



TOWN OF CHAPEL HILL

Town Council Meeting Agenda

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

Mayor Jessica Anderson
Mayor pro tem Amy Ryan
Council Member Camille Berry
Council Member Melissa McCullough
Council Member Paris Miller-Foushee

Council Member Theodore Nollert
Council Member Adam Searing
Council Member Elizabeth Sharp
Council Member Karen Stegman

Wednesday, April 17, 2024 6:00 PM

RM 110 | Council Chamber

Language Access Statement

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

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

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.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံအတၢ်မၤစၢၤအဂီၢ် ၼ် ကိးဘၣ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

View the Meeting

- View and participate in the Council Chamber.
- Live stream the meeting - <https://chapelhill.legistar.com/Calendar.aspx>
- Spectrum is replacing 1998 encoder that transmits programming to cable channel 18. It remains offline until complete.
- 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 Speakers

- *Entrance on the ground floor.*
- *Sign up at the meeting starting at 5:30 PM with the Town Clerk to speak.*
- *If more than 14 people sign up for an item, Council will reduce speaking time from 3 minutes to 2 min./person.*
- *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. [\[24-0183\]](#)

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 the Miscellaneous Budget Ordinance [\[24-0184\]](#)
Amendment to Adjust Various Fund Budgets for FY 2023-24.

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Grants Fund, Debt Service Fund, Parking Fund, Vehicle Replacement Fund, and Transit Fund. By enacting the project ordinance amendments, the Council adjusts the Housing Capital Grants Fund, Transit Capital Grants Fund, Affordable Housing

- Fund, Capital Projects Ordinance Fund, and the 2023 Two-Thirds Public Safety Bonds Fund.
- 3.** Amend the Budget to Adjust the Stormwater Enterprise Fund [\[24-0185\]](#)

By enacting the ordinance, the Council amends the budget to appropriate \$1,120,000 in Stormwater fund balance for various engineering-related and construction maintenance project needs.
 - 4.** Award a Contract for Fiscal Year 2023-24 Audit Services [\[24-0186\]](#)

By adopting the resolution, the Council awards the audit services contract for FY 2023-24 to Mauldin & Jenkins.
 - 5.** Authorize the Sale of Personal Property by Public Auction. [\[24-0187\]](#)

By adopting the resolution, the Council declares the vehicles listed as surplus and authorizes their sale in an online auction through www.GovDeals.com.
 - 6.** Authorize a Change by up to 10 Percent Over the Original Construction Contract Amount with Salisbury and Moore Construction, Inc for the Hargraves Park Tennis Courts Resurfacing Project. [\[24-0188\]](#)

By adopting the resolution, the Council authorizes the Town Manager to execute a contract change with Salisbury and Moore Construction, Inc. for the Hargraves Park Tennis Courts Resurfacing Project.
 - 7.** Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Homestead Aquatic Center HVAC Renovations Project. [\[24-0189\]](#)

By adopting the resolution, the Council awards a bid, authorizes the Town Manager to execute a contract and approve change orders as necessary with Comfort Systems USA, LLC for the Homestead Aquatic Center HVAC Renovations.
 - 8.** Authorize the Town Manager to Negotiate and Execute a Sole-Source Contract to Purchase and Install Pool Liner Membrane System for AD Clark Outdoor Pool. [\[24-0190\]](#)

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a sole-source contract to purchase and install a pool liner membrane system for AD Clark Outdoor Pool.
 - 9.** Authorize Town Manager to Apply for Energy Efficiency and Conservation Block Grant Funding to [\[24-0191\]](#)

Support a Free Pilot E-Bikeshare Program.

By adopting the resolution, the Council authorizes the Town Manager to apply for EECBG funding to support a pilot e-bikeshare program in Chapel Hill.

- 10.** Authorize the Manager to Execute an Easement on Town Property Located at 125 East Rosemary Street with Duke Energy to Provide Permanent Electrical Power to the Town's Parking Deck. [\[24-0192\]](#)

By adopting the resolution, the Council authorizes the Town Manager execute an easement with Duke Energy on Town Property to serve the new Town parking deck located at 125 East Rosemary Street.

- 11.** Authorize the Manager to Execute an Easement on Town Property Located at 1483 Martin Luther King Jr. Boulevard with Duke Energy to Provide Permanent Electrical Power to a Town Bus Shelter. [\[24-0193\]](#)

By adopting the resolution, the Council authorizes the Town Manager execute an easement with Duke Energy on Town Property to serve a bus shelter.

DISCUSSION

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.

- 12.** Close the Legislative Hearing and Consider a Conditional Zoning Modification for Aura Chapel Hill Lighting. [\[24-0194\]](#)

PRESENTER: Jacob Hunt, 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. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to close the Legislative Hearing
- f. Motion to adopt Resolution A for Reasonableness and Consistency
- g. Motion to enact Ordinance A approving the Conditional Zoning

Modification

RECOMMENDATION: That the Council close the legislative hearing, adopt Resolution A for Reasonableness and Consistency, and enact Ordinance A approving the Conditional Zoning Modification

- 13.** Open and Close the Legislative Hearing and Consider a Community Priority Conditional Zoning Application for Longleaf Trace at 1708 and 1712 Legion Road.

[24-0195]

PRESENTER: Katherine Shor, Senior Planner

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

RECOMMENDATION: That the Council close the legislative hearing, adopt the Resolution of Reasonableness and Consistency, and enact the Ordinance approving the Conditional Zoning application.

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



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 1., **File #:** [24-0183], **Version:** 1

Meeting Date: 4/17/2024

Approve all Consent Agenda Items.

Staff:

Sabrina M. Oliver, Director/Town Clerk
Brenton Hodge, Assistant Town Clerk

Department:

Governance Services

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
(2024-04-17/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 the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2023-24. (O-1) (O-2) (O-3) (O-4) (O-5) (O-6)
3. Amend the Budget to Adjust the Stormwater Enterprise Fund. (O-7)
4. Award a Contract for Fiscal Year 2023-24 Audit Services. (R-2)
5. Authorize the Sale of Personal Property by Public Auction. (R-3)
6. Authorize a Change by up to 10 Percent Over the Original Construction Contract Amount with Salisbury and Moore Construction, Inc for the Hargraves Park Tennis Courts Resurfacing Project. (R-4)
7. Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Homestead Aquatic Center HVAC Renovations Project. (R-5)
8. Authorize the Town Manager to Negotiate and Execute a Sole-Source Contract to Purchase and Install Pool Liner Membrane System for AD Clark Outdoor Pool. (R-6)
9. Authorize Town Manager to Apply for Energy Efficiency and Conservation Block Grant Funding to Support a Free Pilot E-Bikeshare Program. (R-7)
10. Authorize the Manager to Execute an Easement on Town Property Located at 125 East Rosemary Street with Duke Energy to Provide Permanent Electrical Power to the Town's Parking Deck. (R-8)
11. Authorize the Manager to Execute an Easement on Town Property Located at 1483 Martin Luther King Jr. Boulevard with Duke Energy to Provide Permanent Electrical Power to a Town Bus Shelter. (R-9)

This the 17th day of April, 2024.

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 #: [24-0184], Version: 1

Meeting Date: 4/17/2024

Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2023-24.

Staff:

Amy Oland, Director
Matt Brinkley, Assistant Director

Department:

Business Management

Overview: After the Council approves the annual budget, periodic changes require the Town Council to amend the current budget.



Recommendation(s):

That the Council:

- Enact the attached budget ordinance amendment to adjust the General Fund, Grants Fund, Debt Service Fund, Parking Fund, Vehicle Replacement Fund, and Transit Fund; and
- Enact the attached project ordinance amendments to adjust the Housing Capital Grants Fund, Transit Capital Grants Fund, Affordable Housing Fund, Capital Projects Ordinance Fund, and 2023 Two-Thirds Public Safety Bonds Fund.

Key Issues:

• General Fund

Friends of Chapel Hill Parks and Recreation Donations - The Friends of Chapel Hill Parks and Recreation donated a total of \$36,451 for sporting equipment, supplies, Family Fun Day needs, programming costs at Hargraves Community Center, and for tree planting. Enactment of the attached budget ordinance amendment would recognize and appropriate the \$36,451 from the Friends of Chapel Hill Parks and Recreation for the parks expenses described herein.

Parks Donations - The Chapel Hill Parks and Recreation department has received various donations this fiscal year. Maximus, Inc. has donated \$2,500 for sports supplies and summer camp. University Ford has donated \$2,065 for Youth in Action field trips and activities. Chapel Hill Country Club has donated \$1,400 for game room equipment. There are also fees associated with donated items to be purchased and installed in the amount of \$12,103. A donation was also received for the Strowd Rose Garden in the amount of \$1,500. Enactment of the attached budget ordinance amendment would recognize and appropriate the \$19,568 from Parks and Recreation donations for the parks expenses described herein.

Collaborative Outreach Program - Orange County established a Collaborative Outreach program (Sales Tax Article 46), making funds available for the Town of Chapel Hill's Economic Development Department for marketing and business recruitment purposes. Orange County has allocated \$38,082 in funding based on population for each county municipality. Chapel Hill intends to use the funds to increase community awareness and knowledge of department projects and initiatives through a print campaign. The campaign will focus on Chapel Hill livability and business resources available. In addition, the money will be used to sponsor a business recognition event that aligns with department goals for business recruitment and retention. Remaining funds will be used for additional business support efforts such as a Historically Underutilized Business (HUB) event.

Enactment of the attached budget ordinance amendment would recognize and appropriate the \$38,082 in Article 46 funds from Orange County.

- **Grants Fund**

Cybersecurity Grant - In 2023 the town was awarded \$100,000 through the State and Local Cybersecurity Grant Program (SLCGP). The objective of the SLCGP is to assist state and local governments with managing and reducing systemic cyber risk. This funding will be used to mitigate the malicious activity inside the trusted network, both from external and internal threats through log analysis and monitoring by contracting with a managed service provider to gain better visibility into the activity on town systems. Enactment of the attached budget ordinance amendment recognizes and appropriates the \$100,000 for the Cybersecurity Program.

Mobile Crisis Unit - The Crisis Assistance Response and Engagement Team (C.A.R.E.) is a partnership between the Chapel Hill Police Department and Orange County. It is a 2-year pilot program serving the Town of Chapel Hill, designed to provide immediate crisis intervention and support services to persons with the goal of promoting overall stability and minimizing interactions with law enforcement, emergency mental health hospitalization, and incarceration. Orange County will fund a Crisis Counselor for the duration of the 2-year pilot program. Enactment of the attached budget ordinance amendment recognizes and appropriates the \$97,722 from Orange County for the C.A.R.E. team Crisis Counselor.

- **Debt Service Fund & Parking Fund**

In August 2021, the Town closed on the issuance of \$39 million of limited obligation bonds (LOBS) for the East Rosemary Parking Deck project. The FY 2024 annual debt service for the LOBS was originally budgeted in the Parking Fund, but until the deck opens and generates revenue, the Debt Fund needs to cover the required principal and interest payment. Therefore, the total amount of debt service payments for FY 2024 in both the Debt Fund and Parking Fund have changed and need to be amended.

Enactment of the attached budget ordinance amendment will reduce the transfer to the Parking Fund by \$1,162,399, increase the transfer from the Parking Fund to the Debt Fund by \$328,043, and decrease the appropriation of fund balance by \$1,490,442 to balance the Debt Fund.

Enactment of the attached budget ordinance amendment will reduce the Parking Fund debt service payment by \$3,775,232 (\$2,531,000 in principal and \$1,244,232 in interest), reduce the transfer from the Debt Fund by \$1,162,399, increase the transfer to the Debt Fund by \$328,043, decrease UNC leased spaces budget by \$1,500,000, decrease the daily parking at 125 East Rosemary by \$933,333, and decrease the monthly parking rental at 125 East Rosemary by \$444,466 to account for the delay in the opening of the East Rosemary Deck, and increase revenue projections for the Wallace Deck by \$443,009 and interest income by \$150,000.

- **Vehicle Replacement Fund**

Significant equipment failures and the age of the Town's garbage trucks have resulted in service impacts and delays to residential solid waste services. The Town needs seven garbage trucks to run our seven residential collection routes each day. To ensure we have seven trucks in operation each day, we typically have an additional four backup trucks that can be rotated into operation when the primary trucks are out of service for repairs or maintenance. An 11-year-old rear loader is currently out of service due to a major engine failure and two additional 13-year-old back-up rear loaders are in poor condition and need to be taken out of service. The Solid Waste Services Division is frequently operating with no backup trucks available, along with one or more frontline trucks out of service for various repairs resulting in routine service delays. Enactment of the attached budget ordinance amendment would recognize \$50,000 in interest income, \$46,650 from sale of vehicles, and \$213,350 in Vehicle Replacement Fund fund balance for the purchase of one rear-loader garbage truck in the amount of \$310,000.

- **Transit Fund**

The adopted Chapel Hill Transit Capital Plan identifies the need to purchase at least seven replacement buses each fiscal year to maintain a reliable and efficient transit fleet. On April 19, 2023, the Chapel Hill Town Council recognized and appropriated \$8,100,000 in installment financing proceeds for bus purchases. These funds were not encumbered before fiscal year-end and need to be reallocated from the Transit Fund fund balance in order to encumber the buses ordered. Enactment of the attached budget ordinance amendment would allocate \$8,100,000 from Transit Fund fund balance for the purchase of buses.

- **Housing Capital Grants Fund**

The Capital Fund Program (CFP) provides financial assistance in the form of grants to public housing agencies (PHAs) to carry out capital and management activities. For the past three years, the U.S. Department of Housing & Urban Development (HUD) has made additional funds available beyond the anticipated annual allotment. In 2021, \$935,260 was budgeted and an additional \$4,269 was received. In 2022, \$935,260 was budgeted and an additional \$236,135 was received. In 2023, \$1,168,203 was budgeted and an additional \$3,677 was received. The additional allocation to the Town of \$244,081 is committed to continued improvement and maintenance of public housing units. Enactment of the attached project ordinance amendment for the Housing Capital Grants Fund recognizes and appropriates the \$244,081 in additional HUD funding towards housing capital maintenance.

- **Transit Capital Grants Fund**

On April 19, 2023, Town Council recognized a grant from NC Department of Environmental Quality (NCDEQ) and NC Department of Transportation (NCDOT) for a total of \$2,708,000 for the purchase of five electric buses. Additionally, a local share of \$2,542,000 from the Transit Capital Fund was committed for the purchase of the buses. The total appropriation for the purchase was \$5,250,000. At that time, the estimated cost per electric bus was \$1,050,000. After receiving formal pricing, the cost per electric bus came in at \$1,136,194, causing a shortfall of \$430,969. The Transit Fund will realize savings of \$252,443 due to the lower than anticipated cost for three diesel buses. The Transit Fund fund balance will cover the remaining difference needed of \$178,526. Enactment of the attached project ordinance amendment would transfer funds from the Transit Fund to the Transit Capital Grants Fund to cover the overage.

- **Affordable Housing Fund**

Loan Repayment Revenue - The Affordable Housing Fund has \$39,463 in loan repayment revenue from repayment of a deferred second mortgage the Town supported for a low-income first-time homebuyer in 1990 using some CDBG and some Affordable Housing Funds. The Town received a loan payoff in 2022 in the amount of \$78,609 when the home was sold from the homeowner's estate. A portion was credited to the Town's CDBG account as program income and the balance of the repayment was credited as Affordable Housing Fund revenue. The Town will use this funding to support the Employee Housing Program which provides rental assistance and downpayment assistance to Town employees to live within 5 miles of the Town. Enactment of the attached project ordinance amendment would recognize and allocate \$39,463 in loan repayment funds to support the Employee Housing Program.

Interest Income - The Affordable Housing Fund has received \$70,622 in interest income. These funds would be used to support the implementation of the Town's Affordable Housing Plan. Enactment of the attached project ordinance amendment would recognize and allocate the \$70,622 in interest income for the Town's Affordable Housing Plan.

Reallocation of Excess Fund Balance - In March 22, 2023 Town Council allocated \$360,000 from FY 2022 General Fund excess fund balance for the Green Tract Master Plan and a possible neighboring property acquisition. The Town of Chapel Hill has paid Orange County (project is in collaboration with Orange County & Town of Carrboro) for the development of a master plan and community engagement work. This leaves \$185,000 available for reallocation. This funding will support the Town's Affordable Housing Loan Fund, which supports the development and preservation of affordable housing. Enactment of the attached project ordinance amendment would transfer \$185,000 from the General Fund to the Affordable Housing Fund.

- **Capital Projects Ordinance Fund**

Several multi-year capital projects are complete and require a budget amendment to close out the projects. Revenues related to some of these projects came in higher than expected (federal bridge grant and OWASA reimbursement). Other revenues came in lower than expected (variable message system federal grant, traffic system state grant, hazard mitigation federal and state grant funds, UNC contributions, Friends of P&R grant, proceeds from PW land financing). Several projects were completed under budget while a few came in slightly over budget. The excess revenue and additional budget available from projects and additional interest income is \$103,375. These funds will be used for our ongoing annual commitment to Rogers Road. Enactment of the attached project ordinance amendment would recognize the receipt of unbudgeted revenues and remaining funds from closed capital project budgets and appropriate those funds for Rogers Road.

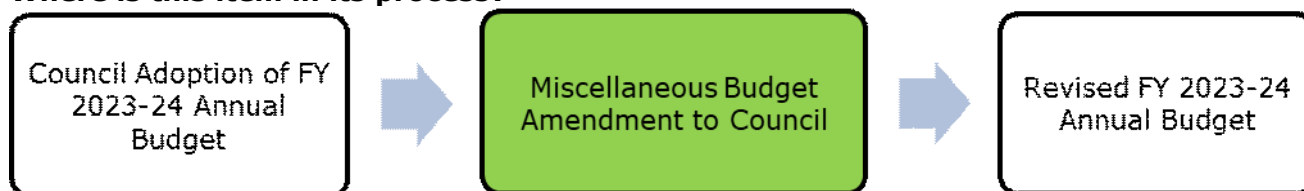
- **2023 Two-Thirds Public Safety Bonds Fund**

In-car Police cameras - There is \$245,831 available in the account designated for the Public Safety 2/3 bond remaining after the full radio equipment invoice was paid. This surplus presents an opportunity to further enhance our public safety initiatives, particularly equipment needs and upgrades. These surplus funds will be dedicated to addressing the pressing need to replace our

aging in-car camera system within the Police Department. Enactment of the attached project ordinance amendment would transfer \$245,831 in unspent funds towards the replacement of in-car cameras.

FY 2022 Excess Fund Balance Reappropriation - On March 22, 2023, Town Council allocated an additional \$250,000 of FY 2022 General Fund excess fund balance to cover an anticipated overage in the cost of public safety radios. The radios came in significantly less than anticipated, therefore the \$250,000 in excess fund balance is no longer needed and eligible to be reallocated. \$75,000 of these funds will cover a project where we will hire a consultant to review our existing pay structure, pay ranges and pay policies, and make recommendations to revise them. The interest is to make us more flexible and adaptable to market changes, be more competitive both with peer agencies as well private sector roles and establish career ladders for all of our job families that are sustainable and adaptable for the future. The remaining \$175,000 is for the design of a new Town website and rebranding. The new Town website that will create a better user experience and increase findability of timely, relevant, factual information. We have completed the "discovery" phase of this project with existing funds and this funding will move us into design and development of the new site. Rebranding efforts will allow us to work with a creative agency to solidify our brand promise and create a visual representation of that promise, including a "family of brands" that will connect all Town departments and consistently represent our work. Enactment of the attached project ordinance amendment would transfer the \$250,000 to the General Fund for the pay study and website redesign/rebranding project.

Where is this item in its process?



Attachments:

- Budget Ordinance
- Project Ordinance - Housing Capital Grants Fund
- Project Ordinance - Transit Capital Grants Fund
- Project Ordinance - Affordable Housing Fund
- Project Ordinance - Capital Projects Ordinance Fund
- Project Ordinance - 2023 Two-Thirds Public Safety Bonds Fund

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2023" (2024-04-17/O-1)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 2023" as duly adopted on June 7, 2023, be and the same is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Mayor/Council	\$ 593,776	\$ -	\$ -	\$ 593,776
Town Manager/CaPA	4,787,939	213,082	-	5,001,021
Human Resource Dev't	1,587,377	75,000	-	1,662,377
Business Management	2,866,436	-	-	2,866,436
Technology Solutions	2,864,466	-	-	2,864,466
Attorney	600,992	-	-	600,992
Planning	2,919,201	-	110,000	2,809,201
Building and Development Services	2,800,188	-	-	2,800,188
Afford Hsg & Community Connections	1,358,287	-	-	1,358,287
Public Works	15,020,405	-	-	15,020,405
Police	16,536,299	-	-	16,536,299
Fire	11,407,707	-	-	11,407,707
Parks and Recreation	8,551,660	56,019	-	8,607,679
Library	4,663,563	-	-	4,663,563
Non-Departmental	<u>11,057,772</u>	<u>185,000</u>	<u>75,000</u>	<u>11,167,772</u>
	\$87,616,068	\$ 529,101	\$ 185,000	\$87,960,169
GRANTS FUND				
Other Expenses	\$ 1,754,621	\$ -	\$ -	\$ 1,754,621
Cybersecurity Grant	-	100,000	-	100,000
Mobile Crisis Unit	<u>-</u>	<u>97,722</u>	<u>-</u>	<u>97,722</u>
	\$ 1,754,621	\$ 197,722	\$ -	\$ 1,952,343
DEBT SERVICE FUND				
Bond Principal	\$ 8,323,000	\$ -	\$ -	\$ 8,323,000
Bond Interest	3,266,913	-	-	3,266,913
Transfer to Parking Fund	<u>1,162,399</u>	<u>-</u>	<u>1,162,399</u>	<u>-</u>
	\$12,752,312	\$ -	\$ 1,162,399	\$11,589,913
PARKING FUND				
Other Expenses	\$ 2,348,866	\$ -	\$ -	\$ 2,348,866
Transfer to Debt Service Fund	-	328,043	-	328,043
Bond Principal	2,531,000	-	2,531,000	-
Bond Interest	<u>1,244,232</u>	<u>-</u>	<u>1,244,232</u>	<u>-</u>
	\$ 6,124,098	\$ 328,043	\$ 3,775,232	\$ 2,676,909
VEHICLE REPLACEMENT FUND	\$ 2,232,628	\$ 310,000	\$ -	\$ 2,542,628

TRANSIT FUND

Other Expenses	\$44,807,050	\$	-	\$	-	\$44,807,050
Transfer to Capital Grant	2,916,520		430,969		-	3,347,489
Bus Purchases - Installment Financing	-		8,100,000		-	8,100,000
Bus Purchases - NCDEQ & NCDOT Grant	2,021,159		-		252,443	1,768,716
	\$49,744,729	\$	8,530,969	\$	252,443	\$58,023,255

ARTICLE II

REVENUES	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Other Revenues	\$ 87,616,068	\$ -	\$ -	\$ 87,616,068
Transfer from 2/3's Bond Fund	-	250,000	-	250,000
Friends of Parks & Recreation	-	36,451	-	36,451
Parks and Recreation Donations	-	19,568	-	19,568
Sales Tax Article 46	-	38,082	-	38,082
	<u>\$ 87,616,068</u>	<u>\$ 344,101</u>	<u>\$ -</u>	<u>\$ 87,960,169</u>
GRANTS FUND				
Other Revenues	\$ 1,754,621	\$ -	\$ -	\$ 1,754,621
Cybersecurity Grant	-	100,000	-	100,000
Orange County Grant	-	97,722	-	97,722
	<u>\$ 1,754,621</u>	<u>\$ 197,722</u>	<u>\$ -</u>	<u>\$ 1,952,343</u>
DEBT SERVICE FUND				
Other Revenues	\$ 9,389,100	\$ -	\$ -	\$ 9,389,100
Transfer from Parking Fund	-	328,043	-	328,043
Appropriated Fund Balance	3,363,212	-	1,490,442	1,872,770
	<u>\$ 12,752,312</u>	<u>\$ 328,043</u>	<u>\$ 1,490,442</u>	<u>\$ 11,589,913</u>
PARKING FUND				
Other Revenues	\$ 1,931,909	\$ -	\$ -	\$ 1,931,909
Transfer from Debt Service Fund	1,162,399	-	1,162,399	-
UNC Leases - 125 East Rosemary	1,500,000	-	1,500,000	-
Daily Parking - 125 East Rosemary	933,333	-	933,333	-
Monthly Rental - 125 East Rosemary	444,466	-	444,466	-
Wallace Deck Daily Revenues	151,991	443,009	-	595,000
Interest income	-	150,000	-	150,000
	<u>\$ 6,124,098</u>	<u>\$ 593,009</u>	<u>\$ 4,040,198</u>	<u>\$ 2,676,909</u>
VEHICLE REPLACEMENT FUND				
Other Revenues	\$ 1,105,000	\$ -	\$ -	\$ 1,105,000
Intetest Income	-	50,000	-	50,000
Sale of Equipment	-	46,650	-	46,650
Appropriated Fund Balance	1,127,628	213,350	-	1,340,978
	<u>\$ 2,232,628</u>	<u>\$ 310,000</u>	<u>\$ -</u>	<u>\$ 2,542,628</u>

Item #: 2., File #: [24-0184], Version: 1
Meeting Date: 4/17/2024

TRANSIT FUND

Other Revenues	\$35,716,545	\$	-	\$	-	\$35,716,545
Appropriated Fund Balance	<u>14,028,184</u>		<u>8,278,526</u>		-	<u>22,306,710</u>
	\$49,744,729	\$	8,278,526	\$	-	\$58,023,255

This the 17th day of April, 2024.

AN ORDINANCE TO AMEND A CAPITAL FUND PROGRAM (CFP) PROJECT ORDINANCE (2024-04-17/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby amended as follows:

"SECTION I

The project authorized is the Housing Capital Fund Project budget as approved by the Council on September 8, 2014.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation with the project within the terms of the Contract document(s), the rules and regulations of the U.S. Department of Housing and Urban Development, and budget contained herein.

SECTION III

The following revenue is available to complete the project:

	Current Budget	Revised Budget
Capital Fund Program	<u>\$ 3,038,723</u>	<u>\$ 3,282,804</u>
Total Revenues	\$ 3,038,723	\$ 3,282,804

SECTION IV

The amounts appropriated for the project are amended as follows:

	Current Budget	Revised Budget
Appliance Upgrades/Replacements	\$ 1,010,000	\$ 1,086,844
Public Housing Renovations	1,178,497	1,204,820
Vehicle Costs	125,886	113,438
Professional Services	140,000	120,000
Training & Development	110,020	115,760
Technology Costs	75,000	75,000
Relocation Costs	100,000	200,000
Administrative Costs	<u>299,320</u>	<u>366,942</u>
Total Expenditures	\$ 3,038,723	\$ 3,282,804

SECTION V

The Finance Officer of the Town of Chapel Hill is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to provide the accounting to the U.S. Department of Housing and Urban Development as required by the Annual Contributions Contract and federal regulations.

