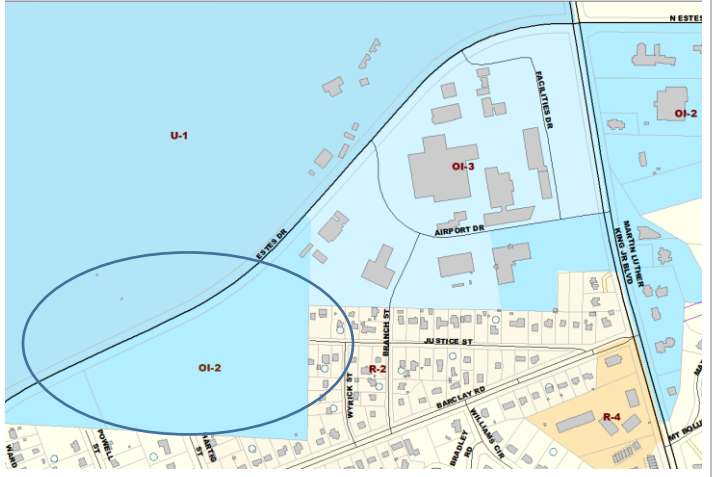




# CONSIDER AN APPLICATION FOR ZONING ATLAS AMENDMENT - TOWN AND UNIVERSITY JOINT OPERATIONS CENTER

## STAFF REPORT

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES  
Ben Hitchings, Director  
Judy Johnson, Operations Manager

<b>PROPERTY ADDRESS</b> 1050 Estes Drive, PINs 9789-24-7373 and 9789-03-3163	<b>DATE</b> March 27, 2018	<b>APPLICANT</b> Town of Chapel Hill, University of North Carolina-Chapel Hill
<b>STAFF RECOMMENDATION</b> That the Environmental Stewardship Advisory Board, Community Design Commission, Transportation and Connectivity Advisory Board, Stormwater Management Utility Advisory Board, and Planning Commission review, provide comments, and make a recommendations on the draft development agreement standards. That the Planning Commission make a recommendation on the rezoning to the Town Council.		
<b>STAFF ANALYSIS</b> The applicant is proposing development standards suited for the context of this application. See staff analysis for additional detail.		
<b>PROCESS</b> The Town Council has asked that the Advisory Boards and Commissions make a recommendation to the Council on the Town and University Joint Operations Center Development Agreement. The rezoning application requires Planning Commission review and Town Council action, and the Council asked for Boards & Commissions to provide their feedback prior to review by Town Council. Six community work shops have been held to develop the project.  Draft development agreement standards are provided as an attachment. Council will receive a full draft development agreement following advisory board and commission review.	<b>DECISION POINTS</b> <ul style="list-style-type: none"> <li>• Development Agreements allow for customized development standards.</li> <li>• This Development Agreement is between the Town and UNC Chapel Hill.</li> <li>• Full build-out contains 200,000 square feet; up to 50% may be occupied by the Town.</li> <li>• Stormwater management for the entire site will be provided with the first phase of development.</li> <li>• A 100'+ landscape buffer will be provided adjacent to residential properties.</li> </ul>	
<b>PROJECT OVERVIEW</b> The Council authorized the Town Manager and Attorney to negotiate with the University of North Carolina to draft a development agreement that, if approved, would govern and regulate development of this property. This project will contain the Town's future Municipal Services Center and future University uses on an approximately 20- acre site, owned by the University. The Town is pursuing a 99-year lease and the first phase of development is expected to be the 72,000 square foot Municipal Services Center. There is no current timeline for the other buildings.  The property is zoned Office-Institutional-2 (OI-2) and would be rezoned to University-1 (U-1) to accommodate a development agreement.	<b>PROJECT LOCATION</b> 	
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Project Summary Form</li> <li>2. Application Form and Materials</li> <li>3. Draft Development Agreement Standards</li> <li>4. Proposed Permitted Land Uses</li> <li>5. Submitted Plans</li> </ol>	





## **TECHNICAL REPORT**

### **Connections to other Documents:**

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>1</sup>, the standards of the [Land Use Management Ordinance](#)<sup>2</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>3</sup> and offers the following evaluation:

**Comprehensive Plan Themes:** The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

### **Council Goals:**

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input type="checkbox"/>		Nurture Our Community
<input type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration

Staff believes the Development Agreement proposal complies with the above themes of the 2020 Comprehensive Plan.

**Land Use Plan:** The [2020 Land Use Plan](#)<sup>4</sup>, a component of the 2020 Comprehensive Plan, designates this site for University-other land use, which includes public use facilities and university land uses.

### **Intensity:**

The University-1 (U-1) zoning district does not regulate floor area, setbacks, building heights, or impervious surface.

## **DEVELOPMENT STANDARDS**

Accompanying this report as an attachment is a draft list of development standards that will be incorporated into the Development Agreement.

**Permitted Land Uses:** Land uses permitted within the University-1 (U-1) zoning district are similar to those permitted within the Office/Institutional-4 (OI-4) zoning district. Some of the land uses permitted within the Office/Institutional-4 (OI-4) zoning district are incompatible with this site program or the surrounding properties, and are proposed to be removed from the list including adult day care, bank, barber shop/beauty salon, club, residential, hotel, and other uses. A list of permitted land uses is provided as an attachment.

**Phasing:** The project will be entitled through a Development Agreement, which allows for long-term implementation of the development program. The Town's Municipal Services Center, an approximately 72,000 sq. ft. building located in the center of the site, is the first phase of construction, as well as project infrastructure. This building will contain several

<sup>1</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>2</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>3</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

<sup>4</sup> <http://www.townofchapelhill.org/home/showdocument?id=1215>

Town services including police, fire, housing, parks, technology solutions, and the ombudsman office.

The first phase of development will include necessary infrastructure for the Municipal Services Center including all parking necessary for the building; a driveway with two access points to Estes Drive; stormwater management facilities to treat the total impervious surface anticipated at buildout; pedestrian and bicycle connections, and transportation improvements including a bus stop.

### **TRANSPORTATION AND CIRCULATION**

***Vehicular Access & Parking Areas:*** The project will be accessed by Estes Drive at two points, necessary for emergency service access. Parking will be provided both in surface lots as well as in a parking decks. The parking is located away from adjacent residential properties. The buildout of total parking capacity is not anticipated with the first phase of construction, but rather parking will be provided in the amount to serve each building as it's constructed.

A maximum of 615 parking spaces are proposed across the site. This parking tabulation includes parking spaces necessary for storage of police vehicles that will not be used by employees or visitors to the Municipal Services Center. Shared parking between the University and the Town services would be encouraged.

***Traffic Impact Study & Transportation Improvements:*** A Traffic Impact Study (TIS) was performed for this application and reviewed by the North Carolina Department of Transportation (NCDOT). The Town is committed to providing the recommended improvements to Estes Drive that are directly required for left-turn access into the site from Estes Drive. The Traffic Impact Study also recommends a second left-turn lane on eastbound Estes Drive to northbound Martin Luther King Junior Boulevard, which will be provided.

***Pedestrian Connectivity & Transit:*** A greenway will be constructed along the property's frontage on Estes Drive and a connection into the site from the Elkin Hills neighborhood will be provided. These improvements are included in the Town's Mobility & Connectivity Plan. The greenway connection from Elkin Hills is anticipated to access via Hartig Street. A second greenway connection from Justice Street is being considered, although this connection requires crossing the Resource Conservation District.

***Bicycle Access & Parking:*** Bicycle lanes are proposed for Estes Drive, and the project will provide bicycle parking on-site in accordance with LUMO standards. Bicycle parking will be provided with each phase of development.

***Transportation Management Plan:*** A transportation management plan shall be provided.

## **ENVIRONMENTAL REPORT**

This section includes information regarding stormwater management, streams, and environmental impact.

***Resource Conservation District Encroachment:*** Two intermittent streams exist on the property and flow in a southerly direction. A 50 foot Resource Conservation District buffer is required for each of these streams and the western stream will be have an internal drive aisle crossing.

***Jordan Buffer:*** The project is required to meet Jordan Watershed Stormwater requirements for Nitrogen and Phosphorous removal as this project is located on State owned property.

***Stormwater Management:*** Stormwater management will be provided in bio-retention basins, and will exceed the minimum Town stormwater management requirements. Stormwater management will exceed the 25-year, 24-hour storm event. The project aims to provide maximum stormwater volume control using bio-retention basins located within the proposed development footprint. The first one inch of precipitation shall be treated to remove 85 percent of total suspended solids of all new impervious surfaces resulting from development anticipated at full build-out by the Town and the University.

***Impervious Surface:*** The project effort will treat stormwater for all new impervious surface. The final amount of impervious surface will be determined in the Site Development Permit Application, in coordination with the proposed Development Agreement site plan. The University-1 (U-1) zoning district does not have a maximum permitted amount of impervious surface, although the project will not exceed 70% impervious surface, and the site design anticipates an impervious surface coverage well below this standard based upon the general site layout.

## **DESIGN REPORT**

This section includes information on landscaping, trees, building elevations, and lighting.

***Tree Canopy & Buffer:*** The project includes a minimum of 40 percent tree canopy, in accordance with Town standards for institutional land uses. A 100 foot buffer consisting of existing vegetation is proposed at the southern and eastern perimeters of the site, adjacent to the residential properties. This buffer may be enhanced with additional screening such as creation of a berm, or planting of evergreen trees and shrubs. The location of a berm or additional screening is anticipated to be closer to the Municipal Services Center to avoid land disturbance within the buffer area.

***Tree Save Areas:*** A minimum of a 100 foot existing forested area will be maintained along the southern and eastern perimeters.

***Parking Lot Landscaping:*** New parking areas shall be landscaped in accordance with Town standards and University standards.

***Building Architecture:*** The buildings are proposed to be 3-4 stories tall, and buildings will use existing grades to the extent possible. Final building architectural design and materials selection shall be reviewed with a site development permit and all building architecture, whether Town or University-occupied, would be approved by the University's Development Review Committee and Board of Trustees with a courtesy review by the Community Design Commission.



**Lighting:** Light fixtures must contain glare cut-off shields, and no greater than 0.3 foot-candles of illumination will be permitted to trespass the property line. A lighting plan will be reviewed with the site development permit. The project will be designed with glare control light fixtures, and use of timed or photocell lights is being evaluated

### **EMERGENCY SERVICES REPORT**

This section of the report addresses public safety access.

**Fire Access:** The buildings are anticipated to be 3-4 stories tall, which will require aerial apparatus fire access. The central plaza area will be designed to accommodate emergency service vehicles and adequate fire access shall be provided.



