

To view a complete listing of all questions/comment received at the various Carolina North meetings, please visit [Summary of Key Interests - Carolina North Planning Process](#) (pdf) or [Summary of Key Interests - Carolina North Planning Process](#) (MS Word).

**Summary of Key Interests  
Council-Trustees Work Session  
April 22, 2009**

The following questions/comments were raised during the Chapel Hill Town Council/UNC-Chapel Hill Board of Trustees Joint Work Session that was held on Wednesday, April 22, 2009:

Interests Raised by Council Members

- Respectfully request that all agenda items be received at least 24 hours prior to a meeting. Is disconcerting to come to a meeting with University representatives and not have had the information for at least 24 hours before the meeting. If there are any changes/updates that need to occur after the agenda has been sent out, then they should be provided in paper form.
- Does not appear that the proposed stormwater cost-sharing proposal would provide funds to cover capital projects. Recommend that there should be a fund that the University would pay into that can be used for capital projects as needed – capital projects that would often have benefit for the University. So, seems that there should be a payment above and beyond the year-in and year-out costs to cover additional community needs and off-site impacts related to Carolina North.
- Interest in decoupling stormwater funding from Carolina North. We have over 200 years of no stream protection and stormwater management with the development and use of the main UNC campus, and the proposed stormwater utility approach does not really provide any means to resolve this problem. Would like to see progress made on assembling some collection of funds to address our stream corridors that are highly impaired and will not otherwise be addressed under the current proposal.
- Thought that the Council's original inclination was to allow no land uses (structure or not) outside of the proposed 250 acres of developed areas.
- Regarding Preservation of Open Space and Natural Areas, support for Map C as a desirable middle ground between the Town's and University's original positions.
- Map C appears to leave approximately 355 acres in the intermediate "Limited Development Area." Will athletic facilities, gazebos, incidental parking areas be permitted in this area, or will it not be used at all? How much disturbance could occur? What if the University pursues water reuse?
- Regarding the preservation of open space, the Council needs to better understand the fine print and what may or may not occur in the conservation easement areas. Needs to be more clear regarding who the holds the easement and oversees these areas. Also, you have to provide funding for maintaining conservation easements - what would be the source of funding for this area?
- Concern that 100 years of protection does not offer any guarantee of protection after 100 years has elapsed. This is only the equivalent of the growth of two consecutive stands of pine trees, at

which point the University may have fully built out the proposed 250-acre development area and be ready to begin developing the "Limited Development Area."

- Although there are regulations in place to protect wetlands, there are not regulations in place that protect upland forest areas that include a whole host of different animals and organisms. This is a chance to protect both areas where there are right next to each other.
- Strange polygon shapes look hard to identify and preserve on the ground. Recommend further research and discussion regarding the location of these preservation boundaries and how they will be protected from disturbance.
- Concerned about some of the items in G.5.2.e that involve land disturbance which are being suggested as being allowed in the Limited Development Area without Town review. Specifically, (1) even internal roads are important and should be reviewed at some level by the Town, (2) athletic facilities can involve a significant amount of land disturbance and grading, so these types of uses should be subject to Town review, and (3) incidental parking areas.
- While it may be deemed acceptable to put parking outside of the 250-acre development area, it should count against the agreed-upon parking ratio for Carolina North.
- Concern about uses that might occur outside of the development agreement, including athletic facilities without buildings. There are significant concerns regarding grading and stormwater impacts. There needs to be some way to weigh these concerns and determine whether or not they apply to a proposed use prior to actually implementing that respective use. There are many examples where development has occurred that does not involve buildings, but has the same development impacts as developments with buildings. Need to develop some language regarding such uses that avoids unintended consequences.
- Need to also clearly define what a building is. Is a gazebo a building? Does it make a difference if it is screened in versus glass? Should not simply be determined based on whether or not it has an HVAC unit. The definition needs to be fine-tuned and should better reflect the nature of the construction associated with creating the structure.
- The suggested polygons illustrated on Map G-1C seem a bit abstract. Let's do an analysis of the rest of the Carolina North property, come up with valid articulate reasons as to why parts of it need to be preserved, and then make a case from a position of strength and move forward with protecting worthy portions of the property. Need to understand these metrics and confirm whether or not the areas identified within the polygons illustrated on Map G-1C are the best areas to be preserving. Conversely, would like to be able to point to areas outside of these polygons and be able to use these independent metrics to explain why this area is not worthy of preservation and is appropriate for development. If this information already exists and this type of analysis has already been completed, then it needs to be shared with the Council and Advisory Boards in a manner so that it is available for quick reference in order to support the decisions that the Town is getting ready to make.
- Foundation studies need to be readily available as we move forward with this process, so that Council members and Advisory Board members can quickly confirm details as needed.
- Need more time to absorb the details included in the most recent version of the development agreement (version 4-22-09).