SECTION VI

Funds may be advanced from General funds for the purpose of making payments as due. Reimbursement requests should be made to HUD in an orderly and timely manner.

SECTION VII

The Manager is directed to report annually on the financial status of each project in Section IV and on the total revenues received."

This the 17th day of April, 2024.

AN ORDINANCE TO AMEND A TRANSIT CAPITAL PROJECT ORDINANCE (2024-04-17/O-3)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, that the transit capital projects ordinance for various capital projects funded from a variety of sources is hereby amended to read as follows:

"SECTION I

Transit capital projects as authorized by the Town Council are capital projects funded from Federal Transit Administration (FTA) grants and grants from the State of North Carolina.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these transit capital projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

	Current Budget	Revised Budget
Federal Transit Administration	\$ 12,745,005	\$ 12,745,005
North Carolina Department of Transportation	2,812,750	2,812,750
UNC Renewable Energy Special Projects	390,000	390,000
North Carolina Dept. of Environmental Quality	1,336,000	1,336,000
Transfer from Transit Fund	5,590,051	6,021,020
Transfer from Capital Reserve	<u>1,757,813</u>	<u>1,757,813</u>
Total Revenues	\$ 24,631,619	\$ 25,062,588

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

Item #: 2., File #: [24-0184], Version: 1

Meeting Date: 4/17/2024

	Current Budget	Revised Budget
FY16 Section 5339 Grant	534,037	534,037
FY20 Section 5339 Grant	3,130,755	3,130,755
FY21 CMAQ Bus Grant	950,000	950,000
FY22 Section 5339 Grant	8,303,356	8,303,356
FY22 Section 5339 Grant	657,654	657,654
FY23 CMAQ Bus Grant	5,250,000	5,680,969
FY24 Section 5339 Grant	305,817	305,817
FY24 CMAQ Bus Grant	5,300,000	5,300,000
FY24 NCDOT Advanced Tech. Grant	<u>200,000</u>	<u>200,000</u>
Total Expenditures	\$ 24,631,619	\$ 25,062,588

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Funds may be advanced from General funds for the purpose of making payments as due. Reimbursement requests should be made to FTA in an orderly and timely manner.

SECTION VII

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 17th day of April, 2024.

AN ORDINANCE TO AMEND THE AFFORDABLE HOUSING FUND ORDINANCE (2024-04-17/O-4)

BE IT ORDAINED by the Council of the Town of Chapel Hill that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the Affordable Housing Fund Ordinance to provide funds to support affordable homeownership opportunities is hereby amended as follows:

"SECTION I

The Affordable Housing Fund Ordinance as authorized by the Town Council provides funds to purchase properties to create permanently affordable homeownership opportunities.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town are hereby amended as follows:

	Current Budget	Revised Budget
Transfer from Housing Loan Trust Fund	\$ 155,778	\$ 155,778
Transfer from General Fund	-	185,000
Loan Repayment	650,799	690,262
Payment in lieu - Affordable Housing	4,802,576	4,802,576
Donations - Rental Assistance	60,032	60,032
Interest Income	<u>54,612</u>	<u>125,234</u>
Total Revenues	\$ 5,723,797	\$ 6,018,882

SECTION IV

Amounts appropriated to create permanently affordable homeownership opportunities are hereby amended as follows:

Item #: 2., File #: [24-0184], Version: 1

Meeting Date: 4/17/2024

	Current Budget	Revised Budget
Grants/Deferred Loans	\$ 2,750,026	\$ 2,860,111
Revolving Loan Fund	650,800	835,800
Rehabilitation & Refurbishment	106,511	106,511
Contributions to HOME Program	338,974	338,974
Contributions to Affordable Housing agencies	165,000	165,000
Contributions to Community Home Trust	394,242	394,242
Contributions to Affordable Housing	632,100	632,100
Rental Assistance	77,147	77,147
Homestead Road project	100,000	100,000
Professional Services	50,000	50,000
Miscellaneous Contracted Services	75,000	75,000
Legal Fees	380,000	380,000
Other Expenditures	<u>3,997</u>	<u>3,997</u>
Total Expenditures	\$ 5,723,797	\$ 6,018,882

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 17th day of April, 2024.

AN ORDINANCE TO AMEND THE CAPITAL PROJECT ORDINANCE FOR VARIOUS CAPITAL PROJECTS (2024-04-17/O-5)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the capital project ordinance for various capital projects funded from a variety of sources is hereby amended to read as follows:

"SECTION I

The capital projects as authorized by the Town Council include various capital projects funded from grants, the Capital Improvements Program funds, and other miscellaneous sources of revenues for a variety of projects extending beyond one year.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

	Current Budget	Revised Budget
Other Revenues	\$ 24,579,728	\$ 24,579,728
Federal Bridge Replacement Grant	212,865	268,730
STBG-DA Grant	1,193,000	949,330
FEMA Grant	820,147	668,748
State FEMA Match	273,382	222,916
NCDOT Direct Allocation Grant	360,000	179,145
UNC Contributions	198,000	194,500
Friends of Chapel Hill P&R Grant	30,000	13,000
OWASA Reimbursement	42,931	46,127
Proceeds - Financing PW Land	1,203,196	1,200,000
Interest Income	349,613	439,929
	<hr/>	<hr/>
Total Revenues	\$ 29,262,862	\$ 28,762,153

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

Item #: 2., File #: [24-0184], Version: 1

Meeting Date: 4/17/2024

	Current Budget	Revised Budget
Other Projects	\$ 22,522,987	\$ 22,522,987
Library Technology	513,622	513,608
Development Process Project	300,000	274,797
Bolin Creek Trail	204,620	204,590
Hargraves Center	1,318,804	1,308,983
Traffic Signal System	450,000	223,931
Variable Message Sign System	1,401,300	1,260,218
Hazard Mitigation Grant	1,093,529	891,664
Rogers Road	1,458,000	1,561,375
Total Expenditures	\$ 29,262,862	\$ 28,762,153

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 17th day of April, 2024.

AN ORDINANCE TO AMEND A CAPITAL PROJECT ORDINANCE FOR PUBLIC SAFETY EQUIPMENT PROJECTS FUNDED FROM 2023 TWO-THIRDS BONDS (2024-04-17/O-6)

BE IT ORDAINED by the Council of the Town of Chapel Hill that pursuant to Section 49 of Chapter 159 of the General Statutes of North Carolina, the following capital project is hereby amended for public safety equipment projects funded from the 2023 Two-Thirds General Obligation Bonds.

"SECTION I

The capital projects as authorized by the General Statute, and as determined by Town Council, includes the capital costs of public safety.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town to complete the project are hereby amended as follows:

	Current Budget	Revised Budget
Bond Proceeds	\$ 1,980,000	\$ 1,980,000
Premium on Bonds	276,505	276,505
Transfer from General Fund	<u>250,000</u>	<u>-</u>
	\$ 2,506,505	\$ 2,256,505

SECTION IV

Amounts appropriated for capital projects are hereby amended as follows:

	Current Budget	Revised Budget
Public Safety Radios	2,472,918	1,979,902
In-Car Cameras	-	245,831
Bond Issuance Expenses	<u>33,587</u>	<u>30,772</u>
	\$ 2,506,505	\$ 2,256,505

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director, and Town Clerk."

This the 17th day of April, 2024.

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

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Grants Fund, Debt Service Fund, Parking Fund, Vehicle Replacement Fund, and Transit Fund. By enacting the project ordinance amendments, the Council adjusts the Housing Capital Grants Fund, Transit Capital Grants Fund, Affordable Housing Fund, Capital Projects Ordinance Fund, and the 2023 Two-Thirds Public Safety Bonds Fund.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., **File #:** [24-0185], **Version:** 1

Meeting Date: 4/17/2024

Amend the Budget to Adjust the Stormwater Enterprise Fund

Staff:

Lance Norris, Public Works Director
Chris Roberts, Manager of Engineering and Infrastructure

Department:

Public Works

Overview: The Town's Stormwater Management Program is financially supported by the Stormwater Utility Program. The Stormwater Utility Program collects a fee from the Town's property owners and uses the revenue received to maintain and enhance the Town's stormwater infrastructure and facilities and ensure compliance with federal and state stormwater mandates.

The Stormwater Enterprise Fund has a healthy fund balance because of the Stormwater Utility Fee increase enacted in 2020. The purpose of the fee increase was to pay for debt service on the issuance of Stormwater bonds to construct flood mitigation projects identified in the Stormwater Management Plan and prioritized by Town Council in 2017.

These projects have been placed on hold pending Council's review of the recommendations proposed by the Council-appointed Lower Booker Creek Working Group and the Stormwater Management Utility Advisory Board. Though the construction of these facilities has been put on hold, there is a need to complete other stormwater related projects to address stormwater needs and priorities throughout Town. Discussions are underway and Town staff will return to Council later to share and discuss the final recommendations.



Recommendation:

That the Town Council enact the attached budget ordinance amendment to adjust the Stormwater Enterprise Fund budget.

Key Issues:

- Approve appropriating \$1.12 million from the Stormwater Fund balance.
- These funds will be used for immediate operational needs including, but not limited to, pipe construction and maintenance projects, and engineering contracts to comply with the State's National Pollutant Discharge Elimination System (NPDES) permitting requirements and flood mitigation measures.

Fiscal Impact/Resources:

Funds will be appropriated from the Stormwater Enterprise Fund Balance to proceed with funding engineering-related and construction maintenance project needs.

Item #: 3., File #: [24-0185], Version: 1

Meeting Date: 4/17/2024



Attachments:

- Budget Ordinance - Stormwater Enterprise Fund

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2023" (2024-04-17/O-7)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 2023" as duly adopted on June 7, 2023, be and the same is hereby amended as follows:

ARTICLE I

	Current Budget	Increase	Decrease	Revised Budget
STORMWATER MANAGEMENT FUND				
Other Expenses	\$ 4,037,261	\$ -	\$ -	\$ 4,037,261
North Street Stormwater Pipe Repair	-	500,000	-	500,000
NPDES Permit/Engineering Projects	-	525,000	-	525,000
Stormwater Maintenance Projects	-	65,000	-	65,000
Stormwater Stream Gauges	-	30,000	-	30,000
	<u>\$ 4,037,261</u>	<u>\$ 1,120,000</u>	<u>\$ -</u>	<u>\$ 5,157,261</u>

ARTICLE II

	Current Budget	Increase	Decrease	Revised Budget
STORMWATER MANAGEMENT FUND				
Other Revenues	\$ 3,030,000	\$ -	\$ -	\$ 3,030,000
Appropriated Fund Balance	<u>1,007,261</u>	<u>1,120,000</u>	<u>-</u>	<u>2,127,261</u>
	<u>\$ 4,037,261</u>	<u>\$ 1,120,000</u>	<u>\$ -</u>	<u>\$ 5,157,261</u>

This the 17th day of April, 2024.

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

By enacting the ordinance, the Council amends the budget to appropriate \$1,120,000 in Stormwater fund balance for various engineering-related and construction maintenance project needs.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., File #: [24-0186], Version: 1

Meeting Date: 4/17/2024

Award a Contract for Fiscal Year 2023-24 Audit Services

Staff:

Amy Oland, Director

Department:

Business Management

Overview: Award a contract for FY 2023-24 audit services.



Recommendation(s):

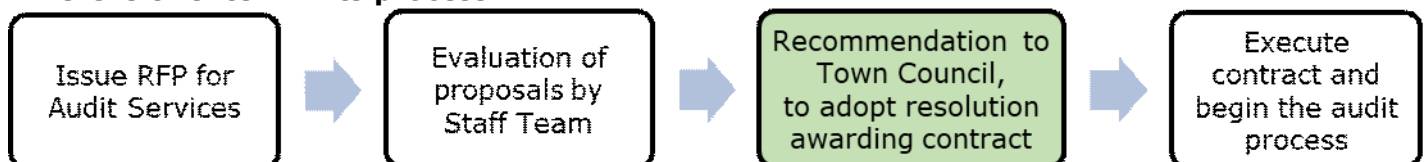
That the Council adopt the attached resolution and award the audit services contract to Mauldin & Jenkins in the amount of \$57,000 for fiscal year 2023-24, with the option to renew the contract for each of the following four fiscal years based on satisfactory performance each year.

Key Issues:

- The Town has used Martin Starnes & Associates, P.A. as its external auditor since FY 2007-08. While we've been satisfied with their services, periodic bidding for professional services is a best practice that helps to ensure that the Town is receiving the best value for these services.
- For continuity purposes, the proposed contract includes four one-year extensions, for a total of 5 years, dependent on satisfactory performance.
- The Town received two proposals from qualified firms. A staff team evaluated the proposals and determined that the proposal from Mauldin & Jenkins was the best value for the specified services.

Fiscal Impact/Resources: The audit fee for FY 2023-24 is \$57,000. Funds are available in the adopted budget to pay for these services.

Where is this item in its process?



Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE SELECTION OF MAULDIN & JENKINS TO PERFORM THE TOWN OF CHAPEL HILL'S 2023-24 AUDIT (2024-04-17/R-2)

WHEREAS, the Local Government Budget and Fiscal Control Act requires the Town to have its accounts audited by a certified public accounting firm after the close of each fiscal year; and

WHEREAS, the Town has issued a request for proposals from qualified audit firms and has evaluated responses, determining that the firm of Mauldin & Jenkins provides the best value regarding the specified audit services; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby authorizes the mayor to accept the proposal for the Town's 2023-24 audit from Mauldin & Jenkins in the amount of \$57,000 with the option to renew the contract for each of the following four fiscal years based on satisfactory performance each year.

This the 17th day of April, 2024.

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 the audit services contract for FY 2023-24 to Mauldin & Jenkins.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., **File #:** [24-0187], **Version:** 1

Meeting Date: 4/17/2024

Authorize the Sale of Personal Property by Public Auction.

Staff:

Lance Norris, Director
Mark Agosto, Fleet Manager

Department:

Public Works Department

Overview: As part of the Fleet Replacement Program, vehicles replaced after exceeding their useful life are eligible to be sold through an online public auction. In 2005, the State enacted Session Law 2005-227, which authorizes local governments to increase the value of surplus property sold using informal procedures to \$30,000. Any amount higher than this threshold requires Council authorization. The sale price of the vehicles listed in this Resolution may exceed \$30,000 and therefore require Council's authorization for disposal.



Recommendation(s):

That the Council adopt the attached resolution declaring the vehicles listed as surplus and authorize their sale in an online auction through www.GovDeals.com <<http://www.GovDeals.com>>

Key Issue:

The vehicles listed have been replaced using Vehicle Replacement funding and are no longer needed by the Town.

Fiscal Impact/Resources: There is no cost to list the vehicle online. Proceeds of the sale of the vehicle will be returned to the Vehicle Replacement Fund.



Attachments:

Resolution

A RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION (2024-04-17/R-3)

WHEREAS, Chapter 160A, Article 12 of N.C. General Statutes and Section 4-16 of the Charter of the Town of Chapel Hill authorizes the Town to dispose of surplus property; and

WHEREAS, in 2005, the State enacted Session Law 2005-227, which authorizes local governments to increase the value of surplus property sold using informal procedures to \$30,000. Any amount higher than this threshold requires Council authorization; and

WHEREAS, the Town wants to dispose of the personal property listed as follows by electronic public auction (www.GovDeals.com) scheduled for Monday, April 22, through Monday, May 6, 2024: Equipment # 9228 - 2010 Mack Front Loader Garbage Truck; Equipment # 13870 - 2013 Crane Carrier Rear Loader Garbage Truck; Equipment # 9210 - 2011 International Garbage Truck; Equipment # 3809 - 2003 KME Fire Truck; and Equipment # 810 - 1996 Spartan Fire Truck.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the personal property listed above is hereby declared surplus.

BE IT FURTHER RESOLVED that the Purchasing & Contracts Manager of the Town of Chapel Hill shall be and is hereby authorized to dispose of this surplus personal property by statutory requirements and the following terms:

The sale shall be to the highest bidder for cash or other forms of cash equivalents acceptable to the Purchasing & Contracts Manager. The sale shall be made final on the closing day of the auction.

These items shall be sold on an "as is" and "where is" basis, and the Town makes no guarantees: assumes no responsibility for these items.

This the 17th day of April, 2024.

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

By adopting the resolution, the Council declares the vehicles listed as surplus and authorizes their sale in an online auction through www.GovDeals.com.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., **File #:** [24-0188], **Version:** 1

Meeting Date: 4/17/2024

Authorize a Change by up to 10 Percent Over the Original Construction Contract Amount with Salisbury and Moore Construction, Inc for the Hargraves Park Tennis Courts Resurfacing Project.

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 increase the amount of a construction contract with Salisbury and Moore Construction, Inc. up to 10 percent over the original amount for the Hargraves Park Tennis Courts Resurfacing Project. Increasing the contract amount to perform additional work will help reduce future tennis court surface cracking and maintenance costs.



Recommendation:

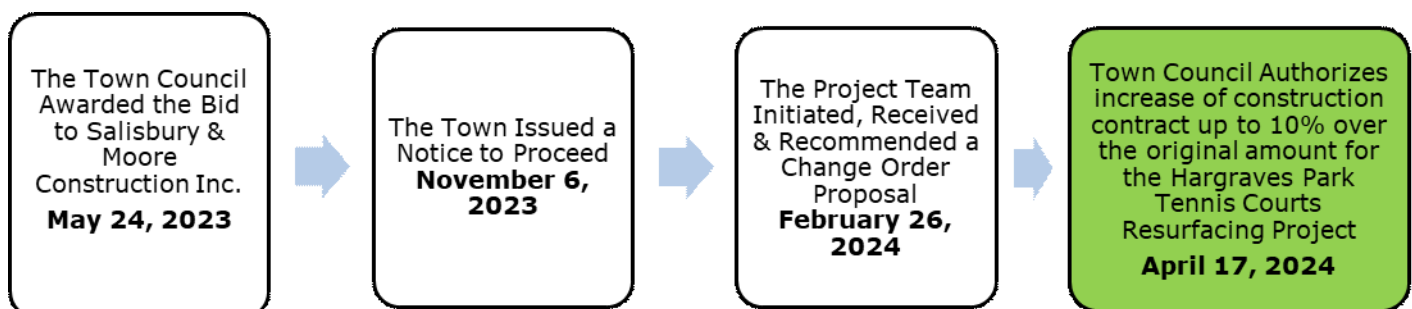
That the Council adopt the attached resolution authorizing the Town Manager to execute a contract change to increase the project cost by \$40,181.43 for the contract with Salisbury and Moore Construction, Inc. for the Hargraves Park Tennis Courts Resurfacing Project.

Key Issues:

- The Town Council approved the Hargraves Park Tennis Courts Resurfacing Project and a contract with Salisbury and Moore Construction, Inc. on May 24, 2023, for \$509,923.
- This change is an upgrade to the original design per the Geotechnical Engineers' recommendations and will help reduce future tennis court surface cracking and maintenance costs. This change required new construction materials, labor, and methods in the amount of \$40,181.43.
- The project design services professionals and the team have approved the design, materials, and schedule changes.

Fiscal Impact/Resources: The project funding comes from Two-Thirds bond program monies, the Recreation Area Payment-in-Lieu (PIL) Development fees, and the Penny for Parks monies.

Where is this item in its process?



Item #: 6., File #: [24-0188], Version: 1

Meeting Date: 4/17/2024



Attachments:

- Resolution

A RESOLUTION INCREASING THE PROJECT AUTHORIZATION BY UP TO 10 PERCENT OVER THE ORIGINAL CONSTRUCTION CONTRACT AMOUNT FOR THE HARGRAVES PARK TENNIS COURTS RESURFACING PROJECT WITH SALISBURY AND MOORE CONSTRUCTION, INC (2024-04-16/R-4)

WHEREAS, the Council approved the Hargraves Park Tennis Courts Resurfacing Project and a contract with Salisbury and Moore Construction, Inc. on May 24, 2023, for \$509,923; and

WHEREAS, the upgrade to the original design per the Geotechnical Engineers' recommendation will help reduce future tennis court surface cracking and maintenance costs and require new construction materials, labor, and methods in the amount of \$40,181.43; and

WHEREAS, the new construction method required adding time to the original project schedule; and

WHEREAS, the project design services professionals and the team have approved the design, materials, and schedule changes.

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 change to increase the project cost by \$40,181.43 for the contract with Salisbury and Moore Construction, Inc. for the Hargraves Park Tennis Courts Resurfacing Project.

This the 17th day of April, 2024.

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 execute a contract change with Salisbury and Moore Construction, Inc. for the Hargraves Park Tennis Courts Resurfacing Project.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., File #: [24-0189], Version: 1

Meeting Date: 4/17/2024

Authorize the Town Manager to Negotiate and Execute a Construction Contract for the Homestead Aquatic Center HVAC Renovations Project.

Staff:

Lance Norris, Director
Mack Howell, Facilities Manager

Department:

Public Works

Overview: The purpose of this item is to recommend that the Council award a bid to Comfort Systems USA, LLC, to complete HVAC renovations at the Homestead Aquatic Center. Council approval is required for awarding a construction contract over \$500,000. The HVAC equipment at the Homestead Aquatic Center is at the end of its useful life and is scheduled for replacement. This project is highly complex given intricate detail and repairs needed. The life expectancy of a new HVAC unit is about 15 years.



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, Comfort Systems USA, LLC, in an amount of \$1,118,591; and
- authorize the Town Manager to approve change orders as necessary if the contract cost remains within the budgeted amount.

Key Issues:

- Hired HEAPY, Inc. to complete the architectural design improvements.
- The project entails replacement of two pool dehumidification units, one packaged rooftop unit serving the locker room areas, and one packaged rooftop unit serving the lobby and administrative spaces.
- The refrigerant used in the existing equipment is no longer available and obsolete, and the new HVAC units are more energy-efficient and environmentally friendly.
- The Town advertised the project for bid on December 11, 2023, and held a mandatory pre-bid conference on December 19, 2023. The Town received two bids on February 15, 2024.
- The Town re-advertised the project for bid on February 20, 2024, and held a non-mandatory pre-bid conference on February 27, 2024. The Town received four bids on March 21, 2024.
- Staff qualified Comfort Systems USA, LLC, as the lowest responsive, responsible bidder.
- Staff anticipates that the contractor will begin the project in May 2024 with completion in mid-to late Summer 2025.

Fiscal Impact/Resources: The construction contract and other related project expenditures is anticipated to be ~\$1.12 million. Funding has been appropriated from the American Rescue Plan Act (ARPA).



Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A CONTRACT WITH COMFORT SYSTEMS USA, LLC IN AN AMOUNT OF \$1,118,591 FOR HOMESTEAD AQUATIC CENTER HVAC RENOVATIONS (2024-04-17/R-5)

WHEREAS, the Town of Chapel Hill solicited letters of interest for Construction Administration Services for the Homestead Aquatic Center HVAC Renovations on the Town's website on December 11, 2023 and January 31, 2024; and

WHEREAS, three bid(s) were received on January 31, 2024; and

WHEREAS, the responsive bid was evaluated and Comfort Systems USA, LLC was determined to be the lowest, responsive 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, and responsible bidder, Comfort Systems USA, LLC in an amount of \$1,118,591.

BE IT FURTHER RESOLVED that the Town Manager is authorized to approve change orders as necessary if the contract cost remains within the amount budgeted of ~\$1,118,591.

This the 17th day of April, 2024.

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, authorizes the Town Manager to execute a contract and approve change orders as necessary with Comfort Systems USA, LLC for the Homestead Aquatic Center HVAC Renovations.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., **File #:** [24-0190], **Version:** 1

Meeting Date: 4/17/2024

Authorize the Town Manager to Negotiate and Execute a Sole-Source Contract to Purchase and Install Pool Liner Membrane System for AD Clark Outdoor Pool.

Staff:

Atuya Cornwell, Director
Nikiya Cherry, Assistant Director

Department:

Parks and Recreation

Overview: The Parks and Recreation Department must add an aquatics pool liner membrane system for AD Clark Outdoor Pool to maintain a quality pool shell at the outdoor facility. Aquatic Renovation Systems, Inc. is the sole provider of this specific liner membrane system.



Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager to negotiate and execute a sole-source contract to purchase and install a pool liner membrane system for AD Clark Outdoor Pool.

Key Issues:

- Parks and Recreation must add an aquatics pool liner membrane system to the AD Clark Outdoor Pool to maintain a quality pool shell.
- Aquatic Renovation Systems, Inc. is the sole provider of such pool liner membrane systems.
- The governing board of a political subdivision of the State must approve sole-source purchases pursuant to N.C.G.S. 143-129(e)(6)

Fiscal Impact/Resources: The total contract cost is \$69,425 and is included in the FY 2023-24 budget.



Attachments:

- Resolution

Item #: 8., File #: [24-0190], Version: 1

Meeting Date: 4/17/2024

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A SOLE SOURCE CONTRACT TO PURCHASE AND INSTALL POOL LINER FOR AD CLARK OUTDOOR POOL WITH AQUATIC RENOVATION SYSTEM, INC. (2024-04-17/R-6)

WHEREAS, the Town of Chapel Hill operates an outdoor pool for public swimming and recreation; and

WHEREAS, to continue to meet quality operating standards; and

WHEREAS, the pool liner membrane system must integrate with existing pool shell and Aquatic Renovation System, Inc. is the sole provider of this liner membrane system for the Town; and

WHEREAS, the governing board of a political subdivision of the State must approve sole-source purchases pursuant to N.C.G.S. 143-129(e)(6).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to negotiate and execute a sole-source contract to purchase and install a pool liner membrane system for AD Clark Outdoor Pool.

This the 17th day of April, 2024.

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 negotiate and execute a sole-source contract to purchase and install a pool liner membrane system for AD Clark Outdoor Pool.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., File #: [24-0191], Version: 1

Meeting Date: 4/17/2024

Authorize Town Manager to Apply for Energy Efficiency and Conservation Block Grant Funding to Support a Free Pilot E-Bikeshare Program.

Staff:

John Richardson, Community Sustainability Manager
Sarah Poulton, Senior Project Manager
Brennan Bouma, Sustainability Program Analyst
Bergen Watterson, Mobility and Greenways Manager
Ben Berolzheimer, Mobility and Greenways Planner

Department:

Manager's Office

Office of Mobility and Greenways

Overview: The Town of Chapel Hill is eligible to receive a formula grant of \$129,010 from the U.S. Department of Energy under the [Energy Efficiency and Conservation Block Grant Program](https://www.energy.gov/scep/energy-efficiency-and-conservation-block-grant-program) (EECBG). To remain eligible for funding, the Town must apply by April 30, 2024, and we need the Council to authorize the Manager to proceed by no later than April 17, 2024. Building off community and Council support for an ARPA (American Rescue Plan Act)-funded e-bikeshare program, staff are proposing to use EECBG funding to develop a more robust and free pilot program for at least 1-2 years. See the attached draft program concept for more information. On March 26, 2024, staff met with the Transportation and Connectivity Advisory Board, who gave their support for the proposal. The Environmental Stewardship Advisory Board was set to discuss it on April 9, 2024.