# Project Summary


















## Overview




Site Description	
<b>Project Name</b>	Municipal Services Center
<b>Address</b>	1050 Estes Drive, Parcel Identification Numbers 9789-24-7373, 9789-03-3163
<b>Property Description</b>	20.7 acres south of Estes Drive, across from the Park & Ride
<b>Existing Use</b>	Vacant
<b>Existing Zoning</b>	Office/Institutional-2 (OI-2)
<b>Proposed Zoning</b>	University-1 (U-1)

*The University-1 District standards refer to the Office/Institutional-4 (OI-4) standards in Table 3.8.1: Dimensional Matrix*


## Regulatory Land Use Intensity for Rezoning and Draft Development Agreement

	Topic	Comment	Advisory Board/ Council	Status
Development Intensity	Use/Density (Sec. 3.7)	College/University and Public Use Facility permitted land uses within University-1.	PC	✓
	Dimensional Standards (Sec. 3.8)	Maximum: not applicable Proposed: 4 stories	C	✓
	Lot Size (Sec. 3.8)	Minimum: 2,000 sq. ft. Proposed: 982,278 sq. ft. (22.5 acres)	PC	✓
	Floor area (Sec. 3.8)	Maximum: not applicable Proposed: 200,000 sq. ft.	PC	✓
	Modifications to Regulations (Sec. 4.5.6)	standards are provided in development agreement	PC	✓
	Open Space/Recreation Area (Sec. 5.5)	Not Applicable to Institutional Land Use		NA
	Adequate Public Schools (Sec. 5.16)	Not Applicable to Institutional Land Use		NA
Housing	Inclusionary Zoning (Sec. 3.10)	Not Applicable to Institutional Land Use		NA
Landscaping	North Buffer (Estes Drive) (Sec. 5.6/Design Manual)	Required: 30 foot type D buffer Provided: 7 foot (included as standard in Development Agreement)	C	DA
	South Buffer (Sec. 5.6/Design Manual)	Required: 20 foot type C buffer Provided: 100 foot (existing vegetation).	CDC	✓

	East Buffer (Sec. 5.6/Design Manual)	Required: 20 foot type C buffer Provided: 100 foot (existing vegetation).	CDC	
	Tree Canopy (Sec. 5.7.2)	Required: 40% Proposed: greater than 40%	CDC	
	Lighting Plan (Sec. 5.11)	0.3 foot-candles at property line	Technical	
Environmental	Resource Conservation District (RCD) (Sec. 3.6)	50 foot RCD buffers adjacent to each of the intermittent streams.	ESAB	
	Erosion and Sedimentation Control (Sec. 5.3.1)	More than 1 acre of land disturbance proposed, Performance bond required.	Technical	
	Steep Slopes (Sec. 5.3.2)	Meet LUMO standards	Technical	
	Stormwater Management (Sec. 5.4)	Bio-retention basins will be used to treat new impervious surface for 85% Total Suspended Solids (TSS) removal and phosphorous and nitrogen removal. Stormwater volume control will exceed Town requirements for the 25 year 2-hour storm.	ESAB	
	Land Disturbance (Sec. 3.6)	To be determined.	ESAB	
	Impervious Surface (Sec. 3.8)	70% (LUMO standard).	ESAB	
	Jordan Riparian Buffer (Sec. 5.18)	Jordan Buffer nutrient control is provided.	ESAB	
Access & Circulation	Road Improvements (Sec. 5.8)	<ul style="list-style-type: none"> <li>A dedicated left-turn into each of the site driveways.</li> <li>A center-turn lane on Estes Dr. from site to Martin Luther King Jr. Blvd.</li> </ul>	TCAB	
	Vehicular Access (Sec. 5.8)	Two driveways are proposed.	TCAB	
	Bicycle Improvements (Sec. 5.8)	<ul style="list-style-type: none"> <li>Bicycle lanes on Estes Drive.</li> <li>Bicycle parking in accordance with LUMO</li> </ul>	TCAB	
	Pedestrian Improvements (Sec. 5.8)	Greenway to be constructed adjacent to Estes Drive, and from the site to Hartig Street. A greenway connection to Justice Street is being evaluated.	TCAB	
	Vehicular Parking (Sec. 5.7)	Minimum: 571 spaces. Provided: 615 parking spaces, including police vehicle parking.	TCAB	
	Transit Improvements	Bus stop installed with shelter, lighting, and amenities along frontage	TCAB	
	Bicycle Parking (Sec. 5.9)	Minimum: 100 spaces Provided: greater than 100 spaces	TCAB	

	Parking Lot Standards (Sec. 5.9)	Meet LUMO standards.	TCAB	
	Fire	Aerial apparatus fire access provided	FP	
	Solid Waste and Recycling (Sec. 5.13)	A Solid Waste Management Plan will be submitted.	Orange County Solid Waste	

## Project Summary Legend

Symbol	Meaning	Symbol	Meaning
	Meets LUMO Requirements	<b>CDC</b>	Community Design Commission
<b>DA</b>	Development Agreement Modification	<b>HAB</b>	Housing Advisory Board
<b>C</b>	Requires Council Endorsement	<b>TCAB</b>	Transportation and Connectivity Board
<b>FP</b>	Required at Final Plan;	<b>ESAB</b>	Environmental and Sustainability Board
<b>NA</b>	Not Applicable	<b>OCSW</b>	Orange County Solid Waste
<b>PC</b>	Planning Commission	<b>NCDOT</b>	North Carolina Department of Transportation

# ZONING ATLAS AMENDMENT APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd  
phone (919) 969-5066 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9789-24-7373, 9789-03-3163 Date: March 8, 2018

## Section A: Project Information

Project Name: Town and University Joint Services Center  
Property Address: Unaddressed Zip Code: 27514  
Use Groups (A, B, and/or C): B Existing Zoning District: OI-2  
Project Description: A rezoning from OI-2 to U-1 to facilitate a Development Agreement that will allow for the Town Municipal Services Center and future University Uses.

## Section B: Applicant, Owner, and/or Contract Purchaser Information

### Applicant Information (to whom correspondence will be mailed)

Name: Aaron Frank, Town of Chapel Hill Planning & Development Services  
Address: 405 Martin Luther King Jr. Blvd  
City: Chapel Hill State: NC Zip Code: 27514  
Phone: 919-969-5059 Email: afrank@townofchapelhill.org

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied within this application is true and accurate.

Signature: [Signature] Date: 3/15/18

### Owner/Contract Purchaser Information (9789-24-7373):

☐ Owner

☐ Contract Purchaser

Name: The University of North Carolina at Chapel Hill  
Address: 300 South Building - CB #1000  
City: Chapel Hill State: North Carolina Zip Code: 27599-1000  
Phone: 919-962-3795 Email: annaw@fac.unc.edu

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied within this application is true and accurate.

Signature: [Signature] Date: 03.15.2018





## ZONING ATLAS AMENDMENT APPLICATION SUBMITTAL REQUIREMENTS

TOWN OF CHAPEL HILL  
Planning Department

### Owner/Contract Purchaser Information (9789-03-3163):

☐ Owner

☐ Contract Purchaser

Name: Trustees, University of North Carolina at Chapel Hill Endowment Fund  
Address: 300 South Building – CB #1000  
City: Chapel Hill State: North Carolina Zip Code: 27599-1000  
Phone: 919-962-3795 Email: jpruitt@unc.edu

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied within this application is true and accurate.

Signature: 

Date: 3-15-2018

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

N/A	Application fee ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	N/A
Yes	Pre-Application Meeting – with appropriate staff		
Yes	Digital Files – provide digital files of all plans and documents		
Yes	Mailing list of owners of property within 1,000 foot perimeter of subject property ( <a href="#">see GIS notification tool</a> )		
N/A	Mailing fee for above mailing list	Amount Paid \$	
Yes	Written Narrative describing the proposal		
Yes	Statement of Justification		
Yes	Digital photos of site and surrounding properties		
Yes	Legal description of property to be rezoned		
Yes	Phasing Plan (if applicable) indicating phasing boundaries and phasing notes		
Yes	Reduced Site Plan Set (reduced to 8.5" x 11")		

### Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels

- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable

### Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) 1,000 foot notification boundary

## Town University Joint Services Center Rezoning Application

### Written Narrative

March 14, 2018

Orange County PINs 9789-24-7373, 9789-03-3163, ~20.55 acres

### **Introduction & Background**

The Town has identified the need for a new Municipal Service Center facility and initiated an effort to identify potential sites that would meet the functional, operational, and location needs for several Town departments including the police, parks and recreation administration, fire department administration, health and wellness clinic, ombuds, and training. The Town also recognized this as an opportunity to facilitate increased collaboration, shared training, operations, and public services for Town operations.

The Town tested the capacity of a University-owned site on Estes Drive, recognizing that a coordinated effort could meet long-term interests for both the Town and the University. The site-test shows that there is a significant opportunity to develop a plan for the property that respects the site constraints, the neighboring properties, and complements the planned Carolina North campus. Co-location of certain functions could enhance operations, facilitate shared responses, and encourage joint training and planning for public safety or other uses.

In 2017, Town Council authorized the Town Manager to proceed with a development agreement for the site, and separately in 2017 the University Board of Trustees agreed to consider a lease that would set the groundwork for the Town and University to move forward with a project.

The “property” consists of two unaddressed parcels 9789-24-7373, 9789-03-3163, owned by the University of North Carolina and the University of North Carolina Endowment Fund, respectively. The project area contains approximately 20.55 acres. Of the 9789-24-7373 parcel, the project only encompasses the portion of this parcel that is currently zoned Office Institutional-2.

### **Property Rezoning & Development Agreement**

The property is proposed to be rezoned from Office/Institutional-2 (OI-2) to University-1 (U-1) to allow for a maximum of 200,000 square feet, up to 50% of which may be occupied by the Town. The Town proposes to develop a portion of the property first with the future Town Municipal Services Center in an approximately ~72,000 square foot building. A 99 year lease is proposed and will accommodate the long-term timeline for future development of additional University and Town buildings.

The rezoning is proposed from Office/Institutional-2 to University-1 to facilitate the companion development agreement. A development agreement is an instrument suited to permit long-range implementation of a development program, shared infrastructure between the University and the Town, and a customized set of development standards. The University-1 (U-1) district is designed as a carrying district for a development agreement authorizing public uses such as civic and university uses, which are being proposed. The baseline permitted land uses within a U-1 zoning district are those within the Office/Institutional-4 district, a district designed primarily for University uses. The proposed permitted land uses with this application are refined further from this list to reflect compatibility with neighboring properties and the programmatic needs of the Town and the University. Notably, certain



land uses that are permitted within U-1 but generally regarded as more intense, such as *General Business, Service Stations*, will be prohibited by this Development Agreement.

A conceptual site plan accompanies the rezoning application and provides the anticipated general building and infrastructure layout of the site. This site plan was designed with input from adjacent property owners and University representatives. Site specific standards regarding site design and performance standards are proposed in the development agreement that reflect these conversations. Notably, vehicular access is prohibited to the south through the Elkin Hills neighborhood, buildings have been pushed towards Estes Drive, and a 100'+ vegetated buffer is proposed adjacent to the neighborhood to provide a harmonious transition to the adjacent neighborhood.

Draft development agreement standards are provided as an attachment to this application and will be refined further with continued discussion with community members, advisory boards, Town staff, and University staff. Six focused community meetings were held with community members prior to review by advisory boards and commissions.

### **Project Description**

The University-1 zoning district intends for public or private development notably for university and civic uses. While the first user will be the Municipal Services Center the order of following development phases remains to be determined. However, the Municipal Services Project aims to limit the development envelope only to earthwork necessary for the Municipal Services Center and associated infrastructure. The infrastructure included in the first phase of development will include two vehicular accesses (as required for police access), parking only as needed for the Municipal Services Center (to limit development footprint), and stormwater management facilities that will meet the stormwater quantity and quality requirements for the anticipated full build-out by the Town and the University.. Stormwater management is anticipated through bio-retention basins, located at the southern portions of the site. These facilities are planned at depressed areas of the site to accommodate natural drainage patterns to the extent possible within the existing development footprint.

The project is designed with a centralized plaza between the primary buildings of the site, and a drive aisle will encircle the buildings leading to the two vehicular accesses; one of which is planned to match with the UNC park & ride access. Buildings have been brought towards Estes Drive in order to allow for greater buffering from the Elkin Hills neighborhood, and buildings and parking structures are proposed to be constructed into the hillside to limit relative height and land disturbance required for construction.

