

MMC Meeting regarding Greene Tract

June 27, 2023 / 3:30- 4:30 pm / Virtual

Purpose

For Orange County, Carrboro and Chapel Hill to continue to collaborate around the future of the Greene Tract.

Participants

Carrboro:

Damon Seils, Mayor

Trish McGuire, Planning Director

Marty Roupe, Development Review
Administrator

Marie Parker, Assistant Town Manager

Chapel Hill:

Pam Hemminger, Mayor

Chris Blue, Interim Town Manager

Britany Waddell, Planning Director

Judy Johnson, Assistant Planning Director

Orange County:

Jamezetta Bedford, Chair Orange Board of
County Commissioners

Bonnie Hammersley, County Manager

Travis Myren, Deputy County Manager

Cy Stober, Planning Director

Ashley Moncado, Special Projects Planner

Meeting Goals

1. Share updates on RFP and RFQ processes for Greene Tract engagement and design services.
2. Discuss plan for potential property purchase.
3. Discuss composition of Greene Tract Stakeholder group.
4. Discuss posting MMC meeting notes for the public
5. Identify next steps

Anita Badrock, Senior Ombuds,
Town of Chapel Hill, was the
meeting facilitator.

Meeting Summary

This meeting addressed three topics:

1. Updates on RFP and RFQ process for Greene Tract Master Plan
2. Posting MMC action meeting notes
3. Discuss Potential Property Purchases to Enhance Greene Tract Access

Shared agreements out of this meeting

Move forward with...

1. Posting MMC action notes to the county's Greene Tract information page. County staff will handle this matter.
2. The group agreed to defer the remaining agenda items to a future meeting in order to spend more time discussing potential properties purchase.

What's Next / Action Items

1. All Staff will prepare a concise summary of the pros and cons of acquiring the properties and explain the planning requirements for access to the property. They will provide this information as quickly as possible to all parties.
2. Judy Johnson will talk to the Chapel Hill Town attorney to determine whether carving off 18 feet of land from the properties is legally possible given the current nonconforming nature of the property.
3. Judy Johnson will contact the property heirs and ask for a meeting.
4. Representatives from Orange County, Carrboro, and Chapel Hill will attend that meeting and discuss the acquisition options.
5. The BOCC chair will work to convene a meeting of the full BOCC once the viable options are better understood so the Board can re-evaluate their role and funding commitment.
6. The items from the agenda that were not covered will be added to a future agenda.

Details per Topic Area

1. RFP PROCESS FOR COMMUNITY ENGAGEMENT

Group received an update on the RFP process for Community Engagement Services for the Greene Tract public input process.

Seven firms attended the preliminary meeting and submitted clarifying questions regarding the RFP requirements. The firms that attended have not been previously known to the county. Below is the proposed timeline.

Updates RFP Community Engagement Services

Event	Date and Time
Issue RFP	June 9
Hold Pre-Submittal Virtual Conference	June 27, 2023
Submit Written Questions	June 30
Provide Response to Questions	July 10
Submit Proposals	July 21
Presentations (if requested)	July 31 – August 4
Contract Award	Mid-August
Contract Effective Date	Mid-September

2. RFQ PROCESS FOR GREENE TRACT DESIGN SERVICES

Staff is working on the scope of work for this project and proposes to send out the RFQ on July 14th.

Updates RFQ Design Services

Event	Date and Time
Issue RFQ	July 14
Hold Pre-Submittal Virtual Conference	August 3
Submit Written Questions	August 4
Provide Response to Questions	August 11
Submit Proposals	August 25
Presentations (if requested)	September 5 - 8
Contract Award	Mid-September
Contract Effective Date	Mid-October

3. POTENTIAL PROPERTIES ACQUISITION AND THE GREENE TRACT

Background

Staff provided an updated plat that shows the Greene Tract and the Potential Properties for Purchase.

Currently there is a 25-foot right of way through an adjacent property which provides access via an unimproved gravel road.

The properties being considered consist of three parcels. Two are unimproved; an abandoned house sits on the southernmost parcel. A 2021 appraisal set a value of \$570,000 for the three properties.

