

**The Development Agreement contains several different sections (Articles) with distinct purposes as outlined below.**

**Article 1: Statutory Framework**

<b>Topic</b>	<b>Purpose/Questions to be answered</b>	<b>Standards</b>
<b>Statutory Framework</b>	Identify Regulatory Frameworks & Standards the Development Agreement meets.	Applicable State statutes.

**Article 2: Definitions**

<b>Topic</b>	<b>Purpose/Questions to be answered</b>	<b>Standards</b>
<b>Definitions of Terms in the Development Agreement</b>	Do certain terms have specific definitions for the purpose of the Development Agreement?	Definitions (other than LUMO defined terms) to add clarity in Development Agreement.

**Article 3: Recitals**

<b>Topic</b>	<b>Questions to be answered</b>	<b>Standards</b>
<b>Guiding principles</b>	What are the intents behind the project and requirements?	<ul style="list-style-type: none"> <li>• Incorporate guiding principles.</li> <li>• Connect principles with intention, implementation, design process and technical information.</li> </ul>
<b>Description of public hearing process</b>	Describe how the statutory requirements to enter into a Development Agreement have been met.	<ul style="list-style-type: none"> <li>• Lists specific dates, meetings, public hearing, and action.</li> </ul>
<b>Lists benefits to both parties</b>	How is this beneficial to the Town?	Coordination of Town services and training in the future because of co-location within building.
	How is this beneficial to the University?	Predictability in development review process and contextually specific development standards.

<b>Description of review/approval process</b>	What was the process used to create this development agreement?	Lists meetings, events, and process that led to the development agreement standards.
<b>Why parties are entering into agreement?</b>	The benefits are worth the long-term agreement to the Town, community, and the University.	Coordinate the investments of Town and State resources.
	Mutual interests are met.	Plan for efficient opportunities to expand and coordinate over time

**Article 4: Terms**

This section contains the bulk of the standards and metrics. Recognizing the long-term nature of these Agreements, the Development Agreement may point to other standards, set up thresholds or triggers for mitigation measures, or establish a procedure for determining and meeting a standard in the future.

<b>Topic</b>	<b>Questions to be answered</b>	<b>Standards</b>
<b>Term of agreement (time)</b>	How long will the agreement be valid, will it be renewable, and if so, under what conditions?	20 years. Cite statute standards and agreement between Town and University.
<b>Laws in effect</b>	Which local laws will govern the project in the absence of a more specific standard in the development agreement?	LUMO in effect at the time of the agreement.
<b>Development and Schedule for review of individual building</b>	How are individual buildings reviewed for compliance with the Development Agreement?	Identifies process for Site Development Permit (SDP).
<b>Utilities</b>	How will utilities be provided?	<ul style="list-style-type: none"> <li>• Each party to the agreement will be responsible for its own utilities.</li> <li>• Town cannot buy power from the University.</li> </ul>
<b>Construction management plan</b>	What standards will be met for individual buildings?	Identifies the components of a construction management plan and additional permitting processes associated with it.
<b>Amendments and modifications</b>	What if we need to make a change to the standards in the Agreement?	<ul style="list-style-type: none"> <li>• What constitutes a major modification to the agreement?</li> </ul>

		<ul style="list-style-type: none"> <li>• What constitutes a minor modification?</li> <li>• What is the process for requesting or reviewing/approving each?</li> </ul>
<b>Periodic compliance review and enforcement</b>	What are the requirements for ensuring compliance with the Agreement?	<ul style="list-style-type: none"> <li>• Identifies requirements for annual reporting according to the State Statutes.</li> <li>• Identifies public notification processes for the reporting.</li> </ul>