A 100'+ buffer of existing vegetation is proposed and a buffer is provided adjacent to the intermittent streams located on-site. Sanitary sewer will be connected from the south via Hartig Street, and a break in the buffer is required for this utility connection. A greenway is proposed to connect Justice Street to the Municipal Services Center for a non-vehicular connection as proposed in the Mobility & Connectivity Plan.

Three intermittent streams are located on the property and no development is planned within the 50' RCD except for the internal drive aisle, which is designed to cross the RCD perpendicularly to minimize disturbance.

Rezoning Statement of Justification  
Town University Joint Services Center  
March 21, 2018

**Introduction**

The Town and the University of North Carolina are seeking a rezoning from Office-Institutional-2 (OI-2) to University-1 (U-1) to facilitate the development of Town and University services on University-owned land. A rezoning to U-1 is necessary in order to accommodate the Development Agreement proposed between the Town and University. A Development Agreement is the appropriate zoning instrument to facilitate a long-term development partnership between the Town and University. The Town is pursuing a 99-year lease and build-out is anticipated within this period; a Special Use Permit would not allow for a long-term build-out during this timeframe. A total of 200,000 square feet of floor area, of which up to 50% may be occupied by the Town, is proposed across multiple buildings, and the Town anticipates constructing the Municipal Services Center in the immediate future to address Town needs. The remaining balance of square footage will be constructed by the University and the Town within the lease period although a timeline has not been established.

The project exists on two parcels, one of which contains the existing Giles Horney Building and other University services along Airport Drive. A zoning change is only requested for the OI-2-zoned portion of the property.

**Compatibility with the Comprehensive Plan**

This statement of justification demonstrates how the project aligns with goals of the Comprehensive Plan.

**A Place for Everyone**

The Municipal Services Center and surrounding grounds will be publicly accessible and the site will feature a pedestrian plaza, trails, and open space that may be used as amenities by the public. A design goal for the project is to create a pleasurable environment both for employees who work at the Municipal Services Center as well as for members of the public who visit the site. Ideally this property will be an amenity for nearby residents as well. The site will be accessible by multiple modes of transportation utilizing a proposed bus stop on Estes Drive, a greenway connection to Justice Street, and bicycle lanes on Estes Drive.

- *Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (PFE.1)*
- *A creative place to live, work, and play because of Chapel Hill's arts and culture (PFE.2)*
- *A community of high civic engagement and participation (PFE.5)*

**Getting Around**

The project is sited and designed in a way to promote multi-modal transportation opportunities for employees and visitors of the site. The users of the first phase of project development will be Town

employees, who are encouraged by the Town to use a variety of commuting options. The site is situated to capitalize on multi-modal transportation opportunities in the following ways:

Transit: The project site is located on Estes Drive and directly served by the NU and HS transit routes, and is less than half a mile from Martin Luther King Jr. Blvd, served by NS, G, T, and A routes. A bus stop is planned for on Estes Drive.

Bicycle: The property will be accessed by bicycle through bicycle lanes that may be provided on Estes Drive Extension, and bicycle parking shall be provided to meet Town standards. A Transportation Management Plan shall be submitted and reviewed on an annual basis to meet the Town's satisfaction.

Pedestrian: A greenway is proposed into the site via Justice Street and will provide connectivity and recreational opportunities for users of the municipal services center as well as residents from the surrounding neighborhood. A greenway may also be constructed along Estes Drive to provide future pedestrian connectivity along this roadway.

Vehicular parking shall be built to serve the phases as they are constructed in order to minimize the development envelope.

- *A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (GA.1)*
- *A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (GA.2)*
- *Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (GA.5)*
- *A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (GA.6)*

### Nurturing Our Community

This project is being designed in an environmentally conscious manner and LEED certification is being pursued. The building siting and orientation is designed to optimize southern building exposure for winter solar gain, and the buildings will feature natural daylighting to minimize energy usage. The building is designed to optimize collaborative and shared spaces for the multiple users of the building, both creating an innovative work environment as well resulting in a more efficient project footprint, resulting in economic and carbon reductions. The general siting of the Municipal Services Center in this location is necessary for police to provide fast response time, as well as to locate other Town services in a centralized location within the Town.

Stormwater management may be provided in bio-retention basins and will meet or exceed the minimum Town stormwater management requirements. Stormwater rate management is anticipated to exceed the 25-year, 24-hour storm event and the stormwater volume management may exceed the 2-year, 24-hour storm event. The final conditions and type of stormwater control measure will be determined when final engineering is performed. The project aims to provide maximum stormwater volume and rate control using bio-retention

basins located within the proposed development footprint. The first one inch of precipitation shall be treated to remove 85% of total suspended solids of all new impervious surfaces resulting from development anticipated at full build-out by the Town and the University, and the project shall meet Jordan Watershed Stormwater requirements for Nitrogen and Phosphorous removal. The Jordan Watershed Stormwater requirements for Nitrogen and Phosphorus are required as this project is located on State owned property and remains subject to these requirements.

A 50' RCD buffer is provided surrounding each of the intermittent streams of the site, and the driveway crossing has been designed to cross the buffer area in a perpendicular manner to reduce encroachment.

Attention has been given to the impact of stormwater runoff, light, noise pollution, and traffic to the adjacent neighborhood. The project will be designed with glare control light fixtures, and use of timed or photocell lights is being evaluated. The location of buildings has been designed close to Estes Drive in response to community feedback about visual impact of buildings to the surrounding properties.

Vehicular traffic is prohibited from the Elkin Hills neighborhood to prevent any traffic impacts to this residential area. A Transportation Impact Analysis has been performed and improvements to Estes Drive including a dedicated center turn lane will be provided.

- *Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (NOC.2)*
- *Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (NOC.7)*
- *Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (NOC.8)*

#### Good Places, New Spaces

This project is a result of coordination between the University (property owner) and the Town to utilize the property that fits the needs of both the users, visitors of the property, as well as adjacent property owners. Environmental protection is proposed by consciously limiting the development envelope and maintaining a vegetative buffer along the periphery of the site. This project will serve an integral role in the Town's growth by offering new space for critical Town services, and also serving as an open gathering space accessible to the community.

The proposed use aligns with the future land use map and the form and density is proposed in such a manner to meet Town needs while maintaining compatibility with adjacent properties.

- *A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (GPNS.4)*
- *Open and accessible common spaces for community gathering, cultural uses, and community development (GPNS.7)*
- *Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (GPNS.8)*

### Town and Gown Collaboration

This project is a collaborative effort between the Town and University to meet respective organizational interests while respecting the land and adjacent properties. Prior to filing of this rezoning application the Town project team has met several times with community members, University stakeholders, and reported project progress to Town Council to receive feedback.

- *The University, the UNC Health Care System, and the Town will coordinate closely to manage development in ways that respect history, traditions, and the environment while fostering revitalization and innovation (TGC.5)*