- Concern about the specific uses (street crossings, etc.) that will be allowed in the proposed conservation easement.
- 50 years is a long time. Don't have to view this as 50 years and it is gone; rather, you have 50 years to work on making it permanent. The Council has bought a lot of time for a significant portion of this land, and has procured an easement to permanently preserve a large amount of this land.
- It is not appropriate for the Council to be content with only 100 years of preservation. The value of the trees and associated ecosystems will only escalate over time.
- Need to put our trust in those who come after this Council and these University representatives, and have faith that they will make good decisions in the future. Nothing is permanent.
- Regarding transportation-related improvements, the conditions in the development agreement will effectively take the place of the conditions associated with the Special Use Permit for the Innovation Center.
- What is a 'Short Range Transit Plan?' Is this term defined in the development agreement?
- Does the staff expect the Traffic Impact Analysis to actually name specific neighborhood streets where traffic calming efforts are needed, and if so, will this information be included in the development agreement?
- What was the approach regarding parking for the Innovation Center?
- What is the Traffic Impact Analysis including now for parking ratios in order to do calculations? Who will determine parking ratios for future analyses?
- How will the parking ratios vary over time as public transit gets more established and becomes more robust? Seems that the parking ratios should go down in the future as development begins to depend more heavily on transit.
- How many parking spaces are envisioned for the first 800,000 square feet of floor area?
- So, the idea is when the University gets to 800,000 square feet of floor area, the two parties will revisit where things stand and discuss transit issues and what needs to be funded?
- Regarding the list of six items in Section G.8.11, in item #1 concerned that the term "department" may not be the best term to properly encompass all desired parties. Also, concerned that in item #6 the mode split survey should probably engage residents as well as employees.
- Language regarding fiscal impact and the University's ability to negotiate its way along on an annual basis seems vague. Have a fiscal impact analysis now that shows a projected loss that is largely due to a fire station. How does the University suddenly come up with \$3 million when it is time to build the new fire station?
- Fire protection is currently a responsibility of the State of North Carolina, not the University. How does this play out? Similarly, Chapel Hill Transit gets a lot of its money from the State and Federal Government. As we do these plans, we need to maximize opportunities to obtain Federal and State money. The University should not be expected to pay for things that the State and the Federal government will pay for.

