same. Reference is expressly made to Deed Book 235, at Page 279, and to Deed Book 169, at page 176.

BEGINNING at an iron stake in the east property line of the said road, which point is 30 feet from the center line thereof and in Dallas H. Roberson's line; running thence with said Roberson's and Pearl Sparrow's line North 87 degrees East 400 feet to a stake and pointers; running thence South 32 degrees West 332 feet to an iron stake, Murray Sparrow's corner; running thence with the said Sparrow's line North 80 degrees West 240 feet to an iron stake in the east property line of the said road 30 feet from the center line thereof; running thence along the east property line of the said road North 3 degrees East 224 feet to the beginning, containing 2 acres, more or less.

BEGINNING at a stake in the line of the property of Elmer O. Pendergraft and wife, Dallas Roberson's southeast corner; running thence with the said Roberson line North 5 degrees East 132 feet to an iron stake and North 87 degrees East 200 feet to an iron stake; running thence a new line South 5 degrees West 132 feet to an stake; thence South 87 degrees West 17 feet to a steak, the northeast corner of property of Elmer O. Pendergraft and wife, running thence with their line South 87 degrees West 183 feet to the beginning, as per plat by F.M. Carlisle, recorded in Plat Book Page Durham County Registry. See Deed Bok 135, at Page 238. See Deed Book 210, at Page 323, Office of Register of Deeds of Durham County, for location of property lines and corners of Elmer O. Pendergraft and wife, referred to herein.

BEGINNING at a stake the Northeast corner of other property of Dallas Roberson which beginning point is 8 feet South of a 30 foot road and 200 feet East of Barbee's Chapel Road; running thence North 87 degrees East 200 feet to a stake in the line of Pearl Sparrow (which stake is South 182 feet from the DuBose); running thence with the Pearl Sparrow line South 5 degrees 0 minutes West 118 feet to an iron the Northeast corner of Elmer Pendergraft; running thence with his line South 87 degrees West 200 feet to an iron in the line of Dallas Roberson; running thence with his line North 5 degrees East 118 feet to the



BEGINNING, being part of the land conveyed to Dallas Roberson and wife by deed recorded in Book 235, Page 279.

BEGINNING at a stake on the east side of said Barbee Chapel Road, sometimes known as the Old Chapel Hill to Raleigh Road or the C.C. Camp Road, said beginning point being the southwest corner of the Dubose Filling Station Lot; running thence along and with the said Dubose lot North 87 degrees East 374 feet to an iron stake in the west property line of the Sparrow Land; running thence along and with the said Sparrow land South 5 degrees West 182 feet to an iron stake in the middle of a 25-foot driveway leading from the Barbee Chapel Road eastward into the Sparrow land and between this property herein conveyed and the remaining property of Dallas Roberson; running thence along and with the center line of said 25-foot driveway North 83 degrees West 414 feet to an iron stake in the east property line of Barbee Chapel Road; running thence with the said Barbee Chapel Road North 19 degrees East 75 feet and North 25 degrees East 70 feet to an iron stake, the point and place of BEGINNING.

BEGINNING at an iron stake locate in the Eastern margin of the right-of-way of Barbee Chapel Road at the southwestern corner of the Dubose Filling Station lot known as "Tripp's Grocery", running thence from said beginning point along the southern margin of the Dubose Filling Station lot North 87 degrees 47 minutes 02 seconds East 371.90 feet to an iron stake; running thence with the Western margin of property of the North Carolina State Highway Commission South 01 degree 14 minutes 46 seconds West 188.16 feet to a stake located in the centerline of a private road known as Pearl Lane; running thence with the centerline of Pear Lane North 85 degrees 00 minutes 27 seconds West 414 feet to a stake located in the Eastern margin of the right-of-way of Barbee Chapel Road running thence with the Eastern margin of the right-of-way of Barbee Chapel Road the following courses and distances: North 15 degrees 43 minutes 13 seconds East 75 feet to a stake and North 20 degrees 33 minutes 25 seconds East 70 feet to the point and place of BEGINNING, containing 1.48 acres according to the unrecorded plat and survey thereof prepared by Freehold Land Surveys, Inc. dated October 22, 1981.

BEING all of that 0.278 acre, more or less, tract of land lying between the lands of Pendergraft (5101 Barbee Chapel Road, Parcel No. 141880), Square Wheel Ventures, LLC (105 Pearl Lane, Parcel No 141875), Krantz (110 and 111 Pearl Lane, Parcel Nos. 141877 and 141896), Roberson (115 Pearl Lane, Parcel No. 141894), Sayers (114 Pearl Lane, Parcel No. 141895), Herlant (102 Pearl Lane, Parcel No. 141881, and 6 Elmdale, Parcel No. 141878), NR Hillmont Property Owner LP (Deed Book 9533, Page 198, Parcel No. 141876), Pendergraft (24 Elmdale, Parcel no. 141879), and being portions of the lands conveyed to D.W. Sparrow and wife, Pearl Sparrow by Deed recorded June 11, 1940, in Book 135, Page 238, Durham County Registry, never subsequently re-conveyed. Said Parcel has a Durham County Parcel ID# 216988.

BEGINNING at an iron stake in the East side of a dead end street running between this property and the property, now or formerly, of Elmer Pendergraft, and which said lot is more properly described as BEGINNING at a stake in the East property line of said Street and which point is 30 feet East of Elmer Pendergraft's Northeast corner, now or formerly, of the property conveyed to him by Pearl Sparrow the following courses and distances: South 83 degrees East 165 feet; South 5 degrees West 132 feet; North 85 degrees West 165 feet to a stake in the East property line of said street, and which point is 30 feet East of Elmer Pendergraft's Southeast corner, now or formerly; running thence along the East side of said street North 5 degrees East 132 feet to the point and place of BEGINNING; as surveyed and platted by F.M. Carlisle Registered Engineer, on November 18, 1958.



All that certain lot or parcel of land situated, lying and being at the Southeastern intersection of Pearl Lane and an unnamed 30-foot street, as surveyed by F.M. Carlisle on April 1, 1961, and more particularly described as BEGINNING at the said intersection (which said intersection is South 85 degrees East 30 feet from the Northeast corner of the Dallas Roberson property, now or formerly); running thence with the South property line of Pearl Lane South 85 degrees East 165 feet to an iron; running thence South 5 degrees West 103 feet with the line of Pearl Sparrow, now or formerly, to an iron, the Northeast corner of the S.W. Wilburn property, also now or formerly; running thence with that line North 85 degrees West 165 feet to an iron in the East property line of said 30-foot unnamed street, which iron is opposite and 30 feet from the Northeast corner of the Elmer Pendergraft property, now or formerly; running thence with said street North 5 degrees East 103 feet to the point and place of BEGINNING, and BEING the same land conveyed to G.H. Moseley and wife, Mae Omie H. Mosely, by Pearl Sparrow (widow) by deed dated April 12, 1961, and recorded in Deed Book 275, Page 5, Durham County Registry.

LYING and being in Triangle Township, Durham County, on the north side of Pearl Lane and East of Barbee Chapel Road, and BEGINNING at an iron set in or near the centerline of Pearl Lane, a private road extending east from Barbee Chapel Road, said iron being located South 85 degrees 00 minutes 2.6 seconds East 414.0 feet from the intersection of Pearl Lane and the east margin of Barbee Chapel Road; and running thence with the east line of Harwell North 01 degree 14 minutes 46 seconds East 188.16 feet to an iron found, a corner with the Tripp Grocery land; thence along and with the Tripp Grocery line North 87 degrees 12 minutes 18 seconds East 230.94 feet to an iron found in the northwest corner of Roberson's land; thence with Roberson's line South 00 degrees 44 minutes 12 seconds West 219.65 feet to an iron set in or near the centerline of Pearl Lane; thence North 83 degrees 00 minutes 26 seconds West 232.81 feet to the point and place of BEGINNING and containing 1.08 acres, more or less.

BEGINNING at an iron pipe in the Western line of the property of Roderick Lane Roberson (formerly property of Dallas H. Roberson); said point of beginning also being in the southern line of the private road known as Pearl Lane where said road intersects with the property of Roderick Lane Roberson, and proceeding with the wester line of Roberson South 00 degrees 39 minutes 13 seconds West 67.80 feet to an iron; thence with the southern line of Roberson North 88 degrees 00 minutes 03 seconds East 152.01 feet to an iron; thence South 00 degrees 16 minutes 35 seconds West 270.66 feet to an iron; thence North 89 degrees 46 minutes 52 seconds West 232.30 feet to an iron; thence North 05 degrees 12 minutes 37 seconds East 103.61 feet to an iron; thence North 05 degrees 18 minutes 27 seconds East 132.11 feet to an iron; thence North 05 degrees 10 minutes 58 seconds East 102.49 feet to an iron in the southern line of Pearl Lane; thence to the point of beginning, containing 1.44 acres, more or less; as surveyed by Fred P. Johnston RLS and shown on an unrecorded map dated October 26, 1981.

BEGINNING at an iron stake which is located in the south line of the property which is now or formerly that of David St. Pierre Dubose, being the northwest corner of the property now or formerly belonging to Herman B. Lloyd, being the northeast corner of the property herein conveyed as shown on the survey referred to below, running thence South 00 degrees 50' 01" West 300.22 feet to a point located approximately 2 feet west of an iron stake; running thence South 88 degrees 00' 00" West 150 feet to an iron stake, this line being a common line with the property of Esther S. Roberson Tripp described in Deed Book 303, page 436, Durham County Registry; running thence North 00 degrees 43' 01" East 299.98 feet to an iron stake; running thence North 87 degrees 54' 11" East 149.98 feet to an iron stake, the point and place of BEGINNING as shown on the surveys of Freehold Land Surveys, Inc., dated July 30, 1981 and October 20, 1982, both entitled "Property of Roderick L. Roberson



and Donna Brown Roberson,” to which reference is hereby made, and being the same property conveyed to Esther S. Roberson Tripp and her late husband Dallas H. Roberson by a deed recorded in Deed Book 292, Page 499, Durham County Registry, to which reference is hereby made for a further description.

IN ADDITION TO THE PARCELS DESCRIBED ABOVE, the portion of Barbee Chapel Road that fronts the subject properties shall be rezoned up to its midpoint to Residential-6-Conditional Zoning District (R-6-CZD).

## **SECTION II**

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

1. Expiration of Conditional Zoning Atlas Amendment: An application for a Zoning Compliance Permit must be filed by a date precisely two years from the date of this approval or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Consent to Conditions: This approval is not effective until the property owner(s) provide written consent to the approval. Written consent must be provided within thirty (30) business days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Land Use Intensity</b>	
Permitted Uses	Dwelling units, multifamily, over 7 units; Dwelling units, multifamily, 3 to 7 units; Dwelling units, single-family; Customary accessory uses
Gross Land Area (GLA)	501,425 sq. ft. (11.51 acres)
Permitted Floor Area	315,000 sq. ft. - 420,000 sq. ft.
Permitted Dwelling Units	262 units - 350 units
Minimum Affordable Units	See Condition #6
Maximum Total Impervious Surface	Per LUMO, 70% of GLA
Maximum Land Disturbance	480,000 sq. ft.
Maximum Land Disturbance in Resource Conservation District	3,500 sq. ft.
Maximum Land Disturbance in Jordan Buffer	3,500 sq. ft.
Minimum Tree Canopy Coverage	114,025 sq. ft.
Minimum Recreation Area	25,071 sq. ft.
Maximum Vehicular Parking	446 spaces or 1.3 spaces per unit
Minimum Bicycle Parking	88 spaces

4. Sustainability: Prior to issuance of the first Zoning Compliance Permit for building construction, the developer shall update the most recent version of the Energy Management Plan (EMP) to address the zoning conditions listed below and to provide certainty around expected performance/specification details for those items that are only generally described in this Conditional Zoning ordinance.



- a. Energy Management Plan: The final EMP shall include the following commitments for all construction, as applicable:
    - i. All-electric interior design
    - ii. Achieve National Green Building Standard Bronze Level or better
    - iii. All LED interior and exterior lighting
    - iv. Solar-ready construction
    - v. Only native or locally adapted species that are non-invasive and drought-tolerant
    - vi. Irrigation system with controller that meets EPA WaterSense standards
    - vii. Lighter-colored roof materials to reduce heat
    - viii. LED streetlights
    - ix. Low VOC finishes, formaldehyde free insulation and carpet pads, MERV 13 air filters
    - x. Programmable thermostats
  - b. Energy Efficiency: The Final Plans shall exceed the energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Conditional Zoning issuance (e.g., ASHRAE 90.1 2019). Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the developer.
5. Electric Appliances: The developer shall install all-electric appliances in all dwelling units. No gas appliances shall be installed.

#### Housing

6. Affordable Housing Plan: The developer shall provide the following:
  - a. Affordable Units: The lesser of 31 affordable units or 10 percent of market rate units.
  - b. Unit Size: The affordable units will include studio, 1-bedroom, 2-bedroom, and 3-bedroom units in ratios approximately equivalent to the ratios of unit types among market rate units.
  - c. Location: The affordable units shall be evenly distributed throughout the development. No more than twelve (12) affordable units shall be located in any single building.
  - d. Pricing: At least forty-five percent (45%) of the affordable units will be reserved for those making 65% or less of the area median income (AMI) and the remaining affordable units will be reserved for those making 80% or less of AMI.
    - i. Maximum rental prices shall be calculated based on 30% of monthly household income at the specified AMI levels, adjusted for household size, minus housing-related costs.
    - ii. Housing-related costs include rent, utilities (heat, water, sewer, electric, and gas) and other fees required by the owner or property manager.
    - iii. Maximum housing costs are based on the Area Median Income for the Durham-Chapel Hill, NC HUD Metro Fair Market Rent Area published annually by the U.S. Department of Housing and Urban Development, found at [https://www.huduser.gov/portal/datasets/il/il2022/select\\_Geography.odn](https://www.huduser.gov/portal/datasets/il/il2022/select_Geography.odn).
    - iv. Area median income for a given unit size shall be calculated assuming 1.5 persons per bedroom for non-studio units. Area median income for a studio units shall be calculated assuming 1 person per unit.
  - e. Phasing: At least fifty percent of the affordable housing shall be completed prior to the Zoning Final Inspection of the first half of the market rate dwelling units. The remaining affordable dwelling units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate dwelling units.



- f. Affordability Period: The affordable units will be affordable for a period of at least thirty (30) years.
- g. Design:
  - i. The affordable units will be finished with the same exterior design, trim, materials, and details as the market-rate units.
  - ii. The affordable units will meet the same energy efficiency standards as the market-rate units.
- 7. Housing Vouchers: The developer shall accept Housing Choice Vouchers from the renters of the affordable units for the 30-year period of affordability for the project.
- 8. Affordable Housing Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, a performance agreement that incorporates the approved Affordable Housing Plan must be executed by the developer, the Town Manager (or designee), and if applicable, the non-profit agency that will administer the affordable housing units.

#### Transportation, Access, & Connectivity

- 9. Electric Vehicle Charging: The developer shall support the use of electric vehicles by providing the following:
  - a. The developer shall provide 220-volt outlets in each townhome unit.
  - b. At least 5 percent of parking spaces shall be served by electric vehicle chargers.
  - c. All installed electric vehicle chargers shall be "Level 2" or higher as defined by the Society of Automotive Engineers.
  - d. At least 20 percent of all parking spaces shall be made "EV ready" by installing conduit and ensuring the availability of space for necessary infrastructure.
- 10. Fire Access Road: The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. [2018 NCFC Section 503]
- 11. Access: The developer shall secure all necessary access rights for construction traffic as well as all future ingress and egress to this development.
- 12. Multiuse Path: The developer shall provide a 10-foot-wide multiuse path that meets or exceeds Town standards along the full Barbee Chapel Road frontage of the development. Final design must be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT) prior to issuance of a Zoning Compliance Permit.
- 13. Multiuse Path Extension: Subject to approval from NCDOT, the developer shall provide an extension of the multiuse path from its northern property line to the existing multiuse path located adjacent to NC Highway 54. The developer shall not be required to construct the multiuse path extension if the acquisition of right-of-way from a private party is necessary for doing so. Final design must meet or exceed Town standards and must be approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit.

If, for any reason, the developer does not provide the multiuse path extension prior to completion of the Zoning Final Inspection, the developer shall either (1) construct a sidewalk on the west side of Barbee Chapel Road connecting the existing sidewalk to the crosswalk required under condition #16 or (2) provide a payment equivalent to 25 percent of the recreation space requirement for the development.



14. NCDOT-Mandated Roadway Improvements: Approval by the Town and NCDOT of all roadway construction details shall be required prior to issuance of a Zoning Compliance Permit. Prior to issuance of a Zoning Final Inspection, the developer shall provide all roadway improvements and limit driveway access as mandated by NCDOT.
15. Barbee Chapel Road and NC Highway 54: Prior to issuance of a Zoning Final Inspection, the developer shall lengthen the northbound left-turn lane at the NC 54/Barbee Chapel Road intersection to approximately 450 feet and appropriate taper, using the existing pavement section in the vicinity of Pearl Lane. Prior to issuance of a Zoning Final Inspection, the developer shall provide a \$5,000 payment for revising signal timing.
16. Pedestrian Crosswalk and Refuge: Prior to issuance of a Zoning Final Inspection, the developer shall provide a high visibility pedestrian crosswalk and median refuge across the southern leg of the Barbee Chapel Road/southern site driveway intersection. If required by the Town Manager, the crosswalk shall include a Rectangular Rapid-Flashing Beacon or similar device.
17. Stormwater Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a stormwater impact analysis demonstrating that post-development peak flows for the 50-year storm events do not exceed the pre-development peak flows for the site at each point of analysis.

#### **TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD CONDITIONS**

The following standard conditions are supplemental to site-specific conditions as set by Town Council-approved ordinance. Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by Conditional Zoning.

##### Transportation

18. Driveway Permit: The developer must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within NCDOT or Town of Chapel Hill right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of stipulated improvements in accordance with NCDOT and Town of Chapel Hill requirements. An approved permit will be issued upon receipt of approved plans, inspection fees, and any necessary performance and indemnity bonds.
19. Repairs in Public Right-of-Way: Prior to issuance of a Zoning Final Inspection, the developer shall repair all damage for work in existing Town of Chapel Hill public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design of such repairs must be reviewed and approved by the Town Manager and/or NCDOT prior to issuance of a Zoning Final Inspection. [Town Code 17-40]
20. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design street lighting along the site frontage. Design and construction details must be approved by the Town Manager and NCDOT. Lighting shall be installed prior to issuance of a Zoning Final Inspection.
21. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required



and/or proposed bicycle parking spaces. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 5.9.7]

22. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design. [LUMO 5.9.5]
23. Parking Lot Landscape and Screening: The parking lot landscape design shall adhere to the standards of the Chapel Hill Land Use Management Ordinance. [LUMO 5.9.6]
24. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.
25. Off-Site Construction Easements: Prior to any development associated land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
26. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]
27. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.4.5]
28. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager and/or NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]

#### Landscaping and Building Elevations

29. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]
30. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]
31. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. [LUMO 4.4.5]
32. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees unless a modification to regulations is



approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]

33. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
34. Demolition Plan: Prior to beginning any proposed demolition activity, the developer must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).
35. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]

#### Environment

36. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
37. Phasing Plan: If phasing of the project is proposed, then the applicant shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans. [LUMO 4.5.3]
38. Erosion Control Bond: If one acre or more is to be uncovered by land-disturbing activities for the project, then a performance guarantee in accordance with *Section 5-97.1 Bonds* of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [Town Code 5-98]
39. Erosion Control Inspections: In addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices once per seven calendar days if no rain. The developer shall make any necessary repairs or adjustments to the devices and maintain inspection logs documenting inspections and any necessary repairs in accordance with NCG01 Self Inspection Guidelines.
40. Erosion Control: The developer shall provide the Town a copy of the approved erosion and sediment control permit from Durham County Erosion Control Division. During the construction phase, additional erosion and sediment controls may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance. [Town Code 5-98]



41. Sediment Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry sediments on adjacent roadways. [Town Code 5-86]
42. Stormwater Control Measure: The proposed stormwater control measures for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual and Town of Chapel Hill Public Works Engineering Design Manual. [LUMO 5.4.3]
43. Storm Drain Inlets: The developer shall provide pre-cast inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-4A, SD-5A, SD-5C include all applicable details\*, for all new inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]
44. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [Town of Chapel Hill Design Manual]
45. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town of Chapel Hill Design Manual]
46. Performance Guarantee: A performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirement of Section 4.9.3 of the Land Use Management Ordinance prior to the approval of a Final Plat. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping, and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

Upon completion of the storm water control measures(s) and other improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall be submitted by the developer prior to the issuance of final certificate of occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the storm water control structure(s) to determine that the storm water measure(s) are performing as required by this Ordinance. The Stormwater Management



Division, upon determining that the storm water control(s) are performing as required by this Ordinance, and after any repairs to the storm water control structure(s) are made by the owner, shall release the remaining maintenance bond. [LUMO 4.9.3]

#### Water, Sewer, and Other Utilities

47. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The developer shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.4.5]
48. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]
49. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. [LUMO 5.12.1]
50. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

#### Fire Safety

51. Fire Sprinklers: The developer shall install NFPA 13 fire sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. [TOWN CODE 7-56]
52. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]
53. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC -2018, 503.2.7, 503.2.8 and D103.2]
54. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a



water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.

55. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]
56. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1, 503.1.1, 503.2.1, D102.1 Second access dependent upon NCDOT approval]
57. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.
58. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 dependent upon NCDOT approval]
59. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
60. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]
61. Hydrants Active: The developer shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]
62. Fire Hydrant and FDC Locations: The Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC 2018 Section 501.5.1.1]



63. Firefighting Access During Construction: Vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC FPC 2018, Section 3310.1]
64. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]
65. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13D and Town Code 7-56 is required to be installed in residential construction.
66. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.
67. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]
68. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]

#### Solid Waste Management and Recycling

69. Solid Waste Management Plan: Prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager and Orange County Solid Waste (OCSW). The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the developer shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]
70. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard (Regulated Recyclable Materials), all present in construction waste, must be recycled. All haulers of construction waste containing Regulated Recyclable Materials must be properly licensed with Orange County Solid Waste. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered. [Orange County Solid Waste]



71. Deconstruction Assessment: For any existing structure 500 square feet or larger a deconstruction assessment shall be conducted by OCSW staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO). Prior to any demolition or construction activity on the site, the developer shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be held at the same pre-construction meeting held with other development/enforcement officials.

#### State and Federal Approvals

72. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]
73. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

#### Miscellaneous

74. Construction Management Plan: A Construction Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods, 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance. [Town Design Manual Chapter 10]
75. Traffic and Pedestrian Control Plan: The developer shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the developer must apply to the Town Manager for a lane or street closure permit. [Town Code 17-42]
76. Construction Sign Required: The developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. The sign shall be non-illuminated and shall consist of light letters on a dark background. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.4]
77. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]



78. Detailed Plans: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Chapel Hill Land Use Management Ordinance and the Design Manual. [LUMO 4.4.5]
79. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete or have been bonded. A note to this effect shall be placed on the final plats.
- If the Town Manager approves a phasing plan, no Certificates of Occupancy shall be issued for a phase until all required public improvements for that phase are complete, and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase. A note to this effect shall be placed on the final plats.
80. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
81. New Street Names and Numbers: The name of the development and its streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
82. As-Built Plans: Prior to the issuance of the last Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [Town Design Manual Chapter 10]
83. Vested Right: This Conditional Zoning or Conditional Zoning modification constitutes a site-specific vesting plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160D-108.1 and the Chapel Hill Land Use Management Ordinance. During the period of vesting this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
84. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
85. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
86. Not Comprehensive: The listing of these standard conditions, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER RESOLVED that the Council hereby approves the application for



Conditional Zoning for the Barbee Chapel Apartments at 5101 Barbee Chapel Road.

This the 24th day of May 2023.



**RESOLUTION B**  
**Denying the Conditional Zoning Application**

**A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE BARBEE CHAPEL APARTMENTS TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (2023-05-24/R-16)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by McAdams, on behalf of contract purchaser Toll Brothers Apartment Living and property owners Don W Pendergraft, Frank Herlant, Stephen D Pendergraft, Sandy L Pendergraft, Square Wheel Ventures LLC, Quentin Todd Krantz, Donna Roberson Sayers, Roderick Lane Roberson, and Elmdale and Pearl Lane LLC, to rezone a 10.46-acre collection of parcels located at 5101 Barbee Chapel Drive on property identified as Durham County Property Identifier Numbers 9798-72-75-8083; 9798-72-95-9660; 9798-72-97-2169; 9798-82-25-0578; 9798-82-27-2292; 9798-82-34-8161; 9798-82-46-2809; 9798-72-82-2595; 9798-82-24-0401; 9798-72-94-8347; and 9798-82-15-1550, if rezoned to Residential-6-Conditional Zoning District (R-6-CZD) according to the rezoning plan dated February 21, 2023, and the conditions listed would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to rezone the Barbee Chapel Apartments to Residential-6-Conditional Zoning District (R-6-CZD).

This the 24<sup>th</sup> day of May 2023.



February 21, 2023

Judy Johnson  
Town of Chapel Hill Planning Department  
405 Martin Luther King Jr Boulevard  
Chapel Hill, North Carolina 27514

**Re: Barbee Chapel Apartments Modifications to Regulations**

Due to site constraints and peculiarities of the Land Use Management Ordinance, modifications to required standards are necessary to create a multi-family development that meets the Town's vision and intent for such developments. The requested modifications are necessary to allow for a cohesive and well-designed multi-family project that meets the goals and intent of the Chapel Hill Comprehensive Plan. To develop this land as multi-family project, modifications to density will be necessary which subsequently require modifications to floor area and building height. Modifications to buffers and setbacks will be required as well.

**DENSITY**

**Permitted Density (maximum): 15 DU/AC**

**Proposed Density (maximum): 31 DU/AC**

The Land Use Management Ordinance Article 3.8.2 sets forth density requirements for the Barbee Chapel Apartments development.

The R-6 zoning district is the densest residential district outside of Town Center districts, and the maximum density is capped at 15 du/ac. This would only allow for 156 apartment units on site. The subject site falls within the NC 54 Corridor Sub-Area A in Chapel Hill's Future Land Use Map. This area calls for multi-family residential use with a typical height of 6 stories for active street frontage. A multi-family project of that size and scale (6 stories, 3 buildings, and townhomes) would include over 156 units. Chapel Hill does not yet have an appropriate zoning district to allow for higher density projects where they are designated on the future land use map, outside of the Town Center areas. While zoning districts such as OI-3 or OI-4 exist that allow unlimited multi-family density, the project team was advised by Planning Staff to seek a zoning district that meets the intent of the land use and request a density modification. To meet the goals and intentions of the Future Land Use Map, a higher density allowance is necessary.

The applicant is proposing an increased density to 31 dwelling units per acre (based on gross land area) not to exceed 350 units.



**FLOOR AREA RATIO****Permitted FAR (maximum): 0.303****Proposed FAR (maximum): 0.840**

The Land Use Management Ordinance Article 3.8.2 sets forth floor area requirements for the Barbee Chapel Apartments development.

Under the proposed R-6 zoning district, the maximum floor area ratio is 0.303. This equates to roughly 151,931 square feet of allowed floor area. For reference, this is roughly equivalent to one of the buildings on the site. Meeting the requirement of a 0.303 floor area ratio at this site would warrant a low density, one- or two-story or single building development, not meeting the intent of the Comprehensive Plan.

The applicant is proposing an increased floor area ratio of 0.840 to allow for multiple 4-story and 5-story multi-family buildings and 24 townhomes.

**BUILDING HEIGHT****Permitted Building Height (maximum): Setback 39'; Core 60'****Proposed Building Height (maximum): 60' feet or 5 stories**

The Land Use Management Ordinance Article 3.8.2 sets forth building height requirements for the Barbee Chapel Apartments development.

Under the R-6 zoning district, the maximum building height at the setback is 39 feet and 60 feet at the core. Given the topography of the land and environmental features, it will be difficult to meet the 39-foot setback height along Barbee Chapel Rd. On the Future Land Use Map – Update to Chapel Hill 2020, this property falls under the NC 54 Corridor Sub-Area A, which calls for a Typical Height of 6 stories, Transitional Area Height of up to 4 stories, and Activated Street Frontage Height of 6 stories; This building will fall within those proposed ranges. Height per the LUMO is measured from mean finish grade to parapet.

The modification to the maximum building height will allow for the development of a more activated street frontage along Barbee Chapel Rd and encourage pedestrian activity in the corridor.



**BUFFERS**

LANDSCAPE BUFFER	REQUIRED TYPE	PROPOSED TYPE
<b>NORTH (NC ZONE)</b>	Type C- 20' Internal	6' Modified Buffer
<b>SOUTH (HILLMONT)</b>	Type B- 10' Internal	4'-10' Modified Buffer
<b>EAST (HILLMONT)</b>	Type B- 10' Internal	8'-10' Modified Buffer
<b>WEST (BARBEE CHAPEL RD)</b>	Type B- 20' External	10'-15' Modified Buffer

The Land Use Management Ordinance Article 5.6.6 sets forth buffer requirements for the Barbee Chapel Apartments development.

Buffer modifications are being requested for all the buffers required on the site. The required planting numbers cannot be met on the site to ensure that the trees and shrubs will survive and remain healthy. In lieu of trees, additional shrubs will be planted in the buffers. Existing buffers and landscaping adjacent to the North, East, and South sides of the property will provide extra screening and landscaping for the surrounding properties.

The applicant is requesting a modification for the western buffer along Barbee Chapel Rd. The required buffer of 20' would not create an activated streetscape or pedestrian and bicycle-friendly environment. The modified buffer would meet the intent of the Comprehensive Plan to create an activated street frontage. Similar to the South, East, and North buffers, the reduced plantings will ensure the health and survival of the trees.



**SETBACKS**

SETBACK	REQUIRED	PROPOSED
<b>STREET</b>	20'	20'
<b>INTERIOR (NEIGHBORING PROPERTY LINES)</b>	10'	8'
<b>SOLAR (NORTHERN PROPERTY LINE)</b>	8'	6'

The Land Use Management Ordinance Article 3.8.2 sets forth setback requirements for the Barbee Chapel Apartments development.

All residential structures (apartment buildings and townhomes) will fall within the required setbacks for the R-6 district, however a deviation is needed to allow for garages in some areas of the development. These structures are slightly longer than a traditional parking space and would encroach in the setbacks, therefore a reduction is requested.

**CONCLUSION**

In conclusion, the requested modifications remain in the spirit of the goals of Chapel Hill and align with the future land use of the Comprehensive Plan. As noted above, providing density on this site requires modifications to the R-6 zoning district, including increasing density allowance, increasing floor area ratio permitted, increasing building height permitted, reducing buffers, and reducing setbacks to further align with Chapel Hill's goals.

Thank you for your consideration of these requested modifications for the R-6 zoning district as a part of the Barbee Chapel Apartments CZP application.

Sincerely,

**MCADAMS**



Jessie Hardesty  
Planner III, Planning + Design



## **BARBEE CHAPEL APARTMENTS – Conditional Zoning Permit**

**Barbee Chapel Rd  
Chapel Hill, NC (Durham County)**

### **AFFORDABLE HOUSING PROPOSAL**

The developer is proposing that a total of 31 apartments be rented at affordable rates, with 15 units at 65% AMI and 16 units at 80% AMI levels. The affordable units will be located throughout the project, rather than concentrated in a single building or location, and there will be an appropriate mix of units (efficiency, 1 BR, 2 BR and 3 BR).

### **DEVELOPER’S PROGRAM**

Toll Brothers Apartment Living is excited to present a Rezoning Application for approximately 11 acres located along the east side of Barbee Chapel Road near the intersection with Stancell Rd and NC Hwy 54. The site is south of the existing Valero gas station and Clean Wheels Car Wash and currently is bisected by a private road, Pearl Lane. The current use of the assemblage is single-family dwellings on the former Pearl Sparrow Farm, built when the location was on the outer edge of Chapel Hill and long before the construction of Meadowmont Village, The Courtyard by Marriott hotel, the William and Ida Friday Center for Continuing Education and the associated UNC Park & Ride lots that are used by university and hospital staff, all of which are within a 10-minute (0.4 miles or 2,112 feet) walk of this site. The proposed development reflects the changing character of this area of Chapel Hill and the need for market-rate and affordable housing. Additionally, by building garden style apartments with surface parking, the developer is able to provide more moderately priced apartments than would be possible with other development types.

The development team aspires to prioritize the town’s goals for Connectivity, Placemaking and Sustainability rather than replicate the car-centric development more commonly seen in our region and throughout the country.

**CONNECTIVITY:** Significant effort is made to prioritize pedestrian and bicycle movement within the project and to create connections to the nearby transit corridor. Indeed, this location is a five-minute walk to regional bus lines (GoTriangle) on NC-54 that serve both the university and employers in Durham County (notably Southpoint and RTP) and a 10-minute walk along public sidewalks to the town’s high-frequency bus service to UNC at the Friday Center. Combined, the two bus systems provide bus service to the UNC Campus and UNC Hospital at less-than-five-minute intervals during peak travel times, as well as bus service on nights and weekends, a rarity in this region.

The developer proposes a multi-modal greenway along Barbee Chapel Road for the full length of its property line, extending the multi-modal network for residents in nearby apartments (The Morgan) and condominium (Finley Forest) communities. This multimodal path, if continued on the Hillmont property to the south, will provide area pedestrians and cyclists off-road connectivity to The Farm, UNC’s recreational area at the south and to goods and services at Meadowmont Village to the north, East 54 to the west and Falconbridge to the east. Additionally, this plan proposes direct connections to adjacent parcels to increase connectivity and help reduce bottlenecks and congestion that are associated with disconnected sites.



**PLACEMAKING:** The buildings in this community, ranging in height from three to five stories, frame a large tree-lined formal green and smaller shaded formal and informal parks as central features for the future community. They provide outdoor rooms for formal programming such as community cook-outs and outdoor movies and informal gatherings or quiet time outdoors. The proposed pedestrian-and-bicycles-only entrance from Barbee Chapel Road, between Buildings 2 and 3, provides a glimpse into the apartment community to passers-by and reinforces the pedestrian-oriented design, with its easy ped-bike connectivity to the larger community. The proposed site plan offers connections to possible future development on adjacent properties, allowing the proposed and future adjacent developments to be experienced as one “place” rather than individual projects.

**SUSTAINABILITY:** The proposed development will require approval of an erosion and sediment control plan through Durham County. The plan will minimize impacts to off-site areas and keep erosive sediment-laden runoff on site for treatment prior to discharging into any existing waterways. The erosion control plan will be broken into a multi-phased approach with initial erosion control measures, mid stage control measures, and final stage stabilization. Throughout the length of the project, numerous erosion control measures will be used, such as sediment basins, inlet protection, silt fence, construction entrances, and short-term vegetated stabilization. Final stage stabilization will include establishing vegetative cover, final cleaning of the proposed systems, as-built documentation, and close out of project.

The stormwater management approach for this project will include both conventional and green stormwater strategies and devices. The conventional infrastructure will be comprised of a reinforced pipe drainage network which collects overland sheet flow & shallow concentrated flow. Overland sheet flow will be utilized where possible prior to entering the sewer network, thereby taking advantage of any infiltrative properties of the soil. Underground stormwater control measures will be located at the low points of the site and locations most suitable to capture runoff. Stormwater control measures will meet local requirements for sediment removal, nutrient removal, and runoff detention. It's anticipated that site runoff will match existing drainage patterns, discharging to the NE stream or Barbee Chapel r/w after treatment. In addition, the developer commits to using vegetated swales along Barbee Chapel Road and pervious pavers as enhanced landscaping features that reduce and/or slow water runoff from the site. The developer also plans to provide electric vehicle (EV) charging for 5% of the total number of parking spaces provided.



November 16, 2022

Judy Johnson  
Town of Chapel Hill Planning Department  
405 Martin Luther King Jr Boulevard  
Chapel Hill, North Carolina 27514

## **RE: Barbee Chapel Apartments Justification and Statements of Compliance**

### **STATEMENT OF JUSTIFICATION**

The proposed zoning brings the subject parcels into greater conformance with the Town's Comprehensive Plan. The property is currently zoned R-2, and R-6 zoning is requested to fulfill the themes and goals of the comprehensive plan elaborated on below. Falling within the 54 Corridor Focus Area, Sub-Area A specifically calls for multifamily residential, which the current zoning district does not allow. Statements below further support the case for the requested R-6 zoning district to permit a multifamily and townhome development.

### **STATEMENT OF COMPLIANCE WITH COMPREHENSIVE PLAN**

Toll Brothers Apartment Living is proposing a multi-family development on Barbee Chapel Road in accordance with the CH2020 Comprehensive Plan. The proposed plan addresses the following themes with their corresponding goals: A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places, New Spaces, Nurturing our Community, and Town and Gown Collaboration. Similarly, it meets the intent of the NC 54 Corridor Sub-Area A focus area of the Future Land Use Map.

### **THEME 1: A PLACE FOR EVERYONE**

Barbee Chapel Apartments meets the following goals under Theme 1:

- A range of housing options for current and future residents
- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses

One of the goals of Theme 1 is to provide a range of housing options for current and future residents. This property is located within the 54 Corridor Focus Area, and the Future Land Use Map Update to Chapel Hill 2020 shows the sub areas of the corridor, calling out various land uses and densities. Sub Area A calls for multi-family residential, shops & offices, and commercial as primary land uses and townhouses, parks, and institutional land uses as secondary uses. This proposal fulfills each of these by providing a multi-family and townhome development, contributing to the range of housing types desired by the Town. Additionally, the project intends to have 10% affordable units at the 65% and 85% AMI levels evenly dispersed throughout the development.



## THEME 2: COMMUNITY PROSPERITY AND ENGAGEMENT

Barbee Chapel Apartments meets the following goals under Theme 2:

- Promote a safe, vibrant, and connected community

A goal of Theme 2 is to promote a safe, vibrant, and connected community as well as foster success of local businesses. The proposed development is situated between various other residential communities, providing a safe retreat for residents. The site is also near Meadowmont Village and Falconbridge Center, which provides residents with a variety of options to support local business restaurants, retail, and services. The site is also just up the street from The Farm, a recreation center for faculty, staff, and alumni of UNC-Chapel Hill. Overall, this residential development will contribute to a community that is well connected.

## THEME 3: GETTING AROUND

Barbee Chapel Apartments meets the following goals under Theme 3:

- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation
- Connect to a regional transportation system
- Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers

The proposed project will be well connected to adjacent neighborhoods and a commercial node across Hwy 54, within a mile of the property. Significant effort is made to prioritize pedestrian and bicycle movement within the project and to create connections to the nearby transit corridor. Indeed, this location is a five-minute walk to regional bus lines (GoTriangle) on NC-54 that serve both the university and employers in Durham County (notably Southpoint and RTP) and a 10-minute walk (0.4 miles or 2,112 feet) along public sidewalks to the town's high-frequency bus service to UNC at the Friday Center. Unless otherwise prohibited, residents likely will use existing private sidewalks along Finley Forest Drive to reach buses at the Friday Center in ten minutes or less. Combined, the two bus systems provide bus service to the UNC Campus and UNC Hospital at less-than-five-minute intervals during peak travel times, as well as bus service on nights and weekends, a rarity in this region. The developer proposes a multi-modal greenway along Barbee Chapel Road along the full length of its property line, further extending the multi-modal network for access to goods and services at Meadowmont Village. Whether it is a moderate walk, a bike ride, a short drive, or hopping on the bus, future residents of the proposed multi-family project will have multiple transportation options to choose from to access nearby retail, businesses, and services. A new traffic impact study will be completed to help guide the development design to minimize traffic impacts and not subtract from the quality of life of existing neighbors and future residents.

## THEME 4: GOOD PLACES, NEW SPACES



Barbee Chapel Apartments meets the following goals under Theme 4:

- Future land-use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students
- Open and accessible common spaces for community gathering, cultural uses, and community development

The proposed development provides new housing options to the 54 Corridor and will be consistent with the future land use plans for the area. Apartments and townhomes will provide the desired density to this area while maintaining the residential feel of neighboring communities and creating a new vibrant space for Chapel Hill residents. The site design will include multiple plaza and courtyard spaces, an amenity with a clubhouse and pool, and a dog park, offering multiple opportunities for community gathering. Green spaces will be organized along the main street through the development and will offer a connection point for the adjacent property to facilitate the creation of one "place" rather than individual projects.

#### THEME 5: NURTURING OUR COMMUNITY

Barbee Chapel Apartments meets the following goals under Theme 5:

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra-Territorial Jurisdiction
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections

There is a very small portion of a stream buffer located in the northeast corner of the site that will be taken into consideration in the development of the property. Proximity to commercial nodes, bus stops, and trails supports the Climate Action Plan, by promoting walking and biking or public transportation to reduce vehicle use and emissions, therefore reducing carbon footprint and improving air quality. Stormwater will be detained and treated onsite with an underground facility and green stormwater infrastructure, ensuring that adjacent neighborhoods are not impacted from development. At minimum, the developer commits to using vegetated swales along Barbee Chapel Road and pervious pavers and raingardens within the site as part of its stormwater management strategy.

#### THEME 6: TOWN AND GOWN COLLABORATION

Barbee Chapel Apartments meets the following goals under Theme 6:

- Promote access for all residents to healthcare centers, public services, and active lifestyle opportunities
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and **housing for Town, University, and Healthcare System employees that encourages them to reside in the community**



By contributing to the range of housing options, this development will provide residents of varying ages, including recent UNC graduates and employees, with new rental housing opportunities. The proposed project is less than 5 miles from UNC campus and UNC Hospitals and approximately a 10-minute walk to a UNC Park and Ride lot. Additionally, there are multiple UNC medical offices even closer in Meadowmont, at the corner of Fordham Blvd and Manning Dr, and at the intersection of Hwy 54 and I-40. Recent graduates whose employment is outside of Chapel Hill will also find appeal here due to its affordability and proximity to the Durham and RTP job cores, allowing Chapel Hill to diversify its population as students turn into young professionals.

### **STATEMENT OF COMPLIANCE WITH DESIGN GUIDELINES**

Toll Brothers Apartment Living multi-family project will be built in compliance with the Town's Design Guidelines.

The architecture will be carefully designed with high-quality materials and a design that fits within the overall community. Apartment buildings have been designed to create central courtyard amenity spaces for residents, that will serve as the community and social hubs for the project. Parking will be a combination of surface and structured tabletop to keep the costs of the project lower helping with affordability and will be evenly dispersed throughout the project.

Landscape buffers will be designed in accordance with the Town's design manual and with the use of best practices to provide appropriate transitions between the building and streetscapes and adjacent land uses.

Vehicular connectivity will be provided to Barbee Chapel Rd and future development to the east, and internal roadways will avoid dead-end streets. Pedestrian connections will be provided throughout the project.

Stormwater management facilities, water, sewer, and other utilities will be provided in accordance with the applicable guidelines, standards, and regulations.

Sincerely,

**MCADAMS**



Jessie Hardesty  
Planner II, Planning + Design



# CONDITIONAL ZONING APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
 405 Martin Luther King Jr. Blvd.  
 (919) 968-2728 fax (919) 969-2014  
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9798-72-97-2169 (multiple parcels included, see cover sheet) Date: 09/29/2022

## Section A: Project Information

Project Name: Barbee Chapel Apartments

Property Address: 5101 Barbee Chapel Rd Zip Code: 27517

Use Groups (A, B, and/or C): A Existing Zoning District: R-2

Project Description: Residential development including townhomes and multifamily buildings

## Section B: Applicant, Owner, and/or Contract Purchaser Information

### Applicant Information (to whom correspondence will be mailed):

Name: McAdams - Spencer Christiansen

Address: 2905 Meridian Pkwy

City: Durham State: NC Zip Code: 27713

Phone: 919-287-0722 Email: christiansen@mcadamsco.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: *Spencer Christiansen* Date: 9/29/2022

### Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Toll Brothers Apartment Living - Michael Skena

Address: 900 Perimeter Park Dr, Suite B3

City: Morrisville State: NC Zip Code: 27560

Phone: 202-577-6491 Email: mskena@tollbrothers.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: *MSkena* Date: 9/29/2022

Click [here](#) for application submittal instructions.





## CONDITIONAL ZONING

TOWN OF CHAPEL HILL

Planning Department

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

**SIGNED CONDITIONS:** All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

**RECORDATION OF CONDITIONS:** After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.



**PROJECT FACT SHEET**

TOWN OF CHAPEL HILL

Planning Department

**Section A: Project Information****Use Type:** (check/list all that apply)
☐ Office/Institutional    ☒ Residential    ☐ Mixed-Use    ☐ Other: \_\_\_\_\_
**Overlay District:** (check all that apply)
☐ Historic District    ☐ Neighborhood Conservation District    ☐ Airport Hazard Zone
**Section B: Land Area**

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	455,841	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	45,584	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	501,425	sq. ft.

**Section C: Special Protection Areas, Land Disturbance, and Impervious Area****Special Protection Areas:** (check all those that apply)
☒ Jordan Buffer    ☒ Resource Conservation District    ☐ 100 Year Floodplain    ☐ Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	470,000
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	2,200

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	73,616	73,616	350,998	350,998
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	14.7%	14.7%	70% max	70% max
If located in Watershed Protection District, % of impervious surface on 7/1/1993	n/a	n/a	n/a	n/a





# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	18	18	8	8
Number of Floors	1-2	1-2	5	5
Recreational Space	n/a	n/a	25,071 sf	25,071 sf

### Residential Space

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)	23,500	23,500	476,360	476,360
Total Square Footage of All Units	0	0	360,300	360,300
Total Square Footage of Affordable Units	0	0	tbd	tbd
Total Residential Density	0	0	33 du/ac	33 du/ac
Number of Dwelling Units	0	0	370	370
Number of Affordable Dwelling Units	0	0	tbd	tbd
Number of Single Bedroom Units	0	0	220	220
Number of Two Bedroom Units	0	0	107	107
Number of Three Bedroom Units	0	0	40	40

### Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	0	0			
Restaurant	0	0	# of Seats	0	0
Government	0	0			
Institutional	0	0			
Medical	0	0			
Office	0	0			
Hotel	0	0	# of Rooms	0	0
Industrial	0	0			
Place of Worship	0	0	# of Seats	0	0
Other	0	0			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	20'	n/a	20'
	Interior (neighboring property lines)	10'	n/a	10'
	Solar (northern property line)	8'	n/a	8
Height (maximum)	Primary	n/a	2 stories	5 stories
	Secondary	n/a	2 stories	5 stories
Streets	Frontages	15'	~660 feet	~660 feet
	Widths	15'	n/a	15'





# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section F: Adjoining or Connecting Streets and Sidewalks

*Note: For approval of proposed street names, contact the Engineering Department.*

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Barbee Chapel Rd	varies	varies	2	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

**List Proposed Points of Access** (Ex: Number, Street Name):

\*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
Barbee Chapel	10'	Concrete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

## Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	381	490	482
Handicap Spaces	8	n/a	8
Total Spaces	389	n/a	490
Loading Spaces	n/a	n/a	0
Bicycle Spaces	84	n/a	84
Surface Type	asphalt		

## Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North (adjacent to NC zoning)	20' Type C	10' Modified	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
South	10' Type B	4'-10' Modified	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East	10' Type B	10' Modified	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
West (Barbee Chapel)	20' Type C	10-15' Modified	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes





# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section I: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
R-6	.303	0.05			0.70	151,931	25,072
<b>TOTAL</b>							
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

## Section J: Utility Service

Check all that apply:

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Telephone</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		





**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

X	<b>Application fee</b> ( <a href="#">including Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	<input type="text"/>
X	<b>Pre-application meeting</b> –with appropriate staff		
X	<b>Digital Files</b> – provide digital files of all plans and documents		
X	<b>Recorded Plat or Deed of Property</b>		
X	<b>Project Fact Sheet</b>		
TBD	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
N/A	<b>Description of Public Art Proposal</b> , if applicable		
X	<b>Statement of Justification</b>		
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b> , if applicable		
X	<b>Affordable Housing Proposal</b> , if applicable		
X	<b>Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan</b>		
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )		
X	<b>Mailing fee for above mailing list</b> (mailing fee is double due to 2 mailings)	Amount Paid \$	<input type="text"/>
X	<b>Written Narrative describing the proposal</b> , including proposed land uses and proposed conditions		
X	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> – necessary for all submittals		
x	<b>Jurisdictional Wetland Determination</b> – if applicable		
N/A	<b>Resource Conservation District Encroachment Exemption or Variance</b> (determined by Planning)		
N/A	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval</b> (determined by Planning)		
N/A	<b>Reduced Site Plan Set</b> (reduced to 8.5" x 11")		

**Stormwater Impact Statement (1 copy to be submitted)**

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm





**CONDITIONAL ZONING APPLICATION**  
**SUBMITTAL REQUIREMENTS**  
**TOWN OF CHAPEL HILL**  
**Planning and Development Services**

- r) 85% TSS removal for post-development stormwater runoff
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

### Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

### Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

### Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
- f) 1,000' notification boundary

### Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries





**CONDITIONAL ZONING APPLICATION**  
**SUBMITTAL REQUIREMENTS**  
**TOWN OF CHAPEL HILL**  
**Planning and Development Services**

### Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

### Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

### Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection/silt fence location
- h) Pre-construction/demolition conference note
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable





**CONDITIONAL ZONING APPLICATION  
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TOWN OF CHAPEL HILL  
Planning and Development Services**

### Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

### Steep Slope Plan

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

### Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

### Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting detail

### Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable





**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

**Construction Management Plan**

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

**Energy Management Plan**

- a) Description of how project will be 20% more energy efficient than ASHRAE standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

**Exterior Elevations**

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)



**BARBEE CHAPEL APARTMENTS**

March 10, 2023

**VEHICULAR PARKING ANALYSIS**

STRUCTURE	UNIT TYPE	UNIT COUNT					VEHICULAR PARKING REQUIRED BY CODE	
		STUDIO	1BR	2BR	3BR	SUBTOTAL	MIN	MAX
BUILDING 1	Apartment	9	135	19	10	173	188	236
BUILDING 2	Apartment	4	31	32	4	71	87	109
BUILDING 3	Apartment	8	23	43	0	74	91	114
BUILDING 4	Townhome				6	6	11	14
BUILDING 5	Townhome				6	6	11	14
BUILDING 6	Townhome				6	6	11	14
BUILDING 7	Townhome				6	6	11	14
<b>RESIDENTIAL TOTALS</b>		<b>21</b>	<b>189</b>	<b>94</b>	<b>38</b>	<b>342</b>	<b>408</b>	<b>513</b>

**PARKING PROVIDED**

Surface Parking	431
Garages	16
Townhouse Parking	48
<b>Subtotal</b>	<b>495</b>



**BARBEE CHAPEL APARTMENTS  
RESIDENTIAL DEVELOPMENT  
TRANSPORTATION IMPACT ANALYSIS**

**EXECUTIVE SUMMARY**



**Prepared for:**

The Town of Chapel Hill  
Public Works Department - Engineering

**Prepared by:**

***HNTB North Carolina, PC***

*343 East Six Forks Road  
Suite 200  
Raleigh, NC 27609*

*NCBELS License #: C-1554*

April 2023





**BARBEE CHAPEL APARTMENTS**  
**RESIDENTIAL DEVELOPMENT**  
**TRANSPORTATION IMPACT ANALYSIS**  
**EXECUTIVE SUMMARY**



**Prepared for:**

The Town of Chapel Hill  
Public Works Department - Engineering

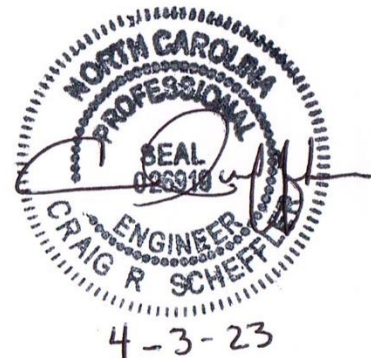
**Prepared by:**

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Suite 200  
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April 2023







## EXECUTIVE SUMMARY

### **Project Overview**

A new residential community, known as Barbee Chapel Apartments, is being proposed in eastern Chapel Hill along Barbee Chapel Road just south of Stancell Drive / NC Highway 54. **Figure ES-1** shows the general site location. The project proposes to construct approximately 370 multi-family residential units and is anticipated to be fully complete and occupied by 2024. This report analyzes the full build-out scenario for Barbee Chapel Apartments for the year 2025 (one year after anticipated completion), the no-build scenario for 2025, as well as 2022 existing year traffic conditions. It also analyzes a scenario for 2026 where the site is built-out, along with full build-out of the adjacent proposed Hillmont residential development.

The current proposed site concept plan shows a provision for two full movement access driveways serving the site that connect to Barbee Chapel Road. No other external roadway vehicular access connections are proposed. This site concept plan shows a potential internal driveway connection to the adjacent proposed Hillmont development, though no formal analysis of this driveway and potential site traffic impacts was conducted for this study. **Figure ES-2** displays the overall site concept plan and nearby land uses and roadways. The Barbee Chapel Apartments development is expected to provide individual vehicle parking spaces located on surface lots. This report analyzes and presents the transportation impacts that Barbee Chapel Apartments development will have on the following intersections in the project study area:

- NC 54 (Raleigh Road) & Meadowmont Lane / Friday Center Drive
- NC 54 (Raleigh Road) & Barbee Chapel Road / East Barbee Chapel Road
- NC 54 (Raleigh Road) & Little John Road
- Little John Road & Stancell Drive
- Barbee Chapel Road & Stancell Drive
- Barbee Chapel Road & Proposed Site Driveway #1
- Barbee Chapel Road & Proposed Site Driveway #2
- Barbee Chapel Road & Finley Forest Drive / Potential Future Hillmont Development Site Driveway

### **Existing Conditions**

#### **Study Area**

The site is located in eastern Chapel Hill in Durham County along Barbee Chapel Road and south of NC 54. The study area contains two signalized intersections along NC 54 at Meadowmont Lane/Friday Center Drive and Barbee Chapel Road. NC 54 is a major east-west arterial providing connectivity between downtown Chapel Hill and south Durham. Barbee Chapel Road is a collector facility providing connectivity for primarily residential development east of Chapel Hill. Remaining study area network roadways are either minor collector or local access streets.

#### **Site Traffic Generation**

With the addition of new trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to study area intersections. **Table ES-1** shows the site trip generation details, with rates taken from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 10*.

#### **Background Traffic**

Background traffic growth for the 2026 analysis years is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Two development sites near the project study area were considered for specific development related growth. All remaining estimated





**Town of Chapel Hill: Transportation Impact Analysis**  
*Barbee Chapel Apartments – Proposed Residential Development*

traffic volume increases are assumed to occur due to overall region-wide ambient growth (assumed 4.0 percent per year) based on NCDOT/Town historic growth data and taking into consideration the on-going rebound to pre-COVID traffic levels caused by the pandemic.

**Table ES-1. Weekday Vehicle Trip Generation Summary**

Description	Density	Daily			AM Peak			Noon Peak*			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Mid-Rise Multi-family (ITE LUC 221)	370 Units	844	844	1,688	26	73	99	39	46	85	78	51	129

\* - No Noon Peak ITE Data Available – Used Average of AM and PM Peak Data X 0.75

## **Impact Analysis**

### **Peak Hour Intersection Level of Service**

Existing traffic operations at all study area intersections are acceptable during all three peak hours analyzed, except for the stop-controlled movement at the NC 54 / Little John Road intersection. The projected ambient and background development traffic growth will increase impacts by 2025, worsening delays in the vicinity of this intersection and queuing along Barbee Chapel Road at its intersection with NC 54. The addition of peak hour site-generated trips to the projected 2025 background traffic volumes, further worsens these deficient traffic operations, particularly for the northbound approach at NC 54 / Barbee Chapel Road. Additional mitigation improvements were tested at these locations in the 2025 and 2026 analysis scenarios to increase capacity and queue storage. A traffic operations summary for each intersection, related to vehicular delays (intersection total average if signalized, critical movement if stop-controlled) and the corresponding traffic simulation Level-of-Service (LOS<sub>s</sub>) is shown in **Table ES-2**.

### **Vehicular Access Analysis**

Vehicular site access to the project is to be accommodated at a two proposed full movement driveway access connections to Barbee Chapel Road about 600 and 925 feet south of Barbee Chapel Road's intersection with NC 54. The proposed driveway has a single inbound and two outbound lanes, as shown on the concept plan. All driveway connections to Barbee Chapel Road would have acceptable design distances for driveway separations from intersections, and driveway separation from other access driveways based on standards found in the 2017 *Town of Chapel Hill Public Works Design Manual* and the 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways*. Additional driveway throat length (50 foot minimum) is necessary for the southern driveway if it is built as currently shown on the site concept plan.

### **Signal Warrant Analysis**

Based on projected 2025 and 2026 traffic volumes and proposed access plans, no unsignalized study area intersection would warrant the installation of a traffic signal, based on the Peak Hour warrant methodology found in the 2009 *Manual on Uniform Traffic Control Devices (MUTCD)*.

### **Crash Analysis**

Data from the NCDOT Traffic Safety Unit was collected as part of the recent Hillmont Residential TIA for the five-year period 2/1/2017 to 1/31/2022 for the segment of Barbee Chapel Road in the vicinity of the proposed Barbee Chapel Apartments site. There were 18 crashes reported along the Barbee Chapel Road study area corridor between Finley Forest Drive and NC 54 over the five year period. The primary crash types were left-turn and angle crashes and crashes clustered near the NC 54/Barbee Chapel Road intersection. Overall, the number of crashes along Barbee Chapel Road in the project study area is higher than state-wide averages for similar facilities, but the overall severity is lower.





**Town of Chapel Hill: Transportation Impact Analysis**  
*Barbee Chapel Apartments – Proposed Residential Development*

**Table ES-2. Peak Hour Intersection Capacity Analysis Summary**

Intersections	Peak Hour	1 - 2022 Existing		2 - 2025 No-Build		3 - 2025 Build		4 - 2025 Mitigated		5 - 2026 Mitigated With Hillmont	
		LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay	LOS <sub>s</sub>	Delay
NC 54 (Raleigh Road) & Meadowmont Lane / Friday Center Drive	AM	B	16.7	B	18.4	B	18.1	B	16.8	B	18.7
	NOON	B	16.0	B	17.0	B	17.7	B	17.2	B	18.3
	PM	C	24.5	C	31.4	C	33.5	C	21.0	C	22.6
NC 54 (Raleigh Road) & Barbee Chapel Road / East Barbee Chapel Road	AM	C	23.3	C	30.4	C	33.2	C	27.8	D	35.2
	NOON	B	15.9	B	17.2	B	19.8	B	19.5	C	22.4
	PM	C	22.2	C	27.0	C	29.7	C	24.1	C	26.4
NC 54 (Raleigh Road) & Little John Road <sup>#</sup>	AM	E	39.7	<b>F</b>	<b>61.1</b>	E	45.4	E	47.9	<b>F</b>	<b>54.8**</b>
	NOON	D	25.7	D	32.9	E	41.9	E	40.4	E	40.4**
	PM	<b>F</b>	<b>116</b>	<b>F</b>	<b>236</b>	<b>F</b>	<b>304</b>	<b>F</b>	<b>289</b>	<b>F</b>	<b>117**</b>
Barbee Chapel Road & Stancell Drive <sup>#</sup>	AM	B	10.6	B	11.1	B	11.4	B	11.4	B	12.6
	NOON	A	9.4	A	9.6	A	9.8	A	9.8	B	10.2
	PM	A	9.7	A	9.9	B	10.1	B	10.1	B	10.6
Little John Road & Stancell Drive <sup>#</sup>	AM	C	17.9	D	30.3	A	9.8	B	13.8	B	12.2
	NOON	A	9.9	B	12.6	C	20.2	B	12.2	A	8.7
	PM	D	29.5	<b>F</b>	<b>450</b>	<b>F</b>	<b>562</b>	<b>F</b>	<b>510</b>	<b>F</b>	<b>166</b>
Barbee Chapel Road & Finley Forest Dr / Proposed Hillmont Site Driveway <sup>#</sup>	AM	B	10.3	B	14.6	<b>F</b>	<b>204</b>	B	12.8	B	13.3
	NOON	A	7.2	A	8.9	A	9.8	A	8.8	A	9.4
	PM	C	15.3	C	18.3	C	20.2	C	18.3	D	25.8
Barbee Chapel Road & Proposed Northern Site Driveway #1 <sup>#</sup>	AM	N/A	N/A	N/A	N/A	<b>F</b>	<b>329</b>	A	5.9	A	7.3
	NOON	N/A	N/A	N/A	N/A	A	5.4	A	4.7	A	5.0
	PM	N/A	N/A	N/A	N/A	A	7.9	A	5.0	A	5.1
Barbee Chapel Road & Proposed Southern Site Driveway #2 <sup>#</sup>	AM	N/A	N/A	N/A	N/A	<b>F</b>	<b>152</b>	A	7.9	A	9.3
	NOON	N/A	N/A	N/A	N/A	A	4.8	A	5.4	A	5.9
	PM	N/A	N/A	N/A	N/A	A	<b>6.3</b>	A	9.4	B	10.9

N/A – Not Applicable or No Improvements Necessary

**BOLD/ITALICS** – Critical Movement or Overall Intersection Requires Mitigation Per Town TIA Guidelines

# - Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

\*\* - Delay Calculated as Weighted Average of Left and Right-Turn Movements for Northbound Approach

### Other Transportation-Related Analyses

Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.





**Town of Chapel Hill: Transportation Impact Analysis**  
*Barbee Chapel Apartments – Proposed Residential Development*

**Table ES-3. Other Transportation-Related Analyses**

<b>Analysis</b>	<b>Comment</b>
Long Range Planning Level Daily V/C Analysis	The projected 1,700 daily trips generated by the site were analyzed in comparison to daily demand estimates for the 2045 horizon year of the Triangle Regional Travel Demand Model. Results indicate that, regardless of site development and long-term projects to improve capacity along the NC 54 corridor, future facility demands may result in congested conditions at peak times during the day. Daily site traffic impacts are most pronounced along the Barbee Chapel Road corridor between the site driveways and NC 54.
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using TransModeler maximum queue length estimates for the 2025 and 2026 Build Scenarios. At the intersection of Barbee Chapel Road and NC 54, the northbound approach queues may exceed existing storage due to site traffic impacts. Lengthening the northbound queue storage to the vicinity of Pearl Lane and adjustments to signal timing may be necessary to mitigate this issue. Additional lengthening of the westbound left-turn bay at the NC 54 and Little John Road is necessary to accommodate additional site traffic related to the Hillmont development. Separation of the Little John Road northbound approach to left and right-turn lanes improves operational efficiency in this vicinity. No other intersection maximum queue results indicate potential queue spillback.
Appropriateness of Acceleration/Deceleration Lanes	Generally, existing roadway facilities have appropriate auxiliary turn lanes to facilitate traffic flow. Additional southbound and northbound turn lanes at the Barbee Chapel Road intersection with Finley Forest Drive / Future Hillmont Site Driveway would provide a safety and operational benefit by removing these traffic movements from the high volume through traffic streams along Barbee Chapel Road.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is lacking along the Barbee Chapel Road corridor but is provided near the site via the paved off-road path along Stancell Drive. No bicycle facilities exist along Barbee Chapel Road within the project study area. The paved off-road path along Stancell Drive provides connectivity to other paved paths along the NC 54 corridor and pedestrian sidewalk/bicycle lanes in the Meadowmont and Friday Center areas.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is adequate, with bus stops and multiple local and regional bus routes servicing the Friday Center and Meadowmont development. No bus service extends directly to serve the site, however.

### **Mitigation Measures/Recommendations**

#### **Planned Improvements**

There are no North Carolina Department of Transportation or Town of Chapel Hill improvement projects for study area roadway facilities within the analysis year time frame of 2022-2026.

#### **Background Committed Improvements**

Several previous traffic impact studies for development projects in and near the study area recommended signal timing reoptimization for signalized intersections along the NC 54 (Raleigh Road) corridor by their respective build-out years. It is assumed that periodic signal timing reoptimization may occur for the NC 54 corridor by the year 2025, whether or not specifically needed by any of the proposed background traffic generating developments included in this study. No other geometric improvements or changes to study area transportation network facilities constructed by private development projects are expected by the 2025 Build-Out Year+1.





### Applicant Committed Improvements

Based on the preliminary site plans and supporting development information provided, there are several specific transportation-related improvements proposed for the Barbee Chapel Apartments project. Internal and external improvements (shown schematically in **Figure ES-3**) include:

- Provision of two full movement access driveways connecting to Barbee Chapel Road.
- Provision of sidewalk along east side of Barbee Chapel Road

### Necessary Improvements

Based on traffic capacity analyses for the 2025 design year for the Barbee Chapel Apartments development and analyses of existing study area turning bay storage lengths and site access, the following improvements are recommended as being necessary for adequate transportation network operations and safety (see **Figure ES-3**).

- Lengthen the northbound left-turn lane at the NC 54 / Barbee Chapel Road intersection to approximately 450 feet and appropriate taper, using the existing pavement section in the vicinity of Pearl Lane. Monitor and reoptimize coordinated signal timings at the signalized intersection.
- With the extension of the northbound left-turn lane and necessary taper, it is recommended that the northern proposed Site Driveway #1 be limited to right-turn in/right-turn out (RIRO) access.
- Along the site frontage, a consistent three-lane cross section on Barbee Chapel Road is recommended, allowing a development of a southbound left-turn lane with 100 feet of storage and appropriate taper at the southern proposed Site Driveway #2. This driveway should feature full ingress/egress access.
- A high visibility pedestrian crosswalk and median refuge is recommended across the south leg of the Barbee Chapel Road / southern Site Driveway #2 intersection.
- A sidewalk extension is recommended along the west side of Barbee Chapel Road to connect to existing sidewalk at Finley Forest and the recommended pedestrian crosswalk/median refuge.
- As mandated by NCDOT, construct a northbound right-turn lane with 50 feet of full storage at the northern Site Driveway #1.
- As mandated by NCDOT, construct a northbound right-turn lane with 100 feet of full storage at the southern Site Driveway #2.