## Municipal Services Center Photographs

View of site from Justice Street



View of site from Hartig Street





View of site from Powell Street

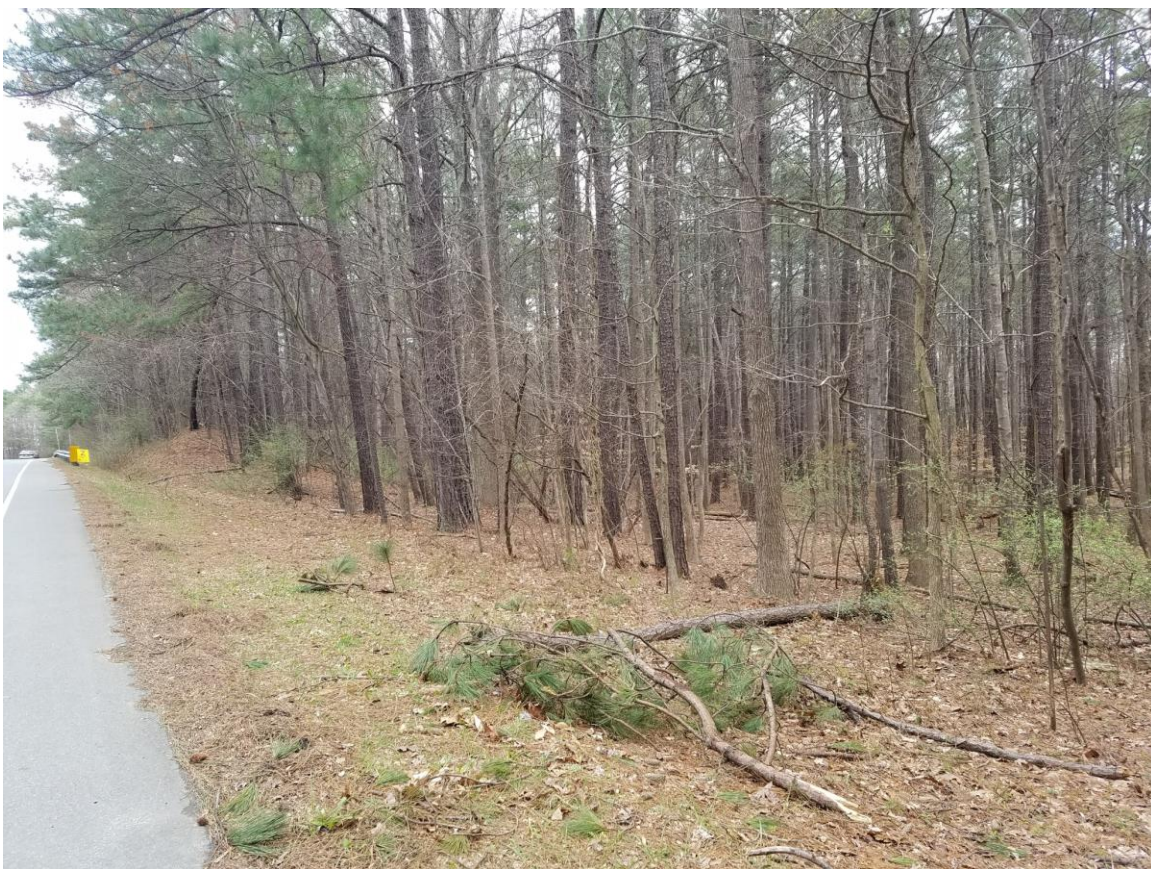


View from northeast





View from Southeast



View from Park & Ride





9.78E+09	GOFORTH I PO BOX 20 RALEIGH NC	2.76E+08
9.78E+09	POWELL AS 604 IRONW CHAPEL HII NC	27516
9.78E+09	DAVIS LESL 100 EASTRICHAPEL HII NC	2.75E+08
9.78E+09	GARRETT N 108 HARDV CHAPEL HII NC	27516
9.78E+09	THACKER C 109 HARDV CHAPEL HII NC	27516
9.78E+09	FARLEY WII 105 HARDV CHAPEL HII NC	27516
9.78E+09	ADALSTEIN 104 EASTRICHAPEL HII NC	2.75E+08
9.78E+09	HARDY RAL 616 IRONW CHAPEL HII NC	27516
9.78E+09	HEWETT C/ 104 BURLW CHAPEL HII NC	2.75E+08
9.78E+09	SHYAM KAI 101 EASTRICHAPEL HII NC	27516
9.78E+09	WILLIAMS ` 102 BURLW CHAPEL HII NC	27517
9.78E+09	BAKER TAN 101 NORTH CHAPEL HII NC	2.75E+08
9.78E+09	GAERTNER 103 EASTRICHAPEL HII NC	27516
9.78E+09	CHEN TSUN 105 EASTRICHAPEL HII NC	2.75E+08
9.78E+09	ORANGE U 1220 MAR` CHAPEL HII NC	27514
9.78E+09	POON CHI I 102 NORTH CHAPEL HII NC	27516
9.78E+09	BROWN M. 102 MARIG CHAPEL HII NC	2.75E+08
9.78E+09	WRIGHT ST 103 MARIG CHAPEL HII NC	27516
9.78E+09	KUCERA JO 104 NORTH CHAPEL HII NC	27516
9.78E+09	DENT GEO F 106 NORTH CHAPEL HII NC	2.75E+08
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9.79E+09	WASHINGT 320 SEVERI CHAPEL HII NC	27516
9.79E+09	WANG TIAI 301 SEVERI CHAPEL HII NC	27516
9.79E+09	MCCOMBS 8211 TERR/ NORTHVILL MI	48167
9.79E+09	AUFDERHA 805 WARD CHAPEL HII NC	27516
9.79E+09	DANIEL JO F 5 OAKHUR` DECATUR GA	30030
9.79E+09	SOMERS S/ 405 BARCL CHAPEL HII NC	27516
9.79E+09	HUMPHRE` 801 WARD CHAPEL HII NC	2.75E+08
9.79E+09	BROWN GE 304 WESLY Chapel Hill NC	27516
9.79E+09	RUSSELL EL 832 WARD CHAPEL HII NC	27516
9.79E+09	MORSE MA 824 WARD CHAPEL HII NC	27516
9.79E+09	HAWKINS I 401 BARCL CHAPEL HII NC	27516
9.79E+09	ODONNELL 808 WARD CHAPEL HII NC	2.75E+08
9.79E+09	WEISENSTE 810 WARD CHAPEL HII NC	2.75E+08
9.79E+09	RUSSELL SC 820 WARD CHAPEL HII NC	27516
9.79E+09	TLALKA IRE 11711 DELI RALEIGH NC	27617
9.79E+09	RICHMONC 4718 TIMB DURHAM NC	27707
9.79E+09	SMITH ROE 2144 RETAI CHARLOTTI NC	2.83E+08
9.79E+09	HEWITT ST. 804 WARD CHAPEL HII NC	2.75E+08
9.79E+09	ECONOME` PO BOX 16I CHAPEL HII NC	27516
9.79E+09	FRANTZ EN 325 BARCL CHAPEL HII NC	27516
9.79E+09	SLEDGE RO 328 BARCL CHAPEL HII NC	27514
9.79E+09	GUNN THO 324 BARCL CHAPEL HII NC	27516
9.79E+09	SCHARLOC I 805 POWEI CHAPEL HII NC	2.75E+08

9.79E+09	ECONOME PO BOX 16 CHAPEL HILL NC	27516
9.79E+09	FAHERTY K 108 S HILLS HILLSBORO NC	2.73E+08
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9.79E+09	BARCLAY M 2422 MOLL ROXBORO NC	27574
9.79E+09	SOUROULL 320 BARCL CHAPEL HILL NC	2.75E+08
9.79E+09	THEISEN G 312 SEVERI CHAPEL HILL NC	27514
9.79E+09	BELL JOHN 317 BARCL CHAPEL HILL NC	27514
9.79E+09	SQUIRES S 18 POWELL CHAPEL HILL NC	2.75E+08
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9.79E+09	MARKS JAY 3712 HAWI CHAPEL HILL NC	27516
9.79E+09	MUMBY D 800 POWELL CHAPEL HILL NC	2.75E+08
9.79E+09	ZELDIN LES 804 POWELL CHAPEL HILL NC	27516
9.79E+09	RADZICKA J 506 MANO Carrboro NC	27510
9.79E+09	MOORING P O BOX 33 LA GRANGE NC	2.86E+08
9.79E+09	HINKLE DIA 304 SEVERI CHAPEL HILL NC	2.75E+08
9.79E+09	FULCHER L 3931 KELLY DURHAM NC	27707
9.79E+09	FLAXMAN C 312 BARCL CHAPEL HILL NC	27516
9.79E+09	UNIVERSITY ENDOWMENT CHAPEL HILL NC	27514
9.79E+09	SMITHERS J 273 SEVERI CHAPEL HILL NC	2.75E+08
9.79E+09	ROMEL JO 403 WESLEY CHAPEL HILL NC	27516
9.79E+09	MCCORMICK 401 WESLEY CHAPEL HILL NC	27516
9.79E+09	MULCAHY J 300 SEVERI CHAPEL HILL NC	27516
9.79E+09	SCHWARTZ 2017 S LAK CHAPEL HILL NC	27514
9.79E+09	NAIDEN FR 308 BARCL Chapel Hill NC	27516
9.79E+09	NEEBE ALIC 1002 HIGH CHAPEL HILL NC	27517
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9.79E+09	HEARN RA 933 AUTUM CLOVER SC	29710
9.79E+09	BURKE SIGI P O BOX 45 CHAPEL HILL NC	27515
9.79E+09	MANTON P PO BOX 14 CARRBORO NC	27510
9.79E+09	LANE NANCY 786 WEINER CHAPEL HILL NC	2.75E+08
9.79E+09	SKAKLE SYE 269 SEVERI CHAPEL HILL NC	2.75E+08
9.79E+09	WILLIAMS J 1 WEINER CHAPEL HILL NC	27516
9.79E+09	NEAL ANNE 239 HEMP CHARLOTT NC	2.82E+08
9.79E+09	NEAL ANNE 239 HEMP CHARLOTT NC	2.82E+08
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9.79E+09	HUMPHRIE 802 HARTI CHAPEL HILL NC	27516
9.79E+09	BLACK SEM 265 SEVERI CHAPEL HILL NC	27516
9.79E+09	HACKNEY J 104 CAROL CHAPEL HILL NC	27514
9.79E+09	SCOTT JENI 231 BARCL CHAPEL HILL NC	2.75E+08
9.79E+09	THIEDA PA 226 BARCL CHAPEL HILL NC	27516
9.79E+09	BLACK SEM 265 SEVERI CHAPEL HILL NC	27516
9.79E+09	DAYSON CL 257 SEVERI CHAPEL HILL NC	27516
9.79E+09	OKUN CAR 260 SEVERI CHAPEL HILL NC	27516
9.79E+09	VAUGHAN 229 BARCL CHAPEL HILL NC	27516

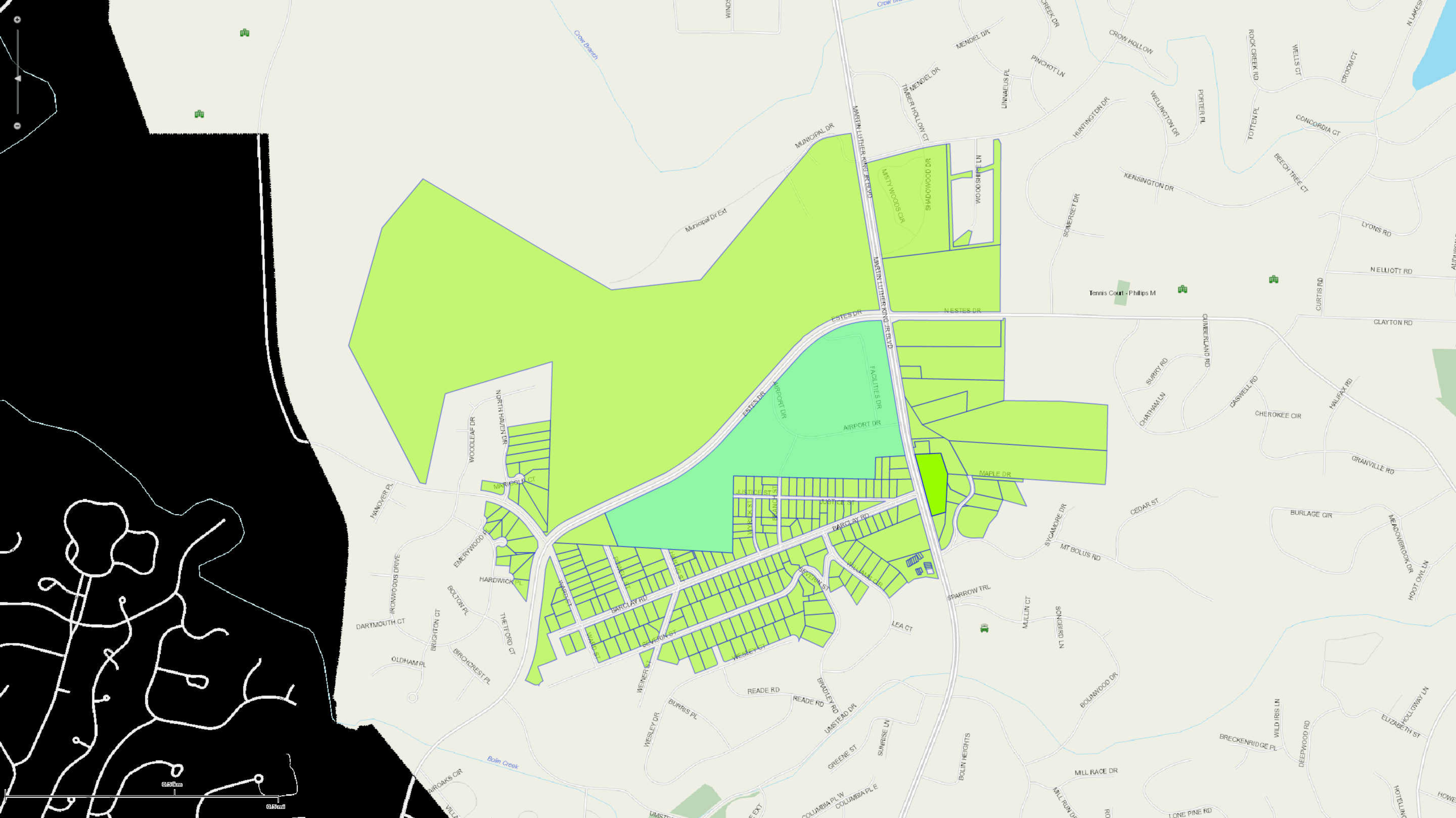
9.79E+09	DIVARIS KII 227 BARCL CHAPEL HII NC	27516
9.79E+09	FLASH BET 750 WEAVI CHAPEL HII NC	2.75E+08
9.79E+09	PARKS RON 8401 CEDA CHAPEL HII NC	27516
9.79E+09	SCHARLOC 253 SEVERI CHAPEL HII NC	27516
9.79E+09	RAPER JULI 248 SEVERI CHAPEL HII NC	2.75E+08
9.79E+09	BARFIELD C PO BOX 20 MCCALL SC	27570
9.79E+09	MOORE AN 220 BARCL CHAPEL HII NC	27516
9.79E+09	LEHNER RIK 375 WESLE CHAPEL HII NC	27516
9.79E+09	ANDERSON 247 SEVERI CHAPEL HII NC	27516
9.79E+09	GERARDEN 107 POLKS CHAPEL HII NC	27516
9.79E+09	KEARNS KA 223 BARCL CHAPEL HII NC	2.75E+08
9.79E+09	OWEN JOH 4002 TROP COLUMBIA MO	6.52E+08
9.79E+09	STANG FRE 218 BARCL CHAPEL HII NC	2.75E+08
9.79E+09	CARPENTEI 377 WESLE CHAPEL HII NC	27516
9.79E+09	LYON MILD 241 SEVERI CHAPEL HII NC	27516
9.79E+09	SOADY SHE 236 SEVERI CHAPEL HII NC	27516
9.79E+09	BARRY DAN PO BOX 20 CARRBORC NC	27510
9.79E+09	SIMONSEN 216 BARCL CHAPEL HII NC	27516
9.79E+09	BRICE CAR 379 WESLE CHAPEL HII NC	27516
9.79E+09	MATTHEW 235 SEVERI CHAPEL HII NC	27516
9.79E+09	GARDNER S 4828 OLD DURHAM NC	2.77E+08
9.79E+09	SWANSON 229 THOM HILLSBORC NC	27278
9.79E+09	BROEK THC 215 BARCL CHAPEL HII NC	27516
9.79E+09	SMITH JOA 1505 W LA DURHAM NC	2.77E+08
9.79E+09	GURGANUS P O BOX 16 HILLSBORC NC	27278
9.79E+09	KILLOUGH 208 JUSTIC CHAPEL HII NC	2.75E+08
9.79E+09	CHANTON P O BOX 12 TALLAHASS FL	32302
9.79E+09	RHODES M 998 WILDE LINDEN VA	22642
9.79E+09	BISHOP EL 4 WYRICK S CHAPEL HII NC	27516
9.79E+09	WILLIAMS T 209 JUSTIC Chapel Hill NC	27516
9.79E+09	LANE GREG 100 BUCK T CHAPEL HII NC	27516
9.79E+09	MILLS FAM P O BOX 52 SNOW CAN NC	27349
9.79E+09	UNIVERSIT UNKNOWN CHAPEL HII NC	27514
9.79E+09	LEDUC BRI 381 WESLE CHAPEL HII NC	27516
9.79E+09	BEHREND 229 SEVERI CHAPEL HII NC	2.75E+08
9.79E+09	CANOUTAS 224 SEVERI CHAPEL HII NC	27516
9.79E+09	JOLLEY VIR 115 WOOD DURHAM NC	27713
9.79E+09	ANDERSON 223 SEVERI CHAPEL HII NC	2.75E+08
9.79E+09	MCIVER JO 218 SEVERI CHAPEL HII NC	27516
9.79E+09	BAROFF RC 240 BUTEO PITTSBORC NC	27312
9.79E+09	REECE ROB 385 WESLE CHAPEL HII NC	27516
9.79E+09	SEVERIN ST 31 ROGERS CHAPEL HII NC	27514
9.79E+09	NEAL ANNE 239 HEMP CHARLOTTI NC	28207
9.79E+09	BARROW R 209 BARCL CHAPEL HII NC	2.75E+08
9.79E+09	STABLER DI 123 PRIEST CHAPEL HII NC	2.75E+08
9.79E+09	PETTIFOR A 389 WESLE CHAPEL HII NC	27516
9.79E+09	PERKINS RC 211 SEVERI CHAPEL HII NC	27516

