

Report to Residents: Key points in the Carolina North Development Agreement

Prepared by Neighbors for Responsible Growth, August 2009

This report summarizes selected provisions in the Carolina North Development Agreement, approved by the Chapel Hill Town Council on June 22, 2009. It focuses on issues important to residents living in close proximity to either Carolina North or to the transportation routes that will serve it. During the ten months prior to final approval of the Agreement, Neighbors for Responsible Growth (NRG) worked with citizens, University officials, Town Council members and staff to craft language that would address the interests of all stakeholders.

The Town and the University decided to take a long-term contractual approach to the development of Carolina North, rather than going through the standard building-by-building permitting process for large developments. Pursuing a Development Agreement offered both parties certain advantages. The Town benefits from UNC's long-term commitment to help fund transit and other public infrastructure, its adoption of environmental safeguards and a compact footprint on the Horace Williams tract. For UNC, the Agreement brings increased flexibility to respond to changing conditions on the ground during the first twenty years of this large-scale development.

The final Development Agreement can be accessed online at:
<http://townofchapelhill.org/index.aspx?page=1232>

Note: Numbers in brackets in this report refer to specific Articles in the Carolina North Development Agreement.

Transportation

No issue will impact northern Chapel Hill and Carrboro more than the expansion of the transportation system that will be required to move people to and from Carolina North. The language in the Development Agreement on transportation planning has strengths and weaknesses [5.8]. Both parties recognize the important roles that public transit (e.g., buses), bike and pedestrian paths and caps on the number of parking spaces at Carolina North will play in limiting the number of new cars on local roads. The primary shortcoming is that negotiation of many of the targets and improvements identified in the Agreement is put off until unspecified future dates. Unfortunately, serious consideration of many of the transportation planning issues did not take place until the end of the Development Agreement process. For this reason, in part, traffic mitigation should remain a serious concern for area residents.

- **Infrastructure first.** NRG worked to include a provision that requires that transportation improvements necessary to maintain acceptable levels of service for our roads be in place *before* new buildings can be occupied. [5.8.14f]

- **Parking.** Parking at Carolina North for the first 800K square feet of development will mirror the ratio of parking spaces per person on the main UNC campus, which means as many as 1,525 new parking spaces will be allowed [5.8.7]. Parking ratios for subsequent phases of development under this Agreement will be negotiated later.
- **TIA updates.** Many assumptions for transportation planning are based on the results of the Transportation Impact Analysis study [TIA]. After the TIA is updated this fall, the next update will occur no later than 2015. A schedule for updating TIAs after 2015 must be determined at a later date. NRG lobbied for a more frequent update interval.

Greenways. The Agreement recommends a new Town/University partnership for planning and funding bicycle, pedestrian and greenway improvements [5.16.1]. It also requires that a recommended plan for an off-road bike path linking Carolina North and the main campus be included in the first Annual Report [5.16.2]. Several specific improvements are called for, although NRG was disappointed that the timeframe for putting them into place was spread out over such a long period of time [5.16.9]. The University has publicly indicated that it is willing to consider a more ambitious schedule for implementing important bicycle/pedestrian facilities Council-Trustees Work Session 6.16.09: <http://townofchapelhill.org/index.aspx?page=901>).

Neighborhood safeguards.

Residents living in close proximity to Carolina North expressed concern about a number of important issues during the planning process. Key issues include:

- **Traffic calming.** The following roads have been identified as candidates for traffic calming measures: Piney Mountain Road, Hillsborough Street, Seawell School Road, North Elliott/Curtis/Caswell Roads, Northwoods Road, North Lakeshore Drive, Barclay Road, and Airport Drive [5.8.15]. No traffic calming measures will be implemented without prior input from area residents. Implementation may be complicated for roads that are owned and maintained by the NC Department of Transportation.
- **Parking on neighborhood streets.** This issue is not addressed directly in the Development Agreement, but the Town already has a process in place that provides neighborhoods with the option to either adopt a parking permit program, prohibit parking during certain hours of the day, or some combination of the two. For more information, contact the Town of Chapel Hill Traffic Engineering Program: <http://townofchapelhill.org/index.aspx?page=423>
- **Noise impacts** [5.24]. The Carolina North development will adhere to the Town of Chapel Hill's existing noise ordinance. The ordinance contains exemptions (Sec. 11-40 of the ordinance) that allow for construction as late as 9pm on weekdays and weekends. Neighborhood impacts will need to be monitored and reconsidered as part of each site development permit application [Exhibit J.11].

- **Light impacts** [5.25]. Lighting design for Carolina North will be based on a “dark skies” approach that minimizes glare, the height of light mounts, and spillover onto properties adjacent to the Carolina North property.
- **Perimeter design improvements** [5.23]. For construction along the borders of the Carolina North property, the University will have to notify all property owners within 1000 feet and conduct public meetings to discuss the potential impacts.

Public Participation and Notification

Public participation and notification will be critical to ensuring that the impacts of Carolina North on citizens and neighborhoods are minimized and effectively mitigated, especially since so many important decisions are put off until later dates. NRG stressed the importance of public participation throughout the process and recommended a resolution during public hearings in the spring.

- **Public participation plan.** On the same night that it approved the Carolina North Development Agreement the Town Council also passed a resolution that requires the Town Manager to put together a comprehensive proposed plan on public participation to be submitted to the Town Council in January of 2010 (Resolution 13 http://townhall.townofchapelhill.org/agendas/2009/06/22/8/2009-06-22_r13.pdf).
- **Regular reviews.** The Agreement calls for periodic assessments of the effectiveness of the Agreement that include broad public participation [4.16]. The first assessment must be completed within three years.
- NRG pressed for the need for public participation in other areas of the Agreement as well, including Sections 5.8.12, 5.23.3, 5.27.5.

Other Issues of Interest to Citizens

Although Neighbors for Responsible Growth identified transportation planning and neighborhood safeguards as the areas most in need of citizen input, there are other important issues covered in the Agreement that will impact our communities. The Town of Chapel Hill and UNC attained agreement on several issues of importance to the community, such as preservation of open space, storm water management and sedimentation controls.

Work began on open space preservation back in 2004 when the Horace Williams Citizens’ Committee identified this need to the Council. Final Council negotiations with the UNC Board of Trustees brought significant University commitments to a compact footprint for the new campus, as well as protection for sensitive natural areas to be preserved in perpetuity and other land to be protected for a period of years [5.5.1].

We encourage citizens to familiarize themselves with the Development Agreement, as it is a document we will be referencing regularly during the next twenty years.

Next Steps?

It is uncertain when the University will begin breaking ground at Carolina North given economic conditions. The first building was slated to be the Innovation Center, although the economic downturn has set the original schedule back.

Of the items mentioned in this report, Neighbors for Responsible Growth will be focusing its efforts this fall on the update of the Transportation Impact Analysis in December and the public participation plan that the Town Manager will submit to the Town Council in January. We look forward to working with the Town and the University on implementation of many of the items in the Development Agreement.

NRG would like thank the hundreds of citizens who actively participated during the process leading up to approval of the Development Agreement.

If you have any questions, please contact NRG at info@nrg-nc.net .