- What if the Town decides that it is experiencing more and/or additional incidental costs that were not projected or anticipated?
- The form and timing of payments is almost as important as the amount of money. Grant money and Federal funding often follow after the need has been created, rather than before. Clearly the Town cannot pay employees with an indirect benefit. Both the Town and the University seem to be in general agreement, however this topic merits additional attention to detail at the next meeting.
- How hard will it be to identify the number of people who will be working at Carolina North? Will the faculty/student ratio be similar to the main campus? Would like to better understand the employment levels in order to make sure that residential dwelling units are being provided in a balanced manner.
- May be helpful for the staff to explain to the Council why it is so hard to calculate the number of employees and the appropriate level of housing.
- What about an alternative standard like 15% of the FTEs (Full-Time Employees) rather than the somewhat abstract percentage of constructed area? Would seem like a better approach to appropriately link the people who are working at Carolina North to dwelling units rather than to total square footage of construction.
- Regarding the first phase of 800,000 SF, do not have a good feel as to how 200,000 SF of residential space (about 200 units?) would compare to and/or serve 600,000 SF of non-residential space.
- Based on the way the draft development agreement is currently written, what opportunity is there to modify the development agreement down the road if the number of residential units does not seem to be achieving the intended results.
- What level of review is currently proposed for any cogeneration facility at Carolina North?
- Is there a way to require the cogeneration facility to obtain a Special Use Permit prior to construction?
- Would like for the University to agree to achieve the same energy efficiency standards that were agreed to as part of the Innovation Center (25% better than 2007 minimum ASHRAE standards).
- Regarding the LUMO text amendment, Section 3.5.5(f)(4) discusses that “any existing building being used for a use permitted by an applicable development agreement may be expanded to the extent that expansion is exempt from the Transportation Impact Analysis requirements of Section 5.8(g) of this Appendix.” What does this mean?
- Does the proposed 800,000 SF for Phase I at Carolina North include the existing square footage that already exists at the airport? Or is the proposal to add 800,000 SF in addition to this existing square footage?
- What about environmental clean-up (jet fuel, etc.) at the airport?

#### Interests Raised by University Participants

- The University feels that it made a major concession when it opened the dialogue regarding Carolina North and agreed to limit development to 250 acres for the first 50 years. It is frustrating that the University gets no credit for subscribing to the benefits of compact development and making this concession from the start. However, with this in mind, the University is willing to agree to do Map C and commit to over one-third of the property being located in a conservation easement. Would also be willing to look at review of uses that are allowed in the Limited Development Area.
- University would like to be able to continue to use the conservation areas and limited development areas for research purposes, and not have to cede this particular use to the Town.
- Regarding conservation areas, the University is receptive to areas 1, 2, 3, 4, 5 and 6A being placed in permanent conservation easements.
- The University would like for Area 6B to be placed in the Limited Development Area category with 100 years of protection, as opposed to being included in the Conservation Easement. The University is also receptive to a smaller menu of permitted uses in Area 6B as compared to other Limited Development Areas, in order to address some of the concerns raised in Section 5 (Preservation of Open Space and Natural Areas) of the Draft Development Agreement (version dated 4/22/09).
- Willing to live with Map G-1C with the understanding that Area 6B will be part of the Limited Development Area but with the same restrictions for the next 100 years as the land in the conservation easement. The rest of the Limited Development area will be preserved for the next 50 years. Regarding the permitted use issues, the joint staffs are going to work together some more to clear up the ambiguities so that nothing can occur that is inconsistent with what everyone has agreed is appropriate.
- Regarding transportation-related issues and improvements, believe that agreement should focus on uses and square footage rather than time. Because of current economic conditions, the University may not do anything out there for 5 years or more. To the contrary, what if the University finds itself in a position where it wants to accelerate development activity?
- One of the big issues for negotiation seems to be how much parking now, how much parking later, how much parking a long time later. It would be helpful if the joint staff committee could give some suggestions/recommendations regarding this issue. Should ask the staff to come up with ratios that are a function of uses. Should be a ratio for residential uses, a ratio for University buildings, a ratio for entrepreneurial buildings, etc. Not suggesting what ratios should be, but have been pushed appropriately on housing. If housing is going to be successful and the University is going to create places where people want to live, then need to know how many spaces they have per residence and that some can park a car fairly close to their home. If there is a school at Carolina North, where are the teachers and parents going to park? Need for the joint staff committee to take a look at these various uses and think about what makes sense.
- For traffic impact modeling purposes, want to make sure that everyone realizes that there will be uses at Carolina North that do not exist on the main campus (private businesses as well as non-student housing).
- The University does not have the ability to suddenly write a big check; need to be on an easy pay plan. What the University can do is set aside a certain amount of money with each building that

can be provided to the Town in a “pay as you go” manner. If Carolina North is going to trigger the need for a new fire station, then need to pay a certain amount as they build each building rather than being expected to make a single, large payment. This approach would have the advantage of providing certainty to the Town that funds will be in place at such time when the need for the improvement is actually triggered. Need additional conversation between the Town and University staff to decide what is the most appropriate approach.