9.79E+09 HANEY MA 208 SEVERI	CHAPEL HII NC	2.75E+08
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9.79E+09 PALIOURAS 393 WESLE	Chapel Hill NC	27516
9.79E+09 MILLS NATI PO BOX 67	CARRBORC NC	27510
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9.79E+09 HEITSCH DI 727 BRADL	CHAPEL HII NC	2.75E+08
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9.79E+09 MCLEOD JC 737 BRADL	CHAPEL HII NC	27516
9.79E+09 LEITNER FR 112 TIMBEI	CHAPEL HII NC	27514
9.79E+09 COGGER LI 739 WILLIA	CHAPEL HII NC	27516
9.79E+09 TORNERO \ 731 WILLIA	CHAPEL HII NC	2.75E+08
9.79E+09 KEY REBEC 735 WILLIA	CHAPEL HII NC	27516
9.79E+09 ELLIOTT CA 3 WYRICK S	CHAPEL HII NC	27516
9.79E+09 WOLF MER 104 BLACK	CARRBORC NC	2.75E+08
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9.79E+09 FEW JAME 517 ROBIN	CHAPEL HII NC	27516
9.79E+09 HEWETT M 803 BRANC	Chapel Hill NC	27516
9.79E+09 O'KEEFE DI 805 BRANC	CHAPEL HII NC	27516
9.79E+09 STURGESS 3000 GALL	PITTSBORC NC	27312
9.79E+09 RADEMACI 7 BRANCH	CHAPEL HII NC	27516
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9.79E+09 BARNEY KR 5 BRANCH	CHAPEL HII NC	27516
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9.79E+09 OBLER JEFF 1830 17TH	WASHINGTON DE	20009
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9.79E+09 ABERNETH 143 GOAH	CHAPEL HII NC	27516
9.79E+09 GERARDEN 107 POLKS	Chapel Hill NC	27516
9.79E+09 ROBERTS D 749 WILLIA	CHAPEL HII NC	2.75E+08
9.79E+09 CARTER MI 102 SERENI	CHAPEL HII NC	27516
9.79E+09 KIM EUN A 212 E WINI	CHAPEL HII NC	27516
9.79E+09 BERRY ANN 132 JUSTIC	CHAPEL HII NC	27516
9.79E+09 WALKER C/ 716 CASWI	CHAPEL HII NC	27514
9.79E+09 GIBSON KE 1755 RIDGI	ATLANTA GA	3.03E+08
9.79E+09 CAMPBELL 406 BROAC	Carrboro NC	27510
9.79E+09 SHAPLEY Q 130 JUSTIC	CHAPEL HII NC	2.75E+08
9.79E+09 CRANNY TI 328 UMSTE	CHAPEL HII NC	27516
9.79E+09 CAMPBELL 406 BROAC	Carrboro NC	27510

9.79E+09	FLASH BET 750 WEAVI	CHAPEL HII NC	2.75E+08
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9.79E+09	TAL LLC 1924 MT SI	Chapel Hill NC	27514
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9.79E+09	EDMONDS 740 WILLIA	CHAPEL HII NC	27516
9.79E+09	WHITE JOH 2207 WHIT	RALEIGH NC	2.76E+08
9.79E+09	MERTZ JAN 15541 QUE	FORT MYE FL	3.39E+08
9.79E+09	DE MARCO 120 JUSTIC	Chapel Hill NC	27514
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9.79E+09	SCHNURR E 736 WILLIA	CHAPEL HII NC	27516
9.79E+09	BRINKHOU 1162 FEARI	PITTSBOR NC	27312
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9.79E+09	LEONARD E 304 SEVERI	CHAPEL HII NC	2.75E+08
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9.79E+09	CICCONE A 33 SPINNIN	MARLTON NJ	8053
9.79E+09	MALINOWS 83 GRASSY	CHAPEL HII NC	27517
9.79E+09	DINO ROCK 875 MARTI	CHAPEL HII NC	27514
9.79E+09	ELKINS J W 2511 COLG	FAYETTEV NC	2.83E+08
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9.79E+09	A&W REAL 315 PALAF	CHAPEL HII NC	27516
9.79E+09	WEHR PETI 300 SUNSE	HOLLY SPR NC	27540
9.79E+09	HUENING M UNIT 19	CHAPEL HII NC	2.75E+08
9.79E+09	SAVIT PROI 510 APPLE	MEBANE NC	27302
9.79E+09	SALEM COL 875 MARTI	CHAPEL HII NC	27514
9.79E+09	WORLEY DI 9004 ONEA	RALEIGH NC	2.76E+08
9.79E+09	KRAMER SE 875 MLK JF	CHAPEL HII NC	27516
9.79E+09	WILSON N/ 4060 E HAF	BURLINGT NC	27215
9.79E+09	LI LI 3852 WINC	JAMESTON NC	27282
9.79E+09	ZIEMENDO 875 MARTI	CHAPEL HII NC	27514
9.79E+09	JOHNSON E 1549 TAYL	CHIAWASSE GA	3.05E+08
9.79E+09	JW&S HOLI 2207 WHIT	RALEIGH NC	27608
9.79E+09	SIMON ERI 119 JUSTIC	CHAPEL HII NC	27516
9.79E+09	THORNHILL 405 JOHNS	CHAPEL HII NC	27514
9.79E+09	BULBROOK 118 JUSTIC	Chapel Hill NC	27514
9.79E+09	KNIGHT ALI 119 BARCL	CHAPEL HII NC	27516
9.79E+09	MILLS FAM P O BOX 52	SNOW CAN NC	27349
9.79E+09	MOORE SC 816 PINEHI	CHAPEL HII NC	27517
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9.79E+09	ORTIZ MAR 115 BARCL	Chapel Hill NC	27516
9.79E+09	KAIROS VEI 601 W ROS	CHAPEL HII NC	27516
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9.79E+09	STATE OF N 1321 MAIL	RALEIGH NC	2.77E+08

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9.79E+09 MILLS NATI 602 DAVIE Carrboro NC	27510
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9.79E+09 FGV VII LLC 870 MARTI Chapel Hill NC	27517
9.79E+09 LEGACY CR 316 SWIFT DURHAM NC	27713
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9.79E+09 CEDAR RIDI PO BOX 13I DURHAM NC	2.77E+08
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9.79E+09 MEDICAL F CB#7565 8I CHAPEL HII NC	27516
9.79E+09 FGV VII LLC 870 MARTI CHAPEL HII NC	27514
9.79E+09 CORNERSTI SUITE 200 CHAPEL HII NC	27514
9.79E+09 EMMERSOI CUSTODIAI CHAPEL HII NC	27514
9.79E+09 CHIMCO II 940 MARTI CHAPEL HII NC	27514
9.79E+09 PEGASUS P SUITE 200 I CHAPEL HII NC	27514
9.79E+09 SAWMILL I PO BOX 15I CHAPEL HII NC	27514
9.79E+09 AMITY UNI 825 ESTES I CHAPEL HII NC	27514
9.79E+09 BUTLER KA 404 WOODAPEX NC	27523
9.79E+09 CHAPEL HII 92 RIVER R SUMMIT NJ	7901
9.79E+09 GOFORTH I PO BOX 20I RALEIGH NC	27619
9.79E+09 CHILUKURI 15 MT BOL CHAPEL HII NC	27514
9.79E+09 KIRK WILLI 121 MAPLE CHAPEL HII NC	2.75E+08
9.79E+09 CHARMFOI 2375 CRES SANFORD FL	32771
9.79E+09 NEXT LEVEL 4411 E LA FANAHEIM CA	92807
9.79E+09 GOFORTH I PO BOX 20I RALEIGH NC	2.76E+08
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9.79E+09 PEACE JAM 11020 CHA LOS ANGEL CA	90077
9.79E+09 SAWMILL I P O BOX 15 CHAPEL HII NC	27514
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9.79E+09 LOTZ DANI 119 MAPLE CHAPEL HII NC	27514
9.79E+09 RICHARDSI 8 KENDALL Chapel Hill NC	27517
9.79E+09 WU YUE 122 WOOD CHAPEL HII NC	27514
9.79E+09 COKER WO 117 WOOD CHAPEL HII NC	27514





0.5 km

0.5 mi



**Legal Description: Facilities Parcel Division**

Beginning at an iron pipe located in the southern right of way of Estes Drive Extension (S.R. 1780) running thence S 21° 31' 42" E 346.01 feet to an iron pipe; thence S 86° 46' 22" E 1109.76 feet to a point; thence N 00° 41' 32" E 744.68 feet to a point; thence N 33° 28' 00" W 319.16 feet to a point in the southern right of way of Estes Drive Extension (S.R. 1780); thence with the southern right of way of Estes Drive Extension (S.R. 1780) in a general northwesterly direction along a 2019.02 foot radius curve to the right, said curve having a chord bearing and distance of S 53° 57' 42" W 586.01 feet, to a point in the southern right of way of Estes Drive Extension (S.R. 1780); thence continuing with the southern right of way of Estes Drive Extension S 64° 46' 47" W 685.46 feet to an iron pipe, the place and point of beginning, containing 18.13 acres, more or less.