Recommendation(s):

That the Council authorize the Town Manager to apply for EECBG funding to support a pilot e-bikeshare program in Chapel Hill.

Fiscal Impact/Resources: A combination of ARPA (\$50,000) and EECBG (\$129,010) grant funding would fund the proposed pilot program.



Attachments:

- Resolution
- Draft E-Bikeshare Pilot Program Concept

A RESOLUTION AUTHORIZING TOWN MANAGER TO APPLY FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDING TO SUPPORT A FREE PILOT E-BIKESHARE PROGRAM (2024-04-17/R-7)

WHEREAS, the Town Council has adopted policy that supports the use of alternative transportation through a variety of measures including the Complete Community Strategy, the Mobility and Connectivity Plan, and the Climate Action and Response Plan; and

WHEREAS, creating a bikeshare program is a longstanding goal in Chapel Hill that has the potential to replace vehicle trips, reduce greenhouse gas emissions from vehicles, and provide new ways of getting around town; and

WHEREAS, Town staff have thoroughly explored options for a bikeshare program in Chapel Hill; and

WHEREAS, the creation of an e-bike pilot program can afford residents the opportunity to try out e-bikes, reduce barriers to entry for e-bike use, gauge demand for a permanent e-bikeshare program, and collect data on program implementation; and

WHEREAS, on April 19, 2023, the Town Council allocated \$50,000 of American Rescue Plan Act (ARPA) funding for a community bikeshare program; and

WHEREAS, the Town of Chapel Hill is eligible to receive \$129,010 of Energy Efficiency and Conservation Block Grant (EECBG) funding and can purchase e-bike equipment for a community bikeshare program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to apply for EECBG funding to support a pilot e-bikeshare program in Chapel Hill.

This the 17th day of April, 2024.

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 apply for EECBG funding to support a pilot e-bikeshare program in Chapel Hill.

DRAFT

Town of Chapel Hill E-Bikeshare Program

April 17, 2024

Recommendation

Town staff has thoroughly explored options for a bikeshare program. Our recommendation is to use additional funding (\$129,010) from the federal Energy Efficiency and Conservation Block Grant (EECBG) program to support the Town Council's previously allocated ARPA money (\$50,000) to develop a successful and free e-bikeshare pilot program.

The information below is an illustrative concept and staff is not seeking the Council's endorsement of these details tonight. Multiple Town departments, including Risk Management and the Town Attorney's Office will vet a final program design.

Introduction

The Town of Chapel Hill is committed to providing residents with a variety of ways to get around town. Creating a bikeshare program has been a longstanding goal in Chapel Hill and Town staff have been working to design a program that will meet a variety of objectives. Objectives include replacing single-occupancy vehicle trips, providing an opportunity for residents to try out e-bikes, reducing barriers to entry for e-bike use, gauging the demand for an e-bike share program, and collecting data on program implementation.

Program Description

The new E-Bikeshare pilot program will offer Chapel Hill residents a free and convenient way to use a variety of different e-bike types around town. The Town of Chapel Hill will purchase and own a fleet of e-bikes that will be available to check out at multiple locations easily and conveniently, free of charge. Selected service providers will store, maintain, and run the day-to-day check in/return process.

Funding

The following funding sources are supporting the implementation of this new program:

- \$129,010 Energy Efficiency and Conservation Block Grant (EECBG) funds
 - EECBG funds must be spent on physical goods and applied for by April 30, 2024.
- \$50,000 American Rescue Plan Act (ARPA) (Allocated by the Chapel Hill Town Council on April 19, 2023)
 - ARPA funds must be spent on services for Chapel Hill residents and must be obligated by December 31, 2024

Both sources are considered one-time funding, meaning that there isn't currently funding in place to extend the program beyond the duration of the pilot.

DRAFT

EECBG funds will be used to purchase approximately 30 e-bikes, along with associated personal protective equipment and accessories.

ARPA funds will be used for service contracts executed with local providers of bicycle maintenance and program administration. These providers will store and maintain the e-bikes and operate the day-to-day administration of the check-out and return functions of the program. They will provide a brief overview of best practices for safe operation of the e-bikes and confirm participants have been permitted to ride.

Bike Maintenance

Selected service providers will be responsible for regular bike maintenance to ensure they're kept in good working order and available for use.

Rental Administration

Selected service providers will be responsible for the check-out and return process of the rental program. This may include confirming program eligibility, providing waivers, providing overviews and safety instructions for bike use, and inspecting bikes upon return.

Staff Pilot

As part of this project, a smaller number of e-bikes will be stored at up to four Town facilities to support a pilot program for staff only. Staff will check out and return e-bikes like the way shared Town vehicles are currently borrowed for work purposes.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., **File #:** [24-0192], **Version:** 1

Meeting Date: 4/17/2024

Authorize the Manager to Execute an Easement on Town Property Located at 125 East Rosemary Street with Duke Energy to Provide Permanent Electrical Power to the Town's Parking Deck.

Staff:

Lance Norris, Public Works Director

Chris Roberts, Manager of Engineering and Infrastructure

Department:

Public Works

Overview: The Town is nearing completion of the new parking deck located at 125 East Rosemary Street. As this is a new building, a new electrical power supply will need to be installed. It will be located on the north side of the building facing North Street and will require an easement for Duke to install and maintain the system. Town Staff have no concerns with this easement.



Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager execute an easement with Duke Energy on Town Property to serve the new Town parking deck located at 125 East Rosemary Street.

Key Issues

- The Town's new Parking Deck at 125 East Rosemary requires a permanent electrical power supply to be located.
- The Town will need to provide an easement to Duke Energy on Town Property for a permanent electrical power system.

Fiscal Impact/Resources: The Town would not incur any costs related to granting of this easement.



Attachments:

- Resolution
- Easement Agreement and Exhibit

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT WITH DUKE ENERGY ON TOWN PROPERTY TO SERVE THE NEW TOWN PARKING DECK LOCATED AT 125 EAST ROSEMARY STREET (2024-04-17/R-8)

WHEREAS, the Town's new Parking Deck at 125 East Rosemary requires a permanent electrical power supply to be located; and

WHEREAS, the Town will need to provide an easement to Duke Energy on Town Property for a permanent electrical power system.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager execute an easement with Duke Energy on Town Property to serve the new Town parking deck located at 125 East Rosemary Street as described in April 17 meeting materials.

This the 17th day of April, 2024.

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 execute an easement with Duke Energy on Town Property to serve the new Town parking deck located at 125 East Rosemary Street.

Prepared by: Duke Energy Carolinas, LLC
 Return to: Duke Energy Carolinas, LLC
 Attn: Karin Silverthorn
 4412 Hillsborough Rd
 Durham, North Carolina 27705

Parcel # 9788373947
 9788374748

EASEMENT

State of North Carolina
 County of Orange

THIS EASEMENT ("**Easement**") is made this ____ day of _____, 20____, from **TOWN OF CHAPEL HILL**, a North Carolina municipal corporation ("**Grantor**", whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company ("**Grantee**").

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, "**Facilities**").

Grantor is the owner of that certain property described in that instrument recorded in **Deed Book 6720, Page 1721, and Deed Book 6731, Page 1862**, Orange County Register of Deeds ("**Property**").

The Facilities shall be underground, except as needed on or above the ground to support the underground Facilities, and located in, upon, along, under, through, and across a portion of the Property within an easement area described as follows:

A strip of land twenty feet (20') in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed, along with an area ten feet (10') wide on all sides of the foundation of any Grantee enclosure/transformer, vault and/or manhole, (hereinafter referred to as the "Easement Area").

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantee shall have the right to install necessary guy wires and anchors extending beyond the boundaries of the Easement Area.
5. Grantee shall have the right to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening, or alterations.
6. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
7. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
8. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20____.

TOWN OF CHAPEL HILL
a North Carolina municipal corporation

Chris Blue, Town Manager (SEAL)

Attest:

Sabrina Oliver, Town Clerk

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____ County, State of _____, certify that Sabrina Oliver personally appeared before me this day and acknowledged that he/she is Town Clerk of TOWN OF CHAPEL HILL, a North Carolina municipal corporation, and that by authority duly given and as the act of said corporation, the foregoing EASEMENT was signed in its name by its Town Manager, sealed with its official seal, and attested by herself/himself as its Town Clerk.

Witness my hand and notarial seal, this ____ day of _____, 20____.

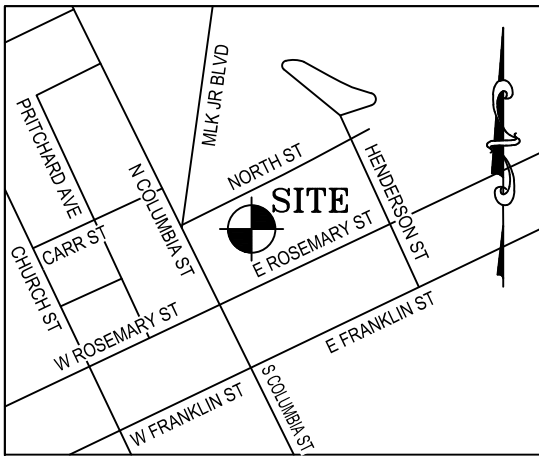


Notary Public: _____

Commission expires: _____

EXHIBIT A

NORTH ST

45' PUBLIC R/W
(PB 61, PG 182)

VICINITY MAP

NOT TO SCALE

LEGEND

- EXISTING IRON PIPE
- CALCULATED EASEMENT CORNER
- PROPERTY LINE
- - - UN-SURVEYED PROPERTY LINE
- - - R/W - - - RIGHT OF WAY
- - - EASEMENT LINE

THIS MAP MAY NOT BE A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A LOCAL
GOVERNMENT AGENCY FOR COMPLIANCE
WITH ANY APPLICABLE LAND DEVELOPMENT
REGULATIONS AND HAS NOT BEEN
REVIEWED FOR COMPLIANCE WITH
RECORDING REQUIREMENTS FOR PLATS.



04/01/2024

NEW APPROXIMATE
LOCATION OF DISTRIBUTION
R/W AREA: 146 SQ FT / 0.003 AC

N/F
BELL FAMILY PROPERTIES LLC

EXISTING VARIABLE WIDTH
PRIVATE ACCESS AND TIE BACK
EASEMENT

(TIE TO NW CORNER OF TOCH PROPERTY)

N 64°57'06" E 70.39'

62.22' (ESMT TIE)

GRAPHIC SCALE



1 inch = 30 ft.

NEW APPROXIMATE LOCATION OF DISTRIBUTION R/W
AREA: 4.254 / 0.098 AC

N 24°45'26" W 212.65'

S 24°45'26" E 212.74'

[FUTURE PUBLIC R/W]

TOWN OF CHAPEL HILL
PIN# 9788-37-3947
DB 6720, PG 1721
PB 61, PG 182 [LOT 1]

N/F
SHARON M KIRK &
WILLIAM E. KIRK

EXISTING VARIABLE WIDTH
PRIVATE ACCESS AND TIE BACK
EASEMENT

EXISTING VARIABLE WIDTH PRIVATE
TEMPORARY CONSTRUCTION
EASEMENT

N 64°57'06" E 58.65'

(TIE TO SE CORNER OF KIRK PROPERTY)

NEW DUKE ENERGY
ENCLOSURE PAD
TOWN OF CHAPEL HILL
(ROSEMARY PARKING DECK)
PIN# 9788-37-4748
DB 6731, PG 1862

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
E1	S 24°45'26" E	5.05'
E2	S 64°23'57" W	28.12'
E3	N 25°16'28" W	5.32'

NOTES

1. THIS IS AN EASEMENT EXHIBIT.
2. ALL BEARINGS ARE BASED ON NCSPCS NAD83/2011 FROM VRS REAL TIME KINEMATIC OBSERVATIONS.
3. ALL DISTANCES ARE GROUND, UNLESS OTHERWISE NOTED.
4. AREAS CALCULATED BY COORDINATE METHOD.
5. NO EXISTING NGS MONUMENTS OBSERVED WITHIN 2,000 FEET.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., **File #:** [24-0193], **Version:** 1

Meeting Date: 4/17/2024

Authorize the Manager to Execute an Easement on Town Property Located at 1483 Martin Luther King Jr. Boulevard with Duke Energy to Provide Permanent Electrical Power to a Town Bus Shelter.

Staff:

Lance Norris, Public Works Director

Chris Roberts, Manager of Engineering and Infrastructure

Department:

Public Works

Overview: There is a Town Bus Stop located on Town-owned land at 1483 Martin Luther King Jr. Boulevard that requires permanent electrical power. Duke Energy requires a permanent easement to install and maintain this system. Town Staff have no concerns with this easement.



Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager to execute an easement with Duke Energy on Town Property to serve a bus shelter.

Key Issues

- The Town's bus shelter, located at 1483 Martin Luther King Jr. Boulevard, requires a new permanent electrical power system that is outside of the road's right-of-way and on Town-owned property.
- The Town will need to provide an easement to Duke Energy on Town Property for a permanent electrical power system.

Fiscal Impact/Resources: The Town would not incur any costs related to granting of this easement.



Attachments:

- Resolution
- Easement Exhibit
- Easement Agreement

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AN EASEMENT WITH DUKE ENERGY ON TOWN PROPERTY TO SERVE A TOWN BUS SHELTER LOCATED AT 1483 MARTIN LUTHER KING JR BOULEVARD (2024-04-17/R-9)

WHEREAS, the Town's bus shelter, located at 1483 Martin Luther King Jr. Boulevard, requires a new permanent electrical power system that is outside of the road's right-of-way and on Town-owned property; and

WHEREAS, the Town will need to provide an easement to Duke Energy on Town Property for a permanent electrical power system.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to execute an easement with Duke Energy on Town Property to serve a bus shelter.

This the 17th day of April, 2024.

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 execute an easement with Duke Energy on Town Property to serve a bus shelter.

Prepared by: Duke Energy Carolinas, LLC
 Return to: Duke Energy Carolinas, LLC
 Attn: Karin Silverthorn
 4412 Hillsborough Rd
 Durham, NC 27715

Parcel # 9880127274

SECONDARY EASEMENT

State of North Carolina

County of Orange

THIS EASEMENT (“**Easement**”) is made this ____ day of _____, 20____, from **TOWN OF CHAPEL HILL**, a North Carolina municipal corporation (“**Grantor**”, whether one or more), to **DUKE ENERGY CAROLINAS, LLC**, a North Carolina limited liability company (“**Grantee**”).

Grantor, for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto Grantee a perpetual and non-exclusive easement, to construct, reconstruct, operate, patrol, maintain, repair, replace, relocate, add to, modify, and remove electric and communication lines including, but not limited to, all necessary supporting structures, and all other appurtenant apparatus and equipment for the transmission and distribution of electrical energy, and for technological purposes related to the operation of the electric facilities and for the communication purposes of Incumbent Local Exchange Carriers (collectively, “**Facilities**”).

Grantor is the owner of that certain property described in that instrument recorded in Deed Book 832, Page 590, and Deed Book 1567, Page 34, Orange County Register of Deeds (“**Property**”).

The Facilities shall be overhead, except as needed on or under the ground to support the overhead Facilities, and located in, upon, over, along, through, and across a portion of the Property within an easement area described as follows:

A strip of land five (5) feet in uniform width, lying equidistant on both sides of a centerline, which centerline shall be established by the center of the Facilities as installed (hereinafter referred to as the “**Easement Area**”).

The rights granted herein include, but are not limited to, the following:

1. Grantee shall have the right of ingress and egress over the Easement Area, Property, and any adjoining lands now owned or hereinafter acquired by Grantor (using lanes, driveways, and adjoining public roads where practical as determined by Grantee).
2. Grantee shall have the right to trim, cut down, and remove from the Easement Area, at any time or times and using safe and generally accepted arboricultural practices, trees, limbs, undergrowth, other vegetation, and obstructions.
3. Grantee shall have the right to trim, cut down, and remove from the Property, at any time or times and using safe and generally accepted arboricultural practices, dead, diseased, weak, dying, or leaning trees or limbs, which, in the opinion of Grantee, might fall upon the Easement Area or interfere with the safe and reliable operation of the Facilities.
4. Grantor shall not place, or permit the placement of, any structures, improvements, facilities, or obstructions, within or adjacent to the Easement Area, which may interfere with the exercise of the rights granted herein to Grantee. Grantee shall have the right to remove any such structure, improvement, facility, or obstruction at the expense of Grantor.
5. Excluding the removal of vegetation, structures, improvements, facilities, and obstructions as provided herein, Grantee shall promptly repair or cause to be repaired any physical damage to the surface area of the Easement Area and Property resulting from the exercise of the rights granted herein to Grantee. Such repair shall be to a condition which is reasonably close to the condition prior to the damage, and shall only be to the extent such damage was caused by Grantee or its contractors or employees.
6. All other rights and privileges reasonably necessary, in Grantee's sole discretion, for the safe, reliable, and efficient installation, operation, and maintenance of the Facilities.

The terms Grantor and Grantee shall include the respective heirs, successors, and assigns of Grantor and Grantee. The failure of Grantee to exercise or continue to exercise or enforce any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time, or from time to time, to exercise any and all such rights.

TO HAVE AND TO HOLD said rights, privilege, and easement unto Grantee, its successors, licensees, and assigns, forever. Grantor warrants and covenants that Grantor has the full right and authority to convey to Grantee this perpetual Easement, and that Grantee shall have quiet and peaceful possession, use and enjoyment of the same.

[Remainder of page left blank intentionally.]

IN WITNESS WHEREOF, Grantor has signed this Easement under seal effective this ____ day of _____, 20____.

TOWN OF CHAPEL HILL
a North Carolina municipal corporation

Chris Blue, Town Manager (SEAL)

Attest:

Sabrina Oliver, Town Clerk

STATE OF _____

COUNTY OF _____

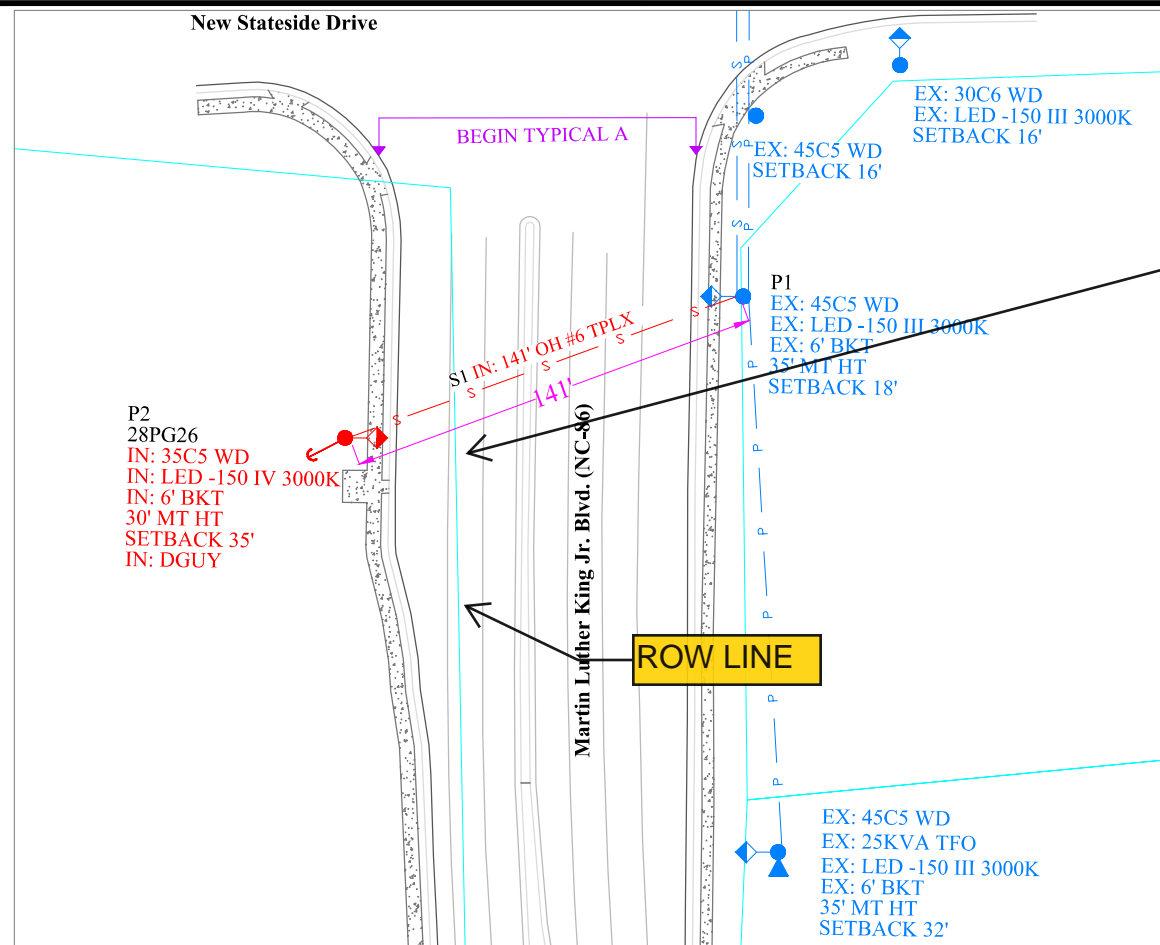
I, _____, a Notary Public of _____ County, State of _____, certify that Sabrina Oliver personally appeared before me this day and acknowledged that he/she is Town Clerk of TOWN OF CHAPEL HILL, a North Carolina municipal corporation, and that by authority duly given and as the act of said corporation, the foregoing EASEMENT was signed in its name by its Town Manager, sealed with its official seal, and attested by herself/himself as its Town Clerk.

Witness my hand and notarial seal, this ____ day of _____, 20____.

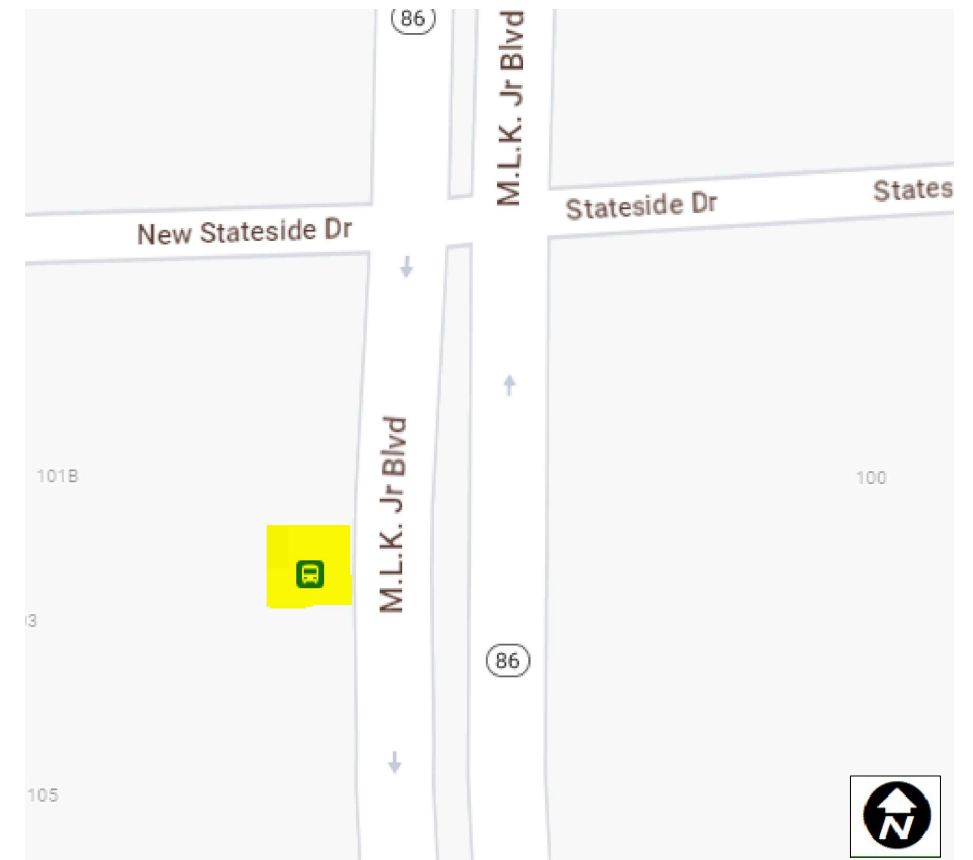
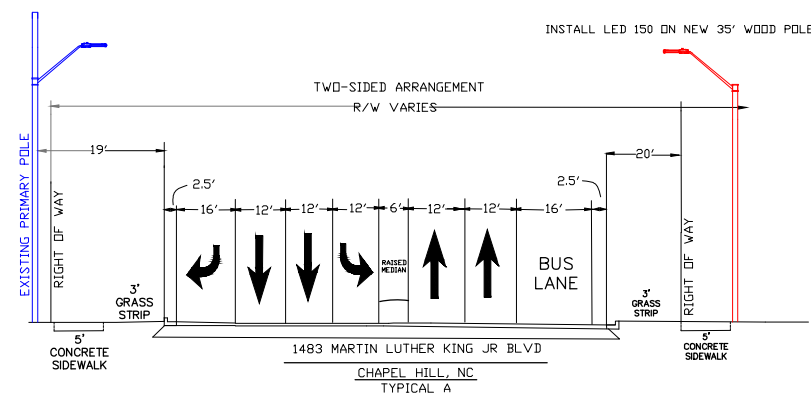


Notary Public: _____

Commission expires: _____






PARNO: 9880127274
OWNER NAME: TOWN OF CHAPEL HILL
CITY: NC
STATE: NC
ZIP: 27516
COUNTY: ORANGE
MAILADD: 405 MARTIN LUTHER KING JR
BLVD CHAPEL HILL NC 27514
SOURCEREF: DEED BOOK PAGE 1567/34



NOTES

1. LIGHT LEVELS ARE BASED ON A TWO-SIDED ARRANGEMENT AT 1483 MARTIN LUTHER KING JR. BLVD (NC-86).
2. ALL LUMINARIES WILL BE:
150W TYPE IV LED, 3000K, RECTANGLE PATTERN WITH PHOTOCELLS AND BALLAST, RATED: 12,748 LUMENS 120V.
3. ALL LIGHTING WITH OVERHEAD SERVICE WILL BE INSTALLED ON NEW WOOD POLES LOCATED OUTSIDE MARTIN LUTHER KING JR. BLVD RIGHT OF WAY
4. MOUNTING HEIGHT FOR LIGHTING FIXTURES: 30' WITH 6' BRACKET ON NEW WOOD POLES
5. ALL POWER SOURCES WILL BE FROM DUKE ENERGY-CAROLINAS FACILITIES.
6. ALL CONSTRUCTION WILL COMPLY WITH NESC REQUIREMENTS AND DUKE ENERGY-CAROLINA SPECIFICATIONS. REFER TO THE DUKE ENERGY-CAROLINAS DRAWINGS LISTED.
7. THIS IS AN NCDOT ROADWAY. APPROVED NCDOT ENCROACHMENT MUST BE ON-SITE DURING CONSTRUCTION.