**Article 5: Specific standards and mitigation measures**

Topic	Questions to be answered	Standards	Draft Text
<b>5. Scale of development approved</b>			
5.1	General Location and Use of Buildings	<ul style="list-style-type: none"> <li>• General site layout map</li> <li>• Land area</li> <li>• Total floor area</li> <li>• Building square footage</li> </ul>	<ul style="list-style-type: none"> <li>• The scale of development for the Property shall be consistent with the conceptual site plan.</li> <li>• Permitted Land Uses are listed as an exhibit.</li> <li>• Buildings up to 4 stories in height are permitted</li> <li>• A maximum of 200,000 square feet of gross floor area is permitted for the Project.</li> <li>• Maximum of 100,000 square feet for Town.</li> </ul>
5.2	Timing of development	How long is the development expected to take? (by phase)	<ul style="list-style-type: none"> <li>• Development is anticipated to occur in separate phases through the Term of the agreement.</li> <li>• Each occupied building will apply for an administrative Site Development Permit.</li> <li>• Permits are not required for uses or activities without a building.</li> </ul>
5.3	Phasing of Project(s)	Identifies which buildings and infrastructure components are associated with each anticipated phase.	<ul style="list-style-type: none"> <li>• The first phase of development is anticipated to be the Municipal Services Center. Land disturbance shall be limited to the extent possible to only allow earthwork where necessary for development in the first phase of development and site infrastructure. The first phase shall include construction of the building with ancillary infrastructure serving the building and the following improvements:                             <ul style="list-style-type: none"> <li>• Construction of an internal access road with two points of access on Estes Drive.</li> </ul> </li> </ul>

Development Agreement Outline

Last revised: 5/2/2018

			<ul style="list-style-type: none"> <li>• Stormwater Control Measures, as specified in the Stormwater Management Report, to treat stormwater for the entire Project Area.</li> <li>• Vegetation planting to provide screening and buffering of the first phase of development, and any additional buffer areas that would not be negatively impacted by future phases of construction</li> <li>• Parking to serve the Municipal Services Center.</li> </ul> <ul style="list-style-type: none"> <li>• Each subsequent phase of development shall provide necessary infrastructure to serve the building, and vegetative screening and buffering.</li> </ul>
Environmental			
5.4	Which areas are preserved or left natural?	<ul style="list-style-type: none"> <li>• Identifies areas of the property anticipated to be preserved as open space through the development agreement.</li> <li>• Identifies uses allowed in the open space and natural areas such as paths and infrastructure access.</li> </ul>	<ul style="list-style-type: none"> <li>• 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 pedestrian connection.</li> <li>• A minimum 50’ buffer shall be provided surrounding any intermittent streams and the buffer shall be encroached only to allow road and infrastructure crossings.</li> <li>• A minimum of 40% of the property will be conserved, and the Town will strive to conserve 45% as the final stormwater infrastructure is designed.</li> </ul>
5.5	Stormwater Management	<ul style="list-style-type: none"> <li>• Identifies schedule for building stormwater infrastructure</li> <li>• Lists standards for stormwater treatment</li> <li>• Requires that individual building applications (SDP) demonstrate compliance with overall standards and requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Stormwater Control Measures calculated to treat the maximum impervious surface of the entire Property shall be submitted with the initial Site Development Permit application.</li> <li>• 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.</li> <li>• The Conceptual Site Layout in Exhibit X shall show the general location of impervious surfaces in the Development.</li> <li>• Prior to issuance of a-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</li> </ul>