**Legal Description: Former Dixon Property**

Beginning at an iron pipe located in the southern right of way of Estes Drive Extension (S.R. 1780) running thence S 11° 23' 00" E 348.61 feet to an iron pipe, thence N 76° 30' 50" W 161.71 feet to an iron pipe; thence N 76° 30' 50" W 86.10 feet to an iron pipe located in the eastern right of way of Powell Street; thence N 76° 51' 00" W 66.45 feet to an iron pipe located in the western right of way of Powell Street; thence N 76° 29' 00" W 247.69 feet to an iron pipe; thence N 76° 29' 00" W 216.68 feet to an iron pipe located in the southern right of way of Estes Drive Extension (S.R. 1780); thence with the southern right of way of Estes Drive Extension (S.R. 1780) in a general northeasterly direction along a 557.97 foot radius curve to the right, said curve having a chord bearing and distance of N 62° 17' 17" E 248.62 feet, to an iron pipe in the southern right of way of Estes Drive Extension (S.R. 1780); thence continuing with the southern right of way of Estes Drive Extension (S.R. 1780) N 75° 09' 40" E 321.76 to an iron pipe, the point and place of beginning, containing 2.42 acres, more or less.







## Exhibit A: Permitted Land Uses

### Permitted Land Uses:

Uses	
Accessory use customarily incidental to a permitted principal or special use	A
Automated teller machines (ATM) (Walkup)	P
Automated teller machines (ATM) (Drive-up)	S
Child day care facility (See also Article 6)	P, A
Clinic	P, A
College or University	P
Essential services	P, A
Independent Senior Living Facility (See also Article 6)	P, A
Public cultural facility	P, A
Public service facility (See also Article 6)	P, A
Public use facility	P, A
Radio, television or wireless transmitting and/or receiving antenna, accessory	A
Recreation facility: Non-profit	P, A
Research activities	P, A
Temporary portable building: Construction-related (See also Article 6)	A
Temporary portable building: Not construction-related	S

## ARTICLE 5: SPECIFIC STANDARDS AND MITIGATION MEASURES

The Parties do hereby agree to the specific standards and mitigation measures set forth in this Section.

### 5.1 Scale of Development and Uses Permitted.

- a) The development of the Property shall not exceed the limits in Table 1 of this Article and shall be generally consistent with the layout in Exhibit A.

**Table 1: Scale of Development**

Land Area	Total Floor Area	Maximum Building Height	Maximum Number of Parking Spaces
20.55 acres	200,000 s.f.	4 stories	615 spaces

- b) Land uses within the University-1 (U-1) zoning district and as further modified in Exhibit B are permitted.
- c) The University may build and/or occupy a maximum of 100,000 s.f. of building area on the Property.

### 5.2 Timing of Development

- a) Development of individual buildings is anticipated to occur in separate phases through the Term of the agreement.
- b) A Site Development Permit is required for each building.
- c) The following land uses and activities that do not involve the construction or use of a building shall be undertaken in a manner substantially consistent with the terms of this Agreement. and the Town and University shall include a report of all such activities undertaken in the previous year in the Annual Report required by this Agreement:
  - i. Maintenance and improvements to existing utility lines;
  - ii. Stormwater lines and improvements;
  - iii. Stormwater structures;
  - iv. Public utility lines traversing site (Duke Energy, PSNC, UNC, etc.);
  - v. Utility structures without a building (e.g., transformers);
  - vi. Alterations to utility equipment (generator, other mechanical components);
  - vii. Site storage and construction staging areas;
  - viii. Stream restoration projects;
  - ix. Greenways and other trails;
  - x. Public art.

### 5.3 Phasing

- a) First Phase: The Municipal Services Center is anticipated to be the first phase of development as generally illustrated in Exhibit X. Land disturbance shall be limited to the extent possible to allow earthwork where necessary for development of the building and supporting infrastructure in **Exhibit X**. The first phase shall include construction of the Municipal Services Center with ancillary infrastructure serving the building and the following improvements:
  - i. Construction of an internal access road with two points of access on Estes Drive.

- ii. Stormwater Control Measures, as specified in the Stormwater Management Report, to treat stormwater for the entire Project Area.
  - iii. Vegetative planting to provide screening and buffering of the first phase of development, and planting of additional buffer areas that would not be negatively impacted by future phases of construction.
  - iv. Vehicular and bicycle parking to serve the Municipal Services Center.
  - v. Documentation of SEPA compliance (Environmental Assessment and either Finding of No Significant Impact or Environmental Impact Study) is required for the entire plan of development.
- b) Subsequent Phases: Every building constructed after the Municipal Services Center is expected to provide its own screening, infrastructure, utilities, and parking.
- i. Each phase of subsequent development constructed by either the University or the Town shall provide infrastructure associated with building development and vegetative planting to screen the proposed use from residential properties located to the south and east.

#### 5.4 Open Space and Natural Areas

- a) A minimum buffer of 100' along the southern and eastern boundary of the property shall remain undisturbed except for the minimum disturbance required to install a sanitary sewer connection to Hartig Street and walking paths as generally shown on conceptual site plan. The following may be permitted within the buffer area:
- i. Planting of new vegetation on the interior side of the buffer.
  - ii. Walking trails
  - iii. Bollard lighting along trails and associated utilities
  - iv. Forest education or other passive use of the wooded area that does not cause audial, visual, or other nuisance.
- b) A minimum 50' buffer shall be provided surrounding all intermittent streams which may be encroached only to allow road and infrastructure crossings. Encroachments shall be designed and constructed to have the minimum necessary impact on the buffer.

#### 5.4. Stormwater Management

- a) Stormwater management shall be integrated into the site, building, and landscape design, with stormwater management strategies coordinated and applied in a comprehensive manner across the entire Project.
- b) Stormwater Control Measures calculated to treat the maximum impervious surface of the entire Property shall be submitted with the initial Site Development Permit application.
- c) The Exhibit A shows the general location of impervious surfaces in the Development.
- d) Prior to issuance of the first Site Development Permit, the Applicant must submit a Stormwater Management Plan for the Project which clearly identifies the stormwater impacts associated with the proposed new development and clearly documents how those stormwater impacts are proposed to be mitigated by the improvements proposed in the application. Stormwater Management Plans shall clearly demonstrate compliance with the design criteria specified in this Agreement, applicable NPDES permit requirement, and applicable University, Federal and State rules.
- e) Peak Discharge Rate Limits: The post-development stormwater runoff peak discharge rate shall be controlled such that the post-development runoff peak discharge rate at all locations where stormwater runoff exits in the Project (or at other points designated in the conceptual plan), shall not exceed the pre-development (existing conditions), stormwater runoff peak discharge rate for the local 1-year (2.88 inches), 2-year (3.60 inches), and 25-year (6.41 inches), 24-hour duration

storm events. Stormwater management will exceed the 25-year, 24-hour storm event and the exact volume control shall be determined when final engineering is performed. The project aims to provide maximum stormwater volume control using bio-retention basins or similar improvements located within the proposed project area.

- f) 2-Year Volume Control: At each location where the stormwater exits the Project, the difference in the runoff volume generated by 2- year (3.60 inches) frequency, 24-hour duration storm event in the post-development conditions and runoff volume generated by the same storm event in the pre-development conditions shall be managed on-site and released over a period of 2 days to 5 days.
- g) 85% Total Suspended Solids (TSS) Removal: All post-development stormwater runoff resulting from the first one inch of precipitation shall be treated to remove 85% of total suspended solids of all new impervious surfaces resulting from development of the entire Property. Stormwater treatment facilities will be designed according to the North Carolina Department of Environment and Natural Resources (NCDENR) Stormwater Best Management Practices Manual as modified by the Town of Chapel Hill; the Town of Chapel Hill Design Manual, as amended; and any future written design guidance approved by both the Town and NCDENR.
- h) Nutrient Export Limitation per Jordan Watershed Stormwater Management for Development. Nitrogen and Phosphorus exported from the Property shall not exceed 2.2 pounds/acre/year and 0.82 pounds/acre/year respectively, The Jordan Lake new development provisions shall apply under Rule 0.0271 "Stormwater Requirements for State and Federal Entities", including the requirements for offset payments.
- i) Upon completion of each Site Development Permit, the Town shall receive:
  - o The maintenance access must be shown and/or described in the Stormwater Plans. A copy of the Operations and Maintenance Plan, signed by the owner and for the stormwater management facility (ies). The Operations and Maintenance Plan must include a description of the device or structure, an inspections checklist, and operating and maintenance procedures. The plan should identify contact information, who will perform the inspections, frequency of inspections, inspections and maintenance logs, any specific equipment needs or certifications (e.g., confined space certification), action levels or thresholds (e.g., remove sediment after depth exceeds one foot), and disposal methods.
  - o Certified as-built plans, signed and sealed by a North Carolina-registered Professional Land Surveyor, showing building footprints, driveways, all other impervious surfaces, stormwater drainage/conveyance piping, and stormwater management structures. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.
  - o Certification, signed and sealed by a North Carolina-registered Professional Engineer, that the stormwater management facility (ies) was/were constructed in accordance with the approved plans and specifications.
- j) Proposed covered parking/underground parking areas will require oil/water separator in the parking deck to collect the runoff prior to discharge into the sanitary sewer. The top level of parking areas will drain to the proposed stormwater control measures.
- k) The sumps of hydraulic elevators, if proposed, shall be connected to sanitary sewer.
- l) The development shall meet the Jordan Lake Rules in place at the time of approval of the Development Agreement.
- m) That Stormwater runoff from the site shall be reused whenever possible.
- n) Alternative rainwater collection, such as the use of cisterns, shall be encouraged and may count toward calculated stormwater volume storage requirements when the collected rainwater has a year-round use or an off-season drawdown is designed to meet the volume requirements.

## 5.5 Stream Buffers

- a) Development shall be consistent with the Resource Conservation District regulations of the Town applicable as of the date of this Agreement. All activities designated as permitted uses or special uses in Table 3.6.3-2 of the LUMO that are consistent with this Agreement shall be designed in compliance with this Section.
- b) The Town or University may perform and use a stream determination for future development provided that it does not result in a substantial change in the location of buildings and infrastructure shown in Exhibit A.
- c) Development shall comply with Sections 404 and 401 of the Clean Water Act and with the Jordan Buffer Rules. As the landowner of record, the University shall review and provide comments to the Town on all 404, 401 and Buffer Authorization permits prior to their submittal to the applicable regulatory agencies.

#### 5.6 Tree Canopy & Landscaping:

- a) A minimum of 40% tree canopy shall be maintained.
- b) Native plant species shall be preferred in plantings. The applicant shall consult with Town staff, the UNC Botanical garden, and other state resources for appropriate species. In certain cases, such as where screening is essential, non-native, non-invasive species may be selected when the benefits are greater than those provided by strictly native species.
- c) Invasive species shall not be allowed.
- d) The Project shall be planned to support a low maintenance, low water use, low fertilizer use landscape with 'best suited' plant materials.
- e) Landscape Protection plans and Planting Plans for individual Site Development Permit applications shall identify existing and proposed tree canopy mix and percent coverage, and landscape materials. If irrigation is proposed, controls shall utilize smart technology to conserve water.  
Continuous tree protection fencing shall be shown at the limits of disturbance on the demolition and grading plans. Fencing must be installed and inspected prior to any site work or clearing.
- f) A foundation buffer strip, as described in LUMO 5.9.5.c.2, may be provided in variable width.