BY INITIATING THIS BLOCK THE CUSTOMER STATES THEY HAVE REVIEWED EACH SHEET OF THE PROPOSED LIGHTING DESIGN AND APPROVES OF ALL PROPOSED LIGHTING FACILITY LOCATIONS. CUSTOMER HAS VERIFIED THERE ARE NO CONFLICTS WITH PROPOSED LIGHTING ARRANGEMENT AND THE PLANS ARE CURRENT.			CUSTOMER INITIALS X _____	
		Safety Reminders / Adverse Conditions		
2: _____ 2: _____ 2: _____ 2: _____ 2: _____		WZS: REMEMBER "YOUR CIRCLE OF SAFETY" WZS: SET PROPER WORK ZONE NEEDED WZS: SET PROPER SIGNS, CONES, AND BARRICADES WZS: REMEMBER WALK AROUNDS AND PRETRIP		
REMEMBER: Work zone area conditions may have changed for this job! Everyone is responsible for verifying the above safety information is correct prior to any work being performed each day.				

1483 MARTIN LUTHER KING JR. BLVD. (NC-86)

COLLECTOR/INTERMEDIATE			ACTUAL
AVE. MAINT. FC :	1.2	MIN.	1.21
AVE. / MIN. RATIO :	4:1	MAX.	2.86:1
VEILING LUM. RATIO :	0.3:1	MAX.	0.42:1

LIGHTING LEVELS CALCULATED USING ALADAN & LITEPRO
AVG DAILY TRAFFIC: 4,500
DESIGN SPEED LIMIT: 35 MPH
ACTUAL SPEED LIMIT: 35 MPH
AVG. SPAN DISTANCE: 141 FEET
MINIMUM CLEAR SETBACK DISTANCE: 16 FEET

PROPOSED	EXISTING	REMOVE	ABANDON	LEGEND
				LED LUMINAIRE
				DECORATIVE LUMINAIRE
				FIBERGLASS STEEL LIGHTING POLE
				WOOD POLE
				FORIEGN POLE
				TRANSFORMER (POLE MOUNTED)
				STREET LIGHT CIRCUIT (UNDERGROUND)
				STREET LIGHT CIRCUIT (OVERHEAD)
				PRIMARY CIRCUIT (OVERHEAD)
				PRIMARY CIRCUIT (UNDERGROUND)
				RIGHT OF WAY
				PROPERTY LINE
				EXISTING CONDUIT
				INSTALL CONDUIT
				EXISTING SPAN GUY
				ABOVE GROUND PEDESTAL
				FLUSH MOUNTED 12"x 23" PEDESTAL
				PAD MOUNTED ENCLOSURE
				JUNCTION BOX
				TRANSFORMER (PAD MOUNTED)
				RECLOSER

LIGHTING DESIGN TOLERANCE

[illegible]

PROPRIETARY & CONFIDENTIAL

PROSPECT PART - CONFIDENTIAL

This document, together with the concepts and designs presented herein, is presented as an instrument of the sole and exclusive property of Duke Energy, and is intended only for the specific purpose and prospective client as stated in the title block of this drawing. Any use, copying, reproduction or disclosure of the drawing, design or any information contained herein by the prospective customer or other entities, including without limitation, architects, engineers, or equipment manufacturers is hereby expressly prohibited. No compensation or payment shall be made prior to written consent from, and payment of compensation to Duke Energy. Duke Energy disclaims any liability or responsibility for any unauthorized use of or reliance on this document.

STREET LIGHTING ARRANGEMENT FOR			
1483 MARTIN LUTHER KING JR BLVD			
CHAPEL HILL, NC			
Designed by	DUKE ENERGY CAROLINAS LIGHTING SOLUTIONS		
Reviewed by	Stacy Kromko	Scale	1"=30'
Date	11/28/2023	Size	Drawing size "D"
Description	WO# 50106122		
Drawing No.	06122	Sht.	1 OF 1

NO.	DATE	REVISION	BY



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [24-0194], **Version:** 1

Meeting Date: 4/17/2024

Close the Legislative Hearing and Consider a Conditional Zoning Modification for Aura Chapel Hill Lighting.

Staff:

Jacob Hunt, Planner II
Corey Liles, Planning Manager
Judy Johnson, Assistant Director
Britany Waddell, Director

Department:

Planning

See the Staff Report on the next page.

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

PRESENTER: Jacob Hunt, 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. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Motion to close the Legislative Hearing
- f. Motion to adopt Resolution A for Reasonableness and Consistency
- g. Motion to enact Ordinance A approving the Conditional Zoning Modification

RECOMMENDATION: That the Council close the legislative hearing, adopt Resolution A for Reasonableness and Consistency, and enact Ordinance A approving the Conditional Zoning Modification



Aura - 1000 Martin Luther King Jr. Blvd - Conditional Zoning Modification

Staff: Britany Waddell, Judy Johnson, Corey Liles, Jacob Hunt

Meeting Date: April 17, 2024

Manager Recommendation

	<p>The Town Manager recommends approval of the modification, with the conditions of approval of the original Conditional Zoning District remaining in effect.</p>
--	--

Project Overview

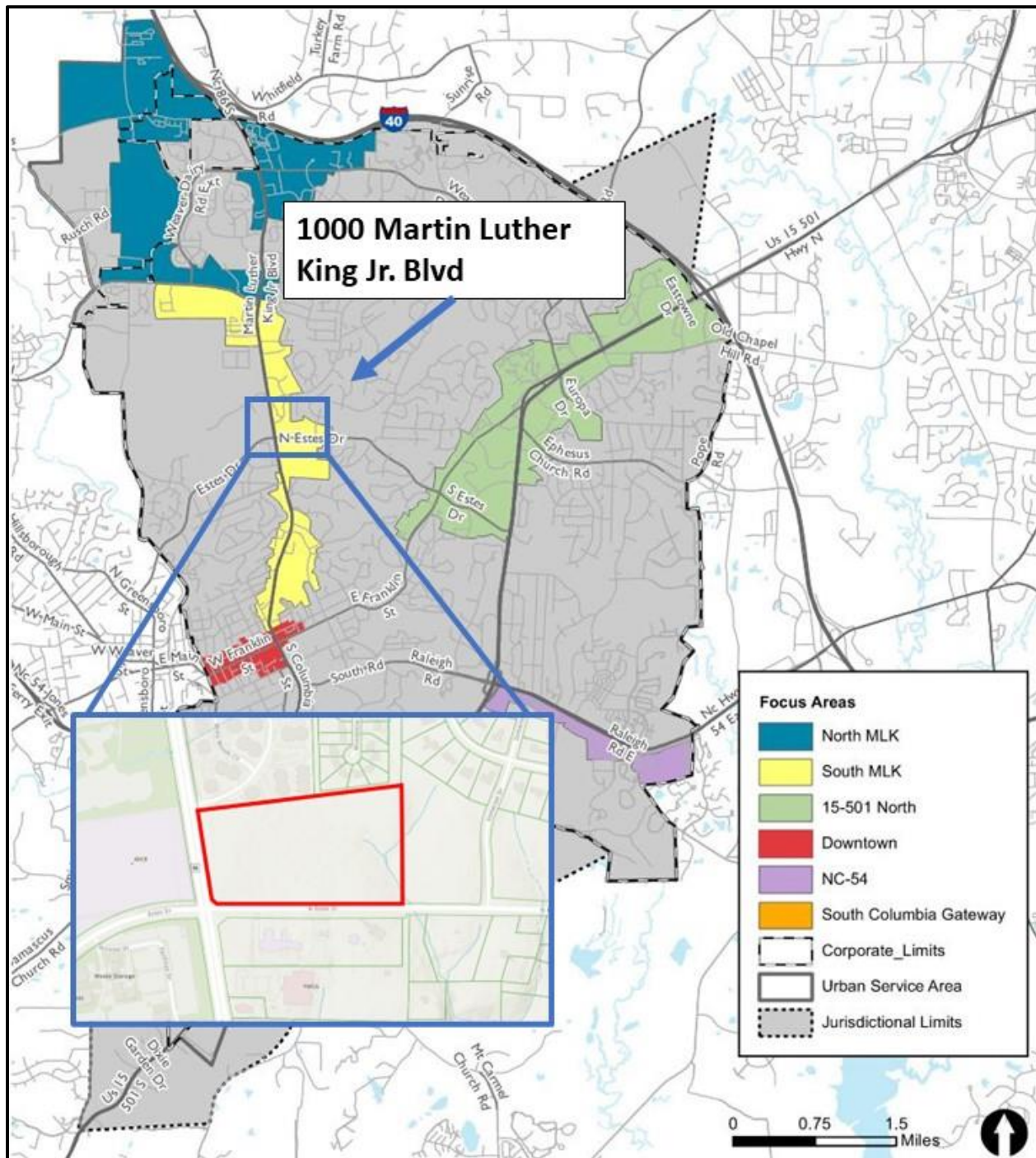
- Trinsic Residential Group requests a modification to the approved Conditional Zoning District for Aura Chapel Hill.
- This modification is to increase the maximum Offsite Illumination standard specified in the Land Use Management Ordinance from 0.3 foot-candles to 1.3 foot-candles along the northern property boundary.
- The modification would allow for the same LED light fixtures across the Aura site.
- Council approved the Conditional Zoning for Aura at their meeting on June 28, 2021.

Public Engagement

Trinsic has provided a letter from the adjacent property owners in support of the proposed modification. The Town sent Notice of the Public Hearing to property owners within 1,000 feet of the site prior to tonight's meeting. Signs have been posted on the site indicating a zoning amendment.

CONDITIONAL ZONING MODIFICATION
AURA

Project Location



CONDITIONAL ZONING MODIFICATION
AURA

Attachments

Ordinance and Resolutions

1. Resolution A – Consistency and Reasonableness
2. Ordinance A – Approving the Application
3. Resolution B – Denying the Application

Applicant Materials

4. Applicant's Requested Modifications to Regulations and Statements

RESOLUTION A
Resolution of Reasonableness and Consistency

A RESOLUTION REGARDING THE REASONABLENESS AND CONSISTENCY WITH THE COMPREHENSIVE PLAN OF THE APPLICATION FOR A MODIFICATION TO THE OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) FOR THE PROPERTY LOCATED AT 1000 MARTIN LUTHER KING JR. BLVD (2024-04-17/R-10)

WHEREAS, the Council of the Town of Chapel Hill has considered the application to modify the Conditional Zoning District submitted by Trinsic Residential Group on behalf of PRIII TRG CHAPEL HILL OWNER LP (Owner), for the property located at 1000 Martin Luther King Jr. Blvd and identified as Orange County Property Identifier Number 9789-35-9617 to accommodate revised lighting plans, and

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:

- Cohesive lighting across the site

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:

- Goal 3 (Be Green and Sustainable) of the Complete Community Strategy component of the Comprehensive Plan, as the proposed Modification uses sustainable building techniques and practices on the site.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Modification to the Conditional Zoning District to be reasonable and consistent with the Town Comprehensive Plan.

This the 17th day of April, 2024.

ORDINANCE A

(Approving the Conditional Zoning Modification)

**AN ORDINANCE MODIFYING THE PREVIOUSLY APPROVED
OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD)
(PROJECT #20-074) FOR AURA LOCATED AT 1000 MARTIN LUTHER KING JR. BLVD
(PROJECT #MOD-23-9)(2024-04-17/O-8)**

WHEREAS, the Council of the Town of Chapel Hill previously considered and approved an Office/Institutional-3-Conditional Zoning District (OI-3-CZD) for Aura located at 1000 Martin Luther King Jr. Blvd on June 28, 2021; and

WHEAREAS, the Council has considered the application submitted by Trinsic Residential Group on behalf of PRIII TRG CHAPEL HILL OWNER LP (Owner), to modify the Conditional Zoning District for the property located at 1000 Martin Luther King Jr. Blvd and identified as Orange County Property Identifier Number 9789-35-9617 to accommodate revised lighting plans, and finds that the amendment is:

- Consistent with the Town's Comprehensive Plan, per NCGS 160D-605; and
- Reasonable and in the public's interest, per NCGS 160D-605;
- 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 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 modifications to regulations satisfies public purposes to an equivalent or greater degree:

- 1) LUMO Section 5.11.4 Lighting Standards:** Increase the maximum Offsite Illumination standard to 1.3 foot-candles along the northern property boundary.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the lighting that would be required to achieve an offsite illumination of 0.3 foot candles is not in character with this residential development.

CONDITIONAL ZONING DISTRICT MODIFICATION

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 intent and purposes of the Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the following conditions are hereby incorporated by reference:

1. Existing Permit: The existing Conditional Zoning Permit dated June 28, 2021, on file at the Town of Chapel Hill Planning Department, and recorded in the Orange County Registry (Book 6750, Pages 1652-1665) remains in effect except as modified by this ordinance.
2. Consent to Conditions: This approval is not effective until the property owner(s) provides written consent to the approval. Written consent must be provided within ten (10) business days of enactment by the Town Council.
3. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
4. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER ORDAINED that the Council hereby approves the application for the modification of the Conditional Zoning for Aura at 1000 Martin Luther King Jr. Blvd.

This the 17th day of April, 2024.

RESOLUTION B

(Denying the Conditional Zoning Modification)

A RESOLUTION DENYING AN APPLICATION FOR A CONDITIONAL ZONING MODIFICATION FOR AURA AT 1000 MARTIN LUTHER KING JR. BLVD (2024-04-17/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning Modification application, proposed by Trinsic Residential Group on behalf of PRIII TRG CHAPEL HILL OWNER LP (Owner), located at 1000 Martin Luther King Jr. Blvd and identified as Orange County Property Identifier Number 9789-35-9617, would not:

- 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

BE IT FURTHER RESOLVED that the Council hereby denies the application for a Conditional Zoning modification for Aura at 1000 Martin Luther King Jr. Blvd.

This the 17th day of April, 2024.



Collier R. Marsh

Partner

t: 919.835.4663

f: 919.834.4564

colliermarsh@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

September 7, 2023

Mayor and Council
Town of Chapel Hill
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514

Re: **Petition for Limited Scope Review of Minor Modification to Approved Conditional Zoning**
1000 Martin Luther King Jr. Blvd, Chapel Hill NC 27514

Dear Mayor Hemminger and Members of Council:

We represent Trinsic Residential Group ("Trinsic"), the developer of the Aura Chapel Hill Project located at 1000 Martin Luther King Jr. Blvd (Parcel No. 9789-35-9617). Aura Chapel Hill's conditional zoning was approved on June 28, 2021 through Ordinance No. 2021-06-28-O-1, with an accompanying Conditional Zoning Permit approved and recorded on October 18, 2021 (Deed BK 6750, PG 1652-1665(14)).

On behalf of Trinsic, we are submitting this Petition for Limited Scope Review of Minor Modification to Approved Conditional Zoning related to Aura Chapel Hill (the "Petition"). The Petition requests a minor change to the offsite illumination requirements that will allow Trinsic to develop the site consistent with the approved conditional zoning. Specifically, the Petition requests to exceed Land Use Management Ordinance (LUMO) Section 5.11.4's offsite illumination maximum of 0.3 foot-candles. The Petition is supported by the neighboring property owner that would be affected by this change.

Summary of Proposed Modifications

The proposed modification involves Aura Chapel Hill's outdoor lighting. Duke Energy's Enterprise LED light fixtures (details of which are provided in **Exhibit A**) will be located along Aura Chapel Hill's northern property line. The light fixtures are located throughout the site, providing aerial street lighting, and were approved during the CDC approval process. However, the Enterprise LED lighting on Aura Chapel Hill's northern border exceeds LUMO Section 5.11.4's offsite illumination maximum of 0.3 foot-candles. The alternative option would be to use Micro Roadway LED lighting fixtures (details of which are provided in **Exhibit B**). As set forth below, The Enterprise LED lighting fixtures are the superior option because they are consistent with the

Mayor and Council
September 7, 2023
Page 2

approved conditional zoning, of a higher quality, and they meet the design intent of the overall development. The Enterprise LED floor-candle photometric plan is included in Exhibit C.

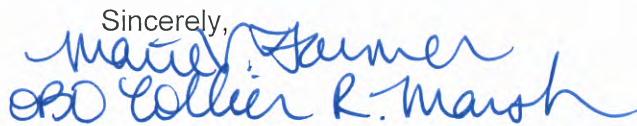
Justification of Minor Modification

The requested minor modification is justified because it will facilitate development that is consistent with the approved conditional zoning and because it is supported by the neighboring property owner that would be affected by the modification. Duke Energy's Enterprise LED light fixtures were approved in the conditional zoning and are the preferred light fixtures throughout the project. The Enterprise LED light fixtures are the preferred choice because they are energy efficient, visually appealing, and in conformity with the design intent of the overall development.

The intended beneficiary of the LUMO Section 5.11.4 offsite illumination requirements are adjacent property owners. The adjacent property to the north that would be affected by this request is the Shadowood Apartments located at 101 Shadowood Dr., Chapel Hill, NC 27514 (Parcel No. 9789365443). Trinsic held a meeting with the Shadowood Apartments' ownership to discuss the subject lighting along the shared border and to request their approval and support. The owners of the Shadowood Apartments do support this Petition and their letter of support is attached as Exhibit D.

Trinsic is excited about Aura Chapel Hill and continues to advance the project forward with the goal of delivering a vibrant community in the near future. Trinsic has worked with the Town and neighbors to deliver a high-quality community that aligns with the unique character of Chapel Hill. The Council's approval of this Petition will support the project's timely advancement towards these goals.

We appreciate your consideration of this petition. Please feel free to contact me with any questions.

Sincerely,

Collier R. Marsh

CRM:crm

Attachments



ENTERPRISE LED

LED
(Light-emitting diode) 150 / 220 watts

Mounting height 20' – 30'

Color
Black
Green (Special Conditions)
Bronze (Special Conditions)
Gray (Special Conditions)

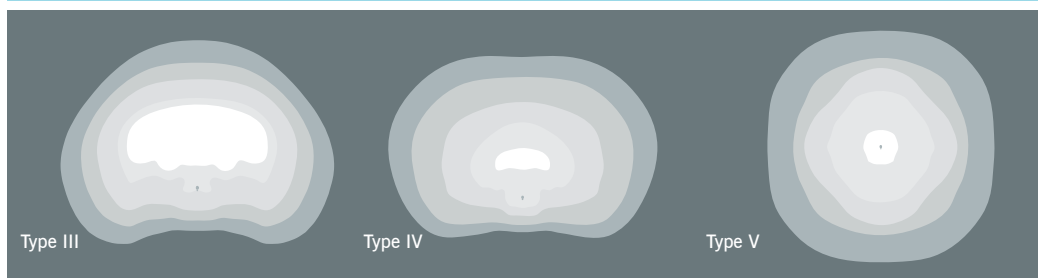
Pole Style A

IESNA cutoff classification: Full-cutoff

Color temperature: 3,000K Primary
4,000K Available

FIXTURE	WATTS	LUMENS	PATTERN	BUG RATING
Enterprise	150	15,091	III	B2-U0-G3
		15,595	IV	B3-U0-G3
		16,500	V	B4-U0-G2
Enterprise	220	21,502	III	B3-U0-G3
		22,219	IV	B3-U0-G4
		23,507	V	B5-U0-G3

LIGHT DISTRIBUTION PATTERNS

*light distribution patterns*

POLE AVAILABLE	MOUNTING HEIGHT	FOUNDATION
Style A	20', 25', 30'	Direct Bury, Anchor Base

For additional information, contact
us at ODLCarolinas@duke-energy.com.



BUILDING A SMARTER ENERGY FUTURE®



MICRO ROADWAY LED

LED
(Light-emitting diode) 50 / 70 watts

Mounting height 20' – 30'

Color
Black
Green
Bronze
Gray

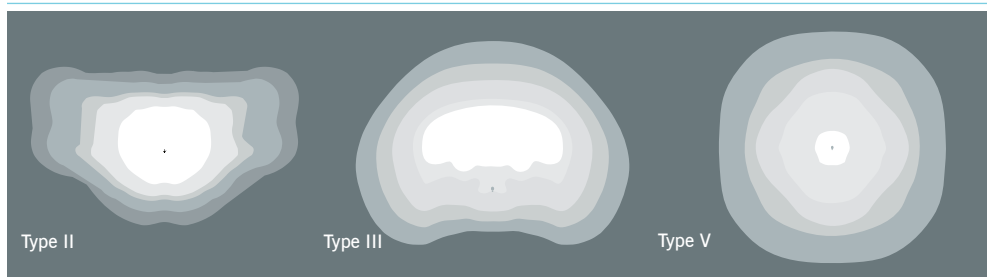
Pole
Wood
Style A

IESNA cutoff classification: Full-cutoff

Color temperature: 3,000K Primary
4,000K Available

FIXTURE	WATTS	LUMENS	PATTERN	BUG RATING
Micro	50	5,407	II	B1-U0-G1
		5,342	III	B1-U0-G1
		5,434	V	B3-U0-G1
Micro	70	7,820	II	B2-U0-G2
		7,782	III	B1-U0-G2

LIGHT DISTRIBUTION PATTERNS

*light distribution patterns*




POLE AVAILABLE	MOUNTING HEIGHT	FOUNDATION
Style A	20', 25', 30'	Direct Bury, Anchor Base
Wood	25', 30'	Direct Bury

For additional information, contact
us at ODLCarolinas@duke-energy.com.



BUILDING A SMARTER ENERGY FUTURE®

EXHIBIT C

Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	40	Enterprise 50W Type III 3000K	Single	N.A.	0.850	PMM-SA1B-730-U-SL3
	73	Enterprise 50W Type III 3000K AB	Single	N.A.	0.850	PMM-SA1B-730-U-SL3
	6	Enterprise 150W Type V 3000K AB	Single	N.A.	0.850	PMM-SA3C-730-U-SWQ-154W

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Property Line	Illuminance	Fc	0.17	1.3	0.0	N.A.	N.A.
Site	Illuminance	Fc	0.90	4.3	0.0	N.A.	N.A.