Development Agreement Outline

Last revised: 5/2/2018

		<ul style="list-style-type: none"> <li>Downstream Improvements</li> </ul>	<p>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.</p> <ul style="list-style-type: none"> <li>The post-development runoff peak discharge rate shall not exceed the discharge rate for the 50-year, 24 hour event.</li> <li>The difference in the runoff volume generated by the pre-development and post-development 2-year, 24-hour storm event shall be managed on-site and released over a period of 2 days to 5 days.</li> <li>Jordan Watershed Nutrient Export Limitation of 2.2 pounds/acre/year for Nitrogen and .82 pounds/acre/year for Phosphorous apply to the property.</li> <li>The Town will investigate opportunities for downstream stormwater improvements.</li> </ul>
5.6	Stream Buffers	<ul style="list-style-type: none"> <li>Resource Conservation District applicability</li> <li>Clean Water Act</li> <li>Jordan Buffer</li> </ul>	<ul style="list-style-type: none"> <li>Resource Conservation District regulations apply.</li> <li>A future Stream Determination may be performed although the location of buildings and infrastructure must remain consistent.</li> <li>Development must apply with Clean Water Act and Jordan Buffer Rules.</li> </ul>
5.7	Tree Canopy & Landscaping	<ul style="list-style-type: none"> <li>Tree Canopy %</li> <li>Types of Plantings</li> <li>Consultation with UNC Botanical Garden</li> </ul>	<ul style="list-style-type: none"> <li>40% tree canopy is required.</li> <li>Native and drought tolerant plant species are preferred.</li> <li>Invasive plants are prohibited.</li> <li>The UNC Botanical Garden shall be consulted.</li> </ul>
5.8	Compatibility & Buffers	<ul style="list-style-type: none"> <li>Required buffers</li> </ul>	<ul style="list-style-type: none"> <li>A 100' buffer is required along the south and east.</li> <li>The buffer should consist of existing vegetation.</li> <li>A prescribed landscape buffer is not required along Estes Drive Extension.</li> </ul>
<b>Transportation</b>			
5.9	General improvements	<ul style="list-style-type: none"> <li>What improvements will be provided?</li> </ul>	<ul style="list-style-type: none"> <li>The general site layout 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 SDP.</li> <li>Two accesses will be provided with the initial SDP.</li> </ul>

	<p>Traffic Impact Study</p>	<ul style="list-style-type: none"> <li>• States that a traffic impact study was performed and when additional studies will be necessary.</li> <li>• Lists specific improvements.</li> </ul>	<ul style="list-style-type: none"> <li>• A Transportation Impact Analysis was performed for the first phase of development, the Municipal Services Center. Impacts associated with that building were studied and determined for this agreement.</li> <li>• An internal access road with two accesses on Estes Drive shall be constructed with the Municipal Services Building. If a different building is constructed first, a new TIA shall be conducted to determine if different impacts and mitigation measures shall be required. TIAs shall be submitted and reviewed by Town staff prior to the issuance of the associated SDP.</li> <li>• A subsequent TIA will be performed for each subsequent SDP that results in an increase of daily trip generation of greater than 500 trips, or 250 vehicles per day, whichever is less.</li> <li>• The cost of a Transportation Impact Analysis shall be borne by the applicant for the future SDP.</li> </ul> <p><u>Specific Improvements:</u></p> <ul style="list-style-type: none"> <li>• Construction of the Municipal Services Center shall include these specific improvements:             <ol style="list-style-type: none"> <li>1) Widen Estes Drive Extension as necessary along the length of site frontage to provide an 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.</li> <li>2) Provide a bus stop and transit amenities to service the proposed Municipal Services Center.</li> </ol> </li> <li>• Coordinate with other NCDOT and 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 should be coordinated with the design of the NCDOT pedestrian and bicycle improvement project along the Estes Drive Extension corridor.</li> <li>• Greenway connection to Hartig Street shall be constructed with the initial SDP.</li> </ul>
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Development Agreement Outline

Last revised: 5/2/2018

			<ul style="list-style-type: none"> <li>• Each Site Development Permit will include information about the phasing of the appropriate connections and infrastructure to support occupancy of each building.</li> </ul>
	Vehicular Parking	Allowed Vehicular Parking, Shared Parking	<ul style="list-style-type: none"> <li>• A total of 615 parking spaces may be permitted for the entire project.</li> <li>• Individual SDP applications shall demonstrate an adequate amount of vehicle parking for the proposed use, including handicapped and visitor spaces.</li> <li>• 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.</li> <li>• 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.</li> <li>• A shared parking model may be provided with each Site Development Permit application.</li> <li>• 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 charging. <ul style="list-style-type: none"> <li>▪ At least 1%, or a minimum of five parking spaces, shall be DC Fast Charge capable.</li> </ul> </li> </ul>
	Bicycle Parking	Bicycle Parking Requirements	<ul style="list-style-type: none"> <li>• The Town shall comply with LUMO bicycle parking requirements for a <i>public use facility</i>, and shall provide a mixture of Class I and Class II bicycle parking per the Engineering Design Manual.</li> <li>• Bicycle parking will be located close to building entrances 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.</li> <li>• The University will comply with University standards for required amounts, locations, and types of bicycle parking.</li> <li>• 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</li> </ul>