Tax Value	
	\$50,800
	\$30,200
	\$294,800
TOTAL	\$375,800
Appraisal (2021)	\$570,000

Acquisition of the properties would provide a 60-foot-wide access into the Greene Tract. This access would allow for the construction of bike lanes, sidewalks, and the traffic entering and exiting the property, including safety vehicles. The additional property could be used for various purposes.

Judy Johnson, Assistant Director of Chapel Hill Planning, has been the main point of contact with the owners. She said that the owners have recently been contacted by another interested party who wants to purchase the parcels. She said that time is of the essence in making decisions about moving forward.

DISCUSSION

CHAPEL HILL: Allocated \$250,000 towards property acquisition in their adopted FY 23-24 budget. They also stated that time is of the essence and that the properties are necessary for access to the Greene Tract to comply with the Chapel Hill's Complete Communities adopted strategy. They also shared that the owners were expecting a competitive offer and were aware of the appraisal value from 2021.

ORANGE COUNTY: They reported that the Board of Commissioners did not want to jointly own any more property and had discussed allocating

\$13,800 to assist in the purchase an 18 ft. easement access through the properties and up to \$26,120 to fully purchase the road/sidewalk easement area

CARRBORO: The Town of Carrboro reported that their Board authorized their Town Manager to engage in negotiations to acquire these properties. They are adhering to the cost sharing agreement that the parties previously negotiated. They estimated their financial responsibility for this acquisition at \$60,000 based on previous discussions.

They stated that purchasing the properties was necessary to be able to realize the vision that the parties have had for many years on how to best use the Greene Tract for the community's benefit. They encouraged the other parties to follow that agreement.

A lengthy discussion ensued. The various parties discussed their concerns and what options might be available.

They were not in agreement on how to move forward.

The attendees agreed to defer the remaining agenda items in order to spend more time discussing property acquisition.

These are the questions that the group discussed.

Question: Is acquisition of the properties required in order to develop the Greene Tract? What is the consequence of not purchasing the properties?

Staff indicated that Purefoy Road is currently the main access to the Greene Tract but does not comply with current Town road requirements. It also does not meet the safety requirements of the fire marshal. It is unlikely that any housing could be approved for the Greene Tract without a secondary access road that meets all current road design requirements. The staff pointed out other possible issues that they will summarize and distribute to the group.

Staff also indicated that the current 25-foot easement would not even provide enough room for curbs and gutters, which require a minimum of 30 feet. Obtaining the properties would allow for a 60-foot easement for

curbs, gutter, 10-foot multi-use path, and sidewalks, in addition to the road. The intent is to provide a “complete street” which will allow entrance to a dense population with a future school.

Question: Would the owners just sell the strip needed for the easement?

Staff is not sure that would even be an option. The properties’ access is already non-conforming. The Town cannot allow a transaction that increases the non-conforming issues.

Question: Could the group obtain the easement through condemnation or eminent domain?

Response: That’s a legal question, but in any event the owner still must be compensated at market value and then there would be the additional costs of litigation. It was stated that this would be a more expensive path.

Question: Could the group acquire additional right of way across the adjacent property? Is that an alternate option?

Response: Staff has been in contact with the new property manager who will bring this request to the ownership board. It’s unclear whether they would consider this option, and if so, how much they would expect to be paid for the easement.

Question: Would it be possible to only acquire the southernmost parcel (the one that has the house on it)? Would that resolve the access issues?

Response: it’s not ideal, the staff will take a look at it and provide more information. The best outcome would be to have future road frontage across the entire length of the Greene Tract parcel. Staff was not sure that purchasing the one parcel would provide the access required by public safety and Chapel Hill.

Question: Is there another way to provide a second access besides acquiring additional easement from the adjacent property and without purchasing the properties being discussed?

Response: Other ways to provide access would cost more than purchasing these properties and might require condemning properties in the Rogers Road community.

At this point, Orange County stated that they have not had all the historical context and information they needed to get the full picture of the purpose and need for acquiring these properties. The parties agreed to ask staff to prepare a short summary of this information and to distribute it to all parties.

The group agreed on the action items as noted above and the meeting adjourned at 4:40 pm.