These improvements are recommended due to site transportation needs due to the Barbee Chapel Apartments development.

Additional Necessary Improvements recommended in the Hillmont Residential TIA include the following. These are related to specific impacts from the Hillmont development traffic and would not be necessary if the Hillmont site is not constructed.

- Construct a right-turn lane at the northbound Barbee Chapel Road approach at the NC 54 intersection, with 125 feet of storage utilizing existing pavement and widening along frontage of the existing gas station up to its existing access driveway along Barbee Chapel Road.
- Upgrade NC 54 / Barbee Chapel Road signal for northbound right-turn overlap signal phase and retime signal. For the 2026 future year analysis, if both the Barbee Chapel Apartments and Hillmont sites are constructed, monitor and re-time the signal upon completion of the Hillmont site.



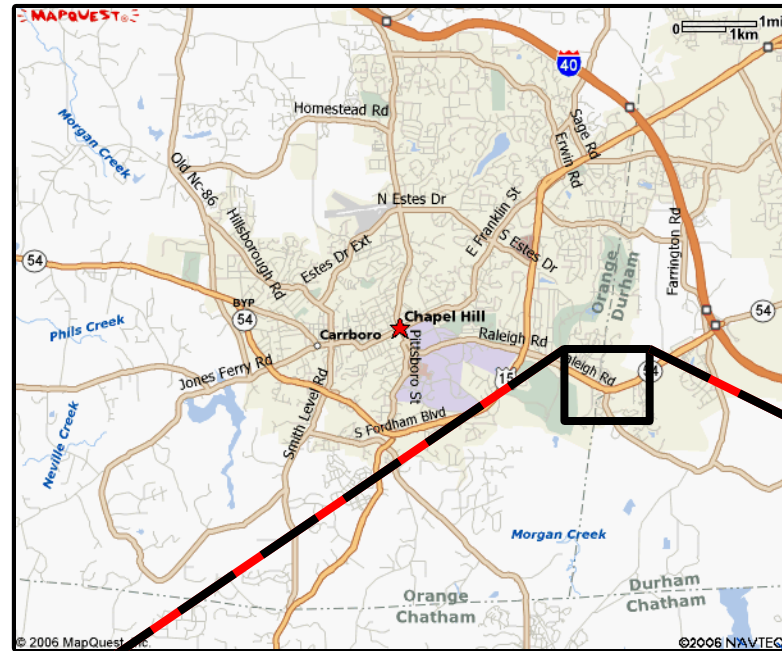


**Town of Chapel Hill: Transportation Impact Analysis**  
*Barbee Chapel Apartments – Proposed Residential Development*

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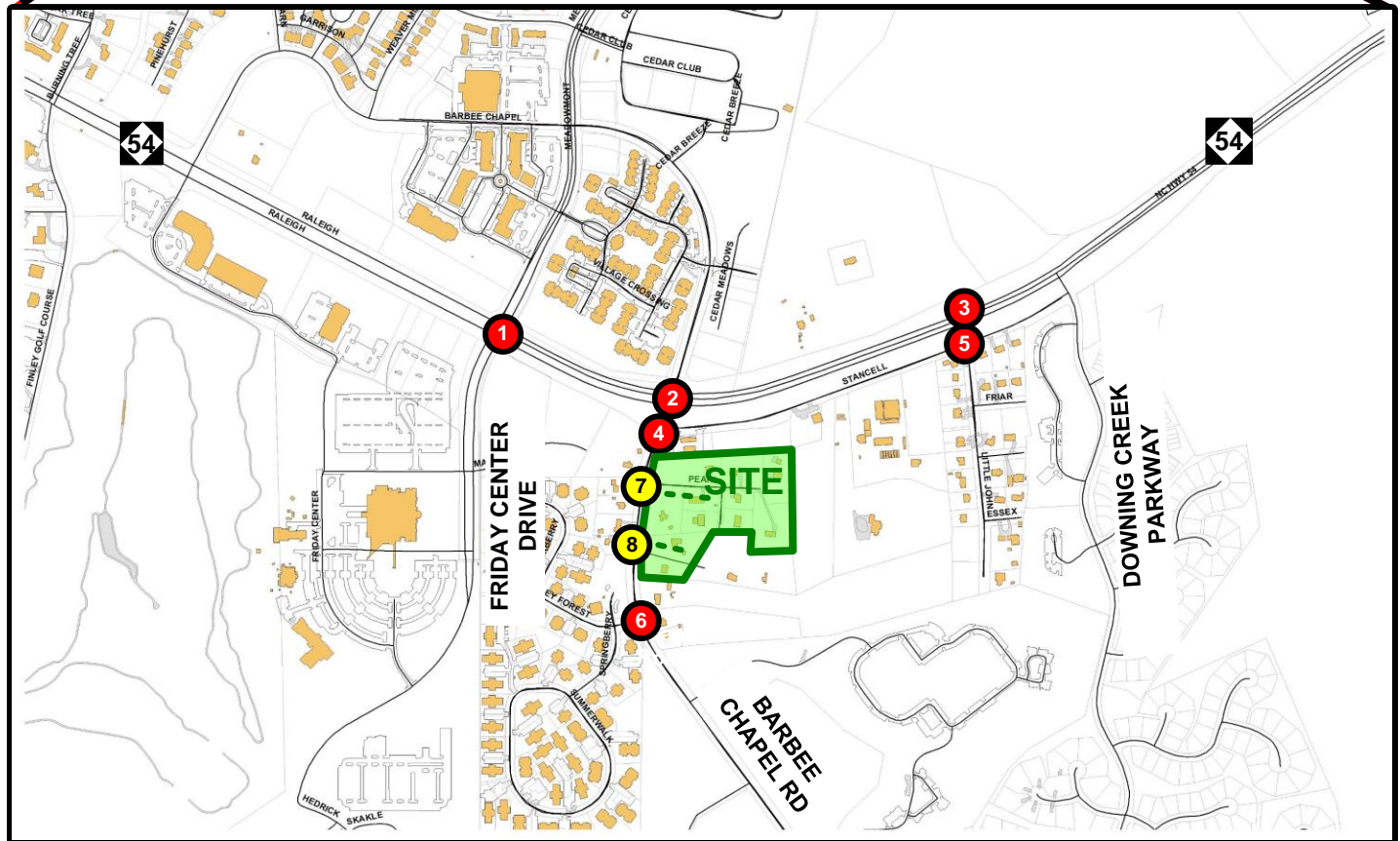
- Construct a 150 foot southbound left-turn lane and appropriate taper at the Barbee Chapel Road and Finley Forest Drive / Hillmont Site Driveway intersection. The intersection design and adjustment in alignment for through travel lanes along Barbee Chapel Road should allow for the creation of a northbound left-turn lane with 100 feet of minimum storage and appropriate taper.
- Stripe separate left-turn and through/right-turn lanes at the Finley Forest Drive approach.
- Provide a pedestrian crosswalk across the south leg of the Barbee Chapel Road / Finley Forest Drive approach.
- Restripe the current northbound approach at the NC 54 / Little John Road intersection for separate left-turn and right-turn lanes, with small amount of roadway widening, as needed.
- Extend the existing westbound left-turn bay at the NC 54 / Little John Road intersection to 250 feet of vehicle storage and appropriate taper.
- Extend the existing paved off-road multi-use path on the south side of Stancell Drive across the proposed Barbee Chapel Apartments site frontage.
- Per Town Mobility Plan recommendations, remaining sidewalk north of Finley Forest Drive to NC 54 along Barbee Chapel Road should be constructed.





### LEGEND

- = Existing Building Footprint
- = Existing Study Area Intersection
- = Proposed Site Driveway
- = Proposed Barbee Chapel Apts Site



Source: Town of Chapel Hill GIS Files

**HNTB**



## Barbee Chapel Road Apartments Transportation Impact Analysis

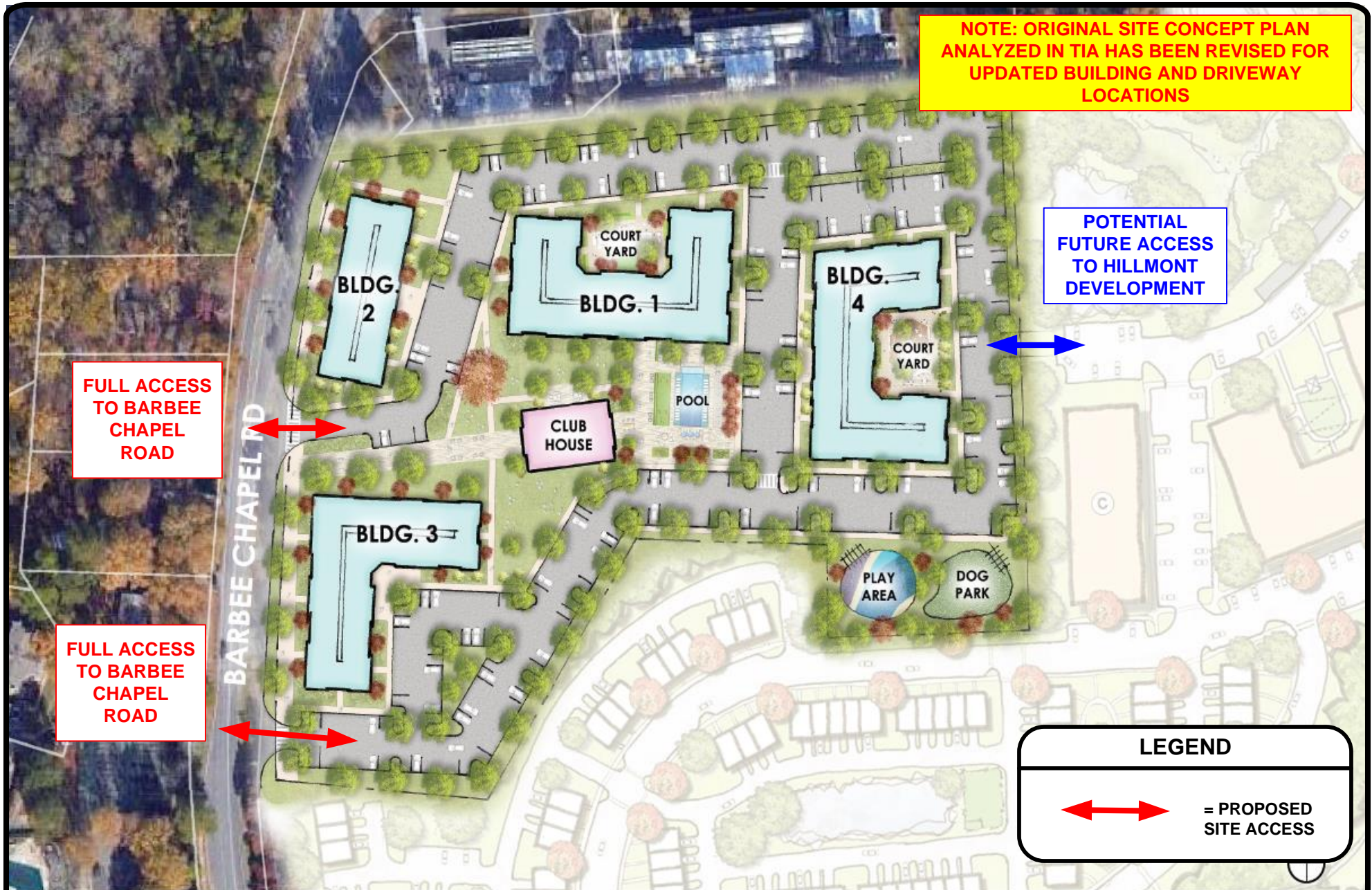
PROJECT STUDY AREA

DATE: April 2023

FIGURE ES-1



**NOTE: ORIGINAL SITE CONCEPT PLAN  
ANALYZED IN TIA HAS BEEN REVISED FOR  
UPDATED BUILDING AND DRIVEWAY  
LOCATIONS**



**HNTB**



**NOT TO  
SCALE**

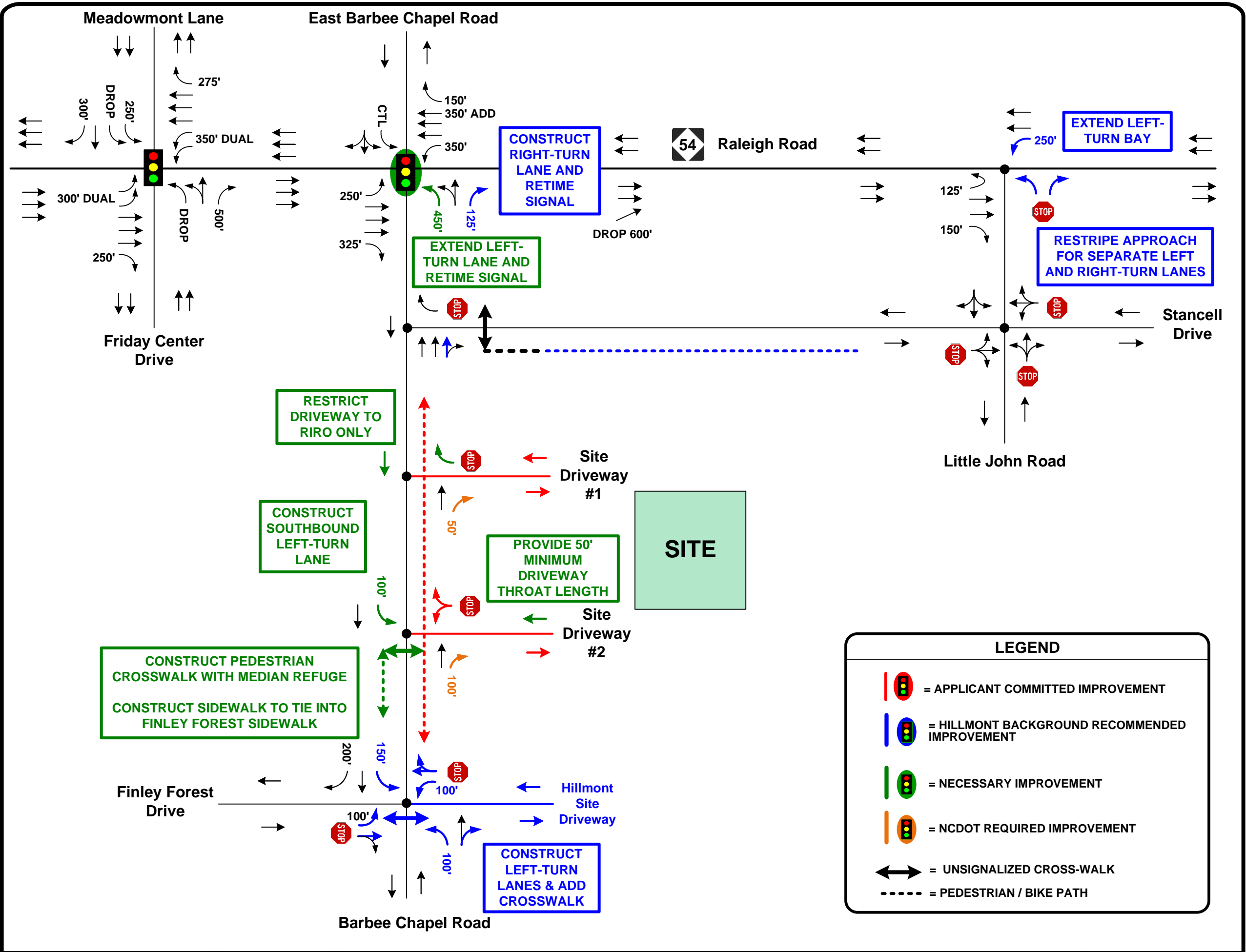
## Barbee Chapel Road Apartments Transportation Impact Analysis

**PRELIMINARY SITE PLAN**

**DATE:** April 2023

**FIGURE ES-2**







# BARBEE CHAPEL APARTMENTS

5101 BARBEE CHAPEL RD  
CHAPEL HILL, NC 27517

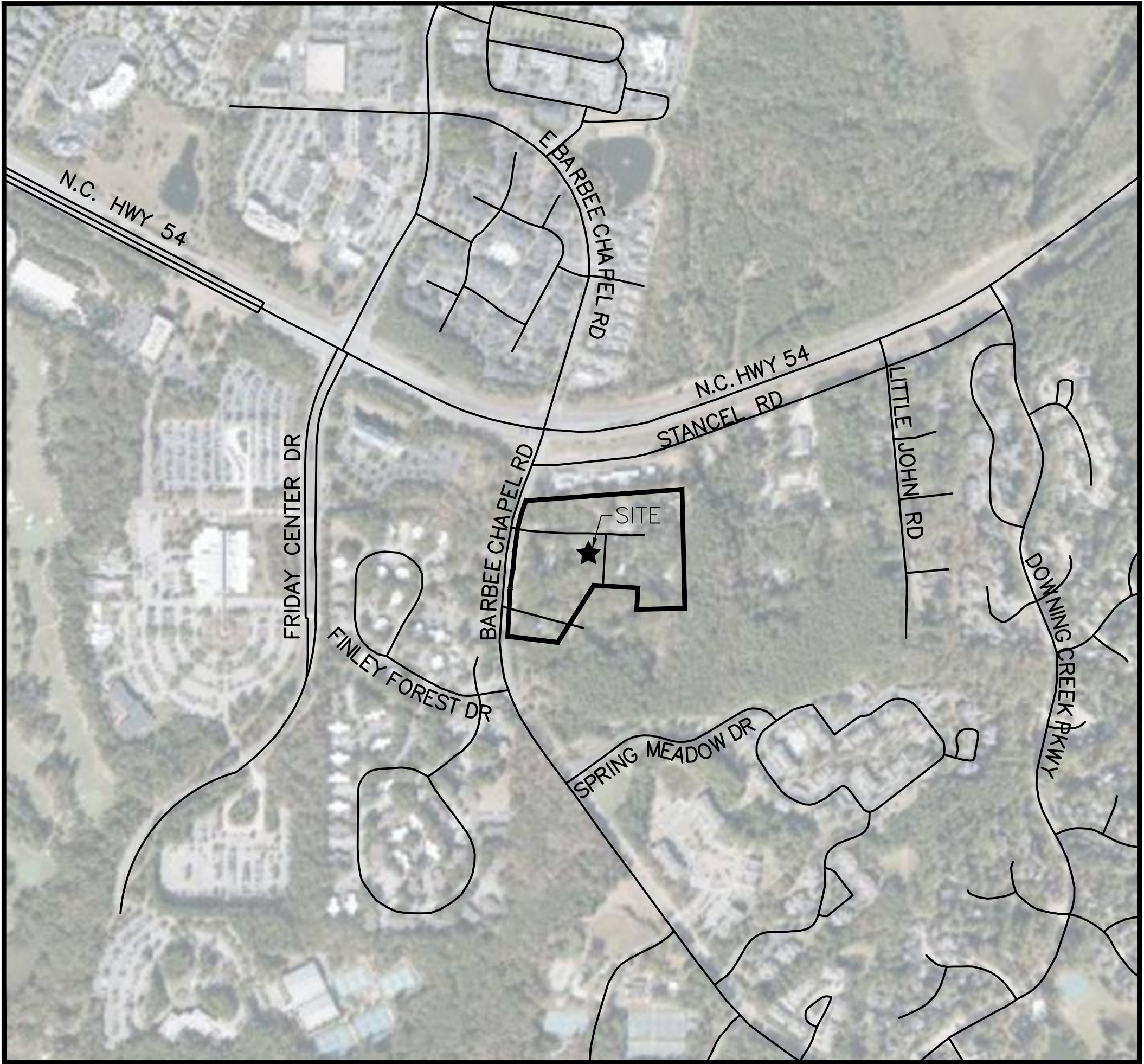
## CONDITIONAL ZONING PERMIT DRAWINGS

PROJECT NUMBER: TLA-22001

DATE: SEPTEMBER 29, 2022

REVISED: MAY 18, 2023

SITE DATA		
PIN	9798-04-72-8235, 9798-04-72-7580, 9798-04-72-9483, 9798-04-72-9596, 9798-04-82-2404, 9798-04-82-2505, 9798-04-82-3481, 9798-04-82-1515, 9798-04-72-9722, 9798-04-82-4628	
SITE AREA	455,841 SF / 10.46 AC	
GROSS LAND AREA	455,841 SF + 10%(455,841 SF) = 501,425 SF / 11.51 AC	
ZONING	EXISTING	R-2
	PROPOSED	R-6
RIVER BASIN	CAPE FEAR	
WATERSHED	JORDAN LAKE - UPPER NEW HOPE	
WATERSHED PROTECTION	JORDAN LAKE WATERSHED, F/I-B	
EXISTING USE	SINGLE FAMILY	
PROPOSED USE	MULTI-FAMILY	
UNITS	PROPOSED	262-350 TOTAL UNITS
DENSITY	PROPOSED	31 UNITS/ACRE
IMPERVIOUS	EXISTING	1.69 AC (14.7% OF GLA)
	MAX ALLOWED	8.06 AC (70.0% OF GLA)
	ALLOWED	39'
BUILDING HEIGHT	PROPOSED	65'
	REQUIRED	0.05 * 501,425 SF = 25,071 SF
RECREATION SPACE	PROPOSED	25,071 SF
	REQUIRED	
VEHICULAR PARKING	STUDIO	MIN 1 PER UNIT, MAX 1.25 PER UNIT
	1-BED	MIN 1 PER UNIT, MAX 1.25 PER UNIT
	2-BED	MIN 1.4 PER UNIT, MAX 1.75 PER UNIT
	3-BED	MIN 1.75 PER UNIT, MAX 2.25 PER UNIT
	PROPOSED	PER LUMO
	EV PARKING	> 5% OF PROPOSED PARKING
	BIKE PARKING	1 PER 4 UNITS
SETBACKS	REQUIRED	STREET = 20' INTERIOR = 10' SOLAR = 8'
	PROPOSED	STREET = 20' INTERIOR = 8' SOLAR = 6'
BUFFERS	REQUIRED	NORTH: 20' TYPE C EAST/SOUTH: 10' TYPE B WEST: 20' TYPE C
	PROPOSED	NORTH: 6' MODIFIED EAST: 8-10' MODIFIED SOUTH: 4-10' MODIFIED WEST: 10-15' MODIFIED
DISTURBED AREA	480,000 SF (11.0 AC)	



VICINITY MAP  
1" = 500'



### SHEET INDEX

- C0.00 PROJECT NOTES
- C0.01 AREA MAP
- C1.00 EXISTING CONDITIONS
- C1.01 STEEP SLOPES PLAN
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- C2.01 SOLID WASTE PLAN
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- C9.00 SCM A PLAN VIEW
- C9.01 SCM B PLAN VIEW

### ADDITIONAL SHEETS BY OTHERS

- L1.00 OVERALL SITE PLAN
- L1.01 PLANTING PLAN ZONE 01
- L1.02 PLANTING PLAN ZONE 02
- L1.03 PLANTING PLAN ZONE 03
- L1.04 PLANTING DETAILS AND PLANTING SCHEDULE
- L2.00 TREE PROTECTION PLAN
- A1.00 SITE PLAN
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### CONTACT

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PHONE: 919.287.0722

### CLIENT

TOLL BROTHERS APARTMENT LIVING  
1140 VIRGINIA DR  
FORT WASHINGTON, PA, 19034  
CONTACT  
PHONE: 202.577.6491



### PROJECT DIRECTORY

ARCHITECT  
CI DESIGN INC.  
414 FAYETTEVILLE STREET  
RALEIGH, NORTH CAROLINA 27601  
PHONE: 410.384.4244



### REVISIONS

NO.	DATE	
1	11.23.2022	REVISED PER 1ST CZP COMMENTS
2	02.21.2023	REVISED PER 2ND CZP COMMENTS
3	05.18.2023	REVISED PER CZP ORDINANCE
4		
5		
6		

### CONDITIONAL ZONING PERMIT DRAWINGS FOR:

BARBEE CHAPEL APARTMENTS  
5101 BARBEE CHAPEL RD  
CHAPEL HILL, NC 27517  
PROJECT NUMBER: TLA-22001



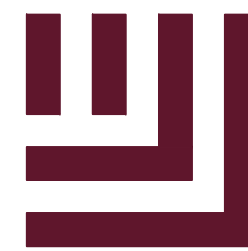
OWASA UTILITY EASEMENT  
(D.B. 8392, PG. 452)

N/F  
DUB PROPERTIES  
PIN:9798-82-28-6920  
PID:141873  
D.B. 7876, PG. 177  
P.B. 199, PG. 189

N/F  
NC DEPT OF TRANSPORTATION  
PIN:9798-72-78-8288  
PID:211060  
D.B. 327, PG. 554

PRIVATE VARIABLE WIDTH  
SCM MAINTENANCE AND  
ACCESS EASEMENT  
HEREBY DEDICATED

INTERMITTENT STREAM  
PER TOWN OF  
CHAPEL HILL



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**Toll Brothers**  
APARTMENT LIVING

## BARBEE CHAPEL APARTMENTS CONDITIONAL ZONING PERMIT DRAWINGS 5101 BARBEE CHAPEL RD CHAPEL HILL, NC 27517



#### REVISIONS

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2	02.21.2023	REVISED PER 2ND CZP COMMENTS
3	05.18.2023	REVISED PER CZP ORDINANCE
4		
5		
6		

#### PLAN INFORMATION

PROJECT NO. TLA-22001  
FILENAME TLA22001-S1  
CHECKED BY SJC  
DRAWN BY WHM  
SCALE 1" = 40'  
DATE 09.29.2022

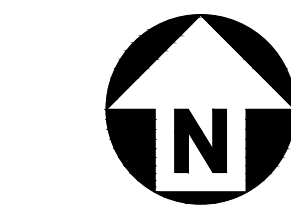
#### SHEET

#### SITE PLAN

**C2.00**

SEE SHEET C0.00 FOR ALL PROJECT, SITE,  
GRADING, STORM DRAINAGE AND UTILITY  
NOTES

ALL CONSTRUCTION SHALL BE IN  
ACCORDANCE WITH THE CURRENT TOWN  
OF CHAPEL HILL AND NCDOT ENGINEERING  
DESIGN AND CONSTRUCTION STANDARDS



GRAPHIC SCALE  
1 inch = 40 ft.

#### SITE LEGEND

	SIGNAGE
	YARD LIGHTS
	LIGHT POLE
	POWER POLE
	TRAFFIC DIRECTIONAL ARROW
	ACCESSIBLE PARKING STALL
	VAN ACCESSIBLE PARKING STALL
	PARKING SPACE COUNT
	ACCESSIBLE RAMPS
	ACCESSIBLE ROUTE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	LOT LINE
	EASEMENT LINE
	RECREATIONAL AREA 25,071 SF

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



# BARBEE CHAPEL APARTMENTS

5101 BARBEE CHAPEL RD  
CHAPEL HILL, NC 27517

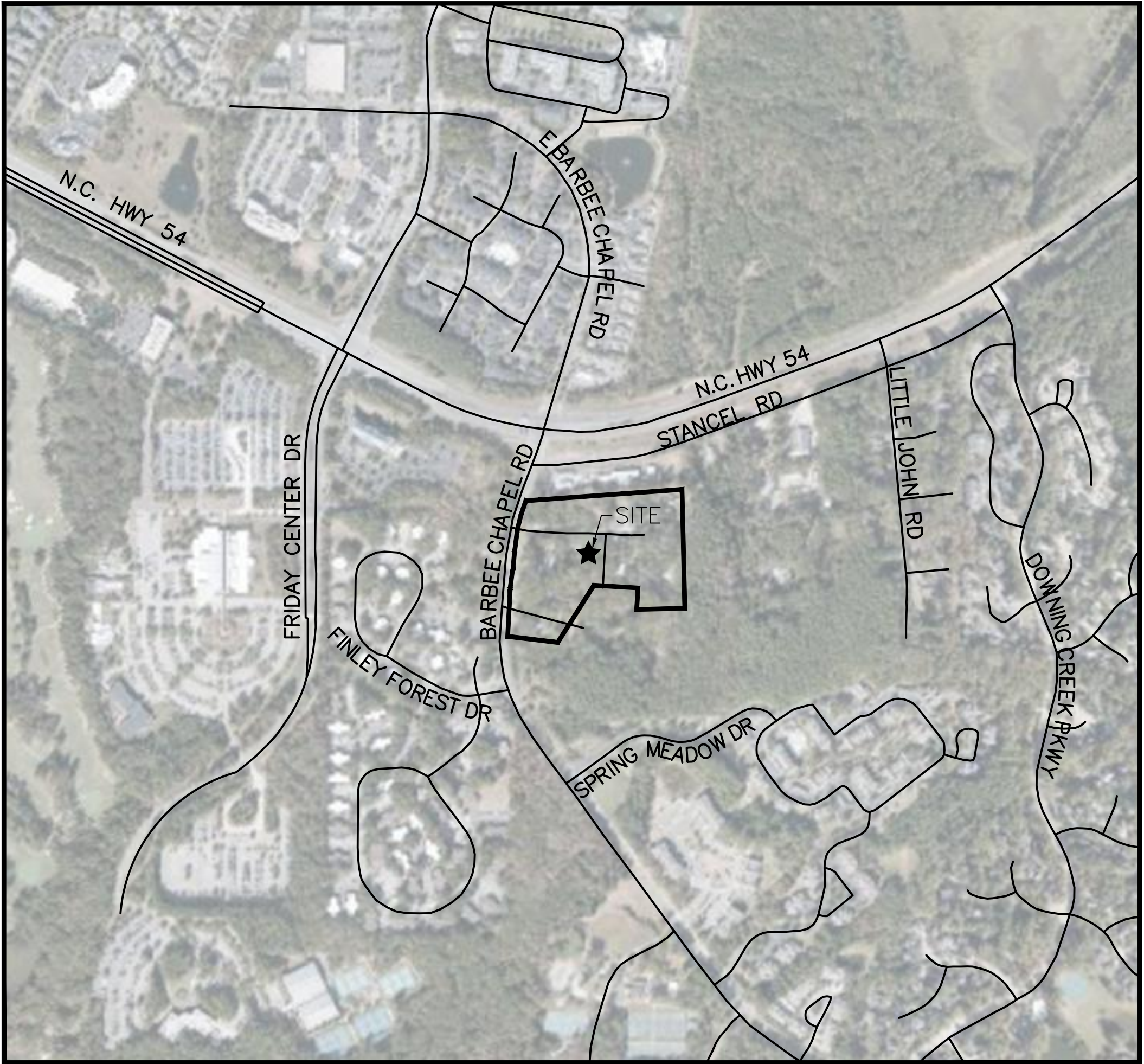
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	PROPOSED	R-6
RIVER BASIN	CAPE FEAR	
WATERSHED	JORDAN LAKE - UPPER NEW HOPE	
WATERSHED PROTECTION	JORDAN LAKE WATERSHED, F/I-B	
EXISTING USE	SINGLE FAMILY	
PROPOSED USE	MULTI-FAMILY	
UNITS	PROPOSED	326 MULTI-FAMILY UNITS 24 TOWNHOME UNITS
		350 TOTAL UNITS
DENSITY	PROPOSED	31 UNITS/ACRE
IMPERVIOUS	EXISTING	1.69 AC (14.7% OF GLA)
	MAX ALLOWED	8.06 AC (70.0% OF GLA)
	ALLOWED	39'
BUILDING HEIGHT	PROPOSED	60'
	REQUIRED	0.05 * 501,425 SF = 25,071 SF
RECREATION SPACE	PROPOSED	25,071 SF
	REQUIRED	
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	PROPOSED	NORTH: 6' MODIFIED EAST: 8-10' MODIFIED SOUTH: 4-10' MODIFIED WEST: 10-15' MODIFIED
DISTURBED AREA	480,000 SF (11.0 AC)	

## CONDITIONAL ZONING PERMIT DRAWINGS

PROJECT NUMBER: TLA-22001

DATE: SEPTEMBER 29, 2022

REVISED:FEBRUARY 21, 2023



VICINITY MAP

1" = 500'



### SHEET INDEX

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### CONDITIONAL ZONING PERMIT DRAWINGS FOR:

BARBEE CHAPEL APARTMENTS  
5101 BARBEE CHAPEL RD  
CHAPEL HILL, NC 27517  
PROJECT NUMBER: TLA-22001



ORANGE COUNTY SOLID WASTE STANDARD PLAN  
NOTES (CONSTRUCTION WASTE):

- 1. ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER SHALL BE ASSESSED PRIOR TO THE ISSUANCE OF A DEMOLITION PERMIT TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RMO) AND TO ASSESS THE POTENTIAL FOR DECONSTRUCTION AND/OR THE REUSE OF SALVAGEABLE MATERIALS. CONTACT THE ORANGE COUNTY SW ENFORCEMENT OFFICER AT 919-968-2788 TO ARRANGE FOR THE ASSESSMENT.
- 2. PURSUANT TO THE COUNTY'S RMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
- 3. PURSUANT TO THE COUNTY'S RMO, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE WHICH INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
- 4. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
- 5. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS ('ACM') AND/OR OTHER HAZARDOUS MATERIALS SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

LANDSCAPE PROTECTION NOTES:

- 1. PLAN SHOWS RARE AND SPECIMEN TREES IN ACCORDANCE WITH THE ORDINANCE THAT WAS IN EFFECT AT THE TIME OF APPROVAL.
- 2. LANDSCAPING SHALL BE COORDINATED TO PRESERVE EXISTING TREES AS MUCH AS POSSIBLE. CONFLICTS BETWEEN PROPOSED PLANTINGS AND EXISTING TREES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR REMEDIATION.
- 3. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH AUTOMATIC CONTROLLERS THAT ACTIVATE THE SYSTEM ACCORDING TO A DESIRED FREQUENCY AND DURATION, AND SHALL ALSO BE EQUIPPED WITH RAIN OR SOIL MOISTURE SENSORS THAT WILL PREVENT IRRIGATION DURING PERIODS OF RAINFALL OR WHEN THERE IS SUFFICIENT MOISTURE IN THE GROUND FOR PLANT HEALTH AND SURVIVAL IN ACCORDANCE WITH THE LOCAL GOVERNMENT WATER CONSERVATION ORDINANCES.

PAVEMENT MARKING/SIGNAGE NOTES:

- 1. ALL SIGNAGE SHALL BE COORDINATED WITH THE TOWN OF CHAPEL HILL.
- 2. ALL SIGNAGE SHALL MEET MUTCD STANDARDS AND SPECIFICATIONS.
- 3. ALL SIGNAGE SHALL MEET NCDOT PEDESTRIAN SAFETY SPECIFICATIONS.
- 4. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND/OR TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
- 5. ALL SIGNS SHALL BE PRISMATIC AND ADHERE TO THE MINIMAL RETROREFLECTIVITY STANDARDS FOUND IN THE LATEST VERSION OF THE MUTCD.
- 6. ALL PAVEMENT MARKINGS ON PUBLIC STREETS SHALL BE THERMOPLASTIC AND ARE TO BE PLACED PER NCDOT STANDARDS (REFERENCE 2012 NCDOT DETAILS (1205.01-1205.12)
- 7. SIGN DESIGNS FOR STREET NAME SIGNS SHALL BE APPROVED BY TRANSPORTATION/ENGINEERING DEPARTMENT STAFF TO ENSURE COMPLIANCE WITH MUTCD SPECIFICATIONS. DESIGNS MUST BE APPROVED BY TOWN STAFF PRIOR TO ACCEPTANCE OF STREETS OR ISSUANCE OF 1ST CO.
- 8. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPOPER LETTER HEIGHTS, AND RETROREFLECTIVITY.

CONSTRUCTION MANAGEMENT NOTES:

- 1. ALL LARGE TRUCKS AS RELATED TO VEHICULAR CONSTRUCTION TRAFFIC SHALL ENTER/LEAVE THE SITE THROUGH THE TEMPORARY CONSTRUCTION ENTRANCES & EXITS AS SHOWN ON THIS PLAN. LAND CLOSURES SHALL BE ESTABLISHED AS SHOWN ON THIS PLAN AND CONSTRUCTION PERSONNEL SHALL BE IN ATTENDANCE TO MANAGE AND DIRECT VEHICULAR AND PEDESTRIAN TRAFFIC.
- 2. ENTRANCE AND EXIT GATES SHALL BE CLOSED UNLESS CONSTRUCTION OR DELIVERY VEHICLES ARE ENTERING OR EXITING THE CONSTRUCTION SITE.
- 3. THE CONTRACTOR SHALL PROVIDE WORK ZONE TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH ALL APPLICABLE NCDOT STANDARDS. REFER TO THE TRAFFIC AND PEDESTRIAN CONTROL PLAN FOR SPECIFIC NOTES AND DETAILS.
- 4. NO OPEN BURNING SHALL BE PERMITTED.
- 5. THE APPLICANT SHALL POST A CONSTRUCTION SIGN ON THE DEVELOPMENT SITE THAT LISTS THE FOLLOWING:
  - PROPERTY OWNER'S REPRESENTATIVE & TELEPHONE NUMBER
  - CONTRACTOR'S REPRESENTATIVE & TELEPHONE NUMBER
  - TELEPHONE NUMBER FOR REGULATORY INFO AT TIME OF BUILDING PERMIT
  - SIGN MAY BE A MAXIMUM OF 32 SF AND A MAXIMUM HEIGHT OF 8 FT.
- 6. FENCING AROUND PROJECT SHALL INCLUDE ACCESS GATES WITH A 20-FOOT SWING OR SLIDE MOTION.
- 7. CONSTRUCTION FENCE SHALL BE MODIFIED AS REQUIRED DURING CONSTRUCTION PHASING FOR PEDESTRIAN CIRCULATION.
- 8. PRIOR TO ANY TRAFFIC LANE AND/OR SIDEWALK CLOSURES, THE APPLICANT SHALL CONTACT THE CHAPEL HILL TRAFFIC ENGINEERING OFFICE (919-969-5096 OR 919-969-5100) AT LEAST 5 WORKING DAYS BEFORE THE PROPOSED WORK TO APPLY FOR A LAND CLOSURE PERMIT.
- 9. ROAD CLOSURES ON PUBLIC STREETS MUST BE COORDINATED WITH AND APPROVED BY THE TOWN OF CHAPEL HILL.
- 10. TEMPORARY STREET ROAD SIGNS ARE REQUIRED AT EACH STREET INTERSECTION WHEN CONSTRUCTION OF NEW ROADS ALLOWS FOR THE PASSAGE OF VEHICLES. SIGNS SHALL BE OF APPROVED SIZE, WEATHER RESISTANT AND BE MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
- 11. CONTRACTOR TO PROVIDE DEDICATED ONSITE PARKING SPACES FOR INSPECTORS AT EACH BUILDING AND NEAR THE JOB TRAILER FOR THE DURATION OF CONSTRUCTION
- 12. ROADS WITH CURB AND GUTTER AND THE FIRST LIFT OF ASPHALT WILL NEED TO BE CONSTRUCTED BEFORE COMBUSTIBLES ARE ON SITE IN ORDER TO MEET REQUIREMENTS FROM FIRE CODE, STORMWATER, AND OWASA. HYDRANTS SHALL BE ACTIVE IN THE AREAS FOR CONSTRUCTION.

GENERAL NOTES:

- 1. CONTRACTOR TO NOTIFY SURROUNDING PROPERTIES 7 DAYS PRIOR TO STARTING CONSTRUCTION.
- 2. CONTRACTOR TO PROVIDE NOTICE TO THE TOWN OF CHAPEL HILL REGARDING SPECIFIC DATES FOR ANY NECESSARY ROAD CLOSURES AND LANE REDUCTIONS.
- 3. GENERAL CONTRACTOR TO COORDINATE WITH SPECIFIC PROPERTIES AFFECTED BY THE PROPOSED ROAD CLOSURES IF REQUIRED TO ENSURE CONTINUOUS ACCESS TO THE AFFECTED PROPERTIES.
- 4. ALL SHOWN PARKING SPACE MARKINGS SHALL BE PER THE TOWN OF CHAPEL HILL CODE FOR PARKING LOTS.
- 5. MINIMUM CORNER CLEARANCES FROM THE CURBLINE OF INTERSECTING STREETS SHALL BE AT LEAST 20' FROM THE POINT OF TANGENCY. NO DRIVEWAYS OR PARKING SPACES SHALL ENCRACH ON THIS MINIMUM CORNER CLEARANCE.
- 6. WITHIN THE SIGHT DISTANCE TRIANGLES SHOWN, NO OBSTRUCTION BETWEEN 2' AND 8' IN HEIGHT ABOVE THE CURB LINE ELEVATION SHALL BE LOCATED IN WHOLE OR IN PART. OBSTRUCTIONS INCLUDE BUT ARE NOT LIMITED TO ANY BERM, FOLIAGE, FENCE, WALL, SIGN, OR PARKED VEHICLE.
- 7. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST TOWN OF CHAPEL HILL, NCDOT AND OWASA STANDARDS AND SPECIFICATIONS.
- 8. ALL DIMENSIONS SHOWN ON SITE PLAN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- 9. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS; FINAL RULE 29CFR PART 1926, SUBPART "P" APPLIES TO ALL EXCAVATIONS EXCEEDING FIVE (5) FEET IN DEPTH. EXCAVATION EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRES THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER, PROVIDED BY CONTRACTOR RESPONSIBLE FOR EXCAVATION.
- 10. EQUIPMENT AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED PROVIDED APPROVAL HAS BEEN OBTAINED FROM THE OWNER IN WRITING PRIOR TO ORDERING OR INSTALLATION. THE CONTRACTOR SHALL WAIVE ANY CLAIM FOR ADDITIONAL COST RELATED TO THE SUBSTITUTION OF ALTERNATE EQUIPMENT.
- 11. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
- 12. CONTRACTOR IS RESPONSIBLE FOR COORDINATING CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE UTILITY COMPANIES FOR ANY REQUIRED RELOCATION (I.E. POWER POLES, TELEPHONE PEDESTALS, WATER METERS, ETC.).
- 13. PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE TOWN OF CHAPEL HILL ENGINEERING DEPARTMENT, ORANGE COUNTY SOIL AND EROSION DEPARTMENT, ENGINEER, AND OWNER/REPRESENTATIVE.
- 14. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- 15. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPER LETTER HEIGHTS, AND RETROREFLECTIVITY.
- 16. ALL ASPHALT EDGES SHALL BE SAW CUT TO PROVIDE A GOOD LONGITUDINAL JOINT. MILL 1.5 FEET AT 1.5 INCHES DEEP MINIMUM TO PROVIDE A LONGITUDINAL LAP JOINT FOR FINAL SURFACE LAYER. NO MILLING SHALL BE LEFT FOR A PERIOD OF TIME GREATER THAN 48 HOURS BEFORE A STREET IS TO BE REPAVED/RESURFACED.
- 17. SEPARATE BUILDING PERMITS ARE REQUIRED FOR RETAINING WALLS, DUMPSTER ENCLOSURES, MONUMENTS, SIGNS, OR OTHER ACCESSORY STRUCTURES OR ELEMENTS.
- 18. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
- 19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND/OR RELOCATION OF ALL EXISTING UTILITIES IN COORDINATION WITH THE APPROPRIATE UTILITY, AGENCY, OR COMPANY.
- 20. EXISTING CONTOURS ARE BASED ON SURVEY COMPLETED BY SUMMIT. EXISTING UTILITIES SHOWN ARE BASED ON SURVEY AND THE BEST AVAILABLE RECORDS. THE CONTRACTOR, HOWEVER, SHALL VERIFY CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THE PLANS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. FOR NECESSARY PLAN OR GRADE CHANGES, NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- 21. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THEIR ORIGINAL CONDITION OR TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
- 22. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION PLUS 2 FEET.
- 23. A ZONE FOR FIRE DEPARTMENT LADDERS AND FIREFIGHTING OPERATIONS MUST BE PROVIDED, REQUIRING ALL LINES TO BE BURIED SURROUNDING STRUCTURES.
- 24. IF APPLICABLE, BACK WASH WATER FROM THE POOL SHALL DISCHARGE INTO THE SANITARY SEWER SYSTEM, NOT STORM SEWER, AND SHALL NOT EXCEED 50 GALLONS PER MINUTE.
- 25. CONTRACTOR TO CONTACT THE CHAPEL HILL STORMWATER MANAGEMENT DIVISION AT 919-969-7246 TO SCHEDULE SITE INSPECTION AT LEAST TEN (10) DAYS IN ADVANCE OF REQUESTING THE CERTIFICATE OF OCCUPANCY.
- 26. IMPROVEMENTS, STRUCTURES, FIXTURES, SIGNS, TABLES, CHAIRS, PLANTERS, OR ANY OTHER OBJECT SHALL NOT BE PLACED IN SIDEWALK AREAS FOR ANY PERIOD OF TIME.
- 27. HVAC CONDENSATE AND FLOOR DRAINS FROM THE ROOFED PARKING AREA SHALL NOT BE CONNECTED TO THE STORM SEWER SYSTEM. NO ELEVATOR SUMP PUMP DISCHARGE MAY ENTER THE STORM SEWER SYSTEM.
- 28. ANY ROOF DRAINS OR OTHER PLUMBING INTENDED TO DISCHARGE TO THE STORM SEWER SYSTEM NOT SHOWN ON THE APPROVED PLANS ARE NOT APPROVED. ANY DISCHARGE DIRECTED TO THE STORM SEWER SYSTEM THAT IS NOT APPROVED WILL NEED TO APPROVAL FROM THE TOWN OF CHAPEL HILL STORMWATER MANAGEMENT DIVISION.
- 29. THE NORTH CAROLINA DEPARTMENT OF INSURANCE SHALL REVIEW AND APPROVE ANY PROJECTS LISTED IN TABLE 104.1 OF THE NORTH CAROLINA ADMINISTRATION AND POLICIES CODE BEFORE THE TOWN OF CHAPEL HILL WILL BEGIN ITS BUILDING PERMIT REVIEW.
- 30. A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE THE STRUCTURE WITH THE EXCEPTION OF THE FIRE PUMP, IN ACCORDANCE WITH ARTICLE 230.2(A) OF THE 2017 NORTH CAROLINA ELECTRICAL CODE.
- 31. CURB AND GUTTER AND ATLEAST THE FIRST LIFT OF ASPHALT FOR THE ROADS MUST BE PLACED PRIOR TO THE START OF CONSTRUCTION.
- 32. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE THE MINIMUM REQUIRED HANDICAPPED PARKING SPACES AND DESIGN ALL HANDICAPPED PARKING SPACES, RAMPS, CROSWALKS, AND ASSOCIATED INFRASTRUCTURE ACCORDING TO THE AMERICANS WITH DISABILITIES ACT STANDARDS, NORTH CAROLINA BUILDING CODE, AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) CODE, AND TOWN STANDARD.
  - A. THE NUMBER OF PARKING SPACES SHALL COMPLY WITH NCBC 2018 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE. NO SLOPE SHALL EXCEED 2% IN ANY DIRECTION. SIGNAGE SHALL BE PLACES IN ACCORDANCE WITH NCBC 2018 REQUIREMENTS, MUTCD AND ACC A 117.1.
  - B. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 EDITION, CROSS SLOPE LIMITED TO 2%. CALL TOWN OF CHAPEL HILL BUILDING INSPECTIONS OFFICE FOR INSPECTION PRIOR TO PLACEMENT OF CONCRETE.
  - C. SLOPES GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.
- 33. FINAL LOCATION OF GAS LINE INSTALLED BY DOMINION ENERGY TO BE VERIFIED IN FIELD PRIOR TO THE INSTALLATION OF ANY FURNISHINGS REQUIRING GAS CONNECTIONS, INCLUDING BUT NOT LIMITED TO FIRE PITS, FIRE TABLES AND OUTDOOR GRILLING STATIONS. CONTRACTOR SHALL COORDINATE WITH DOMINION ENERGY, LANDSCAPE ARCHITECT, ARCHITECT AND OWNER FOR CONNECTIONS TO GAS LINE. CONNECTIONS TO BE PROVIDED BY A LICENSED GAS FITTER/TECHNICIAN AND SHALL CONFIRM TO ALL LOCAL AND STATE REGULATIONS.

GRADING & STORM DRAINAGE NOTES:

- 1. CONTRACTOR SHALL NOTIFY NC 811 (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF NC 811. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
- 2. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE ORANGE COUNTY SOIL AND EROSION CONTROL OFFICER, TOWN OF CHAPEL HILL STORM WATER MANAGEMENT DIVISION, AND OWNER'S REP/ENGINEER.
- 3. CONTRACTOR TO CONTACT JAMES HUGGINS WITH THE TOWN OF CHAPEL HILL AT 919-969-5088 TO POST EROSION CONTROL BOND, ALONGS WITH A PERFORMANCE GUARANTEE PER, PRIOR TO ANY LAND DISTURBANCE.
- 4. GRADING AND CONTOURS ARE BASED ON NORTH AMERICAN VERTICAL DATUM 88 (NAVDS8).
- 5. SOIL UNDER BUILDINGS AND PAVED AREAS SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER AND SHOULD MEET OR EXCEED TOWN OF CHAPEL HILL STANDARDS.
- 6. GRADING IN AREAS DESIGNATED AS "ACCESSIBLE" SHALL COMPLY WITH ALL FEDERAL AND LOCAL ACCESSIBILITY RULES AND GUIDELINES. EVEN THOUGH PLANS MAY NOT SHOW ALL SPOT ELEVATIONS IN THESE REGIONS, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE AREAS ARE GRADED TO AMERICAN DISABILITY ACT (ADA) COMPLIANT SPECIFICATIONS.
- 7. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY AREAS WHERE SPILL CURB IS NECESSARY TO CONVEY RUNOFF TO THE NEAREST CATCH BASIN OR DROP INLET. THE OWNER AND/OR ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR CURBING INSTALLED PRIOR TO PAVING THAT DOES NOT DRAIN PROPERLY.
- 8. ALL PROPOSED INLETS, CATCH BASINS, AND DROP INLETS SHALL BE PROTECTED BY EROSION CONTROL MEASURES AS SHOWN AND SPECIFIED ON THE EROSION CONTROL PLAN.
- 9. THE CURB INLETS AND YARD INLETS SHALL BE CONSTRUCTED IN THE LOCATIONS SHOWN UNLESS OTHERWISE DIRECTED BY THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR REPORTING ANY DISCREPANCIES IN THE CATCH BASIN ELEVATIONS OR THE PROPOSED PIPE SLOPES TO THE ENGINEER. THE CONTRACTOR IS ALSO RESPONSIBLE TO REPORT ANY CONFLICTS BETWEEN ANY UTILITY, STORM DRAIN LINE, WATER LINE, SEWER LINE OR ANY OTHER PROPOSED OR EXISTING STRUCTURE TO THE ENGINEER.
- 10. THE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS. THE CONTRACTOR SHALL FIELD VERIFY GRADES SURROUNDING ALL BUILDINGS PRIOR TO GRADING ACTIVITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
- 11. PIPE SPECIFIED AS RCP MAY BE SUBSTITUTED IF APPROVED BY THE TOWN OF CHAPEL HILL WITH APPROVED MATERIALS PER THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS OUTSIDE OF PUBLIC RIGHT OF WAY AND EASEMENTS. ALL BEDDING FOR ALTERNATE MATERIALS SHALL CONFORM TO NCDOT, AASHTO AND ASTM SPECIFICATIONS.
- 12. THE MINIMUM PIPE SIZE WITHIN A PUBLIC RIGHT-OF-WAY IS 15".
- 13. FOR ALL PIPE OUTLETS 60" AND GREATER (SINGLE) AND 36" (MULTIPLE) HEADWALLS/ENDWALLS SHALL BE USED AND A 4" HIGH BLACK POLY COATED CHAIN LINK FENCE PLACED OVER THE WALL.
- 14. FOR NPDES PERMIT COMPLIANCE: ALL SLOPES 3:1 AND STEEPER MUST BE STABILIZED WITHIN 7 DAYS, ALL OTHER AREAS MUST BE STABILIZED WITHIN 14 DAYS.
- 15. ALL STORM PIPE SPECIFIED AS REINFORCED CONCRETE (RCP) SHALL BE MINIMUM CLASS III PIPE.
- 16. ALL STORM PIPE SHALL BE LAID AT LEAST 10" HORIZONTALLY OR 18" VERTICALLY FROM ANY WATER MAIN AND 24" VERTICALLY FROM ANY SEWER MAIN. REFER TO NCAC 027 RULES FOR EXEMPTIONS.
- 17. GEOTEXTILE FABRIC OR APPROVED EQUIVALENT ARE REQUIRED AT ALL DISSIPATOR PADS.

FIRE DEPARTMENT NOTES:

- 1. SITE SHALL COMPLY WITH THE LATEST NATIONAL BUILDING AND FIRE CODES.
- 2. FUNCTIONAL FIRE PROTECTION SHALL BE PROVIDED PRIOR TO THE ARRIVAL OF COMBUSTIBLE MATERIALS ON THE SITE.
- 3. FIRE ACCESS ROUTE SHALL HAVE A MINIMUM RADIUS OF 28' (FACE OF CURB) TO ALLOW FIRE APPARATUS ACCESS THROUGH SITE (IFC 503.2.4).
- 4. ANY GATES ACROSS FIRE APPARATUS ACCESS ROADS SHALL BE A MINIMUM WIDTH OF 20', BE OF SWINGING OR SLIDING TYPE AND HAVE AN EMERGENCY MEANS OF OPERATION. GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE OPERABLE BY EITHER FORCIBLE ENTRY OR KEYS AND MUST BE CAPABLE OF BEING OPERATED MY ONE PERSON. ALL GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE INSTALLED AND MAINTAINED ACCORDING TO UL375 AND ASTM F2200.
- 5. ALL PORTIONS OF THE FIRST FLOOR OF THE BUILDING MUST BE WITHIN 150' OF THE FIRE ACCESS ROUTE (IFC 503.1.1), UNLESS OTHERWISE APPROVED BY THE FIRE MARSHALL.
- 6. BUILDING ADDRESSES SHALL BE PLACED ON BOTH SIDES OF THE BUILDING ON A CLEARLY VISIBLE PLACARD FOR LOCATION PURPOSES.
- 7. ALL FIRE TRUCK ACCESSIBLE ROUTES SHALL BE RATED FOR 80,000 LB AND HAVE A MINIMUM CLEAR WIDTH OF 26' (IFC 503.2.1) UNLESS OTHERWISE APPROVED BY THE FIRE MARSHALL.
- 8. FIRE RISER ROOM SHALL BE EQUIPPED WITH AN EXTERNAL LOCK BOX.
- 9. RISER ROOM SHALL HAVE ADEQUATE DRAINAGE FOR EMERGENCY RPZ DISCHARGE.
- 10. PRIVATE FIRE SERVICE MAINS AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 24, NC FPC 507.2.1.
- 11. ALL CONSTRUCTION AND DEMOLITION CONDUCTED SHALL BE IN COMPLIANCE WITH THE CURRENT EDITION OF 2018 NC FIRE CODE CHAPTER 33.
- 12. OPEN BURNING OF TREES, LIMBS, STUMPS, AND CONSTRUCTION DEBRIS ASSOCIATED WITH THIS DISSECTION IS PROHIBITED.
- 13. DURING CONSTRUCTION, VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION ALLOWS PASSAGE OF VEHICLES. SIGNS SHALL BE OF AN APPROVED SIZE, WEATHER RESISTANCE AND MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
- 14. THE OWNER/DEVELOPER SHALL DESIGNATE ONE PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR ENFORCING CHAPTER 14 OF THE NCFPC AND THE ON-SITE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT.
- 15. A WORKING SPACE OF NOT LESS THAN 36" IN WIDTH AND DEPTH AND 78" IN HEIGHT SHALL BE PROVIDED ON ALL SIDES EXCEPT FOR WALL MOUNTED FDC'S UNLESS OTHERWISE APPROVED BY THE FIRE CODE OFFICIAL. THE FDC'S WHERE REQUIRED MUST BE PHYSICALLY PROTECTED BY AN APPROVES BARRIER FROM IMPACTS.
- 16. ANY REQUIRED FDC'S FOR ANY BUILDING SHALL MEET THE DESIGN AND INSTALLATION REQUIREMENTS FOR THE CURRENT, APPROVED EDITION OF NFPA 13, 13D, 13R, OR 14 OF THE NCFPC 2018 AND TOWN ORDINANCES; 7-38 FOR LOCATIONS. FDC'S SHALL BE INSTALLED ON THE STREET/ADDRESS SIDE OF THE BUILDING AND WITHIN 100' OF A HYDRANT OR UNLESS OTHERWISE APPROVED BY THE FIRE CODE OFFICIAL AND SHALL NOT BE OBSTRUCTED OR HINDERED BY PARKING OR LANDSCAPING.
- 17. WHERE A FIRE HYDRANT IS LOCATED ON A FIRE APPARATUS ACCESS ROAD, THE MINIMUM ROAD WIDTH SHALL BE 26 FEET (7925 mm), EXCLUSIVE OF SHOULDERS (SEE FIGURE D103.1).
- 18. FIRE APPARATUS ACCESS ROADS SHALL NOT BE OBSTRUCTED IN ANY MANNER, INCLUDING THE PARKING OF VEHICLES. THE MINIMUM WIDTHS AND CLEARANCES ESTABLISHED IN SECTIONS 503.2.1 AND 503.2.2 SHALL BE MAINTAINED AT ALL TIMES. 2018 NCFPC 503.4 (FIRE)
- 19. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, APPROVED SIGNS OR OTHER APPROVED NOTICES OR MARKINGS THAT INCLUDE THE WORDS NO PARKING-FIRE LANE SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS OR PROHIBIT THE OBSTRUCTION THEREOF. THE MEANS BY WHICH FIRE LANES ARE DESIGNATED SHALL BE MAINTAINED IN A CLEAN AND LEGIBLE CONDITION AT ALL TIMES AND TO BE REPAIRED WHEN NECESSARY TO PROVIDE ADEQUATE VISIBILITY. 2018 NCFPC SECTION 503.3 AND APPENDIX D D 103.6, D 103.6.1, D 103.6.2.
- 20. THE FIRE CODE OFFICIAL IS AUTHORIZED TO REQUIRE THE INSTALLATION AND MAINTENANCE OF GATES OR OTHER APPROVED BARRICADES ACROSS FIRE APPARATUS ACCESS ROADS, TRAILS, OR OTHER ACCESSWAYS; NOT INCLUDING PUBLIC STREETS, ALLEYS, OR HIGHWAYS. ELECTRIC GATE OPERATORS, WHERE PROVIDED, SHALL BE LISTED IN ACCORDANCE WITH UL 325. GATES INTENDED FOR AUTOMATIC OPERATION SHALL BE DESIGNED, CONSTRUCTED, AND INSTALLED TO COMPLY WITH THE REQUIREMENTS OF ASTM F2200. 2018 NCFPC SECTION 503 AND APPENDIX D103.
- 21. THE GRADE OF THE FIRE APPARATUS ACCESS ROAD SHALL BE WITHIN THE LIMITS ESTABLISHED BY THE FIRE CODE OFFICIAL BASED ON THE FIRE DEPARTMENT'S APPARATUS.
  - 503.2.8 ANGLES OF APPROACH AND DEPARTURE. THE ANGLES OF APPROACH AND DEPARTURE FOR FIRE APPARATUS ACCESS ROADS SHALL BE WITHIN THE LIMITS ESTABLISHED BY THE FIRE CODE OFFICIAL BASED ON THE FIRE DEPARTMENT'S APPARATUS.
  - D 103.2 GRADE. FIRE APPARATUS ACCESS ROADS SHALL NOT EXCEED 10 PERCENT IN GRADE. EXCEPTION: GRADES STEEPER THAN 10 PERCENT AS APPROVED BY THE FIRE CHIEF. 2018 NCFPC SECTION 503 AND APPENDIX D.

ORANGE WATER AND SEWER AUTHORITY UTILITY  
NOTES:

- 1. STANDARDS AND SPECIFICATIONS - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH OWASA STANDARDS AND SPECIFICATIONS LATEST REVISED EDITION.
- 2. PRECONSTRUCTION CONFERENCE - A PRECONSTRUCTION CONFERENCE WITH THE OWASA CONSTRUCTION INSPECTOR IS REQUIRED BEFORE BEGINNING ANY UTILITY CONSTRUCTION.
- 3. PROJECT ACCEPTANCE - IN ADDITION TO A FINAL INSPECTION APPROVED BY THE OWASA CONSTRUCTION INSPECTOR, THE FOLLOWING DOCUMENTS MUST BE RECEIVED AND APPROVED BY OWASA BEFORE ACCEPTANCE OF THE PROJECT AND THE SETTING OF METERS:
  - ENGINEER'S CERTIFICATION OF PUBLIC SEWER - ORIGINAL DOCUMENT
  - ASSET LETTER - ORIGINAL DOCUMENT
  - LETTER OF DEDICATION - ORIGINAL DOCUMENT
  - AS BUILT DRAWINGS (INCLUDING 1"=100' SCALE SITE PLAN) AS BUILTS OF SEWER CONSTRUCTION SUBJECT TO REVIEW AND APPROVAL BY NCDENR DIVISION OF WATER QUALITY.
  - MANHOLE DATA SHEETS
  - RECORDED PLAT
  - ORIGINAL RECORDED WATER AND SEWER DEEDS OF EASEMENT - PREPARED USING OWASA'S STANDARD FORM.
- 4. SEWER STATEMENT - SEWER LINES UNDER CONSTRUCTION SHALL BE PLUGGED WITH A MECHANICAL PLUG AT THE FIRST MANHOLE UPSTREAM FROM THE POINT OF CONNECTION. PLUG SHALL BE PLACED IN THE OUTLET CONNECTION AND SECURED WITH STEEL CABLE. PLUG SHALL REMAIN IN PLACE UNTIL ACCEPTANCE OF LINES BY OWASA. WATER, STONE, DIRT, OR ANY OTHER DEBRIS SHALL NOT BE ALLOWED TO ENTER THE OWASA SANITARY SEWER SYSTEM DURING FLUSHING OPERATIONS OR AT ANY OTHER TIME. CONSTRUCTION TAKING PLACE IN THE VICINITY OF ANY EXISTING OWASA SEWER LINES OR MANHOLES SHALL NOT CAUSE ANY INFLOW OF SURFACE WATER OR DEBRIS TO ENTER THE REMAIN ACCESSIBLE AT ALL TIMES. THE OWNER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES INCURRED TO THE OWASA SANITARY SEWER SYSTEM AND FINES IMPOSED BY THE STATE OF NORTH CAROLINA DIVISION OF WATER QUALITY DUE TO SEWER SPILLS OR OVERFLOWS.
- 5. SEWER SERVICES - SEWER SERVICES LOCATED WITHIN PUBLIC RIGHT-OF-WAY OR OWASA SEWER EASEMENTS MUST BE CONSTRUCTED OF DUCTILE IRON PIPE FROM THE TAP UP TO AND INCLUDING THE FIRST CLEAN-OUT. EXCEPT FOR DEAD END MANHOLES, ALL 4" INCH SEWER SERVICES MUST BE TAPPED INTO THE SEWER MAIN. ALL 6" SERVICES MUST BE CONNECTED TO A MANHOLE. CLEANOUTS SHALL BE SPACED NO MORE THAN 75 FEET APART. CLEANOUTS LOCATED IN PAVEMENT AREAS SHALL BE HEAVY DUTY TRAFFIC RATED CONSTRUCTION.
- 6. BLOCKING AND RODDING - RETAINER GLANDS TO BE USED ON ALL MECHANICAL JOINTS IN ADDITION TO RODDING AND BLOCKING.
- 7. EXISTING VALVES - CONTRACTOR RESPONSIBLE FOR VERIFYING THAT EXISTING VALVE AT THE POINT OF CONNECTION TO THE OWASA SYSTEM IS ADEQUATE FOR PERFORMING AND PASSING HYDROSTATIC PRESSURE AND LEAKAGE TEST. CONTRACTOR, AT HIS EXPENSE, MAY OPTIONALLY REPLACE VALVE OR INSTALL A NEW VALVE FOR THE PURPOSE OF PERFORMING A PRESSURE TEST FOR NEW MAIN INSTALLATION. IF CONTRACTOR ELECTS TO PRESSURE TEST AGAINST EXISTING VALVE, CONTRACTOR ACCEPTS RESPONSIBILITY FOR ENSURING PASSING PRESSURE TEST IN ACCORDANCE WITH OWASA REQUIREMENTS. IN ANY CASE, NO CLAIM WHATSOEVER SHALL BE MADE AGAINST OWASA FOR FAILURE OF PRESSURE TEST. EXISTING WATER VALVES SHALL BE OPERATED BY OWASA PERSONNEL ONLY. VALVES THAT SEPARATE PRIVATELY APPROVED WATER AND UNAPPROVED WATER ARE TO REMAIN CLOSED AT ALL TIMES. VALVES MAY BE TEMPORARILY OPENED FOR LOADING AND FLUSHING BY THE OWASA INSPECTOR ONLY.
- 8. DECHLORINATION REQUIREMENTS - THE CONTRACTOR SHALL BE RESPONSIBLE FOR NEUTRALIZATION OF CHLORINATED WATER AT THE POINT OF DISCHARGE FROM THE MAIN BEING TESTED. THIS SHALL OCCUR FOLLOWING CHLORINATED TO DISINFECT A MAIN OR ANY OTHER TIME WHEN ELEVATED LEVELS OF CHLORINE COULD POTENTIALLY BE DISCHARGED INTO THE ENVIRONMENT BY THE CONTRACTOR. AT THE TIME THE DISINFECTION AND PURITY TESTING PROCEDURES ARE DISCUSSED WITH THE OWASA CONSTRUCTION INSPECTOR, THE PROCEDURE FOR DECHLORINATION WILL BE COVERED. ABSOLUTELY NO FLUSHING, DISINFECTION, OR PURITY SAMPLING IS TO TAKE PLACE WITHOUT PRIOR APPROVAL OF A SAMPLING PLAN BY THE OWASA INSPECTOR.
- 9. PLEASE BE ADVISED THAT OWASA APPROVAL OF THIS PROJECT IS FOR COMPLIANCE WITH OWASA POLICIES, STANDARDS, AND SPECIFICATIONS ONLY. ALL OTHER MATTERS PERTAINING TO THIS PROJECT ARE THE RESPONSIBILITY OF THE DESIGN ENGINEER. OWASA APPROVAL DOES NOT PRECLUDE THE DEVELOPER, PROJECT ENGINEER, CONTRACTOR, OR OTHER AGENTS OR PARTIES ACTING ON THEIR BEHALF FROM FULL COMPLIANCE WITH OWASA CURRENT STANDARDS, SPECIFICATIONS, AND PROCEDURES OR FROM COMPLYING WITH ANY AND ALL STATUTES, RULES, REGULATIONS, AND ORDINANCES WHICH MAY BE IMPOSED BY OTHER GOVERNMENT AGENCIES (LOCAL, STATE, AND FEDERAL) WHICH MAY HAVE JURISDICTION. VIOLATIONS WILL RESULT IN THE OWASA PROJECT APPROVAL BEING RESCINDED.
- 10. CONTACT NC 811 (811 OR 1-800-632-4949) AND OWASA (919-968-4421) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO ANY EXCAVATION OR CONSTRUCTION TO HAVE EXISTING UTILITIES LOCATED.
- 11. DISCHARGE FROM THIS PROJECT MUST BE IN COMPLIANCE WITH THE OWASA SEWER USE ORDINANCE. A GREASE INTERCEPTOR SHALL BE PROVIDED WHEN IN THE OPINION OF OWASA IT IS NECESSARY FOR THE PROPER HANDLING OF WASTEWATER CONTAINING EXCESSIVE AMOUNTS OF GREASE. ALL INTERCEPTION UNITS MUST BE OF THE TYPE AND CAPACITY WHICH IS CERTIFIED BY THE PROJECT ENGINEER AS MEETING THE REQUIREMENTS OF OWASA.
- 12. BACKFLOW PREVENTION WILL BE REQUIRED IN ACCORDANCE WITH OWASA CROSS-CONNECTION CONTROL ORDINANCE AND MANUAL.
- 13. DOMESTIC SERVICE TO INCLUDE REDUCED PRESSURE BACKFLOW PREVENTION ASSEMBLY.
- 14. FIRE SERVICE TO INCLUDE RPDA BACKFLOW DEVICE.
- 15. FIRE PROTECTION SYSTEMS - PRESSURE TESTING, CHLORINATION, AND PURITY TESTING SHALL BE COMPLETED BEFORE THE INSTALLATION OF THE RPDA UNIT.
- 16. REMOTE READ-OUT DEVICES - RPDA AND RPZ DEVICES LOCATED INSIDE BUILDINGS MUST BE EQUIPPED WITH AN AMR METER TO BE PURCHASED FROM OWASA AND INSTALLED BY THE CONTRACTOR. CONTACT THE OWASA CONSTRUCTION INSPECTOR FOR DETAILS OF THIS INSTALLATION.
- 17. FOR FIRE SERVICE BACKFLOW DEVICES, USE A DOUBLE CHECK DETECTOR, REDUCED PRESSURE ZONE ASSEMBLY MEETING THE STANDARDS OF THE OWASA CROSS CONNECTION CONTROL ORDINANCE AND MANUAL. INSTALL THE DEVICE IN AN INTERNAL RISER ROOM WITH EXTERNAL ACCESS. CLEARANCES SHALL COMPLY WITH THE OWASA CROSS CONNECTION CONTROL ORDINANCES AND MANUAL. ACCESS TO RISER ROOM FROM OUTSIDE SHALL INCLUDE PROVISIONS FOR THE FIRE DEPARTMENT SUCH AS A KNOX BOX.
- 18. ALL BUILDINGS WITH FIRE SUPPRESSION LINES MUST HAVE BACKFLOW DEVICES LOCATED INSIDE THE BUILDING IN AN ABOVE GROUND LOCATION ADJACENT TO THE OUTSIDE WALL WHERE THE WATERLINE ENTERS THE BUILDING.
- 19. FOR IRRIGATION SERVICE BACKFLOW DEVICE, USE A REDUCED PRESSURE ZONE ASSEMBLY MEETING THE STANDARDS OF THE OWASA CROSS CONNECTION CONTROL ORDINANCE AND MANUAL. INSTALL THE IRRIGATION DEVICE INSIDE AN ABOVE GROUND HOT BOX.
- 20. UNDERGROUND VAULTS FOR METERS SHALL BE DRAINED BY PVC SCHEDULE 40 DRAINS TO DAYLIGHT INTO SLOPES. CONNECTION TO STORM STRUCTURES IS ONLY ALLOWED WITH THE CONSENT OF OWASA. DRAIN SIZES SHALL BE 2" DIAMETER FOR METERS OR DEVICES LESS THAN 2" AND SHALL BE 4" DIAMETER FOR DEVICES OVER 2".
- 21. CONNECTION OF SANITARY SEWER SERVICE TO AN EXISTING MANHOLE SHALL COMPLY WITH OWASA STANDARDS, INCLUDING: CORE DRILL FOR OPENING INTO MANHOLE AND INSTALL WITH FLEXIBLE BOOT. IF PAVEMENT CUT IS REQUIRED, CONTRACTOR SHALL PATCH PAVEMENT IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND PROPER GEOTECHNICAL INFORMATION FOR SOIL LOADING.
- 22. IF HYDRAULIC ELEVATORS ARE USED THE SUMP MUST BE PLUMBED TO SANITARY SEWER LINES.
- 23. FIRE HYDRANTS MUST BE FULLY FUNCTIONAL AND PHYSICALLY APPROVED BY OWASA BEFORE COMBUSTIBLE MATERIALS CAN BE BROUGHT ON TO THE SITE.