Development Agreement Outline

Last revised: 5/2/2018

			addresses the quantity and locations of bicycle parking for the site.
	Transportation Management Plan	Submittal, monitoring of a TMP	<ul style="list-style-type: none"> <li>A Transportation Management Plan (TMP) shall be submitted or updated with each Town or University SDP application. Each Town or University 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.</li> </ul>
	Relationship to Carolina North improvements	Links general improvement triggers and thresholds to Carolina North thresholds and improvements	<ul style="list-style-type: none"> <li>During each SDP review, the Town will consider whether any improvements have been constructed according to the Carolina North DA and whether they offset the need for separate improvements on this site. A TIA considering current conditions and expected growth at the time of SDP application shall be the basis for this evaluation.</li> </ul>
	Greenway	Lists greenway requirements	<ul style="list-style-type: none"> <li>A 10' multimodal greenway connection shall be constructed to Hartig Street</li> <li>The greenway shall meet Americans with Disabilities Act (ADA) standards.</li> <li>Site greenways shall be constructed with the first phase of development.</li> </ul>
	Sidewalk		<ul style="list-style-type: none"> <li>Sidewalks shall be provided to offer connections within the development.</li> <li>Sidewalks shall be 6', although the width may be reduced to 5' to preserve or plant adjacent trees.</li> </ul>
<b>Energy &amp; Design Standards</b>			
5.10	LEED	<ul style="list-style-type: none"> <li>LEED Certification Level</li> </ul>	<ul style="list-style-type: none"> <li>Town buildings, including The Municipal Services Center, shall achieve LEED Silver certification, at a minimum.</li> </ul>
	Energy Related Standards	<ul style="list-style-type: none"> <li>Submittal &amp; Documentation Requirements</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>An Energy Management Plan shall be submitted with each Site Development Permit.</li> <li>The goals of the Environmental Stewardship Advisory Board Development Review (provided as Exhibit X) shall be considered with each Site Development Permit application.</li> <li>Graywater use for reclamation and irrigation is encouraged.</li> <li>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</li> </ul>



Development Agreement Outline

Last revised: 5/2/2018

			<p>a green roof, presents a conflict.</p> <ul style="list-style-type: none"> <li>For a Site Development Permit that includes a parking structure, the applicant will explore the feasibility of applications to reduce the heat island and increase albedo (reflected sunlight) of the parking garage.</li> </ul>
5.11	Design Standards	<ul style="list-style-type: none"> <li>How is “payment” made?</li> <li>How is maintenance addressed?</li> </ul>	<ul style="list-style-type: none"> <li>The Town shall maintain the property as long as it is the sole user on the property.</li> <li>Establish cost-sharing structure once the site is occupied.</li> <li>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.</li> <li>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 Design Review Committee, Chancellor’s Building and Grounds, and the University Board of Trustees.</li> <li>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.</li> </ul>
Utilities			
5.12	Utility Provisions	Planned Utility Connections	<ul style="list-style-type: none"> <li>A sanitary sewer connection shall be permitted to Hartig Street.</li> <li>The University may provide utilities to University-owned buildings on the Property.</li> <li>The Town will be responsible for securing utilities for Town-owned buildings on the Property.</li> </ul>
5.13	Emergency Services	Emergency Access & Services	<ul style="list-style-type: none"> <li>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</li> </ul>

*Note: this draft document is under review by Town and University staff and is subject to further refinement.*

