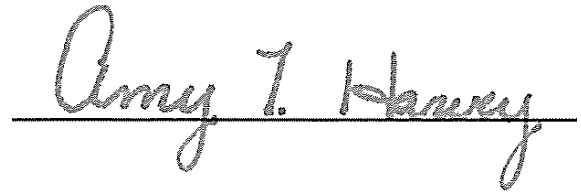


**I, Amy T. Harvey, Acting Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2014-01-13/R-5) adopted as amended by the Chapel Hill Town Council on January 13, 2014.**

**This the 22nd day of January, 2014.**

A handwritten signature in cursive script, reading "Amy T. Harvey", is written over a horizontal line.

**Amy T. Harvey  
Acting Town Clerk**



**A RESOLUTION AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO ENTER INTO PHASE 2 OF THE ESTABLISHED DEVELOPMENT AGREEMENT PROCESS WITH OBEY CREEK VENTURES, LLC FOR THE OBEY CREEK SITE (2014-01-13/R-5)**

WHEREAS, a Development Agreement has been identified as a regulatory tool between the Town and developers to guide future development; and

WHEREAS, on November 5, 2012, the Council authorized the Town Manager and Town Attorney to develop a process for initiating Development Agreement negotiations for future projects; and

WHEREAS, on March 18, 2013, the Council authorized the Town Manager and Town Attorney to use the “Steps in a Development Agreement Process” as a guide to evaluate future projects that may seek a development agreement in Chapel Hill; and

WHEREAS, on April 29, 2013 the Town entered into an agreement with Obey Creek Ventures, LLC, commencing Phase 1 of the Development Agreement process; and

WHEREAS, on May 29, 2013, Council adopted a Resolution establishing the Obey Creek Compass Committee and its charge; and

WHEREAS, the Compass Committee held 22 meetings, including 2 Public Forums and a special topic session on “placemaking,” and several subcommittee meetings from July through December 2013; and

WHEREAS, the Development Agreement Technical Team gathered input and information from the public, Compass Committee, Town staff and the developers and drafted a report identifying issues for discussion and/or negotiation during the Obey Creek Development Agreement process; and

WHEREAS, the Compass Committee unanimously approved a report recommending the scope and direction of work assigned to the Technical Team be expanded to evaluate Obey Creek within the context of existing development; and

WHEREAS, the Council has received and considered that report and has determined that it is appropriate to proceed to Phase 2 of the process for the consideration of a Development Agreement for the Obey Creek site.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council accepts the Obey Creek Compass Committee Report.

BE IT FURTHER RESOLVED that the Council authorizes the Town Manager and Town Attorney to enter into Phase 2 of the established Development Agreement process with Obey Creek Ventures, LLC for the development of the Obey Creek site after the Technical Team's contracts have been amended to include nearby existing development, approved developments and nearby town-owned parcels on the west side of South 15-501.

This the 13<sup>th</sup> day of January, 2014.

NOTE: Through a separate motion

Mayor pro tem Greene moved seconded by Council Member Storrow to revise the terminology of the Obey Creek Development Agreement Process to consist of a

- Phase 1: as is;
- Phase 2: consisting of technical meetings, comprehensive review and revision, and a Council vote to consider whether to adopt the new plan and whether to enter into formal negotiations (dividing the flow chart as presented to the Council on January 13);
- Phase 3: consisting of Council Negotiation; and
- Final Phase: Decision Point.