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**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
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REVISIONS

NO.	DATE	REVISED PER	1ST CZP COMMENTS
11.23.2022			
02.21.2023			REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-N1
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	NTS
DATE	09.29.2022

SHEET

PROJECT NOTES

**C0.00**

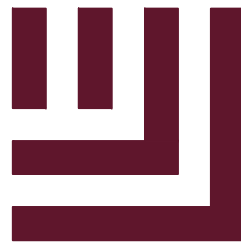
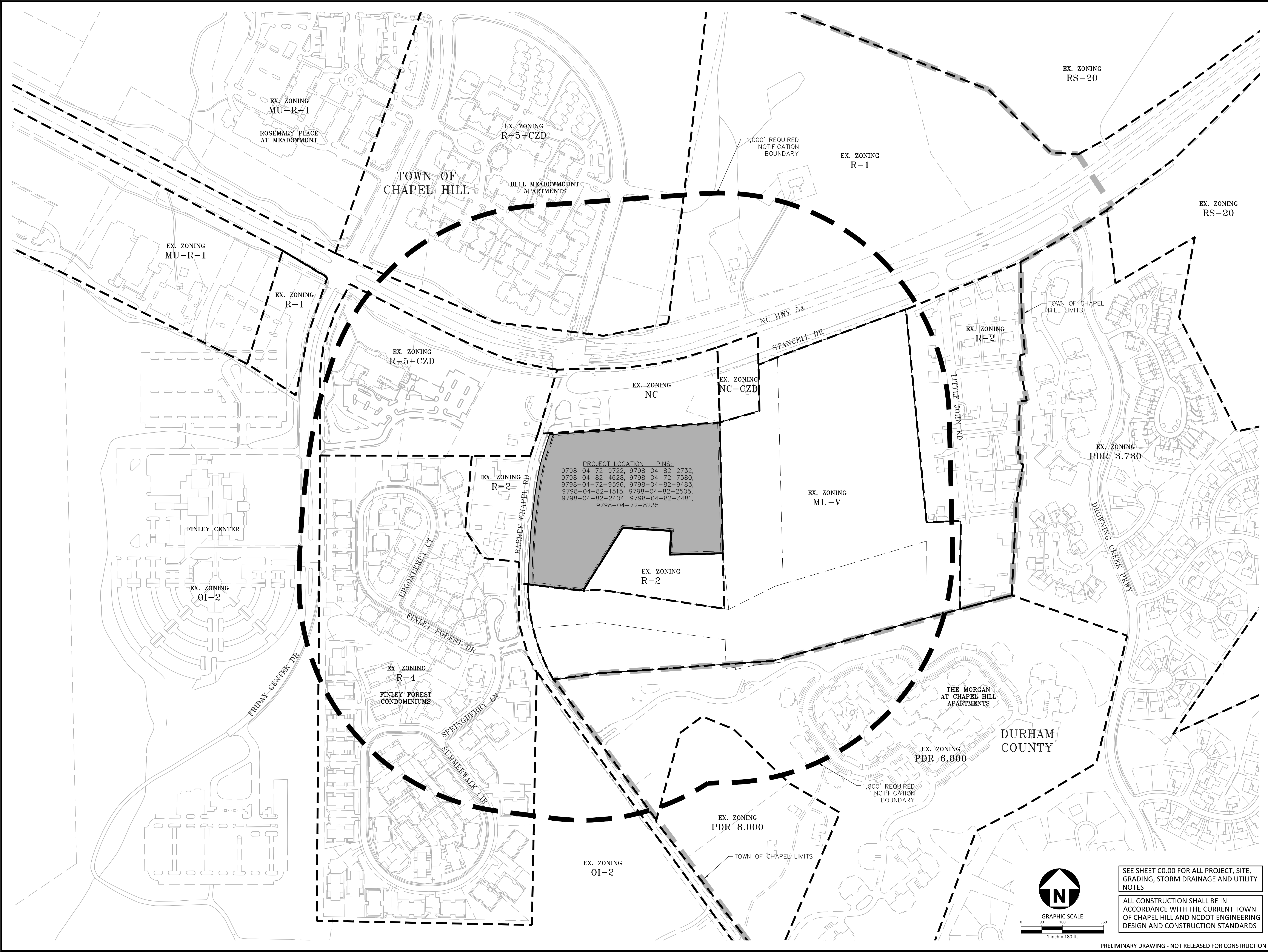


CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF CHAPEL HILL AND NCDOT ENGINEERING DESIGN AND CONSTRUCTION STANDARDS





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**CLIENT**

TOLL BROTHERS APARTMENT LIVING  
1140 VIRGINIA DR  
FORT WASHINGTON, PA, 19034  
Contact  
PHONE: 202.577.6491



**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
**CHAPEL HILL, NC 27517**



**REVISIONS**

NO.	DATE	
11.23.2022	REVISED PER 1ST CZP COMMENTS	
02.21.2023	REVISED PER 2ND CZP COMMENTS	

**PLAN INFORMATION**

PROJECT NO.	TLA-22001
FILENAME	TLA22001-AM1
CHECKED BY	SJC
DRAWN BY	WHM/JLL
SCALE	1" = 180'
DATE	09.29.2022

**SHEET**

**AREA MAP**

**C0.01**

SEE SHEET C0.00 FOR ALL PROJECT, SITE,  
GRADING, STORM DRAINAGE AND UTILITY  
NOTES

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FORT WASHINGTON, PA, 19034

## Contact

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**BARBEE CHAPEL APARTMENTS**

# CONDITIONAL ZONING PERMIT

## DRAWINGS

**5101 BARBEE CHAPEL RD**  
CHAPEL HILL, NC 27517

<p>(A)</p> <p>PARCEL A DON PENDERGRAFT PIN:9798-72-34-5347 PID:141879 2 ELMDALE DR D.B. 1613, PG. 446 25.810 SQ.FT. 0.59 AC.</p>	<p>(G)</p> <p>PARCEL G QUENTIN KRANTZ PIN:9798-82-24-0401 PID:141877 110 PEARL LN D.B. 8911, PG. 653 17,024 SQ.FT. 0.39 AC.</p>
<p>(B)</p> <p>PARCEL B FRANK HERLANT PIN:9798-72-24-0401 PID:141878 6 ELMDALE DR D.B. 8911, PG. 659 21,676 SQ.FT. 0.50 AC.</p>	<p>(H)</p> <p>PARCEL H QUENTIN KRANTZ PIN:9798-82-27-2292 PID:141896 111 PEARL LN D.B. 8911, PG. 656 47,038 SQ.FT. 1.08 AC.</p>
<p>(C)</p> <p>PARCEL C STEPHEN PENDERGRAFT, ET.AL. PIN:9798-72-82-2595 PID:141892 5105 BARBEE CHAPEL RD D.B. 9659, PG. 517 79,225 SQ.FT. 1.82 AC.</p>	<p>(I)</p> <p>PARCEL I DONNA SAYERS PIN:9798-82-34-8161 PID:141895 114 PEARL LN D.B. 2598, PG. 537 66,668 SQ.FT. 1.44 AC.</p>
<p>(D)</p> <p>PARCEL D SANDY PENDERGRAFT, ET.AL. PIN:9798-72-75-8083 PID:141880 5101 BARBEE CHAPEL RD D.B. 7565, PG. 832 P.B. 35, PG. 34 59,827 SQ.FT. 1.37 AC.</p>	<p>(J)</p> <p>PARCEL J RODERICK ROBERSON PIN:9798-82-36-2809 PID:141894 115 PEARL LN D.B. 1463, PG. 403 45,142 SQ.FT. 1.04 AC.</p>
<p>(E)</p> <p>PARCEL E FRANK HERLANT PIN:9798-72-95-9660 PID:141881 102 PEARL LN D.B. 2605, PG. 579 24,839 SQ.FT. 0.57 AC.</p>	<p>AREA IN PEARL LN AND ELMDALE DR THAT IS NOT INCLUDED IN ANY LOT 10,090 SQ.FT. 0.23 AC.</p>
<p>(F)</p> <p>PARCEL F SQUARE WHEEL VENTURES LLC PIN:9798-72-97-2169 PID:141875 105 PEARL LN D.B. 8420, PG. 922 62,368 SQ.FT. 1.43 AC.</p>	
<p>PARCEL A PARCEL B PARCEL C PARCEL D PARCEL E PARCEL F PARCEL G PARCEL H PARCEL I PARCEL J REMAINDER AREA</p>	<p>25.810 SQ.FT./0.59 AC. 21,676 SQ.FT./0.50 AC. 79,258 SQ.FT./1.82 AC. 59,827 SQ.FT./1.37 AC. 24,839 SQ.FT./0.57 AC. 62,368 SQ.FT./1.43 AC. 17,024 SQ.FT./0.39 AC. 47,038 SQ.FT./1.08 AC. 62,768 SQ.FT./1.44 AC. 45,142 SQ.FT./1.04 AC. 10,090 SQ.FT./0.23 AC.</p>
<p>TOTAL AREA</p>	<p>45,5841 SQ.FT./10.46 AC</p>




















































### TREE LEGEND

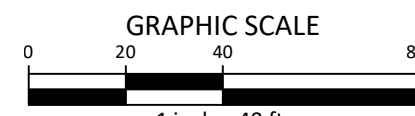
10 E	ELM
12 G	SWEET GUM
9 HW	MISC. HARDWOOD
16 H	HICKORY
15 M	MAPLE
31 O	OAK
18 P	PINE
14 PO	POPLAR
14 SY	SYCAMORE

## GENERAL NOTES

1. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83(2011).
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
3. ZONING: TOWN OF CHAPEL HILL ZONING R-2; NO ZONING REPORT PROVIDED.
4. AREA BY COORDINATE GEOMETRY.
5. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A. F.I.R.M. COMMUNITY PLAN 3710979800, DATED 10/19/2018.
6. REFERENCES: AS SHOWN
7. UTILITIES:
  - THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN ACCORDANCE WITH LOCAL ORDINANCES. THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
8. ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD 88
9. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS, EVIDENCE OF RECENT GARAGE CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
10. A FIELD SURVEY OF WETLANDS WAS PERFORMED AS A PART OF THIS SURVEY AND NO MARKERS FOR SUCH WERE OBSERVED.
11. NO PARTY WALLS WERE LOCATED AS PART OF THIS SURVEY
12. DOCUMENTARY OR PHYSICAL EVIDENCE OF ANY CEMETERY FOUND IN THE COURSE OF THE SURVEY
13. THE SURVEYED PROPERTIES SHOWN AND DESCRIBED IN THE PROPERTY DESCRIPTIONS ARE THE SAME PROPERTIES DESCRIBED IN THE COMMUNITY PLAN.

LEGEND

CONCRETE MONUMENT			TELEPHONE HANDHOLE
EXISTING IRON PIPE			TELEPHONE BOX
IRON PIPE SET			TELEPHONE PEDESTAL
CALCULATED POINT			FIBER OPTIC MARKER
MASONRY NAIL			FIBER OPTIC HANDHOLE
NC GEODETIC SURVEY MON.			BOLLARD
FIRE HYDRANT			AIR CONDITIONER
WATER METER			SIGN
WATER MANHOLE			MAILBOX
WATER VALVE			WATER WELL
HOSEBIB			WETLAND FLAGS
DRAINAGE INLET/YARD INLET			ROOF DRAIN
CL CATCH BASIN AT BC			SATELLITE DISH
STORM DRAIN MANHOLE			GAS LINE
FLARED END SECTION			WATER LINE
ELECTRIC METER			SEWER LINE
ELECTRIC TRANSFORMER			STORM LINE
ELECTRIC HANDHOLE			FENCE
ELECTRIC BOX			UNDERGROUND TV CABLE
GUY WIRE			UNDERGROUND ELECTRIC LINE
LIGHT POLE			UNDERGROUND FIBER OPTIC CABLE
POWER/UTILITY POLE			UNDERGROUND TELEPHONE CABLE
CLEAN OUT			OVERHEAD ELECTRIC LINE
SEWER MANHOLE			WOOD LINE/LANDSCAPING
SEWER MANHOLE			
GAS SERVICE METER			
GAS MARKER			
GUY POLE			
GAS VALVE			



## REVISIONS

NO.	DATE	
	11.23.2022	REVISED PER 1ST CZP COMMENTS
	02.21.2023	REVISED PER 2ND CZP COMMENT

## PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-XC
CHECKED BY	SJC
DRAWN BY	WHM/LJL
SCALE	1" = 40'
DATE	09.29.2022

**SHEET**

## EXISTING CONDITIONS

# C1.00





M:\Projects\TLA\TLA22001\04-Production\Engineering\Construction Drawings\Current Drawings\2 - CDP Drawings\TLA22001-SS1.dwg, 2/21/2023 5:13:06 PM, Spencer Christensen



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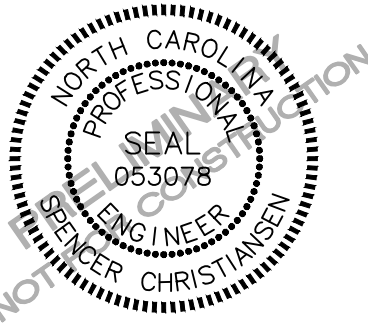
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**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
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**CHAPEL HILL, NC 27517**



REVISIONS		
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PLAN INFORMATION	
PROJECT NO.	TLA-22001
FILENAME	TLA22001-SS1
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	1" = 40'
DATE	09.29.2022

**SHEET**

**STEEP SLOPES PLAN**

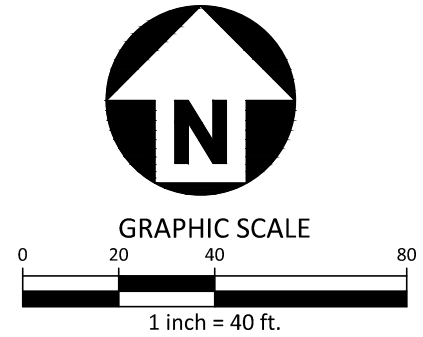
**C1.01**

**STEEP SLOPE LEGEND**

- SLOPES 0% - 10% (10.16 AC) (442,918 SF)
- SLOPES 10% - 15% (0.15 AC) (6,548 SF)
- SLOPES 15% - 25% (0.06 AC) (2,651 SF)
- SLOPES >25% (0.00 AC) (0 SF)
- EXEMPT MANMADE SLOPES >25% (0.09 AC) (3,724 SF)

**GENERAL NOTES:**

- THERE WILL BE NO DISTURBANCE OF STEEP SLOPES REQUIRING A MODIFICATION REQUEST ON THIS PROJECT.



SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

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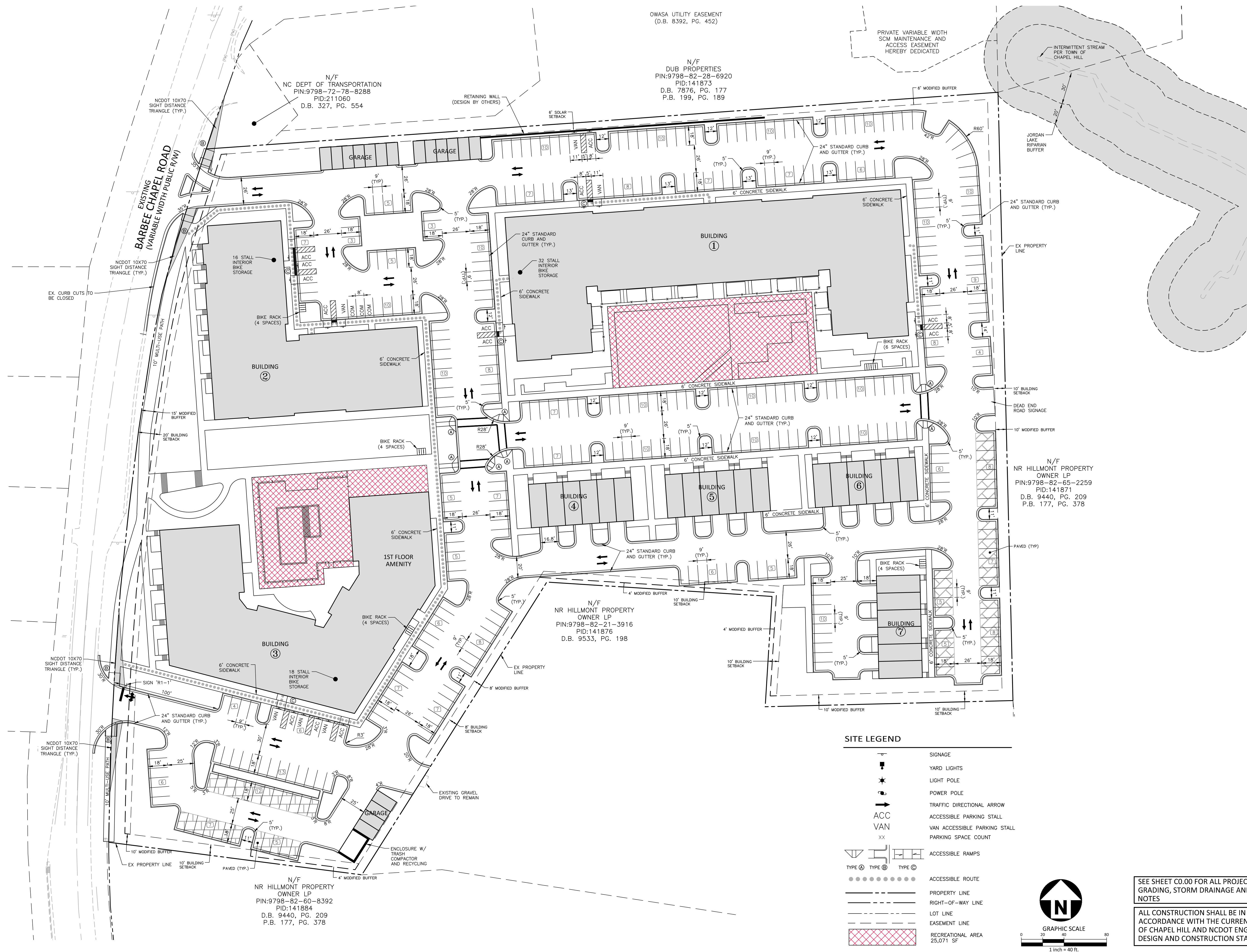
## PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-S
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	1" = 40'
DATE	09.29.2022

**SHEET**

## SITE PLAN

# C2.00



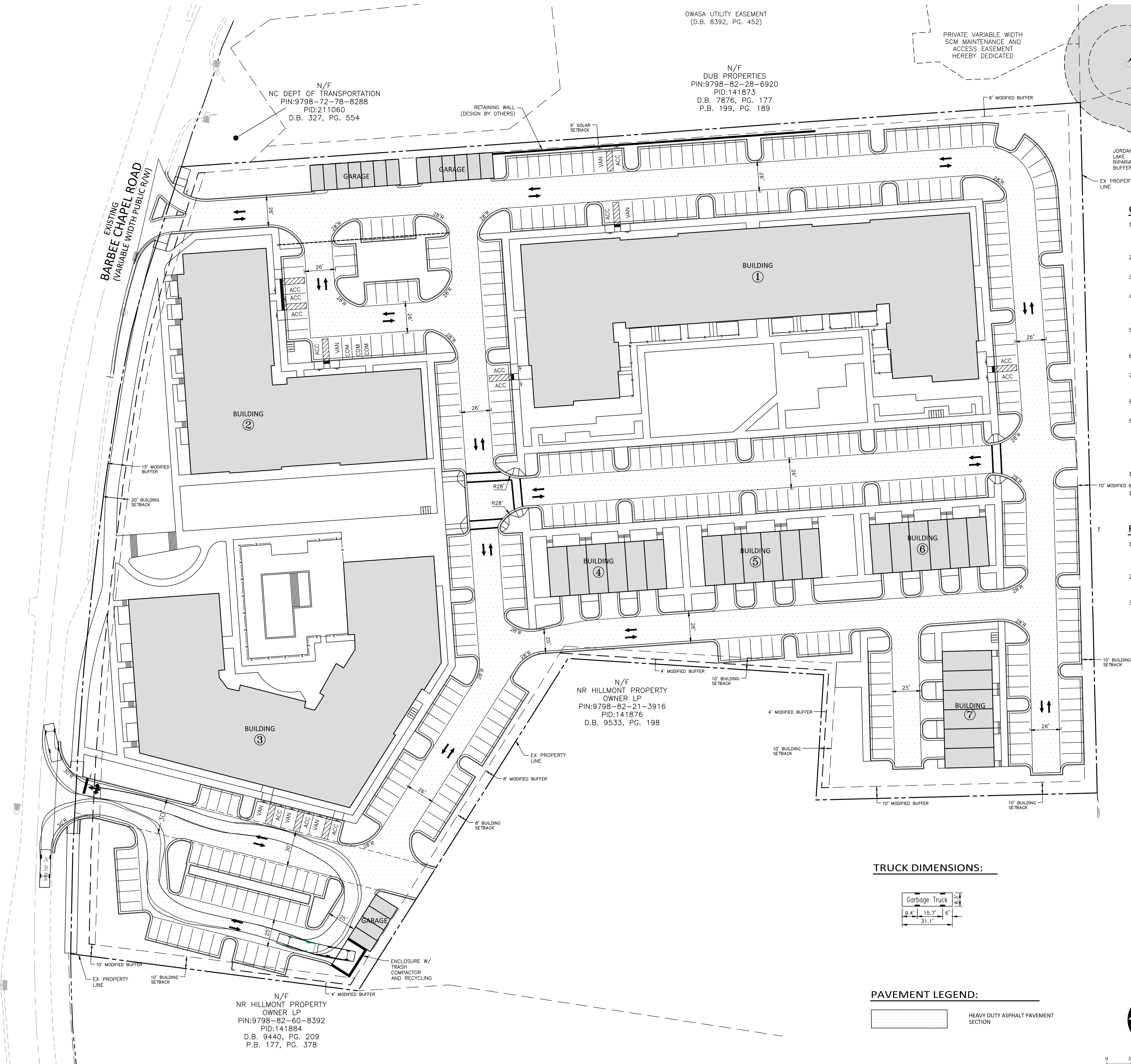
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NOTES

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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



I:\Projects\TLA\22001\04-Production\Engineering\Construction Drawings\Current Drawings\2 - CZP Drawings\TLA22001-SW1.dwg, 2/21/2023 5:13:25 PM, Spencer Christensen



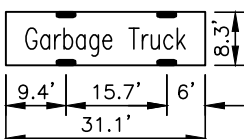
GENERAL SOLID WASTE AND RECYCLING NOTES:

- ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER IN SIZE SHALL BE ASSESSED PRIOR TO DEMOLITION TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DE-CONSTRUCTION AND/OR THE RE-USE OF SALVAGEABLE MATERIALS.
- BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
- BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE THAT INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE SOLID WASTE STAFF (919-968-2788). THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
- THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS (ACM) AND/OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
- IF ANY VEHICLES ARE PARKED IN THE REFUSE OR RECYCLABLES COLLECTION VEHICLE ACCESS AREA, THE CONTAINERS WILL NOT RECEIVE SERVICE UNTIL THE NEXT SCHEDULED COLLECTION DAY.
- THE OWNER, OR THEIR DESIGNEE, SHALL BE RESPONSIBLE FOR MAINTAINING A FIRE WATCH DURING CONSTRUCTION AND DEMOLITION WHERE MATERIALS SUBJECT TO SPONTANEOUS COMBUSTION OR OTHER HAZARDOUS CONSTRUCTION OR DEMOLITION IS OCCURRING.
- ALL CONSTRUCTION AND DEMOLITION SHALL BE CONDUCTED IN COMPLIANCE WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC.
- ITEMS TO BE RECYCLED WILL INCLUDE ALL MATERIALS ACCEPTED BY ORANGE COUNTY SOLID WASTE (INCLUDED BUT NOT LIMITED TO):
  - 9.1.1. GLASS (CLEAR, BROWN AND GREEN)
  - 9.1.2. PLASTIC
  - 9.1.3. NEWSPAPERS, MAGAZINES AND OTHER PAPER
  - 9.1.4. METAL CANS
  - 9.1.5. CARDBOARD
- ADEQUATE SITE LIGHTING SHALL BE PROVIDED IN/AROUND THE SOLID WASTE AND RECYCLING STORAGE AREAS.
- HEAVY DUTY ASPHALT AND CONCRETE SECTIONS ARE PROVIDED ON SHEET C2.01. THESE SECTIONS APPLY UNLESS OTHERWISE INSTRUCTED BY THE GEOTECHNICAL ENGINEER.

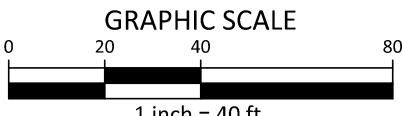
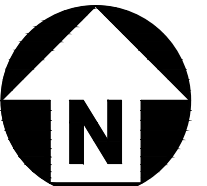
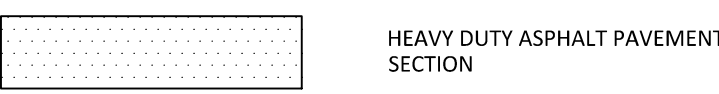
RESIDENTIAL REFUSE COLLECTION NOTES:

- CERTAIN REFUSE (PAINT, MEDICAL WASTE, ETC.) CANNOT BE COLLECTED FROM STANDARD REFUSE RECEPTACLES. RESIDENTS ARE ADVISED TO CONTACT THE TOWN OF CHAPEL HILL PUBLIC WORKS DEPARTMENT FOR ADDITIONAL INFORMATION ABOUT REFUSE REQUIRING SPECIAL HANDLING AND REFUSE, YARD WASTE, LEAF, AND WHITE GOOD COLLECTION SCHEDULE.
- REFUSE, RECYCLING, AND YARD WASTE CONTAINERS ALONG WITH LOOSE YARD WASTE PILES MAY NOT BE STORED IN THE PUBLIC STREET RIGHT-OF-WAY BUT BE STORED OUT OF SIGHT FROM THE STREET OR SCREENED.
- CONTAINERS AND LOOSE PILES SHALL BE BROUGHT TO THE STREET AND PLACED BEHIND THE CURB OR EDGE OF PAVEMENT ON THE COLLECTION DAY AND BE REMOVED BY 7:00 PM ON THE DAY OF COLLECTION.

TRUCK DIMENSIONS:



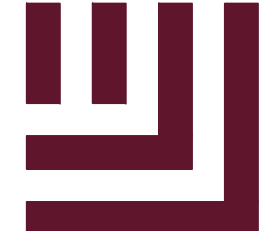
PAVEMENT LEGEND:



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PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-SW1
CHECKED BY	SJC
DRAWN BY	WHM/JLL
SCALE	1" = 40'
DATE	09.29.2022

SHEET

SOLID WASTE PLAN

C2.01



**BARBEE CHAPEL APARTMENTS**  
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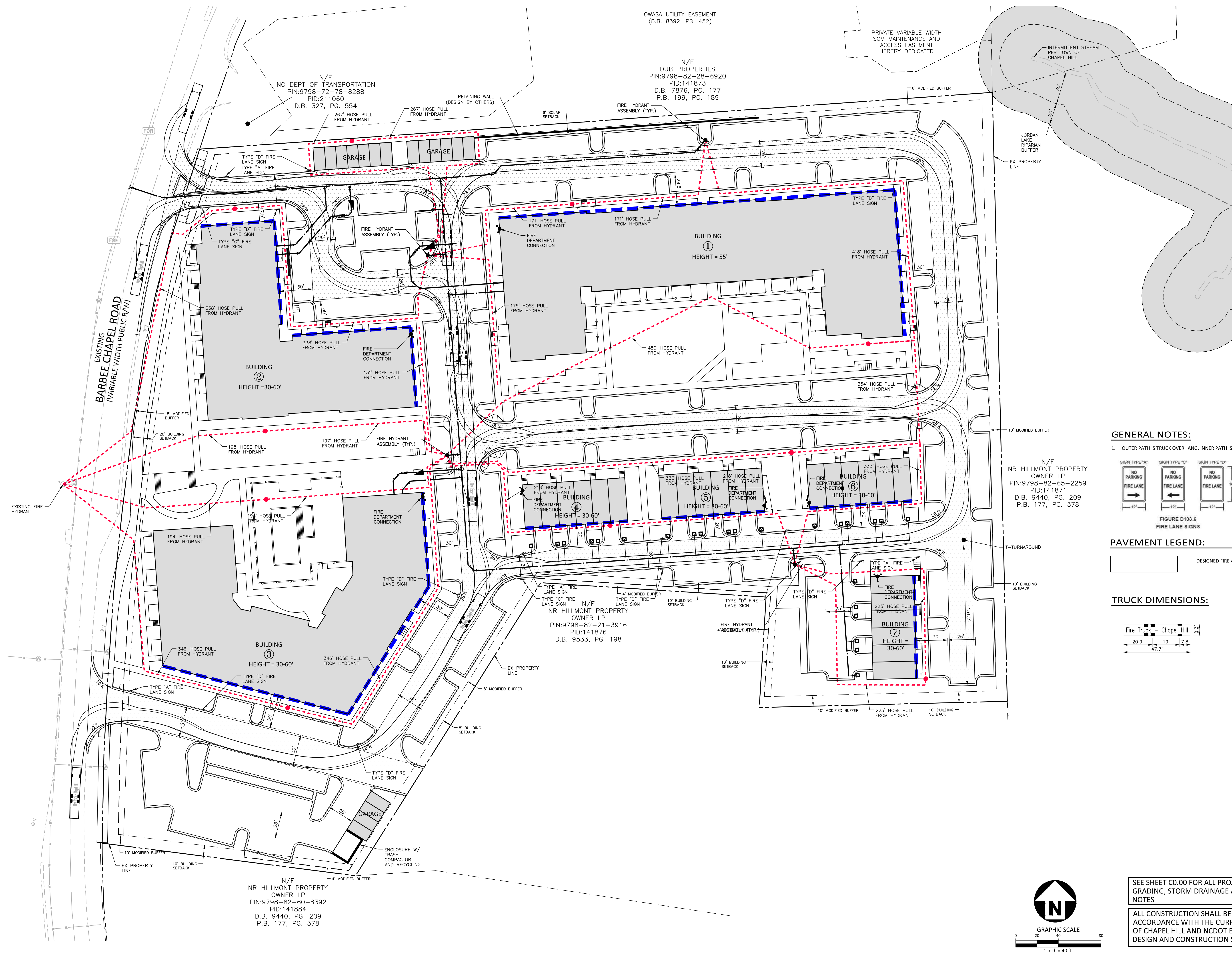
## PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-FP1
CHECKED BY	SJC
DRAWN BY	WHM/LJL
SCALE	1" = 40'
DATE	09.29.2022

## SHEET

## FIRE PROTECTION PLAN

## C2.02

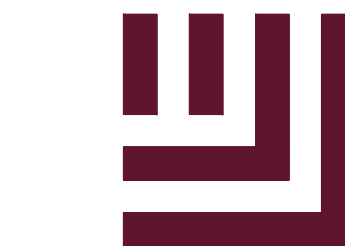


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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



OWASA UTILITY EASEMENT  
(D.B. 8392, PG. 452)N/F  
DUB PROPERTIES  
PIN:9798-82-28-6920  
PID:141873  
D.B. 7876, PG. 177  
P.B. 199, PG. 189N/F  
NC DEPT. OF TRANSPORTATION  
PIN:9798-72-78-8288  
PID:211060  
D.B. 327, PG. 554PRIVATE VARIABLE WIDTH  
SCM MAINTENANCE AND  
ACCESS EASEMENT  
HEREBY DEDICATEDINTERMITTENT STREAM  
PER TOWN OF  
CHAPEL HILL**McADAMS**The John R. McAdams Company, Inc.  
2905 Meridian Parkway  
Durham, NC 27713phone 919. 361. 5000  
fax 919. 361. 2269  
license number: C-0293, C-187

www.mcadamsco.com

**CLIENT**TOLL BROTHERS APARTMENT LIVING  
1140 VIRGINIA DR  
FORT WASHINGTON, PA, 19034  
Contact  
PHONE: 202.577.6491**Toll Brothers**  
APARTMENT LIVING**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
**CHAPEL HILL, NC 27517****REVISIONS**

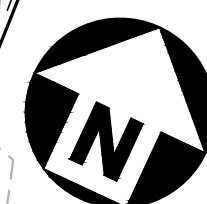
NO.	DATE	REVISION
11.23.2022	REVISED PER 1ST CZP COMMENTS	
02.21.2023	REVISED PER 2ND CZP COMMENTS	

**PLAN INFORMATION**

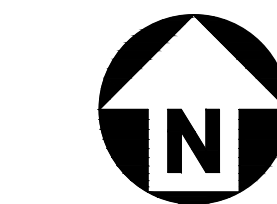
PROJECT NO.	TLA-22001
FILENAME	TLA22001-G1
CHECKED BY	SJC
DRAWN BY	WHM
SCALE	1" = 40'
DATE	09.29.2022

**SHEET****GRADING PLAN****C3.00**

SEE THIS SHEET

GRAPHIC SCALE  
0 20 40 80  
1 inch = 40 ft.**GRADING LEGEND**

	FLARED END SECTION		TREE PROTECTION FENCE
	ENDWALL SECTION		LIMITS OF DISTURBANCE
	CATCH BASIN		WOODED AREA
	DROP INLET		MAJOR CONTOUR
	STORM SERVICE INLET		MINOR CONTOUR
	STORM SERVICE ROOF-RAIN		EXISTING MAJOR CONTOUR
	JUNCTION BOX		EXISTING MINOR CONTOUR
	DRAINAGE FLOW ARROW		EASEMENT LINE
	LINE BREAK SYMBOL		ACCESSIBLE PARKING AREA (2% MAX. SLOPE IN ALL DIRECTIONS)
	TOP & BOTTOM CURB ELEVATIONS		
	TOP OF WALL ELEVATION		
	BOTTOM OF WALL ELEVATION (NOTE: BOTTOM OF WALL IS GROUND ELEVATION NOT WALL FOUNDATION)		
	SPOT ELEVATION		
	STORM DRAINAGE		
	STORM SERVICE LINE		
	ROOF DRAIN, 8" ADS NON-PERFORATED TUBING OR EQUAL 1.0% MIN. SLOPE 3' MIN. COVER PVC SCHEDULE 40 IN TRAFFIC AREAS		

GRAPHIC SCALE  
0 20 40 80  
1 inch = 40 ft.SEE SHEET C0.00 FOR ALL PROJECT, SITE,  
GRADING, STORM DRAINAGE AND UTILITY  
NOTESALL CONSTRUCTION SHALL BE IN  
ACCORDANCE WITH THE CURRENT TOWN  
OF CHAPEL HILL AND NCDOT ENGINEERING  
DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

**GENERAL NOTES:**

1. THE POOL WATER AND BACKWASH SHOULD NOT DISCHARGE TO THE STORM SEWER.



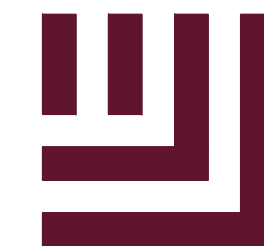
OWASA UTILITY EASEMENT  
(D.B. 8392, PG. 452)

N/F  
DUB PROPERTIES  
PIN:9798-82-28-6920  
PID:141873  
D.B. 7876, PG. 177  
P.B. 199, PG. 189

N/F  
NC DEPT OF TRANSPORTATION  
PIN:9798-72-78-8288  
PID:211060  
D.B. 327, PG. 554

PRIVATE VARIABLE WIDTH  
SCM MAINTENANCE AND  
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PER TOWN OF  
CHAPEL HILL



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**Toll Brothers**  
APARTMENT LIVING

## BARBEE CHAPEL APARTMENTS CONDITIONAL ZONING PERMIT DRAWINGS 5101 BARBEE CHAPEL RD CHAPEL HILL, NC 27517



#### REVISIONS

NO.	DATE	REVISION
11.23.2022	REVISED PER 1ST CZP COMMENTS	
02.21.2023	REVISED PER 2ND CZP COMMENTS	

#### PLAN INFORMATION

PROJECT NO. TLA-22001  
FILENAME TLA22001-U1  
CHECKED BY SJC  
DRAWN BY WHM/LJL  
SCALE 1" = 40'  
DATE 09.29.2022

#### SHEET

#### UTILITY PLAN

**C4.00**

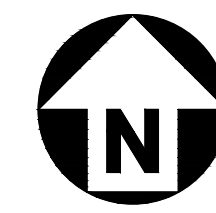
#### UTILITY LEGEND

	FIRE HYDRANT ASSEMBLY
	FIRE DEPARTMENT CONNECTION (FDC)
	WATER METER
	WATER VALVE
	POST INDICATOR VALVE
	VALVE IN MANHOLE
	METER & VAULT
	BACKFLOW PREVENTER
	REDUCER
	PLUG
	BLOW-OFF ASSEMBLY
	SANITARY SEWER MANHOLE
	SEWER CLEAN-OUT
	GREASE TRAP
	SEWER FLOW DIRECTION ARROW
	YARD LIGHTS
	LIGHT POLE
	POWER POLE
	LINE BREAK SYMBOL
	WATERLINE
	WATER SERVICE LINE
	UTILITY SLEEVE
	SANITARY SEWER
	SEWER SERVICE LINE
	SEWER FORCE MAIN
	GAS LINE
	OVERHEAD UTILITY
	UNDERGROUND ELECTRIC
	TELEPHONE
	EASEMENT LINE

N/F  
NR HILLMONT PROPERTY  
OWNER LP  
PIN:9798-82-65-2259  
PID:141871  
D.B. 9440, PG. 209  
P.B. 177, PG. 378

N/F  
NR HILLMONT PROPERTY  
OWNER LP  
PIN:9798-82-21-3916  
PID:141876  
D.B. 9533, PG. 198

N/F  
NR HILLMONT PROPERTY  
OWNER LP  
PIN:9798-82-60-8392  
PID:141884  
D.B. 9440, PG. 209  
P.B. 177, PG. 378



GRAPHIC SCALE  
0 20 40 80  
1 inch = 40 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE,  
GRADING, STORM DRAINAGE AND UTILITY  
NOTES

ALL CONSTRUCTION SHALL BE IN  
ACCORDANCE WITH THE CURRENT TOWN  
OF CHAPEL HILL AND NCDOT ENGINEERING  
DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION











### GENERAL NOTES

- ## STORMWATER MANAGEMENT SYSTEM MATERIAL SPECIFICATIONS

- ## STATEMENT OF RESPONSIBILITY

- ## FOUNDATION NOTES

- BEDDING NOTES

- ## BACKFILL MATERIAL NOTES

- ## UNDERGROUND VAULT CONSTRUCTION NOTES

- ## SYSTEM TESTING NOTES

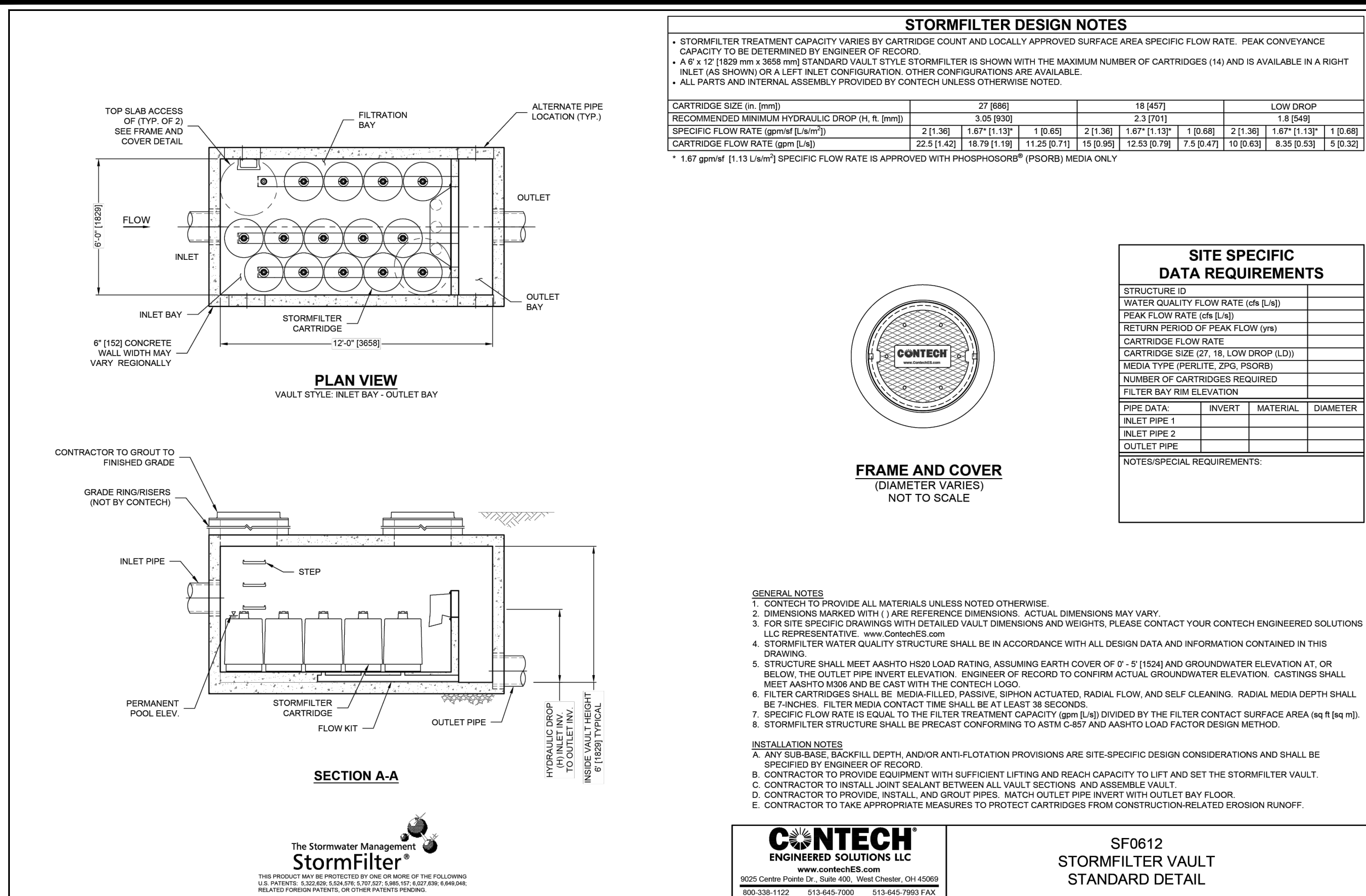
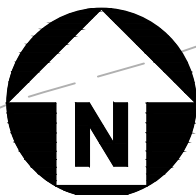
- 
- BARBEE CHAPEL ROAD  
VARIABLE WIDTH PUBLIC R/W (PAVED)
- 84 LF 24" RCP @ 1.13%
- JUNCTION BOX (TYP.)  
24"Ø RCP INV. IN = 281.30
- PARKING (TYP.)
- UNDERGROUND CONCRETE VAULT  
VAULT AREA = 2,800 SF  
TOP ELEVATION = 288.00  
BOTTOM ELEVATION = 282.75  
(STRUCTURAL DESIGN BY OTHERS)
- SCM A
- PROPERTY LINE
- OUTLET CONTROL STRUCTURE  
4 LF WEIR = 287.00  
3' L X 0.5' H AREA ORIFICE = 285.50  
24"Ø DIP INV. OUT = 282.25
- STORMWATER ACCESS EASEMENT
- GRAPHIC SCALE  
0 10 20 40  
1 inch = 20 ft.
- 1"=20'
- STORMWATER CONTROL MEASURE 'A' PLAN VIEW

$$1'' = 20'$$

**GRAPHIC SCALE**

0 10 20 40

1 inch = 20 ft.



ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF CHAPEL HILL AND NCDOT ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

## CLIENT

**Toll Brothers**  
APARTMENT LIVING

**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
**CHAPEL HILL, NC 27517**



## REVISIONS

NO.	DATE	
	11.23.2022	REVISED PER 1ST CZP COMMENTS
	02.21.2023	REVISED PER 2ND CZP COMMENTS

## PLAN INFORMATION

PROJECT NO.	TLA-22001
FILENAME	TLA22001-SCMA
CHECKED BY	MCT
DRAWN BY	OVL
SCALE	1" = 20'
DATE	09.29.2022

**SHEET**

## SCM A PLAN VIEW

**C9.00**

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



## STORMWATER CONTROL MEASURE 'B' CONSTRUCTION SPECIFICATIONS

### GENERAL NOTES

- PRIOR TO CONSTRUCTION, ANY DISCREPANCIES IN THE PLANS AND NOTES SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION.
- PRIOR TO ANY CONSTRUCTION OR PLACEMENT OF ANY BACKFILL, THE ONSITE GEOTECHNICAL ENGINEER SHALL INSPECT THE EXCAVATION AREA FOR THE UNDERGROUND SCM WITHIN THIS AREA TO ASSESS WHETHER SUITABLE SOILS EXIST AT THE SUBGRADE LEVEL. IF THE CONTRACTOR CONSTRUCTS AND COVERS UP THE UNDERGROUND SCM PRIOR TO INSPECTION, THEN THIS AREA SHALL BE UNCOVERED AND TESTED (TO THE ENGINEER'S AND OWNER'S APPROVAL) AT THE CONTRACTOR'S EXPENSE.
- THE FACILITY SHALL NOT BE USED AS A TEMPORARY EROSION CONTROL DEVICE (I.E. SEDIMENT TRAP OR SEDIMENT BASIN) DURING CONSTRUCTION.
- PRIOR TO PLACING STORMFILTER CARTRIDGES WITHIN THE UNDERGROUND SYSTEM, THE CONTRACTOR SHALL REQUEST AN ONSITE MEETING WITH THE DESIGN ENGINEER AND THE EROSION CONTROL INSPECTOR TO ENSURE THE UPSTREAM DRAINAGE AREA IS COMPLETELY STABILIZED (I.E. GOOD VEGETATIVE COVER). IF THE CONTRACTOR DECIDES TO PLACE THE STORMFILTER CARTRIDGES PRIOR TO APPROVAL FROM THE DESIGN ENGINEER AND THE EROSION CONTROL INSPECTOR, THEN THE CONTRACTOR SHALL EXCAVATE/REPLACE, AS NECESSARY, THE COMPONENTS NEEDED FOR THE SYSTEM TO FUNCTION PROPERLY AT HIS / HER EXPENSE SHOULD THE STORMFILTER CARTRIDGES NOT FUNCTION PROPERLY (I.E. WILL NOT DRAIN DUE TO SEDIMENT DEPOSITION) DUE TO AN UNSTABILIZED UPSTREAM DRAINAGE AREA.
- ONCE CONSTRUCTED, THE STORMFILTER CARTRIDGES SHALL NOT RECEIVE STORMWATER RUNOFF UNTIL THE ENTIRE CONTRIBUTING DRAINAGE AREA TO THE UNDERGROUND SYSTEM HAS BEEN COMPLETELY STABILIZED AND SITE CONSTRUCTION IS COMPLETE.
- ALL COMPONENTS OF THE UNDERGROUND SCM SYSTEM (STORMFILTER MANHOLE, CONCRETE VAULT, JOINT / RISER CONNECTIONS, ENDCAPS, ACCESS MANHOLES, ETC.) SHALL BE DESIGNED BY OTHERS. ANY VARIATIONS OR CHANGES MADE FROM THESE SPECIFICATIONS AND DRAWINGS DURING THE ORDERING AND/ OR INSTALLATION OF ALL COMPONENTS MUST BE APPROVED BY THE DESIGN ENGINEER. THE STRUCTURAL DESIGN OF THE UNDERGROUND SCM, ALONG WITH ITS ASSUMPTIONS, IS ALSO BY OTHERS. THE JOHN R. McADAMS COMPANY, INC. AND ITS EMPLOYEES ASSUME NO LIABILITY WITH RESPECT TO ANY ASPECT OF THE STRUCTURAL DESIGN FOR THE UNDERGROUND SCM SYSTEM.
- ALL PIPE / RISER CONNECTIONS AND JOINTS ASSOCIATED WITH THE UNDERGROUND SCM SYSTEM SHALL BE WATER TIGHT. THE MECHANISM FOR ACHIEVING THIS SHALL BE SUBMITTED TO THE DESIGN ENGINEER FOR REVIEW.
- THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE, AND MAINTAIN ANY PUMPING EQUIPMENT, ETC. NEEDED FOR REMOVAL OF WATER FROM VARIOUS PARTS OF THE UNDERGROUND SCM SYSTEM SITE. IT IS ANTICIPATED THAT PUMPING WILL BE NECESSARY IN THE EXCAVATION AREAS. DURING PLACEMENT OF FILL WITHIN THIS AREA (OR OTHER AREAS AS NECESSARY), THE CONTRACTOR SHALL KEEP THE WATER LEVEL BELOW THE BOTTOM OF THE EXCAVATION. THE MANNER IN WHICH THE WATER IS REMOVED SHALL BE SUCH THAT THE EXCAVATION BOTTOM AND SIDE SLOPES ARE STABLE.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADHERE TO ALL CURRENT OSHA REGULATIONS FOR CONFINED SPACE ENTRY AND PROVIDE SUCH DURING ENGINEER WALK-THROUGH/INSPECTION.
- ALL PIPE PENETRATIONS THROUGH A CONCRETE STRUCTURE (I.E. STORMFILTER CARTRIDGE / DETENTION SYSTEM, STORM DRAINAGE MANHOLES, ETC.) SHALL BE MADE WATERTIGHT USING NON-SHRINK CEMENTITIOUS GROUT.
- EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.

### STORMWATER MANAGEMENT SYSTEM MATERIAL SPECIFICATIONS

- THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM IS TO BE DESIGNED BY OTHERS. ANY CHANGES TO THE PLANS SHALL BE PROVIDED TO THE DESIGN ENGINEER FOR REVIEW. PRIOR TO INSTALLATION, SHOP DRAWINGS OF THE STORMWATER MANAGEMENT SYSTEM SHALL BE PROVIDED TO THE DESIGN ENGINEER AND TO THE TOWN OF CHAPEL HILL FOR REVIEW.
- FILTER CARTRIDGES SHALL BE CONTECH STORMFILTERS WITH PHOSPHOSORB MEDIA. INSTALLATION OF THE STORMWATER DEVICE SHALL BE PER THE MANUFACTURER'S INSTALLATION GUIDELINES AND SPECIFICATIONS.
- ACCESS RISERS SHALL BE INSTALLED PER STRUCTURAL SPECIFICATIONS. ACCESS STEPS / LADDERS SHALL BE ATTACHED TO THE RISERS TO ALLOW FOR ACCESS INTO THE STORMWATER MANAGEMENT SYSTEM.
- THE 24"Ø DIP OUTLET BARREL OF THE DETENTION SYSTEM SHALL BE CLASS 350 DIP, MEETING THE REQUIREMENTS OF ASTM A716. THE PIPE JOINTS SHALL BE LOCKING JOINTS PER ANSI/AWWA C110/A21.10 OR ANSI/AWWA C153/A21.53 STANDARDS.
- THE CONTRACTOR SHALL INSTALL THE STORMFILTER SYSTEM PER MANUFACTURER'S SPECIFICATIONS. CONTRACTOR TO PROVIDE A LETTER FROM MATERIAL SUPPLIER(S) STATING MATERIALS MEET THE SPECIFIED STANDARDS PRIOR TO INSTALLATION.
- COVER AND REVIEW OF SITE CONDITIONS TO MAINTAIN THE STRUCTURAL INTEGRITY OF THE SYSTEM TO BE THE RESPONSIBILITY OF THE MANUFACTURER.

### STATEMENT OF RESPONSIBILITY

- ALL REQUIRED MAINTENANCE AND INSPECTIONS OF THIS FACILITY SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER, PER THE EXECUTED OPERATION AND MAINTENANCE AGREEMENT FOR THIS FACILITY.

### FOUNDATION NOTES

- ONCE THE EXCAVATION IS COMPLETE AND PRIOR TO INSTALLATION OF THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM, THE ONSITE GEOTECHNICAL ENGINEER SHALL VERIFY THE BEARING CAPACITY OF THE UNDERLYING SOILS TO SERVE AS A FOUNDATION FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM. IF THE ONSITE GEOTECHNICAL ENGINEER DEEMS THE FOUNDATION SOILS AS UNSUITABLE, THEN THE UNSUITABLE MATERIAL SHOULD BE REMOVED DOWN TO A SUITABLE DEPTH AND THEN BUILT BACK UP TO THE CORRECT ELEVATION WITH A COMPACTED BACKFILL MATERIAL THAT IS APPROVED BY THE ONSITE GEOTECHNICAL ENGINEER. THE APPROVED BACKFILL MATERIAL SHOULD HAVE A GRADATION THAT WILL NOT ALLOW THE MIGRATION OF FINES, WHICH COULD CAUSE SETTLEMENT OF THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM. IF NECESSARY, A GEOTEXTILE FABRIC CAN BE USED TO SEPARATE THE UNDERLYING SOILS AND THE BACKFILL MATERIAL. THIS GEOTEXTILE FABRIC (IF USED) IS TO BE SPECIFIED BY THE ON-SITE GEOTECHNICAL ENGINEER.
- PLEASE NOTE THAT IF THE CONTRACTOR CONSTRUCTS AND COVERS UP THE EXCAVATION FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM PRIOR TO INSPECTION, THEN THIS AREA SHALL BE UNCOVERED AND TESTED (TO THE ENGINEER'S AND OWNER'S APPROVAL) AT THE CONTRACTOR'S EXPENSE.
- THE FOUNDATION SUBGRADE SHALL BE GRADED TO A UNIFORM OR SLIGHTLY SLOPING GRADE PRIOR TO PLACEMENT OF THE BEDDING MATERIAL. IF THE FOUNDATION SUBGRADE WILL BE EXPOSED FOR AN EXTENDED PERIOD OF TIME DURING CONSTRUCTION, THEN IT SHOULD BE GRADED TO A SLIGHT SLOPE SUCH THAT SATURATION OF THE SUBGRADE DOES NOT OCCUR.
- THE BEDDING MATERIAL FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM SHALL BE SPECIFIED BY THE ON-SITE GEOTECHNICAL ENGINEER. TYPICALLY, A WELL-GRADED GRANULAR MATERIAL WILL BE USED FOR THE BEDDING. PLEASE NOTE THAT IF CONSTRUCTION EQUIPMENT WILL BE OPERATING FOR AN EXTENDED PERIOD OF TIME ON THE BEDDING, THEN THE APPROPRIATE MEASURES (E.G. ENGINEERED FABRIC, STIFF GEOGRID, ETC.) SHALL BE TAKEN TO ENSURE THE INTEGRITY OF THE BEDDING IS NOT COMPROMISED.
- THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE, AND MAINTAIN ANY PUMPING EQUIPMENT, ETC. NEEDED FOR REMOVAL OF WATER FROM THE EXCAVATION. IT IS BEST TO BEGIN THE CONSTRUCTION OF THE DETENTION SYSTEMS AT THE DOWNSTREAM END WITH THE OUTLET ALREADY CONSTRUCTED TO ALLOW A ROUTE FOR WATER TO ESCAPE.
- THE CONTRACTOR SHALL PROVIDE A FOUNDATION DRAIN FOR THE UNDERGROUND DETENTION SYSTEM DESIGNED BY OTHERS. THE UNDERDRAIN SYSTEM SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATION AND SHALL POSITIVELY DRAIN TO DOWNSTREAM STRUCTURE. THE ONSITE GEOTECHNICAL ENGINEER SHALL DETERMINE IF FOUNDATION DRAINS ARE NOT REQUIRED FOR THE UNDERGROUND SCM SYSTEM. THE DESIGN ENGINEER SHALL BE NOTIFIED FOLLOWING THIS DETERMINATION.

### BEDDING NOTES

- THE EXCAVATION SUB GRADE MUST BE TRANSIT LEVEL.
- THE EXCAVATION PIT SHALL BE LINED (ON THE BOTTOM AND ALL FOUR SIDES) WITH A NON-WOVEN GEO-TEXTILE (GEOTEX 401 OR APPROVED EQUIVALENT). THE ONSITE GEOTECHNICAL ENGINEER SHALL APPROVE FABRIC FOR USE.
- THE SUBGRADE FOR THE DETENTION SYSTEM CAN BE A CONCRETE SLAB, OR CLEAN GRANULAR MATERIAL WITH A MAXIMUM AGGREGATE SIZE OF 3/4". THE BEDDING SHALL BE FREE FROM ROCK FORMATIONS, PROTRUDING STONES, FROZEN LUMPS, ROOTS, AND OTHER FOREIGN MATERIAL.
- PREPARE THE SUBGRADE PER THE ONSITE GEOTECHNICAL ENGINEER'S DIRECTION (APPROXIMATELY 5'-6" BELOW GRADE ON WHICH SLAB WILL SET). THE BEDDING MATERIAL SHOULD BE GRADED SUCH THAT A SMOOTH UNIFORM GRADE IS ESTABLISHED TO ALLOW FOR OPTIMUM PLACEMENT OF THE SAND FILTER.
- THE SUBGRADE MUST SUPPORT THE DETENTION SYSTEM WITHOUT DIFFERENTIAL SETTLEMENT BETWEEN PIECES.
- IF CONSTRUCTION EQUIPMENT WILL BE OPERATING FOR AN EXTENDED PERIOD OF TIME ON THE BEDDING, THEN THE APPROPRIATE MEASURES (E.G. STIFF GEOGRID, ETC.) SHALL BE TAKEN TO ENSURE THE INTEGRITY OF THE BEDDING IS NOT COMPROMISED.