Development Agreement Outline

Last revised: 5/2/2018

			the service providers.
	Future Fire Station	Process for review and approval	<ul style="list-style-type: none"> <li>The Site Plan includes a future fire station. Review and approval of any additional conditions associated with that future use shall go through a public modification of the Development Agreement at the time a station is needed.</li> </ul>
<b>Historic and Cultural Features</b>			
5.14	Do Historic and Cultural Features exist?	Required element by state statute.	<ul style="list-style-type: none"> <li>An archaeological study was performed and no significant features found.</li> </ul>
<b>Construction Waste Management</b>			
5.15	How will construction waste be managed?	Administered by Orange County and Chapel Hill.	<ul style="list-style-type: none"> <li>Must meet Orange County and Chapel Hill</li> </ul>
<b>Solid Waste Management</b>			
5.16	How will solid waste be managed?	Administered by Orange County and Chapel Hill.	<ul style="list-style-type: none"> <li>Construction waste shall be managed in accordance with Town standards and with the Orange County Regulated Materials Ordinance.</li> <li>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.</li> <li>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.</li> </ul>
<b>Noise</b>			
5.17	What are the standards protecting streams?	<ul style="list-style-type: none"> <li>How will noise impacts be managed?</li> </ul>	<ul style="list-style-type: none"> <li>The Town’s Noise Ordinance shall apply to the Development during construction and occupancy of the Property.</li> <li>Buildings shall be designed to minimize noise impacts on adjacent properties from equipment, infrastructure, vehicles, and daily operations on the Property.</li> <li>Appropriate protocols will be set during construction, including signs shall be posted with contact information during construction.</li> <li>The Applicant will communicate directly with the neighborhood through electronic media, mailings, or face-to-face meeting to provide construction</li> </ul>

			<p>contact information for the duration of the construction of any work associated with a Site Development Permit.</p> <ul style="list-style-type: none"> <li>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.</li> </ul>
<b>Lighting</b>			
5.18	How will lighting be managed?	<ul style="list-style-type: none"> <li>Set standards for measuring light impacts.</li> <li>Set requirements for types of fixtures or infrastructure requirements.</li> </ul>	<ul style="list-style-type: none"> <li>The project shall provide sensitive lighting design that does not intrude on adjacent properties.</li> <li>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.</li> <li>Site lighting shall be energy efficient and appropriate for the program requirements and times of use.</li> <li>All Town lighting standards in effect as of the Effective Date of this Agreement shall apply to the Project, including the Municipal Services Center. Future buildings shall meet or exceed those same standards.</li> <li>Site lighting shall be energy efficient and appropriate for the program requirements and times of use.</li> <li>New lighting within the Development shall comply with the following:</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>Photocell or motion sensor-activated, or other energy efficient light fixtures shall be utilized across the site except as counter-indicated for police or emergency services.</li> <li>Light Emitting Diode (LED) bulbs are preferred for both interior and exterior lighting.</li> </ul>

Development Agreement Outline

Last revised: 5/2/2018

Signs			
5.19	Signage	<ul style="list-style-type: none"> <li>Establish sign regulations.</li> </ul>	Signs shall be permitted in accordance with LUMO 5.14.
	What will be protected, removed, or planted on the project?	<ul style="list-style-type: none"> <li>Identify permitted/unallowable species for plantings.</li> <li>Set any specific standards or requirements for plantings, maintenance, and location of plantings.</li> </ul>	<ul style="list-style-type: none"> <li>Non-invasive plant species shall be used in plantings.</li> <li>The developed area shall be planned to support a low maintenance, low water use, low fertilizer use landscape with 'best suited' plant materials.</li> <li>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. Irrigation is proposed, controls shall utilize smart technology to conserve water.</li> <li>Continuous tree protection fencing 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.</li> </ul>
Sedimentation			
5.20	What are the sedimentation control standards?	<ul style="list-style-type: none"> <li>What are the metrics?</li> <li>Who approves and monitors erosion control measures?</li> </ul>	<ul style="list-style-type: none"> <li>Erosion and Sediment Control: Construction at the Property shall comply with applicable soil and erosion control regulations of North Carolina Department of Environmental Quality.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul>
Construction Management Plan			
5.21	What's required during construction?	<ul style="list-style-type: none"> <li>Who reviews a plan?</li> </ul>	<ul style="list-style-type: none"> <li>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</li> </ul>