#### 5.7 Compatibility and Buffers:

- a) Development shall strive to be compatible with existing adjacent development and will be buffered per 5.4. Development near existing neighborhoods shall respect buffers, height limits, lighting, drainage, noise impacts.
- b) A planting mix or density is not prescribed for the southern or eastern buffer. Existing vegetation will be undisturbed but supplemental plantings may be placed adjacent to the buffer to improve screening as practical.
- c) A landscape buffer as described in the Town Design Manual is not required along Estes Drive.
- d) Noise and Lighting impacts will be regulated per Sections 5.17 and 5.18 in this agreement.

#### 5.8 Transportation: General Improvements, Traffic Impact Study, Specific Improvements, Transit, Parking, Streets, Sidewalks, Bikeways, and Greenways

The general location of transportation-related improvements is shown in Exhibit X.

- a) General Provisions:
  - i. Exhibit A provides a plan for vehicle, bicycle, pedestrian, and bus amenities on the site. The exact location of each improvement may vary slightly as demonstrated by each Site Development Permit.

- ii. The internal access road with two accesses on Estes Drive is designed to contain development in the northern portion of the site and be located away from residential properties to the south and east. Final design of the road shall reflect this consideration.
  - iii. The location of bicycle, pedestrian, and bus amenities should be coordinated with the Carolina North Development Agreement (including planning for the campus to campus connector), and Town master plans for bikes and greenways.
- b) Traffic Impact Study:
  - i. The Town's consultant performed a Traffic Impact Study for the first phase of development, the Municipal Services Center. Impacts associated with that building were studied and determined for this agreement. The Traffic Impact Study is provided as Exhibit C.
  - ii. An internal access road with two accesses on Estes Drive shall be constructed with the Municipal Services Center Phase as shown on (Exhibit X).
  - iii. A Traffic Impact Study will be performed for each subsequent Site Development Permit that results in an increase of daily trip generation of greater than 500 trips, or 250 vehicles per day, whichever is less.
  - iv. The applicant for a future Site Development Permit shall pay the cost of a required Transportation Impact Study.
- c) Specific Roadway Improvements:  
Construction of the Municipal Services Center shall include these specific improvements:
  - i. The applicant shall widen Estes Drive Extension to provide exclusive westbound left-turns lanes into the site at the two proposed site driveway intersections. This improvement improves operations for stop-controlled movements at both intersections and improves overall safety by removing the left-turn movements from the through traffic streams along the Estes Drive Extension.
  - ii. The applicant shall coordinate with NCDOT to install a pedestrian crossing across Estes Drive between the Property and the UNC Park & Ride. The pedestrian crossing shall utilize Rectangular Rapid Flash Beacons (RRFB), illumination, or other enhanced features to improve pedestrian safety.
- d) General Coordination for Estes Drive Corridor:
  - i. The Town shall coordinate the Municipal Services Center improvements with future NCDOT, Town, or University-funded projects to widen Estes Drive Extension between the proposed site frontage and the NC 86 (Martin Luther King Jr. Blvd.) intersection to a consistent three-lane cross-section. These improvements shall be compatible with the design of the NCDOT pedestrian and bicycle improvement project along the Estes Drive Extension corridor.
- e) Roadway Improvements for future Site Development Permits:
  - i. Each Site Development Permit will include information about the phasing of the appropriate connections and infrastructure to support occupancy of each building.
  - ii. When Carolina North is developed, the Town shall coordinate with NCDOT to evaluate installation of a pedestrian crossing across Estes Drive at the eastern driveway.
- f) Vehicular Parking:
  - i. A total of 615 parking spaces may be permitted for the entire project.



- ii. A maximum vehicular parking ratio of 3.5 spaces per 1,000 square feet of building area shall be permitted, excluding supplemental parking for police vehicles.
  - iii. Individual Site Development Permit applications shall demonstrate an adequate amount of vehicle parking for the proposed use, including handicapped and visitor spaces.
  - iv. The applicant shall provide the minimum required handicapped parking spaces and design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans with Disabilities Act standards, North Carolina Building Code, American National Standards Institute (ANSI) Code, and Town standard.
  - v. Prior to issuance of a Certificate of Occupancy, the Applicant shall construct the proposed surface parking lot to Town standard for dimensions and pavement design and the Applicant shall construct the proposed parking deck to National Parking Association standards or to another nationally accepted standard that may be approved by the Town Manager.
  - vi. A shared parking model may be provided with each Site Development Permit application.
  - vii. A minimum of 20% of the parking spaces approved under each Site Development Permit shall be built with conduit to allow for future electric vehicle parking.
- g) Bicycle Parking:
  - i. The Town shall comply with LUMO bicycle parking requirements.
  - ii. Bicycle parking will be located in close proximity to open-air building entrances deck to allow riders easy ingress and egress. If sheltered bicycle parking is provided within the parking garage it shall be located near the building entrance.
  - iii. The University will comply with University standards for required amounts, locations, and types of bicycle parking.
  - iv. Prior to the issuance of a Site Development Permit, the Applicant shall provide the Town with an agreed upon bicycle parking plan for the Project that addresses the quantity and locations of bicycle parking for the site.
- h) Transit
  - i. A bus shelter on Estes Drive Extension shall be constructed with the first Site Development Permit. The shelter shall contain solar lighting, and next bus information. A bus pull-off shall not be required.
  - ii. Sidewalks shall connect the bus shelter to the Municipal Services Center.
- i) Transportation Management Plan
  - i. A Transportation Management Plan (TMP) shall be submitted or updated with each Site Development Permit application. Each building is encouraged to have its own TMP Champion. The TMP shall contain the checklist items as of the Effective Date, and an annual report shall be submitted to the Town.
- j) Relationship to Carolina North improvements
  - i. During each Site Development Permit review, the Town will consider whether any improvements have been constructed according to the Carolina North Development Agreement and whether they offset the need for separate improvements on this site. A traffic impact study considering current conditions and expected growth at the time of Site Development Permit application shall be the basis for this evaluation.

k) Greenway:

- i. The applicant shall construct a greenway connection to Hartig Street. The greenway shall be paved with a hard surface to facilitate bicycle access.
- ii. A greenway shall be coordinated with the Carolina North Development Agreement campus to campus connector and constructed along the property frontage and to Hartig Street in general conformance with the location shown on the general site layout plan.
- iii. Site greenways shall be constructed with the first phase of development.
- iv. Site greenways shall be constructed to American with Disabilities Act (ADA) standards, and shall be paved with a hard surface to facilitate bicycle access.
- v. All pedestrian, bicycle, and greenway facilities within the Property shall be designed and constructed to meet Town standards unless otherwise approved by the Town Manager.

l) Sidewalks:

- i. Sidewalks shall be provided within the Project to provide connectivity between buildings, parking lots, the greenway connection, transit stop, and other site amenities.
- ii. Sidewalks shall be six feet in width, and this width may be reduced to preserve or plant adjacent trees.

5.9 Energy:

- a) Town buildings, including The Municipal Services Center, shall achieve LEED Silver certification.
- b) The Applicant will include energy-efficient building practices and sustainable building practices in the design and construction of individual buildings and the Project as a whole.
- c) An Energy Management Plan shall be submitted with each Site Development Permit. The plan shall:
  - i. consider utilizing sustainable energy, currently defined as solar, wind, biofuels, and hydroelectric power;
  - ii. consider purchase of carbon offset credits and green power production through coordination with the NC Green Power program;
  - iii. provide for 20 percent more efficiency that ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project;
  - iv. include on-going energy management practices, and
  - v. require that the property owner reports to the Town of Chapel Hill both the expected energy consumption as part of a model prior to issuance of a Site Development Permit and the actual energy consumption as compared to sealed engineering calculations at the time construction is completed.
- d) Graywater use for reclamation and irrigation is encouraged.
- e) All building roofs shall be designed as to be “solar ready” to accommodate future photovoltaic systems unless use of another green building feature such as a green roof, presents a conflict.
- f) For a Site Development Permit that includes a parking structure, the applicant will explore the feasibility of applications to reduce the heat island and albedo (reflected sunlight) of the parking garage.

5.10 Design Standards

- a) Prior to Town Staff approval of a Site Development Permit, the applicant shall present final building elevations to the Community Design Commission for review and comment.
- b) Final building elevations on University-owned land shall be subject to approval by the University Design Review Committee.
- c) Should the applicant choose to install public art, the application will present the public art to the Public Arts Commission and the appropriate University entity for their review and comment.

#### 5.11 Utilities

- a) A sanitary sewer connection shall be permitted to Hartig Street.
- b) The University may provide utilities to University-owned buildings on the Property.
- c) The Town will be responsible for securing utilities for Town-owned buildings on the Property.

#### 5.12 Design Standards

- a) The final location and design of buildings shall be reviewed by UNC Chapel Hill staff, and subject to the appropriate University review entities required for University-owned land, such as the UNC Development Review Committee, Chancellor's Building and Grounds, and the University Board of Trustees.

#### 5.13 Emergency Services

- a) The Town and University police, fire, and emergency medical service providers will provide services under the generally applicable arrangements for jurisdiction and operations on University-owned property. In general, for University-owned property, the University provides police services, the Town provides fire services, and Orange County provides most emergency medical services. This Agreement shall not be deemed to restrict changes in these jurisdictional arrangements as may from time to time be mutually agreed to by the service providers.
- b) The site plan as shown in Exhibit A includes the location for a future fire station. Review and approval of any additional conditions associated with that future use shall require a major modification of the Development Agreement at the time a station is needed.

#### 5.14 Historic and Cultural Features

- a) An archaeological study was performed and no significant features were found. No further archaeological study is required with Site Development Permit submittals.

#### 5.15 Construction Waste Management

- a) Construction waste shall be managed in accordance with Town standards and with the Orange County Regulated Materials Ordinance.

#### 5.16 Solid Waste Management.

- a) Construction waste shall be managed in accordance with Town standards and with the Orange County Regulated Materials Ordinance.
- b) Each individual Site Development Permit shall provide clear direction on who will provide solid waste service for each building and each building will be designed for private waste collection.
- c) Prior to issuance of a Site Development Permit, the Applicant will provide a Will-Serve letter for private solid waste and recycling collection for the office and the fire station.

#### 5.17 Noise

- a) The Town's Noise Ordinance shall apply to the Development during construction and occupancy of the Property.

- b) Buildings shall be designed to minimize noise impacts on adjacent properties from equipment, infrastructure, vehicles, and daily operations on the Property.
- c) Noise during construction:
  - vi. As provided in Section 4.9, prior to issuance of a Site Development Permit the Applicant shall include a construction management plan that provides the following noise-mitigation information at a minimum:
    - a. Indicate how the project construction will comply with the Town's Noise Ordinance; and
    - b. Provide a phone number for noise notifications during the construction period.
  - vii. The Applicant shall post a sign on-site where the Development is to occur stating that noise issues can be reported by calling the posted phone number.
  - viii. The location of the sign shall be indicated on the Site Development Permit application and the Town will communicate with adjacent property owners about the location.
  - ix. The Applicant will communicate directly with the neighborhood through electronic media, mailings, or face-to-face meeting to provide construction contact information for the duration of the construction of any work associated with a Site Development Permit.
  - x. Complaints regarding compliance with the noise ordinance during construction shall be handled by the Town for Town projects, and by the University for University projects.