### BACKFILL MATERIAL NOTES

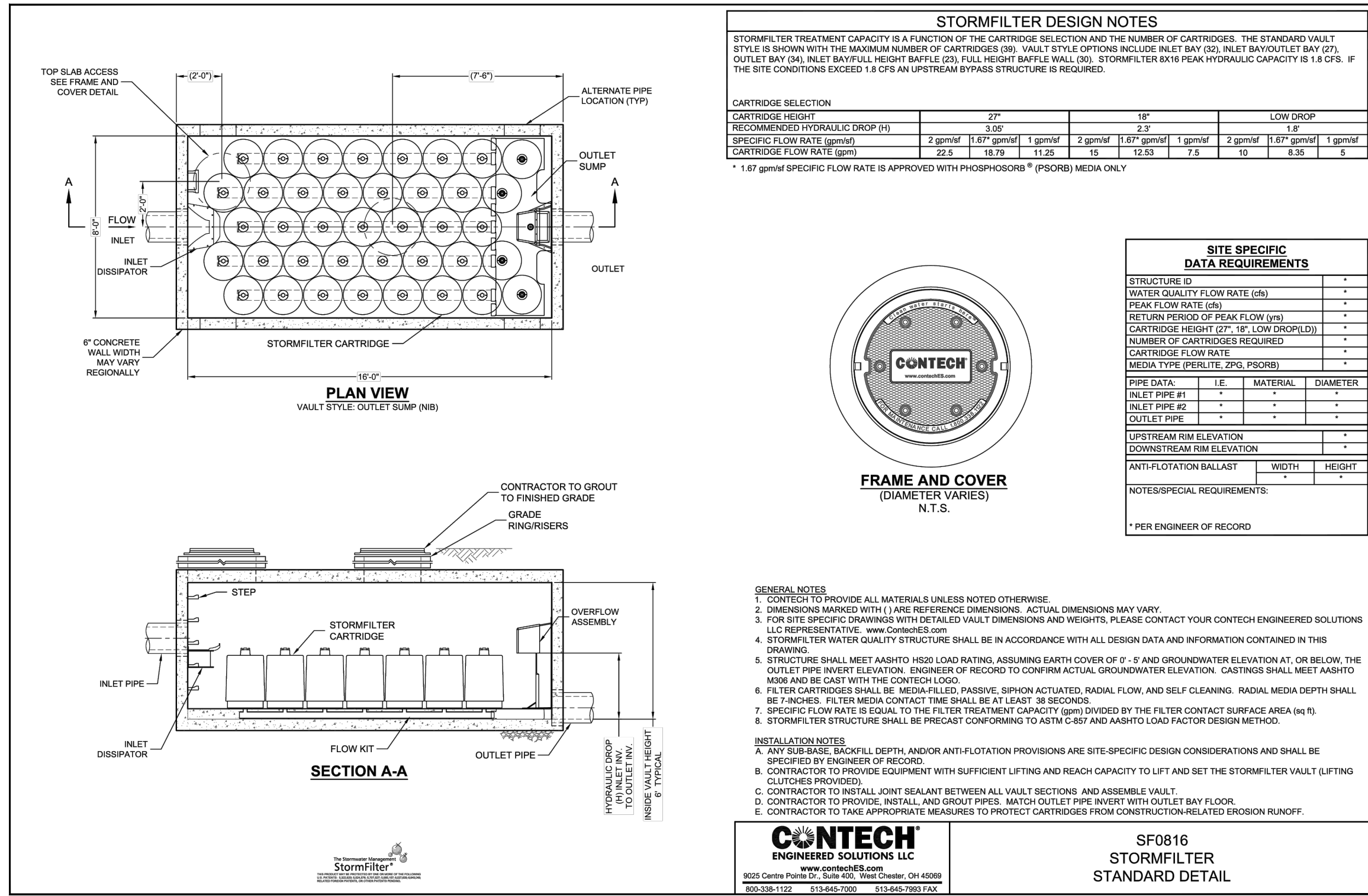
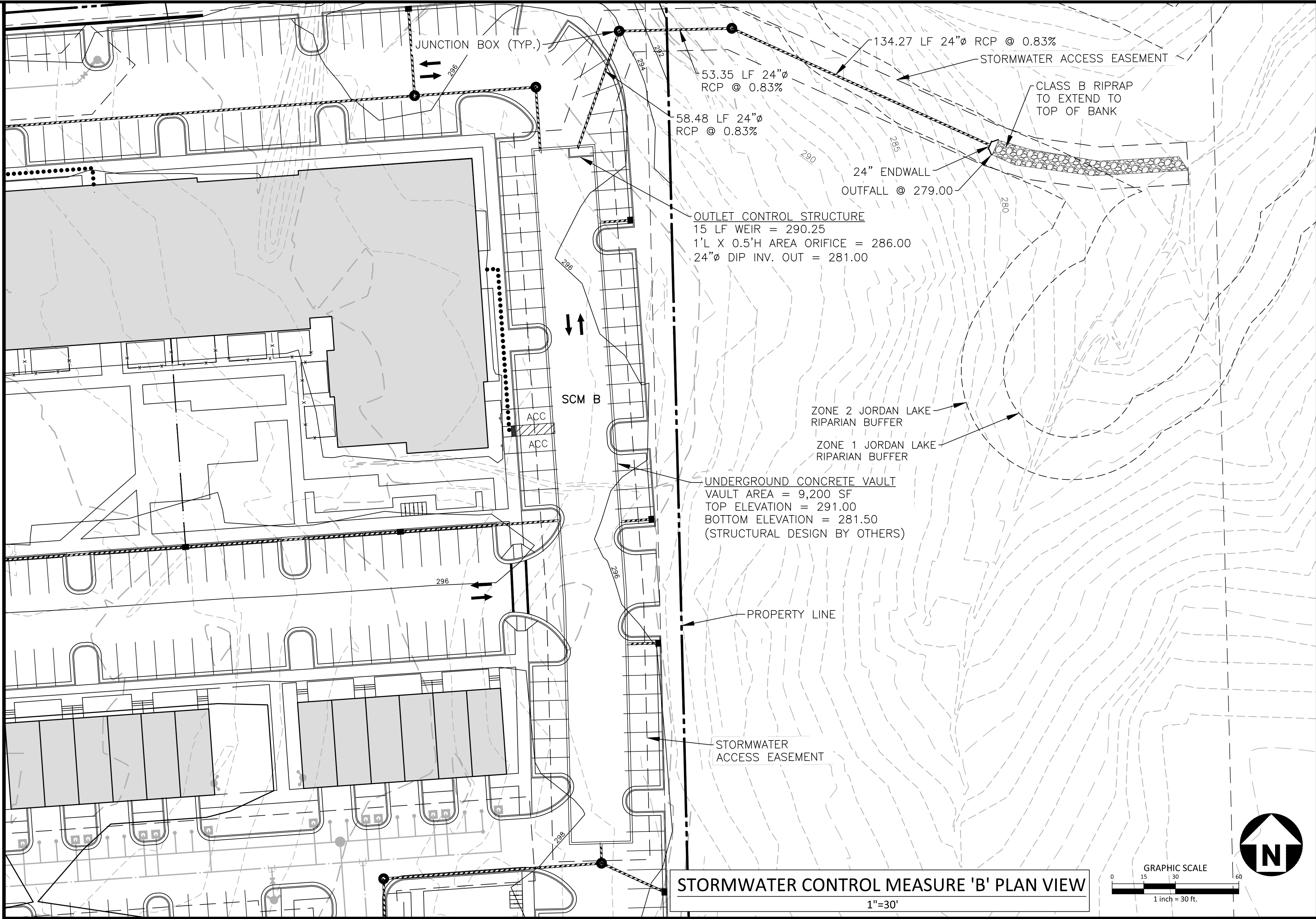
- THE ON-SITE GEOTECHNICAL ENGINEER SHALL SPECIFY THE BACKFILL MATERIAL FOR THE STORMWATER MANAGEMENT SYSTEM.
- THE BACKFILL MATERIAL SHOULD BE FREE OF ROCKS, FROZEN LUMPS, AND OTHER FOREIGN MATTER THAT COULD CAUSE HARD SPOTS WITHIN THE BACKFILL MATERIAL, OR THAT COULD DECOMPOSE AND CREATE VOIDS.
- HIGHLY PLASTIC SILTS, HIGHLY PLASTIC CLAYS, ORGANIC SILTS, ORGANIC CLAYS, AND PEATS SHOULD NOT BE USED AS A BACKFILL MATERIAL.
- THE BACKFILL MATERIAL SHOULD BE PLACED IN 6" LOOSE LIFTS AND COMPACTED TO 95% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698). THE FILL SOILS SHALL BE COMPACTED AT A MOISTURE CONTENT WITHIN +/- TWO PERCENT OF ITS OPTIMUM MOISTURE CONTENT.
- ANY MATERIAL STOCKPILING ON TOP OF THE STORMWATER MANAGEMENT SYSTEM SHALL BE APPROVED BY THE STRUCTURAL DESIGN ENGINEER OR DETENTION SYSTEM MANUFACTURER.

### UNDERGROUND VAULT CONSTRUCTION NOTES

- UNDERGROUND VAULT CONFIGURATION IS TO BE DESIGNED AND PROVIDED BY OTHERS.
- ABSOLUTELY NO RUNOFF SHALL ENTER THE UNDERGROUND VAULT UNTIL ALL CONTRIBUTING DRAINAGE AREAS HAVE BEEN STABILIZED.
- MANHOLE ACCESS SHALL BE PROVIDED FOR THE UNDERGROUND VAULT. MANHOLES SHALL BE IN COMPLIANCE WITH TOWN OF CHAPEL HILL STANDARD DETAILS BUT SHALL BE A MINIMUM OF 24 INCHES IN DIAMETER TO COMPLY WITH OSHA CONFINED SPACE REQUIREMENTS (OR MINIMUM OSHA REQUIREMENTS FOR CONSTRUCTION). CONTRACTOR SHALL PROVIDE ACCESS LADDERS FOR ACCESS BELOW ALL MANHOLES. MANHOLE COVERS SHALL ALLOW FOR PROPER VENTILATION.

### SYSTEM TESTING NOTES

- PRIOR TO PLACEMENT OF THE BACKFILL MATERIAL AND STORM FILTER CARTRIDGES, CONTRACTOR SHALL TEST FOR WATER TIGHTNESS. ENTRANCES AND EXITS SHALL BE PLUGGED AND THE SYSTEM COMPLETELY FILLED WITH WATER TO DEMONSTRATE WATER TIGHTNESS. WATER TIGHTNESS MEANS NO SIGNIFICANT FOR A PERIOD OF 24 HOURS. SIGNIFICANT LEAKAGE TO BE DETERMINED BY THE CERTIFYING ENGINEER. CONTRACTOR SHALL CALL AND SCHEDULE THE FIELD TESTING OF THE SYSTEM (WATER-TIGHTNESS) WITH THE ENGINEER AT LEAST 2 WORKING DAYS PRIOR TO THE TEST. THE CONTRACTOR SHALL PROVIDE REPORTS TO THE ENGINEER VERIFYING THE WATER TIGHTNESS OF THE STORMWATER VAULT.



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**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
**CHAPEL HILL, NC 27517**



### REVISIONS

NO.	DATE	REVISED PER	1ST CZP COMMENTS
11.23.2022		REVISED PER	1ST CZP COMMENTS
02.21.2023		REVISED PER	2ND CZP COMMENTS

### PLAN INFORMATION

PROJECT NO. TLA-22001  
FILENAME TLA22001-SCMB  
CHECKED BY MCT  
DRAWN BY OVL  
SCALE 1" = 30'  
DATE 09.29.2022

### SHEET

### SCM B PLAN VIEW

**C9.01**

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT TOWN OF CHAPEL HILL AND NCDOT ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION





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CLIENT

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1140 VIRGINIA DR  
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PHONE: 202.577.6491



BARBEE CHAPEL APARTMENTS  
CONDITIONAL ZONING PERMIT  
DRAWINGS  
5101 BARBEE CHAPEL RD  
CHAPEL HILL, NORTH CAROLINA, 27517



REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11/21/2022	1ST ROUND COMMENTS
2	02/21/2023	REVISED PER 2ND CZP COMMENTS

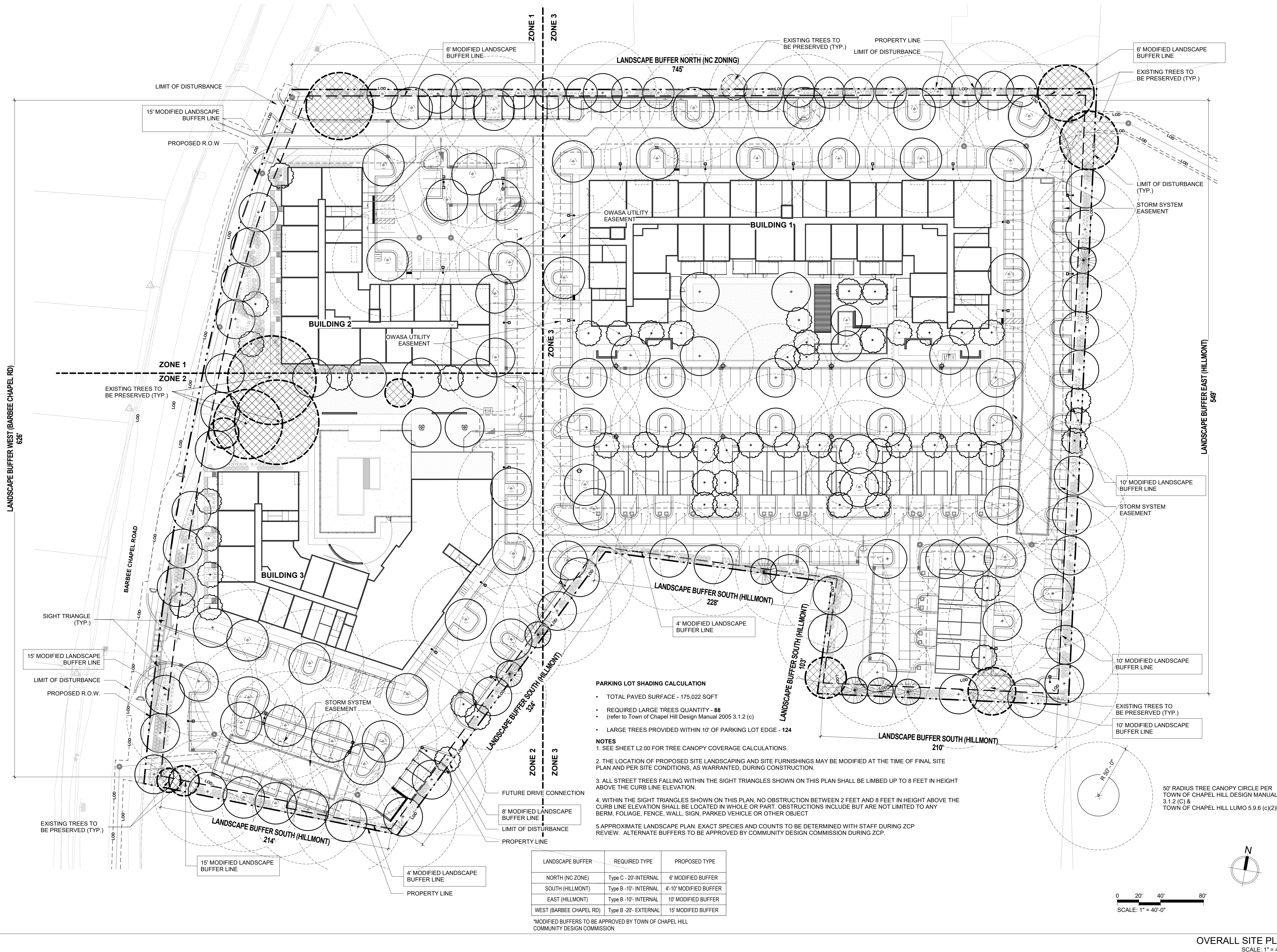
PLAN INFORMATION

PROJECT NO.: P200798

SCALE: AS INDICATED  
DATE: 09/29/2022

OVERALL SITE PLAN

L1.00

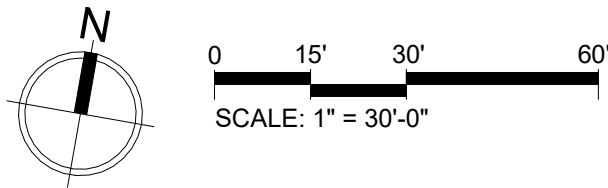
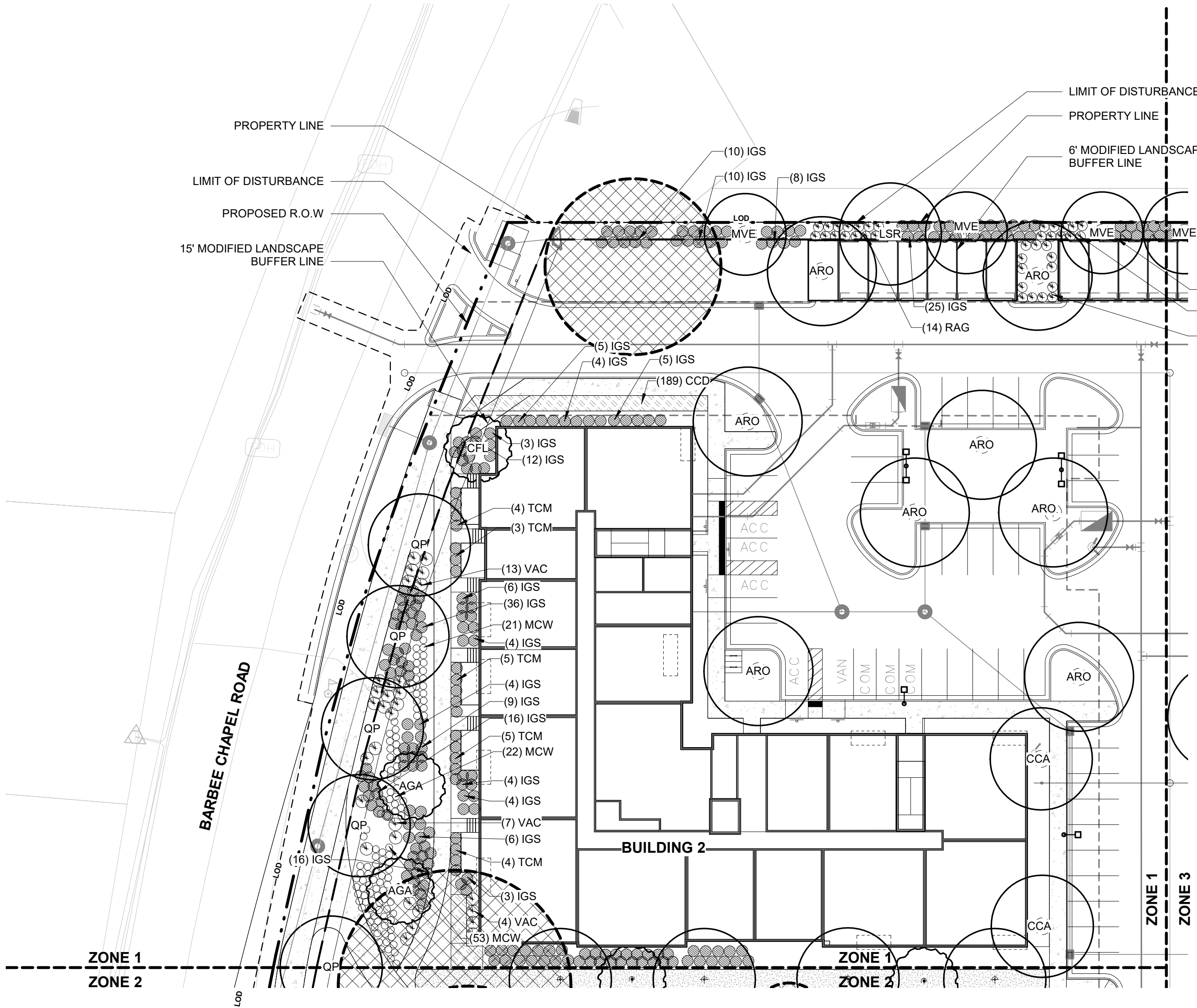




TREE SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CANOPY TREES			
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3" Cal
CCA	Carpinus caroliniana 'CCSQU'	Palisade® American Hornbeam	4" Cal
LSR	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	4" Cal
MVE	Magnolia virginiana 'Emerald Tower'	Upright Sweetbay Magnolia	3" Cal
QFA	Quercus falcata	Southern Red Oak	4" Cal
QP	Quercus phello	Willow Oak	4" Cal
EVERGREEN CANOPY TREES			
PTA	Pinus taeda	Loblolly Pine	2.5" Cal
UNDERSTORY TREES			
AGA	Amelanchier x grandiflora 'Autumn Brilliance'	Apple Serviceberry	7'-8" Ht.
CFL	Cornus florida	Flowering Dogwood	7'-8" Ht.
Grand total			

SHRUB & ORNAMENTAL GRASS SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
ORNAMENTAL GRASS			
MCW	Muhlenbergia capillaris 'White Cloud'	White Cloud Muhly Grass	#3
SHRUB			
HIN	Hamamelis x intermedia	Hybrid Witch Hazel	#3
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3
IVE	Ilex verticillata	Winterberry Holly	#3
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3
TCM	Taxus canadensis 'Marshall'	Spreading Yew	#3
VAC	Viburnum acerifolium	Mapleleaf Viburnum	#3

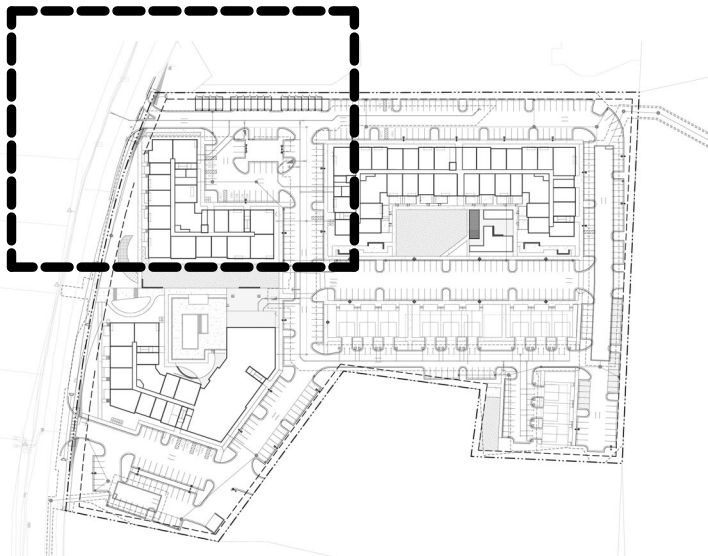
PERENNIAL SCHEDULE - KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CCD	Carex cherokeensis	Cherokee Sedge	#1



LEGEND

- LOD --- LIMITS OF DISTURBANCE
- TP --- TREE PROTECTION FENCE
- P.L. --- PROPERTY LINE
- CANOPY TREES
- UNDERSTORY TREES
- EVERGREEN TREES
- EXISTING TREES TO BE PRESERVED
- PARKING LOT LIGHTING
- STREET LIGHT

- NOTES**
- SEE SHEET L2.00 FOR TREE CANOPY COVERAGE CALCULATIONS.
  - THE LOCATION OF PROPOSED SITE LANDSCAPING AND SITE FURNISHINGS MAY BE MODIFIED AT THE TIME OF FINAL SITE PLAN AND PER SITE CONDITIONS, AS WARRANTED, DURING CONSTRUCTION.
  - ALL STREET TREES FALLING WITHIN THE SIGHT TRIANGLES SHOWN ON THIS PLAN SHALL BE LIMBED UP TO 8 FEET IN HEIGHT ABOVE THE CURB LINE ELEVATION.
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BARBEE CHAPEL APARTMENTS  
CONDITIONAL ZONING PERMIT  
DRAWINGS  
5101 BARBEE CHAPEL RD  
CHAPEL HILL, NORTH CAROLINA, 27517



REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11/21/2022	1ST ROUND COMMENTS
2	02/21/2023	REVISED PER 2ND CZP COMMENTS

PLAN INFORMATION

PROJECT NO.: P200798

SCALE: AS INDICATED  
DATE: 09/29/2022

PLANTING PLAN ZONE 01

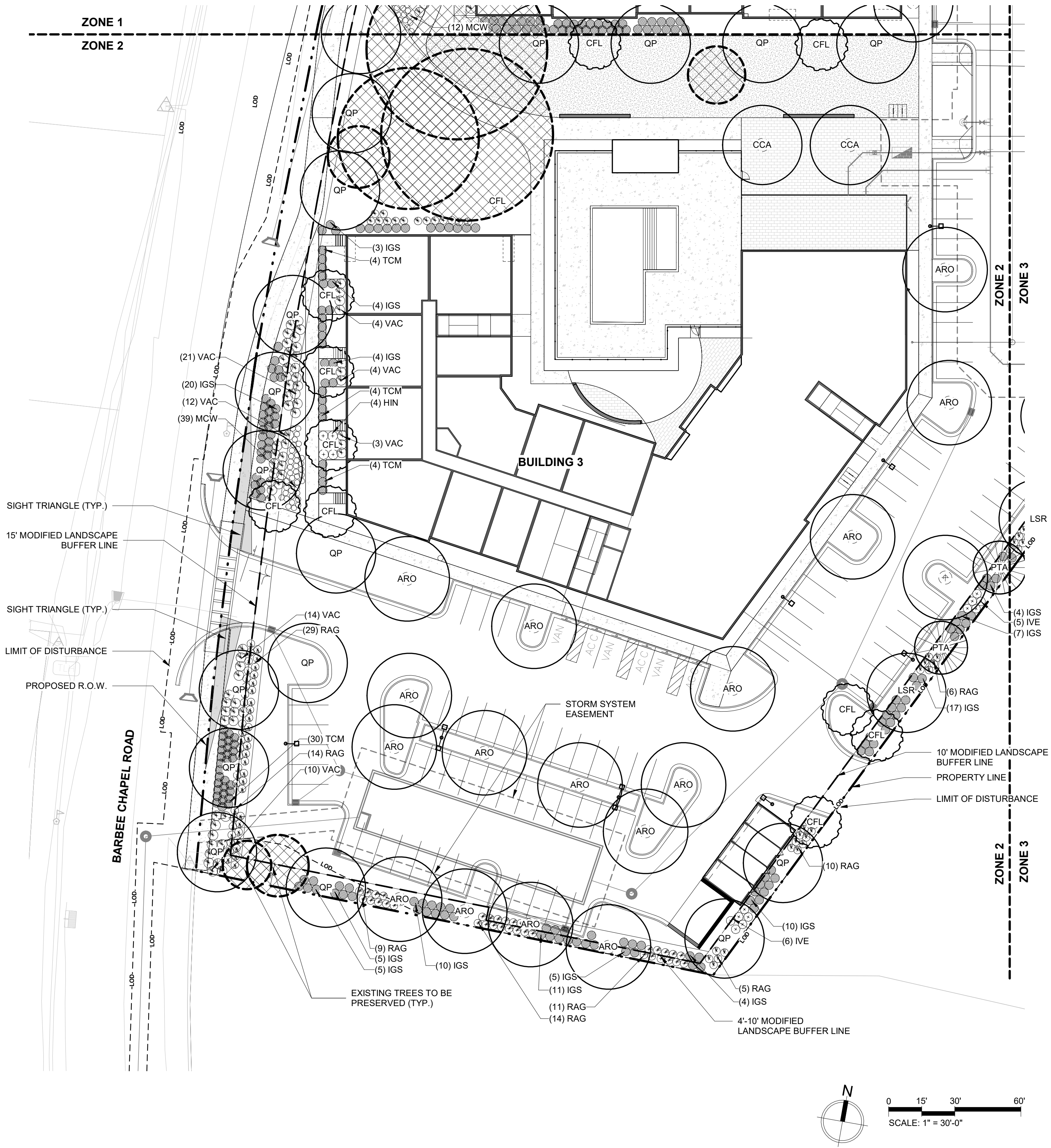
L1.01



TREE SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CANOPY TREES			
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3" Cal
CCA	Carpinus caroliniana 'CCSQU'	Palisade® American Hornbeam	4" Cal
LSR	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	4" Cal
MVE	Magnolia virginiana 'Emerald Tower'	Upright Sweetbay Magnolia	3" Cal
QFA	Quercus falcata	Southern Red Oak	4" Cal
QP	Quercus phello	Willow Oak	4" Cal
EVERGREEN CANOPY TREES			
PTA	Pinus taeda	Loblolly Pine	2.5" Cal
UNDERSTORY TREES			
AGA	Amelanchier x grandiflora 'Autumn Brilliance'	Apple Serviceberry	7'-8" Ht.
CFL	Cornus florida	Flowering Dogwood	7'-8" Ht.
Grand total			

SHRUB & ORNAMENTAL GRASS SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
ORNAMENTAL GRASS			
MCW	Muhlenbergia capillaris 'White Cloud'	White Cloud Muhty Grass	#3
SHRUB			
HIN	Hamamelis x intermedia	Hybrid Witch Hazel	#3
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3
IVE	Ilex verticillata	Winterberry Holly	#3
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3
TCM	Taxus canadensis 'Marshall'	Spreading Yew	#3
VAC	Viburnum acerifolium	Mapleleaf Viburnum	#3

PERENNIAL SCHEDULE - KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CCD	Carex cherokeensis	Cherokee Sedge	#1



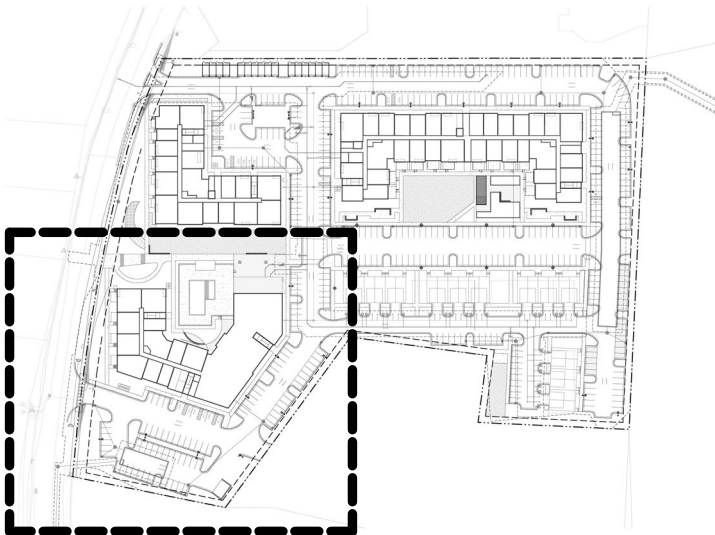
## LEGEND

- LOD --- LIMITS OF DISTURBANCE
- TP --- TREE PROTECTION FENCE
- --- PROPERTY LINE

- CANOPY TREES
- UNDERSTORY TREES
- EVERGREEN TREES
- EXISTING TREES TO BE PRESERVED

- PARKING LOT LIGHTING
- STREET LIGHT

- NOTES**
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# BARBEE CHAPEL APARTMENTS CONDITIONAL ZONING PERMIT DRAWINGS 5101 BARBEE CHAPEL RD CHAPEL HILL, NORTH CAROLINA, 27517



## REVISIONS

NO.	DATE	REVISION DESCRIPTION
1	11/21/2022	1ST ROUND COMMENTS
2	02/21/2023	REVISED PER 2ND CZP COMMENTS

## PLAN INFORMATION

PROJECT NO.: P200798

SCALE: AS INDICATED  
DATE: 09/29/2022

PLANTING PLAN ZONE 2

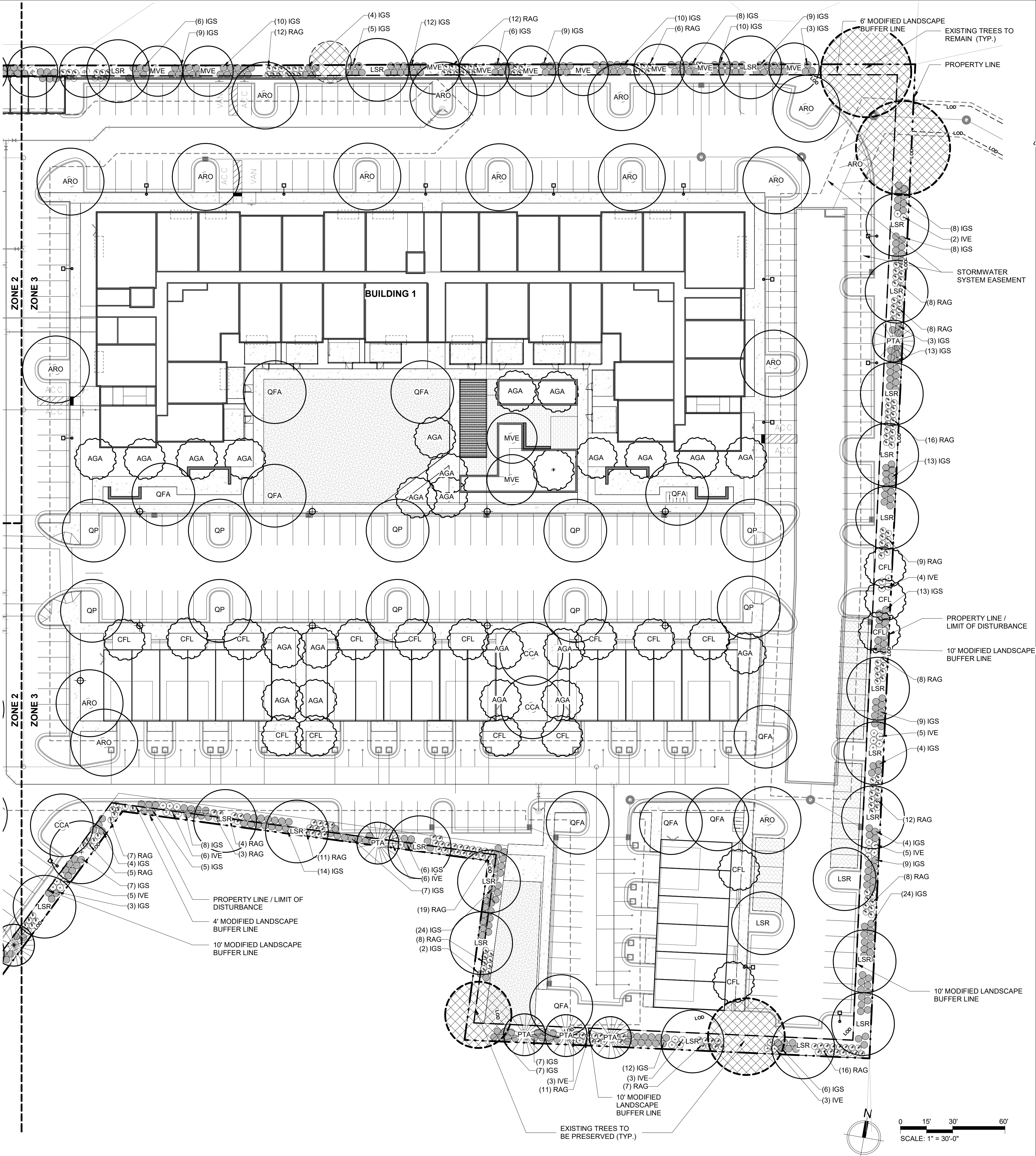
L1.02



TREE SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CANOPY TREES			
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3" Cal
CCA	Carpinus caroliniana 'CCSQU'	Palisade® American Hornbeam	4" Cal
LSR	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	4" Cal
MVE	Magnolia virginiana 'Emerald Tower'	Upright Sweetbay Magnolia	3" Cal
QFA	Quercus falcata	Southern Red Oak	4" Cal
QP	Quercus phello	Willow Oak	4" Cal
EVERGREEN CANOPY TREES			
PTA	Pinus taeda	Loblolly Pine	2.5" Cal
UNDERSTORY TREES			
AGA	Amelanchier x grandiflora 'Autumn Brilliance'	Apple Serviceberry	7'-8" Ht.
CFL	Cornus florida	Flowering Dogwood	7'-8" Ht.
Grand total			

SHRUB & ORNAMENTAL GRASS SCHEDULE-KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
ORNAMENTAL GRASS			
MCW	Muhlenbergia capillaris 'White Cloud'	White Cloud Muhly Grass	#3
SHRUB			
HIN	Hamamelis x intermedia	Hybrid Witch Hazel	#3
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3
IVE	Ilex verticillata	Winterberry Holly	#3
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3
TCM	Taxus canadensis 'Marshall'	Spreading Yew	#3
VAC	Viburnum acerifolium	Mapleleaf Viburnum	#3

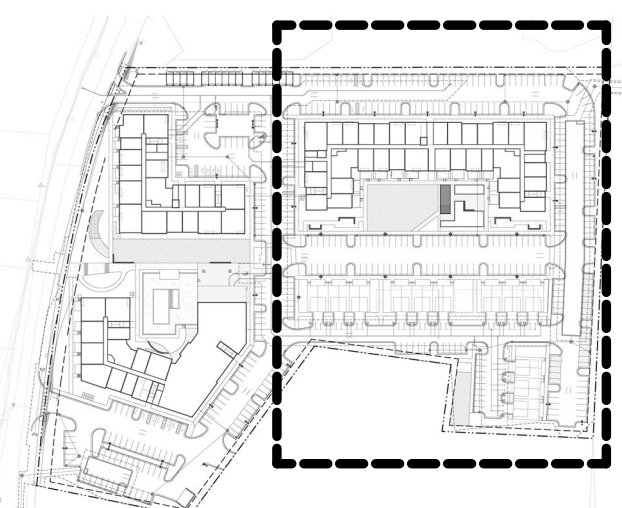
PERENNIAL SCHEDULE - KEY			
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE
CCD	Carex cherokeensis	Cherokee Sedge	#1



LEGEND

- LOD --- LIMITS OF DISTURBANCE
- TP --- TREE PROTECTION FENCE
- --- PROPERTY LINE
- CANOPY TREES
- UNDERSTORY TREES
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- NOTES
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BARBEE CHAPEL APARTMENTS  
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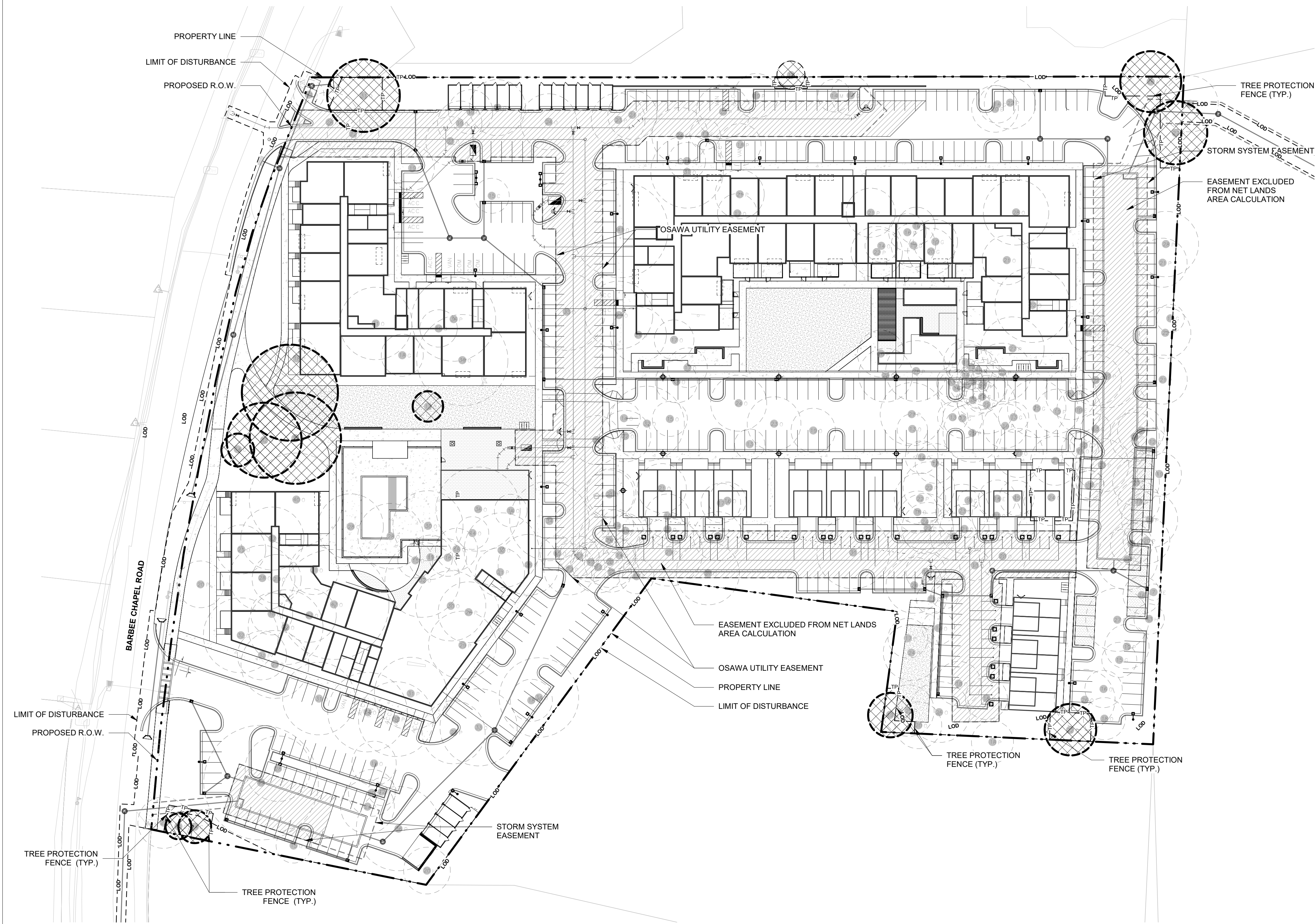
REVISIONS		
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PLAN INFORMATION

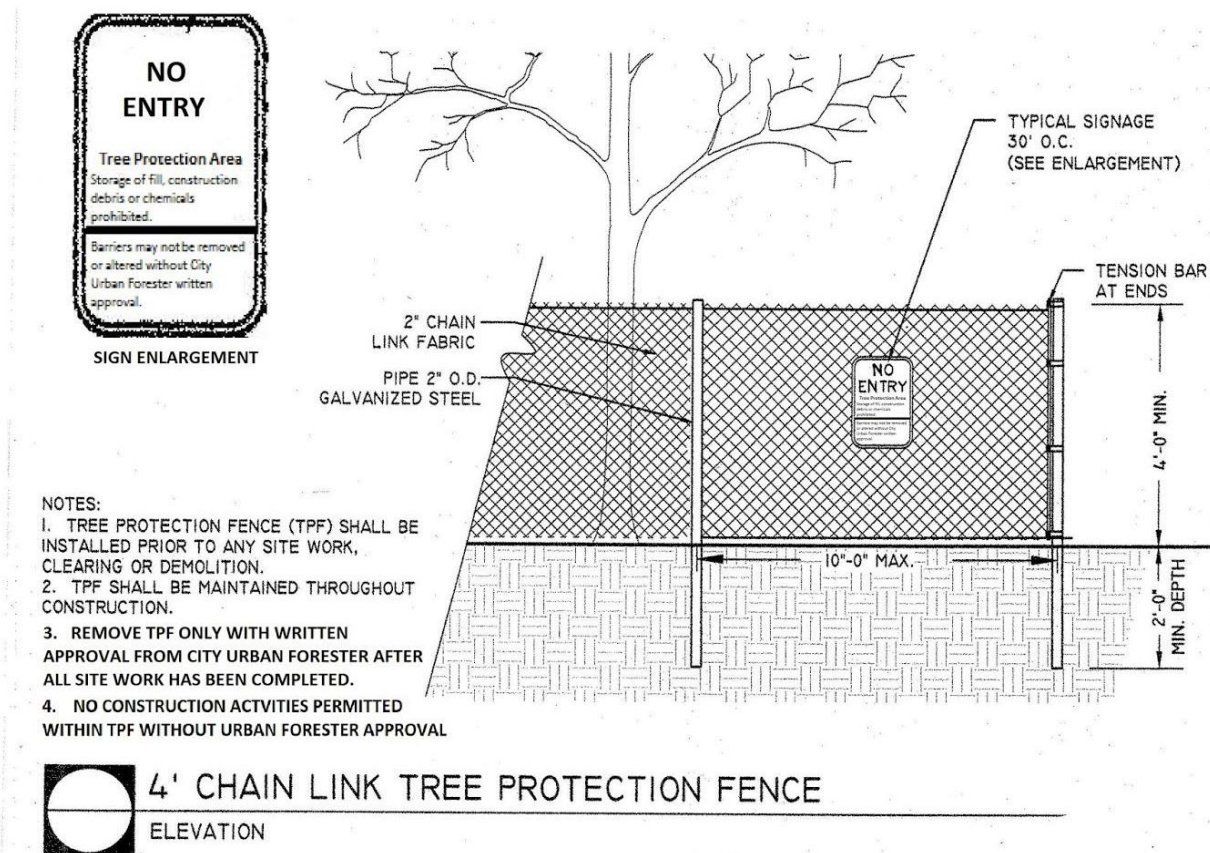
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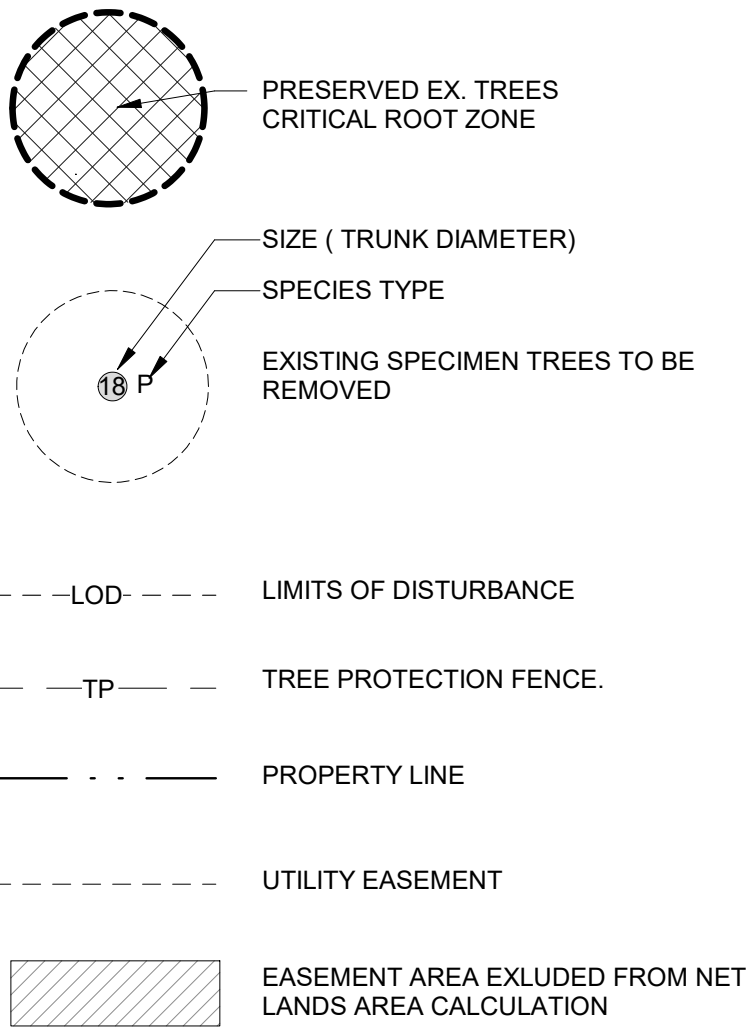


1  
TREE PROTECTION PLAN  
SCALE: 1" = 50'-0"



2  
TREE PROTECTION FENCE DETAIL  
SCALE: 3/16" = 1'-0"

LEGEND



EXISTING TREE LEGEND

- A ASH
- B BEECH
- C CEDAR
- E ELM
- G SWEET GUM
- H HICKORY
- M MAPLE
- O OAK
- P PINE

- RARE TREES (refer to LUMO Section 5.7.6) - 0
- SIGNIFICANT TREE STANDS - *NONE* (refer to Tree Evaluation Report)
- SPECIMEN TREES (refer to LUMO Section 5.7.6) - 240
- SPECIMEN TREES TO BE PROTECTED - 13
- SPECIMEN TREES TO BE REMOVED - 227
- LOT SIZE - 455,841 SQF
- NET LOT SIZE (excl. easements and ROWs) - 380,084 SQF
- 30% REQUIRED TREE CANOPY COVERAGE (Multi-Family Residential) - 114,025 SQF
- AREA OF EXISTING CANOPY PROTECTED - 11,535 SQF
- CANOPY DEFICIT - 102,490 SQF
- REPLACEMENT TREES REQUIRED (as per LUMO Section 5.7.2(c)) - 177
- REPLACEMENT TREES PROPOSED - Proposed Canopy Trees: 131  
Credits on Trees over 4" Cal (refer to LUMO Section 5.7.2 (c)): 75  
**Total: 206**

NOTES:

- Protective fencing, fences, or other equally effective measures as determined by the town manager, shall be used to protect areas identified on an approved landscape protection plan during demolition and construction activity. Protective fencing shall be installed according to town standards. Field adjustments may be allowed subject to prior approval by the town manager. All land disturbing activity, storage of equipment, building material, soil, and other debris shall be kept outside the protected areas.
- Landscaping activities taking place after the removal of protective fencing shall be accomplished with light machinery or hand labor and in accordance with the town's landscaping standards and specifications. This requirement should be noted on the plans.
- Prior to the commencement of any activities requiring a zoning compliance permit, a pre-construction conference with the town's urban forester or landscape architect shall take place to review procedures for protection and management of all protected landscape elements identified on the landscape protection plan.
- On-site supervision. For all development other than that related to single-family and two-family dwellings on individual zoning lots, the following on-site supervision is required:
  - The applicant shall designate as landscape protection supervisors one or more persons who have completed instruction in landscape protection procedures with the town.
  - It shall be the duty of the landscape protection supervisor to ensure the protection of new or existing landscape elements, as defined in the landscape protection plan. The approved landscape protection supervisor shall supervise all site work to assure that development activity conforms to provisions of the approved landscape protection plan. At least one (1) identified landscape protection supervisor shall be present on the development site at all times when activity that could damage or disturb soil and adjacent landscape elements occurs such as:
    - Clearing and grubbing;
    - Any excavation, grading, trenching or moving of soil;
    - Removal, installation, or maintenance of all landscape elements and landscape protection devices; or
    - Delivery, transporting, and placement of construction materials and equipment on site.



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BARBEE CHAPEL APARTMENTS

CONDITIONAL ZONING PERMIT

DRAWINGS

5101 BARBEE CHAPEL RD

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REVISIONS

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PLAN INFORMATION

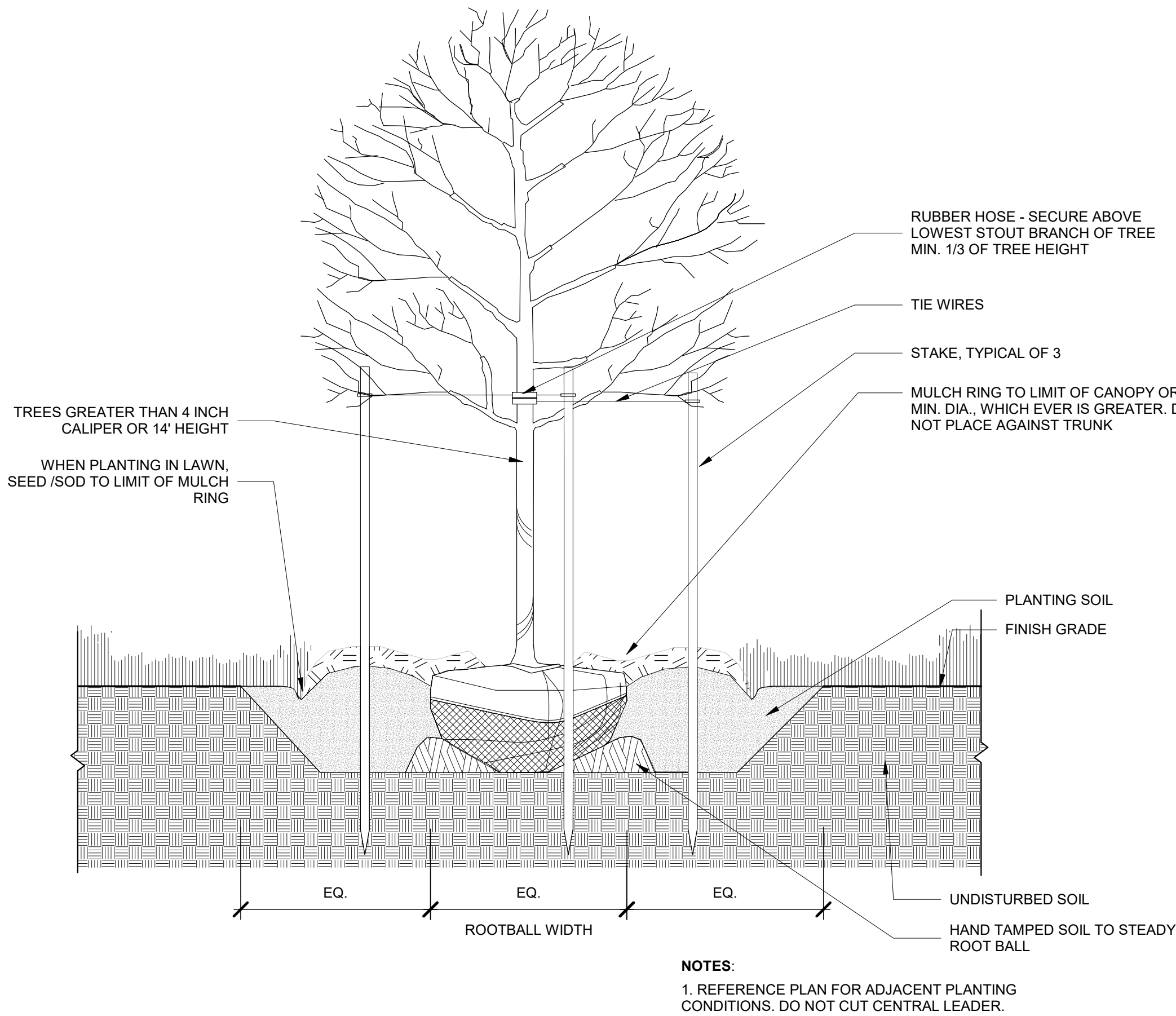
PROJECT NO.: P200798

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TREE PROTECTION PLAN

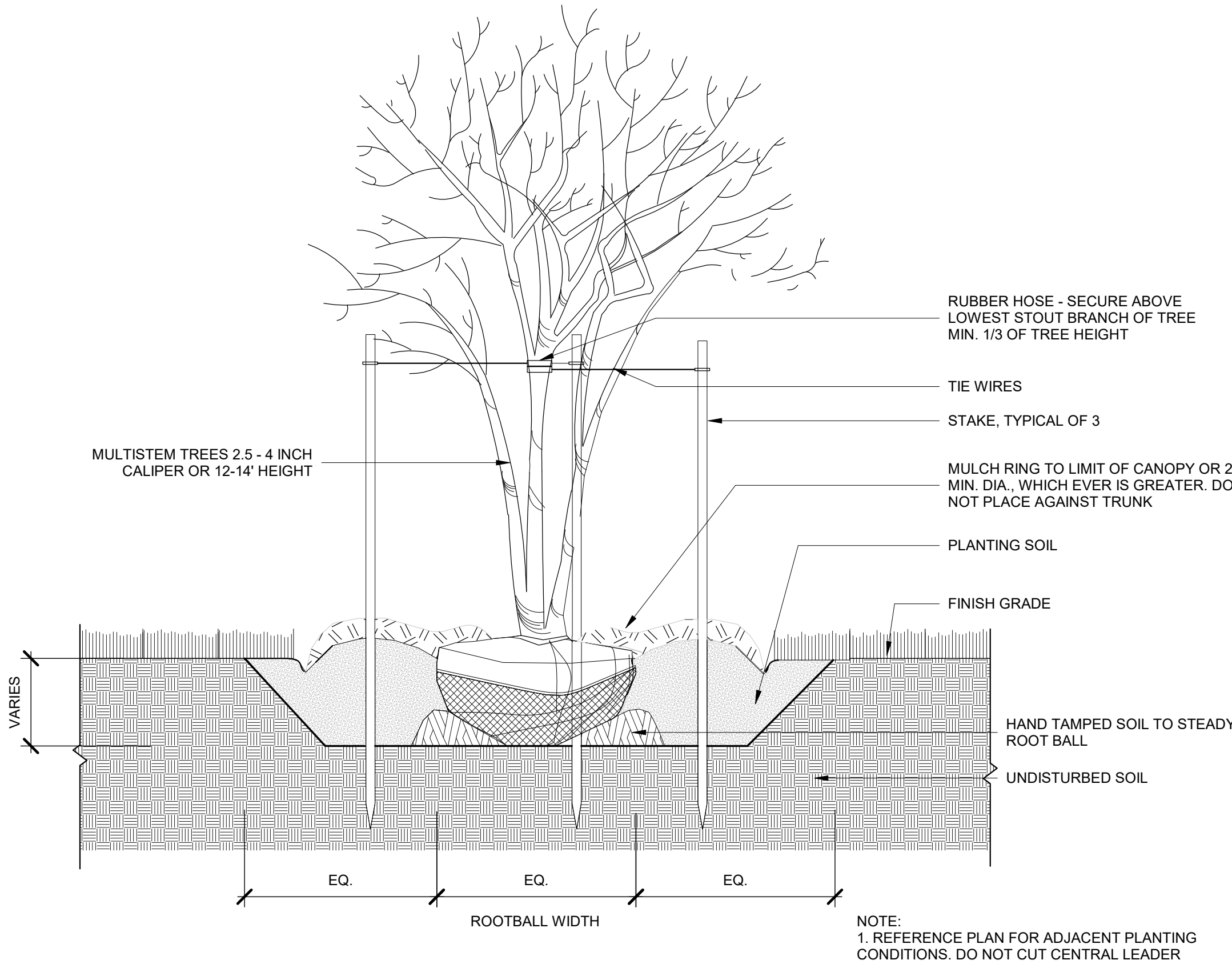
L2.00





SHADE TREE PLANTING  
SCALE: 3/4" = 1'-0"

3



ORNAMENTAL TREE PLANTING  
SCALE: 3/4" = 1'-0"

1

TREE SCHEDULE						
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	COUNT	COMMENTS
CANOPY TREES						
ARO	Acer rubrum 'October Glory'	October Glory Red Maple	3" Cal	B&B	50	Limb lowest branch to 7'-0"
CCA	Carpinus carolinana 'CCSQU'	Palisade® American Hornbeam	4" Cal	B&B	7	Limb lowest branch to 7'-0"
LSR	Liquidambar styraciflua 'Rotundiloba'	Seedless Sweetgum	4" Cal	B&B	26	Limb lowest branch to 7'-0"
MVE	Magnolia virginiana 'Emerald Tower'	Upright Sweetbay Magnolia	3" Cal	B&B	16	
QFA	Quercus falcata	Southern Red Oak	4" Cal	B&B	10	Limb lowest branch to 7'-0"
QP	Quercus phello	Willow Oak	4" Cal	B&B	22	Limb lowest branch to 7'-0"
EVERGREEN CANOPY TREES						
PTA	Pinus taeda	Loblolly Pine	2.5" Cal	B&B	7	
UNDERSTORY TREES						
AGA	Amelanchier × grandiflora 'Autumn Brilliance'	Apple Serviceberry	7'-8" Ht.	B&B	26	
CFL	Cornus florida	Flowering Dogwood	7'-8" Ht.	B&B	29	
Grand total					193	

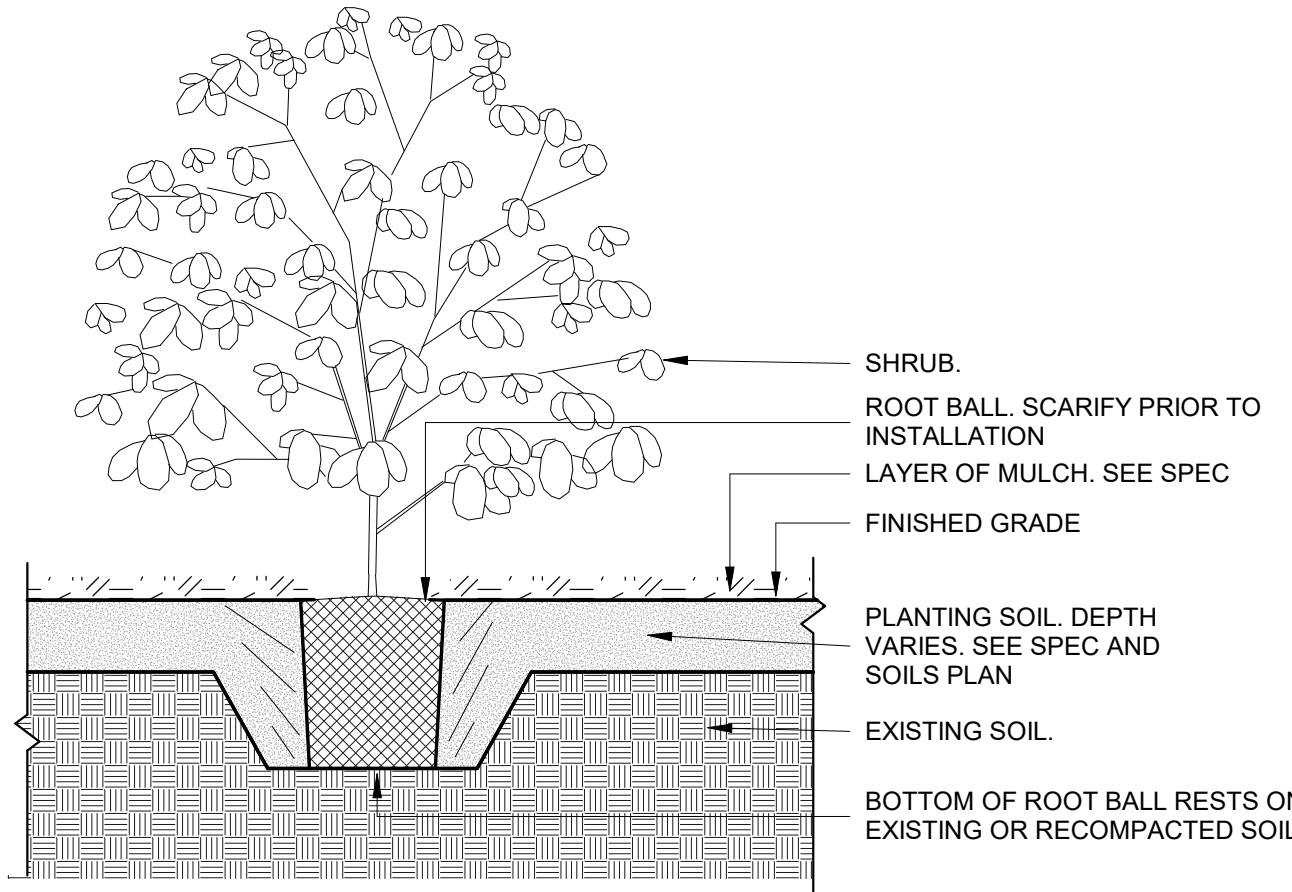
SHRUB & ORNAMENTAL GRASS SCHEDULE				
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	COMMENTS
SHRUB				
HIN	Hamamelis × intermedia	Hybrid Witch Hazel	#3	48" o.c.
IGS	Ilex glabra 'Shamrock'	Inkberry Holly	#3	36" o.c.
IVE	Ilex verticillata	Winterberry Holly	#3	48" o.c.
IVH	Itea virginica 'Henry's Garnet'	Virginia sweetspire	#3	36" o.c.
RAG	Rhus aromatica 'Grow-low'	Dwarf Sumac 'Gro-low'	#3	48" o.c.
TCM	Taxus canadensis 'Marshall'	Spreading Yew	#3	24"-30" spd.
VAC	Viburnum acerifolium	Mapleleaf Viburnum	#3	36" o.c.

When selecting shrub species, a minimum of 50% of the total number of required shrubs should be evergreen.