Luminaire Location Summary					
LumNo	Label	X	Y	Mounting Height	Orient
1	Enterprise 50W Type III 3000K AB	1983672.932	795478.707	15	96.17
2	Enterprise 50W Type III 3000K AB	1983669.099	795507.797	15	277.251
3	Enterprise 50W Type III 3000K AB	1983623.997	795455.931	15	96.459
4	Enterprise 50W Type III 3000K AB	1983558.826	795447.587	15	97.479
5	Enterprise 50W Type III 3000K AB	1983518.686	795475.099	15	8.427
6	Enterprise 50W Type III 3000K AB	1983510.752	795533.06	15	7.8
7	Enterprise 50W Type III 3000K AB	1983504.438	795585.603	15	7.653
8	Enterprise 50W Type III 3000K AB	1983496.755	795639.747	15	3.691
9	Enterprise 50W Type III 3000K AB	1983578.84	795638.62	15	96.12
10	Enterprise 50W Type III 3000K AB	1983617.775	795604.323	15	6.805
11	Enterprise 50W Type III 3000K AB	1983549.077	795595.373	15	186.459
12	Enterprise 50W Type III 3000K AB	1983559.474	795522.369	15	185.717
13	Enterprise 50W Type III 3000K AB	1983627.307	795531.75	15	6.478
14	Enterprise 50W Type III 3000K AB	1983670.026	795559.171	15	189.464
15	Enterprise 50W Type III 3000K AB	1983659.801	795635.967	15	191.034
16	Enterprise 50W Type III 3000K AB	1983591.235	795696.264	15	56.65
17	Enterprise 50W Type III 3000K AB	1983645.501	795691.79	15	115.889
18	Enterprise 50W Type III 3000K AB	1983568.948	795737.276	15	23.078
19	Enterprise 50W Type III 3000K AB	1983567.961	795779.562	15	270
20	Enterprise 50W Type III 3000K AB	1983524.52	795789.088	15	276.085
21	Enterprise 50W Type III 3000K AB	1983645.896	795786.057	15	252.904
22	Enterprise 50W Type III 3000K	1983707.578	795779.299	15	96.66
23	Enterprise 50W Type III 3000K	1983746.545	795783.195	15	98.748
24	Enterprise 50W Type III 3000K AB	1983669.474	795809.342	15	273.811
25	Enterprise 50W Type III 3000K AB	1983783.234	795820.579	15	276.754
26	Enterprise 50W Type III 3000K	1983816.284	795781.178	15	97.555
27	Enterprise 50W Type III 3000K	1983886.484	795788.703	15	98.809
28	Enterprise 50W Type III 3000K AB	1983917.715	795833.732	15	277.213
29	Enterprise 50W Type III 3000K	1983948.456	795794.62	15	97.126
30	Enterprise 50W Type III 3000K	1984015.403	795800.967	15	94.701
31	Enterprise 50W Type III 3000K AB	1984053.131	795847.435	15	277.765
32	Enterprise 50W Type III 3000K	1984074.491	795816.261	15	96.776
33	Enterprise 50W Type III 3000K	1984130.442	795821.895	15	97.431
34	Enterprise 50W Type III 3000K AB	1984198.275	795849.894	15	303.569
35	Enterprise 50W Type III 3000K	1984129.588	795761.723	15	94.701
36	Enterprise 50W Type III 3000K AB	1984128.908	795723.91	15	99.384
37	Enterprise 50W Type III 3000K	1984083.158	795754.074	15	276.516
38	Enterprise 50W Type III 3000K	1984005.329	795707.905	15	97.449
39	Enterprise 50W Type III 3000K	1984025.535	795755.677	15	279.462
40	Enterprise 50W Type III 3000K	1983855.288	795745.13	15	94.701
41	Enterprise 50W Type III 3000K	1983893.831	795738.375	15	277.594
42	Enterprise 50W Type III 3000K AB	1983884.161	795692.047	15	99.866
43	Enterprise 50W Type III 3000K	1983818.154	795728.412	15	278.969
44	Enterprise 50W Type III 3000K	1983755.057	795711.231	15	279.464
45	Enterprise 50W Type III 3000K AB	1983744.088	795743.274	15	94.701
46	Enterprise 50W Type III 3000K	1983714.502	795705.747	15	278.469
47	Enterprise 50W Type III 3000K AB	1984245.751	795849.186	15	235.582
48	Enterprise 50W Type III 3000K AB	1984321.608	795866.505	15	274.599
49	Enterprise 50W Type III 3000K AB	1984410.634	795875.624	15	275.648
50	Enterprise 50W Type III 3000K	1984348.339	795818.575	15	94.701
51	Enterprise 50W Type III 3000K	1984288.03	795811.772	15	94.758
52	Enterprise 50W Type III 3000K AB	1984251.41	795761.402	15	160.016
53	Enterprise 50W Type III 3000K AB	1984209.826	795751.559	15	71.705
54	Enterprise 50W Type III 3000K AB	1984455.11	795842.765	15	132.921
55	Enterprise 50W Type III 3000K	1984455.911	795845.143	15	271.843
56	Enterprise 50W Type III 3000K AB	1984410.997	795972.301	15	276.522
57	Enterprise 50W Type III 3000K AB	1984331.018	795947.465	15	274.717
58	Enterprise 50W Type III 3000K AB	1984253.831	795956.792	15	276.159
59	Enterprise 50W Type III 3000K AB	1984180.613	795948.758	15	276.522
60	Enterprise 50W Type III 3000K AB	1984101.781	795941.027	15	275.104
61	Enterprise 50W Type III 3000K AB	1984025.904	795925.238	15	274.509
62	Enterprise 50W Type III 3000K AB	1983947.692	795916.493	15	275.798
63	Enterprise 50W Type III 3000K AB	1983863.756	795908.274	15	274.277
64	Enterprise 50W Type III 3000K AB	1983790.439	795900.579	15	275.489
65	Enterprise 50W Type III 3000K	1983706.842	795875.867	15	271.225
66	Enterprise 50W Type III 3000K AB	1983630.826	795884.612	15	277.763
67	Enterprise 50W Type III 3000K	1983552.596	795876.968	15	275.196
68	Enterprise 50W Type III 3000K AB	1983472.73	795869.511	15	274.621
69	Enterprise 50W Type III 3000K AB	1983399.718	795861.195	15	276.713
70	Enterprise 50W Type III 3000K AB	1983380.478	795785.514	15	271.225
71	Enterprise 50W Type III 3000K AB	1983420.316	795776.857	15	275.833
72	Enterprise 50W Type III 3000K	1983392.025	795715.784	15	114.237
73	Enterprise 50W Type III 3000K AB	1983473.192	795731.833	15	96.881
74	Enterprise 50W Type III 3000K AB	1984409.714	795715.176	15	310.602
75	Enterprise 50W Type III 3000K AB	1984361.185	795757.514	15	94.701
76	Enterprise 50W Type III 3000K AB	1984287.766	795743.645	15	93.27
77	Enterprise 50W Type III 3000K AB	1984207.914	795689.101	15	9.464
78	Enterprise 50W Type III 3000K AB	1984214.228	795640.618	15	6.544
79	Enterprise 50W Type III 3000K AB	1984264.626	795628.36	15	186.667
80	Enterprise 50W Type III 3000K	1984231.904	795584.612	15	271.225
81	Enterprise 50W Type III 3000K AB	1984294.483	795579.688	15	184.285
82	Enterprise 50W Type III 3000K AB	1984230.666	795521.279	15	334.652
83	Enterprise 50W Type III 3000K AB	1984297.67	795513.407	15	188.889
84	Enterprise 50W Type III 3000K AB	1984238.842	795477.017	15	5.995
85	Enterprise 50W Type III 3000K	1984288.717	795445.029	15	188.798
86	Enterprise 50W Type III 3000K AB	1984245.305	795439.603	15	5.839
87	Enterprise 50W Type III 3000K	1984297.629	795379.343	15	186.786
88	Enterprise 50W Type III 3000K	1984252.138	795379.458	15	6.953
89	Enterprise 50W Type III 3000K AB	1983571.058	795832.825	15	13.829
90	Enterprise 50W Type III 3000K	1984222.941	795356.906	15	273.814
91	Enterprise 50W Type III 3000K	1984080.394	795354.01	15	270.635
92	Enterprise 50W Type III 3000K	1984155.681	795349.249	15	259.996
93	Enterprise 50W Type III 3000K	1984007.503	795353.274	15	269.36
94	Enterprise 50W Type III 3000K	1983934.619	795352.985	15	270.672
95	Enterprise 50W Type III 3000K	1983857.683	795353.116	15	267.452
96	Enterprise 50W Type III 3000K	1983780.764	795350.538	15	270
97	Enterprise 50W Type III 3000K	1983707.789	795347.674	15	270
98	Enterprise 50W Type III 3000K	1983635.032	795347.832	15	268.561
99	Enterprise 50W Type III 3000K	1983558.251	795348.12	15	272.213
100	Enterprise 50W Type III 3000K	1983482.253	795348.58	15	266.827
101	Enterprise 50W Type III 3000K	1983435.059	795349.013	15	249.237
102	Enterprise 50W Type III 3000K	1983417.322	795382.778	15	189.812
103	Enterprise 50W Type III 3000K	1983425.439	795450.324	15	190.357
104	Enterprise 50W Type III 3000K	1983449.512	795417.402	15	262.056
105	Enterprise 50W Type III 3000K	1983416.726	795508.156	15	188.839
106	Enterprise 50W Type III 3000K	1983403.451	795589.411	15	185.907
107	Enterprise 50W Type III 3000K	1983391.971	795669.973	15	185.907
108	Enterprise 50W Type III 3000K	1983461.561	795677.356	15	272.601
109	Enterprise 50W Type III 3000K	1983519.741	795684.572	15	276.226
110	Enterprise 50W Type III 3000K	1984371.817	795368.791	15	264.71
111	Enterprise 150W Type V 3000K AB	1983777.817	795481.246	20	95.44
112	Enterprise 150W Type V 3000K AB	1983849.113	795490.483	20	95.624
113	Enterprise 150W Type V 3000K AB	1983920.577	795499.577	20	97.651
114	Enterprise 150W Type V 3000K AB	1983991.01	795508.66	20	100.156
115	Enterprise 150W Type V 3000K AB	1984059.397	795517.323	20	92.961
116	Enterprise 150W Type V 3000K AB	1984126.94	795526.127	20	99.464
117	Enterprise 50W Type III 3000K	1984348.921	795558.163	20	209.356
118	Enterprise 50W Type III 3000K	1983510.471	795379.957	20	215.418
119	Enterprise 50W Type III 3000K AB	1984252.551	795723.093	20	180

Customer Design



Comments
Date
#
Revisions

Drawn By: Weston Snow Photometric Designer
Checked By:
Date: 6/8/2023
Scale: 1" = 60'

1000 MLK Jr Blvd
Chapel Hill

MID-ATLANTIC APARTMENT MANAGEMENT, LLC
92 River Road
Summit, NJ 07901

September 7, 2023

Mayor and Council
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Re: Notice of Support and Approval of Petition for Limited Scope Review of Minor
Modification to Approved Conditional Zoning
1000 Martin Luther King Jr. Blvd, Chapel Hill, NC 27514

Dear Mayor Hemminger and Members of Council:

I am the authorized signatory of the Manager of Shadowood Apartments, located at 101 Shadowood Dr., Chapel Hill, NC 27514 with Parcel No. 9789365443. Shadowood Apartments is adjacent to 1000 Martin Luther King Jr. Blvd, which is the subject of the pending Petition for Limited Scope Review of Minor Modification to Approved Conditional Zoning (the "Petition").

I have been advised by the adjacent property owner that they are seeking a modification to the approved conditional zoning in order to exceed the Land Use Management Ordinance Section 5.11.4 offsite illumination limit of 0.3 foot-candles. On behalf of Shadowood Apartments, we have no objections to the Petition and encourage its approval by the Town Council. To the extent the Petition is modified in any way, we respectfully request the opportunity to review and revise this notice, if necessary.

Thank you for considering our input on the Petition and please feel free to contact me with any questions.

Sincerely,

Mid-Atlantic Apartment Management, LLC

By: 

Andrew S. Rosen, authorized signatory



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [24-0195], **Version:** 1

Meeting Date: 4/17/2024

Open and Close the Legislative Hearing and Consider a Community Priority Conditional Zoning Application for Longleaf Trace at 1708 and 1712 Legion Road.

Staff:

Britany Waddell, Director
Judy Johnson, Assistant Director
Corey Liles, Planning Manager
Tas Lagoo, Principal Planner
Katherine Shor, Senior Planner

Department:

Planning

See the Staff Report on the next page.

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

PRESENTER: Katherine Shor, Senior Planner

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

RECOMMENDATION: That the Council close the legislative hearing, adopt the Resolution of Reasonableness and Consistency, and enact the Ordinance approving the Conditional Zoning application.



Longleaf Trace - Conditional Zoning

Staff: Britany Waddell, Judy Johnson, Corey Liles, Katherine Shor, Tas Lagoo

Meeting Date: April 17, 2024

Recommendation & Analysis

	<p>The Town Manager recommends that the Council approve the project and approve all requested modifications to regulations, subject to the conditions in Ordinance A.</p>
--	---

Project Overview

- Taft Mills Group, on behalf of Picks Enterprises, LLC (Owner), requests a rezoning to Residential-Community Priority-Conditional Zoning District (R-CP-CZD). Community Home Trust is a partner in the project.
- The developer proposes a 100 percent income-restricted multifamily development between 42 and 60 units with a mix of 1- and 2-bedroom units. All units will be in a single three-story building.
- The building would include recreation amenities and on-site programs that support residents.
- All units would be made available to households with incomes at or below 60 percent of Area Median Income (AMI). This meets the affordable housing criteria of the R-CP-CZD.
- The R-CP-CZD is a streamlined development review process that allows applicants to provide less detailed materials than is typically required in other conditional zoning district applications.
- The applicant plans to submit this project to the North Carolina Housing Finance Agency (NCHFA) for 9 percent Low Income Housing Tax Credit (LIHTC) funding. To be eligible for LIHTC funding this year, the project must receive Town Council approval by May.

Summary of Comprehensive Plan Consistency

Viewed through the holistic lens of the [Complete Community Strategy](#), this project meets the Town's strategy for growth. No single issue raised below should be considered in isolation.



Consistent



Somewhat Consistent



Not Consistent

N/A Not Applicable



Chapel Hill will direct growth to greenways, transit corridors, large infill sites with existing infrastructure, and smaller infill sites.

- The project involves infill development with existing public infrastructure.



Goal 1: Plan for the Future Strategically

Associated Comp. Plan Elements:

- [Future Land Use Map](#)
- [Shaping Our Future](#)

- The project is in the North 15-501 Focus Area, Sub-Area B. The project is proposing a maximum height of 3 stories, consistent with the 4-story height identified for this area.
- The project is proposing a multifamily development, which is identified as a primary land use in this Sub-Area.
- This project could support the Town's future economic health and ability to accommodate employment centers by providing additional housing options.
- Staff find that special consideration was incorporated in the plan to support the transition from multifamily to single-family homes next to the site with a landscape buffer that is wider than required.



Goal 2: Expand and Deliver New Greenways for Everyday Life

Associated Comp. Plan Elements:

- [Mobility & Connectivity Plan](#)
- [Connected Roads Plan](#)

- The Everywhere-to-Everywhere Greenways Map identifies proposed greenways near the site. Also, the existing 10-foot-wide, paved Lower Booker Creek Trail is the 0.5 miles from the site.
- The project will use and improve key infrastructure such as sidewalks, bike facilities, and public transportation. Proposed walking paths on the site will provide additional connections to future development of the Town's Legion Road property.
- The project plans to promote connectivity and safety by aligning the entrance to the site with the intersection of Novus Lane and Legion Road (Condition 21).




Goal 3: Be Green and Provide Housing

Associated Comp. Plan Elements:

- [Climate Action & Response Plan](#)

- The project will be designed to meet National Green Building Standard Bronze.
- The building, appliances, and site design will be all-electric.
- The applicant is also pursuing Energy Star Multifamily New Construction v1.1 certification (Condition 25). While this is a lower energy performance than the highest levels of the Town's new "stretch" goals, staff view this as an appropriate standard for affordable housing projects because it balances the construction costs with long-term savings for residents. Energy Star is the standard for Town-led affordable housing projects.

	Goal 4: Plan for Excellence in the Public Realm and Placemaking
	<ul style="list-style-type: none">• The project will have an outdoor recreation area for residents to gather and socialize at the front and rear of the site.• The site design places the building near the street along the frontage of the property and encourages activation with no parking spaces between the building façade and the sidewalk.• The Town's Urban Designer has reviewed the application and finds the applicant has been responsive to staff's design-related comments. Staff will work with the applicant on placemaking and design when they submit a Final Plans application.

Public Engagement

Areas of concern identified by members of the public are noted below. Engagement related to this project included one virtual public information meeting, a project page hosted on the Town's website, and a project page hosted on Community Home Trust's website. Staff mailed notices to property owners, residents, and business tenants within 1,000 feet of the development.

Staff have not received significant numbers of phone calls or emails regarding the project.

1. A nearby business expressed concern about the impact of construction and timing of potential road closures.

Staff Assessment: The applicant does not anticipate prolonged lane closures for this project.

2. Neighbors expressed concern about the impacts of this development on the intermittent stream and potential for additional stormwater runoff in the area.

Staff Assessment: At full build-out, stormwater management infrastructure on the site will be designed to accommodate a 100-year storm event (Condition 9).

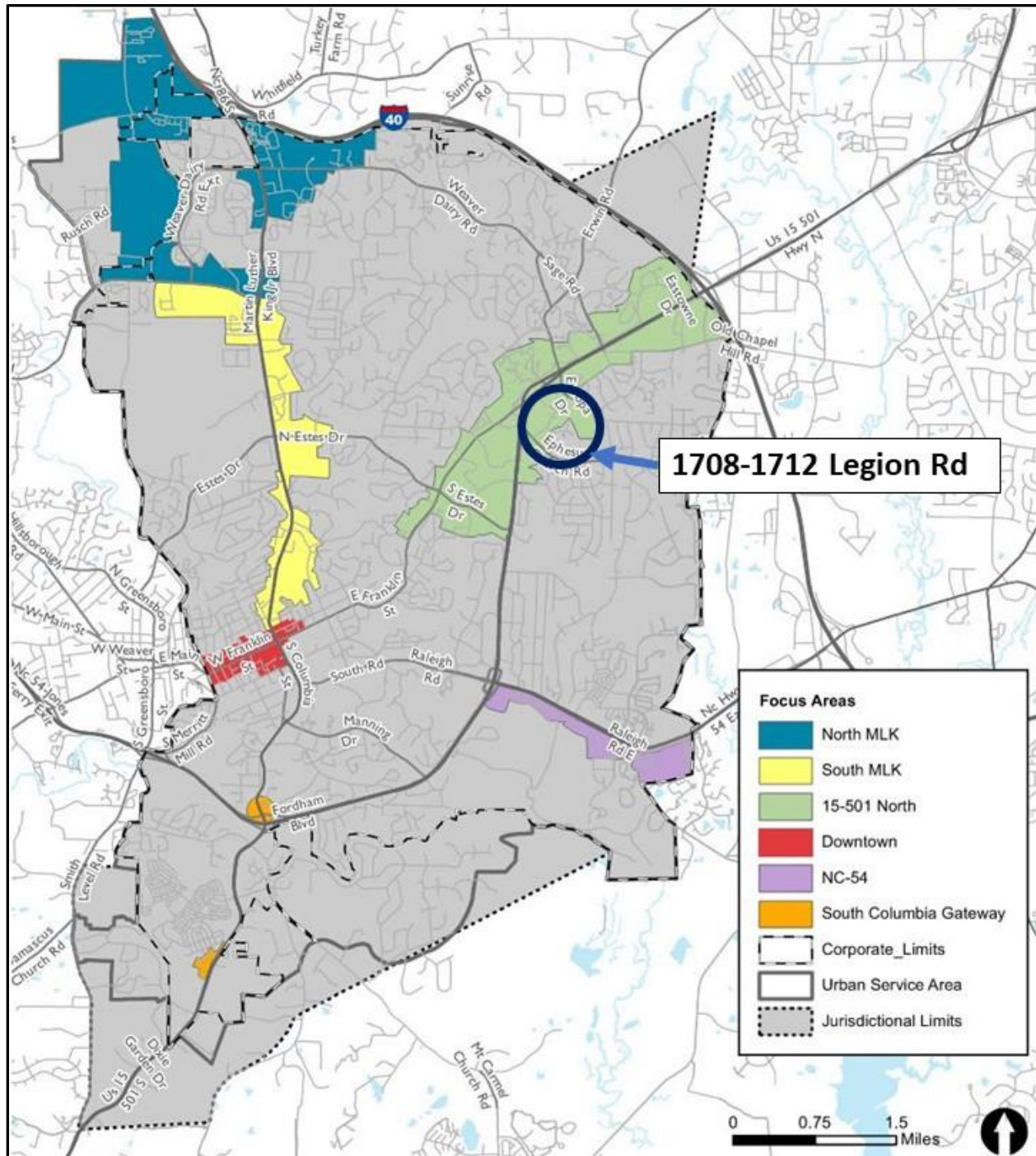
3. Neighbors expressed concern that the amount of parking provided would be inadequate for a multifamily residential building.

Staff Assessment: The Residential-Community Priority-Conditional Zoning District (R-CP-CZD) allows a 20 percent reduction of the minimum parking spaces. Staff finds there should be adequate spaces because of the proximity to transportation alternatives and reduced demand for vehicular parking for the proposed use. The amount of proposed parking is consistent with requirements from the NC Housing Finance Agency.

4. Members of the Turnberry Lane Homeowner's Association (HOA) expressed concern about potential nuisances such as noise and privacy.

Staff Assessment: The developer met with this group to discuss their concerns and commits to providing a privacy fence (Condition 34).

Project Location



CONDITIONAL ZONING
Longleaf Trace (1708 and 1712 Legion Road)

Town Council

Attachments

Applicant Materials

1. Applicant Draft Presentation
2. Applicant Requested Modifications to Regulations and Statements
3. Community Priority Rezoning Plan
4. Other Applicant Materials

Advisory Board Materials

5. Planning Commission Recommendation

Ordinance and Resolutions

6. Resolution A – Consistency and Reasonableness
7. Ordinance A – Approving the Application
8. Resolution B – Denying the Application

Longleaf Trace

Senior Housing Community

Chapel Hill, NC



A PROPOSED AFFORDABLE HOUSING COMMUNITY BY:



4/17/24



Highland Street, Frederick, MD



Overview

- Principals at TMG have completed:
 - 100+ affordable communities
 - 5,000+ units
 - \$850+ million in total development costs
- Active in North Carolina, South Carolina, Virginia, Maryland & Ohio
- Ranked 33rd top affordable housing developer nationwide by Affordable Housing Finance Magazine
- Selected developer by the Town of Chapel Hill for the Jay Street development (Tanyard Branch Trace)

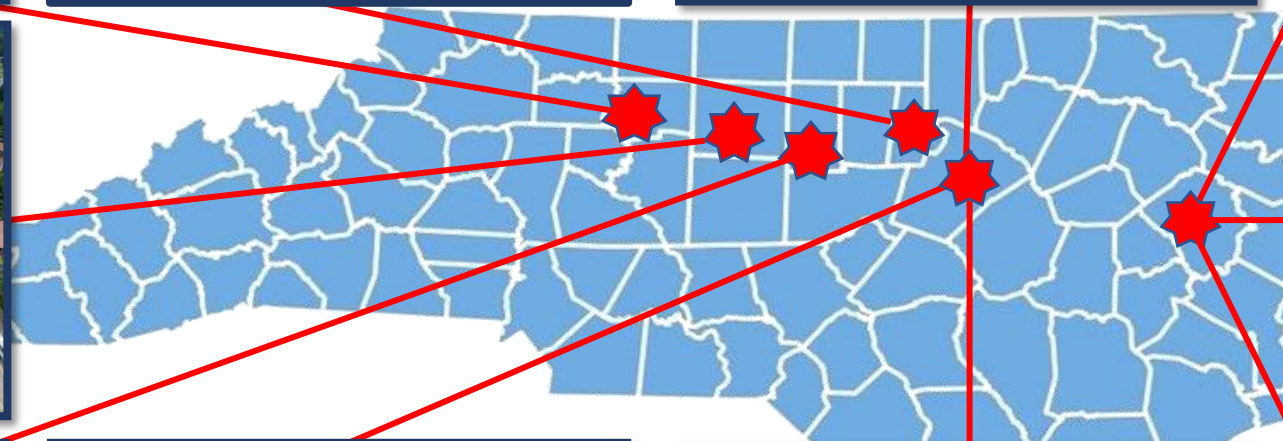
RD



- Chapel Hill, NC-based Affordable Housing Nonprofit
- Community Home Trust is the primary provider of affordable homeownership in Orange County
- Primary goal to strengthen our community with permanently affordable housing opportunities
- Typical homeowners/renters include nurses, university employees, teachers and others, who serve our community but otherwise could not afford to own/rent a home in Chapel Hill/Orange County
- Homes typically sell for between \$90,000 and \$155,000 or 30% to 50% below the market value



Recent NC Affordable Activity



- 1708-1712 Legion Rd
- 3.24 Acres
- Next to future Town park with walking access
- On-site access to public transit stop
- Sidewalks and bicycle lanes at the property
- Walkable to grocery stores, shopping, doctor offices, restaurants, and other commercial options



Development Plan

- ~48 Affordable Apartments
- Age restricted for 55+
- Serving households at 60% of area median income (AMI) and below
 - \$48,500 and below for a family of 2
- 3-story residential building with 1- and 2-bedroom units
- Proposed density is significantly less than adjacent multi-family communities
- Consistent with Future Land Use Map designation



Modification to Regulations

Stormwater Related Modifications

- Underground detention/retention basin
- Project to meet 100-year storm event

Modifications

1. LUMO Section 3.6.3: Resource Conservation District – Permitted detention/retention basin within RCD
 - Locating stormwater pipe outfall directly into stream zone is shown to create less erosion of riparian buffer and streambank
2. RCD Dimensional Regulations
 - Related to infrastructure work for Mod 1



Site Plan

- Placement of the development area aims to create buffer between our site and neighbors while maintaining as much tree coverage as possible
- Privacy fence and natural buffer will extend along property line adjacent to Turnberry Lane.
- Maintain ~1/3 of site as undisturbed
- Outdoor recreation areas and connectivity to future Town park
- Community building, outdoor exercise facility, on-site property management, multi-purpose room, fitness and business center, seating and resident activity areas throughout development



Property Amenities



Building Concept Example

86



CRENSHAW TRACE

WAKE FOREST, NC (68 Units – '22 Completion)

Building Concept Example

87



DRAFT

PARKSIDE COMMONS
GREENVILLE, NC (98 Units – '16 Completion)





QUESTIONS?



DRAFT



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Requested Modifications to Regulations

Project Name	Longleaf Trace	Application Number [Staff to Complete]	CZD-24-1
---------------------	----------------	---	----------

LUMO Section	3.6.3: Resource Conservation District (RCD): Table 3.6.3-2 Permitted Uses within RCD
Requirement	Permitted Uses within RCD
Requested Modification	Allow Detention/retention basin and associated infrastructure: Stream Side Zone
Purpose or Intent of Regulation	(1) Provided they are permitted within the conventional district, and subject to the provisions of subsections (f), (g), and (h) of this section, the uses permitted in column (A) of Table 3.6.3-2 shall be permitted uses within the resource conservation district. Such uses shall be restricted to the corridor zones indicated in columns (B), (C), and/or (D) of Table 3.6.3-2 (2) No land disturbance, other than for a use or activity expressly permitted in subsection (1) above, is permitted within the resource conservation district unless a variance is approved pursuant to subsection (j), below.
Justification	Locating detention and retention basin infrastructure outfalls in the stream side zone accommodates the grade of the site and mitigates erosion of the riparian buffer by locating pipe outfalls at the stream bank, within the stream side zone.
Evaluation [Staff to Complete]	See Staff Report and Ordinance A

LUMO Section	3.6.3: Resource Conservation District (RCD): (f) Dimensional Regulations
Requirement	Dimensional Regulations within RCD
Requested Modification	Allow Disturbed area ratio: Stream Side Zone > 0.20
Purpose or Intent of Regulation	(1) In lieu of the dimensional regulations generally applicable to the General Use District, the following standards shall apply to the Resource Conservation District, for all uses except public greenways and necessary public utilities: Table 3.6.3-3: Dimensional Regulations in RCD
Justification	The increased disturbance associated with detention/retention basin and associated infrastructure.
Evaluation [Staff to Complete]	See Staff Report and Ordinance A



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Statement of Consistency with the Comprehensive Plan

This Statement worksheet addresses the application's responsiveness to the [Complete Community Strategy](#) and other components of the Town's [Comprehensive Plan](#). **Please complete fields in the worksheet where feasible**, or reference any attached narratives. Bullets and list formatting is sufficient. See the accompanying Comprehensive Plan Consistency Guide for more detailed guidance. The numbering of fields in this worksheet corresponds to the section numbering of the Guide.