Development Agreement Outline

Last revised: 5/2/2018

			<p>office, materials staging areas, and hours of work.</p> <ul style="list-style-type: none"> <li>The Applicant shall provide a Traffic Control Plan prior to issuance of a Site Development Permit. The plan shall include, at a minimum, detour and signage for pedestrian, bicycle, and vehicular traffic during construction.</li> </ul>
Public Notification & Participation			
5.22	How will the public be engaged in the future?	<ul style="list-style-type: none"> <li>Required notifications</li> <li>Public engagement structure</li> </ul>	<ul style="list-style-type: none"> <li>Prior to submittal of the first Site Development Permit, the Town shall contact adjacent residents to form a committee consisting of residents and Town staff to allow dialogue before and during construction efforts.</li> <li>The applicant shall conduct a meeting with opportunity for citizen participation and attendance by a Town staff representative; for the purpose of discussing possible design features of new facilities prior to submission of each individual site development permit application. The University shall distribute notice of the meeting to all property owners within 1,000 feet of the Property.</li> <li>This notice shall specify the date, time, location and purpose of the meeting. This notice shall be mailed or otherwise distributed no later than two weeks prior to the meeting. Minutes of the meeting and the meeting attendance list shall be made publicly available before presentation of individual site development permit applications to the Town for approval. The process shall establish appropriate standards at borders of the development to minimize impacts on adjacent property. These standards shall address: (1) screening mechanical equipment; (2) exterior lighting; (3) height limits; and (4) landscaping.</li> <li>Town and University staff shall be identified to serve as a liaison to interested residents before and during construction efforts.</li> </ul>
Duty to Comply with Regulations and Mitigate Environmental Releases			
5.23	Responsibility to Mitigate Environmental Releases	<ul style="list-style-type: none"> <li>What regulations exist on a state-owned property?</li> </ul>	<ul style="list-style-type: none"> <li>The Town will immediately clean up any environmental releases on University-owned property that result from the Town's operations.</li> <li>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.</li> <li>The Town will be responsible for all costs associated with clean up, investigation and remediation of chemical releases from Town operations.</li> </ul>

			<ul style="list-style-type: none"> <li>• All clean up, investigative and remediation documentation and site work on University-owned land shall be reviewed by University staff.</li> <li>• The Town shall not place any deed restrictions on the University’s property.</li> <li>• The Town shall not store any chemicals (including fuel) in underground storage tanks on the Property.</li> <li>• The Town is responsible for any fines and penalties associated with Town operations on the University’s property.</li> </ul>
<b>Fiscal Impact</b>			
5.24	Establishes procedures for cost-sharing.	<ul style="list-style-type: none"> <li>• Who will be responsible for property maintenance?</li> <li>• How will shared infrastructure be paid for?</li> <li>• What is shared infrastructure?</li> </ul>	<ul style="list-style-type: none"> <li>• 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: <ul style="list-style-type: none"> <li>• Joint and/or individual responsibilities for landscape maintenance</li> <li>• Joint and/or individual responsibilities for infrastructure maintenance including but not limited to sidewalks, roadways, stormwater management facilities, parking areas, bicycle facilities, and greenways.</li> </ul> </li> <li>• 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.</li> <li>• Shared infrastructure shall include the following: <ul style="list-style-type: none"> <li>○ all stormwater management facilities</li> <li>○ the drive aisle that serves each of the buildings</li> <li>○ sidewalks along the drive aisle that serves each of the buildings</li> <li>○ greenway</li> <li>○ sanitary sewer connection to Hartig</li> <li>○ transit shelter</li> <li>○ cost of Estes Drive Extension improvements</li> </ul> </li> <li>• The costs for each of the above improvements shall be itemized and documented by the Town following the first Site Development Permit.</li> <li>• Alternately, the above topics may be addressed in a lease document between the Town and the University.</li> <li>• The Town of Chapel Hill shall be responsible for property and infrastructure maintenance while it is the sole user of the site.</li> </ul>

Annual Report			
5.25	An Annual Report is required by General Statute	<ul style="list-style-type: none"> <li>• Demonstrate compliance with required reporting.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.”</li> <li>• 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).                         <ul style="list-style-type: none"> <li>▪ 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.</li> </ul> </li> </ul>