PERENNIAL SCHEDULE				
PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING INCHES
CCD	Carex cherokeensis	Cherokee Sedge	#1	18

SHRUB PLANTING DETAIL  
SCALE: 3/4" = 1'-0"

2



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DRAWINGS

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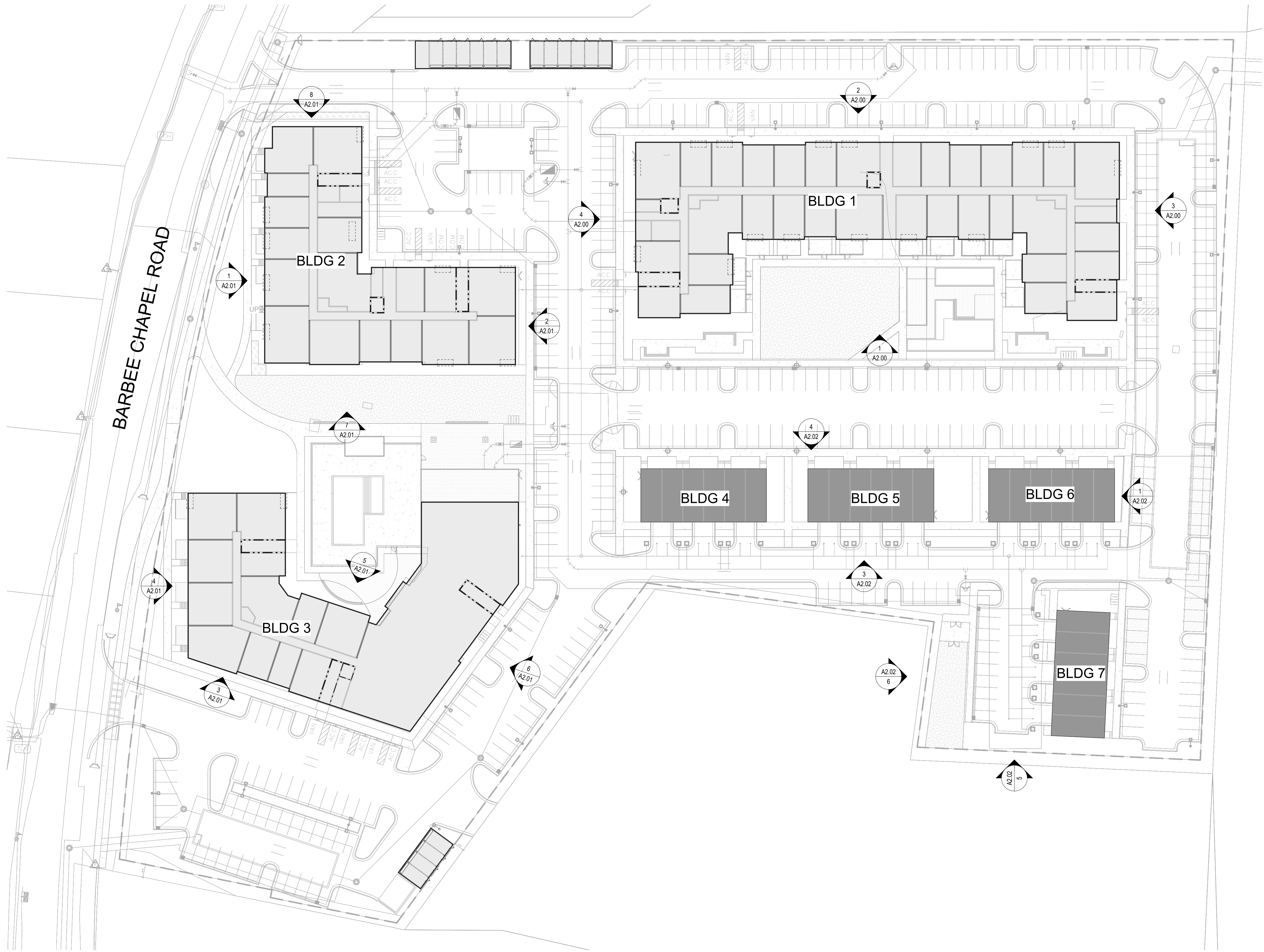
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PLANTING DETAILS AND  
PLANTING SCHEDULE

L1.04





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SITE PLAN

A1.00



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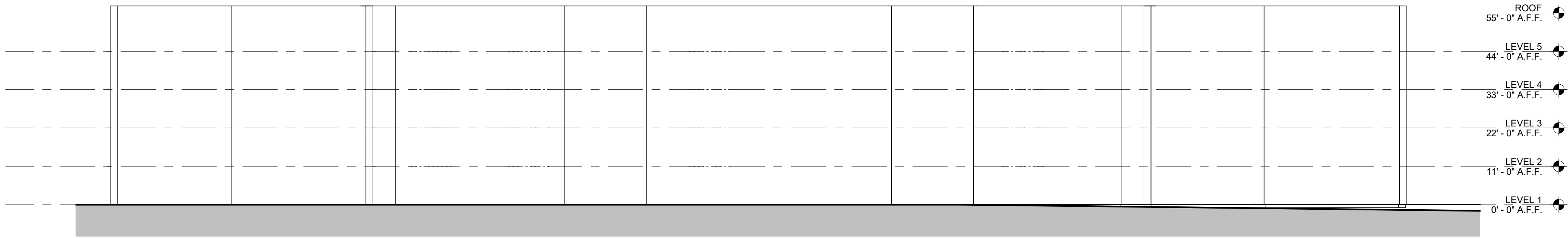
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2.	02/21/2023	REVISED PER 2ND CZP COMMENTS

## PROJECT NO.: P200798

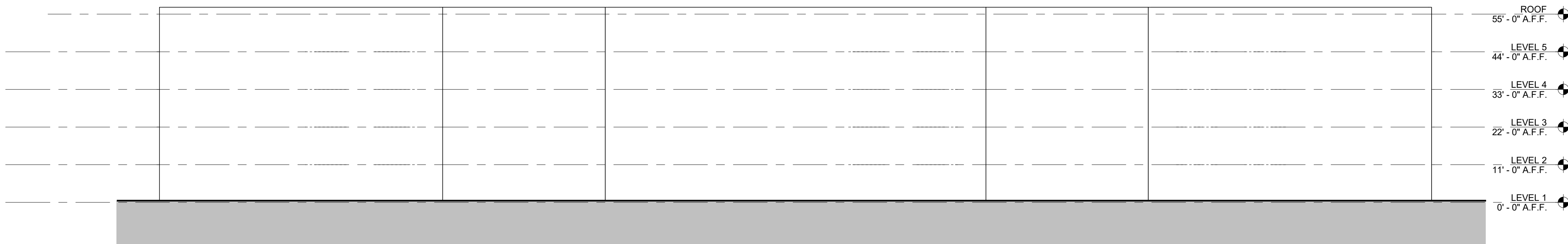
## BUILDING ELEVATIONS

## A2.00



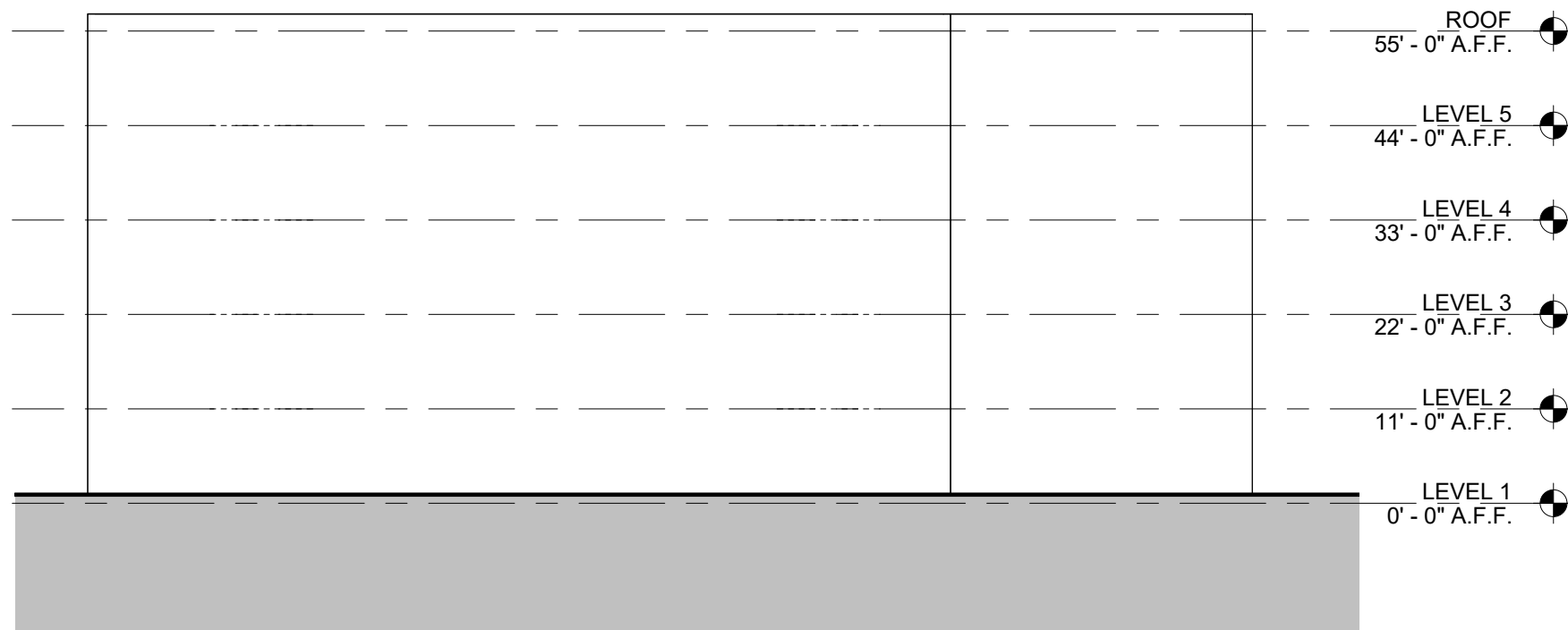
BLDG 1- SOUTH ELEV  
1" = 20'-0"

1



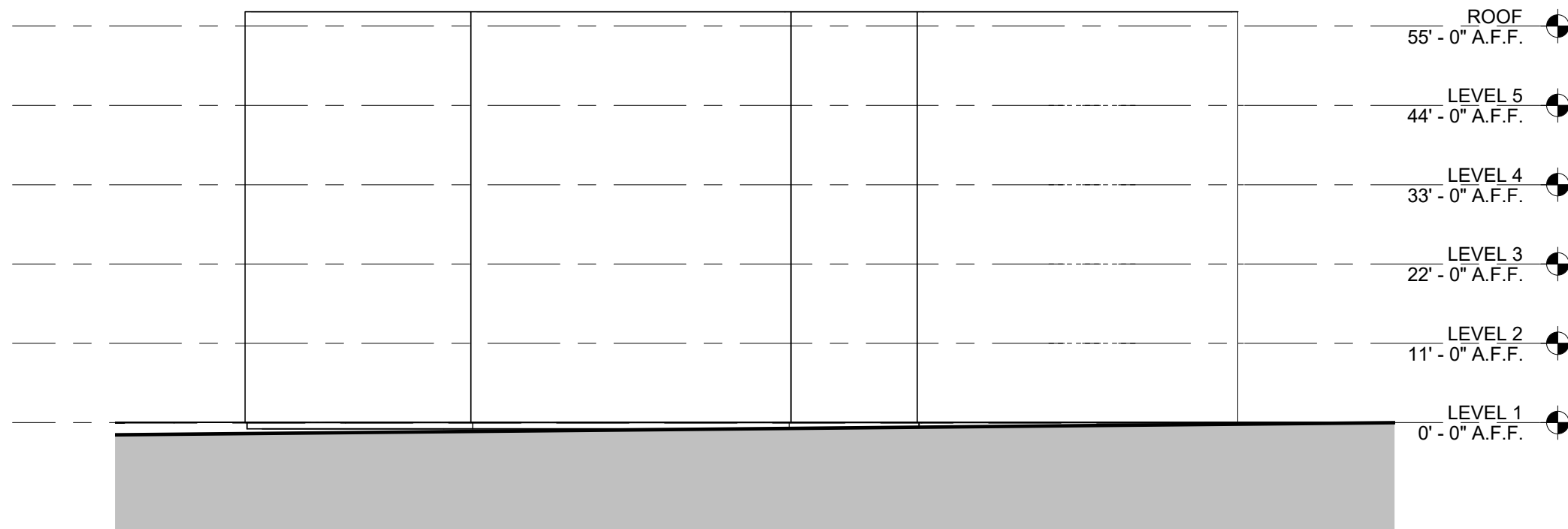
BLDG 1 - NORTH ELEV  
1" = 20'-0"

2



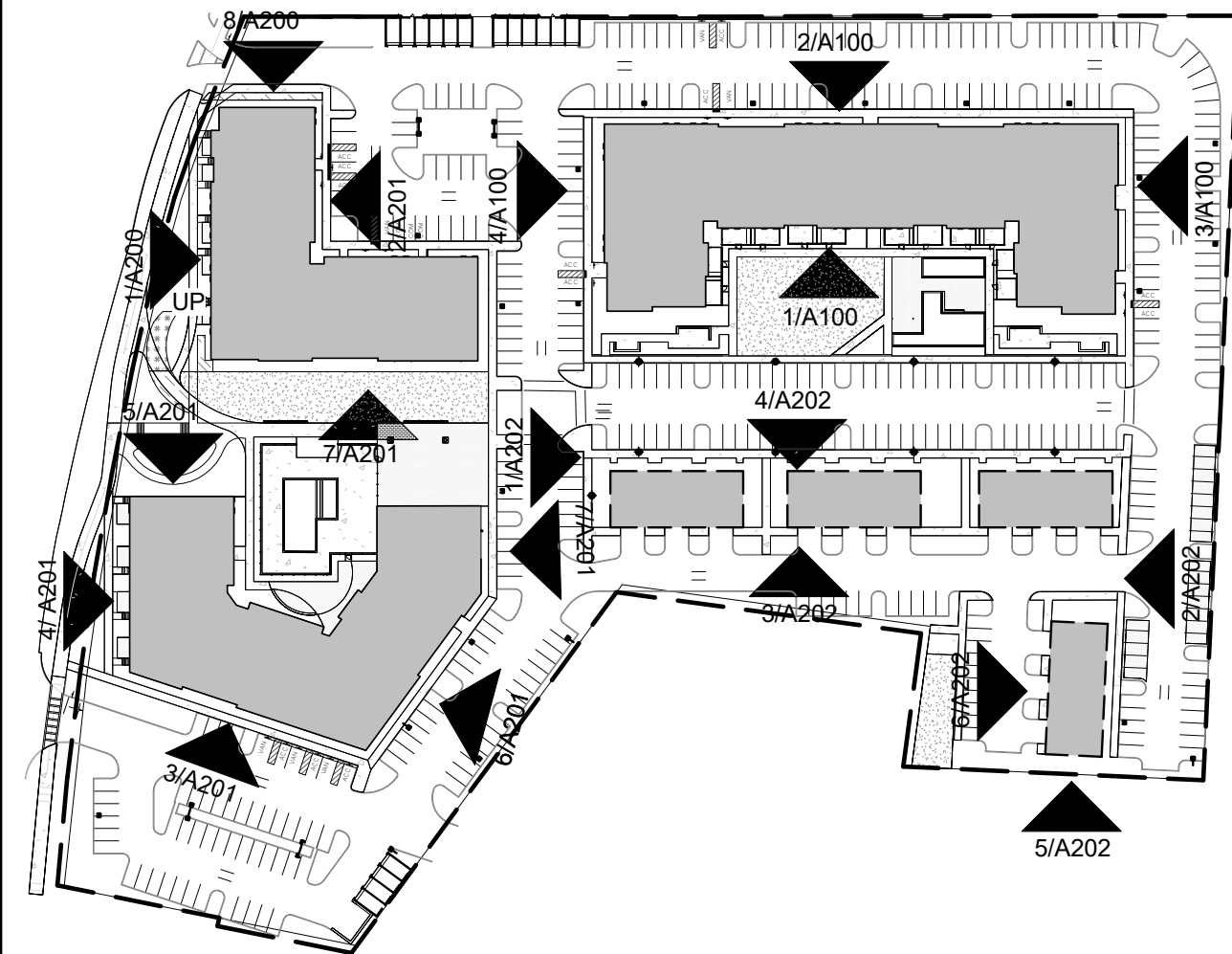
BLDG 1- WEST ELEV  
1" = 20'-0"

4



BLDG 1 - EAST ELEV  
1" = 20'-0"

ELEV  
1" = 20'-0"



## KEY PLAN

REF DRAWING:1 / A2.00      SCALE:1 : 1596



t: 410.384.4244  
f: 443.569.6430  
[www.ci-designinc.com](http://www.ci-designinc.com)

530 Hillsborough St  
Raleigh, North Carolina 27603

(800) 978.5606  
† 1 919.589.1820

TOLL BROTHERS  
1140 VIRGINIA DR  
FT. WASHINGTON, PA 19034  
PHONE: 202.577.6491

**Toll Brothers**  
APARTMENT LIVING

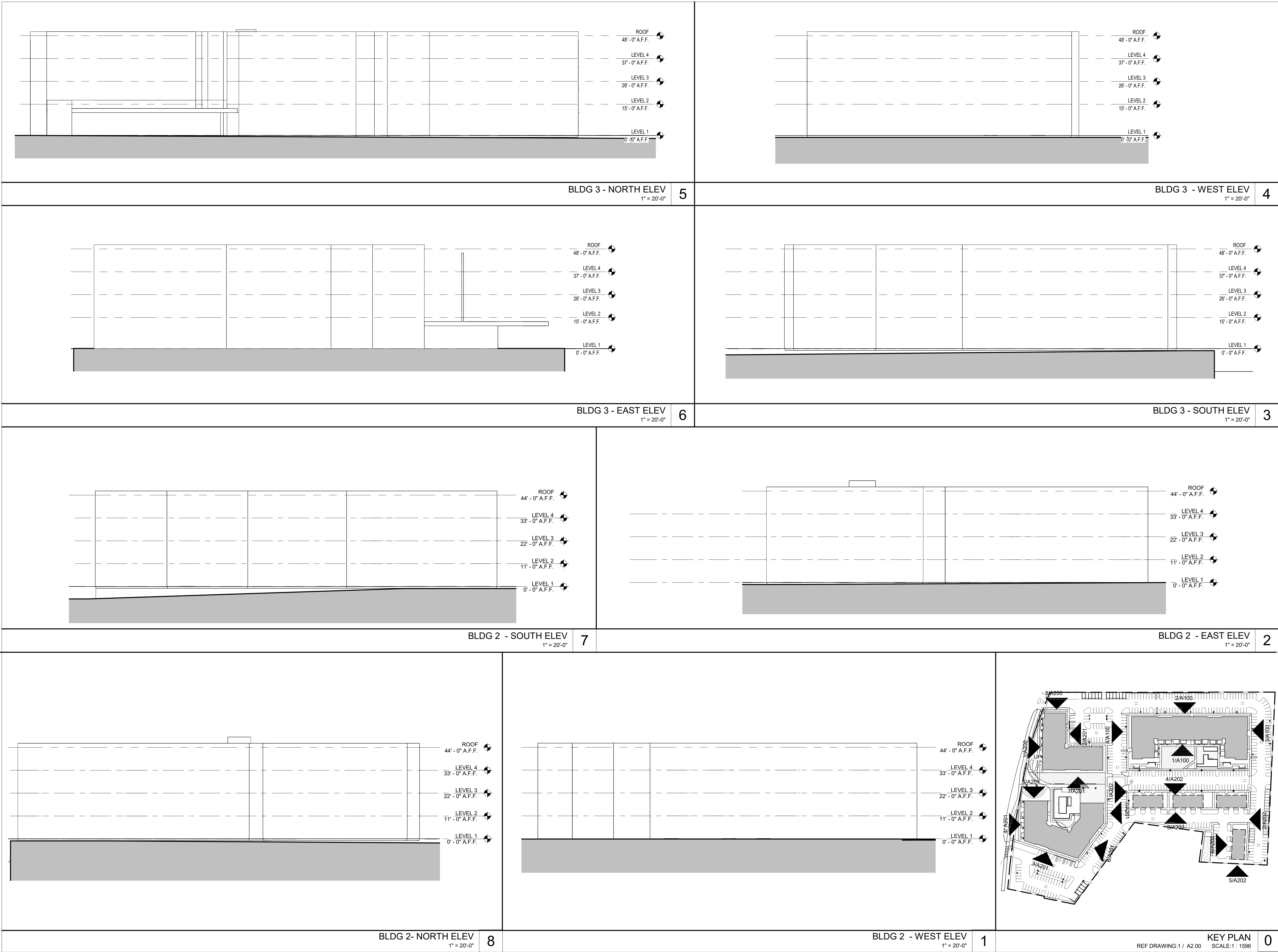
**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
CHAPEL HILL, NORTH CAROLINA, 27517

NO.	DATE	REVISION DESCRIPTION
1.	11/21/2022	REVISED PER 1ST CZP COMMENTS
2.	02/21/2023	REVISED PER 2ND CZP COMMENTS

PROJECT NO.: P200798

## BUILDING ELEVATIONS

## A2.01





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(800) 978.5606  
† 1 617.848.9511

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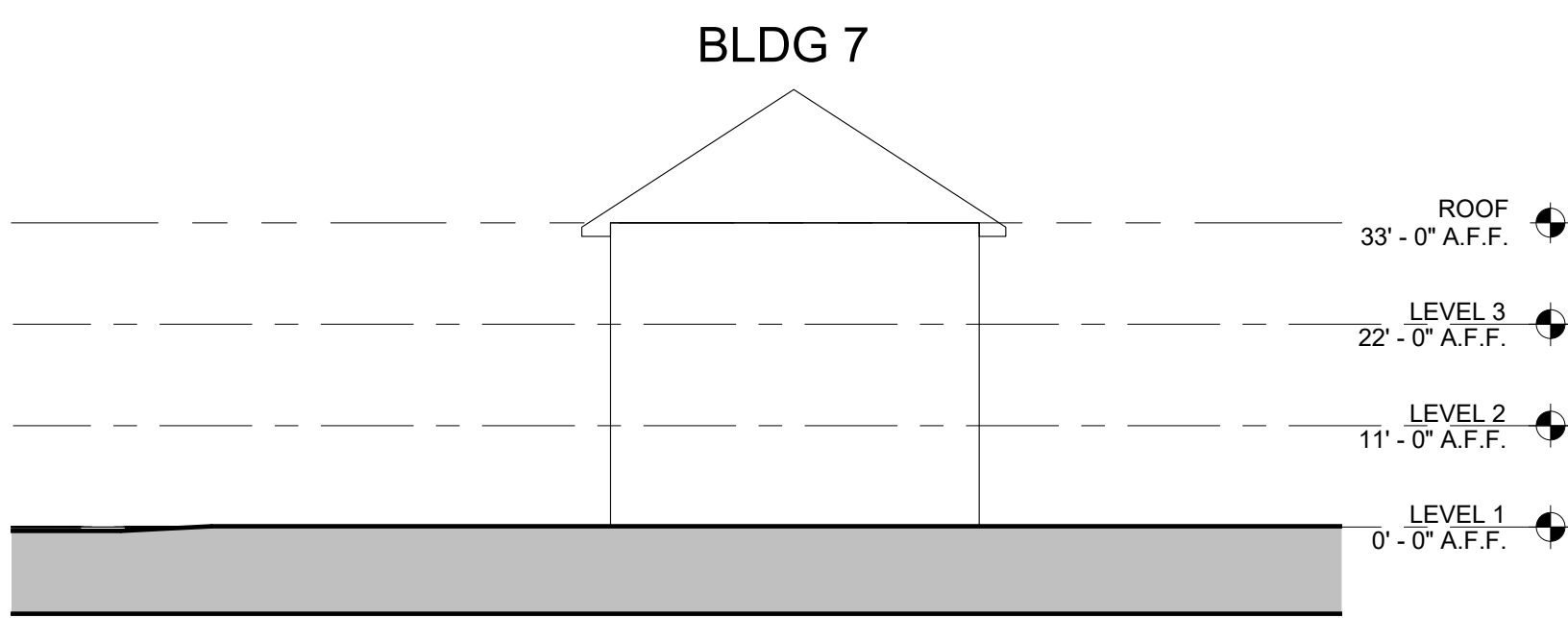
**BARBEE CHAPEL APARTMENTS**  
**CONDITIONAL ZONING PERMIT**  
**DRAWINGS**  
**5101 BARBEE CHAPEL RD**  
CHAPEL HILL, NORTH CAROLINA, 27517

NO.	DATE	REVISION DESCRIPTION
1.	11/21/2022	REVISED PER 1ST CZP COMMENTS
2.	02/21/2023	REVISED PER 2ND CZP COMMENTS

## PROJECT NO.: P200798

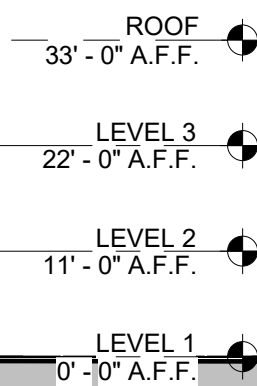
## TOWNHOME ELEVATIONS

## A2.02

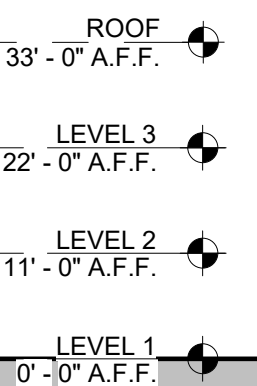


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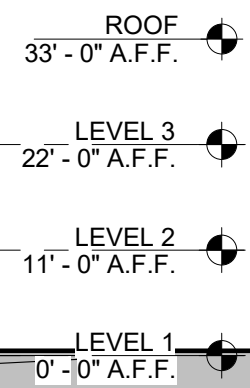
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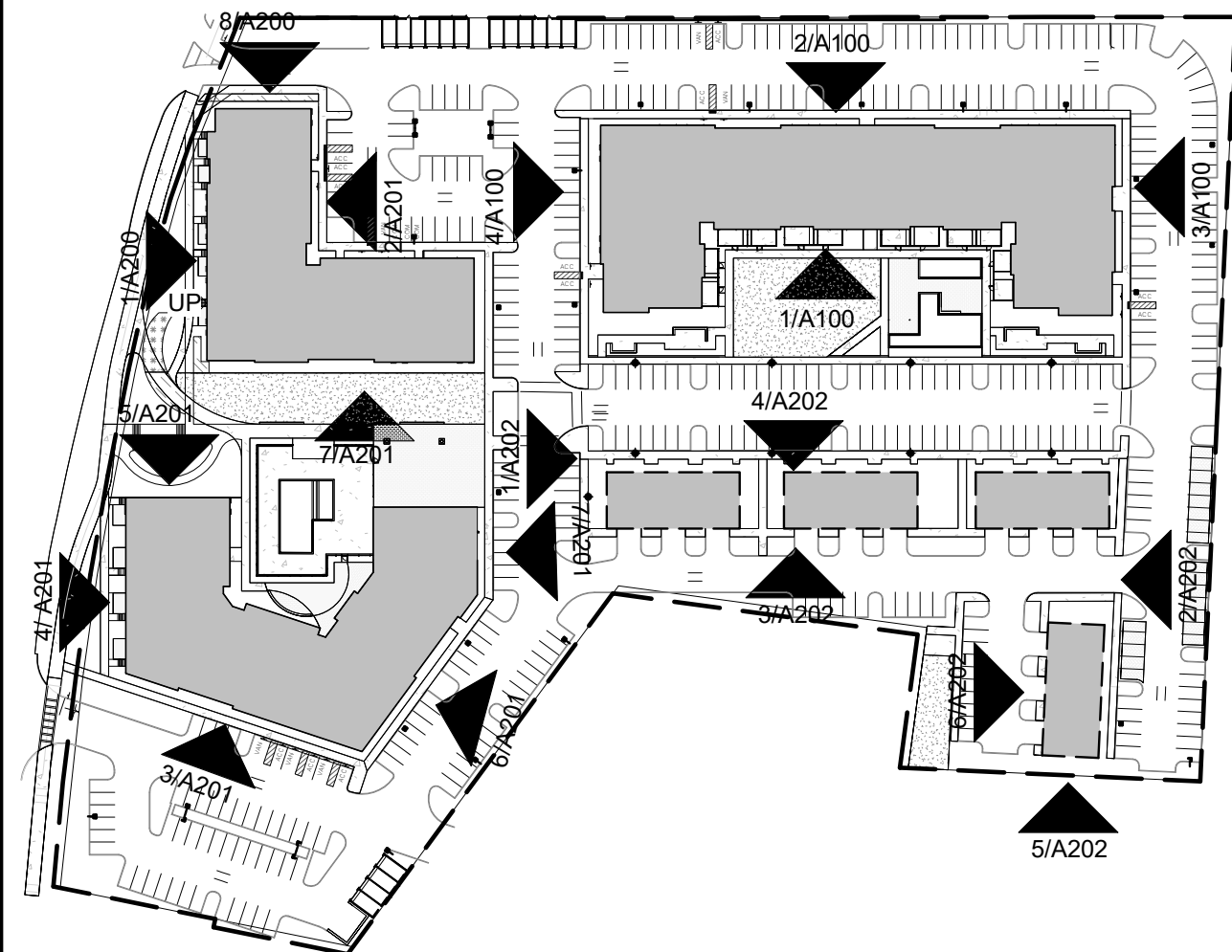
4



3



1



1 : 1596

0





*Toll Brothers*  
APARTMENT LIVING

**ROCKWOOD  
DEVELOPMENT**

# Barbee Chapel Apartments

Town Council  
May 24, 2023





# Barbee Chapel Apartments



*Toll Brothers*  
APARTMENT LIVING

ROCKWOOD  
DEVELOPMENT





# 613 Barbee Chapel Apartments

Council Comments at April 19 Meeting

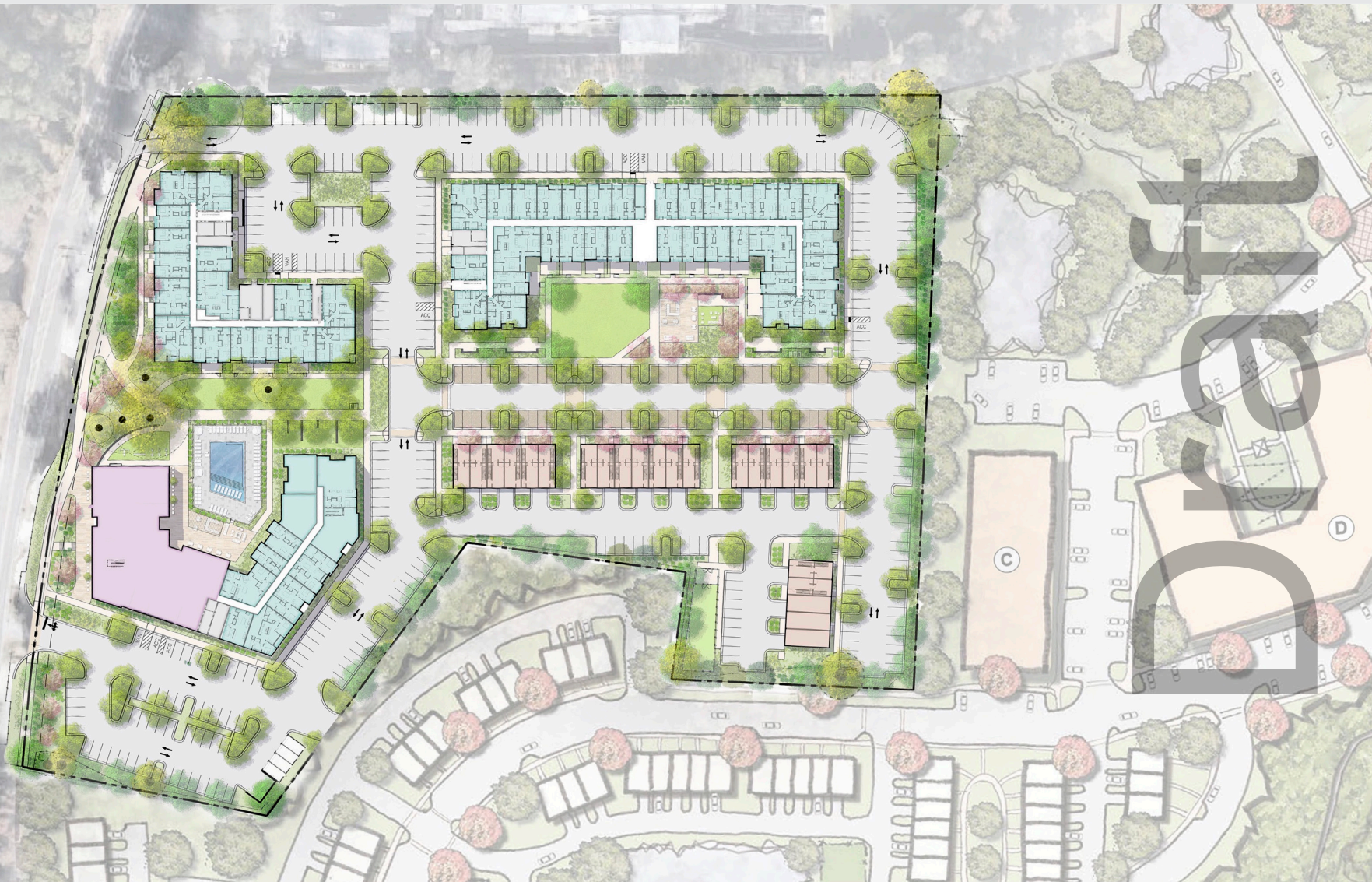
## What we heard from Town Council:

- Reduce Parking
- Decrease Impervious Surface
- Improve Stormwater Management
- Increase Affordable Housing Options

Draft



# Barbee Chapel Apartments





# 615 Barbee Chapel Apartments

## Updates to Site Plan

- **Reduce Parking**
  - ORIGINAL: 495 total spaces  
(1.4 spaces/unit)
  - REVISED: **49 FEWER spaces**, or 446 total spaces  
(1.3 spaces/unit)
    - Converted Parking Spaces to Tree Islands along “main street”
      - Decreases impervious surfaces
      - Allows for larger tree species
      - Increases shade / reduces heat island effect
      - Supports campus-like feel

draft



# 616 Barbee Chapel Apartments

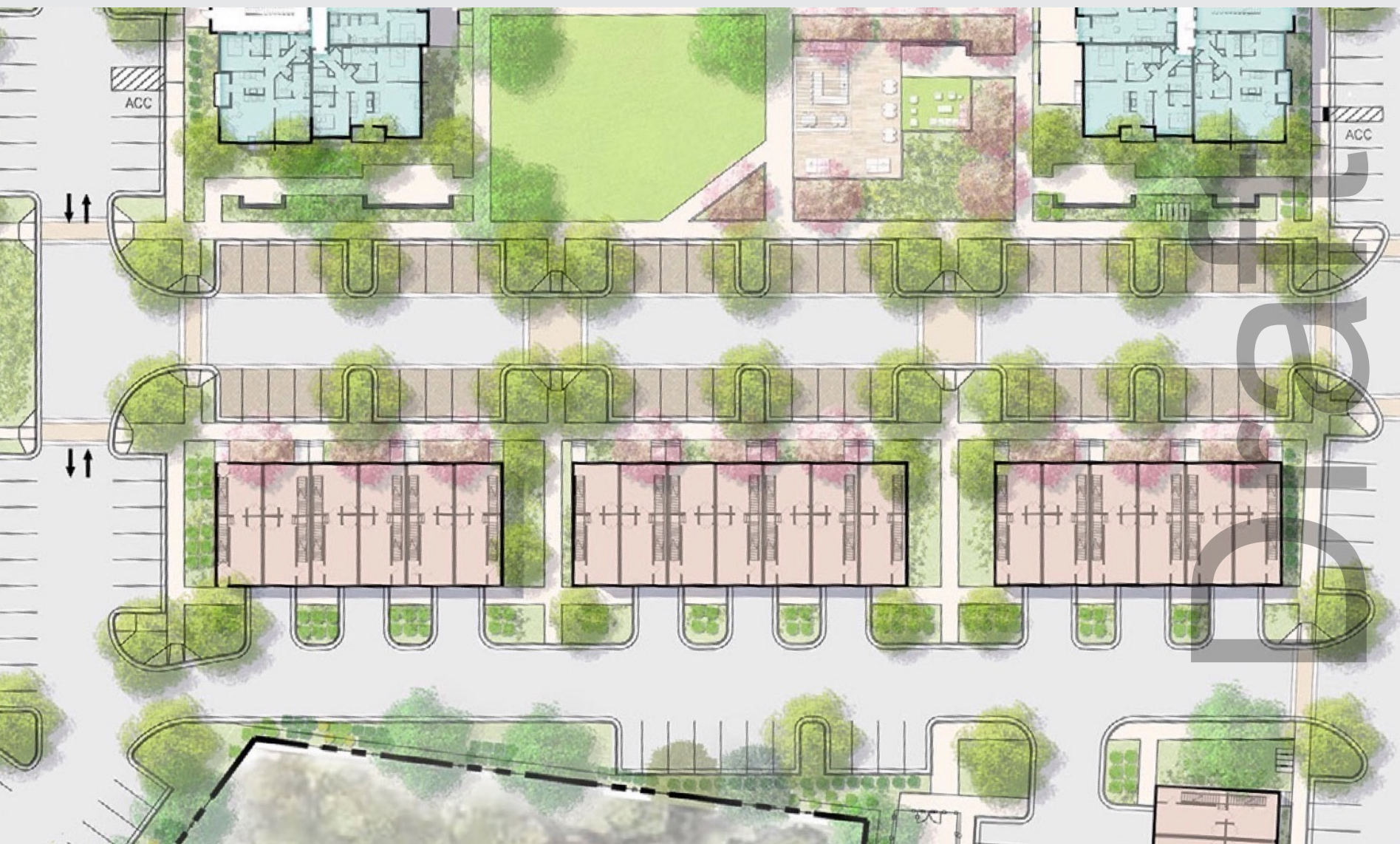
## Updates to Site Plan

- **Decrease Impervious Surfaces**
  - More Pervious Surface, in part because of converted parking spaces
  - Added Permeable Surface along parts of the “main street”
- **Improve Stormwater Management**
  - Committing to installing infrastructure for 50-year storm event (vs 25-year event required by ordinance)

Barbee Chapel



# Barbee Chapel Apartments





# Barbee Chapel Apartments

## Affordable Housing Plan / Options

### Original Proposal:

- **Affordable Units:** 31 units
  - 15 units at 65% AMI
  - 16 units at 80% AMI

### Council Feedback:

- Not enough affordable housing and wanted to reach lower AMI
- Also, HAB's preference for including 60% AMI





# Barbee Chapel Apartments

## Affordable Housing Plan / Options

### Two Alternate Scenarios:

\*\* these incorporate updated HUD AMI numbers \*\*

#### Alternate 1:

- **Affordable Units:** 30 units
  - 15 units at 80% AMI
  - 15 units at 60% AMI

#### Alternate 2:

- **Affordable Units:** 23 units
  - all at 60% AMI









May 18, 2023

Town of Chapel Hill  
 Planning Department  
 405 Martin Luther King Blvd.  
 Chapel Hill, NC 27514

Dear Town of Chapel Hill Council Members,

Please see below our responses and proposals for the major items discussed at our April 19, 2023 council hearing.

**Affordable Housing:** Not enough affordable housing, not reaching low-enough AMI and/or not the right mix.

- Our previous proposal called for 31 units designated for affordable housing: 16 units at 80% AMI and 15 units at 65% AMI
- Council requested that we provide more affordable housing and/or meet a lower AMI threshold. Staff reminded us of HAB's preference for including 60% AMI, so we have created alternate scenarios that might better match Town Council's priorities. These numbers use the recently-issued HUD AMI calculations (2022).
  - Alternate 1 – 312 market-rate units; 30 Affordable Units (9.6%)
    - 30 TOTAL (15 at 80% AMI, 15 at 60% AMI)
  - Alternate 2 – 319 market-rate units; 23 Affordable Units (7.6%)
    - 23 TOTAL (All at 60% AMI)

**Parking:** Too much, too visually dominant

- Original Proposal:
  - 495 TOTAL (1.4 spaces per unit)
    - 455 surface
    - 16 garages
    - 24 TH garages
- New Proposal: 49 FEWER parking spaces
  - 446 TOTAL (1.3 spaces per unit)
    - 406 surface
    - 16 garages
    - 24 TH garages
  - Better design to reduce visual dominance of parking
    - More tree islands along "main street" to replicate rhythm of street trees
    - Larger tree islands to allow for larger tree species



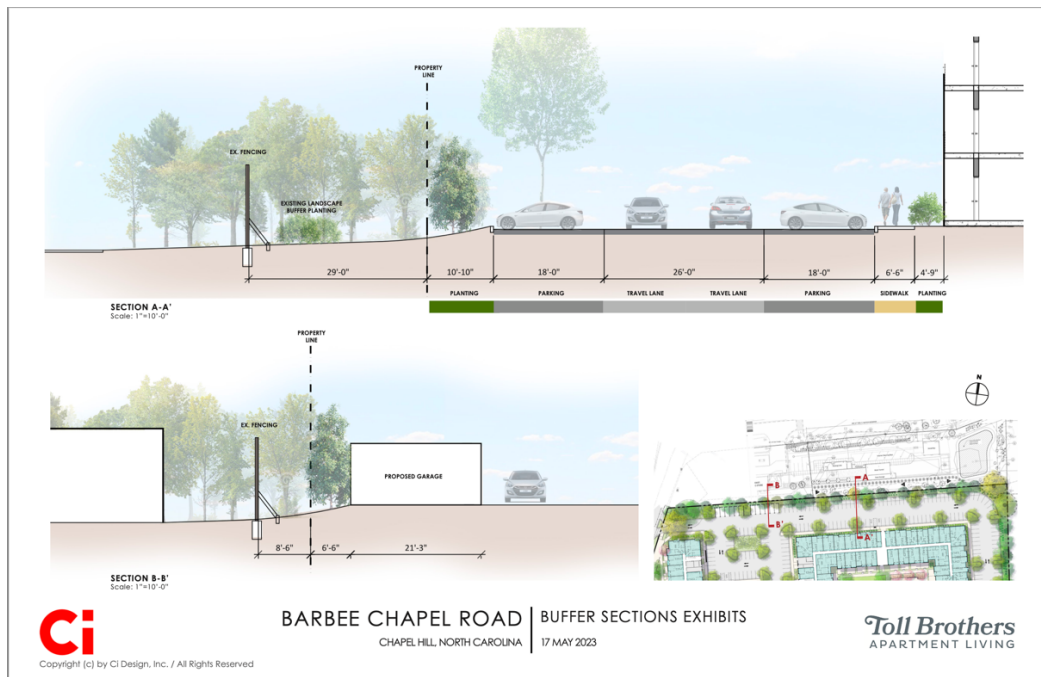
- This combination will increase shade, reduce the potential for a heat island effect, and reinforce the “outdoor room” being created along this east-west corridor
- Compare to Nearby Apartment Properties
  - Bell Meadowmont: ~1.8 Parking spaces per unit
  - The Morgan: ~1.8 Parking per unit

### Impervious Surface & Stormwater Management:

- Impervious Surface
  - Converted parking spaces to tree islands and other green spaces, creating more permeable surface (approx. 4,000 sf) and reinforcing the east-west and the north-south green corridors.
- Added permeable surfaces along main street (approx. 6,000 sf)
- Increased Stormwater Management to 50-year storm event (from 25-year-storm event)

### North Buffer:

- Mayor Hemminger asked questions about the reduced northern buffer along the Stancell Drive Car Wash property.
- The existing buffer on the Stancell Car Wash property is a 15-20 ft planted buffer that includes a 10-ft fence. The Toll project would add a mostly-evergreen planted buffer ranging from 6 ft to 15 ft in width. The combined variable buffer of 21-to-40 ft provides a generous transition between these two uses.





**Greenspace Dimensions and Acreage:**

The site plan provides a variety of spaces, ranging from large spaces for gatherings and programs, to smaller, more intimate spots for solitude or conversation. Below are dimensions and acreages for some of those spaces, to demonstrate the variation.

- Barbee Chapel Frontage – creates a passive, campus-like setting:
  - o Tree-save area, oak allee and lawn: One-half acre
  - o Dimensions of lawn-proper adjacent to Building 2: 55 ft x 180 ft, about one-fifth acre
- Central Green space + active use area – for programmed uses and larger gatherings
  - o Dimensions: 200 ft x 70 ft, about one-third acre
- Pollinator Gardens & Dog Park: One-quarter acre
  - o Pollinator Gardens – 2,850 sf each

Dog Park – 4,600 sf





# TOWN OF CHAPEL HILL

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

## Item Overview

Item #: 19., File #: [23-0461], Version: 1

Meeting Date: 5/24/2023

### Open and Close a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Hamilton Road within the Glen Lennox Development.

#### Staff:

Lance Norris, Director  
Chris Roberts, Manager of Engineering and Infrastructure

#### Department:

Public Works

**Overview:** The Glen Lennox Development includes a proposed realignment of Hamilton Road that involves closing a portion of the existing public right-of-way and dedicating new right-of-way. This realignment is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement.

More information about the Glen Lennox Development Agreement may be found at:

<https://www.townofchapelhill.org/government/departments-services/planning/development-activity-report/glen-lennox>

This process followed the two requirements of North Carolina General Statute Sec. 160A-299:

- Council adopted a resolution declaring its intent to close the public right-of-way and to call a public hearing.
- All publication and posting requirements of this statute have been met.



#### Recommendation(s):

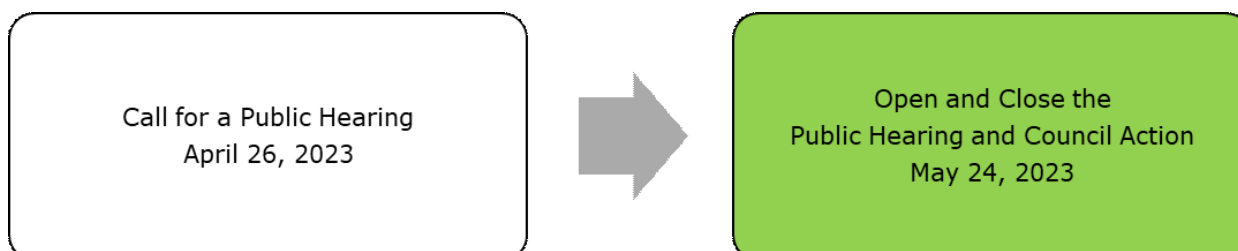
That the Council adopt a resolution closing a portion of the public right-of-way to support the realignment of Hamilton Road within the Glen Lennox Development.

**Fiscal Impact/Resources:** The applicant paid for the commercial right-of-way fee to the Town.

#### Key Issues:

- The sole adjacent property owner is Glen Lennox Apartments, LLC, who is requesting the closure and will receive the entire requested right-of-way areas.

#### Where is this item in its process?





---

**Item #: 19., File #: [23-0461], Version: 1****Meeting Date: 5/24/2023**

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**Attachments:**

- Resolution
- Closure Request Letter from Ballentine Associates with Exhibit of Requested Hamilton Road Right-of-Way Closure
- Staff Presentation
- NC Statute 160A-299



**A RESOLUTION TO APPROVE A REQUEST TO CLOSE A PORTION OF PUBLIC RIGHT-OF-WAY OF HAMILTON ROAD WITHIN THE GLEN LENNOX DEVELOPMENT (2023-05-24/R-17)**

WHEREAS, the Town of Chapel Hill has received a request, from Ballentine Associates to close a portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development; and

WHEREAS, the sole abutting property of this public right-of-way is owned by the requesting party, Glen Lennox Apartments, LLC; and

WHEREAS, the realignment of Hamilton Road is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement; and

WHEREAS, the Council finds, upon review of the facts and of information received at the Public Hearing on May 24<sup>th</sup>, 2023 that closing this portion of public right-of-way to support a realignment of Hamilton Road would not be contrary to the public interest and that no individual owning property in the vicinity of the proposed closures would be deprived of reasonable means of ingress and egress to his or her property by the closing of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the closure of this portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development as described in the Closure Request Letter.

This the 24th day of May, 2023.

---

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

PRESENTER: Chris Roberts, Engineering and Infrastructure Manager

- a. Introduction and recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to close the public hearing
- e. Motion to adopt the resolution approving the right-of-way closure.

RECOMMENDATION: That the Council close a portion of public right-of-way for a realignment of Hamilton Road within the Glen Lennox Development.





# Ballentine

Associates, PA

Integrity. Service. Results.

11 Jan 23

Mr. Chris Roberts, PE  
Manager of Engineering & Infrastructure  
Town of Chapel Hill Public Works Department  
6850 Millhouse Road  
Chapel Hill, NC 27514-5705

Subject: Glen Lennox South Infrastructure  
Hamilton Road Realignment

Dear Chris,

The proposed development of Glen Lennox South Infrastructure includes the realignment of a portion of Hamilton Road between Hobbes Street and NC Highway 54. The realignment will be performed in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement and will involve abandoning a portion of the existing public right-of-way and dedication of new right-of-way. It is our understanding that the Town Council must approve the right-of-way abandonment part of this and that you are the person who must initiate this process. A DACP Application has already been submitted for this project, so we need to start the abandonment process as soon as possible.

To support this request, I have attached the following items:

- Hamilton Road Right-of-Way Abandonment Exhibit dated 11 Jan 23.

Our understanding is that the first step in the process will be for your staff to prepare a Council consent agenda item, which will establish a Council Public Hearing on the matter at a subsequent Council meeting. We are hopeful this item can be included in the next available Council consent agenda and scheduled for the soonest public hearing possible thereafter.

Thanks very much for your assistance with this and please don't hesitate to call me should you have any questions or if you require additional information.

Yours very truly,  
BALLENTINE ASSOCIATES, PA

Dillon W. Smith, PE  
Director of Engineering









# **Public Hearing for the Partial Right-Of-Way Closure – Hamilton Road**

**Date: May 24, 2023**



DRAFT



# Staff Recommendation

- That the Council open and close a Public Hearing to consider closing a portion of the public right-of-way to support the realignment of Hamilton Road within the Glen Lennox Development.
- Adopt Resolution R-\* to close the requested right-of-way area.

DRAFT

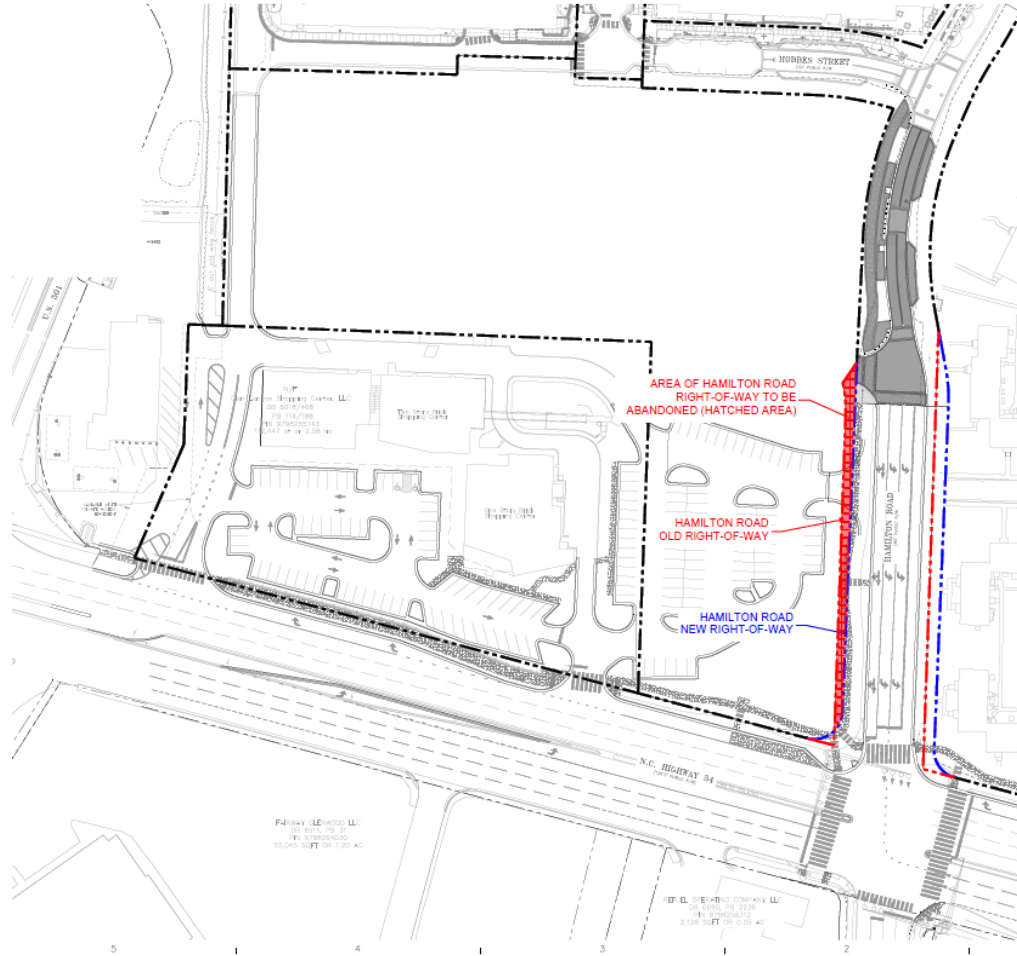


# Right-of-Way Closure Process

- Recorded Plat
- General Statute 160A-299
  - Council Adopt a Resolution Declaring Its Intent to Close the Right-of-way
  - Call a Public Hearing
  - Publish a Notice of Resolution Once a Week for Four Successive Weeks Prior to the Hearing
  - Notice of the Closing and Public Hearing Posted in Two Places
  - If Approved, A Certified Copy of the Order filed with the Register of Deeds (by applicant or fronting property owners)
  - Recorded New Plat (by applicant or fronting property owners)

DRAFT





DRAFT





# Where is this in the process?

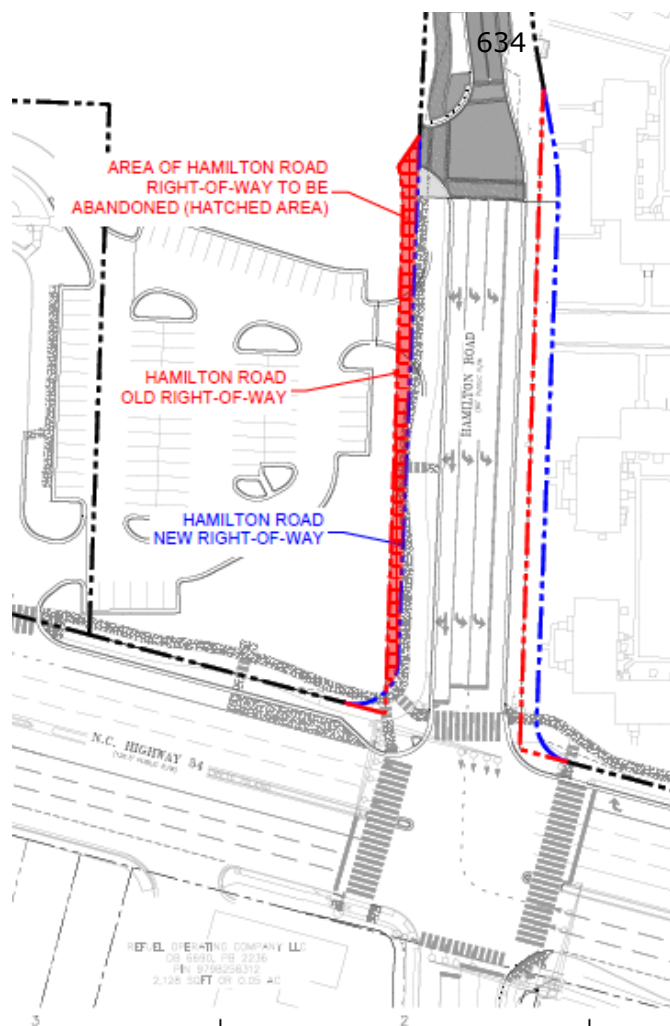
Call for a Public Hearing  
April 26, 2023



Open and Close the  
Public Hearing and Council  
Action  
May 24, 2023

DRAFT





DRAFT



# Key Issues

- The closure of portions of the public right-of-way is for the re-alignment of the southern portion of Hamilton Road.
- This re-alignment is in accordance with Section 5.4 (a)(2) of the Glen Lennox Development Agreement and will include right-of-way dedication to maintain the existing right-of-way width.
- The sole adjacent property owner is Glen Lennox Apartments, LLC, who is requesting the closure and will receive the entire requested right-of-way areas.

DRAFT



# Staff Recommendation

- That the Council open and close a Public Hearing to consider closing a portion of the public right-of-way to support the realignment of Hamilton Road within the Glen Lennox Development.
- Adopt Resolution R-\* to close the requested right-of-way area.

DRAFT



**§ 160A-299. Procedure for permanently closing streets and alleys.**

(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located.

(b) Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. In appeals of streets closed under this section, all facts and issues shall be heard and decided by a judge sitting without a jury. In addition to determining whether procedural requirements were complied with, the court shall determine whether, on the record as presented to the city council, the council's decision to close the street was in accordance with the statutory standards of subsection (a) of this section and any other applicable requirements of local law or ordinance.

No cause of action or defense founded upon the invalidity of any proceedings taken in closing any street or alley may be asserted, nor shall the validity of the order be open to question in any court upon any ground whatever, except in an action or proceeding begun within 30 days after the order is adopted. The failure to send notice by registered or certified mail shall not invalidate any ordinance adopted prior to January 1, 1989.

(c) Upon the closing of a street or alley in accordance with this section, subject to the provisions of subsection (f) of this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.

The provisions of this subsection regarding division of right-of-way in street or alley closings may be altered as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. The plat shall be signed by each property owner who, under this section, has an ownership right in the closed street or alley.

(d) This section shall apply to any street or public alley within a city or its extraterritorial jurisdiction that has been irrevocably dedicated to the public, without regard to whether it has actually been opened. This section also applies to unopened streets or public alleys that are shown on plats but that have not been accepted or maintained by the city, provided that this section shall not abrogate the rights of a dedicator, or those claiming under a dedicator, pursuant to G.S. 136-96.

(e) No street or alley under the control of the Department of Transportation may be closed unless the Department of Transportation consents thereto.



(f) A city may reserve a right, title, and interest in any improvements or easements within a street closed pursuant to this section. An easement under this subsection shall include utility, drainage, pedestrian, landscaping, conservation, or other easements considered by the city to be in the public interest. The reservation of an easement under this subsection shall be stated in the order of closing. The reservation also extends to utility improvements or easements owned by private utilities which at the time of the street closing have a utility agreement or franchise with the city.

(g) The city may retain utility easements, both public and private, in cases of streets withdrawn under G.S. 136-96. To retain such easements, the city council shall, after public hearing, approve a "declaration of retention of utility easements" specifically describing such easements. Notice by certified or registered mail shall be provided to the party withdrawing the street from dedication under G.S. 136-96 at least five days prior to the hearing. The declaration must be passed prior to filing of any plat or map or declaration of withdrawal with the register of deeds. Any property owner filing such plats, maps, or declarations shall include the city declaration with the declaration of withdrawal and shall show the utilities retained on any map or plat showing the withdrawal. (1971, c. 698, s. 1; 1973, c. 426, s. 47; c. 507, s. 5; 1977, c. 464, s. 34, 1981, c. 401; c. 402, ss. 1, 2; 1989, c. 254; 1993, c. 149, s. 1; 2015-103, s. 1.)





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 20., **File #:** [23-0462], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Appointments to the Chapel Hill Public Library Advisory Board.**

**Staff:**

Sabrina Oliver, Director/Town Clerk  
Amy Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council make appointments to the Chapel Hill Public Library Advisory Board for two seats.



**Attachments:**

- Recommendation
- Ballot
- Applications



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Tiffany W.E. Allen, Chapel Hill Public Library Advisory Board Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: May 16, 2023

**RECOMMENDATION:** The Chapel Hill Public Library Advisory Board met on Monday, May 8, 2023 to review applications and Monday, May 15, 2023 to interview applicants and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Patrick Gunsch, Reappointment, Town Resident
- Michael Delafield, Appointment, Town Resident

**SPECIAL REQUEST(s):** NONE

**BACKGROUND:** The Chapel Hill Public Library Advisory Board received several applications and board members were very pleased with the exceptional quality of applicants. Having two seats to fill, we recommend Patrick Gunsch for reappointment and Michael Delafield for appointment. Their skills, perspectives, background, and expertise will add to the breadth of experience currently represented on the board.]

*Note:* Communications and Public Affairs notes that the Chapel Hill Public Library Advisory Board reviewed the following applications: Lucas Beal, Michael Delafield, Meredith Graham, Patrick Gunsch, Jie Li, Malea Mull, David Nahm, Tara Queen, Matthew Tulchin, and Megan Williams. No additional applications were received between Wednesday May 15, 2023 and Wednesday May 17, 2023 for the Chapel Hill Public Library Advisory Board.



**BALLOT****CHAPEL HILL PUBLIC LIBRARY ADVISORY BOARD****MAY 24, 2023**

Total Membership: 9 (eight (8) trustees appointed by the Council and one (1) appointed by the County)

Current Membership: 9 (5 Female, 4 Male, 1 Asian or Pacific Islander, 8 Caucasian, [6] 35-54, [2] over 55, [1] Age Unknown)

Upcoming Vacancies: 2 (Town Resident)

Number of Applicants: 10

**Chapel Hill Public Library Advisory Board**  
**Please vote for up to two (2) Town Resident applicants.**

_____ Lucas Beal	_____ Malea Mull
_____ Michael R Delafield	_____ David Nahm
_____ Meredith Graham	_____ Tara Queen
_____ Patrick Gunsch (incumbent)	_____ Matthew Tulchin
_____ Jie Li	_____ Megan Williams



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

clucasb@gmail.com

Email Address

Lucas

First Name

Beal

Last Name

Middle Initial

106 Highgrove Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (336) 682-0640

Primary Phone

Business: (919) 786-8609

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Chapel Hill Library Advisory Board

### How did you find out about this opportunity? (select all that apply)

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

As a young professional with three children aged 5, 3, and 10 months, I look forward to continuing to assist the Chapel Hill Public Library by bringing the perspective of a family with young children. I would love to help the board keep our young families engaged and active in this community. I have loved working with the Library Advisory Board over past three years achieve our goals of becoming fine free and I look forward to continuing the work of being an easily accessible asset to all members of our amazing town.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Public speaking is and has always been an interest of mine. In my professional life, I am an attorney who drafts and negotiates commercial agreements and would be happy to use this experience to assist the Library.



[C. Lucas Beal Resume - 2020.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Attorney

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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## **CHRISTOPHER LUCAS BEAL**

106 Highgrove Drive, Chapel Hill, NC 27516 - (336) 682-0640 - clucasb@gmail.com

### **LICENSURE**

**North Carolina Bar, 2011**

### **LEGAL EXPERIENCE**

#### **Hutchison PLLC, Raleigh, NC**

*Senior Associate Attorney*, April 2019-current

Currently advise life sciences and biotechnology companies (ranging in size from small start ups, private equity backed companies, and publicly traded companies) in regulatory compliance, privacy, employment matters. Review of packaging and website content to ensure FDA compliance. Draft and negotiate commercial contracts including service agreements, consulting agreements, and clinical trial agreements. Perform HIPAA risk assessments and privacy risk assessment. Serving as a seconded chief privacy officer for a biotechnology company.

#### **PRA Health Sciences, Inc., Raleigh, NC**

A Clinical Research Organization (CRO)

*Legal Counsel*, February 2017-April 2019

Draft and negotiate agreements with Sponsor, vendors, and consultants for clinical services relating to domestic and international clinical trials. Advise and direct global team of contract associates in negotiating clinical trial agreements and all other ancillary contracts associated with investigative sites for clinical trials. Provide general legal support for project services for global pharmaceutical, biotech, and medical device studies. Review and draft data privacy agreements. Partnered with Privacy Officer in rolling out new Data Privacy compliance program. Provided training regarding legal and regulatory matters to departments within the CRO. Mentored new members of Legal team.

*Contracts Associate II*, September 2016-February 2017

Built templates for clinical trial agreements, letter of indemnification, and payment terms for multiple studies in addition to negotiating contracts and budgets on behalf of pharmaceutical companies. Served as escalation point for legal language and contractual issues. Developed contract playbooks and negotiation parameters. Provided mentorship to Contract Associates and Contract Representatives including advising on legal language and specific site issues, and ensured that all contracts were handled in accordance with department and client guidelines. Monitored contract negotiations to ensure tight deadlines were met.

*Contracts Associate*, June 2015-September 2016

Drafted and negotiated clinical trial agreements and budgets on behalf of multiple pharmaceutical companies. Ensured that clinical trial agreement's contractual and budgetary provisions were in compliance with company and sponsor processes, systems, fallback and strategies. Implemented new processes to shorten negotiation time.

#### **North Carolina Department of Commerce, Raleigh, NC**

*Legal Specialist for Division of Employment Security*, November 2012 – June 2015

Presided over unemployment benefits hearings as an administrative law judge. Probed both claimants and employers to determine claimant's qualification and eligibility for benefits. Drafted decisions based on testimony and case law.



**John Pendergrass Attorney at Law, Pittsboro, NC***Associate Attorney, August 2011- November 2012*

Advocated for claimants and employers in unemployment benefits cases before the Division of Employment Security. Interviewed potential clients and led benefit hearings. Drafted stipulations and conducted negotiations with employers and opposing counsels. Filed EEOC claims and assisted clients through interviews with EEOC officers. Presented to UNC Dental School Students regarding Employment issues within the dental field.

**Karen McKeithen Schaede, Attorney at Law, PLLC, Greensboro, NC****Law Clerk, October 2010 – August 2011**

Assisted attorney in incorporation proceedings, mergers and acquisitions of small businesses. Assisted in HIPAA reviews of medical and dental practices. Drafted employment contracts, leases, and corporate documents.

**Legal Aid of North Carolina, Inc., Ahoskie, NC***Martin Luther King, Jr. Intern, Summer 2010*

Advised clients on housing, consumer, employment and estate laws. Successfully appealed unemployment benefit decision and successfully petitioned court for delayed birth certificate. Conducted hearings before Clerk of Court and District Court Judge; Drafted motions, orders, complaints, and answers.

**BUSINESS EXPERIENCE****BB&T, Charlotte, NC***BB&T At Work Sales Officer, March 2008-August 2008*

Counseled a wide array of businesses including sole proprietorships and major corporations regarding employee benefits. Presented BB&T products to companies' employees and marketed for new client accounts in Charlotte.

**COMMUNITY INVOLVEMENT****Chapel Hill Public Library Advisory Board Member****Chapel of the Cross – New Member Committee****F3****EDUCATION****Elon University School of Law, Greensboro, NC***Juris Doctor, May 2011**Honors:*       Elon Law Scholarship

*Activities:*   Business Law Association; First Year Mock Trial Team; Student Bar Association;  
Career Services Committee; *Delta Theta Phi*; Running Club, President, Vice President

**University of North Carolina, Chapel Hill, NC***Bachelor of Arts in Political Science and Economics, May 2006**Honors:*       Dean's List; *Alpha Delta* General Excellence Scholarship**PERSONAL**

Traveling, cooking, fitness, swimming, running, reading, and ACC basketball



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**Profile**

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**Public Records Statement**

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☒ I Agree

mikedelafield@gmail.com

Email Address

Michael

First Name

R

Middle Initial

Delafield

Last Name

102 Saddle Ridge Rd.

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 616-3471

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 0-12 months

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Grievance Hearing Board (former Personnel Appeals Committee)

### How did you find out about this opportunity? (select all that apply)

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I'm an attorney who has worked in the area of public education law for the past 20 years, at both the K-12 and higher education levels. I have been involved in all manner of employee disputes and have advised my clients on navigating such situations, always with an eye towards fairness to all parties, appropriately addressing wrongdoing when it occurs, and maintaining productive and healthy employee/employer relationships throughout the process and beyond.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am familiar with relevant state and federal employment laws and regulations, including laws pertaining to discrimination. I have served on several committees and boards as part of my employment with the UNC System Office, including the committee tasked with providing human resources guidance to the UNC constituent institutions throughout the COVID pandemic.