Project & Site Information	Project Name	Longleaf Trace	Date	01/08/2024
	Future Land Use Map (FLUM) Focus Area	North 15-501 Corridor	FLUM Sub-Area	B

COMPLETE COMMUNITY: STRATEGIES FOR WHERE TO DIRECT GROWTH		
Strategy	Consistency of Application	Evaluation [Staff to complete]
0.A Greenways	The project emphasizes interconnectivity within the site and with surrounding parcels through a sidewalk at the front of the site, paved paths within the site and trails connecting to the Town-owned site and future park.	
0.B Transit Corridors	The site has a transit stop on the edge of the property and directly across the street with continuous sidewalks and a pedestrian crossing for future residents. The project's future residents will support the usage of existing public transit.	
0.C Large infill sites with existing infrastructure (within Focus Areas)	The site is located in the 15-501 Focus Area of the Town's "Shaping Our Future: A Transit and Land Use Initiative" document. The project meets the desired goals of infill development in an area with high quality public transit service.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)			PLANS and POLICIES
Plan/Policy References	<ul style="list-style-type: none"> Future Land Use Map (FLUM), Land Use, Density & Intensity, Mapped Features Shaping Our Future (TOD Plan) West Rosemary Development Guide Central West Small Area Plan Chapel Hill 2020: Community Prosperity and Engagement; Town and Gown Collaboration Housing Advisory Board Development Review Criteria 		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to complete]
1.A.1 FLUM Guiding Statements (Town-wide) #2., 3., 7., 10.	<ol style="list-style-type: none"> Equitable planning and development Support and facilitate economic development through redevelopment and infill development 	<ol style="list-style-type: none"> The project is proposing to supply much needed affordable housing in an opportunity rich area of town, helping promote economic opportunity, mitigating displacement of low-income town residents, promoting mobility and connectivity, and providing healthy, safe, readily available affordable housing. The project will support the Town's future economic health and ability to accommodate employment centers by providing additional housing options for crucial jobs at the University, schools, government, and service sectors, among others. 	
1.A.2.a-f FLUM Focus Area Principles for Land Use and Density & Intensity	<ol style="list-style-type: none"> Land Use Density and Intensity 	<ol style="list-style-type: none"> The project supports the principle of providing housing of various price points integrated into mixed-use nodes or located near employment centers. The project supports the principle that density and intensity should be the highest near larger proposed future transit stops with transitions to adjacent areas. Special consideration was incorporated in the plan to support the transition from multi-family to single family homes next to the site by creating a transition area through wooded area and buffering. See additional 	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)			PLANS and POLICIES
		information in response to Goal 4 “Transitions to Surrounding Neighborhoods”	
1.A.3 FLUM Appropriate Uses (Primary and Secondary)	Sub-Area B - Multifamily	The project is proposing multifamily development and the site is located in the sub-area calling for primary land use to be multifamily.	
1.A.4 FLUM Building Height Guidance	Sub-Area B – 4 stories	The project is proposing max height of 3 stories, consistent with the 4-story height designated for this area.	
1.A.5 FLUM – Other Mapped Features	NA		
1.E.1 Chapel Hill 2020: Community Prosperity and Engagement (CPE)	1. Foster Success of local businesses 2. Promote a safe, vibrant, and connected community	1. The project will support the success of local businesses providing additional housing options for crucial jobs at local businesses and startups. 2. The project is proposing to supply much needed affordable housing in an opportunity rich area of town, helping promote economic opportunity, mitigating displacement of low-income town residents, promoting mobility and connectivity, and providing healthy, safe, readily available affordable housing.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)			PLANS and POLICIES
1.E.2 Chapel Hill 2020: Town and Gown Collaboration (TGC)	Provide housing for students that is safe, sound, affordable, and accessible. Provide housing for Health Care System employees that encourages them to live in the community.	The development will be a 100% affordable project accessible to University and Health Care System employees.	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to complete]
Affordable Housing Proposal, Including AMI Targets and Mix of Unit Sizes	The project will provide 100% of the units as affordable housing. It will contain a mix of 1- and 2-bedroom apartments. It will serve households from below 30% of the area median income (AMI) up to 60% AMI.	
Housing Voucher Acceptance – Commitment for Rental Units	The project will accept housing vouchers consistent with the Housing Advisory Board's guidelines.	
Displacement Mitigation Strategies – Resources and Support for any Existing Residents	There are currently two single family homes on the site. With construction for the project likely not beginning before June 2025, residents will have a long runway to secure new housing. We are willing to work with the Town on any resident support that may be needed.	
Demographic Needs Served by Housing Types	The Town has a major affordable housing shortfall. Based on the Town's Fiscal Year 2024 Q1 Affordable Housing Quarterly Report, 60% of renters in Chapel Hill are cost-burdened. This project will provide much needed housing to support the affordability needs of renter residents.	
Proximity to Daily Needs and Amenities – Access to Parks, Daycares, Schools, Grocery Stores, Medical Offices, etc	<p>This site is in close proximity to grocery stores, including Food Lion and Wegmans, several doctors' offices including, MedFirst Primary and Urgent Care, Ephesus Elementary, Montessori Day school, and is adjacent to the Town's future park on Legion Road and near the existing Ephesus Park.</p> <p>The project is planning to receive Low-Income Housing Tax Credits that have strict criteria for ensuring sites are well located and in close proximity to major amenities.</p>	

COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS

Resident Access to Career and Education Opportunities	The project will provide a business center for residents to access. Local nonprofit Community Home Trust is a development partner on the project and will work with interested residents on financial and homeownership counseling, among other services.	
Effective Use of Limited Land Supply – Sufficient Intensity on Developable Land (excluding Environmental Constraints)	This project will effectively use limited available land in the 15-501 corridor with intensity in line with Town plans.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)
PLANS and POLICIES

Plan/Policy References	<ul style="list-style-type: none"> • Everywhere to Everywhere Greenways Map (See Appendix A for multiuse greenway network) • Mobility and Connectivity Plan (for additional bike facilities) • Greenways Plan (for additional trails including unpaved) • Connected Roads Plan 	<ul style="list-style-type: none"> • Future Land Use Map (FLUM), Connectivity & Mobility • Chapel Hill 2020: Getting Around • Transportation & Connectivity Advisory Board Development Review Criteria
-------------------------------	--	---

Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to complete]
2.A Everywhere to Everywhere Greenways Map Facilities	Existing and proposed greenways	There is a proposed greenway adjacent to the site in the Everywhere to Everywhere Greenway Map. There is also an existing Greenway network near the site that has bicycle and pedestrian access. The existing 10' wide, paved Class 6 Lower Booker Creek Trail is about .5 miles from the site.	
2.B Mobility And Connectivity Plan Facilities	Goal to make greater bicycle and pedestrian connections within Chapel Hill and to key destinations in Orange County and the greater Triangle area	This project will increase usage of existing bicycle and pedestrian infrastructure connected to the site and provide additional infrastructure within the site and to the Town's adjacent property. The project will provide adequate bicycle parking based on Town regulations.	
2.C Greenways Plan Facilities	Existing and proposed greenways	There is an existing Greenway network near the site that has bicycle and pedestrian access. The existing 10' wide, paved Class 6 Lower Booker Creek Trail is about .5 miles from the site.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)			PLANS and POLICIES
2.D Connected Roads Plan Connections	The Town aims to improve connectivity and safety for local trips by focusing on connecting streets as a part of new development.	The project plans to improve connectivity and safety for local trips by aligning the entrance to the site with the intersection of Novus Lane and Legion Road and implementing the findings of a Traffic Impact Analysis.	
2.E.1 FLUM Guiding Statements (Town-wide) #6.	Direct investment along key transportation corridors and promote construction of transit and multimodal transportation options in concert with the Town's regional transportation partners.	This project is along a key transportation corridor and will support the use of existing transit and multimodal transportation options.	
2.E.2.a-f FLUM Focus Area Principles for Connectivity & Mobility	<ol style="list-style-type: none"> 1. Parking strategies 2. Given the higher density envisioned for this corridor, bicycle and pedestrian mobility within and to the Focus Area should be prioritized. 	<ol style="list-style-type: none"> 1. This project is planned to be age restricted for residents 55+ with affordable housing, minimizing parking needs of the project. 2. This project is along a key transportation corridor and will support the use of existing transit and multimodal transportation options. 	
2.F.1 Chapel Hill 2020: Getting Around (GA)	A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation	The project will utilize and improve key infrastructure such as sidewalks, bike facilities, and public transportation. The project also will create interconnectivity within the site and to the future park on the Town's adjacent site through the creation of walking paths.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to complete]
Traffic Impact Analysis – Status of Completion or Exemption (LUMO Sec. 5.8)	Based on feedback we have received from staff, this project is not required to conduct a Traffic Impact Analysis.	
Location of Vehicular Access Points; Vehicular Cross-Connectivity Opportunities	The project proposes to align the entrance to the site with the intersection of Novus Lane and Legion Road and plans to implement the findings of a Traffic Impact Analysis.	

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS		
Pedestrian Access and Internal Circulation, Connections to Larger Network	The project will utilize and improve key infrastructure such as sidewalks along the frontage of the site. The project also will create interconnectivity within the site through creation of internal sidewalks and walking paths that will also connect to the future park on the Town's adjacent site.	
Bicycle Access and Safe Movements through Site; Identify Shared or Dedicated Facilities within Site and along Frontages	Bicycle lanes currently exist on the section of Legion road the site is located.	
Bicycle Amenities – Type and Location of Bicycle Parking and Other Supportive Amenities	The project will provide adequate bicycle parking and amenities based on Town regulations.	
Safe Road Crossings for Various Ages and Abilities – Treatments Used at Key Intersections	The project proposes to align the entrance to the site with the intersection of Novus Lane and Legion Road to assist in meeting safe road crossing standards.	
Transit Service Proximity and Frequency; Improved Access to Nearest Transit	The existing bus stops at the site and directly across the street from the site will improve transportation ridership and provide easy access to transit for the future residents of the site.	
Future Multimodal Connectivity Opportunities (include projects by others for Greenways, Transit, and/or Bicycle Facilities)	The project proposes to create interconnectivity with the future park on the Town-owned adjacent site through sidewalks and walking paths. The project will provide adequate bicycle parking and amenities based on Town regulations.	
Parking Demand Reduction Strategies	This project is planned to serve residents 55+ with affordable housing, minimizing parking needs of the project.	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3)			PLANS and POLICIES
Plan/Policy References	<ul style="list-style-type: none"> • Climate Action and Response Plan (CARP) • Stormwater Management Master Plan • Future Land Use Map (FLUM), Environmental • Chapel Hill 2020: Nurturing Our Community • Sustainable Building Policy for Conditional Rezoning • Environmental Sustainability Advisory Board Development Review Criteria 		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to complete]
3.A.1 CARP: Buildings & Energy Actions	The Town of Chapel Hill is committed to reducing Greenhouse Gas (GHG) emissions at the Community-wide level.	The project will meet energy star multi-family new construction version 1.1 and National Green Building Standard Bronze. We will work with the Duke Energy's Design Assistance program to maximize the reduction of energy costs to future residents.	
3.A.2 CARP: Transportation & Land Use Actions	The Town and other regional governments can encourage land use patterns that support a variety of transportation options and provide the transportation infrastructure to make these options available.	This site is ideally located with transit stops adjacent to the property, bike lanes along Legion Road, and sidewalks on both sides of Legion Road from the site. Having these options available to future residents will support the Town's desired increase in pedestrian and bicycle counts and increasing transit ridership.	
3.A.3 CARP: Waste, Water, & Natural Resources Actions	Protect water quality, natural and agricultural resources	The project will provide adequate infrastructure to meet the 100-year storm event and plans to utilize an underground stormwater management system for the site to reduce the additional disturbed area necessary for above ground treatment.	
3.A.4 CARP: Resiliency Actions	Reducing water usage and protecting stream buffers	The project will incorporate several water reduction methods such as WaterSense labeled fixtures throughout, individually metered water supply. It will also significantly limit landscape irrigation to reduce water usage. The stream buffer on the property will remain undisturbed and all flow into the stream will be controlled for protection.	
3.B Stormwater Management Master Plan	The mission of the Town's Stormwater Management Program is to protect the health and safety of both the public and the ecosystem, to address both stormwater quality and stormwater quantity concerns, and to meet or exceed	The project will provide adequate infrastructure to meet the 100-year storm event and plans to utilize an underground stormwater management system for the site to reduce the additional disturbed area necessary for above ground treatment.	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3)			PLANS and POLICIES
	federal and state mandates regarding stormwater.		
3.C.1 FLUM Guiding Statements (Town-wide) #1.	The Town should emphasize sustainable urban design principles that minimize impacts to Chapel Hill's sensitive natural areas.	The project plans to utilize sustainable urban design principles to create a compact and efficient site plan that is sensitive to and does not encroach on any sensitive natural areas of the site, including the existing intermittent stream buffer.	
3.C.2.a-f FLUM Focus Area Principles, Environmental	Enhanced connections to and experiences within natural resources and transitions to open space	The project will enhance connections to the future park and open space on the Town-owned site adjacent to the property for future residents to experience and enjoy.	
3.D.1 Chapel Hill 2020: Nurturing Our Community (NOC)	<ol style="list-style-type: none"> 1. Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems 2. Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic 	<ol style="list-style-type: none"> 1. The project will provide adequate infrastructure to meet the 100-year storm event and plans to utilize an underground stormwater management system for the site to reduce the additional disturbed area necessary for above ground treatment. 2. The site is designed to limit impact to neighbors by maximizing the wooded buffer between our site and neighboring developed sites. 	

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to complete]
Energy Efficient Building Design, All-Electric Design, Electric Vehicle Charging, and Various Other Green Measures	See Climate Action Plan Worksheet	

Solar Energy Generation, Solar-Ready Design, and/or Feasibility Analysis	NA	
Electric Bicycle Charging	We are open to considering providing electric bike charging stations.	
Efforts to Minimize Removal of Mature Tree Canopy and Other Significant Vegetation	The project plans to protect approximately 1/3 of the site, leaving significant mature tree canopy and vegetation.	
Measures to Protect and/or Restore Streams, Wetlands, and Flood-prone areas, Exceeding Regulations	The project plans to protect the existing intermittent stream and related buffers.	
Waste Reduction Strategies and/or On-Site Recycling or Composting	On-site recycling will be provided.	
Stormwater Design Targets (eg. Management for Larger Storm Events or Treatment of Existing Impervious Surface)	The project will provide adequate infrastructure to meet the 100-year storm event and plans to utilize an underground stormwater management system for the site to reduce the additional disturbed area necessary for above ground treatment.	
Impervious Surface Reduction Strategies	The project has been designed to limit the amount of impervious surface as much as possible.	
Invasive Species Removal	We are open to working with the Town or recommended organizations to remove invasive species.	

Strategies for Erosion Control and Stable Condition of Site during Construction, Exceeding Regulations	Construction activities will be scheduled such that disturbed soil that is to be left unworked for more than 21 days is stabilized within 14 days. On-site supervision will be provided throughout all site activities to ensure development practices are implemented.	
Relationship of Grading to Natural Landform; Strategies to Minimize Cut and Fill	The building and road system have been placed in the center of the major grade change direction to minimize the cut/fill at each end and to reduce the need for any retaining walls at the perimeter. Additional property line setback has been provided where available to reduce slopes at tie-ins to undisturbed areas and off-site grades.	

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4)			PLANS and POLICIES
Plan/Policy References	<ul style="list-style-type: none"> • Future Land Use Map (FLUM), Placemaking, Street Character, and Urban Form • Chapel Hill 2020: A Place for Everyone; Good Places, New Spaces • Consultation with Town Urban Designer – Brian Peterson, bpeterson@townofchapelhill.org • Community Design Commission Guiding Principles for Design and Character 		
Topic	Relevant Features of Plan	Consistency of Application	Evaluation [Staff to complete]
4.A.1 FLUM Guiding Statements (Town-wide) #4., 5., 8., 9.	<ol style="list-style-type: none"> 1. Promote distinctive, safe, and attractive neighborhoods. 2. Cultivate a vibrant and inclusive community. 3. Provide appropriate transitions between land uses and buildings of different scales. 4. Preserve and maintain Chapel Hill's appearance and create the quality of design and development the Town desires. 	Our project will add to the Chapel Hill community in a variety of ways. Providing high quality, thoughtfully designed and attractive housing for low- and moderate-income residents with transitions between our project and existing development in the area will achieve the aims for the FLUM Statements 4, 5, 8, and 9.	
4.A.2.a-f FLUM Focus Area Principles for Placemaking, Street Character, and Urban Form	<ol style="list-style-type: none"> 1. Connected public and green spaces 2. Set buildings closer to the street 3. Attractive street frontages to create vibrancy and foster pedestrian activity 4. Preserve vegetative areas 	<ol style="list-style-type: none"> 1. Our project proposes to create pedestrian connections with the future Town-owned park adjacent to the site. 2. We've intentionally designed the site for the buildings to be set close to the street along the frontage of the property. 3. Our building design will be consistent with the high-quality multi-family and commercial development in the close vicinity. 	

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4)			PLANS and POLICIES
		4. We're proposing to preserve approximately 1/3 rd of the site.	
4.B.1 Chapel Hill 2020: A Place for Everyone (PFE)	1. A range of housing options for current and future residents (PFE.3) 2. A welcoming and friendly community that provides all people with access to opportunities	1. Providing affordable housing for households making less than 60% AMI will assist the town in creating a range of housing options for residents as housing for this income group is one of the most needed in the town. 2. Approving our project will assist the Town in creating a welcoming and friendly community and will help provide access to opportunities for many households that will not otherwise have it.	
4.B.2 Chapel Hill 2020: Good Places, New Spaces (GPNS)	Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment.	Our project will meet Town goals for future land use in the area and will strengthen social equity and economic prosperity by providing much needed housing for low to moderate income households that perform essential functions for the community and economy.	

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4) - COMMUNITY BENEFITS		
Options for Community Benefits	Applicant Proposal	Evaluation [Staff to complete]
Protection of Historic Features and Cultural Resources	NA	
Public Art Proposed, and How Art Contributes to Creative Placemaking	NA	

Streetscape Design Features for Active Pedestrian Realm along Internal Drives and Streets	See response to 4.A.2.a-f	
Building Placement to Activate Public Realm	See response to 4.A.2.a-f	
Building Design Measures Creating a Human Scale	The building form will be designed to limit long runs of similar articulation and be broken throughout with recesses and projections to reduce the overall massing. The facade will have material changes both vertically and horizontally to further reduce the perceived scale.	
Efforts to Reduce Visibility of Parking	The parking is proposed to be set back on the site with buffer and outdoor recreation area between the street and parking.	
Transitions to Surrounding Neighborhoods through Landscape, Compatible Uses, and/or Building Forms	We have designed the site so there is an over 200ft wooded buffer between the construction area of our project and the neighboring single-family homes to the back of our site. We've also designed the parking to be adjacent to the neighboring property at Turnberry lane to provide a transition area between the duplexes on that site and our building area. The project will also meet all Town regulations for buffers and setbacks.	
Public Spaces Designed and Programmed to Serve a Variety of Needs	The project is designed to have significant outdoor recreation area for residents to gather and socialize. We've also created walkable interconnectivity within the site and to the future park on the adjacent Town-owned land.	



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Statement of Justification for the Zoning Atlas Amendment

This Statement worksheet addresses the reasonableness of the Zoning Atlas Amendment by considering characteristics of the site and its surroundings, comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and responding to Land Use Management Ordinance (LUMO) Findings of Fact. **Please complete fields in the worksheet to respond to those considerations.** You may delete the instruction text in [brackets].

Project & Site Information	Project Name	Longleaf Trace	Date	January 09, 2024
	Existing Zoning District	R-2/R-4	Proposed Zoning District	RCP-CZD
	Proposed Land Uses	Multifamily Residential with ancillary leasing office, building and site amenities.		

CONSIDERING THE SITE AND ITS SURROUNDINGS			
	Description	Compatibility with Proposed Zoning and Development Program	Evaluation [Staff to complete]
Surrounding Land Uses	North: Undeveloped South: Duplex Residential East: Multifamily Residential/Business West: Single-family Residential	The surrounding land area is mixed-use consisting primarily of low-medium density residential and business uses. Proposed use is consistent with the scale and use of surrounding properties.	

Surrounding Zoning Districts	<p>North: R-2 Residential</p> <p>South: R-2/R-4 Residential/Medium Density Residential</p> <p>East: WX-5 Walkable Mixed Use (5 stories)</p> <p>West: R-4 Medium Density Residential</p>	Proposed zoning will continue the current mix of adjacent uses and allow medium density residential development that will provide an effective transition from the mid-rise, WX-5 mixed-use properties to the east and the low-density residential developments to the south and west.	
Transit Service	<p>Proximity to Bus Stop: Directly adjacent. Opposite Legion Rd. to the north and directly adjacent site on northwest corner of site side of Legion Rd.</p> <p>Number of Routes Serving Stop: 1</p> <p>Frequency of Service: 7 days a week</p>	Site provides a direct connection to the existing transit system. Additional bus stops/routes are available within 0.25 mile to the north and south of the site.	
Road Frontages and Vehicular Access	<p>Road Classification(s): Local</p> <p>Road Maintenance: Town of Chapel Hill</p> <p>Access Points for Site: Legion Road</p>	Site access is directly available to Legion Rd and has the potential to align with intersecting Novus Ln. to the north. Proposed use will generate traffic counts within the average of adjacent uses.	
Pedestrian & Bike Network (existing)	<p>Existing Sidewalks along Road Frontages: Yes, both sides of Legion Rd.</p> <p>Nearest Existing Bike Facilities: Bike lanes on both sides of Legion Rd.</p>	Site provides a direct connection to the existing public sidewalk and bike paths on Legion Rd. Additional connections may be possible to proposed park use to the north upon completion.	
Hydrological Features	<p>Streams Present: Yes</p> <p>Classification: Intermittent</p> <p>Wetlands: No</p> <p>Floodplain: No</p> <p>Other Water Bodies: None</p>	Proposed development will provide adequate protection of the existing stream through a 50' undisturbed setback from the north side of the stream bank along with an 150' undisturbed setback from the bank to the south.	

Topography of Site	<p>Location of Site's High and Low Points: High point (314 contour) at Legion Road and southern boundary (314 contour). Low point located at stream (294 contour) rear 1/3 of site.</p> <p>General Character: Site falls from Legion Road at approx. 5% and the southern boundary at approx. 12% to a stream located in the rear third of the site that bisects the property. Site is almost completely wooded.</p>	<p>Tie-in to existing grades is feasible with traditional grading techniques and limited use of retaining walls within the developed area. It is expected that a low retaining wall may be required at the northern side of the building area/RCD buffer to insure an undisturbed condition without grading.</p>	
---------------------------	---	--	--

COMPARING PROPOSED PERMISSIBLE DEVELOPMENT TO EXISTING			
	LUMO Description	Compatibility with Proposed Zoning and Development Program	Evaluation [Staff to complete]
Intent of Proposed Zoning District (Sec 3.3 or 3.4)	<p>The Community Priority Process-Conditional Zoning District (RCP-CZD) as established in 3.4.3 permits uses as described in section 3.7 and Table 3.7-1 (Use Matrix) of this appendix, and are permitted only upon approval of a conditional zoning district rezoning application by the town council pursuant to section 4.4.5 of this appendix. Residential development and the recreational, open space, and other urban amenities associated with such development when located within the residential-special standards-conditional zoning district shall, to the extent practical, comply with the goals and objectives of the comprehensive plan.</p>	<p>Yes, the proposed development is categorized as Multi-family over 10 units, attached which is identified as a "CZ" item being permitted as a principal use. Additionally, the development will have a one hundred (100) percent affordable on-site housing component.</p>	
	Standard for Proposed Conditional Zoning	LUMO Standard for Existing Zoning	Evaluation [Staff to complete]
Permitted Uses (Sec 3.4 or 3.7)	<p>Accessory uses - Agriculture female chickens, Home occupation.</p> <p>Permitted uses - Residential uses of all densities with conditional approval.</p>	<p>Accessory uses – Agriculture female chickens, Adult day care facility, Agriculture non-livestock, Child day care facility, Essential services, Home occupation, Outdoor skateboard ramp, Place of assembly up to 2,000 seats, Short-term rental primary residence, temporary portable building construction related</p> <p>Special uses – Cemetery, Group care facility, Independent Senior Living Facility, Public service facility</p>	

			Permitted uses – Residential uses up to Multi-family 5-10 units attached or detached, Place of worship, Public cultural facility, Public use facility, Recreation facility non-profit, Rooming House, School elementary or secondary	
Maximum Floor Area (sq. ft.) (Sec. 3.8)	(2.68Acres x 1.10=128,415SF) + (RCD 0.56Acres x .01=244SF) = 128,659SF		(R2 0.91Acres x .093=3,686SF) + (R4 1.77Acres x .230=17,733SF) + (RCD 0.56Acres x .01=244SF) = 21,663SF	
Maximum Building Height (ft.) (Sec. 3.8)	Primary/Setback:	39'	Primary/Setback:	R2-29'/R4-34'
	Secondary/Core:	60'	Secondary/Core:	R2-50'/R4-60'

LUMO Section 4.4. states that the Zoning Atlas shall not be amended unless Council makes at least one of the Findings of Fact below.

LAND USE MANAGEMENT ORDINANCE FINDINGS OF FACT		
Finding	Applicant Justification	Evaluation [Staff to complete]
FINDING #1: The proposed zoning amendment is necessary to correct a manifest error.	[typically not applicable]	
FINDING #2: The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.		
FINDING #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	<i>See Statement of Consistency with the Comprehensive Plan</i>	



PROPERTY BOUNDARY

BUILDING SETBACK

EXISTING STREAM

50' RCD BOUNDARY

EMERGENCY VEHICLE SITE ACCESS

PEDESTRIAN SITE ACCESS

EXISTING DEVELOPMENT (SURROUNDING PROPERTIES)

PROPOSED BUILDING AREA

SERVICE/PARKING AREAS

OUTDOOR RECREATION AREA

UNDISTURBED/ PRESERVATION AREA

DISTURBED SITE AREA

SITE DIAGRAM LEGEND

1

C100

SITE DIAGRAM

SCALE: 1"=40'

0

20

40

80

SCALE: 1" = 40'

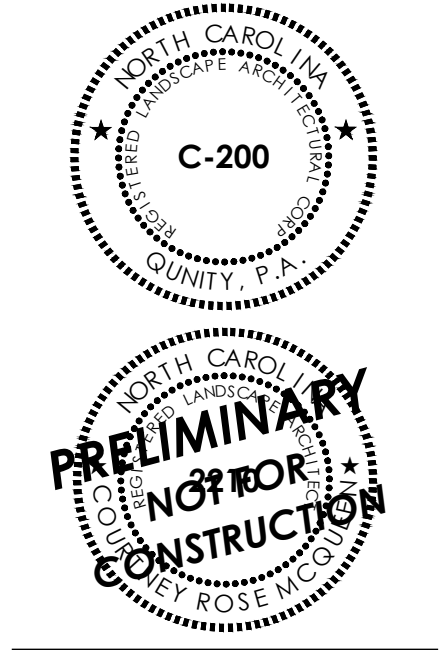
N



16 CONSULTANT PLACE, SUITE 201
DURHAM, NORTH CAROLINA 27707
P 919.490.4990
www.qunity.com
NORTH CAROLINA BOARD OF
EXAMINERS FOR ENGINEERS AND
SURVEYORS LICENSE NO.: C-0676

LONGLEAF TRACE
1708-1712 LEGION ROAD
CHAPEL HILL, NORTH CAROLINA

SITE DIAGRAM



TOWNSHIP PUBLIC WORKS DEPARTMENT APPROVED		
ENGINEERING	DATE	
STORM WATER	DATE	
TRANSPORTATION	DATE	
811 - CALL BEFORE YOU DIG		
DRAWN BY:	CHECKED BY:	
LMC	NDA	
DATE	02-14-2024	
PROJECT NO.	2404	
SHEET NO.		

C100
CONCEPT SKETCH



Longleaf Trace – Project Narrative

Introduction

The proposed Longleaf Trace development is located along and to the South and East of Legion Road. It is East of Rams Plaza, across from Novus Lane, and directly adjacent to a Town of Chapel Hill-owned parcel.

