



# TOWN OF CHAPEL HILL

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

## Legislation Details (With Text)

**File #:** [23-0361]      **Version:** 1      **Name:**

**Type:** Discussion Item      **Status:** Passed

**File created:** 4/5/2023      **In control:** Town Council

**On agenda:** 4/26/2023      **Final action:** 4/26/2023

**Title:** Consider Moriah Ridge, LLC's Request for the Town of Chapel Hill to Collaborate with the City of Durham to Amend Existing Consent Judgment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution A, 2. Draft Staff Presentation, 3. Summary of Petitioner Request, 4. Applicant's Presentation to Chapel Hill Council 4-26-23 (Moriah Ridge; Petition to Amend Consent Judgment), 5. Exhibit A, Petition from Applicant, 6. Exhibit B, Map of Area, 7. Exhibit C, Concept Plan, 8. Exhibit D, Letter from OWASA dated March 25, 2022, 9. Exhibit E, 1986 Consent Judgment, 10. Exhibit F, 1994 Modified Consent Judgement, 11. Staff Presentation, 12. Applicant Presentation, 13. Council Questions with Staff Response, 14. ESG-Report-2021, 15. A RESOLUTION DIRECTING THE TOWN MANAGER AND/OR TOWN ATTORNEY TO COLLABORATE WITH THE CITY OF DURHAM TO AMEND EXISTING CONSENT JUDGMENT (2023-04-26/R-8).

Date	Ver.	Action By	Action	Result
4/26/2023	1	Town Council	adopted	Pass

### Consider Moriah Ridge, LLC's Request for the Town of Chapel Hill to Collaborate with the City of Durham to Amend Existing Consent Judgment.

**Staff:**

Britany Waddell, Director  
Judy Johnson, Assistant Director

**Department:**

Planning

**Overview:** Moriah Ridge, LLC is requesting that the Town of Chapel Hill collaborate with the City of Durham to amend the Consent Judgment between the two municipalities. The applicant is requesting annexation by the City of Durham so the project could be served by water and sewer.

☆ **Recommendation(s):**

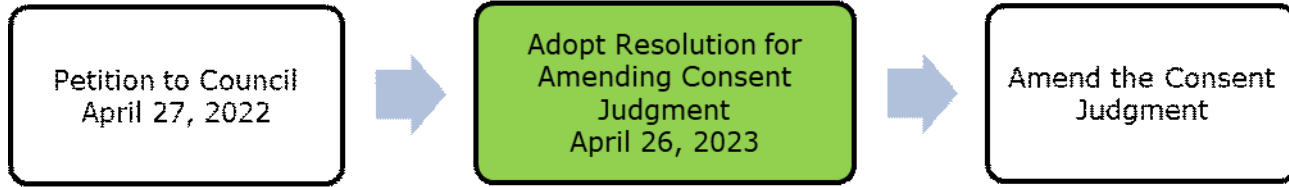
That the Council adopt a resolution directing the Manager and Town Attorney to collaborate with the City of Durham to revise the Consent Judgment.

**Decision Points:**

- The properties owned by Moriah Ridge, LLC are located within Chapel Hill's jurisdiction, within Orange County.
- The existing Consent Judgment limits the power of Chapel Hill to annex property located in Durham County and limits the power of Durham to annex property located in Orange County.
- The Consent Judgment would need to be amended to allow the annexation of the properties by the City of Durham.
- The property is located outside of the Water and Sewer Management Planning and Boundary Agreement (WASMPBA) and utility service from OWASA is not available.

**Fiscal Impact/Resources:** The applicant indicates utilities will be extended to adjacent Town-owned property. The applicant has committed to donating a portion of an adjacent parcel providing access to the Town-owned parcel to Erwin Road.

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



**Attachments:**

1. Resolution
2. Draft Staff Presentation
3. Summary of Petitioner Request
4. Applicant's Presentation
5. Exhibit A, Petition from Applicant
6. Exhibit B, Map of Area
7. Exhibit C, Concept Plan
8. Exhibit D, Letter from OWASA dated March 25, 2022
9. Exhibit E, 1986 Consent Judgment
10. Exhibit F, 1994 Modified Consent Judgment

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

PRESENTER: Judy Johnson, Assistant Planning Director

RECOMMENDATION: That the Council adopt the Resolution directing the Manager and Town Attorney to collaborate with the City of Durham to amend the Consent Judgment between the two municipalities.