[MRD Resume 2022.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Attorney

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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## Michael R. Delafield

102 Saddle Ridge Rd. | Chapel Hill, NC 27514  
[mikedelafield@gmail.com](mailto:mikedelafield@gmail.com) | 919.616.3471

### WORK EXPERIENCE

**University of North Carolina System Office** | Chapel Hill, NC | 2012-present  
 Senior Associate General Counsel (2019-present) & Chief Legal Counsel, NCSSM (2012-present)  
 Associate General Counsel (2016-2019)  
 Assistant General Counsel (2012-2016)

#### System Office Primary Responsibilities

- Counsel and support the Board of Governors Committees on Educational Planning, Policies and Programs; Strategic Initiatives; Military and Veterans Affairs; and the Subcommittee on Laboratory Schools
  - Advise System Office staff on committee governance and compliance issues
  - Advise on and draft relevant policy amendments
  - Ensure compliance with the North Carolina Open Meetings Law, the North Carolina Public Records Law, and Board of Governors policy with regard to the conduct of committee meetings
- Responsible for providing a broad range of legal services as needed for all divisions at the System Office, including Finance and Administration, Human Resources, Government Relations, and Strategy and Policy
- Primary responsibility for the Division of Academic Affairs, including the following departments: Academic Programs, Faculty, and Research (program approvals and discontinuations, international programs); Student Affairs (civil rights, admissions, mental health, financial aid, campus safety and security, post-secondary education complaints); Digital Learning; Data and Analytics (FERPA, data sharing agreements, data security); and Academic and Regulatory Affairs (encompassing the North Carolina State Approving Agency and the State Authorization unit)
- Participate in or serve as legal counsel to working groups and committees, both at the System Office and systemwide, to address policy needs and strategic goals, including but not limited to:
  - Applicant Community Standards Questions Policy
  - Revision of Tuition and Fees Policies
  - System Office COVID Response
  - Return to On-Site Operations
  - Disciplinary Appeals
  - Interagency working group to facilitate COVID-19 vaccination sites at constituent institutions, including drafting amendment to interagency Mutual Aid Agreement to facilitate on-campus vaccination sites
- Co-chaired State Residency Committee from 2013 until its discontinuation in 2019. Advised SEAA and CFI in the transition of the residency function from the institutions to the centralized Residency Determination System (RDS). Currently serve on Higher Education Collaborative Advisory Committee (HECAC), the cross-sector RDS advisory committee
- Provide legal advice and counsel for various UNC K-12 initiatives including lab schools, Cooperative Innovative High Schools, and teacher and principal preparation programs
- Advise the State Government Relations team on strategies to protect and advance university interests with regard to General Assembly proposals, actions, and information requests, including meeting with state legislators to discuss legislative matters
- Advise associated and affiliated entities of the System office, including the UNC Foundation, UNC Gift Planning, LLC, and the North Carolina Arboretum. Serve as System Office Legal Affairs liaison to PBS NC
- Perform outreach and support for constituent institutions, including:
  - Convening and participating in periodic systemwide calls with staff and with general counsel to discuss topics or issues of common concern, including regular calls with



- the Vice Chancellors for Student Affairs and with the attorneys handling lab school matters
- o Responding to inquiries from campus counsel regarding interpretations of Board of Governors policy, specific campus-related issues, or other legal, compliance or policy matters that may have systemwide implications
- o Assisting in the organization of and presenting at systemwide attorney meetings
- Manage and mentor assistant attorneys, legal fellows, and legal externs and interns

#### North Carolina School of Science and Mathematics (NCSSM) Primary Responsibilities

- Advise and support the board of trustees, chancellor, and senior administrators in all aspects of the enterprise, including academic affairs, associated entities, campus safety and security, compliance and risk management, contracts and procurement, counseling, development and advancement, facilities, governance issues, human resources, information technology, public records including FERPA and the North Carolina Public Records Act, strategic initiatives and outreach including distance education and summer programs, and student affairs including housing, student conduct, and Title IX
- Serve on or as counsel for working groups and committees as needed, including but not limited to:
  - o NCSSM-Morganton Campus Operation Steering Team
  - o Protection of Minors on Campus Implementation Team
  - o Enterprise Risk Management Team
  - o Student Risk Assessment Team
- Draft policies and maintain policy manual
- Serve as State Ethics Liaison

#### **Schwartz and Shaw, PLLC** | Raleigh, NC | 2003-2012 Associate Attorney

- Represented boards of education across the State of North Carolina, including a number of retainer clients
- Conducted investigations into employee and student misconduct
- Represented clients in all phases of litigation, including administrative hearings, mediations, and in state and federal court, at trial and appellate levels
- Drafted and revised board policies and regulations
- Advised superintendents and local boards of education on a broad array of governance, compliance, policy, and legal matters, including but not limited to personnel matters, student conduct matters, civil rights, board governance, mandatory reporting requirements, and risk management

#### **The Law Offices of John T. Orcutt** | Raleigh, NC | 1999-2003 Associate Attorney

- Represented debtor clients in all aspects of Chapter 7 and Chapter 13 bankruptcy proceedings

### **EDUCATION**

#### **University of Maine School of Law**

- Juris Doctor, 1999; Articles Editor, *Maine Law Review*

#### **Princeton University**

- Bachelor of Arts in History, 1993

#### Memberships

- National Association of College and University Attorneys (NACUA)
- North Carolina Bar Association (Education Law Section Chair, 2009-10)



Bar Admissions

- North Carolina, 1999
- Eastern and Middle Districts of North Carolina, 1999



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

mcgraham@email.wm.edu

Email Address

Meredith

First Name

C

Middle Initial

Graham

Last Name

411 Granville Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (804) 347-4142

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

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**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

**Select a Seat Category for the Chapel Hill Public Library Advisory Board \***

☒ Chapel Hill Resident

Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

☒ Chapel Hill Library Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Radio

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I will bring extensive library and music performance experience to the Chapel Hill Public Library Advisory Board and the Cultural Arts Commission. As a recent graduate from Duke University with a PhD in music, I spent much of my time working at the Duke Libraries and Rubenstein Archive. In these internship experiences, I was able to learn about the many services the library provides, especially the ways that librarians connect patrons with digital resources. Working in the libraries over the period of six years, I helped the library staff develop a digital archive for instructors, contributed to a website about early modern women philosophers, and served as a reference librarian in the Rubenstein Archive, helping patrons find documents critical to their research. I bring the perspective of a musicologist to the Cultural Arts Commission. As a performer and scholar of music, I can provide an updated scholarly view of the ways that Chapel Hill can be innovative in the arts programs that it develops. I am also a cellist and singer and currently perform in the SONAM Chorus, a choir that supports local non-profits through benefit concerts. Through this ensemble, I have amplified the music of local composers, raised awareness of local non-profit organizations, and brought people together to learn about and perform music.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am a young, new homeowner in Chapel Hill and would like to contribute to the local community. I work in the education division at the National Humanities Center, developing professional development courses for K-12 teachers. Each of these courses is filled with open-access materials and primary sources and activities, so teachers can take our course information directly to their classrooms. Since beginning my job, I have also worked to make our courses more inclusive of teachers from different backgrounds and places and responsive to a modern classroom. I look forward to participating on either the Chapel Hill Public Library Advisory Board or the Cultural Arts Commission. It would be a privilege to serve my community.

[MGRAHAM Resume Chapel Hill March 2022.pdf](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

**If other, please describe:**

**Please select your age from the following list. \***

☒ 25-34

Education Digital Projects  
Coordinator

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement

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# Meredith C. Graham, PhD

meredith.graham@duke.edu | [meredithgraham.net](http://meredithgraham.net)

## EDUCATION

**Duke University**, Durham, NC  
 PhD, Musicology; May 2021  
 Certificate in College Teaching; May 2021  
 MA, Musicology; May 2017

**The University of Florida**, Gainesville, FL  
 MM, Musicology; August 2015

**The College of William & Mary**, Williamsburg, VA  
 BA, History and Music; May 2013

## PROFESSIONAL EXPERIENCE

**Education Digital Projects Coordinator, National Humanities Center (NHC), Durham, NC** 2021– Present

- Develop online humanities courses for K-12 teachers and university faculty
- Manage online educational resources in the Humanities in Class Digital Library
- Collaborate with NHC staff to create a marketing strategy for the online courses

**Associate in Research, Philosophy Department, Duke University** 2021–Present

- Manage the Outreach & Assessment team for Project Vox (<http://projectvox.org/>), a digital humanities project in philosophy
- Mentor graduate and undergraduate students in public writing and communication skills
- Maintain the project's website, monthly blog, newsletters, and social media accounts
- Collaborate with SSHRC grant members to promote the work of the Extending New Narratives project partners

**David M. Rubenstein Rare Book & Manuscript Library Internship, Duke University** 2020–2021

- Created digital exhibit using Omeka and Timeline JS to showcase the tobacco advertising materials at the Hartman Center for Sales, Advertising, and Marketing History
- Developed a course guide for the digital tobacco exhibit for teachers and professors
- Processed archival materials
- Responded to scholarly reference questions

**Project Manager, Project Vox, Duke University** 2019–2020

- Managed team of 13 people including faculty, librarians, graduate students, and undergraduates
- Edited successful international funding application on behalf of the project
- Published and edited an Outreach & Assessment Manual for digital projects
- Maintained WordPress website that has over 110,000 unique users to date
- Coordinated publication schedule for new encyclopedic entries and original translations

**Story+ Graduate Mentor, Franklin Humanities Institute, Duke University** Summer 2019

- Mentored team of undergraduates as they planned two campus exhibits to examine the impact of influencer culture beginning with the publishing practices of Walt Whitman
- Directed archival research in the Rubenstein Library

**Outreach & Assessment Coordinator, Project Vox, Duke University** 2017–2019

- Managed monthly blog featuring scholars of early modern philosophy
- Coordinated social media outreach campaigns related to newly published content
- Gathered user feedback on site features and content as well as the project's impact on philosophy as a discipline through analytics and assessment surveys



Meredith C. Graham, PhD

- Harsha Murthy Fellow in Digital Scholarship, Duke University** 2018–2019
- Advertised events offered by Digital Scholarship Services (DSS)
  - Organized and publicized a lecture series for graduate students to learn about the digital humanities
  - Developed assessment system to track the student work completed at DSS
- National Humanities Center Intern, Durham, NC** Summer 2018
- Compiled a literature review about how universities evaluate digital projects for tenure promotion
  - Trained staff to use Omeka Classic, Omeka S, and WordPress
  - Applied metadata to book projects resulting from research completed at the NHC
  - Wrote a survey for previous fellows to gather information about their recent publications and to assess their time spent at the NHC
  - Created a proposal for the NHC staff to plan for website improvements
- Humanities Writ Large Research Assistant, Duke University** Spring 2017
- Content editor for the Musical Festivals Database, <https://musicalfestivals.org/>
  - Crafted an outreach strategy for the site launch by creating a brand, logo, and a social media plan to alert librarians and researchers to the open-source site
  - Organized an online questionnaire through Qualtrics for future assessment

## PERFORMANCE EXPERIENCE

- SONAM Chorus; Durham, NC; Alto** 2017–Present
- Duke Chapel Evensong Singers; Durham, NC; Alto** 2015–2017
- The Gainesville Orchestra; Gainesville, FL; Cellist** 2014–2015
- Holy Trinity Episcopal Church; Gainesville, FL; Choral Section Leader** 2013–2015
- Bruton Parish Church; Williamsburg, VA; Choral Section Leader** 2011–2013

## TEACHING EXPERIENCE

- Instructor of Record, Duke University**
- Modern Women Making Music MUSIC190S Spring 2020
  - Introduction to Music Theory MUSIC161 Spring 2018
  - Introduction to Music Theory MUSIC161 Spring 2017
- Graduate Teaching Assistant, Duke University**
- Music & Modernism MUSIC259, Supervisor: Dr. Anthony Kelley Fall 2019
  - Music Theory I MUSIC261, Supervisor: Dr. Robert Parkins Fall 2017
  - Music Theory I MUSIC261, Supervisor: Dr. Anthony Kelley Fall 2016
- Graduate Teaching Assistant, University of Florida**
- “What is the Good Life?” HUM2305, Supervisor: Dr. Constance Shehan Summer 2015
  - Medieval & Renaissance Music MUH3211, Supervisor: Dr. Jennifer Thomas Spring 2015
  - Baroque & Classical Music MUH3212, Supervisor: Dr. Margaret Butler Fall 2014
  - The American Musical MUL2693, Supervisor: Dr. Margaret Butler Spring 2014
  - Introduction to Music Literature MUL2010, Supervisor: Phillip Klepacki Fall 2013



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

pgunsch@gmail.com

Email Address

Patrick

First Name

Gunsch

Last Name

Middle Initial

405 Palafox Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (919) 370-6200

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Chapel Hill Library Advisory Board

### How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

### Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

Experience in facilities management and amenity services. Experience in finance. Enthusiasm for books, learning, and the availability of public resources.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I have worked in both corporate and non-profit organizations and bring extensive knowledge in the areas of operations and financial management. Experiences include process improvement, budget management, financial planning, facilities management, strategic planning, business case development, resource planning, construction project management, capital planning, and master planning. I have also led service-oriented organizations that include grounds, maintenance, custodial, engineering, sustainability, and safety. I have a strong appreciation for the Chapel Hill Library and its role as a critical resource within our community. I am currently a member of the Chapel Hill Public Library Advisory Board and my seat is up for renewal. I would be greatly enthused to continue volunteering my time and expertise in support of the Board and the Library.



[Pat Gunsch Resume Jan23.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Executive In Residence,  
Operations and Strategy

Occupation

Are you a caregiver for or identify with a disability?

☒ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

---

☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



# Patrick M. Gunsch

MBA, PE, CFM • Operations and Finance

[pgunsch@gmail.com](mailto:pgunsch@gmail.com) • 919-370-6200  
[linkedin.com/in/patgunsch/](https://www.linkedin.com/in/patgunsch/) • Raleigh-Durham-Chapel Hill, NC

## Summary

Dynamic, innovative, and inclusive corporate real estate, facilities, and finance leader with 15+ years of multifaceted expertise in analyzing complex challenges, engaging cross-functional stakeholders, and translating mission-critical business objectives into achievable strategies and measurable results.

## Education

### Master of Business

### Administration in Finance

University of Texas at Austin  
Austin, TX

### Bachelor of Science in Civil Engineering

Purdue University  
West Lafayette, IN

## Certifications

### Professional Engineer (PE)

Licensed in North Carolina

### Certified Facility Manager (CFM)

International Facilities  
Management Association

## Professional Affiliations

CoreNet

International Facilities

Management Association

Professional Engineers of North  
Carolina (Past Board Member)

Regional Transportation Alliance  
Durham Engineers Club

## Areas of Expertise

- Strategic Planning & Implementation
- Project Management
- Facilities Management
- Cost Containment
- Property Asset & Portfolio Management
- Business Process Improvement
- Corporate Real Estate
- Complex Business Operations
- Executive Reporting
- Finance & Budget Administration

## Highlights

- Lauded for empowering and inclusive leadership that champions diversity and builds cost-effective teams to optimize productive, safe, and sustainable workplaces in support of strategic business priorities.
- Excelled in leadership roles with increasing responsibility to meld background in engineering, finance, and corporate real estate to propel Facilities, Planning, and Operations functions to highest levels of success.
- Delivered \$60M LEED-certified headquarters building on time and within budget, introducing state-of-the-art flexible, collaborative workspaces.

## Professional Experience

### Duke University, Durham, NC

2022 – Present

### Executive in Residence, Institute for Enterprise Engineering, Pratt School of Engineering

Develop strategic and operational plans, identify and implement process improvements, and build industry relationships and collaborations in support of rapidly growing Engineering Master's program.

- Develop long range and short-term budget forecasts, oversee program processes, oversee continuous improvements, track operational metrics, and facilitate strategic planning.
- Build strategic industry partnerships, and liaise with educational and professional organizations to explore new program opportunities.

### Green Heron Strategic Solutions, Chapel Hill, NC

2022 – Present

### Owner

Provide consultative services, advanced analytics, and program implementation. Leverage diverse background in finance and operations to deliver cost-effective solutions for select executive clientele.

- Develop **advanced business analytics** and **novel pricing strategies**, engaging internal and external stakeholders to support improved supply chain decisions and enhanced customer value.
- Apply expertise from **diverse background** in finance, operations, and tech transfer, and **experience in industries** including manufacturing, life sciences, technology, construction, contract research, and higher ed.



**RTI International, Research Triangle Park, NC**  
**Senior Director, Facilities Operations & Planning (2016 – 2022)**

**2006 – 2022**

Managed \$250M building portfolio, administering Capital Planning, Construction Project Management, Engineering, Sustainability, Environment Health and Safety (EHS), and Building Operations, guiding up to 55 talented team members, maintaining \$20M annual budget, and supporting 900K-square feet of lab and office space. Partnered with executive leadership on critical strategic initiatives (e.g. climate action, pandemic response).

- Delivered \$60M, 190K-sf Class A building, creating **central campus hub** with amenities, flexible workspaces.
- Achieved **30% reduced energy consumption** over 5 years, cutting carbon footprint and utility costs.
- Overhauled **Environment Health and Safety program** to lessen turnover and fortify regulatory compliance.
- **Facilitated divestiture of semiconductor business**, completing facility due diligence, and successfully transitioning personnel and operations.
- Developed **lease vs. build/own business case** for vivarium operation, yielding continuity and cost savings.

**Senior Manager, Facilities Operations (2014 – 2016)**

Led facilities operation that ensured reliable and cost-competitive infrastructure for 2,000-person research campus and local leases. Implemented projects to improve central plant reliability, reduce vendor costs, ensure safety, and improve capital planning and project prioritization.

- Spearheaded **central plant efficiencies** in high-pressure steam distribution system that eliminated 2-3 days of annual shutdowns for maintenance and emergency repairs.
- Enhanced **overall safety program** through revamping policies (e.g., LOTO, confined entry), implementing new programs (e.g., IR scanning), and improving safety training to reduce risk and strengthen business continuity.
- Initiated **long-term facility and environmental improvements** to boost savings in energy consumption and total operating costs.

**Senior Manager, FSS Finance and Business Operations (2011 – 2014)**

Administered strategic planning, finance, and process improvement for \$32M organization including Corporate Real Estate, EHS, Security, and Logistics. Managed Hospitality Services and supported Lease Portfolio Management.

- Crafted **space efficiency analytics model** and quarterly reporting that improved facility utilization and augmented critical lease and construction decisions to expand, maintain, reduce, or eliminate space.
- Developed **shared services model for Facilities organization**, gaining buy-in from C-Suite leadership and establishing KPIs and quarterly performance reporting to monitor and improve service levels.
- Collaborated with Accounting and Procurement to identify and implement **process improvements in lease tracking across 75+ countries**, streamlining lease approvals, and ensuring reliability of lease payments.

**Business Analyst, Office of Innovation and Commercialization (2010 – 2011)**

Collaborated with research groups to produce investment business cases and market valuations for innovative technologies. Tracked strategic investment portfolio and facilitated executive business reviews across organization.

- Conceptualized and launched **novel performance scorecards** for executive leadership to monitor \$16M in strategic investments in advanced business capabilities, licensing opportunities, and spinouts.
- Engaged with inventors and industry consultants to value **innovative discoveries** in medical devices, nanotechnology, and health monitoring. Modeled value creating milestones and reviewed licensing agreements.

**Senior Financial Analyst, Corporate Financial Planning and Analysis (2006 – 2010)**

Executed high-level planning and financial analysis for executive and board reporting for \$700M federal contractor during period of rapid growth. Aided in critical initiatives including mergers and acquisitions (M&A), spinouts, and international expansion. Devised talent development and mentoring programs.

- Aided executive decision-making to bring online 125K square feet of new office capacity, including analysis of lease, build-own, vs. build-leaseback, resulting in new **\$30M LEED Gold office building and data center**.
- Partnered with CEO of tech spinout to **develop financial business model**, securing \$3m in startup funding.
- Launched and led training and development program for CFO to **broaden in-house skills and develop next generation leaders** across 400+ person Finance, Accounting, and Procurement org.



## Additional Experience

**Financial Planner/Team Lead**, Lenovo

**Financial Planner**, IBM

**Financial Analyst**, Dell

**Facilities Manager**, Hayssen Flexible Systems

**Project Engineer/Manager**, Beers-York Construction

**Project Manager**, Maddox Industrial Contractors

## Awards

RTI President's Awards: IDRT COVID Response (2021), Horizon Building Design & Construction (2018), Water Quality Program (2017), AgBio Divestiture (2013)

American InHouse Design Award by Graphic Design USA: RTI Sustainability Report, 2019

USGBC Sustainable Business Awards, Finalist: Horizon Building, 2019

STAR Commercialization Award: Financial Support for Sixis Technology Spinout, 2009

## Professional Development

LEAD Amplify, RTI Leadership Development Program, Graduate, 2020

PENC Leadership Institute, Graduate, 2018

DE&I Awareness and Ally Training

High proficiency in Microsoft Office (PowerPoint, Excel, Word)

## Professional Service

Business Ethics Leadership Alliance, **Roundtable Panelist**: "The Investment of ESG: Strategy & Solutions", 2022

Raleigh-Durham International Airport, **Industry Advisor**, Pandemic Response Advisory Task Force, 2020 – 2021

Professional Engineers of North Carolina, **Board Member**, Triangle Chapter, 2015 – 2019

NC State PENC Student Chapter, **Forum Panelist**: "Engineering Careers and Licensure", 2018

Facilities@RTP, Facilities Industry Consortium, **Founder and Chair**, 2017 – 2018

Research Triangle Foundation, **Forum Panelist**: "Emergency Preparedness for RTP", 2017

## Additional Service

Chapel Hill Public Library, **Advisory Board Member**, 2022 – Current

Orange County Animal Services, **Volunteer**, 2022 – Present

Durham Academy First Lego League Robotics Team, **Coach**, 2021 – 2023

YMCA Girls Basketball League, **Asst. Coach**, 2019 – 2020

Carrboro Recreational Baseball, **Asst. Coach**, 2018 – 2019



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

jieli7@hotmail.com

Email Address

Jie

First Name

Li

Last Name

Middle Initial

500 Formosa lane, Apt # 5303

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

### How did you find out about this opportunity? (select all that apply)

☒ Brochure

If you chose "Other" from the advertising opportunity listed above, please specify:

### Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I was a retired librarian, which may be helpful for the library services.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a Chinese who may be helpful for language services.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

### Demographics



The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

**Ethnicity \***

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☒ Asian or Pacific Islander

**Gender \***

---

☒ Female

**If other, please describe:**

---

**Please select your age from the following list. \***

---

☒ over 55

---

Occupation

**Are you a caregiver for or identify with a disability?**

---

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

---

☐ Yes ☒ No

**Are you a Town of Chapel Hill employee?**

---

☐ Yes ☒ No

---

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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---

**Profile**

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**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

maleamull27@gmail.com

Email Address

Malea

First Name

Mull

Last Name

Middle Initial

143 W Franklin St.

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (828) 303-6400

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Downtown Partnership

**Select a Seat Category for the Chapel Hill Downtown Partnership \***

☒ Chapel Hill Town Resident

Question applies to Chapel Hill Public Library Advisory Board

**Select a Seat Category for the Chapel Hill Public Library Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Chapel Hill Downtown Partnership

**How did you find out about this opportunity? (select all that apply)**

☒ Email

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

Having only lived in Chapel Hill for almost two years now, I have already seen major changes economically, physically, and in the community. As a student of the university, I feel as though I will provide a different perspective than most as I live in the heart of the town and am engulfed in the community.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Currently, I am studying public policy and have had experiences with local government and the community. I feel as though this has allowed me to be more connected with the town of Chapel Hill and their local government and policy efforts.



[Malea Mull - Resume.docx.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 18-24

Full-time student

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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## Malea Mull

1624 Terra Cotta Dr.  
Hickory, NC 28602

(828) 303-6400  
maleamull27@gmail.com

310 South Rd.  
Chapel Hill, NC 27516

### EDUCATION

**The University of North Carolina at Chapel Hill**, Chapel Hill, NC

May 2025

- **Majors:** Bachelor of Arts in Public Policy, Bachelor of Arts in Advertising and Public Relations
- **Schools:** Hussman School of Journalism and Media
- **GPA:** 3.642/4.00
- **Honors:** Chancellor's List in Fall 2021 and Spring 2022 (3.5+ Semester)
- **Relevant Coursework:** Introduction to Economics, Justice in Public Policy, State and Local Politics, Policy Innovation and Analysis, Politics and Public Policy, International Relations and Global Politics, Introduction to Advertising and Public Relations

### PROFESSIONAL EXPERIENCE

**Hickory Wine Shoppe**, *Head Server/Waitress/Kitchen Staff/Staff Trainer* Hickory, NC

May 2019 - Present

- Greeted, assisted, and served customers throughout high-volume clientele
- Assigned task shifts and oversaw the training and mentoring of new staff
- Plated and served food dishes to customers
- Bussed tables and maintained a clean and efficient workplace
- Oversaw the use and management of social media accounts and created content to supply information to the community

**LeGrande Salon and Day Spa**, *Receptionist*, Hickory, NC

March 2021 - August 2022

- Greeted and assisted clients via phone and in person
- Booked appointments for stylists and oversaw appointment books
- Trained and assisted new receptionists and assigned duties
- Managed retail and inventory stock
- Directed social media platforms and promotional deals

### LEADERSHIP & RELEVANT EXPERIENCE

**Walk. Support. Glow**, *Fundraising Committee*, Chapel Hill, NC

September 2022 - Present

- Assisted in organizing fundraising events
- Attended and led weekly leadership meetings focused on advancing fundraising efforts
- Focus on the development of the organization through monitorial efforts

**Future Business Leaders of America**, *Vice President*, Hickory, NC

August 2019 - May 2021

- Networked with business professionals to recharter and sponsor regional chapter
- Assisted in leading weekly meetings of 50+ students that focused on personal professional development and portfolio skills
- Awarded one of the top three students in North Carolina for business programs
- Mentored underclassmen students to prepare them to take on executive roles within the chapter
- Presided in the absence of the chapter president

### INTERESTS

Football, Literature, US History, Cycling Classes, Portuguese



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

dcnahm@gmail.com

Email Address

David

First Name

C

Middle Initial

Nahm

Last Name

100 Spencer Court

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 717-1893

Primary Phone

Alternate Phone

---

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

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**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

---

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**Which Boards would you like to apply for?**

---

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Chapel Hill Library Advisory Board

### How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

Thank you for taking the time to consider my application to the Chapel Hill Public Library Advisory Board. I moved with my family back to Chapel Hill in 2021. We previously lived in Carrboro and Chapel Hill from 1999 to 2007 (my spouse and I are both graduates of UNC). Professionally, I am an attorney. I am also a published novelist. In my legal career, I have served my local bar associations in various roles (secretary, chair of the professionalism committee, member of CLE committee). For several years, I was the member of the board of a nonprofit where I served as both vice-president and chair of the governance committee. During my tenure there, I oversaw the identification and selection of new board members and rewrote the bylaw of the organization. I have also been a member of an advisory board for regional nonprofit which provided services to the elderly. In addition to practicing law, I am a writer. I published my first novel, *Ancient Oceans of Central Kentucky*, in 2014 (a copy of which is currently available in the Chapel Hill Public Library), and have recently finished writing my second. I have published a number of short stories over the years. Literature is my passion and I love the Chapel Hill Public Library. We have a young child and spend a great deal of time at the library--checking out books or coming to story time. The library is one of the essential services to a town and it would be an honor to be able to give some of my time to support it.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Experienced serving on nonprofit board of directors and advisory boards. Have served in various leadership roles on boards, both as officers (vice-president, secretary) and as committee chair (governance, professionalism). Familiar with reviewing financial statements, budgets, and other financial documents. Knowledgeable in corporate documents, governance, contracts, etc. I have created, prepared and presented a number of continuing legal education programs. Comfortable with public speaking and presentations. As mentioned before, I am a life-long lover of reading. My family and I are regular guests of the Chapel Hill Public Library.

[DCN CV 2023.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

**If other, please describe:**

**Please select your age from the following list. \***

☒ 35-54

**Attorney**

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement

### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.” Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



## DAVID CONNERLEY NAHM

100 Spencer Court, Chapel Hill, North Carolina 27514 • dcnahm@gmail.com • (919) 717-1893

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### LEGAL AND PROFESSIONAL EXPERIENCE

**Morningstar Law Group**  
Attorney, 2022-present

Raleigh, North Carolina

**Commercial Real Estate:** Drafted commercial real estate purchase agreements, deeds, easements, rights of way and other real estate documents. Experienced drafting covenants for residential and commercial developments, reviewing commercial development documents, and working with local governments for the approval of real estate development projects. Extensive experience reviewing titles and resolving complicated title issues. Experienced in negotiation, drafting and reviewing complex commercial leases.

**The Law Office of Thomas A. Earls**  
Attorney, 2021-2022

Cary, North Carolina

**Commercial Real Estate:** Negotiated, drafted and reviewed commercial real estate purchase agreements. Conducted commercial real estate closings. Drafted condominium documents.

**Clark & Bradshaw, PC**  
Partner, 2015-2021  
Associate Attorney, 2009-2015

Harrisonburg, Virginia

**Commercial Real Estate:** Drafted commercial real estate purchase agreements, deeds, easements, rights of way and other real estate documents. Experienced drafting covenants for residential and commercial developments, reviewing commercial development documents, and working with local governments for the approval of real estate development projects. Extensive experience reviewing titles and resolving complicated title issues. Experienced in negotiation, drafting and reviewing complex commercial leases.

**Corporate and Business Law:** Negotiated and drafted contracts a wide range of corporate contracts and documents, including asset purchase, stockholder and employment agreements. Represented corporate clients with regard to employment issues. Advised client in multi-million dollar acquisition of energy corporation assets and real estate. Clients have included banks, construction companies, insurance agencies, oil and propane companies, and real estate developers.

**Local Government, Municipal and Zoning Law:** Advised local towns on various government and legal matters including updating on new statutes and legislative matters, employment issues and zoning and special land use. Represented clients with zoning variance and municipal ordinance amendment requests before boards of zoning appeal and city and county governing bodies. Successfully represented clients on appeals of city tax assessments to board of equalizations.

**Wharton, Aldhizer & Weaver, PLC**  
Associate Attorney, 2007-2009

Harrisonburg, Virginia



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## EDUCATION

University of North Carolina at Chapel Hill School of Law

Chapel Hill, North Carolina

*Juris Doctor*, 2007

Dean's List, Fall 2006

*First Amendment Law Journal*, Staff Writer, 2005-2006

Civil Legal Clinic, 2006-2007

Innocence Project

Domestic Violence Advocacy Project

Centre College

Danville, Kentucky

Bachelor of Arts, English, 1997

*Vantage Point Literary Magazine*, Editor, 1996-1997

Centre College Jazz Band 1996-1997

Centre College Poetry Prize, 1997

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## TEACHING EXPERIENCE

James Madison University

Harrisonburg, Virginia

Adjunct Faculty, 2012-2014

Courses Taught:

Justice Studies 301.2: Issues in Constitutional Law (Fall 2012)

Justice Studies 301.3: Law and Literature (Spring 2013, 2014, 2015)

Justice Studies 301.4 Law and Justice (Fall 2013)

Eastern Mennonite University

Harrisonburg, Virginia

Adjunct Faculty, 2011-2012

Pre-law Advisor, 2011-2012

Courses Taught:

Political Science 302: Constitutional Issues (Spring 2011, Fall 2012)

History 342 A: Reading for History and Law (Fall 2011)

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## BAR ADMISSIONS AND LEADERSHIP

### **States Bar Admissions**

State of North Carolina (2021)

Commonwealth of Massachusetts (2010)

Commonwealth of Virginia (2007)

### **Federal Bar Admissions**

United State District Court, Eastern District of Virginia (2015)

Bankruptcy Court of the Eastern District of Virginia (2013)



Bankruptcy Court of the Western District of Virginia (2008)  
 United States District Court, Western District of Virginia (2008)

#### **Harrisonburg-Rockingham Bar Association**

Resolutions Committee 2018-2021

Secretary 2009-2010

Bar Professionalism Committee 2009-2021, Chair 2011-2021

Law Library Committee 2008-2021

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## **PROFESSIONAL AND COMMUNITY SERVICE**

The Collins Center, Board of Directors, September 2014-2021

Governance Committee Chair, 2018-2021

Harrisonburg Board of Zoning Appeals, Board Member, April 2013-July 2014

Blue Ridge Legal Services Volunteer, 2007-2021

*Pro Bono* Referral Program Team Leader, 2017-2021

*Pro Bono* Award, 2009 and 2018

Harrisonburg Downtown Renaissance, Organization Committee, 2008-2009

Inter-Faith Council MATCH Program, Mentor, Chapel Hill, North Carolina, 2002-2004

Inter-Faith Council, Volunteer, Chapel Hill, North Carolina, 2002-2005

WXYC 89.3 FM, Disc Jockey, Chapel Hill, North Carolina, 2004-2007

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## **PRESENTATIONS**

As chair of the Harrisonburg-Rockingham County Professionalism Committee, oversaw the creation of the local bar association's annual professionalism seminar. Devised program topics, selected panelists and speakers, and compiled or drafted written materials for seminars.

In addition, moderated the following panel discussions:

Harrisonburg-Rockingham Bar Association Professionalism Seminar, October 2014: "The Economics of Civility." Moderated panel discussion on professional civility with panel of judges including Justice Donald W. Lemons (Supreme Court of Virginia), Judge B. Waugh Crigler (United States Magistrate Judge), Judge James V. Lane (Virginia Circuit Court) and Judge John A. Paul (Virginia General District Court).

Harrisonburg-Rockingham Bar Association Professionalism Seminar, October 2011: "Ethical Issues of Technology and Social Media." Moderated panel discussion on ethical issues for attorneys related to e-mail, electronic discovery, and social media.

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## **PUBLICATIONS**

### **Novel**

*Ancient Oceans of Central Kentucky: A Novel*, Two Dollar Radio, August, 2014

One of NRP's "Great Reads of 2014," December 2014

"Ten Indie Titles the National Book Award Overlooked," Electric Literature, September 2014



### Short Stories

- "The Legal Description of Several New Kingdoms," *Midnight Breakfast*, October 2014
- "The Hole in the Ground Where the Garbage Goes," *Wyvern*, September 2014
- "The Terror Traditionally Associated with the Development of Real Estate," *Blunderbuss*, August 2014
- "Exciting New Moneymaking Opportunities Await," Vol. 1 Brooklyn, August 2014"
- "A Mountain Where There Is No Mountain," *Little Fiction*, August 2014
- "Listen to the Voices at the Far End of Summer," *BODY*, August 2014
- "Youth in its Splendor," *MonkeyBicycle*, March 2014
- "A Selection of Uncited Sources," *Pithead Chapel*, January 2014
- "Discrete Mathematics' by Olaf and Lemeaux," *Lady Churchill's Rosebud Wristlet*, November, 2005
- "Vacations with Mother and Father," *McSweeney's Internet Tendency*, March, 2005
- "Spirit and Opportunity," *Eyeshot*, 2005
- "Time in the Cupboard," *Trunk Stories*, 2005
- "Sitting on a Bench in the Park," *Lady Churchill's Rosebud Wristlet*, June, 2004
- "Professional Sympathy," *Surgery of Modern Warfare*, 2004

### Essays and Interviews

- "Interview," *Weekly Reader KMSU Radio*, May 2015
- "Interview," *Other People Podcast*, September 2014
- "Writers Recommend," *Poets and Writers*, August 2014
- "Book Notes," *Largehearted Boy*, August 2014
- "Interview," *Lumina Journal*, August 2014

### Legal

- The Docket Call*, Virginia State Bar Young Lawyer Division Newsletter, Corporate Law Columnist, 2008-2010



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

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☒ I Agree

taralqueen@gmail.com

Email Address

Tara

First Name

L

Middle Initial

Queen

Last Name

114 Mallard Ct

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (864) 316-1397

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

**Select a Seat Category for the Chapel Hill Public Library Advisory Board \***

☒ Chapel Hill Resident

Question applies to Parks, Greenways and Recreation Commission

**Select a Seat Category for the Parks, Greenways and Recreation Commission \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Parks, Greenways & Recreation Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Social Media

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am a single mother to two young children, one who is on the Autism Spectrum. We are frequent visitors to Chapel Hill's parks and trails and the CHPL. I love exploring our community with my children and enjoy mountain biking and trail running on our beautiful trails.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am a research scientist in UNC's School of Public Health specializing in data science.



[TLQ\\_CV\\_02\\_02\\_2023.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Research Scientist

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

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**Tara L. Queen, PhD** *Curriculum vitae*  
[tlqueen@unc.edu](mailto:tlqueen@unc.edu)

## **Education**

North Carolina State University, Raleigh, NC  
 Ph.D., Psychology (2011)

North Carolina State University, Raleigh, NC  
 M.S., Psychology (2008)

Meredith College, Raleigh, NC  
 B.A. Psychology, Spanish (2006)  
 Magna Cum Laude

## **Employment and research experience**

### *Senior Research Scientist*

University of North Carolina at Chapel Hill  
 Department of Health Behavior, Gillings School of Global Public Health  
 August 2022-present

### *Survey Statistician*

University of North Carolina at Chapel Hill  
 Department of Health Behavior, Gillings School of Global Public Health  
 Lineberger Comprehensive Cancer Center, School of Medicine  
 October 2021- July 2022

### *Research Associate*

University of North Carolina at Chapel Hill  
 Lineberger Comprehensive Cancer Center, School of Medicine  
 February 2016-March 2020

### *Postdoctoral Fellow, Assistant Research Professor*

University of Utah  
 Department of Psychology  
 August 2013 – February 2016

### *Postdoctoral Research Fellow*

University of Michigan  
 Survey Research Center, Institute for Social Research  
 September 2011 – August 2013

### *Graduate Research Assistant*

North Carolina State University  
 Department of Psychology  
 August 2006 – August 2011



## Peer-reviewed publications

### ***Under review***

Hall, M., Grummon, A.H., Queen, T.L., Lazard, A.J., Higgins, I.C.A., Richter, A.P.C., & Tailie, L.S. (*under review*). How pictorial warnings change parents' purchases of sugar-sweetened beverage for their children: Mechanisms of impact *International Journal of Behavioral Nutrition and Physical Activity*.

Lazard, A.J., Kalan, M.E., Nicolla, S., Hall, M., Ribisl, K., Sheldon, J.M., ... & Brewer, N.T. (*under review*). Optimizing messages and images for e-cigarette warnings. *Tobacco Control*.

### ***Published/in press***

Kahn, B.Z., Reiter, L.P., Kritikos, K.I., Gilkey, M.B., Queen, T.L., & Brewer, N.T. (*in press*). Framing of national HPV vaccine recommendations and willingness to recommend at ages 9-10. *Human Vaccines and Immunotherapeutics*.

Goldstein, A. O., Jarman, K. L., Kowitt, S. D., Queen, T. L., Kim, K. S., Shook-Sa, B. E., ... & Ranney, L. M. (2021). Effect of Cigarette Constituent Messages With Engagement Text on Intention to Quit Smoking Among Adults Who Smoke Cigarettes: A Randomized Clinical Trial. *JAMA Network Open*, 4, e210045-e210045.

Agans, R. P., Zeng, D., Shook-Sa, B. E., Boynton, M. H., Brewer, N. T., Sutfin, E. L., ... & Ribisl, K. M. (2021). Using social networks to supplement RDD telephone surveys to oversample hard-to-reach populations: a new RDD+ RDS approach. *Sociological Methodology*, 51, 270-289.

Kong, A. Y., Queen, T. L., Golden, S. D., & Ribisl, K. M. (2020). Neighborhood disparities in the availability, advertising, promotion, and youth appeal of little cigars and cigarillos, United States, 2015. *Nicotine and Tobacco Research*, 22, 2170-2177.

D'Angelo, H., Rose, S. W., Golden, S. D., Queen, T., & Ribisl, K. M. (2020). E-cigarette availability, price promotions and marketing at the point-of sale in the contiguous United States (2014–2015): National estimates and multilevel correlates. *Preventive Medicine Reports*, 101152.

Mills, S. D., Golden, S. D., Queen, T. L., Kong, A. Y., & Ribisl, K. M. (2020). Are state-level income-based disparities in adult smoking declining?. *Preventive Medicine*, 133, 106019.

Lothary, A. F., Queen, T. L., & Hess, T. M. (2019). Motivation as a mechanism: the longitudinal relationship between personal resources and activity engagement. *Innovation in Aging*, 3, S812.

Queen, T. L., Butner, J., Berg, C. A., & Smith, J. (2019). Activity engagement among older adult spousal caregivers. *The Journals of Gerontology: Series B*, 74, 1278-1282.

Osman, A., Queen, T., Choi, K., & Goldstein, A. O. (2019). Receipt of direct tobacco mail/email coupons and coupon redemption: Demographic and socioeconomic disparities among adult smokers in the United States. *Preventive Medicine*, 105778.



- Mills, S. D., Golden, S. D., Henriksen, L., Kong, A. Y., Queen, T. L., & Ribisl, K. M. (2019). Neighbourhood disparities in the price of the cheapest cigarettes in the USA. *Journal of Epidemiology and Community Health*, 73, 894-896.
- Rust, S. M., Myers, A. E., D'Angelo, H., Queen, T. L., Laska, M. N., & Ribisl, K. M. (2019). Tobacco marketing at snap-and wic-authorized retail food stores in the United States. *Health Education & Behavior*, 46, 541-549.
- Orlan, E. N., Queen, T. L., Ribisl, K. M., & Sutfin, E. L. (2019). One-item susceptibility measure predicts waterpipe and little cigar/cigarillo uptake in a national sample of adolescents and young adults in the United States. *Tobacco Prevention & Cessation*, 5.
- Ranney, L. M., Kowitt, S. D., Queen, T. L., Jarman, K. L., & Goldstein, A. O. (2019). An Eye Tracking Study of Anti-Smoking Messages on Toxic Chemicals in Cigarettes. *International Journal of Environmental Research and Public Health*, 16, 4435.
- Jarman, K. L., Kowitt, S. D., Queen, T. L., Ranney, L. M., Kim, K., Jones, E. E., ... & Goldstein, A. O. (2018). Do smokers recall source or Quitline on cigarette constituent messages?. *Tobacco Regulatory Science*, 4, 66-82.
- Kowitt, S. D., Lazard, A. J., Queen, T. L., Noar, S. M., & Goldstein, A. O. (2018). Adolescents' Aided Recall of Targeted and Non-Targeted Tobacco Communication Campaigns in the United States. *International Journal of Environmental Research and Public Health*, 15, 2363.
- Schmidt, A. M., Jarman, K. L., Ranney, L. M., Queen, T. L., Noar, S. M., Ruel, L., ... & Goldstein, A. O. (2018). Public knowledge and credibility perceptions of the FDA as a tobacco regulator. *Nicotine and Tobacco Research*, 20, 1310-1316.
- Mills, S. D., Henriksen, L., Golden, S. D., Kurtzman, R., Kong, A. Y., Queen, T. L., & Ribisl, K. M. (2018). Disparities in retail marketing for menthol cigarettes in the United States, 2015. *Health & Place*, 53, 62-70.
- Meernik, C., Ranney, L., Lazard, A., Kim, K.S., Queen, T.L., ... & Goldstein, A.O. (2018). The effect of cigarillo packaging elements on young adult perceptions of product flavor, taste, smell, and appeal. *PlosOne*, 13, e0196236.
- Valle, C.G., Queen, T.L., Martin, B.A., Ribisl, K.M., Mayer, D.K., & Tate, D.F. (2017). Optimizing tailored communications for health risk assessment: A randomized factorial experiment of the effects of expectancy priming, autonomy support, and exemplification. *Journal of Medical Internet Research*, 20, e7613.
- Leeman, J., Myers, A.E., Grant, J.C., Wangen, M., & Queen, T.L. (2017). Implementation strategies to promote community-engaged efforts to counter tobacco marketing at the point of sale. *Translational Behavioral Medicine – Practical Policy Research*, 7, 405-414.



Queen, T.L. & Hess, T.M. (2017). Linkages between resources, motivation, and engagement in everyday activities. *Motivation Science*, 4, 26-38.

Queen, T.L., Baucom, K.J.W, Baker, A.C., Mello, D., Berg, C.A., & Wiebe, D.J. (2017). Neighborhood disorder and glycemic control in late adolescents with Type 1 diabetes. *Social Science and Medicine*, 183, 126-129.

Giasson, H.L., Queen, T.L., Larkina, M., & Smith, J. (2017). Age group differences in perceived age discrimination: associations with self-perceptions of aging. *The Gerontologist*, 57, S160.

Sucy, Y., Queen, T.L., Huntbach, B., .....Berg, C.A.(2017). Iowa gambling task performance prospectively predicts changes in glycemic control among adolescents with type 1 diabetes. *Journal of the International Neuropsychological Society*, 23, 204-213.

Suchy, Y., Turner, S.L., Queen, T.L., Duraccio, K., Wiebe, D.J., ....& Berg, C.A. (2016). The relation of questionnaire and performance-based measures of executive functioning with type 1 diabetes outcomes among late adolescents. *Health Psychology*, 35, 661-669.

Queen, T.L., Butner, J., & Berg, C.A. (2016). A micro-developmental view of parental well-being in families coping with chronic illness. *Journal of Family Psychology*, 30, 843-853.

Berg, C.A., Queen, T.L., Turner, S.A.,.....Wiebe, D.J. (2017). Adolescent disclosure to parents and daily management of type 1 diabetes. *Journal of Pediatric Psychology*, 42, 75-84.

Turner, S.L., Queen, T.L., Wiebe, D.J., & Berg, C.A. (2016). Variations in daily sleep quality and type 1 diabetes management in late adolescents. *Journal of Pediatric Psychology*, 41, 661-669.

Baucom, K.J.W., Queen, T.L., Wiebe, D.J., Turner, S.L., Wolfe, K.L., Godbey, E.I. & Fortenberry, K.T. (2015). Depressive symptoms, daily stress, and adherence in late adolescents with type 1 diabetes. *Health Psychology*, 34, 522-530.

Queen, T.L., Stawski, R.S., Ryan, L.H., & Smith, J. (2014). Loneliness in a day: Activity engagement, time alone, and experienced emotions *Psychology and Aging*, 29, 297-305.

Smith, J., Ryan, L.H., Queen, T.L., Becker, S., & Gonzalez, R. (2014). Snapshots of mixtures of affective experiences in a day: Findings from the Health and Retirement Study. *Journal of Population Ageing*, 7, 55-79.

Queen, T.L., Hess, T.M., Ennis, G.E., Dowd, K., & Grün, D. (2013). Information search and decision making: Effects of age and complexity on strategy use. *Psychology and Aging*, 27, 817.

Hess, T.M., Queen, T.L., & Ennis, G. (2013). Age and self-relevance effects on information search during decision-making. *The Journals of Gerontology, Series B: Psychological Sciences and Social Sciences*, 68, 703-711.



Hess, T.M., Queen, T.L., & Patterson, T.R. (2012). To deliberate or not to deliberate: Interactions between age, task characteristics, and cognitive activity on decision making. *Journal of Behavioral Decision Making*, 25, 29-40.

Queen, T.L. & Hess, T.M. (2010). Age differences in the effects of conscious and unconscious thought on decision making. *Psychology and Aging*, 25, 251-261.

Hess, T.M., Emery, L.J., & Queen, T.L. (2009). Task demands moderate stereotype threat effects on memory performance. *The Journals of Gerontology, Series B: Psychological Sciences and Social Sciences*, 64B, 482-486.

## Chapters

Uchino, B., Ong, A., Queen, T.L., & Kent, R.G. (2016). Close social relationships, support, and aging. In V.L. Bengtson & R.A. Settersten (Eds.), *Handbook of Theories of Aging*.

Queen, T.L. & Berg, C.A. (2015). Collaborative Decision Making in Couples. In T.M. Hess, J. Strough, & C. Lockenhoff (Eds.), *Aging and Decision Making: Empirical and Applied Perspectives*.

Hess, T.M. & Queen, T.L. (2014). Aging influences on judgment and decision processes: Interactions between ability and experience. In P. Verhaeghen & C. Hertzog (Eds.), *Emotion, Social Cognition, and Everyday Problem Solving During Adulthood*.

Smith, J. & Queen, T.L. (2013). Aging & adult development. In R. Biswas-Diener & E. Diener (Eds), Noba textbook series: Psychology. Champaign, IL: DEF Publishers. [www.nobaproject.com](http://www.nobaproject.com)

## Research grants

### Funded

Principal investigator: *Health Influences on Trajectories of Activity Engagement in Older Couples*. NIH/NIA R03

Co investigator: *Self-Regulation and Collaborative Coping with Type 1 Diabetes over the Life Span*. NIH/NIDDK DP3

Co investigator: *Interactions Between Life-Space and Quality of Life in Spousal Dyads Coping with Chronic Conditions*. Consortium for Family and Health Research, University of Utah

## Awards & honors

2014 Trainee Poster Award, Social Science Category, Center on Aging Annual Research Retreat, University of Utah

2013 Invited participant, Mechanisms of Motivation, Cognition, and Aging Interactions Conference

2012 A. Regula Herzog Young Investigators Award, Institute for Social Research -Survey Research Center



- 2012 Travel sponsorship from the Michigan Center on the Demography of Aging to RAND Summer Institute
- 2009 Invited participant, APA Science Leadership Conference: Enhancing the Nation's Health through Psychological Science
- 2007 APA Division 20 Award for Proposed Master's Research
- 2006 Outstanding Student in Psychology Award, Meredith College

### **Selected presentations**

Queen, T.L., Berg, C.A., Hanson, H., & Smith, K. (2014). Profiles of cognitive functioning: Is familial excessive longevity a protective factor in older age? Paper presented at the 67<sup>th</sup> annual meeting of the Gerontological Society of America, Washington, DC.

Ryan, L.H. & Queen, T.L. (2014). Meaning matters: Implications for affect and life satisfaction. Paper presented at the 67<sup>th</sup> annual meeting of the Gerontological Society of America, Washington, DC.

Queen, T.L., Stawski, R.S., & Berg, C.A. (2014). Associations between cognitive ability and coping strategies in older couples dealing with prostate cancer. Poster presented at the 15<sup>th</sup> biennial meeting of the Cognitive Aging Conference, Atlanta, GA.

Smith, J., Ryan, L.H., Becker, S., Queen, T.L., & Gonzalez, R. (2014). The effects of a restless night and feeling unwell on experienced well-being after age 50: Does marriage matter?. Paper presented at the 82nd annual meeting of the Population Association of America, Boston, MA.

Queen, T.L., Gonzalez, R., & Langa, K. (2013). The impact of arthritis on longitudinal changes in activity engagement in older adulthood. Paper presented at the 66<sup>th</sup> annual meeting of the Gerontological Society of America, New Orleans, LA.

Gonzalez, R., Queen, T.L., Becker, S., & Smith, J. (2013). Need for cognition and time allocation decisions in older adults. Paper presented at the 66<sup>th</sup> annual meeting of the Gerontological Society of America, New Orleans, LA.

Stawski, R.S., Queen, T.L., Ryan, L.H., & Smith, J. (2013). The influence of stressful life events and anxiety on older adults' wellbeing. Paper presented at the 20<sup>th</sup> IAGG World Congress of Gerontology and Geriatrics.

Queen, T.L. Ryan, L.H., Smith, J. & Gonzalez, R. (2013). Need for cognition influences the structure of a day and emotions experienced during daily activities. Poster presented at the 25<sup>th</sup> annual meeting of the Association for Psychological Science.

Smith, J., Ryan, L.H., Queen, T.L., Becker, S., Stawski, R.S., & Gonzalez, R. (2013). The timing of routine activities shapes emotional experiences. Poster presented at the 25<sup>th</sup> annual meeting of the Association for Psychological Science.



Queen, T.L. & Ryan, L.H. (2012). Emotional complexity within a day: Providing context for affective reports. Paper presented at the 65<sup>th</sup> annual meeting of the Gerontological Society of America, San Diego, CA.

Hess, T.M., Ennis, G.E., & Queen, T.L. (2012). Intrinsic and extrinsic motivational influences on adult age differences in information-search strategies. Paper presented at the 65<sup>th</sup> annual meeting of the Gerontological Society of America, San Diego, CA.

Ryan, L.H. , Queen, T.L., & Smith, J. (2012). Reconstructing yesterday: Examining age and cognitive influences on memory for emotions. Poster presented at the 65<sup>th</sup> annual meeting of the Gerontological Society of America, San Diego, CA.

Stawski, R.S., Queen, T.L., Ryan, L.H., & Smith, J. (2012). The impact of stressful life events on global and experienced wellbeing in old age: Findings from the ROBUST study. Paper presented at the 65<sup>th</sup> annual meeting of the Gerontological Society of America, San Diego, CA.

Queen, T.L., Ryan, L.H., Guo, F., Zhang, Y., & Lepkowski, J. (2012). The problem with happy: Order effects in surveys of wellbeing. Paper presented at the 24<sup>th</sup> annual meeting of the Association for Psychological Science.

Queen, T.L., Stawski, R.S., Ryan, L.H., & Smith, J. (2012). Evaluated and experienced wellbeing: Does memory matter? Poster presented at the 14<sup>th</sup> biennial meeting of the Cognitive Aging Conference, Atlanta, GA.

Queen, T.L. & Hess, T.M. (2012). Aging and affective forecasts: Examining the role of motivation. Poster presented at the 14<sup>th</sup> biennial meeting of the Cognitive Aging Conference, Atlanta, GA.

Queen, T.L., Ennis, G.E., Hess, T.M. (2011). Aging and decision making: The role of motivation and relevance in information search. Poster presented at the 64<sup>th</sup> annual meeting on the Gerontological Society of America, Boston, MA.

Queen, T.L. & Hess, T.M. (2010). Age differences in risk preference. Poster presented at the 63<sup>rd</sup> annual meeting on the Gerontological Society of America, New Orleans, LA.

Queen, T.L., Ennis, G.E., Hess, T.M., Dowd, K., & Grünh, D. (2010). The impact of task complexity on age differences in information search strategies and decision outcomes. Poster presented at the 13<sup>th</sup> biennial meeting of the Cognitive Aging Conference, Atlanta, GA.

Queen, T.L. & Hess, T.M. (2009). The role of age and affect in risk perception: A prospect theory approach. Poster presented at the 62nd annual meeting on the Gerontological Society of America, Atlanta, GA.



Hess, T.M., Queen, T.L., & Patterson, T.R. (2009). The benefits of conscious vs unconscious thought on effective decision making in adulthood. Poster presented at the 62nd annual meeting on the Gerontological Society of America, Atlanta, GA.

Licciardello, T. & Hess, T.M. (2008). Age differences in the effects of conscious and unconscious thought on decision making. Poster presented at the 12th biennial meeting of the Cognitive Aging Conference, Atlanta, GA.

Licciardello, T. & Hess, T.M. (2008). Age differences in the effects of conscious and unconscious thought on decision making. Poster presented at the 2008 meeting of the NC Cognition Group, Raleigh, NC.

Hess, T.M., Swaim, E., & Licciardello, T. (2007). Impact of aging and motivation on consumer judgments. Poster presented at the 60th annual meeting on the Gerontological Society of America, San Francisco, CA.

*\*Note: Formerly Tara Licciardello*

### **Continuing education**

- 2016      Multilevel Modeling; Structural Equation Modeling (Curran-Bauer Analytics)
- 2013      Structural Equation Modeling (Instructor: Jonathon Butner)
- 2013      Multilevel Modeling Workshop (Association for Psychological Science Annual Convention)
- 2012      Center for Statistical Consultation & Research Workshop: Introduction to R Modeling
- 2012      RAND Summer Institute on Aging
- 2011      Introduction to the Health and Retirement Study Workshop

### **Teaching experience**

University of North Carolina- Chapel Hill, Guest Lecturer: Advanced Research Methods  
 University of Utah, Primary Instructor: Aging & Adult Development  
 University of Michigan, Guest Lecturer: Psychology & Aging  
 North Carolina State University, Primary Instructor: Lifespan Developmental Psychology

### **Professional service & memberships**

2008- 2011 APA Science Student Council, Developmental Psychology Representative  
 APA Division 20, Adult Development and Aging  
 Gerontological Society of America  
 American Diabetes Association

Ad hoc reviewer: Developmental Psychology, Journals of Gerontology: Psychological Science, Psychology and Aging, Frontiers in Psychology, PLOS One, Journal of Research on Adolescence, Journal of Behavioral Medicine



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

matthewtulchin@gmail.com

Email Address

Matthew

First Name

Tulchin

Last Name

Middle Initial

3 Sutton Pl

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (347) 922-4369

Primary Phone

Mobile: (347) 922-4369

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Chapel Hill Public Library Advisory Board: Eligible



Question applies to Chapel Hill Public Library Advisory Board

### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Grievance Hearing Board (former Personnel Appeals Committee)

### How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I was born and raised in Chapel Hill, graduated CHHS in 1991, and then left for many years before moving back with my wife and 2 sons in 2011. Thus, I have good understanding of how much the town has changed over the years. In addition, my children attend CHCCS, our family frequents the town's parks, and we are all members of the public library. Finally, I have experience with employment law and employee grievances, including having served on the Town's grievance hearing board the past 3 years.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I grew up going to the public library, am currently a member, and value and believe in what the public library offers the town of Chapel Hill. I am a lawyer who has worked in both the private and public sector and I have experience with employment law and employee grievances.



[Nikki Abija TCAB Oath.pdf](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Attorney

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

---

☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*





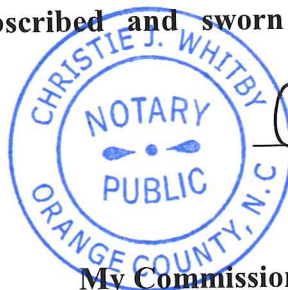
STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

### OATH OF OFFICE

I, Adrienne-Nicole (Nikki) Abiza, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Transportation and Connectivity, so help me God.  
Advisory Board

A. Abiza  
Signature

The above oaths were subscribed and sworn to before me this the 25 day of January, 2021.



Christie J. Whitby  
Notary Public

My Commission Expires

10/8/2025



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

mpwilliams@unc.edu

Email Address

Megan

First Name

P

Middle Initial

Williams

Last Name

205 Westside Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 623-3767

Primary Phone

Home: (919) 623-3767

Alternate Phone

---

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**What district do you live in? \***

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### Select a Seat Category for the Chapel Hill Public Library Advisory Board \*

☒ Chapel Hill Resident

### Which Board is your First Choice? \*

☒ Chapel Hill Library Advisory Board

### How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am interested in serving to support the Library's "creating connections" mission. As a nurse, I find that community outreach is at the heart of health promotion, and I would be honored to serve the Chapel Hill community in this role.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I bring board leadership and service experience as Past-president of the North Carolina Nurses Association.

[MPWilliams UNC CV.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**



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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

Faculty

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



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☒ I Agree \*

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**THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL  
SCHOOL OF NURSING**

**CURRICULUM VITAE**

**NAME:** Megan Parpart Williams **PHONE:** (919) 623-3767

**HOME ADDRESS:** 205 Westside Drive, Chapel Hill, NC 27516

**EMAIL:** [mpwilliams@unc.edu](mailto:mpwilliams@unc.edu)

**LICENSURES and CERTIFICATIONS:**

**Licensure:**

Registered Nurse {North Carolina}  
License Number: 161638  
Status: Active  
Compact Status: Multi State  
Original Date of Licensure: 9/22/1998  
Expiration: 9/30/2023

Family Nurse Practitioner {North Carolina}  
License Number: 201693  
Status: Inactive  
Initial Approval Date: 12/19/2002  
Expiration:

**Certifications:**

Family Nurse Practitioner (FNP-BC) by the American Nurses  
Credentialing Center (AACN)  
Certification #0372453  
Expiration: 10/15/2022

BLS for Healthcare Providers by the American Heart Association (AHA)  
Expiration: 8/2024

**EDUCATION:**

<b>Degree</b>	<b>Institution &amp; Location</b>	<b>Dates</b>	<b>Major</b>
EdD	UNC-Chapel Hill, Chapel Hill, NC	2010-2017	Education/Curriculum & Instruction
MSN	Duke University, Durham, NC	1999-2002	Nursing/Family Nurse Practitioner
BSN	UNC-Wilmington, Wilmington, NC	1995-1998	Nursing



AS	William Peace University, Raleigh, NC	1993-1995	Biology
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**PROFESSIONAL EXPERIENCE:****ACADEMIC EMPLOYMENT:**

<b>Institution or Firm</b>	<b>Position/Rank</b>	<b>Dates</b>
UNC-Chapel Hill	Associate Professor	2019-
UNC-Chapel Hill	Assistant Professor	2018-2019
UNC-Chapel Hill	Assistant Professor: Lead Faculty Undergraduate Division	2017-2018
UNC-Chapel Hill	Assistant Professor	2008-2017
UNC-Chapel Hill	Clinical Instructor	2003-2008

**OTHER EMPLOYMENT:**

<b>Institution or Firm</b>	<b>Position/Rank</b>	<b>Dates</b>
UNC-Chapel Hill Campus Health Services (CHS)	Family Nurse Practitioner (fall/spring; weekends prn)	2018-
UNC-Chapel Hill Campus Health Services (CHS)	Family Nurse Practitioner (fall/spring; weekends; 8 hrs/month)	2011-2017
Targetcare, Inc	Family Nurse Practitioner (per diem)	2010-2017
MinuteClinic	Family Nurse Practitioner (per diem)	2008-2010
Duke University Medical Center	Family Nurse Practitioner	2004-2006
Oxford Family Physicians	Family Nurse Practitioner	2002-2004
Duke University Medical Center	Clinical Nurse	1998-2006

**HONORS**

<b>Date</b>	<b>Honor</b>
February 2015	UNC-CH School of Nursing Alumni Association Honorary Alumni Award
May 2012	2012 UNC-Wilmington School of Nursing Outstanding Alumni Award
October 2010	NCNA Outstanding Service Award
January 2009	Johnson and Progue Scholarships Faculty Mentor
August 2007	UNC-CH School of Nursing Outstanding Clinical Teaching Award ABSN program



**BIBLIOGRAPHY AND PRODUCTS OF SCHOLARSHIP (as applicable):****Invited Presentations**

October 26, 2018 Title: The Meaning and Importance of Curriculum Development for the 21<sup>st</sup> Century. Nurse Educator Update, Center for Lifelong Learning, Chapel Hill, North Carolina.

May 24, 2018 Title: Simulation: Bringing Reality to the Virtual World. Excellence in Teaching for Nurse Educators, Center for Lifelong Learning, Chapel Hill, North Carolina.

March 23, 2018, Title: Mentoring, Growing Leaders and Planning for Succession. Center for Lifelong Learning (CLL) Excellence in Nursing Leadership, Chapel Hill, North Carolina.

May 24, 2017 Title: Simulation: Bringing Reality to the Virtual World. Excellence in Teaching for Nurse Educators, Center for Lifelong Learning, Chapel Hill, North Carolina.

May 7, 2016 UNC-CH School of Nursing Graduation Speaker, Chapel Hill, North Carolina.

April 7, 2016, Title: Annual Nursing Professions Panel. Alpha Epsilon Delta pre-health honor society, Chapel Hill, North Carolina.

April 21, 2014, Title: Nursing Forward. Davidson Community College, Association of Nursing Students, Davidson, North Carolina.

Nursing Notes. "North Carolina Nursing Student Reaches Out In Food Bank Program". *Nursing Notes Live*. N.p., 2013. Web. 21 Apr. 2016. <http://mediccast.com/nursingnotes/2013/12/north-carolina-nursing-student-reaches-out-in-food-bank-program/>

November 16, 2013 Title: Pediatric Nursing, North Carolina Area Health Education Center,

April 4, 2013, Title: Invest in Nursing. NC Area Health Education Center, Rex Healthcare, Raleigh, North Carolina.

August 14, 2007, Title: Communication Skills: Using SBAR in the Clinical Setting. Clinical Faculty Workshop, UNC-CH School of Nursing, Chapel Hill, North Carolina.

August 14, 2007, Title: Clinical Guidelines: "Just what is your style?" Clinical Faculty Workshop, UNC-CH School of Nursing, Chapel Hill, North Carolina.

August 22, 2008, Title: Developing Clinical Relationships, Clinical Faculty Workshop, UNC-CH School of Nursing, Chapel Hill, North Carolina.

October 3, 2008, Title: Communication Skills: Do You Speak SBAR? NCANS Conference, Durham, North Carolina.



## **Refereed**

September 15, 2022, Title: Academic-Practice Partnerships to Strengthen the Nursing Workforce, North Carolina Nurses Association Annual Convention, Raleigh, North Carolina

April 4, 2016, Title: Advanced Practice Nurses Interested in Careers in Academia, North Carolina Nurses Association, Nurse Practitioner Spring Symposium; Wilmington, North Carolina.

April 7, 2008, Title: Unfolding Case Study: An Integrative Approach, 5<sup>th</sup> Annual Education Summit 2008, UNC Friday Center, presented by the NC Board of Nursing, Chapel Hill, NC

## **Poster Presentations:**

September 2022, Williams, M.P. Lessons Learned: Photo Elicitation as a Tool for Program Evaluation. National League for Nursing, Las Vegas, NV.

October 2019, Williams, M.P., Brisky, C. & Rimmner, S. Transforming the Future of Nursing Education through a Nurse Faculty Fellowship Program. American Association Colleges of Nursing, Orlando, FL.

September 2019, Williams, M.P. & Li, Y. North Carolina nurse leader project: A replication study to assess nurse leadership capacity. North Carolina Nurses Association, Winston-Salem, NC.

April 2017, Williams, M. P. Defining Nurse Leadership: Nurses' Perceptions of Nurse Leadership and the Conditions that Influence Its Development. Sigma Theta Tau Alpha Alpha Chapter, Chapel Hill, NC.

## **Publications:**

Williams, M. P., & Li, Y. (2019). North Carolina nurse leader project: A replication study to assess nurse leadership capacity. *JONA: The Journal of Nursing Administration*, 49(5), 256-259. doi:10.1097/NNA.0000000000000747

Fleming, L., Lorenzen, R., Stanek, J., Williams, M., & Mendel, H. (2019). Transitions in care model for a senior-level clinical immersion experience. *Nurse Educator*, 1. doi:10.1097/NNE.0000000000000657

Williams, M. (2015). Proud to be an NCNA member. *Tar Heel Nurse*, 77(5), 11.

Williams, M. (2015). President's message: The pursuit of nursing excellence. *Tar Heel Nurse*, 77(5), 4.

Williams, M. (2015). President's message: Road Construction Ahead. *Tar Heel Nurse*, 77(4), 4.

Williams, M. (2015). President's message: Happy Nurses Week 2015!. *Tar Heel Nurse*, 77(3), 4.

Williams, M. (2015). President's message: Expert power. *Tar Heel Nurse*, 77(2), 3.

Williams, M. (2015). President's message: How will you make a difference in 2015?. *Tar Heel Nurse*, 77(1), 4.

Williams, M. (2014). President's message: Lean forward. *Tar Heel Nurse*, 76(4), 4.



Williams, M. (2014). President's message: Are you invested in NCNA?. *Tar Heel Nurse*, 76(3), 4.

Williams, M. (2014). President's message: Our shared responsibility. *Tar Heel Nurse*, 76(2), 4.

Williams, M. (2013). President's message: Bringing the vision to life. *Tar Heel Nurse*, 75(4),

### **Dissertation**

Williams, M. P. (2017). Defining nurse leadership: Nurses' perceptions of nurse leadership and the conditions that influence its development (Doctoral dissertation). Retrieved from [ProQuest Dissertations Publishing](#).