The development is proposing to supply much-needed affordable housing in an opportunity rich area of town, helping promote equitable development, economic opportunity, promoting mobility and connectivity, and providing healthy, safe, high quality affordable housing. The development proposal includes up to 60 units of affordable age-restricted rental housing apartments, with 48 units currently anticipated to be developed. As proposed, the community will include a mix of 1, and 2-bedroom units. The development will also include an integrated community clubhouse that will house a community room, kitchenette, fitness room, reading areas, and a computer center. All the proposed units are expected to be affordable to households at or below 60% of Orange County’s Area Median Income (“AMI”).

The proposed development represents a partnership between Taft Mills Group (TMG) and local nonprofit Community Home Trust (CHT), whose primary business models involve developing, owning, and managing affordable housing. TMG and CHT were selected as the Town’s development partners for the Tanyard Branch Trace (Jay Street) affordable housing project and their successful partnership led to that project being awarded Low-Income Housing Tax Credits by the North Carolina Housing Finance Agency in 2023.

Site Description

The proposed site consists of approximately 3.24 acres. The site is mostly wooded, with two existing single-family home structures located at the front of the site. Due to the limited size of the site, the project is proposing a single point of ingress/egress to Legion Road.



The development site's surrounding land area is mixed-use consisting primarily of low-medium density residential and commercial uses. The proposed use is consistent with the scale and use of surrounding properties.

The site slopes from Legion Road at approximately 5% and the southern boundary at approximately 12% to a stream located in the rear third of the site that bisects the property. The project does not propose to disturb any of the stream area and will adhere to all required state and local buffer/set-back requirements.

Site Access, Circulation, and Pedestrian Connectivity

The development will seek to provide ingress/egress from Legion Road. Site access is directly available to Legion Rd and has the potential to align with intersecting Novus Lane to the north. The proposed community is expected to generate traffic counts within an average consistent with that of other adjacent uses. Onsite surface parking will be provided for the apartments and a community building. A turnaround area will be provided at the southern end of the developed area and will meet all necessary Town requirements.

The site has a transit stop on the edge of the property and directly across the street with continuous sidewalks and a pedestrian crossing for future residents. There are several other transit stops within .25 miles of the site. The development's future residents will support and benefit from the usage and relative proximity of the existing public transit.

The community, as described in the submitted **Statement of Consistency with the Comprehensive Plan** document, is consistent with the Town's desired development type for this area and will achieve Town goals through the creation of high-quality, sustainable affordable housing.

Building Layout

The proposed residential structure is situated on the site to meet all municipal buffer and setback requirements. The site is designed with an over 200ft wooded buffer between the construction area of the development and the neighboring single-family homes to the rear of the site. The parking is also designed to be adjacent to the neighboring property at Turnberry lane and is planned to include a fence and natural buffer area to provide a transition between the duplexes on that site and the proposed building area. The architectural elements will meet the LUMO requirements.





TOWN OF CHAPEL HILL
Sustainability and Resilience
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 969-5075
 email jrichardson@townofchapelhill.org
www.sustainchapelhill.org/

Climate Action Plan Worksheet

A Climate Action Plan is an integral component for Conditional Zoning Districts. The intent of this worksheet is to capture commitments made through the rezoning process to meet the Town's sustainability goals. **This is a fillable form. Please select the box for each climate action design feature that will be provided as part of this project.**

Project Name	Longleaf Trace	Application Number [Staff to Complete]	CZD-24-1
Property Address(es)	1708 and 1712 Legion Road		

Energy-Efficient Building Design Features

Commercial construction (including multifamily) will meet the New Buildings Institute's 40 Percent Stretch Energy Standard ¹ . Alternatively, commercial construction can be designed to be 40 percent better than the latest adopted version of ASHRAE 90.1 in the NC State Building Code. For the alternative option, the applicant agrees to provide supporting evidence before the Final Plan Zoning Compliance Permit can be issued.	<input type="checkbox"/>
Residential construction (single-family and two-family) will meet Energy Star Certified Homes Version 3.1 ² certification requirements.	<input type="checkbox"/>

❖ **Explain reasons for not providing any energy-efficient building design features identified above.**

Applicant's response	Project is an affordable housing project with financial feasibility considerations but will maximize the energy efficiency beyond what is required by the energy code through participation in the following: National Green Building Standard certification, Energy Star Multifamily New Construction 1.1, and the Duke Energy Design Assistance Program.
Evaluation [Staff to Complete]	See Ordinance A

¹ <https://newbuildings.org/resource/40-stretch-energy-standard/>

² https://www.energystar.gov/ia/partners/downloads/ES_Combined_Path_v3.1.pdf

Electric Vehicular Infrastructure	
<p>Each non-residential building served by 10 or more on-site parking spaces will meet the following criteria:</p> <ul style="list-style-type: none"> • 5 percent (rounded up) of spaces must have Level 2 electric vehicle supply equipment (EVSE) installed • 25 percent (rounded up) of total parking spaces must be EVSE-ready <p>EVSE-ready means:</p> <ul style="list-style-type: none"> • A parking space has one 40-amp, 208/240V branch circuit from the panel and is terminated at a receptacle or junction box. • The panel should be labeled “EVSE-Ready” or “Future EVSE” and should support any future charging stations that provide at least 6.6 kW of power. 	<input type="checkbox"/>
<p>Each unit in a multifamily building (including mixed use) with on-site parking will have a minimum of 1 EVSE-capable parking space.</p> <p>EVSE-capable means</p> <ul style="list-style-type: none"> • A designated parking space that is provided with continuous conduit/raceway from a panel that supports future charging stations, which provide at least 6.6 kW of power. • These spaces do not require wiring or receptacles. • For exterior surface lots, the conduit should be run underground to the parking location. 	<input checked="" type="checkbox"/>
<p>Each single-family attached or detached unit with a garage will have a minimum of 1 EVSE-ready parking space.</p> <p>EVSE-ready means:</p> <ul style="list-style-type: none"> • A parking space has one 40-amp, 208/240V branch circuit from the panel and is terminated at a receptacle or junction box. • The panel should be labeled “EVSE-Ready” or “Future EVSE” and should support any future charging stations that provide at least 6.6 kW of power. 	<input type="checkbox"/>
<p>Designs will adhere to the U.S. Access Board’s most recently updated version of the Design Recommendations for Accessible Electric Vehicle Charging Stations³. If the project calls for direct-current fast charging (DCFC) infrastructure, then appropriate proportional electrical and conduits should be included.</p> <p>Town staff review and approve all site designs for initial and future EV charging before a Zoning Compliance Permit is issued.</p>	<input type="checkbox"/>

- ❖ **Explain reasons for not providing any electric vehicular infrastructure not identified above. If alternative ratios are proposed, please provide justification. Please also describe how the proposed facilities will support current and future levels of electric vehicles used by residents and visitors (e.g., EV Charging Station Management Plan).**

Applicant's response	<p>The project will provide EVSE capable parking for each unit developed. Site has access to multiple forms of transit which will help reduce dependency on vehicular transportation.</p>
-----------------------------	---

³ <https://www.access-board.gov/tad/ev/>

Evaluation [Staff to Complete]	See Ordinance A
---	-----------------

Buildings and Energy Climate Actions	
Achieves all energy-efficient building design standards for applicable development type(s) [Energy Efficient Building Design expectations above]	<input type="checkbox"/>
All-electric building and site design	<input checked="" type="checkbox"/>
All-electric appliances (no fossil fuel appliances)	<input checked="" type="checkbox"/>
Rooftop solar (50-100 percent of available roof area)	<input type="checkbox"/>
Sustainable building materials and resource use equivalent to meeting LEED standard	<input checked="" type="checkbox"/>
LED lighting only for interior spaces	<input checked="" type="checkbox"/>
LED lighting only for exterior spaces, including street/parking lot lighting (3000 Kelvin or lower)	<input checked="" type="checkbox"/>
Meets International Dark-Sky Association's principles for outdoor lighting	<input type="checkbox"/>
WaterSense-rated appliances and equipment only	<input checked="" type="checkbox"/>
Energy Star-rated appliances and equipment only	<input checked="" type="checkbox"/>

Transportation & Land Use Climate Actions	
Achieves all EV charging station infrastructure standards for applicable development type(s) [See Electric Vehicle Infrastructure expectations above].	<input type="checkbox"/>
An EV-charging station management plan for initial and future infrastructure buildout must be provided during Final Plan Zoning Compliance Permit review.	
Served by Chapel Hill Transit (bus stop on-site or within ¼ mile)	<input checked="" type="checkbox"/>
Supports the Town's planned bicycle/pedestrian infrastructure with improvements and connections	<input checked="" type="checkbox"/>
Exceeds Town standards for on-site bicycle parking	<input type="checkbox"/>
Supports environmental equity through access to greenways and parks	<input checked="" type="checkbox"/>

Water, Wastewater, and Nature Resource Climate Actions	
Exceeds the Town's standard for tree canopy coverage and adds shading	<input type="checkbox"/>
Exceeds the Town's standard for water feature buffer	<input checked="" type="checkbox"/>
Protects existing natural habitat corridor(s)	<input checked="" type="checkbox"/>
Dedicates land and new plantings to establish future habitat corridor(s)	<input type="checkbox"/>
Native and drought-tolerant landscape plantings only	<input checked="" type="checkbox"/>
No irrigation with potable water	<input checked="" type="checkbox"/>

Resiliency Climate Actions	
Meets 100-year storm event design standard for stormwater management to address increased risk of nuisance flooding	<input checked="" type="checkbox"/>
Exceeds Town standards for green infrastructure elements (trees, bioretention) to reduce extreme heat impacts	<input type="checkbox"/>
Vegetative roof surface to reduce extreme heat impacts	<input type="checkbox"/>
Concrete sidewalks, natural surface trails, and high-albedo coated asphalt to reduce extreme heat impacts	<input type="checkbox"/>
Rooftop solar with battery storage to provide backup emergency power	<input type="checkbox"/>
Shaded outdoor structures, walkways, and sitting areas to reduce extreme heat impacts	<input type="checkbox"/>

❖ **Explain reasons for not providing any climate action design elements not identified above.**

Applicant's response	Project will maximize the climate actions noted above within financial feasibility for an affordable housing project, including being designed for solar readiness. The project is anticipating a pitched roof to be in character with adjacent parcels preventing the installation of a vegetated roof. Project will be designed to meet solar readiness.
Evaluation [Staff to Complete]	See Ordinance A

Select other incentives the project will pursue.	
Duke Energy's Energy Design Assistance Program⁴	<input checked="" type="checkbox"/>
Duke Energy's Electric Vehicle Programs⁵	<input type="checkbox"/>
Duke Energy's Business Incentives and Rebates⁶ upgrades eligible for existing structures that are part of your project)	<input type="checkbox"/>
Federal 45L Tax Credit⁷ for New Residential Construction (starts at \$500/unit for multifamily and up to \$2,500 per single-family home)	<input checked="" type="checkbox"/>

❖ **Describe other incentives the project will pursue.**

Applicant's response	The project will pursue tax-credits through NCHFA allocation process along with the items checked above.
-----------------------------	--

⁴ <https://www.duke-energy.com/business/products/design-assistance>

⁵ <https://www.duke-energy.com/energy-education/electric-vehicles/ev-initiatives>

⁶ <https://www.duke-energy.com/business/products/energy-advisor>

⁷ <https://www.energystar.gov/about/federal-tax-credits/federal-tax-credit-archives/tax-credits-home-builders>

*Evaluation
[Staff to
Complete]*

See Ordinance A



TOWN OF CHAPEL HILL
Planning Department
 405 Martin Luther King Jr. Blvd.
 Chapel Hill, NC 27514-5705

phone (919) 968-2728
 email planning@townofchapelhill.org
www.townofchapelhill.org

Project Fact Sheet

Project Information	Project Name	Longleaf Trace				Application Number [Staff to Complete]	CZD-24-1
----------------------------	---------------------	----------------	--	--	--	---	----------

Lot & Zoning Information	Parcel Number(s)	9799465105/9199456975					
	Property Address(es)	1708-1712 Legion Road					
	Existing Zoning District(s)	R-2/R-4					
	Proposed Zoning District(s)	RCP-CZD					

Uses (LUMO Sec. 3.7 and 3.10)	Existing Use(s)	Single-family Residential/Undeveloped				Evaluation [Staff to Complete] See Ordinance A
	Proposed Use(s)	Multifamily Residential				
	Number of Dwelling Units	Existing	2	Proposed to be Removed	2	
		Proposed New, Minimum	42	Proposed New, Maximum	60	
		Market-rate units	0	Affordable units	100%	
		For sale units	0	Rental units	100%	

Land Area	Net Land Area (NLA) (sq. ft.)	145,055	Net Land Area (acres)	3.33
	Gross Land Area (GLA) (sq. ft.)	159,561	Gross Land Area (acres)	3.66

					Evaluation [Staff to Complete]
Setbacks & Building Height (LUMO Sec. 3.8)	Proposed street setback (ft.)	10	Required street setback (ft.)	10	See Ordinance A
	Proposed interior setback (ft.)	10	Required interior setback (ft.)	0	
	Proposed solar setback (ft.)	N/A	Required solar setback (ft.)	N/A	
	Proposed building height, setback (ft.)	39	Required building height, setback (ft.)	39	
	Proposed building height, core (ft.)	60	Required building height, core (ft.)	60	

Land Disturbance	Total proposed land disturbance (sq. ft.)	100,000	Total proposed land disturbance (acres)	2.30
-------------------------	--	---------	--	------

					Evaluation [Staff to Complete]
Impervious Surface Area (ISA) (LUMO Sec. 3.8)	Existing ISA (sq. ft.)	3,135	Removed ISA (sq. ft.)	3,135	See Ordinance A
	New ISA (sq. ft.)	52,000	Total ISA (sq. ft.)	52,000	
	Proposed ISA ratio (% of GLA)	37%	Required ISA ratio (% of GLA)	70%	

Floor Area (LUMO Sec. 3.6, 3.8, 3.10)					Evaluation [Staff to Complete]
	Existing floor area (sq. ft.)	3,135	Removed floor area (sq. ft.)	3,135	See Ordinance A
	New proposed floor area (sq. ft.)	62,000	Total proposed floor area (sq. ft.)	62,000	
	Maximum allowed floor area* (sq. ft.)	128,659			
	*Calculated according to the floor area ratio for the proposed zoning district, plus transfer from resource conservation district and/or bonus for affordable units.				

Resource Conservation District (RCD) (LUMO 3.6)	Total land area in RCD (sq. ft.)		24,552		Sewered <input type="checkbox"/> Unsewered <input checked="" type="checkbox"/>		Evaluation [Staff to Complete] See Ordinance A	
		Streamside Zone		Managed use zone		Upland Zone		
	Land area (sq. ft.)	24,552		N/A		N/A		
	Proposed use(s) [Table 3.6.3-2]	Stormwater Control Measure (SCM) outlet						
		Proposed	Required	Proposed	Required	Proposed		Required
	ISA (sq. ft.)			N/A		N/A		
	ISA ratio (%)							
	Disturbed area (sq. ft.)	6,138		N/A		N/A		
	Disturbed area ratio (%)	25%	20%	N/A	40%	N/A		40%
	Floor area (sq. ft.)	N/A						
	Floor area ratio (%)	N/A	1%	N/A	1.9%	N/A		

Evaluation [Staff to Complete]

Steep Slopes <i>(LUMO Sec. 5.3)</i>	Total steep slopes area (sq. ft.)		Proposed disturbed area (sq. ft.)		See Ordinance A
	Proposed disturbed area (%)		Maximum allowed disturbance (%)	25%	

Recreation Space <i>(LUMO 5.5)</i>	Proposed recreation space (sq. ft.)	7,056	Required recreation space (sq. ft.)	7,056	Evaluation [Staff to Complete]
	Proposed payment (\$)		Payment-in-lieu calculation		See Ordinance A

Landscape Buffers <i>(LUMO Sec. 5.6 and Design Manual)</i>					Evaluation [Staff to Complete]
		Type		Width	
	Direction (North, South, East, West)	Proposed	Required	Proposed	Required
	North		B	10	10
	South		B	10	10
	East		C	20	20
	West		B	10	10

Evaluation [Staff to Complete]

Tree Canopy Coverage (LUMO Sec. 5.7)	Proposed tree canopy coverage (% of NLA)	30	Required tree canopy coverage (% of NLA)	30	See Ordinance A
--	---	----	---	----	-----------------

Off-Street Vehicular Parking (LUMO Sec. 5.9)	Evaluation [Staff to Complete]				
	Existing vehicular parking spaces	N/A	Removed vehicular parking spaces	N/A	See Ordinance A
	New vehicular parking spaces	48	Total proposed vehicular parking spaces	48	
	Minimum required vehicular parking spaces	0.8 spaces per DU	Maximum allowed vehicular parking spaces	1.75 spaces per DU	
	Calculation for minimum requirement	48 x 0.8 = 39 spaces			
	Calculation for maximum allowance	48 x 1.75 = 84 spaces			

Loading Spaces (LUMO Sec. 5.9)	Evaluation [Staff to Complete]				See Ordinance A
	Existing loading spaces	N/A	Removed loading spaces		
	New loading spaces	N/A	Total loading proposed spaces		
	Minimum required loading spaces		Calculation for minimum requirement		

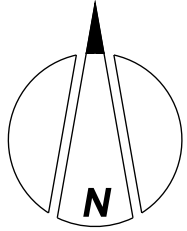
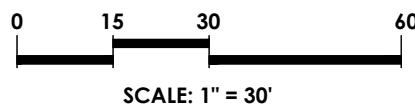
Off-Street Bicycle Parking (LUMO Sec. 5.9)	Evaluation [Staff to Complete]				
	Existing bicycle spaces	N/A	Removed bicycle spaces	N/A	See Ordinance A
	New bicycle spaces	12	Total proposed bicycle spaces	12	
	Minimum required bicycle spaces	1 per 4 dwelling units			
	Calculation for minimum requirement	1 per 4 dwelling units			



DEVELOPMENT SUMMARY:

SITE SUMMARY	
GROSS LAND AREA:	145,055 SF (3.33 AC)
PROJECT AREA:	97,000 SF (2.22 AC)
AREA OF DISTURBANCE ONSITE:	97,000 SF (2.22 AC)
AREA OF DISTURBANCE OFFSITE:	3,000 SF (0.07 AC)
TOTAL AREA OF DISTURBANCE:	100,000 SF (2.30 AC)
EXISTING ZONING:	R-2/R-4
PROPOSED ZONING:	RCP-CZD
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	MULTI-FAMILY
WATERSHED:	LOWER BOOKER CREEK
RIVER BASIN:	CAPE FEAR
CITY LIMIT:	INSIDE
TIER:	SUBURBAN
LOT SUMMARY	
MAXIMUM BUILDING HEIGHT:	60'
TOTAL MAX. UNITS:	48
REQUIRED STREET YARD SETBACK:	10'
PROPOSED STREET YARD SETBACK:	10'
REQUIRED SIDE SETBACK:	0'
PROPOSED SIDE SETBACK:	10'
REQUIRED REAR SETBACK:	0'
PROPOSED REAR SETBACK:	10'
BUILDING SUMMARY	
EXISTING BUILDING AREA:	3,135 SF
PROPOSED BUILDING AREA:	62,000 SF
PARKING SUMMARY	
REQUIRED PARKING (EXISTING ZONING):	61 SPACES
REQUIRED PARKING (PROPOSED ZONING):	51 SPACES
TOTAL REQUIRED PARKING (PROPOSED ZONING):	51 SPACES
HC PARKING PROVIDED:	10 SPACES
STANDARD PARKING PROVIDED (7' X 18')	41 SPACES
TOTAL PARKING PROVIDED:	51 SPACES
BIKE PARKING (12 REQUIRED):	12 SPACES
IMPERVIOUS SUMMARY	
TOTAL AREA:	145,055 SF (3.33AC)
MAXIMUM ALLOWABLE IMPERVIOUS AREA:	101,539 SF (2.33 AC) (70%)
EXISTING IMPERVIOUS AREA:	3,135 SF (0.07 AC)
TOTAL PROPOSED IMPERVIOUS AREA:	51,817 SF (1.18 AC) (36.5%)
STREETS / PARKING LOTS:	23,806 SF (0.54 AC) (1.7%)
SIDEWALK / BUILDING:	23,011 SF (0.53 AC) (1.6%)
IMPERVIOUS RESERVE:	5,000 SF (0.11 AC) (3.5%)
TREE COVERAGE SUMMARY	
REQUIRED TREE COVERAGE / OPEN SPACE:	43,517 SF (30%)
PROPOSED TREE COVERAGE / OPEN SPACE:	43,517 SF (30%)
OPEN SPACE SUMMARY	
REQUIRED OPEN SPACE AREA:	7,253 SF (5%)
PROPOSED OPEN SPACE AREA:	7,253 SF (5%)

1 EXISTING CONDITIONS
C002 SCALE: 1"= 30'



Existing Grade - Slopes Table				
Number	Minimum Slope	Maximum Slope	Color	Area (SF)
1	0.00%	10.00%	Green	138027.56
2	10.00%	15.00%	Yellow	2042.86
3	15.00%	20.00%	Orange	971.13
4	20.00%	25.00%	Red	51.89



CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE

16 CONSULTANT PLACE, SUITE 201
DURHAM, NORTH CAROLINA 27707

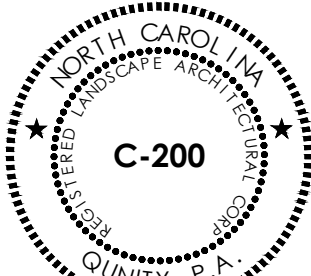
P 919.490.4990
www.qunity.com

NORTH CAROLINA BOARD OF
EXAMINERS FOR ENGINEERS AND
SURVEYORS LICENSE NO.: C-0676

LONGLEAF TRACE

1708-1712 LEGION ROAD
CHAPEL HILL, NORTH CAROLINA

EXISTING
CONDITIONS



TOWNSHIP
PUBLIC WORKS DEPARTMENT
APPROVED

ENGINEERING: _____ DATE: _____
STORM WATER: _____ DATE: _____
TRANSPORTATION: _____ DATE: _____

811 - CALL BEFORE YOU DIG

DRAWN BY: LMC CHECKED BY: NDA

DATE 02-14-2024

PROJECT NO. 2404

SHEET NO.

C002

CONCEPT SKETCH

- GRADING &
- DRAINAGE



1. PRIOR TO CONSTRUCTION OF THE PROPOSED STORM DRAINS, VERIFY ALL EXISTING LOCATIONS AND RIM/INVERT ELEVATIONS OF CONNECTIONS TO BOTH EXISTING AND PROPOSED STORM SYSTEM. NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN PLANS AND EXISTING CONDITIONS.
2. ALL STORM DRAINAGE LINES SHALL BE CLASS II REINFORCED CONCRETE PIPE, UNLESS OTHERWISE NOTED.
3. INSTALL TREE PROTECTION FENCING AT THE SAME TIME AS THE EROSION CONTROL MEASURES. MAINTAIN UNTIL ALL CONSTRUCTION IN THE VICINITY OF THE TREES IS COMPLETED.
4. LOCATE TREE PROTECTION MEASURES SO THAT THEY MAINTAIN A 6 FOOT RADIUS AROUND EXISTING PLANTS OR PROVIDE A 1-FOOT RADIUS FOR EACH 1-INCH DIAMETER OF TREES (MEASURES AT A POINT 4 1/2 FEET ABOVE GROUND) WHICHEVER IS GREATER.
5. NO STORAGE OF MATERIALS, FILL OR EQUIPMENT SHALL BE ALLOWED WITHIN THE PROTECTED AREA. NO TOP NO TRASPASSING SIGNS ON THE PROTECTION FENCING.
6. AT THE START OF GRADING INVOLVING THE LOWERING OF THE EXISTING GRADE AROUND A TREE OR THE STRIPPING OF TOPSOIL, MAKE A CLEAN, SHARP, VERTICAL CUT AT THE EDGE OF THE TREE SAVE AREA AT THE SAME TIME AS ANY OTHER EROSION CONTROL MEASURES ARE INSTALLED. INSTALL THE TREE PROTECTION FENCING ON THE SIDE FARTEST AWAY FROM THE TREE TRUNKS.
7. ALL DISTURBED PERVIOUS AREAS WILL BE SEEDED, STRAWED, AND/OR MULCHED PER CHAIR. FILL REQUIREMENTS, PLANTING PLAN AND DETAILS TO BE PROVIDED AT SITE PLAN.