- The University is comfortable deleting University Square housing as a mechanism by which to fulfill housing at Carolina North.
- The ability to actually ascertain the exact number of employees is virtually impossible to achieve given the varied use of the buildings. Alternatively, using some sort of accepted ratio based on square footage seems like the most logical approach. The University knows how to count square feet, but not jobs per each anticipated building.
- There are also variations between full-time and part-time employees. Perhaps it makes sense to gather data on the numbers of employees as buildings are built, and then as some point down the road when we have more data, the Town and University can discuss if the amount of housing being provided is appropriate. For the time being, seem to have a standard that everyone seems to agree represents the desired intention.
- Also difficult to determine how many people are actually going to work at Carolina North and also live at Carolina North.
- Using a percentage of total square footage as the criteria for the amount of residential development leaves appropriate flexibility to the types and sizes of dwelling units that people want, while also ensuring that Carolina North will indeed be a mixed use development.
- The University is comfortable with the cogeneration facility being subject to a Special Use Permit.
- Regarding the Town’s request for the University to contribute funds to be used for Town-wide stormwater projects, is the Town currently building a capital reserve for stormwater-related improvements? Would like to make sure that the University is being treated in the same manner as every other property owner.
- What percentage of Town stormwater fees are placed in the fund for capital projects?

#### Interests Raised by Citizens

- Concern about increased traffic along Martin Luther King Jr. Boulevard and Estes Drive. Easiest way to reduce traffic is to limit the amount of parking on the Carolina North campus. Need to look for modern ways to move people around the campus. Buildings will be relatively close together so it will lend itself to people movers. Should utilize sustainable vehicles powered by electric batteries. Need to minimize the number of parking spaces on the campus.
- Regarding Section G.5.2.e.10 of the Development Agreement, which refers to land uses in the “Limited Development Area” that are not regulated by the agreement, note the use of the terms parking areas, parking places and parking spaces. These terms also show up in Section 5.3 where there is discussion of permitted uses in the “Development Area” and also in Section

G.8.1. Believe that these terms need to be better defined. Desire is to only allow parking for incidental uses, not routine use.

- Need to put park and ride lots on the periphery of Town, and use mass transit to move people around Town.
- Concern about locating a school at Carolina North due to noise and bus traffic. Also need to consider the safety of children, especially young children at an elementary school. Does not necessarily seem like a good fit to have lots of young children and older research-oriented people in close proximity to each other. Also, 10 acres is not a very big piece of land. Taking that amount of space at Carolina North and putting a bunch of young children on it seems unrealistic.
- Regarding parking, would suggest that people who show up and complain to the Town Council about cars and parking, need to reconsider their own use of cars for their own personal convenience. Need to be realistic as to the amount of parking that will be needed at Carolina North in order for a public-private development like this to be appealing to the private sector and to be successful. Also, would subscribe to encouraging carpooling between the main campus and Carolina North. Cars are a standard part of American life. Emphasis needs to be on more sustainable, fuel-efficient vehicles and reducing carbon emissions.
- Regarding complaints about lighting, there are a lot of people who cannot see well at night due to the currently existing low levels of lighting. Research has shown other jurisdictions have twice as much lighting as Chapel Hill. Believes that trees add to difficulty of properly lighting key areas around the Town. Lighting has to facilitate ability for older people to get around.
- Emphasis in Chapel Hill regarding “my neighborhood, my neighborhood” is unusual compared to other places. Need to focus on what is best for the Town rather than individual concerns.
- Regarding Standard G.23.2, which discusses a transitional perimeter, why isn’t there a transitional perimeter on the southeast portion of the site that would adjoin North Haven?
- Regarding Standard G.9.3, which addresses a substantial review of fiscal impact, we need to better define the term “substantial.”
- Not clear as to why we need for the agreement to be good for 20 years. Comprehensive plan is supposed to be reviewed and revised every 5 years, why would we think that a Development Agreement should only be reviewed every 20 years? Seems that perhaps a review every 8-10 years would be more appropriate and give people a little bit more comfort that they are not stuck with something that is set in stone for 20 years.
- Three advisory boards will be reviewing the Development Agreement tonight, and they do not have the latest version of the Development Agreement that was just released (they were given the March 31<sup>st</sup> version, and a new April 22<sup>nd</sup> version has just been released). Believe that reviewing the older version of the agreement in order to make a recommendation for the May 11<sup>th</sup> Public Hearing is okay, but need to give advisory boards the opportunity to review the most recent version and pass along any additional recommendations for the June Public Hearing date.
- In terms of general process, getting the agenda at 3:35 on the afternoon of the meeting makes it very difficult for advisory boards and the public to participate effectively.