### **RESEARCH ACTIVITIES:**

#### **Research Grants:**

01/01/16 - 12/31/16 (PI)  
 "North Carolina Nurse Leaders Project"  
 Junior Faculty Development Award  
 Annual Direct Costs: \$7500  
 Total Direct Costs: \$7500

### **TEACHING ACTIVITIES:**

#### **Training Grants:**

07/01/18-06/30/22 (PI)  
 "Invest in Nursing: An Educational Redesign to Strengthen the Primary  
 Care Workforce" Health Resources Services Administration Nurse  
 Education, Practice, Quality and Retention-Registered  
 Nurses in Primary Care Award (NEPQ-RNPC)  
 Total Funding: \$2,396,978.00

### **PROFESSIONAL SERVICE:**

#### **Memberships and Positions Held in Professional Organizations**

<b>Organization</b>	<b>Role</b>	<b>Dates</b>
North Carolina Foundation for Nursing	Board Member, President	2020-present
Piedmont Health Board Quality Committee	Member	2019-present
North Carolina Nurses Association	Member	1998-present
North Carolina Nurses Association	President	2013-2015
North Carolina Nurses Association	President-elect	2011-2013
North Carolina League for Nursing	Member	2008-present
North Carolina League for Nursing	Board member	2008-2013
American Nurses Association House of Delegates	NCNA Delegate	2010 & 2012
American Nurses Association Congress on Nursing Practice and Economics	Elected member	2010-2012
North Carolina Nurses Association	Triangle Region President	2009-2010



North Carolina Nurses Association	Triangle Region Secretary	2008-2009
UNC-Wilmington Alumni Board	School of Nursing Representative	1999-2003

## UNIVERSITY SERVICE

### University Committees

<b>Committee</b>	<b>Role</b>	<b>Dates</b>
Faculty Assembly Delegation	Chair	2018-2021
Faculty Assembly Delegation	Alternate	2016-2018
College of Arts and Sciences Curriculum 2019	Member Experiential Education Taskforce	2016-2017
Faculty Council	Elected SON Representative	2014-2017
Carolina Leadership Mentor	Mentor	2009-2012

### School of Nursing Committees

<b>Committee</b>	<b>Role</b>	<b>Dates</b>
Faculty Executive Committee	BEC Chair	2019-
Baccalaureate Executive Committee	Chair	2019-
SON Curriculum Implementation Team	Team Lead	2018-2019
Student Health Action Coalition (SHAC)	Faculty Advisor	Fall 2018
SON Curriculum 2019 Steering Committee	BSN Chair	2017-2018
Appointment, promotion and reappointment (SON APR)	Elected member	2016-2019
SON Quality & Safety Series	Member	2016-2018
SON Executive Dean/Associate Dean for Academics	Search Committee Member	2017
vSim & Coursepoint+ task force	Task force member	2016-2018
Baccalaureate Executive Committee	At-large member	2015-; 2007-2012
SON Workload Task force	Member	2016-2017
BEC Philosophy and Conceptual Framework	Task force chair	2016-2017
SON Interprofessional Education Committee	Member	2015-2017
Association of Nursing Students	Faculty Advisor	2007-2017
UNC Academic-Practice Partnership Workgroup	Appointed member	2016
BEC Program Objectives revision	Task force	2016
Faculty Development Committee	Member	2006-2011





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 21., **File #:** [23-0463], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Appointments to the Cultural Arts Commission.**

**Staff:**

Sabrina Oliver, Director/Town Clerk  
Amy Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council make appointments to the Cultural Arts Commission for seven seats.



**Attachments:**

- Recommendation
- Ballot
- Applications



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Justin Haslett, Cultural Arts Commission Chair

SUBJECT: Recommendation for filling Commission vacancies

DATE: May 17, 2023

**RECOMMENDATION:** The Cultural Arts Commission met on April 19, 2023 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Meredith Graham, Appointment
- Nic Johnson, Appointment
- Kemisa Kassa, Appointment
- Laurie Hinzman, Appointment

**BACKGROUND:** The Commission had held these seats open as we reimaged our name, charge, and membership. As we regroup in the Fall as the Community Arts & Culture Advisory Board, this diverse slate of applicants will serve us, the Council, and the community well.

*Note:* Communications and Public Affairs notes the February [Cultural Arts Commission Request](https://chapelhill.legistar.com/View.ashx?M=F&ID=11638022&GUID=590F67C1-7E63-4863-908A-18B6B39C2731) [<https://chapelhill.legistar.com/View.ashx?M=F&ID=11638022&GUID=590F67C1-7E63-4863-908A-18B6B39C2731>](https://chapelhill.legistar.com/View.ashx?M=F&ID=11638022&GUID=590F67C1-7E63-4863-908A-18B6B39C2731) and that the Cultural Arts Commission reviewed the following applications: Ian Bowater, Susana Burns, Liana Morgan Chevres, Meredith Graham, Leavelle Irving, Nic Johnson, Kemisa Kassa, Jennifer Lawson, Dante McIntyre, Rebecca Rogers, Ray Schwartz, and Laurie Hinzman White. No additional applications were received between April 19, 2023 and Wednesday May 17, 2023 for the Cultural Arts Commission.



**BALLOT****CULTURAL ARTS COMMISSION****MAY 24, 2023**

Total Membership: 11 (Ten (10) Town Residents, one (1) Carrboro Resident)

Current Membership: 7 (4 Female, 3 Male; 2 African American, 1 Asian or Pacific Islander, 0 Hispanic, 3 Caucasian, and 1 Not Answered; [0] 18-24, [1] 25-34, [2] 35-54, [4] over 55)

Upcoming Vacancies: 4 (Town Residents)

Current Vacancies 3 (Town Residents)

Number of Applicants: 12

**Town Resident**  
**Please vote for up to seven(7) applicants.**

_____ Ian Botwater	_____ Kemisa Kassa
_____ Susana Burns	_____ Jennifer Lawson(incumbent)
_____ Liana Morgan Chevres	_____ Dante McIntyre
_____ Meredith Graham	_____ Rebecca Rogers*
_____ Leavelle Irving	_____ Ray Schwartz
_____ Nic Johnson	_____ Laurie Hinzman White

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**Council Member Signature**

*\*Applicant applied for more than one board.*



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

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☒ I Agree

ianbowater7@gmail.com

Email Address

Ian

First Name

Bowater

Last Name

125 Windsor Circle

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (310) 871-3906

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

☒ Cultural Arts Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Email

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

Over fifty years of professional experience as a writer, actor and director in theatre and film industry. Served on drama and theatre panels for the London arts council. Served on the Dance panel of Greater London arts. Director of the Shaw Theatre in London. Directed of three international festivals. Former member of the Orange County Art Commission. Wrote and performed in plays locally. Currently a performer, and screenwriter. Latest release out this year is "Gilpin" a film about the actor to first play Emperor Jones on Broadway, About the perform at the Oslo Impro festival with my company Paul and Ian's One Man show,

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Throughout my career as an Arts practitioner I have a vast amount of experience of writing grants and budget proposals. I am very active in the approach to finding new performance spaces, both formal and new/unusual venues. A major feature of my career in the Arts is as an advocate for the under-served communities. I am not afraid to take on established and reactionary forces who want to keep the Arts safe and bourgeois.



## [Resume-lan.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Screenwriter/actor/director

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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**Ian Bowater**

125 Windsor Circle, Chapel Hill NC 27514

Tel - 310 871 3906

E-mail - ianbowater7@gmail.com

Nationality: British and American

British Equity #: 109029

**Screenwriter**

Full-time freelance writer since 1992. Contracted by a number independent producers in the U.S. and Europe including, Mark Damon Productions; Raju Patel; Movies Film Production, Netherlands; Legende Films, Paris; Prodigy Productions; LCS productions; Odessa Films, Paris. MPS Produktions Munich, Michael Goerden Production, Cologne, Masterbond Film, London. Melwood Pictures, Los Angeles. Written over thirty screenplays.

**Produced Credits**

1994 - "Unconditional Love" with Arthur Bjorn Egeli, director. Winner of the Jury Prize, Hampton Film Festival (1994). Winner Gold Medal, Houston Film Festival. Second Prize, Delhi Film Festival.

2001 - "Fiendliche Übernahme" (Hostile Takeover) for MPS Produktions Munich - Carl Schenkel, Director - Susanne Porsche & Michael Roehrig, Producers

2013 - "Ghost Forest" Arthur Egeli Director - premiered at Arizona Film Festival.

2014 - "Into The Breach" Stageplay for the ArtsCenter Carrboro - Producer Jeri Lynn Schulke, Director Gregor McElvogue.

2017 - Murder On The Cape - Director Arthur Egeli - available on Netflix

2019 - Gilpin - Director Arthur Egeli - release date late 2019



## **Current projects in active development**

"Coyote Gold" – Arthur Bjorn Egeli, director, Prodigy Productions.

"Ninety Feet Closer To Hell" – Nadim George director – in pre-production.

## **Recent Theatre Experience - (2013 to Present)**

"My Name Is Yin" – Director for 10x10 In the Triangle.

"Celebration" – Granddad – for Little Green Pig Theatrical Concern

"HMLT" – The Ghost – for Little Green Pig Theatrical Concern

"Paris '76" – Jacques Dirigible, The Deconstructivist Comedian.

"Glorious" – St. Clair – for Theatre In The Park

"The Changeling" – Alibius for Little Green Pig.

Paul and Ian's One Man Show – one half of the thought provoking duo.

## **Other Film Industry experience.**

Script Consultant - Legende Productions, Paris. Working with Producer Alain Goldman (1492 - Conquest of Paradise; Casino) and writer Roselyne Bosch (1492). Worked on two Bosch projects, "The Experiment" with Costa Gavras and "En Cas De Malheur" developed with Sidney Pollack. Roselyne is French but writes in English. Translation work involves polishing dialogue and Americanizing the descriptive passage. Both scripts were American stories, set in the U.S. with American characters.



1993 – Contract Screenwriter – Contracted for one year by Odessa Films, Paris to create three scripts. These included an adaptation of a contemporary novel plus two original pieces.

1992/3 – Director of Creative Affairs – Odyssey Distributors. Responsible for acquisitions and development of film projects destined for foreign distribution.

1990 – Free-lance reader and script doctor – Various film companies and independent producers including HBO, Carolco and Prodigy Productions. Raju Patel on "Jungle Book".

1989 – Story Analyst – Odyssey Entertainment, Los Angeles. Reading scripts and other published material this film production company, averaging ten scripts per week.

### **Previous Theatre Life**

1985-1988 – Teacher/Director – The Actor's Center, London – This training center founded by British Actors Equity, provides training to working actors based in London.

1983-1988 – Director, The Shaw Theatre – A community theatre in the heart of London. The theatre's eclectic program presented theatre, music, dance, mime and children's events. The theatre was a host venue for the London International Theatre Festival, the London Mime Festival. Some of the international companies presented by the Shaw Theatre included the London debuts of The Negro Ensemble Company (USA); Grips Theater (Berlin); Teatro Cambray (Cuba) and the Ballet Folklorico de Nicaragua.

1979-1983 – Associate Director, Theatre Royal Stratford East – Stratford East has an illustrious history as the home of Joan Littlewood's famous Theatre Workshop. That work continues to the present under the direction of Philip Hedley. Presenting children's theatre and community tours. Founding Director of Actorshop – a bespoke improvisational theatre working in the East End and further afield.



1973-1979 - Director, Writer and actor with Newham Theatre-in-Education company, creating theatre for all ages from Kindergarten to High School.



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**Public Records Statement**

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☒ I Agree

susana\_burns@yahoo.com

Email Address

Susana

First Name

J

Middle Initial

Burns

Last Name

103 Westbury Ct

Street Address

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Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 932-4304

Primary Phone

Home: (919) 414-0934

Alternate Phone

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**What district do you live in? \***

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☒ Greater than 10 years

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**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Chapel Hill Library Advisory Board

### How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Docent at the Nasher Museum for ten years. Math instructor/tutor at Durham Technical community college. Manager for Billing and Customer service Department of the Venezuelan Telephone Company under Verizon ownership. Lived in Caracas for 10 years.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Born in Rosario, Argentina and came to the US to study Mathematics at the University of Oregon, Eugene, Oregon.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**



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### Ethnicity \*

☒ Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Retired

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



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☒ I Agree

irmorganchevres@students.chccs.k12.nc.us

Email Address

liana Morgan

First Name

R

Middle Initial

Chevres

Last Name

106 Taylor St

Street Address

Suite or Apt

chapel hill

City

NC

State

27514

Postal Code

Home: (919) 708-2032

Primary Phone

Alternate Phone

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**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

### If you chose "Other" from the advertising opportunity listed above, please specify:

Chapel Hill Youth Council

## Interests & Experiences

### What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I've been involved in the arts as long as I can remember. I participate in theater, visual arts, dance, and music. As someone from a multicultural family, I bring the perspective of multiple different cultures represented in Chapel Hill. I am very passionate about the arts and to have a diverse and engaging community, we must represent that through the art we support. Without art, a community is just its bones. A big aspect of culture is art, it is the meat of the community, and it is what makes it feel really alive. I also bring the youth perspective. As a high school student who has lived in Chapel Hill the majority of my life, I can provide the perspective of what youth want to see more and what programs would be most engaging to get citizens involved in the arts at a young age.

### Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have experience as an artist in theater, dance, drawing, painting, singing, and guitar. Although I am not bilingual, I've grown up in a bilingual household where I experience the harmony of two different cultures. Because of that, I have an appreciation of art from different cultures, instead of a narrow perspective of what art can be.



You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Hispanic

### Gender \*

☒ Female

If other, please describe:

### Please select your age from the following list. \*

☒ 18-24

high school student

Occupation

### Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

### Have you participated in the Peoples Academy?

☐ Yes ☒ No

### Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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**Profile**

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☒ I Agree

mcgraham@email.wm.edu

Email Address

Meredith

First Name

C

Middle Initial

Graham

Last Name

411 Granville Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (804) 347-4142

Primary Phone

Alternate Phone

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**What district do you live in? \***

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**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

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**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Chapel Hill Public Library Advisory Board

**Select a Seat Category for the Chapel Hill Public Library Advisory Board \***

☒ Chapel Hill Resident

Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

☒ Chapel Hill Library Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Radio

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I will bring extensive library and music performance experience to the Chapel Hill Public Library Advisory Board and the Cultural Arts Commission. As a recent graduate from Duke University with a PhD in music, I spent much of my time working at the Duke Libraries and Rubenstein Archive. In these internship experiences, I was able to learn about the many services the library provides, especially the ways that librarians connect patrons with digital resources. Working in the libraries over the period of six years, I helped the library staff develop a digital archive for instructors, contributed to a website about early modern women philosophers, and served as a reference librarian in the Rubenstein Archive, helping patrons find documents critical to their research. I bring the perspective of a musicologist to the Cultural Arts Commission. As a performer and scholar of music, I can provide an updated scholarly view of the ways that Chapel Hill can be innovative in the arts programs that it develops. I am also a cellist and singer and currently perform in the SONAM Chorus, a choir that supports local non-profits through benefit concerts. Through this ensemble, I have amplified the music of local composers, raised awareness of local non-profit organizations, and brought people together to learn about and perform music.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am a young, new homeowner in Chapel Hill and would like to contribute to the local community. I work in the education division at the National Humanities Center, developing professional development courses for K-12 teachers. Each of these courses is filled with open-access materials and primary sources and activities, so teachers can take our course information directly to their classrooms. Since beginning my job, I have also worked to make our courses more inclusive of teachers from different backgrounds and places and responsive to a modern classroom. I look forward to participating on either the Chapel Hill Public Library Advisory Board or the Cultural Arts Commission. It would be a privilege to serve my community.

[MGRAHAM Resume Chapel Hill March 2022.pdf](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

**If other, please describe:**

**Please select your age from the following list. \***

☒ 25-34

Education Digital Projects  
Coordinator

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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# Meredith C. Graham, PhD

meredith.graham@duke.edu | [meredithgraham.net](http://meredithgraham.net)

## EDUCATION

**Duke University**, Durham, NC  
PhD, Musicology; May 2021  
Certificate in College Teaching; May 2021  
MA, Musicology; May 2017

**The University of Florida**, Gainesville, FL  
MM, Musicology; August 2015

**The College of William & Mary**, Williamsburg, VA  
BA, History and Music; May 2013

## PROFESSIONAL EXPERIENCE

**Education Digital Projects Coordinator, National Humanities Center (NHC), Durham, NC** 2021– Present

- Develop online humanities courses for K-12 teachers and university faculty
- Manage online educational resources in the Humanities in Class Digital Library
- Collaborate with NHC staff to create a marketing strategy for the online courses

**Associate in Research, Philosophy Department, Duke University** 2021–Present

- Manage the Outreach & Assessment team for Project Vox (<http://projectvox.org/>), a digital humanities project in philosophy
- Mentor graduate and undergraduate students in public writing and communication skills
- Maintain the project's website, monthly blog, newsletters, and social media accounts
- Collaborate with SSHRC grant members to promote the work of the Extending New Narratives project partners

**David M. Rubenstein Rare Book & Manuscript Library Internship, Duke University** 2020–2021

- Created digital exhibit using Omeka and Timeline JS to showcase the tobacco advertising materials at the Hartman Center for Sales, Advertising, and Marketing History
- Developed a course guide for the digital tobacco exhibit for teachers and professors
- Processed archival materials
- Responded to scholarly reference questions

**Project Manager, Project Vox, Duke University** 2019–2020

- Managed team of 13 people including faculty, librarians, graduate students, and undergraduates
- Edited successful international funding application on behalf of the project
- Published and edited an Outreach & Assessment Manual for digital projects
- Maintained WordPress website that has over 110,000 unique users to date
- Coordinated publication schedule for new encyclopedic entries and original translations

**Story+ Graduate Mentor, Franklin Humanities Institute, Duke University** Summer 2019

- Mentored team of undergraduates as they planned two campus exhibits to examine the impact of influencer culture beginning with the publishing practices of Walt Whitman
- Directed archival research in the Rubenstein Library

**Outreach & Assessment Coordinator, Project Vox, Duke University** 2017–2019

- Managed monthly blog featuring scholars of early modern philosophy
- Coordinated social media outreach campaigns related to newly published content
- Gathered user feedback on site features and content as well as the project's impact on philosophy as a discipline through analytics and assessment surveys



Meredith C. Graham, PhD

- Harsha Murthy Fellow in Digital Scholarship, Duke University** 2018–2019
- Advertised events offered by Digital Scholarship Services (DSS)
  - Organized and publicized a lecture series for graduate students to learn about the digital humanities
  - Developed assessment system to track the student work completed at DSS
- National Humanities Center Intern, Durham, NC** Summer 2018
- Compiled a literature review about how universities evaluate digital projects for tenure promotion
  - Trained staff to use Omeka Classic, Omeka S, and WordPress
  - Applied metadata to book projects resulting from research completed at the NHC
  - Wrote a survey for previous fellows to gather information about their recent publications and to assess their time spent at the NHC
  - Created a proposal for the NHC staff to plan for website improvements
- Humanities Writ Large Research Assistant, Duke University** Spring 2017
- Content editor for the Musical Festivals Database, <https://musicalfestivals.org/>
  - Crafted an outreach strategy for the site launch by creating a brand, logo, and a social media plan to alert librarians and researchers to the open-source site
  - Organized an online questionnaire through Qualtrics for future assessment

## PERFORMANCE EXPERIENCE

- SONAM Chorus; Durham, NC; Alto** 2017–Present
- Duke Chapel Evensong Singers; Durham, NC; Alto** 2015–2017
- The Gainesville Orchestra; Gainesville, FL; Cellist** 2014–2015
- Holy Trinity Episcopal Church; Gainesville, FL; Choral Section Leader** 2013–2015
- Bruton Parish Church; Williamsburg, VA; Choral Section Leader** 2011–2013

## TEACHING EXPERIENCE

- Instructor of Record, Duke University**
- Modern Women Making Music MUSIC190S Spring 2020
  - Introduction to Music Theory MUSIC161 Spring 2018
  - Introduction to Music Theory MUSIC161 Spring 2017
- Graduate Teaching Assistant, Duke University**
- Music & Modernism MUSIC259, Supervisor: Dr. Anthony Kelley Fall 2019
  - Music Theory I MUSIC261, Supervisor: Dr. Robert Parkins Fall 2017
  - Music Theory I MUSIC261, Supervisor: Dr. Anthony Kelley Fall 2016
- Graduate Teaching Assistant, University of Florida**
- “What is the Good Life?” HUM2305, Supervisor: Dr. Constance Shehan Summer 2015
  - Medieval & Renaissance Music MUH3211, Supervisor: Dr. Jennifer Thomas Spring 2015
  - Baroque & Classical Music MUH3212, Supervisor: Dr. Margaret Butler Fall 2014
  - The American Musical MUL2693, Supervisor: Dr. Margaret Butler Spring 2014
  - Introduction to Music Literature MUL2010, Supervisor: Phillip Klepacki Fall 2013



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

kingdomembassygovernment@gmail.com

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Leavelle

First Name

Irving

Middle Initial

Last Name

102 PineGate Circle Apartment-7

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (984) 215-7564

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

### Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

As a Missionary, Substance Abuse and Mental Health Counselor. As a local Pastor that is employed at UNC Medical Hospital.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

As a Cherokee that was raised in a middle class household amongst a plethora of diversity; I was born for such a time as this!!!

You may upload a supporting document (e.g., CV or resume). <strong>Please be advised that any information submitted becomes a public record and may be searchable online.</strong>

### Demographics

Leavelle Irving



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**Ethnicity \***

---

☒ African American**Gender \***

---

☒ Male

If other, please describe:

---

Please select your age from the following list. \*

---

☒ over 55

Hospitality Advocate \_\_\_\_\_  
Occupation

Are you a caregiver for or identify with a disability?

---

☐ Yes ☒ No

Have you participated in the Peoples Academy?

---

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

---

☐ Yes ☒ No

---

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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**Profile**

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**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

nicworks20@gmail.com

Email Address

Nic

First Name

C

Middle Initial

Johnson

Last Name

1743 Legion Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (252) 883-4049

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify:

### Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a gay black man who has lived in Chapel Hill for fifteen years. I am a writer and artist connecting to my local and southern arts community. Like many, I experience anxieties and fears of being in shared spaces. The terrors of worse case scenarios, as well as feeling out of place among people. However, when I experience arts and culture in the community, I am reminded of shared healing, shared creativity and shared wisdom. I believe creative public spaces communicate the sense of the people within a community; their aspirations, their history, and their current challenges. I can visit a city or small town and learn a great deal simply by walking by murals, visiting public spaces, and reading literature. Public art and culture is also an invitation to reimagine what is familiar; a request to remember moments and names that nourish connection; and, an opportunity to breathe and ground in self and place. I'd welcome the chance to share this perspective with my fellow members as we advise town council and promote the arts.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

My personal talents lie in ideas, active listening, and curiosity. Since coming to Chapel Hill in 2008, I have developed my talents in writing, journalism, marketing, event planning, project management, fundraising and recruitment. The majority of my work has been for local organizations; including the Resourceful Communities Program, the Chamber for a Greater Chapel Hill-Carrboro, the Camille Berry for Chapel Hill Town Council Campaign, and most recently, the Orange County Arts Commission and Eno Arts Mill. Outside of Orange County, I've managed concurrent events nationally and internationally, working with stakeholders from various parts of the globe. In doing this, I have cultivated connections across institutions and identities; as well as gained a greater appreciation for the conversations involved in decision-making. Lastly, I have extensive prior board experience and enjoy the spirit of collaboration. I served five years on my HOA board, including two years as president. And, three years as a member of the Young Nonprofit Professionals Network of the Triangle, ending my tenure on the Exec Committee as National Liaison to the YNPN National Network. If accepted, I'd welcome the chance to participate in the community as a member of the Chapel Hill Cultural Arts Commission.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

## Demographics

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### Ethnicity \*

☒ African American

### Gender \*

☒ Male

**If other, please describe:**

**Please select your age from the following list. \***

☒ 25-34

Writer and artist

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No



Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement

### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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**Profile**

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**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

kemisakassa2@gmail.com

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Kemisa

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Kassa

Middle Initial

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Chapel Hill

City

NC

State

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Mobile: (984) 215-8262

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

☒ Cultural Arts Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

former member

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am graduating from a Women Gender and Sexuality Studies masters program this May. In my program I had the opportunity to critically think, interrogate social issues and incorporate multiple perspectives on how I view the world. I want to be apart of this board because I value art in its ability to promote community and critically thinking on all its viewers no matter their age, race, gender, class, sexual orientation, immigration status, or religion.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I have a lot of experience working on teams and volunteering in the community. I value making connections and building bonds and I believe these values are important when working to serve a diverse community. The skills I bring are cultural competency, critical thinking, creative problem solving, compassion and leadership experience. I am interested in several types of art styles including mixed media, panting, murals, and graphic design.



You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ African American

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 25-34

Administrative Assistant

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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---

☒ I Agree \*

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---

**Profile**

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**Public Records Statement**

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---

☒ I Agree

nolajen@gmail.com

Email Address

Jennifer (jenni)

First Name

Lawson

Middle Initial

Last Name

726 Bradley Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (504) 388-4853

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

☒ Email

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify:

### Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Back in New Orleans, I was involved with music (classical and jazz mostly, but also rock and other genres) and the literary scene. (I produced a literary radio show and live music shows which put me in close contact with the whole scene.) I also have great interest in the fine arts. I was raised with a key appreciation for the arts, so I am very invested in the practice and promotion of the arts. I have also served on the commission October 2018.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

By trade, I am an audio engineer and producer. For enjoyment, I am an amateur budding artist. I can write well and have music experience and knowledge of many genres. I come to this commission from a position of appreciation, and knowledge of media and inner workings of arts organizations. I am also a person with high ethical standards.



[Lawson\\_resume\\_2018.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

---

## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ over 55

audio engineer

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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---

☒ I Agree \*

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# Jenni Lawson

726 Bradley Rd. Chapel Hill, NC 27516 (504)338-4853 nolajen@gmail.com

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## Radio Experience

WWNO 89.9 fm (New Orleans), Production Manager, 1994-2017

- Oversee all of WWNO's studio production, including the management of ISDN and studio rentals, supplies, maintenance, and training of staff.
- Produce music and talk programs for WWNO, including *The Reading Life*, *Continuum*, and *Where Y'Eat*. Past shows include *Rendez-Vous*, *Bach On Sunday*, and *Crescent City*.
- Record remote classical music performances for broadcast.
- Produce concert recordings for *New Orleans in Concert*.
- Serve as Broadcast Coordinator for the international program *Le Show with Harry Shearer*.

New Orleans Hornets/Pelicans (NBA), Radio Engineer, 2002 – 2017

- Set up and engineer courtside equipment for game broadcasts of visiting teams at Hornets/Pelicans home games, including the LA Lakers, NY Knicks, and Chicago Bulls.
- Serve as Board Operator and Engineer for live Hornets broadcasts.
- Engineer *The Gerry V Show*, (2002 – 2004).

Tulane Football Radio, Producer/Engineer 2007- Present

- Set up and engineer on-site equipment for game, pre-and-post-game broadcasts, both at home and on the road.

Freelance Sporting Events Engineer 2003- Present

- Set up and engineer on-site equipment for game radio broadcasts for visiting NFL, college football, and college basketball teams.

WWOZ 90.7 fm (New Orleans), Recording Engineer, 2007 - present

- Assist in the remote recording and live broadcasts of festival concerts, including the New Orleans Jazz & Heritage Festival.

New Orleans Voodoo (Arena Football League), Radio Engineer, 2004 – 2008

- Set up and engineer on-site equipment for game broadcasts of visiting teams at Voodoo home games.

KUHF 87.7 fm (Houston, TX), Production Assistant, 2005

- Assist in the remote recording of classical concerts.
- Edit HSO concert recordings into broadcasts and other assigned production work.

Freelance Field Producer/Stringer, 1996 – Present

- Remote audio gathering for NPR, PRI, APM, CBC, BBC, *The Osgood Files*, and others.

WTIX 690 am (New Orleans) *The Mike Church Show*, Intern, 1994

- Kept log, pulled carts, screened phone calls, served as on-air "sidekick", wrote and distributed press releases, light production work, substitute board op.



WWNO 89.9 fm (New Orleans), Production Assistant, 1991-1994

- Assisted in recording of classical concerts and live broadcasts of classical and jazz concerts.
- Made requested dubs of concerts and programs.

WTUL 91.5 fm (New Orleans), DJ/Announcer, 1993 -1996

KLSU 91.1 fm (Baton Rouge), Chief Announcer, 1986 -1987

- Hired, trained, supervised, and disciplined all announcers.
- Assigned announcer/program schedule.
- Also took over the production and promotion duties of the Program Director, 1987.
- Editor of KLSU newsletter.

KLSU 91.1 fm (Baton Rouge), DJ/Announcer, 1985 -1988

***Editing is my forte, and I have experience in Audition, Protools, Wavelab, and Sadie, though I adapt easily to new technologies.***

***Other media experience includes several aspects of film production, television/video production, and print media.***

### **Awards**

Named to *Gambit Weekly's* "40 Under 40" list of outstanding people in New Orleans under 40 years old; November 18, 2004 issue.

### **Education**

B.A. in Drama and Communications, 1995, University of New Orleans

- Study emphasis on Film Production and Television/Video Production
- 4.0 GPA on all work in major, Dean's List every semester
- Minor in Psychology

Associate Degree in Television, 1989, WKG Video and Electronic College (Baton Rouge)

- Highest Scholastic Award

Louisiana State University, Broadcast Journalism major, 1984-1987



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

dantem27@gmail.com

Email Address

Dante

First Name

E

Middle Initial

Mcintyre

Last Name

425 Hillsborough Street

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Apt 306

Suite or Apt

Chapel Hill

City

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State

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Postal Code

Mobile: (919) 695-6645

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Orange County-ETJ (Blue)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

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☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

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☒ Cultural Arts Commission

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**How did you find out about this opportunity? (select all that apply)**

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☒ Advisory Board or Council member

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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Just helping the community

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

---

Just helping the community

[IMG\\_0167.PNG](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

---

**Demographics**



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**Ethnicity \***

---

☒ African American

**Gender \***

---

☒ Male

**If other, please describe:**

---

**Please select your age from the following list. \***

---

☒ 25-34

Associate

Occupation

**Are you a caregiver for or identify with a disability?**

---

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

---

☐ Yes ☒ No

**Are you a Town of Chapel Hill employee?**

---

☐ Yes ☒ No

---

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

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---

☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



4:41

my.indeed.com

Dante McIntyre

Durham, NC 27707

dantem27@gmail.com

+1 919 937 8219

Authorized to work in the US for any employer

Willing to relocate anywhere

+

 Add your headline or summary

Work Experience

+

Stocker

BJ's Wholesale Club - Stoughton, MA

June 2019 to Present

Recover clerk, stocking

Store Clerk

Harris teeter

August 2017 to May 2019

Many customer calls about my excellent customer service and I received a letter from the head of the company in recognizing my customer service

Scheduling Coordinator

Bosch - Boston, MA

January 2012 to January 2016

I have multiple years of experience in scheduling not only for my occupation, but also for non paid internships along with volunteering my time for our community



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

canalady@gmail.com

Email Address

Rebecca

First Name

B

Middle Initial

Rogers

Last Name

102 Copperline Drive

Street Address

Apt. B

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (706) 825-1601

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

- ☒ Brochure  
☒ Speaker at an event  
☒ Other (provide additional information below)

### If you chose "Other" from the advertising opportunity listed above, please specify:

People's Academy

## Interests & Experiences

Question applies to multiple boards

### How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

### What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a former board member of the Greater Augusta Arts Council, the non-profit entity that serves as the official public art agency for Augusta, GA govt. I served 3 years on its Public Art Advisory Panel, one chair-elect, half a year as chair. I am not a working artist myself but have experience with the "back-of-the-house" work involving grant applications, developing calls for art, and jurying artists' submissions. I served 2 terms on the Board of Trustees of Historic Augusta, a private, nonprofit membership organization dedicated to the preservation of the historic built environment of Augusta and Richmond County, GA. Prior to retirement, I worked for the Augusta Canal National Heritage Area, an affiliated unit of the National Park Service. I have participated in a number of nonprofit board member trainings offered by the Georgia Center for Nonprofits and similar entities.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I grew up in Chapel Hill, leaving after I earned my undergraduate degree in 1975. I'm happy to have returned to what I consider my 'hometown.' now that I'm retired. I still have family connections here, including my brother Michael Brown, an artist who created many of the town's first murals. I worked in non-profit marketing, communications, and program development for most of my career. I have written a number of successful small to mid-sized grants for arts and historic preservation projects. One in which I take special pride is the successful effort to save the "Mother" church of the CME denomination, an African-American denomination that traced its origin to Augsuta in 1845. I wrote a number of grants in support of this work and coordinated the project which involved moving the structure from a contaminated site to a safe location.

Question applies to Historic District Commission

**Do you have special interest, experience, or education/training in history, architecture, archaeology, or related fields? If yes, please explain.**

I received an AB in American Studies from UNC-CH in 1975. My career has given me occasions to work with the National Park Service, the National Trust for Historic Preservation, the Georgia Trust for Historic Preservation, Partners for Sacred Places, and other similar entities.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

**Ethnicity \***

☒ Caucasian/Non-Hispanic

**Gender \***

☒ Female

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

retiree. Former  
communications and  
marketing manager

Occupation



Are you a caregiver for or identify with a disability?

---

☐ Yes ☒ No

Have you participated in the Peoples Academy?

---

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

---

☐ Yes ☒ No

---

## Ethics Statement

### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

---

☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

zenmp@hotmail.com

Email Address

Ray

First Name

Schwartz

Last Name

2017 south lakeshore drive

Street Address

Suite or Apt

Chapel hill

City

NC

State

27514

Postal Code

Home: (919) 975-4922

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

---

☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

---

☒ Cultural Arts Commission

---

**How did you find out about this opportunity? (select all that apply)**

---

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

was brought to my attention by a friend

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---

**Interests & Experiences**



**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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I am a native Chapel Hillian, educated in the CHCCS system. I was introduced to serious arts education at Phillips Junior High and leveraged that training (and a 10th grade year at Chapel Hill High) to access the North Carolina School for the Arts for the remainder of high school. I attended the Virginia Commonwealth University for undergrad, enjoyed a successful 13-year professional career in dance, arts advocacy, and community engagement facilitation, undertook graduate study at the University of Texas at Austin, and have recently completed 16 years as a teacher and administrator in an international institute of higher education. Since 1992, have worked regionally, nationally, and internationally in multiple roles in education and administration, congress and arts festival coordination and production, and community engagement facilitation. Over the years I have been responsible for the generation, implementation, and supervision of an array of national and international projects where a wide spectrum of institutional stakeholders, public officials, activists, students, community businesses, and other interested parties collaborated to support cultural exchange and coalition building. I am versed in the planning, coordination, logistics, promotion, and realization of projects which include wide varieties of content, diverse formats, and multi-focal partnerships. I believe in the transformative power of education and art practice - which I have nurtured, performed, taught, and administered throughout my career. I aim to foster the development of citizen artistry, and the ability to articulate corporeal and expressive discourses that contribute successfully to the goals of students, colleagues, and the communities in which we act. My principal focus is Dance and related movement arts. I began, though, in Theater and Musical Theater and have collaborated with actors, directors, playwrights, composers, production specialists, and dramaturgs in a variety of creative contexts over my career. I have a long history of collaboration with live musicians within dance education contexts, and with choral ensembles, electronic music artists, rock and reggae bands, symphony orchestras, chamber groups, composers and more in the realization of interdisciplinary performance projects. As well, in projects like the annual Eyes, Ears and Feet festival, a collaboration incubator between musicians, composers, dancers, choreographers, and visual media artists at the University of Texas at Austin, where each year new interdisciplinary collaborations were generated, I was the co-artistic and administrative director from 2004-2006. I am also very familiar with visual arts practices as I have been involved in a multitude of collaborations with artists and scenographers in distinctive media for the greater part of my professional life.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am interested in serving on the board because I have experience in board service and believe in the idea of generating collective movement towards a specific purpose. My core values in regard to this are transparency, collaboration, communication, accountability and inclusivity. The values and actions that would guide the processes and execution of my service are the following: Actively seeking to recognize and encourage the strengths and potentials of the people I work with in order to promote an environment that supports excellence. Honoring humanity and individuals, in that one recognizes the affective and behavioral aspects of colleagues as important contributions to a productive professional environment. Cultivating mutual responsibility, in which shared impulses are valued and harnessed towards the realization of visionary proposals for creative growth. Fostering an environment conducive to the free exchange of ideas, in which all stakeholders are encouraged to both listen and speak with consideration and civility when working together to achieve common interests, with the understanding that sometimes we will agree to disagree. Here is some relevant experience to add to my application: BOARD OF DIRECTORS: INTERNATIONAL SOMATIC MOVEMENT AND THERAPY ASSOCIATION. (2020-PRESENT) • Finance committee. • Standards and Practices committee • Co-chair of the equity, justice, and accessibility committee. LANGUAGES: Native English speaker. Fluent proficiency in spoken and written Spanish communication and comprehension. COMMUNITY ENGAGEMENT AND ARTS FESTIVALS Developed, planned, and coordinated: vision, logistics, communication, operations, promotion, programming, and collaboration for arts and culture festivals and educational intensives [www.performatica.org](http://www.performatica.org), [www.zenmonkeyproject.com](http://www.zenmonkeyproject.com). (2001-2020) EDUCATION AND PROGRAM ADMINISTRATION Taught courses and coordinated program. Managed resources, recruited faculty, increased enrollment and community participation. Developed methodologies for excellence, assessment, evaluation, advising, and attended to daily caretaking requirements. Universidad de las Américas Puebla, San Andrés Cholula, Puebla, México. <https://blog.udlap.mx/danza/> (2006 – 2022) MOVEMENT ARTS COMPANY CREATION AND MANAGEMENT Created choreography, performed in work by others, worked with multi-disciplinary collaborators, initiated community engagement projects. Directed marketing, public relations, grant writing, educational and service outreach. Steve's House Dance Collective, Zen Monkey Project, Them, and Sheep Army/Elsewhere dance Theater. (1992-2006) INDEPENDENT ARTMAKING, RESEARCH, SCHOLARSHIP, AND JOURNALISM Participated in and presented results in numerous regional, national, and international conferences, performances, community settings, and publications. (1992-Present)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

---

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:



**Ethnicity \***

---

☒ Prefer not to Answer**Gender \***

---

☒ Male**If other, please describe:**

---

**Please select your age from the following list. \***

---

☒ 35-54**Education**

---

Occupation

**Are you a caregiver for or identify with a disability?**

---

☐ Yes ☒ No**Have you participated in the Peoples Academy?**

---

☐ Yes ☒ No**Are you a Town of Chapel Hill employee?**

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☐ Yes ☒ No

---

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

hinzworld@gmail.com

Email Address

Laurie Hinzman

First Name

White

Middle Initial

Last Name

309 Glenwood Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 442-8654

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Cultural Arts Commission: Eligible



Question applies to Cultural Arts Commission

**Select a Seat Category for the Cultural Arts Commission \***

☒ Chapel Hill Town Resident

Question applies to Community Design Commission

**Select a Seat Category for the Community Design Commission**

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Cultural Arts Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

Peoples Academy

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**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

☒ Non-Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I served on a neighborhood committee for the town of South Orange, NJ I have a professional background in Design and Design leadership. Strong interest in Art, Dance, and other Cultural Activities

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Interest in the Chapel Hill community and its future. Management experience.



Question applies to Community Design Commission

**Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.**

I do not have training in architecture or building. I have a strong interest and passion.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

Artist, Real Estate Broker

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☒ Yes ☐ No

**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

---

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---

☒ I Agree \*

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# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 22., **File #:** [23-0464], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Appointments to the Historic District Commission.**

**Staff:**

Sabrina Oliver, Director/Town Clerk  
Amy Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council make appointments to the Historic District Commission for three seats.



**Attachments:**

- Council Committee Recommendation
- HDC Recommendation
- Ballot
- Applications



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Council Committee: Historic District Commission Interviews  
(Council Members Parker and Ryan)

SUBJECT: Recommendation for the vacancy(s)

DATE: May 18, 2023

**RECOMMENDATION:** The Council Committee: Historic District Commission Interviews met on Thursday, May 18, 2023 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Polly Van de Velde, Reappointment, Town Resident and ETJ members
- Josh Gurlitz, Reappointment, Town Resident and ETJ members
- Rebecca Rogers, Appointment, Town Resident and ETJ members

**SPECIAL REQUEST(s):** The Committee supports the Historic District Commission recommendations.

**BACKGROUND:** The Committee expects that Polly Van de Velde and Josh Gurlitz will continue to do an excellent job on the board. The Committee sees Rebecca Rogers professional preservation work done in Augusta, Georgia and her participation in the Peoples Academy as an asset to the Commission.

*Note:* Communications and Public Affairs notes that the Council Committee reviewed the following applications: Polly Van de Velde, Rebecca Rogers, and Josh Gurlitz, and Nikkima Santos.



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Anya Grahn-Federmack, Principal Planner

SUBJECT: Recommendation for the vacancy(s)

DATE: May 10, 2023

**RECOMMENDATION:** The Historic District Commission (HDC) met on Tuesday, May 9, 2023, and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Polly Van de Velde, Reappointment, Historic District Commissioner
- Rebecca Rogers, Appointment, Historic District Commissioner
- Josh Gurlitz, Reappointment, Historic District Commissioner

**SPECIAL REQUEST(s):** No Comment

**BACKGROUND:** The Historic District Commission recommended the appointments of Polly Van de Velde, Rebecca Rogers, and Josh Gurlitz.

They chose to take no action on the application of Nikkima Santos as she was not in attendance and they did not take action on Phillip "Ty" Chapman as he had withdrawn his application for the HDC.

*Note:* Communications and Public Affairs notes that the Historic District Commission reviewed the following applications: Polly Van de Velde, Rebecca Rogers, and Josh Gurlitz, and Nikkima Santos. No additional applications were received between May 9, 2023, and May 17, 2023, for the Historic District Commission.



**BALLOT****HISTORIC DISTRICT COMMISSION****MAY 24, 2023**

Total Membership: 9 (Nine (9) Town Residents and ETJ)  
Current Membership: 9 (3 Female, 6 Male; 9 Caucasian; [3] 35-54, [6] over 55)  
Upcoming Vacancies: 3  
Number of Applicants: 4

**Town Resident**  
**Please vote for up to three (3) applicants.**

\_\_\_\_\_ Josh Gurlitz (incumbent)  
\_\_\_\_\_ Rebecca Rogers\*  
\_\_\_\_\_ Nikkima Santos  
\_\_\_\_\_ Polly Van de Velde (incumbent)

*\*Applicant applied for more than one board.*



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

josh@joshgurlitz.com

Email Address

Josh

First Name

Gurlitz

Last Name

208 Spring Lane

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 929-9717

Primary Phone

Home: (919) 537-5875

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Historic District Commission: Eligible



**Which Board is your First Choice? \***

☒ Historic District Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Advisory Board or Council member

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

☒ Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I have lived in the East Rosemary district for 40 years. I will bring the perspective of a district resident with a strong background in design. My interests include historic residential and commercial architectural expression as well as an interest in urban morphology (how villages and towns grow and develop over time).

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am an architect with an interest in both historic and contemporary design. I have also received an award from the American Planning Association (APA) for my work as a volunteer planner and urban designer. I have served on the HDC in the 1980's and have served on other town commissions including several Comprehensive Plan update teams.



Question applies to Historic District Commission

**Do you have special interest, experience, or education/training in history, architecture, archaeology, or related fields? If yes, please explain.**

Yes. I have an undergraduate degree in Architecture, a Masters of Architecture (both from Syracuse University). I have studied the history of domestic design (development of house forms and design from pre-history through the 1970's). I have worked professionally to restore buildings on the National Register of Historic Places and on buildings within historic districts.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Architect

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No

**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No



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## Ethics Statement

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### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

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☒ I Agree

canalady@gmail.com

Email Address

Rebecca

First Name

B

Middle Initial

Rogers

Last Name

102 Copperline Drive

Street Address

Apt. B

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (706) 825-1601

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Historic District Commission: Eligible



Question applies to Cultural Arts Commission

### Select a Seat Category for the Cultural Arts Commission \*

☒ Chapel Hill Town Resident

### Which Board is your First Choice? \*

☒ Cultural Arts Commission

### How did you find out about this opportunity? (select all that apply)

- ☒ Brochure  
☒ Speaker at an event  
☒ Other (provide additional information below)

### If you chose "Other" from the advertising opportunity listed above, please specify:

People's Academy

## Interests & Experiences

Question applies to multiple boards

### How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

### What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a former board member of the Greater Augusta Arts Council, the non-profit entity that serves as the official public art agency for Augusta, GA govt. I served 3 years on its Public Art Advisory Panel, one chair-elect, half a year as chair. I am not a working artist myself but have experience with the "back-of-the-house" work involving grant applications, developing calls for art, and jurying artists' submissions. I served 2 terms on the Board of Trustees of Historic Augusta, a private, nonprofit membership organization dedicated to the preservation of the historic built environment of Augusta and Richmond County, GA. Prior to retirement, I worked for the Augusta Canal National Heritage Area, an affiliated unit of the National Park Service. I have participated in a number of nonprofit board member trainings offered by the Georgia Center for Nonprofits and similar entities.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I grew up in Chapel Hill, leaving after I earned my undergraduate degree in 1975. I'm happy to have returned to what I consider my 'hometown.' now that I'm retired. I still have family connections here, including my brother Michael Brown, an artist who created many of the town's first murals. I worked in non-profit marketing, communications, and program development for most of my career. I have written a number of successful small to mid-sized grants for arts and historic preservation projects. One in which I take special pride is the successful effort to save the "Mother" church of the CME denomination, an African-American denomination that traced its origin to Augsuta in 1845. I wrote a number of grants in support of this work and coordinated the project which involved moving the structure from a contaminated site to a safe location.

Question applies to Historic District Commission

**Do you have special interest, experience, or education/training in history, architecture, archaeology, or related fields? If yes, please explain.**

I received an AB in American Studies from UNC-CH in 1975. My career has given me occasions to work with the National Park Service, the National Trust for Historic Preservation, the Georgia Trust for Historic Preservation, Partners for Sacred Places, and other similar entities.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

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**Ethnicity \***

☒ Caucasian/Non-Hispanic

**Gender \***

☒ Female

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

retiree. Former  
communications and  
marketing manager

Occupation



Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement

### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

santos.nikkima@gmail.com

Email Address

Nikkima

First Name

M

Middle Initial

Santos

Last Name

1718B Legion Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (984) 528-2167

Primary Phone

Mobile: (984) 528-2170

Alternate Phone

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Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

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The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

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Historic District Commission: Eligible



**Which Board is your First Choice? \***

None Selected

**How did you find out about this opportunity? (select all that apply)**

- ☒ Speaker at an event
- ☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

Pam Hemmiger

**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

- ☒ Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I have a love of history and a desire to preserve the truth of our past. We have done amazing things as people and the trekking of oyr story is the intricate part of evolution.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I come from a long line of community organizers. In every place I've ever lived I have been a voice for the voiceless sometimes providing food, clothing and shelter to those in need. In my current community I have assisted my neighbors with resources, organized a neighborhood cleanup and an accountability system. I have instilled the importance of knowing the good and the bad of history is how we continue to take the "lead" out of the paint. History preservation is the only way we can show where we've been so we get a better idea of where we are going.



Question applies to Historic District Commission

**Do you have special interest, experience, or education/training in history, architecture, archaeology, or related fields? If yes, please explain.**

I always wanted to be an archeologists but didn't know how to get into the field. My parents always took us on trips where we explored places like Monticello which wouldn't have been there if people didn't feel the need to preserve history. I want future generations to have the same nostalgic memories i have. I have a natural affinity for things of the past. Even down to the furniture i choose on my home.

[Nikki\\_Cv\\_updated.docx.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ American Indian/Alaskan Native Aleutian

### Gender \*

☒ Prefer not to say

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

## DEVELOPMENTAL COACH

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No

**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No



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## Ethics Statement

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### ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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**NIKKIMA M. SANTOS**

1718B Legion Rd. Chapel Hill, NC 27517 cell 347-440-2071 fax (888) 506-6695 nikkima.santos@gmail.com

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**SUMMARY**


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Seasoned sales and marketing professional with strong leadership skills.

Works well independently in a fast paced environment with a proven track record of exceeding quotas set.

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**KEY SKILLS**


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<b>Office Skills:</b>	<i>Office Management</i>	<i>Accounts Receivable</i>	<i>Calendaring</i>
	<i>Records Management</i>	<i>Accounts Payable</i>	<i>Front-Desk Reception</i>
	<i>Database Administration</i>	<i>Spreadsheets/Reports</i>	<i>Executive Support</i>
	<i>Bookkeeping</i>	<i>Event Management</i>	<i>Travel Coordination</i>
<b>Computer Skills:</b>	<i>MS Word</i>	<i>MS Outlook</i>	<i>Windows</i>
	<i>MS Excel</i>	<i>MS Publisher</i>	<i>Citrix</i>
	<i>MS PowerPoint</i>	<i>FileMaker Pro</i>	<i>Oracle</i>
	<i>Kronos</i>	<i>Unify</i>	<i>Lotus Notes</i>

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**RELEVANT ACCOMPLISHMENTS**


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As a At Home Reservationist at Hyatt

- Responsible for making and canceling reservations.
- Pitching and transferring customers to credit card service
- Booking convention block. reservations in Passkey

As a Sales and Service Representative at 1800flowers.com:

- Responsible for placing orders and resolving customer's delivery and billing issues.
- Top Seller and consistently received excellent customer survey ratings
- Responsible for the effective and efficient handling of customer needs
- Completed transactions in real-time, while working simultaneously with multiple software applications.
- Consistently followed up on promises and commitments on a timely basis.
- Problem solved and appropriately identified and escalated unresolved issues.
- Consulted with managers and other work staff via instant messenger in order to get customers issues resolved quickly and efficiently.
- Received excellent reviews on all management reviews and surveys.

As a Secretary at Saint Peters University:

- Aided in the management of three departments bookkeeping (accounts payable & receivable).
- Assigned & supervised daily college tasks for college work study students.
- Assisted in the coordination of the Association of Jesuit Colleges & Universities conference on Multicultural Affairs.
- Provided daily reception and administrative support for up to four departments. Prepared annual reports.
- Aided in coordination of multiple college functions including parties, award ceremonies & banquets.
- Scheduled meetings and appointments and handled all travel arrangements.

As an Administrative Assistant at Hoffman LaRoche Pharmaceuticals:



- Conducted Oncology research utilizing companies' library and online search engines.
- Prepared statistical and annual reports.
- Handled all travel arrangements for 2. managers.
- Made arrangements for onsite and telephone conferences.

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## WORK HISTORY

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2018-Present **Guest Services**  
Hyatt (home)

2016-17	<b>BDC Guest Services</b>	Performance Auto Mall	Chapel
Hill, NC 27517			
2015-16	<b>Outbound Sales Agent</b>	Time Warner Cable, Morrisville, NC	
2011-13	<b>Sales and Service Representative</b>	1800 flowers.com, Dallas, TX	
2011-12	<b>E Storage &amp; Sales Representative</b>	Uhaul.com, Dallas, TX	
2001-03	<b>Secretary</b>	Saint Peter's University, NJ	
1999-08	<b>Receptionist</b>	Nightingale Bamford School, NY	
1999-08	<b>Administrative Assistant</b>	Dr. Samuel Guillory, Ophthalmologist, NY	
1999-08	<b>Editor's Assistant</b>	Pearson Education Publishing, NY	
1999-99	<b>Administrative Assistant</b>	Hoffman LaRoche Pharmaceuticals, NJ	

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## EDUCATION

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Current coursework in Urban Studies and Public Policy, BA Saint Peter's University Jersey City, NJ

James J. Ferris High School, Diploma, Jersey City, NJ



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**Profile**

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**Public Records Statement**

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☒ I Agree

polly.vandavelde@gmail.com

Email Address

Maria (polly)

First Name

Middle Initial

.van.de Velde

Last Name

832 Pinehurst Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home: (919) 619-2171

Primary Phone

Home: (919) 619-8491

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Historic District Commission: Eligible



**Which Board is your First Choice? \***

☒ Historic District Commission

**How did you find out about this opportunity? (select all that apply)**

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

current member

**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

☒ Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

As a current and past member of the Community Design Commission, I have gained a broad perspective of land planning and development issues. Having been involved from the beginning on evaluating and helping redefine the requirements related to the Blue Hill District, I appreciate the complexity of setting standards and policies that both satisfy the many factions of Chapel Hill citizenry, and the development needs of a town that will continue to grow. The importance of setting policy that will result in everyone feeling a sense of ownership is of tantamount importance. Having also been party to much of the negotiation regarding the Eastowne-UNC Healthcare development agreement, I appreciate the challenges for the town to enhance the experience of town residents while maintaining a collaborative relationship with the University.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Involvement in town projects have included Chapel Hill 2020, membership on the Obey Creek Compass Committee and participation in developing the design guideline manual for Blue Hill. My skill sets include good listening, communication, team building and interviewing. From many years working in medical research I have statistical and analytical skills as well. I would like the opportunity to continue working to enhance town well being.



Question applies to Historic District Commission

**Do you have special interest, experience, or education/training in history, architecture, archaeology, or related fields? If yes, please explain.**

In specific regard to suitability for membership on the Historic District Commission I appreciate the need to preserve and protect the parts of Chapel Hill that have historical as well as architectural importance. They are part of the fabric of the entire town that deserve special consideration. My longstanding special interest in architecture has been honed by my Community Design Commission tenure. I grew up in New England with a long tradition of preservation. The house I grew up in was built in 1848. I appreciate historical design elements and preserving their integrity. I am currently a member of the HDC and have served as Deputy Vice Chair for past year and the current year. As a member of the HDC sub-committee that has been working on promoting and enhancing awareness of the historic districts as well as historical events and places within the town, I would like to continue to move that effort forward.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Psychiatric Social Worker-  
Retired

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement

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☒ I Agree \*

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# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 23., **File #:** [23-0465], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Appointments to the Orange Water and Sewer Authority Board of Directors.**

**Staff:**

Sabrina Oliver, Director/Town Clerk  
Amy Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council make appointments to the Orange Water and Sewer Authority Board of Directors for two seats.



**Attachments:**

- Recommendation
- Ballot
- Applications



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Council Committee: Orange Water and Sewer Authority Board of Directors Interviews  
(Council Members Huynh, Miller-Foushee, and Parker)

SUBJECT: Recommendation for the vacancy(s)

DATE: May 18, 2023

**RECOMMENDATION:** The Council Interview Committee: Orange Water and Sewer Authority met on Thursday, May 18, 2023 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Kyle Onda, Appointment, Town Resident
- Amanda Frisard, Appointment, Town Resident

**SPECIAL REQUEST(s):** None

**BACKGROUND:** Kyle Onda was highly recommended by some of the people already on the OWASA board. He also has academic and professional experience dealing with water issues. Amanda Frisard has a combination of diversity and represents people with disabilities. She's also participated in the Peoples Academy which shows her commitment to the town and community service. Her background in business administration could bring a level of expertise to the board.

*Note:* Communications and Public Affairs notes that the Council Interview Committee: Orange Water and Sewer Authority reviewed the following applications: Ryan O'connor, Nilay Patel, Amanda Frisard, Kyle Onda, La-eula Davis, Jesus Gonzalez-ventura, Brian Sanders and Aaron Westrick.



**BALLOT****ORANGE WATER AND SEWER AUTHORITY ADVISORY BOARD OF DIRECTORS****MAY 24, 2023**

- Total Membership: 9 (The OWASA Board of Directors is composed of nine (9) members: five (5) appointed by the Council of Chapel Hill (must be residents of the Town of Chapel Hill); two (2) appointed by the Council of Carrboro; and two (2) appointed by the Orange County Commissioners.
- Any vacancy in membership on the Authority shall be filled for the unexpired term by the political subdivision which made the original appointment.)
- Current Membership: 8 (0 Female, 4 Male, 4 did not answer; 3 Caucasian, 1 Hispanic, and 4 did not answer; [0] 18-24, [0] 25-34, [2] 35-54, [2] over 55, and [4] did not answer)
- Current Vacancies: 1 (Town Resident)
- Upcoming Vacancies: 1 (Town Resident); 1 (Orange County Resident)
- Number of Applicants: 8

**Orange Water and Sewer Authority Board of Directors**  
**Please vote for up to two (2) Town applicants.**

\_\_\_\_\_ Le-eula Davis  
 \_\_\_\_\_ Amanda Frisard\*  
 \_\_\_\_\_ Jesus Gonzalez-ventura  
 \_\_\_\_\_ Ryan O'connor

\_\_\_\_\_ Kyle Onda  
 \_\_\_\_\_ Nilay Patel  
 \_\_\_\_\_ Brian Sanders  
 \_\_\_\_\_ Aaron Westrick

*\*Applicant applied for more than one board.*



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

aaron.westrick@gmail.com

Email Address

Aaron

First Name

Westrick

Last Name

703 Highgrove Dr.

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (919) 225-7548

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



Question applies to Chapel Hill Downtown Partnership

**Select a Seat Category for the Chapel Hill Downtown Partnership \***

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☒ Chapel Hill Town Resident

**Which Board is your First Choice? \***

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None Selected

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**How did you find out about this opportunity? (select all that apply)**

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☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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e-mail from Sarah Poulton given my previous involvement in People's Academy

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**Interests & Experiences****What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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I'm a 16-year resident of Chapel Hill and was part of a group that bought the Lumina Theater in 2019 to keep it alive. We were initially successful in getting the business on the right track after taking over in November and were successful in charting a new course given COVID getting outdoor movies running (safely) and taking the time to complete indoor renovations. My current non-profit involvement includes being a board member with Strowd Roses Foundation, Treasurer of the Carrboro Athletic Boosters, and Assistant Scout Master for BSA Troop 39. Professionally, I'm a finance executive (currently CFO of a marketing services company) with a passion for business, and I would love to be part of continuing to strengthen Chapel Hill's downtown for years to come.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

---

My professional background is in finance, strategy, acquisitions, and consulting. My family loves living in a college town and the breadth of enriching opportunities it brings in a relatively small package. As I mentioned, I have a passion for business and strengthening the community I love and would look forward to the opportunity to be part of the OWASA Board. I am also keenly interested in the Chapel Hill Downtown Partnership.



[Aaron Westrick Resume 2022.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

### Finance

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



## AARON T. WESTRICK

Chapel Hill, NC • 919-225-7548

[aaron.westrick@gmail.com](mailto:aaron.westrick@gmail.com) • [www.linkedin.com/in/aaron-westrick](http://www.linkedin.com/in/aaron-westrick)

### OVERVIEW

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Accomplished CFO with significant board and private equity experience and broad finance, strategy, and business analytics background as well as P&L leadership experience. Bring a broad perspective to the finance function through a blend of experience in consulting, general management, IT, and corporate and operational finance. Leverage strong business partnerships, analytical skills, and high performing team leadership to deliver insights and action. Keen ability to see the big picture and connect details to align strategy and drive execution. Instrumental in leading the growth and ultimate sale of LORD Corporation to Parker Hannifin for 16.5x EBITDA.

### STRENGTHS

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Strategy  
Business Analysis  
Management  
Financial Planning & Analysis

Mergers & Acquisitions  
Treasury, Pension/401k, & Risk

Accounting, Consolidation & Reporting

### EXPERIENCE

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#### Ruffalo Noel Levitz (RNL)

**2020 - 2022**

RNL is a \$150MM private equity owned, tech-enabled marketing services firm serving the higher education market.

*CFO*

- **M&A** - Signed and closed a key acquisition during first 45 days delivering key technologies and talent.
- **Business Management** - Implementing accountability framework to drive business execution.
- **Cash Flow** - Identified and executing on \$10MM working capital and \$1MM cost improvements.

#### PARKER HANNIFIN / LORD CORPORATION

**2005 - 2020**

LORD Corporation was a \$1B private global manufacturing company focused on specialty adhesives and vibration and motion control. LORD was sold to Parker Hannifin in 2019.

*Director, Finance & Controller - Cary, NC*

**2016 - 2020**

Reported to CFO and led a 25-person team responsible for all finance functions (except tax, treasury and audit) as well as leading strategy.

- **Corporate Sale** - Core team member delivering sale of the company for \$3.7B (16.5x EBITDA) to Parker Hannifin.
- **Board Involvement** - Attended all Board meetings and facilitated Strategy Committee meetings.
- **Restructuring** - Oversaw planning and implementation to reorganize business units to streamline for growth and deliver \$15MM of cost savings.
- **Relentless Focus on Cost** - Championed enterprise-wide program yielding savings of \$10MM/year.
- **Speed/Automation/Analytics** - Drove efficiency and built a scalable architecture and analytics capability.
  - o Compressed the month-end close schedule to 4 days from 6.
  - o Streamlined account reconciliation thru implementation of Blackline online tool.
  - o Implemented PowerBI platform to automate reporting and provide dynamic business insights.
  - o Redeployed resources to business finance support roles.



- **High Performance Team** - Upgraded talent and finance function capabilities to deliver on growth goals.
  - Rebuilt a significant portion of the team and restructured for efficiency and business alignment.
  - Partnered with businesses to deliver cross-functional training and deepen working relationships.
  - Shifted corporate resources to focus on manufacturing support and succession planning.

*Director, Strategy & Corporate Development - Cary, NC*

*2013 - 2016*

Reported to CFO and led a 5-person team. Delivered on a mandate to develop and implement growth strategy.

- **Corporate Development** - Developed acquisition strategies, identified and cultivated targets, developed investment theses, and led valuation, due diligence, negotiations, and closing of deals.
  - Developed network of 75+ advisors and business contacts to drive opportunities and execution.
  - Evaluated 50+ opportunities across Aerospace, Chemicals, Sensing, and Oil & Gas.
  - Completed three acquisitions ranging in size from \$5MM to \$50MM.
- **Strategic Planning** - Developed business-level growth strategies and execution framework.
  - Developed new strategic planning framework focused on accelerating the company's growth.
  - Actively managed initiative portfolio across business units to drive prioritization and execution.
  - Championed development and implementation of balanced metrics beyond financial ones including Net Promoter Score and Return on Innovation Investment.

*General Manager, EPM Global Business - Cary, NC*

*2013*

Reported to COO with P&L responsibility for \$300MM global business unit representing 35% of the LORD's sales and 50% of profits. Set the global strategy and lead cross functional teams of sales/marketing, technology, and operations.

- **Pricing/Branding** - Actively managed price segmentation strategy across brands and regions to maximize and defend share and portfolio value.
- **Technology Roadmaps** - Oversaw development of roadmap and related portfolio prioritization to drive offensive and defensive strategies for this high share business.
- **Manufacturing/Distribution** - Managed global manufacturing and distribution network to maximize profit.

*Director, Finance & IT [Division CFO] - Europe - Geneva, Switzerland*

*2010 - 2012*

Reported to regional President and managed 18-member team. Responsible for leading all aspects of the \$175MM region's finance and information systems activities across 12 countries.

- **Corporate Strategy** - Member of the company's corporate strategy core leadership team.
- **Finance/Accounting** - Significantly upgraded accounting rigor and developed regional FP&A capabilities.
  - Led risk assessment and established accounting policies that reduced adjustments by 95% (>\$3MM).
  - Established a Business Analysis function to support key decisions for investments, pricing, channel strategies, business profitability, and manufacturing strategy.
  - Streamlined planning/forecasting processes and increased engagement with key regional and U.S. leaders.
  - Successfully managed difficult situations such as demotion of my predecessor and several reorganizations.
- **Information Systems** - Elevated team from local to pan-regional/global and implemented execution rigor.
  - Built capabilities by doubling the group staffing and reorganizing along functional lines.
  - Implemented portfolio process for timely/prioritized project management.
  - Expanded regional Manager's role to oversee all non-U.S. ERP systems.



*Director, Treasury & Business Analysis - Cary, NC*

*2007 - 2010*

Reported to CFO and led 6-person team. Managed all aspects of the company's Treasury, Retirement Plans, and Insurance as well as Business Analysis.

- **Debt** - Executed debt restructuring in the midst of the financial crisis in February 2009.
- **Tax Strategies** - Partnered with Tax on tax-neutral strategies to repatriate \$30MM from China and Europe.
- **Cash Pooling** - Implemented international notional cash pool allowing 90% reduction of operating cash.
- **International Banking** - Consolidated European cash management under a single platform.
- **Pension & 401k** - Overhauled and strengthened pension and 401k management advisory structures.
- **Insurance** - Initiated international broker RFP and transition from adhoc network to a globally integrated broker.
- **Divestitures** - Provided valuation and financial leadership to divest two business lines of \$8MM and \$15MM.

*Manager, Business Analysis - Cary, NC*

*2005 - 2007*

Managed 4-person corporate team. Responsibilities included M&A, business profitability review, manufacturing strategy, pricing, treasury/tax strategy, and capital planning. Started with LORD as a Business Analyst in 2005.

**PFIZER** - New York, NY / Dublin, Ireland

**2003 - 2005**

*Manager, Treasury Planning*

*2004 - 2005*

*Corporate Finance Development Program*

*2003 - 2004*

**DELOITTE CONSULTING** - Cincinnati, OH

**1999-2001**

Developed analyses to support strategic and operational decisions and implement change at a variety of companies.