DEVELOPMENT SUMMARY:

SITE SUMMARY	
GROSS LAND AREA:	145,055 SF (3.33 AC)
PROJECT AREA:	97,000 SF (2.22 AC)
AREA OF DISTURBANCE ONSITE:	97,000 SF (2.22 AC)
AREA OF DISTURBANCE OFFSITE:	3,000 SF (0.07 AC)
TOTAL AREA OF DISTURBANCE:	100,000 SF (2.30 AC)
EXISTING ZONING:	R-2/R-4
PROPOSED ZONING:	RCP-CDZ
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	MULTI-FAMILY
WATERSHED:	LOWER BOOKER CREEK
RIVER BASIN:	CAPE FEAR
CITY LIMIT:	INSIDE
TIER:	SUBURBAN

LOT SUMMARY	
MAXIMUM BUILDING HEIGHT:	60'
TOTAL MAX. UNITS:	48
REQUIRED STREET YARD SETBACK:	10'
PROPOSED STREET YARD SETBACK	10'
REQUIRED SIDE SETBACK:	0'
PROPOSED SIDE SETBACK	10'
REQUIRED REAR SETBACK:	0'
PROPOSED REAR SETBACK:	10'

BUILDING SUMMARY	
EXISTING BUILDING AREA:	3,135 SF
PROPOSED BUILDING AREA:	62,000 SF

PARKING SUMMARY	
REQUIRED PARKING (EXISTING ZONING):	61 SPACES
REQUIRED PARKING (PROPOSED ZONING):	51 SPACES
TOTAL REQUIRED PARKING (PROPOSED ZONING):	51 SPACES


HC PARKING PROVIDED:
STANDARD PARKING PROVIDED (9' X 18')
TOTAL PARKING PROVIDED:
BIKE PARKING (12 REQUIRED):

<u>IMPERVIOUS SUMMARY</u>	
TOTAL AREA:	145,055 SF (3.33AC)
MAXIMUM ALLOWABLE IMPERVIOUS AREA:	101,539 SF (2.33 AC) (70%)
EXISTING IMPERVIOUS AREA:	3,135 SF (0.07 AC)
TOTAL PROPOSED IMPERVIOUS AREA:	51,817 SF (1.18 AC) (36.5%)
STREETS / PARKING LOTS:	23,806 SF (0.54 AC) (17%)
SIDEWALK / BUILDING:	23,011 SF (0.53 AC) (16%)
IMPERVIOUS RESERVE:	5,000 SF (0.11 AC) (3.5%)

TREE COVERAGE SUMMARY	
REQUIRED TREE COVERAGE / OPEN SPACE:	43,517 SF (30%)
PROPOSED TREE COVERAGE / OPEN SPACE:	43,517 SF (30%)

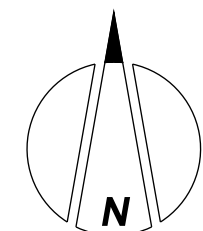
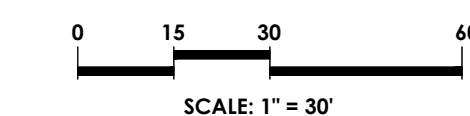
OPEN SPACE SUMMARY	
REQUIRED OPEN SPACE AREA:	7,253 SF (5%)
PROPOSED OPEN SPACE AREA:	7,253 SF (5%)

LEGEND

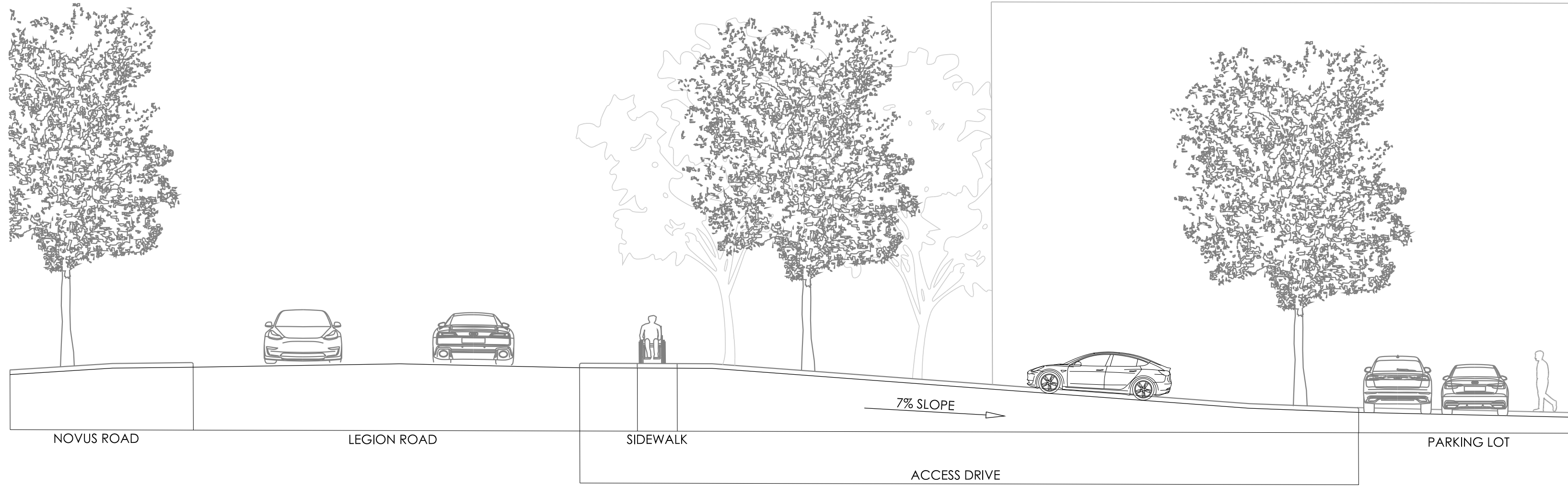
---	BUILDING SETBACK
----- LOD -----	LIMITS OF DISTURBANCE
-----	INTERMITTENT STREAM CENTERLINE
----- SB -----	50' RCD BOUNDARY
=====	PROPERTY LINE
=====	PROPOSED RETAINING WALL
	SCM ACCESS AND MAINTENANCE EASEMENT

GRADING AND DRAINAGE PLAN

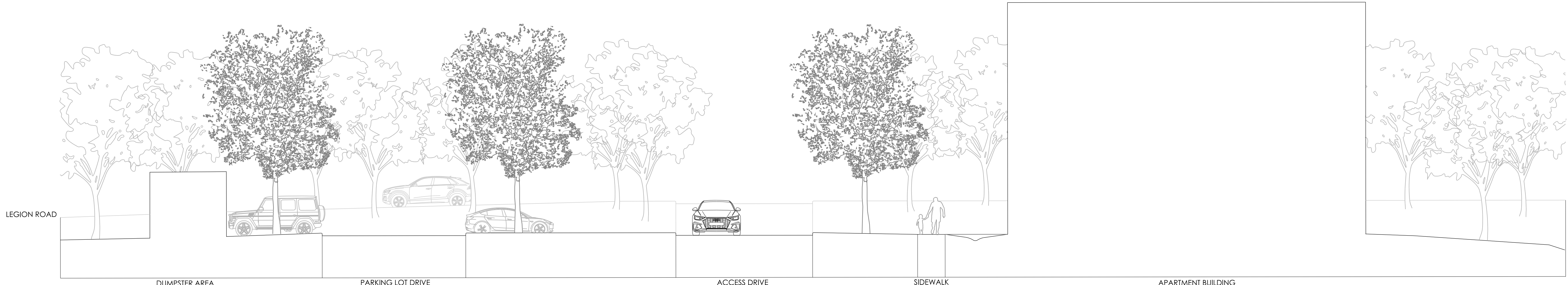
1 DRAIN
C400 SCALE: 1"=30'



SUMMARY OF IMPACTS							
IMPACT NUMBER	TYPE	BUFFER					
		ZONE	PERMANENT				% OF RCD
1	GRADING/SCM OUTFALL	RCD	6138	SF	0.1409	AC	25.00%
TOTAL			6138	SF	0.14	AC	25%



1 ACCESS DRIVE SECTION LOOKING NORTHEAST
SCALE: 1"=10' 0 5 10 20
SCALE: 1" = 10'



2 ACCESS DRIVE SECTION LOOKING WEST
SCALE: 1"=10' 0 5 10 20
SCALE: 1" = 10'



Qunity

CIVIL ENGINEERING LANDSCAPE ARCHITECTURE

16 CONSULTANT PLACE, SUITE 201
DURHAM, NORTH CAROLINA 27707

P 919.490.4990
www.qunity.com

NORTH CAROLINA BOARD OF
EXAMINERS FOR ENGINEERS AND
SURVEYORS LICENSE NO.: C-0676

LONGLEAF TRACE

1708-1712 LEGION ROAD
CHAPEL HILL, NORTH CAROLINA

SECTION ELEVATIONS



TOWNSHIP
PUBLIC WORKS DEPARTMENT
APPROVED

ENGINEERING _____ DATE _____
STORM WATER _____ DATE _____
TRANSPORTATION _____ DATE _____

811 - CALL BEFORE YOU DIG

DRAWN BY: MAT CHECKED BY: NDA

DATE 02-14-2024

PROJECT NO. 2404

SHEET NO.

C401

CONCEPT SKETCH

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION CONDITIONAL ZONING APPLICATION FOR LONGLEAF TRACE

March 19, 2024

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

Motion: Erik Valera moved, and Chuck Mills seconded, a determination that the Conditional Zoning Application for Longleaf Trace is consistent with the Comprehensive Plan and a recommendation that the Town Council adopt Resolution A and Ordinance A.

Vote: 6 – 0

Yeas: Strother Murry-Ndinga, Chuck Mills, Jonathan Mitchell, Louie Rivers, Geoff Green, and Erik Valera

Nays: None

Prepared by: Tas Lagoo, Principal Planner

RESOLUTION A
Resolution of Reasonableness and Consistency

A RESOLUTION REGARDING THE REASONABLENESS AND CONSISTENCY WITH THE COMPREHENSIVE PLAN OF THE APPLICATION FOR A CONDITIONAL ZONING ATLAS AMENDMENT FOR THE PROPERTY LOCATED AT 1708 AND 1712 LEGION ROAD FROM RESIDENTIAL-2 (R-2) AND RESIDENTIAL-4 (R-4) TO RESIDENTIAL-COMMUNITY PRIORITY-CONDITIONAL ZONING DISTRICT (R-CP-CZD) (PROJECT #CZD-24-1) (2024-04-17/R-12)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Taft Mills Group, on behalf of property owner Picks Enterprises, LLC, to rezone a 3.33-acre assemblage of parcels located at 1708 and 1712 Legion Road on property identified as Orange County Property Identifier Numbers 9799-46-5105 and 9799-45-6975, to allow development of a multifamily building; and

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); and Walkable Mixed Use-5 (WX-5).
- The site has a transit stop on the edge of the property and directly across the street with continuous sidewalks and a pedestrian crossing for future residents.
- The project meets the desired goals of infill development.
- The surrounding land area is mixed-use consisting primarily of low-medium density residential and business uses. The proposed use is consistent with the scale and use of surrounding properties.
- This rezoning allows medium density residential development to provide a transition from the mid-rise Walkable Mixed Use-5 (WX-5) mixed-use properties to the low-density residential developments south of Legion Road.
- Site access is directly available to Legion Road and will align with Novus Lane to the north. The developed site will provide a direct connection to the existing public sidewalk and bike paths on Legion Road.
- The development will provide adequate protection of the existing stream through a 50-foot buffer of the intermittent stream bank along with an undisturbed area southeast of the buffer.

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:

- Future Land Use Map
 - The project is in the North 15-501 Focus Area, Sub-Area B. The project is proposing a maximum height of 3 stories, consistent with the 4-story height designated for this area.
 - The project is proposing multifamily development which is identified as a primary land use in the sub-area.
 - The project supports the Town's future economic health and ability to accommodate employment centers by providing additional housing options.

- The project provides an appropriate transition from multifamily to single family homes next to the site with a landscape buffer that is wider than LUMO requires.
- The project limits disturbance in the existing intermittent stream buffer.
- Mobility and Connectivity Plan and Connected Roads Plan
 - The Everywhere-to-Everywhere Greenways Map identifies proposed greenways near the site. The existing Lower Booker Creek Trail is about 0.5 miles from the site.
 - This project uses the allowable 20 percent reduction of minimum vehicular parking spaces for the associated zoning district.
 - The project will utilize and improve key infrastructure such as sidewalks, bike facilities, and public transportation. The project also will include walking paths to create interconnectivity within the site and to the future park on the Town's adjacent site.
 - The project will improve connectivity and safety for local trips by aligning the entrance to the site with the intersection of Novus Lane and Legion Road.
- Climate Action and Response Plan
 - The project will meet National Green Building Standard Bronze.
 - The applicant is pursuing Energy Star Multifamily New Construction v1.1 certification.
 - The project will provide all-electric building design and appliances.

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 17th day of April, 2024.

ORDINANCE A

(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1708 AND 1712 LEGION ROAD FROM RESIDENTIAL-2 (R-2) AND RESIDENTIAL-4 (R-4) TO RESIDENTIAL-COMMUNITY PRIORITY-CONDITIONAL ZONING DISTRICT (R-CP-CZD) (PROJECT #CZD-24-1) (2024-04-17/O-9)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Taft Mills Group, on behalf of property owner Picks Enterprises, LLC, to rezone a 3.33-acre assemblage of parcels located at 1708 and 1712 Legion Road on property identified as Orange County Property Identifier Numbers 9799-46-5105 and 9799-45-6975, to allow development of a multifamily building and finds that the amendment to the Zoning Atlas is:

- Consistent with the Town's Comprehensive Plan, per NCGS 160D-605; and
- Reasonable and in the public's interest, per NCGS 160D-605;
- 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 Community Priority Rezoning Plan dated February 14, 2024, and the conditions listed below would, per LUMO 4.4.3(f):

- 1) Conform with the applicable provisions of the Land Use Management Ordinance (LUMO) 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

WHEREAS, the Council of the Town of Chapel Hill finds, in this particular case that a vesting period exceeding two years is warranted because the Town has a strong need for affordable housing.

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) LUMO Section 3.6.3: Resource Conservation District (RCD): Table 3.6.3-2 Permitted Uses within Resource Conservation District.** Permit detention/retention basin and associated infrastructure within the stream side zone of the Resource Conservation District.

This finding is based on a determination that the public purposes are satisfied to an

equivalent or greater degree because locating detention and retention basin infrastructure outfalls in the stream side zone accommodates the grade of the site and mitigates erosion of the riparian buffer by locating pipe outfalls at the stream bank in locations shown on the Community Priority Rezoning Plan within the stream side zone.

2) LUMO Section 3.6.3(f): Resource Conservation District (RCD): Dimensional regulations in RCD. Modify dimensional regulations as shown below:

Dimensional Requirement	Stream Side Zone
Disturbed area ratio	0.25

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the increased disturbance is associated with stormwater management infrastructure.

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 with the following uses, subject to the conditions below, satisfies the intent and purposes of the Residential-Community Priority-Conditional Zoning District (R-CP-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 Orange County parcels identified by Parcel Identifier Number (PIN) 9799-46-5105 and 9799-45-6975, described below, along with the area extending to the centerline of the adjoining Legion Road right-of-way, shall be rezoned to Residential-Community Priority-Conditional Zoning District (R-CP-CZD):

Tract 1 (9799-45-6975):

BEGINNING at a stake in the southeast side of the American Legion Road, at the northwestern corner of the property of the Chapel Hill Post No. 6, American Legion, Inc. and running thence south 34° 46' 33" east 581.90 feet to a stake; thence south 46° 44' 25" west 204.15 feet to a stake; thence 45° 49' 41" west 350.22 feet to a stake; thence north 45° 38' 08" east 209.42 feet to a stake; thence north 44° 51' 30" west 212.37 feet to a stake on the southeast side of American Legion Road north 41° 34' 30" east 102.64 feet to a stake in the point of BEGINNING, containing 2.33 acres more or less, and being the same property conveyed to Grantor by deed recorded in Book 1025, Page 388, Orange County Registry.

Tract 2 (9799-46-5105):

ALL that certain lot or parcel of land situated, lying and being on the southeast side of Old Chapel Hill-Durham Road and more particularly described as BEGINNING at a point in the center of the said road, a corner of the property this day conveyed by J. H. McFarland and wife, Mary Broadwell; running thence along the center of the said road, North 40° East 210 feet to a stake, a new corner with other property of J. H. McFarland; running thence South

50° East 210 feet to a stake; running thence South 40° West 210 feet to a stake, corner of the Mary Broadwell lot; running thence with the line of the said lot North 50° West 210 feet to the BEGINNING, containing 1 acres, more or less, as surveyed by J. Ralph Weaver, Registered Surveyor on January 14, 1953.

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 Zoning Compliance Permit must be filed by a date precisely 4 years from the date of this approval or the land shall revert to its previous zoning designation. [LUMO 4.4.5(I)]
2. Consent to Conditions: This approval is not effective until the property owner(s) 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:

Land Use Intensity	
Permitted Uses	Multi-family, over 10 units, attached or detached; Customary accessory uses
Net Land Area (NLA)*	145,055 sq. ft.
Gross Land Area (GLA)*	159,561 sq. ft.
Maximum Floor Area	62,000 sq. ft.
Permitted Dwelling Units	42-60 units
Dimensional Regulations	Per LUMO
Minimum Affordable Units	See Affordable Housing Plan
Minimum and Maximum Vehicular Parking	Per LUMO (accounts for allowable 20 percent reduction to minimum required spaces per dwelling unit type in R-CP-CZD) 0.80 – 1.25 spaces per dwelling unit, 1 bedroom 1.12 space – 1.75 spaces per dwelling unit, 2 bedrooms
Minimum Electric Vehicular (EV) Parking	100% of parking spaces shall be EV-capable
Minimum Bicycle Parking	1 space per 4 dwelling units
Maximum Total Impervious Surface	Per LUMO (70% of GLA)
Maximum Land Disturbance	100,000 sq. ft.
Resource Conservation District Maximum Land Disturbance	6,138 sq. ft.
Minimum Tree Canopy Coverage	Per LUMO (30% of NLA)

Minimum Recreation Space	Per LUMO (0.05 of GLA)
--------------------------	------------------------

*to be confirmed by survey prior to issuance of a Final Plans Zoning Compliance Permit

4. Impervious Surfaces and Land Disturbance: This approval limits the amount of impervious surface and land disturbance as indicated in the above Land Use Intensity Table. These limits apply to the entire project site, including areas within the Resource Conservation District and areas containing steep slopes.
 - a. An increase in the maximum impervious surface area, RCD impervious surface area, RCD land disturbance area, or steep slopes land disturbance area shall constitute a major modification.
 - b. An increase in land disturbance up to 10 percent shall constitute a minor modification. An increase over 10 percent shall constitute a major modification. All increases shall be considered cumulatively. Increases in land disturbance associated with stream restoration shall not be counted toward the cumulative total.
 - c. Modifications procedures as outlined in LUMO 4.4.6 shall apply.

Affordable Housing

5. Affordable Housing Plan: The developer shall provide the following:
 - a. Affordable Units: 100 percent of the homes will be affordable units.
 - b. Unit Size: The affordable units will include 1-bedroom and 2-bedroom units.
 - c. Pricing: 100 percent of the affordable units will be reserved for those households earning 60 percent or less of the area median income (AMI). AMI will be based on income data published annually by the U.S. Department of Housing and Urban Development for the Durham-Chapel Hill Metropolitan Statistical Area. Pricing will consider the total cost of mortgage principal and interest, property taxes, homeowners and condo association fees, any mandatory maintenance fees, and homeowner's insurance such that a household's total housing costs do not exceed 30 percent of their household income.
 - d. Affordability Period: The affordable units will be affordable for a period of at least thirty (30) years.
6. Affordable Housing Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, a performance agreement that incorporates the approved Affordable Housing Plan (see above) must be executed by the developer, the Town Manager (or designee), and if applicable, the non-profit agency that will administer the affordable units.
7. Housing Vouchers: The developer agrees to accept Housing Choice Vouchers issued by the Orange County Housing Authority or successor agency for any unit in the project.

Environment

8. Stormwater Performance Guarantee: A stormwater performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirements of LUMO 4.9.3 prior to the approval of Constructional plans. 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 developer 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 stormwater 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 submitted by the developer prior to the issuance of 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.

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the stormwater infrastructure as required by the Town's Land Use Management Ordinance. [LUMO 4.9.3]

9. Stormwater Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a stormwater impact analysis demonstrating that post-development peak flow rates for 1-year, 2-year, 25-year, and 100-year 24-hour storm events do not exceed pre-development peak flow rates.
10. 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]
11. 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]
12. 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]
13. 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]

14. Undisturbed Area: The developer shall not disturb the area southeast of the stream, the approximate location of which is identified on the Community Priority Rezoning Plan.

Transportation, Access, and Connectivity

15. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before approval of a Zoning Final Inspection.
16. Street Lighting: The developer shall install street lighting or upgrade existing street lighting along the site frontages as required by the Town Manager with approval by the North Carolina Department of Transportation (NCDOT), if applicable prior to approval of a Zoning Final Inspection. The design shall be approved by the Town Manager and the NCDOT prior to issuance of a Zoning Compliance Permit.
17. 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 existing on the roadways.
18. 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.
19. Bicycle Parking: Bicycle parking spaces must also comply with the Spring 2015 Association of Pedestrian and Bicycle Professionals Guidelines.
20. Bus Service: In compliance with federal law, ADA-compliant access to nearby transit stops shall be maintained during and following construction. The developer shall coordinate with Chapel Hill Transit to identify serviceable temporary stops and pedestrian detours if construction is anticipated to impede access to existing transit stops. The developer shall provide Chapel Hill Transit a minimum of ten (10) days' notice of activities impacting transit stops or transit service.
21. Novus Lane Alignment: Prior to issuance of a Final Plans Zoning Compliance Permit, the developer shall submit a site plan that demonstrates the entrance drive aligns with Novus Lane for vehicular traffic.
22. Legion Road Curb Ramp: Prior to issuance of a Zoning Final Inspection, the developer shall construct an ADA-compliant curb ramp at the northeast corner of the Legion Road and Novus Lane intersection, subject to Town approval. The developer shall not be required to provide a pedestrian crosswalk across Legion Road at this location.
23. Sight Distance Triangles: Prior to issuance of a Zoning Final Inspection, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]

24. Internal Pedestrian Connection: Prior to issuance of a Zoning Final Inspection, the developer shall demonstrate a good faith effort to provide a pedestrian connection at the eastern property boundary within the limits of disturbance shown on the Community Priority Rezoning Plan.

Sustainability

25. Energy Efficient Building Design: The developer shall design and build a project that meets Energy Star Multifamily New Construction v1.1 certification.
- a. Prior to issuance of a Zoning Compliance Permit (ZCP) , the developer shall submit to staff for their review and approval documentation demonstrating that the project is pursuing the aforementioned certification in accordance with the Energy Star Multifamily New Construction Certification Process.
 - b. Prior to issuance of a Certificate of Occupancy (CO), the developer shall submit to staff documentation demonstrating that the project has been certified and meets the Energy Star Multifamily New Construction v1.1 design standard.
26. Electric Vehicle Infrastructure: The developer shall ensure that their facilities support the use of current and future levels of electric vehicles by their residents and visitors by supplying the following, consistent with Town Council policy:
- a. Each unit with on-site parking that serves a multifamily dwelling shall be provided with a minimum of 1 EVSE-Capable parking space. EVSE-Capable means that a continuous raceway or conduit has been installed connecting a parking space to an electrical panel or a space reserved for a future electrical panel.
 - b. All initial and future EV charging designs should ensure that each EVSE-equipped parking space is capable of providing at least 6.6 kW. Designs must also adhere to U.S. Access Board's most recently updated version of the Design Recommendations for Accessible Electric Vehicle Charging Stations.
 - c. Prior to issuance of a Zoning Compliance Permit, site designs for all initial and future EV charging shall be reviewed and approved by Town staff.
27. Climate Action Plan: Prior to issuance of a Zoning Compliance Permit (ZCP), the developer shall submit a Climate Action Plan on the appropriate form prescribed by the Town Manager that includes, at a minimum, the following climate action commitments:
- a. All-electric building and site design
 - b. All-electric appliances
 - c. Solar-ready building design
 - d. Sustainable building materials and resource use equivalent to meeting LEED standard
 - e. LED lighting only for interior spaces
 - f. LED lighting only for exterior spaces, including street/parking lot lighting (3000 Kelvin or lower)
 - g. WaterSense-rated appliances and equipment only
 - h. Energy Star-rated appliance and equipment only
 - i. Supports environmental equity through access to greenways and parks
 - j. Protects existing natural habitat corridor(s)
 - k. Native and drought-tolerant landscape plantings only
 - l. No irrigation with potable water

Homeowner Association

28. Applicability: The Homeowner Association conditions shall apply for development with

individual ownership. Should a development add for-sale units or convert rental units to ownership, the following conditions shall apply.

29. Homeowners' Association: A Homeowners' Association shall be created that has the capacity to place a lien on the property of a member who does not pay the annual charges for maintenance of all common areas, however designated. The Homeowners' Association documents shall be approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and shall be cross-referenced on the final plat. The Homeowners' Association documents shall comply with Section 4.6.7 of the Land Use Management Ordinance. The Homeowners' Association covenants shall not exclude home occupation businesses as regulated by the Town of Chapel Hill.
30. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open space, recreation areas, paths, community garden, and shared stormwater management facilities.
31. Dedication and Maintenance of Common Area to Homeowners' Association: The developer shall provide for Town Manager review and approval, a deed conveying to the Homeowners' Association all common areas, however designated, including the community garden; recreation space; open space and common areas; the bufferyards; and stormwater management facilities. The Homeowners' Association shall be responsible for the maintenance of the proposed internal subdivision roads until the NCDOT or the Town assumes ownership of the internal streets. These documents shall be reviewed and approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and cross-referenced on the final plat.
32. Solar Collection Devices: The Homeowners' Association, or similar entity, shall not include covenants or other conditions of sale that restrict or prohibit the use, installation, or maintenance of solar collection devices, including clotheslines.

Miscellaneous

33. Lot Subdivision/Recombination - Recombination Plat: Prior to issuance of the first Zoning Compliance Permit, a recombination plat application combining the development site lots shall be approved by the Town and recorded at the Orange County Register of Deeds.
34. Privacy Fence: The developer shall install a privacy fence that is approximately parallel to the southwest property line. At a minimum, the fence shall extend from approximately the street setback to the Resource Conservation District boundary. The fence shall not encroach into the street setback. The opacity of the fence shall be at least 70 percent.
35. Orange County Solid Waste (OCSW) Construction Waste Note: Prior to issuance of a Final Plans Zoning Compliance Permit, the following notes must be added to the site plan.
 - a. OCSW Construction Waste Requirements:
 - i. 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 (RRMO) 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.

- ii. Pursuant to the County's RRMO, clean wood waste, scrap metal, and corrugated cardboard present in construction or demolition waste must be recycled.
- iii. Pursuant to the County's RRMO, all haulers of mixed construction and demolition waste which includes any regulated recyclable materials shall be licensed by Orange County.
- iv. 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.
- v. The presence if 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.

36. 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.
37. 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]
38. 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]
39. State or Federal Approvals: Any required State or federal approvals, permits, or encroachment agreements, including but not limited to NCDOT approvals and 401/404 permits,) 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.
40. 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 the Community Priority Rezoning Plan 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]
41. Phasing Plan: If phasing of the project is proposed, then the developer 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.

42. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan any known invasive exotic species of vegetation, 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]
43. Community Design Commission (CDC) Review Not Applicable: No Community Design Commission review or approval is required for this project [LUMO 4.4.5].
44. Construction Sign Required: Prior to starting any land-disturbing activity, 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. 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]
45. 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]
46. As-Built Plans: Prior to the issuance of a Zoning Final Inspection, 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]
47. Street Names and Numbers: The development's streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
48. 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 vesting period of this site-specific vesting plan shall be four years from the date of the approval of this Conditional Zoning. 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.

49. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
50. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
51. Not-Comprehensive: The listing of these specific conditions 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 ORDAINED that the Council hereby approves the application for Conditional Zoning for Longleaf Trace at 1708 and 1712 Legion Road.

This the 17th day of April, 2024.

RESOLUTION B
Denying the Conditional Zoning Application

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1708 AND 1712 LEGION ROAD FROM RESIDENTIAL-2 (R-2) AND RESIDENTIAL-4 (R-4) TO RESIDENTIAL-COMMUNITY PRIORITY-CONDITIONAL ZONING DISTRICT (R-CP-CZD) (PROJECT #CZD-24-1) (2024-04-17/R-13)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Taft Mills Group, on behalf of Picks Enterprises, LLC, to rezone an 3.33-acre assemblage of parcels located at 1708 and 1712 Legion Road on property identified as Orange County Property Identifier Number(s) 9799-46-5105 and 9799-45-6975, if rezoned to Residential-Community Priority-Conditional Zoning District (R-CP-CZD) according to the Community Priority Rezoning Plan dated February 14, 2024, 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 properties located at 1708 and 1712 Legion Road to Residential-Community Priority-Conditional Zoning District (R-CP-CZD).

This the 17th day of April, 2024.