#### 5.18 Lighting

- a) The project shall provide sensitive lighting design that does not intrude on adjacent properties.
- b) Each individual Site Development Permit application shall describe all proposed lighting and demonstrate no increase in lighting foot-candle levels at the adjacent property line through submittal of a photometric plan.
- c) Site lighting shall be energy efficient and appropriate for the program requirements and times of use.
- d) All Town lighting standards in effect as of the Effective Date of this Agreement shall apply to the Project, including the Municipal Services Center.
- e) Future buildings shall meet or exceed those same standards.
- f) Site lighting shall be energy efficient and appropriate for the program requirements and times of use.
- g) New lighting within the Development shall comply with the following:
  - i. All lighting, including that used in and around buildings, active recreation areas, parking areas, walkways, roadways, and signs, shall be designed to minimize spillover light onto property adjacent to the Property.
  - ii. All lighting shall be designed to prevent glare that could impair vision and/or otherwise deteriorate normally accepted qualities and uses of property adjacent to the Property.
  - iii. Outdoor lighting shall be mounted at heights no greater than fifteen (15) feet for non-cutoff lights and no greater than thirty-five (35) feet for most cutoff lights.
- h) Photocell or motion sensor, or other energy efficient light fixtures shall be utilized across the site except as counter-indicated for police or emergency services.

#### 5.19 Signs

- a) Signs shall be permitted in accordance with LUMO 5.14.



5.20 Sedimentation:

- a) Erosion and Sediment Control: Construction at the Property shall comply with applicable soil and erosion control regulations of North Carolina Department of Environmental Quality.
- b) The Town shall comply with all applicable University, State, and local soil and erosion control regulations, and shall be responsible for implementing erosion and sedimentation control measures for all land disturbing projects.
- c) The Town agrees to comply with the University's Erosion and Sedimentation Control Permit Application Process for development located on University Property (see attached process chart). As landowner of record, the University must approve of the Erosion and Sedimentation Control Plan prior to its submittal to the State for review.
- d) Discharge of dewatered water from excavated areas will require approval of Stormwater Management Division of the water quality prior to pumping into storm sewer pipes.

5.21 Construction Management Plan:

- a) The Applicant shall provide a Construction Management Plan prior to issuance of a Site Development Permit. The plan shall provide for construction employee parking, construction vehicle access and routes, the location of any construction office, materials staging areas, and hours of work.

5.22 Public Notification

- a) A postcard shall be mailed to residents within 500' to notify surrounding residents of the submittal of a Site Development Permit application.

5.23 Duty to Comply with Regulations and Mitigate Environmental Releases

- a) The Town will immediately clean up any environmental releases on University-owned property that result from the Town's operations.
- b) In event of a clean-up, the Town will comply with all Federal and State regulations for cleanup, environmental investigation and remediation of all chemical releases to the environment.
- c) The Town will be responsible for all costs associated with clean up, investigation and remediation of chemical releases from Town operations.
- d) All clean up, investigative and remediation documentation and site work on University-owned land shall be reviewed by University staff.
- e) The Town shall not place any deed restrictions on the University's property.
- f) The Town shall not store any chemicals (including fuel) in underground storage tanks on the Property.
- g) The Town is responsible for any fines and penalties associated with Town operations on the University's property.

5.24 Fiscal Impact

- a) Prior to submission of a University-initiated Site Development Permit, the two agencies shall draft a mutually acceptable Memorandum of Understanding or similar guidance for the following:
  - i. Joint and/or individual responsibilities for landscape maintenance
  - ii. Joint and/or individual responsibilities for infrastructure maintenance including but not limited to sidewalks, roadways, parking areas, bicycle facilities, and greenways

- iii. A system for tracking costs for future-shared infrastructure (such as parking, roadways and stormwater facilities) so that the cost of full infrastructure for the Project can be shared in a pro-rata manner as each party builds structures and infrastructure on the Property.
- b) Alternately, the above topics may be addressed in a lease document between the Town and the University

5.25 Annual Report

- a) The Applicants shall submit to the Town Manager an Annual Report that includes the information required by this Agreement and that provides all necessary information for the Town Manager to assess their good faith compliance with the terms of this Agreement. This report shall form the basis for the Town Manager's periodic review of the Agreement as required by G.S. 160A-400.27(a). This required report is generally referred to as the "Annual Report."
- b) The initial Annual Report shall be filed on or before [enter date] and shall report on activities from July 1, [YEAR] through June 30, [YEAR]. Subsequent reports shall be filed on or before September 1 each year and shall report on activities in the preceding fiscal year (the preceding reporting period).
  - i. The Annual Report shall include the specified items set forth in this Agreement and listed in this Section. The failure to include in this Section an item expressly required to be included by other Sections of this Agreement shall not relieve the Applicants of the responsibility to include that item in the Annual Report. The report may include such other items as deemed relevant by the Applicant. The Town Manager may also request inclusion of other specific information or provide for its inclusion in the following year's Annual Report if such requested information reasonably relates to Development.



# SITE PLAN

- A** MUNICIPAL SERVICES BUILDING  
72,000 SQ. FT. X 3.5 FLOORS
- B** TOWN FUTURE BUILDING  
28,000 SQ. FT. X 3.5 FLOORS
- C** UNIVERSITY FUTURE BUILDING  
100,000 SQ. FT. X 3.5 FLOORS
- SP** SURFACE PARKING
- TP** TABLE TOP STRUCTURED PARKING
- SCM** STORM WATER CONTROL MEASURE
- STREAM CENTERLINE
- - - 50 FT. STREAM BUFFER





# **Proposed Guiding Principles for the Municipal Services Center Development Agreement DRAFT – 1.18.2018**

Residents of the Elkin Hills neighborhood and other concerned citizens who have participated in meetings about the municipal services center request that the following guiding principles be incorporated into the development agreement for this project. These guiding principles take into consideration prior documents adopted by UNC-related entities.<sup>1</sup>

## **Guiding Principles**

- A. After discussions with residents, the Town and the University, the final agreed-upon principles will be voted on by the Chapel Hill Town Council and incorporated into the development agreement as its guiding principles. These principles will also serve as one of the design drivers for the project.
- B. The Town and the University will continue to consult with and seek feedback from the neighborhood if and when any additional buildings beyond the municipal services center building are under consideration.
- C. Site
  - 1. Preserve in perpetuity at least 50% of the site<sup>2</sup> as natural, non-fragmented and contiguous space<sup>3</sup> serving as both a buffer to the neighboring residential properties, and as preservation of the natural environment for wildlife and a sense of forest and greenspace.
  - 2. Allow a maximum of 50% to be razed for development.
- D. Design with Empathy
  - 1. The impact on neighbors should be kept front and center in all planning and implementation.
  - 2. The project should not decrease the market values of the residential properties adjacent and near-adjacent to the site. The residents request the Town to seek a qualified opinion from an impartial, licensed appraiser.
  - 3. Manage development of the site to minimize impacts on adjacent neighborhood and the environment,<sup>4</sup> using measurable indicators of impact, including both lighting and noise impacts (e.g., sirens used by the fire and police departments) and maximize aesthetics in accordance with the high standards set by the University.
    - a) Situate buildings away from the neighborhood and by preference along Estes Drive Extension with minimum setbacks from the street.
    - b) Extend the 100-foot required buffer to at least 200 feet.
    - c) Give strong preference to higher buildings rather than lower structures that cover more surface area.
    - d) Restrict the use and storage of hazardous materials such as fuels and chemicals.
    - e) Limit the use of fences.
- E. Environmental Leadership
  - 1. Demonstrate a leadership position in environmentally sensitive development regarding air quality, and energy production and consumption.<sup>56</sup>
    - a) Construct buildings to meet high environmental standards, such as the AIA-2030 carbon reduction energy performance standards as recommended to the Town by the Environmental Stewardship Advisory Board (ESAB).<sup>7</sup>
    - b) Give strong preference to a multi-storied parking garage or parking under each building on the site, rather than expanded surface parking.



- c) Construct surface parking which optimizes storm water control including the use of permeable surfaces wherever possible.
    - d) Where technically possible, incorporate green energy options into site design, e.g., solar panels on roofs, solar carports over surface parking areas.
  - 2. Demonstrate a leadership position in environmentally sensitive development regarding landscaping and maintaining natural areas.
    - a) Retain as many mature and medium-height native trees and hardwoods as possible, particularly between the developed area and the buffer for the Elkin Hills neighborhood.<sup>8</sup>
    - b) Use only native plants in new and replacement landscaping for the site (as recommended by UNC's NC Botanical Garden).
- F. Exceed Storm Water Requirements
- 1. Demonstrate a leadership position regarding sustainable water management, waste water treatment and reuse,<sup>9</sup> and creek water quality.
    - a) Exceed storm water management regulations on the site to eliminate or greatly decrease the risk of flooding and damage to property adjacent to and downstream from the site. Ensure that development of the site will result in no net increase in storm water discharge<sup>10</sup> and flooding of the adjacent neighborhoods, and no net increase in loading of sediment and nutrients into local streams.<sup>11</sup>
    - b) Reclaim and re-use rain and storm water (e.g., flushing within buildings, watering of vegetation, etc.).
    - c) Take prudent and reasonable steps, including improvement of stream channels in the Elkin Hills neighborhood and other neighborhoods downstream from the site, to improve management of run-off and to limit impact on Bolin Creek.

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<sup>1</sup> These documents include: A) Carolina North 2007 Plan; B) REPORT OF THE LEADERSHIP ADVISORY COMMITTEE FOR CAROLINA NORTH January 19, 2007; C) UNC response to Horace Williams Citizens Committee report, 25 January 2006, Natural areas/parks and recreational facilities; D) Faculty Council Resolution 2002-6. Urging the University Administration to Commit Itself to Sustainability Measures in its Institutional Policies and Practices. PROPOSED BY THE BUILDINGS AND GROUNDS COMMITTEE (April 4, 2002).

<sup>2</sup> UNC response to Horace Williams Citizens Committee report, 25 January 2006, Natural areas/parks and recreational facilities, Principle 1, p. 5

<sup>3</sup> REPORT OF THE LEADERSHIP ADVISORY COMMITTEE FOR CAROLINA NORTH, January 19, 2007, V. OPEN SPACE, NATURAL AREAS, PARKS AND RECREATION, p. 5

<sup>4</sup> UNC response to Horace Williams Citizens Committee report, 25 January 2006, Development principle 1, p. 4

<sup>5</sup> REPORT OF THE LEADERSHIP ADVISORY COMMITTEE FOR CAROLINA NORTH, January 19, 2007, V. OPEN SPACE, NATURAL AREAS, PARKS AND RECREATION, p. 4

<sup>6</sup> Three zeros environmental initiative; Frequently asked questions; <https://threezeros.unc.edu/faq/>

<sup>7</sup> CAROLINA NORTH PLANNING PROCESS SUMMARY OF KEY INTERESTS BY CATEGORY [FEBRUARY 11, 2009], p. 184

<sup>8</sup> Sustainability at UNC. Grounds. <https://sustainability.unc.edu/initiatives/operations/grounds/>

<sup>9</sup> UNC response to Horace Williams Citizens Committee report, 25 January 2006, Water and Sewer / Stormwater Management / Air Quality Principle 1, p. 5

<sup>10</sup> UNC response to Horace Williams Citizens Committee report, 25 January 2006, Water and Sewer / Stormwater Management / Air Quality Principle, Principle 2, p. 5

<sup>11</sup> REPORT OF THE LEADERSHIP ADVISORY COMMITTEE FOR CAROLINA NORTH, January 19, 2007, Environmental principles, p. 4