## EDUCATION

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MBA, **MIT SLOAN SCHOOL OF MANAGEMENT** - Cambridge, MA

**2001 - 2003**

BS / Electrical Engineering, **MICHIGAN STATE UNIVERSITY** - East Lansing, MI

**1994 - 1998**



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

77bsanders@gmail.com

Email Address

Brian

First Name

Sanders

Last Name

Middle Initial

412 Clayton Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 260-2286

Primary Phone

Alternate Phone

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Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

---

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

---

Orange Water and Sewer Authority Board of Directors: Eligible



Question applies to Environmental Stewardship Advisory Board

**Select a Seat Category for the Environmental Stewardship Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

**How did you find out about this opportunity? (select all that apply)**

☒ Speaker at an event

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am interested in maintaining the environmental health of our community and the safety of our water. For the Water Board - I have been interested in water throughout my life, from visiting my grandparents who's house had a cistern, to co-authoring a paper on urban water catchment ponds in grad school, to helping a friend design a 27,000 gallon cistern for their house in the Texas hill country - I have been interested and concerned with our lack of respect for water. For the Environmental Board - My wife and I pick up trash through our neighborhood just about every morning, to date we have collected over 680 large bags of trash. This has made me come to realize that if that much trash is on just the streets we walk in the morning, how much more is out there and what more can we do to clean up the greater Chapel Hill. I would hope to bring a pragmatic approach to the board based on my engineering background and my general business acumen.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I have read extensively on water - from conservation to treatment. I am interested in water conservation, treatment, use, catchment, storage, and water pollution. Water is an important part of our environment, but only one part, helping keep all our environment clean is very important for not only our health, the health of the animals and plants we share it with, but I believe keeping Chapel Hill an attractive place to live and work is important for the health of our community.



[Advisory Boards -  
Brian Sanders.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Other

### Gender \*

☒ Male

### If other, please describe:

Two Races - Caucasian/Native American

### Please select your age from the following list. \*

☒ over 55

Marketing Director

Occupation

### Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

### Have you participated in the Peoples Academy?

☐ Yes ☒ No

### Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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## Brian O. Sanders

---

412 Clayton Road, Chapel Hill, NC, 27514

[77bsanders@gmail.com](mailto:77bsanders@gmail.com) | 919-260-2286 | [www.linkedin.com/in/brian-o-sanders](http://www.linkedin.com/in/brian-o-sanders)

September 25, 2022

Subject: Orange Water and Sewer Authority Board of Directors & Environmental Stewardship Advisory Board

Thank you for the opportunity to submit my application for this advisory position.

I am interested in working with either the environmental or water/sewer board – to me both are essential to help maintain the appeal of living in Chapel Hill.

I have been interested in water since I was a child. Visiting my grandparents, who's house still had a cistern under their back porch, using a bucket in the shower to capture extra water during many droughts in Texas, helping a friend design a cistern and water filtration for their house in the Texas hill country have all contributed to my interest and concern for the public's general lack of respect for clean water.

Watching the news about major water infrastructure failures, the lead content in many of the pipes transporting our water, major contamination scandals – I am becoming concerned that we must get much more serious about our water infrastructure.

I would hope to bring a passionate as well as a pragmatic approach to working on the water board. And like everyone else I want to feel confident every time I turn on my tap the water will flow and it will be safe.

Water is a critical element of our environment, but only one element, and I am interested in supporting the health of our entire environment. My wife and I collect trash in our neighborhood most mornings and during the pandemic we have collected over 680 large plastic bags of trash. This amount of trash has made me realize there is a significant challenge in Chapel Hill with pollution.

I have an engineering degree as well as two business degrees. I have worked as a software developer, systems engineer, technology consultant, product manager, integration executive, and in multiple marketing positions across the technology industry.

Thank you for your consideration.

Sincerely, Brian Sanders



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

kyle.onda@ondawater.org

Email Address

Kyle

First Name

Onda

Middle Initial

Last Name

100 Valley View Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (303) 550-4432

Primary Phone

Alternate Phone

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Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 0-12 months

---

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

---

Orange Water and Sewer Authority Board of Directors: Eligible



---

**Which Board is your First Choice? \***

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

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**How did you find out about this opportunity? (select all that apply)**


---

☒ Advisory Board or Council member

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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I have lived in the OWASA service area for 11 years, most of that time in Carrboro but moved to Chapel Hill last year. Most of that time, I have been a graduate student at UNC in the departments of Environmental Sciences & Engineering (MSPH '14) and City & Regional Planning (MCRP '14, PhD '22). I bring a broad perspective on the importance of water and sanitation utilities to public health, as well as its interrelationships with urban and economic development. I have studied in both the US and international contexts the challenges involved in balancing environmental sustainability, asset management, long-range planning, and water rate affordability. I have served as a consultant to water infrastructure companies and utilities in the past to evaluate prospective water rate setting and water metering practices, evaluate the impact to water demand of various water demand management programs, and to create water rate affordability and equity measures. I currently am the technical lead for "Internet of Water" project (<https://internetofwater.org>), which advocates for federal, state, and local agencies to publish findable, accessible, and interoperable water data to improve integrated water resources management, and provides technical assistance in doing so. I am also currently the co-chair of the Technology Committee of the American Water Resources Association. In these roles, I regularly interact with people and data from federal and state water quantity, water quality, and drinking water regulatory agencies, as well as academics involved in flood, drought, water quality and water use modeling. I thus bring a wide perspective on how local water and sanitation utilities can impact and be impacted by regional water quantity and quality issues.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

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I'm familiar with GIS, household-level water demand modeling, surface water availability forecasting, land use and environmental planning, economic Cost-Benefit Analysis, data visualization.



[CV\\_KyleOnda.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Other

### Gender \*

☒ Male

If other, please describe:

White + Asian

Please select your age from the following list. \*

☒ 25-34

Associate Director for  
technology at an urban  
planning think tank

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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**KYLE ONDA**

Chapel Hill, NC | 303-550-4432 | [kyle.onda@ondawater.org](mailto:kyle.onda@ondawater.org)

**EDUCATION**

University of North Carolina at Chapel Hill

**PhD, City & Regional Planning**

**2022**

**MCRP, City & Regional Planning**

**2014**

**MSPH, Environmental Sciences and Engineering**

**2014**

Stanford University

**BS, Environmental Engineering**

**2011**

Conferred with Distinction, *Phi Beta Kappa*

**PROFESSIONAL EXPERIENCE**

Center for Geospatial Solutions, Lincoln Institute of Land Policy

**Associate Director, Internet of Water**

**January 2022 – Present**

- Supervised development of open source water data infrastructure components for serving hydrologic feature data linked to environmental sensor data streams.
- Provide direct technical assistance water data standardization and water data infrastructure improvement projects for federal, state, and non-governmental organizations.

Xylem, Inc

**Data Scientist (Consultant)**

**January 2021 - Present**

- Developed the [Water Equity Lens](#), a proof-of-concept suite of metrics visualized in ArcGIS Online for water and wastewater utilities to evaluate the spatial and social equity of their service delivery.
- Developed data models, data standards, and data ingestion workflows for utility operational data and U.S. Census data for implementation of the Water Equity Lens with pilot client utilities.

Internet of Water, Nicholas Institute of Environmental Policy Solutions, Duke University

**Data Architect**

**June 2019 – January 2022**

- Developed community-managed system for persistent identification of environmental features and best practices for publishing data linked to these features.
- Developed templates, tutorials, and curricula for data architecture modernization and data science for local and state public agencies producing water-related data.
- Developed (successful) proposal for two \$80,000 USGS WRI grants supporting the development of an open linked water data system, and managed the resulting project.
- Convened and facilitated stakeholder meetings with representatives from Federal government agencies, state water resources and environmental protection agencies, and non-governmental organizations for mutual learning about data architecture for



- open data, and data and metadata standardization
- Created open-source software tools and community processes to aid in comparison and eventual harmonization of scientific, legal, and administrative data standards and controlled vocabularies used by federal and state agencies for water resources management and water quality science and regulation

Valor Water Analytics

**Lead Statistician (Consultant)**

**March 2017 – December 2020**

- Designed water demand and revenue forecasting tool in R based on hierarchical time series modeling of customer-level water meter data with mixed hourly, daily, and monthly frequency, daily weather observations, and parcel characteristics.
- Evaluated impact of experimental and quasi-experimental interventions to detect water leaks and encourage water conservation in Southern California
- Designed randomization blocking scheme of water bill reminder program experiment for customers at risk of bill nonpayment

Department of City & Regional Planning, University of North Carolina at Chapel Hill

**Research Assistant**

**August 2015 – May 2019**

- Compiled, managed, cleaned, analyzed nationwide parcel, real estate, aerial imagery, land cover, building footprint, and utility service areas for study of impact of U.S. Coastal Barrier Resources Act on development rates
- Compiled, managed, cleaned, analyzed, and spatially and temporally harmonized multiresolution nationwide (India) data on population, employment, climate, industrial activity, land cover, freshwater availability, groundwater levels, groundwater quality for study of drivers of urbanization in India

Jameel Abdul Latif Poverty Action Lab (Patna, Bihar, India)

**Intern**

**May 2015 – August 2015**

- Supported enumerator training and fieldwork for randomized evaluation of neighborhood-level electricity billing intervention
- Provided data quality assurance for baseline and midline surveys using statistical detection of multivariate outliers

Croatian Institute

**Summer Associate**

**May 2014 – August 2014**

- Designed data management, summary, and visualization tools in Excel for survey of financial institutions' socially responsible investment activities



Department of Environmental Sciences & Engineering, University of North Carolina at Chapel Hill  
**Research Assistant** **August 2011 – May 2014**

- Helped conduct systematic literature review of water quality tests and water infrastructure access worldwide for study measuring the prevalence of global exposure to water supplies at high risk of fecal contamination.
- Designed, implemented, analyzed nationally representative survey of plumbing code enforcement officials to measure the legal and practical degree of last-mile domestic water safety regulation in the United States

Department of Civil & Environmental Engineering, Stanford University  
**Research Assistant** **June 2009 – August 2011**

- Managed survey fieldwork in rural Senegal on village water system technical and financial sustainability.
- Analyzed primary household surveys and source and point-of-use water quality testing for indicator bacteria for studies of hygiene behavior and child health in Tanzania and Mozambique

South African Municipal Workers' Union  
**Research Assistant** **March 2010 – June 2010**

- Organized, promoted, attended community meetings in peri-urban townships discussing the impacts of pre-paid water meters on community sanitation and health
- Reorganized electronic documents and records filing system for water and sanitation studies

Water Quality Control Division, Colorado Department of Public Health and Environment  
**Engineering Aide** **May 2008 – August 2008**

- Assembled and formatted data for lakes and streams biological habitat data (temperature, DO, BOD, nitrates, phosphorous)
- Sampled streams for flow, water chemistry, periphyton, macroinvertebrate and fish populations

## PEER-REVIEWED PUBLICATIONS

Marston, L., Abdallah, A., Bagstad, K., Dickson, K., Glynn, K., Larsen, S., Melton, F., **Onda, K.** et al. Water-Use Data in the United States: Challenges and Future Directions. *Journal of the American Water Resources Association* 58 (4): 485–95, 2022.

Branham, J., Kaza, N., BenDor, T.K., Salvesen, D., and **Onda K.** Removing Federal Subsidies from High-hazard Coastal Areas Slows Development. *Frontiers in Ecology and the Environment* 20 (9): 500–506, 2022.

**Onda K.**, Tewari M. Water systems in California: Ownership, geography, and affordability. *Utilities Policy*, 72(101279), 2021.



- Branham, J., **Onda, K.**, BenDor, T., Kaza, N., and Salvesen, J. "How Does the Removal of Federal Subsidies Affect Investment in Coastal Protection Infrastructure?" *Land Use Policy*, 102, 2021.
- Onda, K.**, Branham, J., BenDor, T., Kaza, N., and Salvesen, J. "Does Removal of Federal Subsidies Discourage Urban Development? An Evaluation of the US Coastal Barrier Resources Act." *PLOS ONE*, 15(6), 2020.
- Onda, K.**, Sinha, P., Gaughan A.E., Stevens, F.R., and Kaza, N. "Missing Millions: Undercounting Urbanization in India." *Population and Environment*, 41(2):126-150, 2019.
- Bain, R., Cronk, R., Hossain, R., Bonjour, S., **Onda, K.**, Wright, J., Yang, H., Slaymaker, T., Hunter, P., Pruss-Ustun, A., and Bartram, J. "Global Assessment of Exposure to Faecal Contamination through Drinking Water Based on a Systematic Review." *Tropical Medicine & International Health*, 19(8):920-927, 2014.
- Onda, K.**, Crocker, J., Kayser, G., and Bartram, J. "Country clustering applied to the water and sanitation sector: A new tool with potential applications in research and policy." *International Journal of Hygiene and Environmental Health*, 217(2):379-385, 2014.
- Marks, S.J., **Onda, K.**, and Davis, J. "Does sense of ownership matter for rural water system sustainability? Evidence from Kenya." *Journal of Water, Sanitation, and Hygiene for Development*, 2(3):122-133, 2013.
- Onda, K.**, LoBuglio, J., and Bartram, J. "Global Access to Safe Water: Accounting for Water Quality and the Resulting Impact on MDG Progress." *International Journal of Environmental Research and Public Health*, 9(3):880-894, 2012.

## LANGUAGES

English-- fluent; French-- advanced; Portuguese-- basic

## SKILLS

*Data Science & Architecture:* R, Stata, GCP, AWS, DigitalOcean, ArcGIS, QGIS, R spatial packages, OGC APIs, GitHub, Docker.  
*Communication and Publishing:* Photoshop, LaTeX, Markdown, R Shiny web applications

## PROFESSIONAL ACTIVITIES

Co-Chair, Technology Committee, American Water Resources Association (2021-23)

## AWARDS

Royster Doctoral Fellowship	May 2014 - August 2019
Best Master's Project, UNC-Chapel Hill Dept. of City & Regional Planning	May 2014
Student Achievement Award, UNC-Chapel Hill Dept. of Environmental Sciences & Engineering	May 2014
Undergraduate Summer Research Scholarship, Stanford University	June-September 2009
Undergraduate Summer Research Scholarship, Stanford University	June-September 2010



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

nilaycpatel@gmail.com

Email Address

Nilay

First Name

Patel

Last Name

Middle Initial

1012 Shagbark Court

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home: (919) 818-8775

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Orange County-ETJ (Blue)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



**Which Board is your First Choice? \***

---

☒ Reimagining Community Safety Task Force

---

**How did you find out about this opportunity? (select all that apply)**

---

☒ Internet

---

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

---

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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Prior 11 yr service in US Navy, resigned as Commander with honorable discharge. Fulltime family medicine physician. I have 4 children who go to chapel hill public schools. I have a strong interest in the safety of our community. A community cannot thrive if it's residents are not safe.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

---

See above.

---

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

---

**Demographics**



The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

**Ethnicity \***

---

☒ Asian or Pacific Islander

**Gender \***

---

☒ Male

If other, please describe:

---

Please select your age from the following list. \*

---

☒ 35-54

Physician

Occupation

Are you a caregiver for or identify with a disability?

---

☒ Yes ☐ No

Have you participated in the Peoples Academy?

---

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

---

☐ Yes ☒ No

---

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

---

☒ I Agree \*

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---

**Profile**

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**Public Records Statement**

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---

☒ I Agree

ryan@mcspinc.com

Email Address

Ryan

First Name

C

Middle Initial

O'connor

Last Name

317 Azalea Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home: (513) 687-4728

Primary Phone

Alternate Phone

---

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**What district do you live in? \***

☒ Orange County-ETJ (Blue)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

---

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**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



Question applies to Parks, Greenways and Recreation Commission

**Select a Seat Category for the Parks, Greenways and Recreation Commission \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

**How did you find out about this opportunity? (select all that apply)**

☒ Brochure

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

CPA with public and private accounting and finance experience. Currently am CFO a construction company who specializes in sewer and large diameter pipe repairs.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I love working in collaborative environments with creative folks looking for efficient solutions. In my free time, I love exploring the outdoors (hiking, playing sports, etc), cooking and travelling. My wife and I love providing experiential learning to our children where we too our just as much part of the adventure and learning - doing our best to "get comfortable being uncomfortable".

[Ryan O Connor Resume 10.27.22.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**



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## Demographics

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### Ethnicity \*

☒ Prefer not to Answer

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

CFO

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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---

☒ I Agree \*

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## Contact

ryan@mcspsc.com

513-687-4728

## Top Skills

Financial Analysis

Financial Reporting

Process Creation

## Certifications

Certified Public Accountant

(IL, TX, working on  
reciprocity in OH)

# Ryan O'Connor

Chapel Hill, North Carolina, United States

## Experience

### **Municipal and Contractors Sealing Products, Inc.**

Chief Financial Officer

August 2021 - Present (1 year 3 months)

~ Leads all areas of fiscal strategy, planning, financial review, analysis and reporting for the company.

<https://mcspsc.com/>

### **The Guild (formerly CREA Management)**

Controller

October 2019 - July 2021 (1 year 10 months)

Austin, Texas Area

~ Responsible for the review, analysis and reporting of property and management company financials.

<https://www.creacommunities.com/>

<https://theguild.co/for-living>

### **Christopher Investment Company**

Vice President of Accounting

March 2017 - October 2019 (2 years 8 months)

Austin, Texas

~ Operational accounting, financial reporting, budgeting, tax preparation and planning, and various areas of fiscal analysis tailored for decision making.

<http://christopherinv.com>

### **Potbelly Sandwich Works**

Senior Accountant

October 2014 - March 2017 (2 years 6 months)

Chicago, Illinois

~ GAAP accounting, financial analysis, and process improvement for all company owned Potbelly shop "occupancy" related items as well as budgeting, SEC financial reporting, internal controls and joint venture 'carve out' financial statements.



**Pricewaterhouse Coopers, LLC**

Assurance Experienced Associate

July 2013 - October 2014 (1 year 4 months)

Greater Chicago Area

~ Quarter and YE testing and filing for fully integrated audit clients (public companies) within the Consumer and Industrial Products industry group.

---

**Education**

Ithaca College

Bachelor of Science (B.S.), Accounting · (2009 - 2012)



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

jesusxchapelhilpr@gmail.com

Email Address

Jesus

First Name

A

Middle Initial

Gonzalez-ventura

Last Name

100 Spring Meadow Drive

Street Address

202

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

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**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



Question applies to Justice in Action Committee

**Select a Seat Category for the Justice in Action Committee \***

---

☒ Chapel Hill or Carrboro planning jurisdiction

**Which Board is your First Choice? \***

---

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

---

**How did you find out about this opportunity? (select all that apply)**

---

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

During 2021 an email originated from me to Town Council in Carrboro and Chapel Hill, Councilmember Michael Parker suggested OWASA Board of Directors. After a moment of consideration and research I concur.

---

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

---

One of a working class queer male, first-generation college graduate, immigrant, son of a former Korean War Veteran and non-citizen child-care worker and domestic worker. The perspective of a great uncle of three and uncle of ten, the perspective of "one health". A perspective cognizant of the unfathomable realities those of us who struggle to thrive.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

---

Interested in how we can work to ensure utilities are owned by the public, furthermore, make clean water, air and responsive waste removal in this region of North Carolina.



[JAGV\\_ResumenMayo2023.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Hispanic

### Gender \*

☒ Nonbinary or third gender

If other, please describe:

Please select your age from the following list. \*

☒ 25-34

Server & Self-employed

Occupation

Are you a caregiver for or identify with a disability?

☒ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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---

☒ I Agree \*

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## Jesus Gonzalez-Ventura

### Education

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University of North Carolina Chapel Hill	2014-2018
Bachelor of Arts in Public Policy	
Honors Carolina Laureate	
University of Cape Town (Western Province, South Africa)	2017
Honors Seminar in History of Cape Town	
Honors Seminar in Art History Methods	
Internship at NGO- Wola Nani	
University of Central Florida	2018-hold
15 credits General Social Work Practice	
University of North Carolina Chapel Hill	
Department of City and Regional Planning	2021-hold
Yoga Teacher Training at Carolina Yoga Company	2021

### Job History

---

Academic Tutor at Self-employed	2012-2014
Dog Sitter at Self-employed	2013-2015
Host & Food Runner Sheraton Hotels	2014-2015
Academic Sitter at Middle Education Level at [(Dr. Hogan)^2] Residence	2015
Undergraduate Research Assistant at Anton Lab CAS Lab	2014
Administrative Assistant at Dr. Kyle Worsham #156543213	2015-2016
Undergraduate Research Assistant at Earp Lab	2016
Graduate Research Assistant at Dr. Reshawna Chapple LCSW, PhD	2018
Intern United Way Heart of Florida 2-1-1	2018
Pizza Maker at "Little Caesars LLC"	
Axe Throwing Coach at Axes at Armor	2020-2021
DEXA Technician/Medical Records at ("BWC PA") Dr. Andre' Hall #1760645572	2019-2020
Sex Worker at Self-employed	2019-
Host at First Watch	2021
Graduate Teaching Assistant at UNC Public Policy	2021
Counter Sales at Amante Pizza Gourmet	2021-2022
Cashier at Weaver Street Market Co-Op	2022
Community Organizer WORKING AMERICA AFL-CIO	2021-2022
Assistant Field Director at AFL-CIO	2022
Professional Fundraiser at ACLU	2023
Beginner Teacher at Durham Public Schools	2023
Server at First Watch	2023-

### Skills

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HIPPA Certification, eMedical Records  
 Information and Referral: iCarol, REFER  
 HTML, JavaScript, R, Tableau  
 POS  
 Spanish fluent  
 IRB Document Translation  
 Philanthropy, Public Speaking, Community Organizing, Canvassing, Advocacy



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**Profile**

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**Public Records Statement**

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---

☒ I Agree

frisard30022@yahoo.com

Email Address

Amanda

First Name

L

Middle Initial

Frisard

Last Name

117 Wild Iris Ln

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (602) 369-0619

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

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**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

Peoples Academy

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

My perspective related to the transportation board comes on a multitude of levels. First, I was born in North Carolina and lived in Chapel Hill from 1983-1986 while my mom was in grad school at UNC. I now live in CH with my family more that 35 years later so I can share the growth I see and how transportation can adapt to it. I also have a 10th grade daughter I drive to East Chapel Hill high school and pick up everyday so I am daily user of CH roads. My perspective related to the OWASA board is based on my belief that water in an innate human right and one that must be preserved to make sure we have access and enough for our residents. As someone who grew up in Arizona and now see the water issues they are facing, I want to continue helping to make sure Chapel Hill has all the water it needs.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

When I live in a town/city, I like to be informed and involved. This is similar to what I feel Chapel Hill offers its citizens. I have served on previous boards in towns I lived in ie Metrolina Native American Association-Charlotte, NC and Mayor's Committee for People with Disabilities-Chandler, AZ and now serve on the State (of NC) Advisory Council on Indian Education. In addition, with a bachelor's degree in Political Science/Business Administration I also have a working knowledge of how government works.



[Amandaresume1.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

---

## Demographics

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### Ethnicity \*

☒ American Indian/Alaskan Native Aleutian

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

SAHM

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

---

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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---

☒ I Agree \*

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frisard30022@yahoo.com / **Amanda Coronado Frisard** / 602-369-0619

## **EDUCATION**

1998 **B.A.** - Political Science/Business Administration, magna cum laude, Northern Arizona University (NAU) Flagstaff, AZ

## **ACTIVIITIES**

2023 *town member*, Peoples Academy, Chapel Hill, NC  
 Present - 2021 *council member*, State (of NC) Advisory Council on Indian Education (SACIE), Raleigh, NC  
 2021 - 2019 *precinct delegate*, Precinct 140 Mecklenburg County, Charlotte, NC  
 2021 - 2016 *board member*, Metrolina Native American Association (MNAA), Charlotte, NC  
 2021 - 2015 *school volunteer*, Charlotte-Mecklenburg Schools (CMS), Charlotte, NC  
 2015 - 2010 *board member*, Mayor's Committee for People with Disabilities, Chandler, AZ  
 2010 - 2009 *co-president*, MOMS Club Ocotillo South, Chandler, AZ  
 2009 - 2008 *administrative vice-president*, MOMS Club Ocotillo South, Chandler, AZ  
 2008 - 2007 *2's class room parent*, East Valley JCC, Chandler, AZ

## **EXPERIENCE**

Present - 2006 ***Homemaker/Stay-at-home Mom***  
 2005 - 2002 ***Junior Decorator-Intern***, Locklear Interiors, Roswell, GA  
 Assisted owner in all custom design aspects: space planning, furniture, accessories, window treatments, lighting, kitchen & bath remodeling and home builder services  
 2002 - 1999 ***Analyst-Account Management Group***, BlackRock Inc., New York, NY  
 Compiled quarterly/annual reports for internal/external communication, wrote RFP's for new product placement and consolidated PowerPoint reports for client investment distribution  
 1999 - 1998 ***Investor Relations Account Executive***, RCG Capital Group, Scottsdale, AZ  
 Oversaw publicly traded companies investor relations, organized investor conference calls, broadcast media input and instituted corporate event planning/brand marketing  
 1997-1993 ***CE Intern***, State Farm Insurance, Tempe, AZ  
 Administrative assistant capacities within homeowners' underwriting, auto and fire insurance claims, Human Resources and Public Relations



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

davisl750@gmail.com

Email Address

La-eula

First Name

Davis

Last Name

Middle Initial

115 Culbreth Park Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (919) 810-2561

Primary Phone

Home: (919) 942-9970

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Orange Water and Sewer Authority Board of Directors: Eligible



### Which Board is your First Choice? \*

☒ Orange Water and Sewer Authority (OWASA) Board of Directors

### How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

## Interests & Experiences

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

As a long term resident of Chapel Hill I have seen the community develop around me without input from the labor force that makes the town run and function day by day, I have experience with the university, the school systems and the health care system.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I have experience with the university, the school systems and the health care system.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics



The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

**Ethnicity \***
☒ African American

**Gender \***
☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Retired/pt

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

**Ethics Statement**



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*





# TOWN OF CHAPEL HILL

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

## Item Overview

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**Item #:** 24., **File #:** [23-0466], **Version:** 1

**Meeting Date:** 5/24/2023

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### **Appointments to the Transportation and Connectivity Advisory Board.**

**Staff:**

Sabrina Oliver, Director/Town Clerk  
Amy Harvey, Deputy Town Clerk  
Brenton Hodge, Assistant Town Clerk

**Department:**

Communications and Public Affairs



**Recommendation(s):**

That the Council make appointments to the Transportation and Connectivity Advisory Board for three seats.



**Attachments:**

- Recommendation
- Ballot
- Applications



**MEMORANDUM**

TO: Mayor and Town Council

FROM: Josh Mayo, Transportation Planner I

SUBJECT: Recommendation for the vacancy(s)

DATE: May 15<sup>th</sup>, 2023

**RECOMMENDATION:** The Transportation and Connectivity Advisory Board met on Monday, May 15<sup>th</sup>, 2023 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration

- Samuel Green, Appointment, Chapel Hill Resident
- Amanda Frisard, Appointment, Chapel Hill Resident

**SPECIAL REQUEST(s):** The board also appreciates Bob Warren's application and recommends Warren for any future openings.

**BACKGROUND:** None

*Note:* Communications and Public Affairs notes that the Transportation and Connectivity Advisory Board reviewed the following applications: Samuel Green, Matthew Gregiore, Amanda Frisard, Ken Faulkner, Eric Plow, John Rees, and Robert Warren. No additional applications were received between May 15<sup>th</sup> and May 17<sup>th</sup> for the Transportation and Connectivity Advisory Board.



**BALLOT****TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD****MAY 24, 2023**

Total Membership:	9	(The Transportation and Connectivity Advisory Board consists of nine (9) members. Four (4) must be residents of the Town, one (1) bicycle advocate, one (1) greenways advocate, two (2) Regional Collaboration. In addition, one (1) will be appointed by the UNC Chapel Hill Student Body President.)
Current Membership:	8	(2 Female, 4 Male, 2- unknown; 0 Asian or Pacific Islander, 6 Caucasian, 2 unknown; [0] 18-24, [1] 25-34, [1] 35-54, [4] over 55, [2] unknown)
Upcoming Vacancies	2	(Town Resident) (UNC Chapel Hill Student)
Current Vacancies:	1	(Town Resident)
Number of Applicants:	7	

**Transportation and Connectivity Advisory Board**  
**Please vote for up to two (2) Town Resident.**

\_\_\_\_\_ Ken Faulkner  
 \_\_\_\_\_ Amanda Frisard  
 \_\_\_\_\_ Samuel Green  
 \_\_\_\_\_ Mathew Gregoire  
 \_\_\_\_\_ Eric Plow  
 \_\_\_\_\_ John Rees  
 \_\_\_\_\_ Robert Warren



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

kgfaulkner@gmail.com

Email Address

Ken

First Name

Faulkner

Last Name

Middle Initial

519 Dogwood Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 748-0510

Primary Phone

Alternate Phone

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**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Planning Commission

**Select a Seat Category for the Planning Commission \***

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Bicycle Advocate and Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

None Selected

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

☒ Non-Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am an avid walker and cyclist that routinely bicycles throughout Chapel Hill. I can bring the perspective of the non-driver and also help generate ideas to reach the goal of no pedestrian/cyclist accidents to our area.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

Road and mountain cyclist (2000 miles per year).



Question applies to Planning Commission

**Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.**

My interest is to promote growth but in a way that preserves the historic nature of our community.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ over 55

Adjunct Faculty at UNC,  
Retired Executive

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No

**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



---

**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

frisard30022@yahoo.com

Email Address

Amanda

First Name

L

Middle Initial

Frisard

Last Name

117 Wild Iris Ln

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (602) 369-0619

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

Peoples Academy

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

My perspective related to the transportation board comes on a multitude of levels. First, I was born in North Carolina and lived in Chapel Hill from 1983-1986 while my mom was in grad school at UNC. I now live in CH with my family more that 35 years later so I can share the growth I see and how transportation can adapt to it. I also have a 10th grade daughter I drive to East Chapel Hill high school and pick up everyday so I am daily user of CH roads. My perspective related to the OWASA board is based on my belief that water in an innate human right and one that must be preserved to make sure we have access and enough for our residents. As someone who grew up in Arizona and now see the water issues they are facing, I want to continue helping to make sure Chapel Hill has all the water it needs.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

When I live in a town/city, I like to be informed and involved. This is similar to what I feel Chapel Hill offers its citizens. I have served on previous boards in towns I lived in ie Metrolina Native American Association-Charlotte, NC and Mayor's Committee for People with Disabilities-Chandler, AZ and now serve on the State (of NC) Advisory Council on Indian Education. In addition, with a bachelor's degree in Political Science/Business Administration I also have a working knowledge of how government works.



[Amandaresume1.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ American Indian/Alaskan Native Aleutian

### Gender \*

☒ Female

If other, please describe:

Please select your age from the following list. \*

☒ 35-54

SAHM

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree \*

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frisard30022@yahoo.com / **Amanda Coronado Frisard** / 602-369-0619

## **EDUCATION**

1998 **B.A.** - Political Science/Business Administration, magna cum laude, Northern Arizona University (NAU) Flagstaff, AZ

## **ACTIVIITIES**

2023 *town member*, Peoples Academy, Chapel Hill, NC  
 Present - 2021 *council member*, State (of NC) Advisory Council on Indian Education (SACIE), Raleigh, NC  
 2021 - 2019 *precinct delegate*, Precinct 140 Mecklenburg County, Charlotte, NC  
 2021 - 2016 *board member*, Metrolina Native American Association (MNAA), Charlotte, NC  
 2021 - 2015 *school volunteer*, Charlotte-Mecklenburg Schools (CMS), Charlotte, NC  
 2015 - 2010 *board member*, Mayor's Committee for People with Disabilities, Chandler, AZ  
 2010 - 2009 *co-president*, MOMS Club Ocotillo South, Chandler, AZ  
 2009 - 2008 *administrative vice-president*, MOMS Club Ocotillo South, Chandler, AZ  
 2008 - 2007 *2's class room parent*, East Valley JCC, Chandler, AZ

## **EXPERIENCE**

Present - 2006 ***Homemaker/Stay-at-home Mom***  
 2005 - 2002 ***Junior Decorator-Intern***, Locklear Interiors, Roswell, GA  
 Assisted owner in all custom design aspects: space planning, furniture, accessories, window treatments, lighting, kitchen & bath remodeling and home builder services  
 2002 - 1999 ***Analyst-Account Management Group***, BlackRock Inc., New York, NY  
 Compiled quarterly/annual reports for internal/external communication, wrote RFP's for new product placement and consolidated PowerPoint reports for client investment distribution  
 1999 - 1998 ***Investor Relations Account Executive***, RCG Capital Group, Scottsdale, AZ  
 Oversaw publicly traded companies investor relations, organized investor conference calls, broadcast media input and instituted corporate event planning/brand marketing  
 1997-1993 ***CE Intern***, State Farm Insurance, Tempe, AZ  
 Administrative assistant capacities within homeowners' underwriting, auto and fire insurance claims, Human Resources and Public Relations







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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

green.samuel.miles@gmail.com

Email Address

Samuel

First Name

M

Middle Initial

Green

Last Name

136 Weaver Dairy Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (704) 650-0385

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

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☒ Chapel Hill Resident

**Which Board is your First Choice? \***

---

☒ Transportation and Connectivity Advisory Board

---

**How did you find out about this opportunity? (select all that apply)**

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☒ Social Media

☒ Other (provide additional information below)

**If you chose "Other" from the advertising opportunity listed above, please specify:**

---

Suggestion to join a local municipal board from a mentor.

---

**Interests & Experiences**

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**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

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I have lived in Chapel Hill at two different times; Once as an undergraduate student between 2013 to 2017, and now as a transportation planning professional since June 2021. I bring multiple lived experiences, and want to make this town a better, more connected place to live, study, and play in. As a student living off campus for three years, I regularly relied on my bike to transport me to and from UNC-Chapel Hill's main campus. I'd also routinely use the bus system to get around campus and throughout various parts of town. Today, I regularly ride my bike from my home on Weaver Dairy Road to nearby shopping and services along East Franklin Street and Fordham Boulevard like Eastgate Crossing Village Plaza, Booker Creek Basin Park, Community Center Park, and the Chapel Hill Public Library. Professionally, I am currently a transportation planner for WSP USA, Inc, one of the world's biggest Civil Engineering, Planning, and Environmental Consulting Firms. I have worked with them throughout North Carolina, New York, New York, and Florida for over 5 years supporting municipality goals to improve their local transit, bicycle, and pedestrian, and trail networks. I aim to make the Triangle region a more mature transit, car-free environment. I don't expect Chapel Hill to become New York City, Washington DC, or Copenhagen, Denmark within the next 5 years, but I hope that most Chapel Hill citizens can have mobility choices in the near future, and are less dependent on single-occupancy vehicles. I still use the Chapel Hill Transit Bus System, and I consider myself an advocate of using public transportation. I also try to use the GoTriangle CRX to get to work most days I travel to Raleigh, but recent operator shortages have stymied that personal goal until the end of March 2023. My girlfriend, a medical student at UNC School of Medicine, regularly listens to me lecture her friends and other students to utilize existing bus services and explain how transit services in Chapel Hill can be improved. I thoroughly enjoy serving as an unofficial representative for Chapel Hill Transit and GoTriangle, explaining to everyone that their car trip can be replaced by a bus or bike ride.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

---

I have over five years of experience delivering planning and design projects for multiple municipalities in the Triangle and hope I can apply my professional knowledge, technical skills, and enthusiasm for transportation and mobility to the Town I currently live in. I have experience planning and designing multi-use paths, trails, bus stops, Bus-Rapid Transit corridors, equitable transit-oriented development, bus routes, and multi-modal transit hubs in North Carolina using products like ArcGIS, and AutoCAD, and I have been trained to lead public and stakeholder engagement, as well as developing cost estimates for capital projects. I am also plugged into the existing plans, designs, and construction of local major capital and operational projects currently undertaken by the Town of Chapel Hill and UNC-Chapel Hill. I regularly author, develop, and participate in similar projects throughout the Triangle. I also work to support local municipalities adopt plans, designs, locally preferred alternatives, and overall direction to improve transportation in their area. I hope I can bring lessons learned and best practices from other local communities that are delivering transportation improvement projects to this board. When I was at UNC-Chapel Hill for my undergraduate Environmental Science degree (UNC-Chapel Hill Class of 2017), I had the privilege of serving as Student Body Vice President in 2016-2017. One of my roles as Vice President was to serve as a student liaison to the Transportation and Parking Department. I sat on the University's Advisory Committee on Transportation and coordinated regularly with that department on initiatives and plans like Improving Safe Rides, P2P, and the student parking experience, as well as implementing the now-phased-out Tar Heel Bike share. I have lived experience how UNC-Chapel Hill's Transportation and Parking department functions, and some of the overarching mobility goals for students, faculty, and staff. I hope my experience and lessons learned serving as Student Body Vice President for UNC in 2016-2017, as well as being a planning professional with technical and soft knowledge of transportation and connectivity will make me an asset to an integral board for the Town of Chapel Hill.



[Green Samuel February 2023 Resume.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

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### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 25-34

Transportation Planner

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

---

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☒ I Agree \*

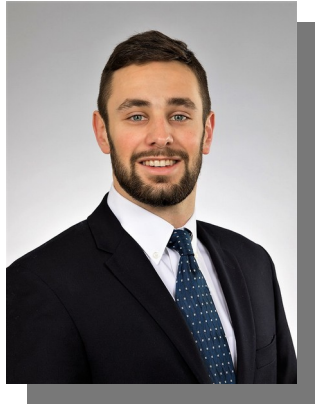
*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*





## SAMUEL GREEN

### PLANNER



Years with WSP

5 years

Years total

6 years

#### CAREER SUMMARY

Sam's passion as a planner is focused around comprehensive, multi-modal transportation solutions. He studied environmental sciences and geography at UNC-Chapel Hill. As Student Body Vice-President, he had an opportunity to combine his executive responsibilities, political understanding, and academic training by leading an initiative to develop a more multi-modal transportation approach to student travel by expanding the reach of UNC's fleet of buses and campus shuttles, implementing creative parking solutions, initiating partnerships in transit network companies, and implementing a bike-share. At WSP, Sam has brought that experience and lessons learned to a wide range of transportation and land use projects in New York and North Carolina, including transit corridor improvement studies, bus rapid transit plans, transit-oriented development planning, station area planning, bus network redesigns, multi-modal center development, and first-mile/last-mile plans. Sam uses his facilitation skills to interact, engage, and educate the community in the planning process so the community can drive their mobility and land use solutions. He also has many opportunities to collaborate with and present to a broad array of clients and stakeholders with diverse professional and personal backgrounds.

Additionally, Sam is a skilled researcher and technical writer and has assumed increasingly responsible roles in authoring technical reports and environmental documents. He uses his proficiency at synthesizing his spatial research onto appealing projections using Adobe products for final reports, publications, and meeting materials.

#### EDUCATION

B.S., Environmental Sciences, University of North Carolina – Chapel Hill, 2017

#### PROFESSIONAL MEMBERSHIPS

American Planning Association  
North Carolina Association of Environmental Professionals  
American Council of Engineering Companies

#### PROFESSIONAL EXPERIENCE

##### Bus Rapid Transit (BRT) Studies

- **City of Raleigh, Wake County Bus Rapid Transit 30% Design, NEPA, and TOD Planning, Raleigh, NC:** Sam is a part of a project team that will lay the groundwork to implement the first four bus-rapid-transit lines in Raleigh, North Carolina. Sam is responsible for developing Operations and Maintenance Plans that reviews existing transit routes, ridership, and associated operational cost differentials for operating BRT in Raleigh versus existing conditions. He translates data findings and works with a team to develop financial and economic development reports that have received a "Medium-High" rating or will be submitted to the Federal Transit Administration's Capital Investment Grant Small Starts programs as the project progresses. Sam is responsible for using GIS to develop analysis on alternatives based on land-use, environmental, demographic and ROW impacts. He uses those materials to work with project stakeholders to drive project buy-in and can guide the environmental impacts process. As part of the Equitable Development Around Transit Study (EDAT), Sam also developed a citywide growth analysis and policy guidebook that ensures that growth around transit is equitable and affordable for all city residents.





## SAMUEL GREEN

### PLANNER

The findings of the guidebook come from his public engagement data and materials for transit-oriented development planning associated with the four BRT corridors in Wake County. Sam also generates meeting materials for stakeholder meetings, reports that were submitted to the FTA and Raleigh City Council, organizes corridor tours, and develops visually appealing print and video materials for project reports and facilitates community meetings and public engagement. Sam worked with the entire project team to author and illustrate a Quality Assurance and Control Plan, and style guide that ensures a high standard of work for all submissions, regardless of the author. He was also in charge of implementing an online project file sharing, document storage and organizational database that will be used over the projects seven-year lifespan.

- **Town of Cary, Cary Multi-Modal Center Feasibility Study**, Cary, NC: Sam was the Deputy Project Manager and planner responsible for researching and incorporating existing and future mobility options to be designed into a new multi-modal center in Cary, NC's downtown that will offer intercity passenger rail, commuter rail, BRT, local and regional bus service, active mobility services, transit-oriented development, and other civic amenities. Defined spatial, programming, and functional requirements of all forms of transportation to, from and around the proposed multi-modal center site including, micro-mobility, pedestrian and bicycle access, rideshare, car-share, vehicle parking, bus transit, bus rapid transit, commuter rail, and passenger regional rail. He determined Bus Rapid Transit routing between the proposed site and downtown Raleigh based on economic development potential, BRT operations, demographic data, physical and environmental constraints, and stakeholder input. Sam also developed a preliminary routing of BRT service into the town considering economic development, potential impacts to property, ROW, on-street parking, and driveway access. Developed site design criteria that incorporated all factors determining the best site, design, and functional appeal for the proposed multi-modal center, and completed a CE document as a part of the NEPA process. Developed and presented sizing needs, BRT routing, and site selection materials for the Town of Cary Department Directors Meetings. Authored a RAISE Grant for federal funding to assist in the planning and design for the multi-modal center.
- **City of Raleigh, Western Boulevard Corridor Study**, Raleigh, NC: Planner responsible for spatial analysis, mapping, and alternatives analysis of four corridor alternatives between Cary and Raleigh North Carolina. Provided analysis of existing transit, land use, demographic, and environmental conditions in the corridor to check that the locally preferred alternative would meet the project objectives and provide the best service. To build buy-in with stakeholders for two municipalities involved, as well as the North Carolina Department of Transportation, preliminary bus operations, property impacts, and ROW analysis was completed. Additionally, Sam worked with transit designers to identify potential areas that would require potential traffic flow reconfiguration or would be significant areas of development based on existing traffic, land use, and community conditions.

#### *Transit Planning and Facilities*

- **City of Durham, GoDurham Better Bus Project**, Durham, NC: Deputy Project Manager of a project that will provide quick-build, short- and long-





term designs as well as cost estimates for street, sidewalk, trail, and bus stop improvements. The goal of the project is to remove historic barriers to transit by providing safe access to bus stops, as well as designing strategies that improve bus speed and reliability for the most utilized GoDurham bus service areas. Improvements recommended in this project target services with the biggest delays, or corridors with the highest ridership to maximize the benefit-cost analysis and put improvements into the Durham communities that utilize transit the most. The project consists of six individual projects that identify GoDurham bus access and service improvements system wide. The tasks are:

Two Transit Emphasis Corridors

Improve Bus Speed and Reliability

Access to Transit

Durham Station Transit Emphasis Zone in Downtown Durham

Village Transit Center Stop Improvements

Sam was responsible for leading the City of Durham to Identify alternative locations for a Village Transit Center Mobility Hub to improve the transit amenities and character at the most utilized stops in the GoDurham System other than Durham Station. Sam developed preliminary layouts of three transit hubs and compared the strengths and opportunities of all three alternatives against project goals and objectives.

He also oversees an engagement task that cross cuts all other tasks for the project and implemented a goal that utilizes engagement to show where improvements will be and how community engagement determined improvements. The engagement process was outlined by the City of Durham's new Equitable Community Engagement Blueprint that aimed project participation to with communities who historically had been marginalized during design and construction and be representative of the GoDurham ridership's demographic characteristics. He also works with the City of Durham on a Federal Grant Management and Application Strategy Program. This program can set the City of Durham and GoDurham up for continued advancement to deliver their transit promises to the community as part of the Better Bus Project by identifying existing and new Federal funding opportunities from the Bipartisan Infrastructure Law and other FTA Grants. The program has already resulted in one federal funding grant for the city to construct improvements at Durham Station. The program has organized and aligned Durham's priority projects to be highly competitive for future federal grant opportunities.

- **GoCary Bus Operational and Maintenance Facility**, Town of Cary, North Carolina: Deputy Project Manager for the planning and design of the new multi-building and multi-story bus operations and maintenance facility to support anticipated fleet growth of the GoCary system over the next 40-years. Sam has organized stakeholder engagement, coordination with FTA, and prepared technical materials to advance the project towards final design and construction. Sam has worked with the project team to conduct a Safety and Security Assessment, incorporate sustainable design elements, LEED standards, and accounted for the GoCary fleet to convert to zero-emission vehicles during the lifespan of the facility.





## SAMUEL GREEN

### PLANNER

- **NCDOT Integrated Mobility Division, Statewide Transit Technology RFP Assistance**, North Carolina: Planner supporting NCDOT IMD to develop an RFP that will allow the state to procure transit software for all North Carolina transit agencies. Sam organized a transit technology survey and three workshops and listening session with state agencies to determine the essential and preferred specifications to be included in the RFP for transit technology. The goal of this RFP is to advance North Carolina's transit service offerings, and to move transit in the State to Mobility as a Service, improving mobility opportunities to anyone needing transit for health, academic, professional, or personal reasons.
- **Metropolitan Transportation Authority, Utica Avenue Transit Improvements Study**, New York, NY: Planner responsible for developing series of screenings based on project goals and objectives for various subway, subway shuttle, LRT, and BRT investment packages to enhance the mobility along the Utica Avenue Corridor, one of the busiest SBS and local bus routes in Brooklyn, NY. Through this process, Sam used qualitative and quantitative reasoning based on transit operations, land use analysis, capital cost, community impacts, environmental impacts, construction methods, rail operating plans, and traffic impacts. He then defined, evaluated, and analyzed on those series of screenings with stakeholder presentations and project reports that drove the project forward ensuring that there will be a menu of transit improvements with multiple land use and development scenarios to enhance mobility of Utica Avenue in Brooklyn. He also led an effort to study potential environmental effects during construction and transit operations for all potential investment packages.
- **Kay Bailey Hutchinson Convention Center Master Plan**, City of Dallas; Sam led the analysis and reporting of the existing conditions of the area and transportation network surrounding the Convention Center, Downtown, and Cedars Entertainment District. He authored a Transportation Existing Conditions report that described the existing Light Rail, Commuter Rail, Intercity Passenger Rail, bus network, and future High-Speed Rail network that will be present in the project area. Sam also coordinated his findings with the Area Plan team to ensure that Urban Design principles and project goals were consistent in the Master Plan document. Sam also worked with the project manager to ensure the project maintained its accelerated schedule that the client required.
- **Portal North Bridge & Hudson Tunnel Project Capital Investment Grant Program Submission**, NJ TRANSIT/Port Authority of New York & New Jersey/Gateway Development Commission; Planner responsible for gathering, reviewing, and synthesizing data and text for submittals to Federal Transit Administration under Section 5309 Capital Investment Grant Program. Sam edited an update of the Portal North Bridge Financial Plan and associated submittals for the 2020 Core Capacity Grant Program and worked with a team to collect and report updated data for operations and maintenance, capital costs, financial plans, ridership, and standard cost categories. Sam is coordinating an effort to update the Section 5309 Capital Investment Grant Program New Starts Submission for the Hudson Tunnel Project based on updated 2021 Financial and demographic data.
- **Metropolitan Transportation Authority, Queens Bus Network Redesign**,





## SAMUEL GREEN

### PLANNER

New York, NY: Planner responsible for spatial analysis and graphics that effectively rework the entire proposed bus network in Queens, New York. Provided graphics that would be shown to the public of every proposed route in Queens, NY so feedback could be collected to ensure community buy-in.

- **Raleigh Union Station Bus Facility 30% Design**, Raleigh, NC: Sam was the planner responsible for developing planning materials and directing community and stakeholder engagement. He generated a facility needs assessment that will properly allocate space for all transit and non-transit-oriented space for a 40-story, mixed use building in Downtown Raleigh. He also facilitated a design workshop that determined a conceptual design that would be taken into 30% design. The structure of the bus facility will house retail, office, housing, and transit space, and will be a catalyst for further development in the city's warehouse district. Sam analyzed federal grants, stakeholder surveys, published plans, and existing and future ridership data for local and regional transit, commuter rail transit, intercity passenger rail, bus rapid transit, and bicycle shares to determine the spatial needs for all programming associated with the building.
- **First-Mile/ Last-Mile Solutions Study**, Research Triangle Park Foundation, NC: Sam was responsible for providing a menu of solutions to the Research Triangle Park Foundation and steering committee on how future employees within Research Triangle Park, a 55,000-tenant ranging over 7,000-acre network between Chapel Hill, Durham and Raleigh, NC, would move within, to, through and from and within the park. The study was unique because the solutions needed to be functional and appealing because the plan was coupled with future park land use developments and was going to be used as a marketing device to attract future companies to the area. The final plan documented and analyzed existing and future conditions of the park through field research, survey, and published plans, then identified potential mobility solutions that could promote alternative forms of transit in the park ranging from autonomous vehicles to electric scooters. The plan also included a phased, comprehensive, implementation strategy consistent with the needs of the client. Sam was responsible for identifying mobility options and implementation strategies as well as facilitating discussions with stakeholders to educate them about the study and seek feedback.
- **Late Night Transit Alternative Feasibility Study**, UNC-Chapel Hill, NC: Sam led an internal audit of the operating budget, utilization, perception, and status of all late-night transportation options available on UNC's campus, a campus of over 30,000 students. After the comprehensive review, it was determined that the existing mobility options available did not reflect the current safety and transportation needs of students, faculty, and staff. Sam identified and authored a new, comprehensive Late-Night Transit Plan that reflected best alternatives within the operating budget of the University's Five-Year Transportation Plan. The plan involved developing a strategy to supplement the effective bus operations with a Transit Network Coordinating service. He researched and refined the study and service areas in and around the university to provide the most cost effective, safe, timely, and reliable service considering significant stakeholder concern. In addition, Sam collaborated with university leadership to define an implementation strategy using available smartphone technology, bus





tracking, and ride-hailing services.

- **Transit Hub Feasibility Study**, UNC-Charlotte, NC: Sam worked with University of North Carolina-Charlotte's leadership and transportation officials to identify a location for a central transit hub that could reduce congestion and foster a transit identity at UNC-Charlotte. He designed a conceptual facility to meet the future needs of the campus community based on stakeholder input, campus initiatives, and university growth plans. The study required a generation of a comprehensive siting criteria approach to determine the most strategic spot for the hub on campus, the space could incorporate and connect safe bus, pedestrian, bicycle, ride-share, and vehicle operations. He was responsible for previous studies research, spatial analysis, preliminary site selection, definition of the siting criteria, bus routing and operations, stakeholder meeting materials, environmental research, map generation, and conceptual design.
- **Bike-share Planning and Implementation**, UNC-Chapel Hill, NC: Sam was responsible for surveying, researching, and coordinating with the University's Advisory Committee on Transportation to implement a sustainable bikeshare plan that was put in place the fall of 2017. The plan involved defining the purpose and need, identifying bicycle corridors on and around UNC-Chapel Hill's campus, and phased implementation areas. In his role, he traveled to different departments and neighboring governing bodies to encourage regional buy-in to the bike-share program, selected a preferred vendor and sponsor through procurement procedures, and developed and coordinated a marketing campaign to ensure user buy-in and continued success.
- **Community Connectivity Plan**, Chatham County, NC: Data Analyst and mapper of demographic features, census statistics, transit demand and destination data, and community features for a report delivered to the North Carolina Department of Transportation (NCDOT). The recommendation of this plan was implemented by NCDOT in conjunction with Chatham County to connect the communities within and around the County with high-quality transportation services.
- **CATS LYNX System Update**, Charlotte, NC: Sam was responsible for producing and mapping corridor alternatives needed for reports, project management meetings, and public outreach. He assisted in facilitating public interactive sessions and translating traffic, population, employment data and citizen feedback into definitive, quantifiable data in two study corridors. Sam developed assessments of the various modal and alignment alternatives, using environmental, demographic and employment data to ultimately determine which alternatives were adopted as the locally preferred alternatives for two corridors. To ensure overall system connectivity, this study evaluated rail alignment, existing and future bus operations, and service integration through Center City Charlotte to determine how best to connect the future corridors and comprehensive transportation initiatives for Charlotte Area Transit System.
- **Compliance Review of Subrecipient**, North Carolina, NCDOT Integrated Mobility Division: Sam conducted compliance reviews on behalf of NCDOT Integrated Mobility Division to validate that sub recipients can manage the Federal Transit Administration funded programs were in accordance with the grant application, grant agreement and all applicable laws and





regulations using sound management practices. He performed desktop and on-site reviews to determine if sub-recipients of CARES, 5311, 5310, 5307, and 5339 administration and operating fund grants have the legal, financial, and technical capacity to carry out the intended use of federal and/or state funds. He additionally provided solutions, suggested steps to resolutions, and best-practices to transit agencies across North Carolina so they can build and transit identity and best serve their transit-dependent populations.

#### *Corridor Studies*

- **U<sup>2</sup>C Transit Oriented Development Pilot**, Jacksonville Transit Authority, Florida: Sam authored an Existing Conditions Report for the six U2C Autonomous Circulator corridors. The report used socioeconomic and real estate data, existing zoning plans, and City, Neighborhood and Community plans to generate a narrative for all six corridors, and the 21 proposed stations areas and their neighborhood character. In this report, he also identified soft sites and underutilized parcels that could become areas of catalytic
- TOD areas to support the new or enhanced transit system. Sam also led an effort to document the primary and secondary station typologies for the U2C, and the developable scale and land uses that will generally be found in those station areas.
- **First Coast Commuter Rail Study**, Jacksonville Transit Authority, Florida: Sam authored a Station Area Existing Conditions and TOD Opportunities Report for 14 potential Commuter Rail Stations between Downtown Jacksonville and St. Augustine Florida. The report focused on market analysis and taxable parcel values, existing and future land uses, soft site identification, existing transit and micro-mobility identity, station area and neighborhood character, zoning, and previous plans. Findings were used to develop a TOD readiness value, as well as a TOD opportunities and barriers report. Sam also completed a report to document the primary and secondary station typologies for the First Coast Commuter Rail, and associated station areas with typologies.
- **US 15-501 Corridor Study**, Durham, NC: Sam was responsible for developing a community profile that synthesized the existing population characteristics, pedestrian and bicycle environment, and transportation identity of a major road corridor between Durham and Chapel Hill, North Carolina that will transform into a major transit corridor. He developed fresh public outreach techniques with traditional methods to capture a broad network of residents and businesses within the corridor, and travelers utilizing the corridor. He authored a community profile report with figures designed in ArcGIS and Adobe Illustrator to give better understanding to the project stakeholders of the background and the existing and proposed features and conditions along the corridor. The report characterized how improved bus transit, implementation of light rail transit, increased pedestrians, and bicycle facilities, and how vehicle traffic would function harmoniously and change the profile of the corridor over time.
- **Avent Ferry Corridor Transit Study**, Raleigh, NC: Sam reviewed and synthesized ridership data for all of NC State University's Wolfline and





## SAMUEL GREEN

### PLANNER

GoRaleigh routes in the corridor to determine the most utilized and underutilized routes and stops. Sam also worked with commercial architects to develop a comprehensive land use plan that improves livability in the Avent Ferry Corridor near NC State's campus, as well as improves alternative mobility options for corridor users.

- **Ridge Road Extension Project**, CRTPO, Charlotte, NC: Sam was responsible for mapping all environmental, roadway, and transportation characteristics surrounding the study area of a project that will extend Ridge Road from Benfield Road to Eastfield Road intended to improve community connectivity in Charlotte, NC. He studied previous research, community plans, urban design and land use plans in the area and authored an Urban Design Transportation Memo that will be used to screen the potential alternatives. Organized comments and feedback from public comment and meetings. The project developed a conceptual, complete-street roadway plans, intersection improvement plans, and conceptual traffic control plans for the preferred alternative.

#### NEPA Projects

- **Bay Park Conveyance Project**, Nassau County Department of Public Works, New York; Sam coordinates the documentation, reporting, mapping, and organization of all easements that will be required of connecting a force main that would link two sewage treatment plants in Nassau County, New York as a part of the Western Bays Resiliency Initiative. Sam has attended and facilitated public hearings, was embedded at the Department of Public Works Office to assist in any planning or easement related-project needed, participated as an easement expert to potential design-build teams, authored and submitted Reports of Physical Inspection of Real Property to the New York Department of Environmental Conservation. He led an effort to identify and document impacts and mitigation techniques to public properties so Nassau County could provide appropriate outreach to all municipalities affected. Sam has coordinated with surveyors to and engineers to generate easement acquisition maps of over 50 public and private properties. He also completed the necessary documentation with the New York State Parks, Recreation, New York State Department of Transportation, and Historic Preservation to request temporary and permanent easements over State Parklands.
- **Mid Currituck Bridge Project**, NCDOT: Sam completed noise and traffic fieldwork and analysis along the proposed seven-mile bridge alignment across the Currituck Sound at potentially sensitive locations. He also worked with a team to document and report on environmental findings and analysis on the bridge design's required environmental documentation and permitting.
- **Express Design Preparation Project Scoping Reports**, NCDOT, Feasibility Studies Unit: Sam was the planner responsible for finding and reporting all environmental, social, historical, transportation and geographical data and information for potential roadway improvement projects in North Carolina. He generated NEPA CE Checklists and authored Project Scoping Reports that synthesized the potential impacts to proposed roadway and ferry projects. Additionally, he developed comprehensive maps on Adobe Illustrator displaying the findings of the studies and showing their potential effects.





## SAMUEL GREEN

### PLANNER

US 52 Corridor from Salisbury to Misenheimer

US 421 from Erwin to I-95

I-277 Improvements

NC 12 Ocracoke Island Hotspot Analysis

I-77 and I-85 Interchange Improvements

- **Minimum Criteria Bridge Documents**, NCDOT, Bridge Unit: Sam was charge of completing environmental documents, meeting materials, and designed figures that described the potential social, geographical, and environmental constraints and improvements of potential bridge replacement projects in the western region of North Carolina.

B-5871

B-5876

B-5883

B-5891

B-5895

- **State Transportation Improvement Program Design Projects**, NCDOT, Project Management Unit: Sam was responsible for preparing all mapping materials for the project, conducted site visits, coordinated local official coordination, attended public meetings, and completed a Community Impact Assessment for the projects. He generated internal and external scoping materials, project information sheets, and public involvement materials, as well as coordination with state environmental officials to mitigate environmental impacts.

Interchange Construction on I-77 in Iredell County, I-5962

Interstate Widening on I-40 in Catawba County, I-5991

Widening with a multi-use path on NC 122 in Edgecombe County, U-4424

- **NCDOT Project ATLAS**, NCDOT: Sam led a group of 15 employees that successfully researched, documented, and described all ongoing, completed, or approved planning reports and ordinances for 62 counties, rural and metropolitan planning organizations in North Carolina. Because of Sam's leadership, the work was completed in 4 weeks. As a result of the success of the first initiative, Sam led a second initiative to provide quality control and quality assurance for Project ATLAS's reporting of all North Carolina public schools, and over 600 plans in 30 databases that were prepared by other consultants. Sam was also selected to attend a training for the database that taught him how to effectively teach others to use Project ATLAS and was responsible for teaching the application to all WSP employees working on NCDOT projects.



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

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☒ I Agree

matthew@igregoire.com

Email Address

Matthew

First Name

Gregoire

Last Name

Middle Initial

101 Shadowood Drive

Street Address

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Suite or Apt

Chapel Hill

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State

27514

Postal Code

Mobile: (828) 707-1107

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Bicycle Advocate and Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Internet

☒ Social Media

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am a current graduate student at UNC Chapel Hill, and I am well versed in the state of our bike infrastructure, greenways, and public transportation network. About 90% of my transportation around town, including commuting to campus, is done by bike, bus or walking, and I am able to speak to issues regarding safety and equity for community members who choose to get around town in these ways. My impression is that perspectives from students and multi-modal commuters are underrepresented in our local government, so I hope I'll be able to offer a useful and new perspective on these issues.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I'm a current graduate student in computer science at UNC Chapel Hill. I graduated with my BS from UNC in 2021, and am currently working towards my PhD. I have no experience in civics or local politics, but it's something that I've recently become very interested in and I'm excited to help and offer my perspective to the town.



You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

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## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

If other, please describe:

Please select your age from the following list. \*

☒ 18-24

Graduate Student

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

---

☒ I Agree

ericplow@aol.com

Email Address

Eric

First Name

P

Middle Initial

Plow

Last Name

609 Hillsborough St.

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State

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Postal Code

Mobile: (919) 636-2169

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Board of Adjustment

**Select a Seat Category for Board of Adjustment \***

☒ Orange County-Extra Territorial Jurisdiction Resident (ETJ)

Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Email

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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**Interests & Experiences**

Question applies to multiple boards

**How do you describe your previous advisory board experience?**

☒ Non-Chapel Hill Board Experience

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am an avid bicyclist, I also drive around Chapel Hill, and I also take the bus. I have lived in Chapel Hill since 1972.

**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am an avid bicyclist, I also drive around Chapel Hill, and I also take the bus. So I am very familiar with transportation issues in Chapel Hill.



Question applies to Board of Adjustment

**Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.**

Although I am not an attorney, I have some familiarity with the legal process.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

**Ethnicity \***

☒ Caucasian/Non-Hispanic

**Gender \***

☒ Male

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

retired

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☒ Yes ☐ No

**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No

## Ethics Statement



## ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

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☒ I Agree \*

*Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.*



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**Profile**

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

**Public Records Statement**

**I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.**

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☒ I Agree

jreesnc@gmail.com

Email Address

John

First Name

B

Middle Initial

Rees

Last Name

103 Newell Street

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (919) 599-0502

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

**What district do you live in? \***

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

**If you are a Chapel Hill Resident, How long have you lived here?**

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

☒ Chapel Hill Resident

**Which Board is your First Choice? \***

☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

☒ Advisory Board or Council member

☒ Social Media

**If you chose "Other" from the advertising opportunity listed above, please specify:**

**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

Hi, my name is John Rees. And I believe I could contribute to the transportation board based on my previous experience of serving on the Chapel Hill Planning Commission. I served from 2016 until mid 2023 and this has made me very familiar with the town's development review process. As a past liaison to the transportation board, I am already familiar with the board's operation. I also serve on the vision zero task force and have always had a focus on transportation and especially transportation safety for people not in cars. I do realize that personal vehicles are the dominant mode of transportation, and can keep this fact in mind when working with the board. However, I am focused on bike walking and transit. I have provided assistance to the town on the greenways by helping collect counts on the towns greenway system as well and helping perform traffic counts for various projects. As an advisory board veteran, I can share my experiences to help the T board grow and continue to be effective. I have also served on the board and been president of the Carolina Tarwheels Bicycle Club as well as the Bicycle Alliance of Chapel Hill.



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I am a recent member and also past chair of the Planning Commission, and have acquired several years of experience. I have attended several workshops and talks held by the UNC department of regional planning. I attended a week long Tactical Urbanism workshop. I have also presented, representing the town, on two occasions at the MPO Triangle Bicycle and Pedestrian workshop. I have read books by several celebrated planners, such as "Walkable City" by Jeff Speck, "Happy City" by Charles Montgomery, "Urban Code", by Anne Mikoleit and Moritz Purckhaur, "Dream Cities" by Wade Graham, "City of Light – the Making of Modern Paris" by Rupert Christensen. I have attended the BikeWalk NC conferences on several occasions and have also participated with the Bike Walk NC organization

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

## Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

### Ethnicity \*

☒ Caucasian/Non-Hispanic

### Gender \*

☒ Male

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

Computer Architect

Occupation

**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree

bobwarren411@gmail.com

Email Address

Robert

First Name

B

Middle Initial

Warren

Last Name

214 Weaver Mine Trail

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

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Mobile: (919) 418-7449

Primary Phone

Home: (919) 933-8905

Alternate Phone

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**Which Boards would you like to apply for?**

Transportation and Connectivity Advisory Board: Eligible



Question applies to EZ Rider Advisory Committee

**Are you a consumer of the EZ Rider service?**

☒ Yes ☐ No

Question applies to EZ Rider Advisory Committee

**Where do you work or study? \***

- ☒ Chapel Hill  
☒ None of these apply

Question applies to Transportation and Connectivity Advisory Board

**Select a Seat Category for the Transportation and Connectivity Advisory Board \***

- ☒ Chapel Hill Resident

**Which Board is your First Choice? \***

- ☒ Transportation and Connectivity Advisory Board

**How did you find out about this opportunity? (select all that apply)**

- ☒ Email

**If you chose "Other" from the advertising opportunity listed above, please specify:**

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**Interests & Experiences**

**What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?**

I am visually impaired (progressive retinal disease) and have not driven for 20 years. I have been using Chapel Hill transit and GoTriangle in order to get to work (until recently). I am also a user of the EZ Rider paratransit system for the last 10 years or so as well as the GoTriangle Access system. I continue to use the fixed route buses when it is convenient (I live in Meadownmont). I have served on the Town's EZ Rider Advisory Committee (EZRAC) since 2018 and was its chair for about 2 years. I am also the EZRAC representative to the NSBRT advisory committee. Based on these experiences I believe I can be a strong advocate for the disability community (those with vision, mobility, and/or cognitive challenges).



**Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.**

I have been an advocate for ways to help those with a visual impairment for many years, including testing and publicizing the North Carolina online accessible absentee ballot voting system available to that community. Recently I have been pursuing getting crosswalks that have regular crossing signals upgraded to accessible pedestrian signal (APS) systems. I have 50 years of experience in technology so have a keen interest in emerging technologies that will help the visually impaired. (Actually, it is often the case that providing such technology improves things for all.) Finally, I am a member of several area blind/low vision groups and so have a large community of people to draw on for input on issues related to transportation.

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### Gender \*

☒ Male

**If other, please describe:**

**Please select your age from the following list. \***

☒ over 55

Retired (doing some consulting)

Occupation

**Are you a caregiver for or identify with a disability?**

☒ Yes ☐ No

**Have you participated in the Peoples Academy?**

☐ Yes ☒ No



Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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