- The schedule involves a lot of work and we are not making the milestones that we said we were going to make, and there is not a consensus building around several key issues (10-story buildings along MLK, parking ratios have not been agreed to, the foundational studies are late, even the school {which has not been addressed by the Board of Education} does not sit on the 250-acre footprint for proposed development which means that the cost to provide infrastructure for the school will be much more expensive). We do not have time in the schedule to adequately address these issues.
- The scope of the agreement has experienced “feature creep” and basically as time has passed, more things have gotten jammed into the process.
- Early on there was never any talk of an agreement that would last 20 years. Even though the Comprehensive Plan is supposed to be reviewed every 5 years, we have not done this. So, what makes us think that we will keep tabs on a 20-year agreement and review it in a timely and appropriate manner? Believes that 5 years is a realistic amount of time for a development agreement, and believes that 800,000 to one million SF is a realistic amount of development for the first phase of the development. Any more program and we are doing a disservice to our future community.
- Understands that in terms of schedule, the Council and the Board of Trustees would like to get this done. And, also appears that there is preference to keep this process and the agreement from getting political. Disagrees with this approach. We have an election coming up and believe that approving an agreement prior to the fall elections does a disservice to the community.
- Need to finalize a parking ratio and nail down parking lots.
- Regarding light and noise pollution need some additional work. Take a look at an agreement involving the City of Denver and the University of Denver that involved a standard of 0.2 foot candles at the perimeter of the site. They had a lot of the same issues that people have expressed on UNC’s main campus.
- The scope of this effort is way too large. In light of the fact that we have not fulfilled our commitment to review the Comprehensive Plan, the proposed term of the agreement is way too long, and the schedule is way too aggressive.
- Important to think about how the Council is going to incorporate public comment from the upcoming Public Hearings into the outcome, especially since we are signing off on a lot here and it is all pretty general right now.
- Since the long range transit plan and the traffic impact analysis have been delayed, NRG (Neighborhoods for Responsible Growth) has decided to encourage a public discussion on this topic to advance thinking on how these topics will be addressed with future planning and the development agreement. Concerns regarding public safety make this a leading concern for neighboring citizens. This concern is documented based on focus group discussions and surveys. Specifically, NRG has hosted six different focus group meetings around the community in order to foster discussion and prepare for a community public forum to discuss traffic and public safety concerns related to Carolina North. The group has received over 500 survey responses from residents in surrounding neighborhoods as well as up and down Martin Luther King Jr. Boulevard.

- Neighborhoods for Responsible Growth (NRG) would like to invite everyone to attend a community public forum titled “Carolina North: Don’t get stuck in traffic” that will be held on Sunday, May 3<sup>rd</sup> from 4 to 6 PM at the Homestead Community Center. The facilitated event will focus exclusively on traffic-related issues. The Council and University Trustees are invited to attend.
- Concern regarding the proposed cogeneration plant at Carolina North. It will be the most unpredictable physical facility at Carolina North, and its stakes will be high – both environmentally and financially. Based on the previous experiences with the cogeneration plant for the main campus (coal dust, silo fires, etc.), this type of land use is problematic and needs to be properly regulated. Since the Town will regulate land uses at Carolina North, recommend that any power plant/cogeneration facility or similar industrial use at Carolina North require a stand-alone Special Use Permit so that it can be better regulated by the Town and employees and nearby residents can be properly protected.
- Regarding scope, during discussions the 5 to 8 year span kept coming up, and so did the range of 800,000 to 1,000,000 SF. Reference was made that 4 to 5 years was a long time since the Horace Williams Advisory Committee’s report. Also 5-7 years and 800,000 SF are noted in terms of a time frame for transit improvements in the Traffic Impact Analysis. Seems that a 5 to 8 year time frame would be more appropriate for the span of this development agreement.
- Regarding Sections 4.12 and 4.13 of the draft development agreement which discuss the “Annual Report” and the “Periodic Review,” there has not been a lot of discussion regarding enforcement and compliance outside of just not approving new development. A lot of citizens have asked what is going to happen. Need to firm up this process.
- Now that everyone seems to be getting more focused on Map C, can we look at narrowing down the type and location of development on the property? First of all, where is the exact location of the dense and tall development? Do not want to see 10 story buildings along Martin Luther King Jr. Boulevard. If this is going to be the case however, can we get an overlay of where these buildings will be located? Also, can we put these overlays on top of the environmental maps?
- Need rules that will apply to modifying tall and dense development within the property beyond what is set by the development agreement.
- Surprised that the school site question did not come back up for discussion. Believe we need to get a commitment as to whether or not it is going to be on the 250 acres proposed for development. If it is not on the 250 acres, what is the fiscal impact to the schools? Believes that we are not going to be able to afford to put an elementary school on land outside of the identified 250 acres for Carolina North development.
- Agree with University that future generations could make a wise decision about Area 6B as long as we have a short list of allowable uses and we all understand what those uses are. Under this scenario, 100 years of preservation seems okay.
- With option C, would like to see how the carbon reduction program is affected by it, and how stormwater and water management goals are met.
- It is not clear who will pick up the costs of remediating any environmental issues associated with the proposed conservation easements. Should spell this out a little bit further.

- Regarding Option C, Bio-Habitat did set aside large tracts of the property and classified them. Previously mentioned champion species and very specific opportunities for preservation that fall outside of these conservation areas. Have not identified these opportunities at this time, and don't know what rules will govern their development or the land nearby. How this will be dealt with needs to be firmed up before proceeding.
- Section G.5.1 of the draft development agreement discusses the ability to encroach into the Resource Conservation District for utility and road crossings in accordance with Section 3.6.3 of the LUMO. We see the RCD violated frequently; believe that the proposed language is a non-starter.
- Concerned about athletic facilities, courts and seating areas, as well as interior roads that increase impervious surface, yet the University does not want to fully participate in the Town's Stormwater Utility. These facilities are going to be major contributors to impervious surface and stormwater runoff – you can't have it both ways.
- Regarding Sections G.16.1 and G.16.3 Greenways, there will be impacts from people walking south into Barclay and the Elkins Hills neighborhood. Are going to be opportunities for UNC to help with security in these and other corridors, but there has been no mention of these opportunities as part of this process.
- No mention of the offsite stormwater impacts, including stormwater drainage from the southeast corner of the site into the Martin Luther King Jr. Boulevard storm drain system.
- Continue to talk about the fire station as a major impact, and acknowledge that some improvements may be tied to major grants. But, what if we decide later that we would like to build something major like a pedestrian bridge over Martin Luther King Jr. Boulevard and grant funding cannot be identified?
- Regarding energy, LEEDS is not the same as ASHRAE standards. Silver LEEDS can be met with external trade-offs that do not have anything to do with energy efficiency. But key question is how do we apply the best thinking at the time to Carolina North? For example, let's suppose that 5 years from now, LEEDS and/or ASHRAE standards are no longer the best standards? How in the context of this development agreement do we modify the standards so that we remain state-of-the-art in the future for noise, light, water management, etc.? There needs to be something in the agreement that addresses how we incorporate newer and better standards into the agreement over time.
- What specific projects and/or fiscal outlays are coming from this project that affect the greater community? Bus stops, sidewalks, better water quality in Bolin Creek? What is that punch list? Would be nice if this list could be put on the Town's web site. We have identified a lot of the negatives, would be nice to also identify the development's positive attributes.