

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: February 19, 2019**

**Action Agenda
Item No. 6-b**

SUBJECT: 2019 Greene Tract Resolution and Conceptual Plan

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Resolution and Conceptual Plan
2. June 19, 2018 Information Item

INFORMATION CONTACT:

Craig Benedict, Director, 919-245-2575
Ashley Moncado, Planner II, 919-245-2589

PURPOSE: To consider approval of the Greene Tract resolution and conceptual plan.

BACKGROUND: The Greene Tract is a 164 acre parcel of which 104 acres is jointly owned by Orange County/Chapel Hill/Carrboro and 60 acres owned by Orange County (Headwaters Preserve). In 2001/2002, local governments approved a resolution conceptualizing uses of the 104 acre joint owned area. This new resolution will add land use categories in a new configuration and modify acreage as developed by the recent process noted below.

Last year, local governments agreed to have the managers, mayors, and chair (MMC) consider preservation and development options for the Greene Tract. In May 2017, a joint staff work group was requested to examine the development potential of the existing Greene Tract and provide three alternatives illustrating high, medium, and low development alternatives.

The MMCs requested that each alternative include specific elements and goals including, but not limited to, incorporate a future elementary school and park site, preserve valuable environmental features and corridors, protect historical and cultural resources, encourage cost effective infrastructure, and identify areas for future development. These alternatives, vetted through a multijurisdictional staff work group, assisted in the development of the conceptual plan contained in Attachment 1.

In addition, the MMCs recommended staff examine the reconfiguration of the joint owned and county owned tracts. The purpose of this request was to determine the feasibility in adopting a revised resolution supporting the reconfiguration of these tracts. The 60 acres which are county owned would be established as prime preservation areas. As a result, the staff work group amended the proposed conceptual plan based on the proposed reconfigured joint owned and county owned tracts.

January 30, 2018 Assembly of Governments Meeting

At the January 30, 2018 Assembly of Governments meeting, the proposed modified headwaters preserve area and alternatives were presented to elected officials. At that time, the Orange County Board of Commissioners requested input from the Chapel Hill Town Council and Carrboro Board of Aldermen regarding the possible reconfiguration of the Headwaters Preserve area and input regarding the Greene Tract alternatives.

February 20, 2018 Board of County Commissioners Meeting

The Orange County Board of Commissioners supported modification to the Headwaters Preserve area and the high development alternative in February 2018. In addition, the Board authorized County staff to communicate the Board's preferences to Chapel Hill and Carrboro town staffs and request feedback regarding reconfiguration of the Headwaters Preserve area and the Greene Tract conceptual plan from the towns.

Chapel Hill Town Council and Carrboro Aldermen

The Chapel Hill Town Council considered this item on June 6, 2018 and stated support for the reconfiguration of the Headwaters Preserve Area. The Carrboro Board of Aldermen considered this item on June 12 and stated support for the reconfiguration of the Headwaters Preserve area. Elected officials from the towns stated concern with determine density and affordable housing goals at that time. As a result, the resolution and conceptual plan does not include any reference to density or affordable housing thresholds for the Greene Tract, but primarily the location and acreage of uses including a general description of use categories. Attachment 2 includes additional background information on this item.

Following Board confirmation, the staff work group drafted the resolution contained in Attachment 1 to modify the 104 acres jointly owned by Orange County/Chapel Hill/Carrboro and 60 acres owned by Orange County (Headwaters Preserve). In addition, staff drafted the conceptual plan which includes future land uses, proposed land use definitions, and ownership status/transfers based on comments received from MMCs, elected officials, and staff throughout the process.

January 29, 2019 Assembly of Governments Meeting

The Greene Tract Resolution and Conceptual plan was presented at the January 29, 2019 Assembly of Governments meeting. Elected officials stated support for the resolution and conceptual plan.

February 12, 2019 Carrboro Board of Aldermen Meeting

The 2019 Greene Tract Resolution and Conceptual Plan were adopted by the Carrboro Board of Aldermen.

February 20, 2019 Chapel Hill Town Council Meeting

The resolution and conceptual plan is scheduled for review and adoption consideration by the Chapel Hill Town Council.

With adoption by all three governing boards, the resulting resolution would supersede the 2002 Resolution, approved December 10, 2002, which outlined the County and Towns' intentions for developing the Greene Tract. The December 10, 2002 BOCC abstract which includes the approved resolution can be found at the following link: <http://server3.co.orange.nc.us:8088/WebLink8/DocView.aspx?id=8376&dbid=0>

Any amendments to the resolution and conceptual plan by the Town of Chapel Hill and the Town of Carrboro would prompt a return to the BOCC for consideration.

Next Steps (following adoption of the 2019 Greene Tract Resolution and Conceptual Plan by all parties)

- A. *Commence survey work for recombination - Spring 2019*
 In order to modify the existing Headwaters Preserve area, a recombination survey will need to be completed illustrating the new parcel lines of the Headwaters Preserve area (County owned) and Joint Owned area. This survey will be reviewed as a recombination plat by the Chapel Hill Planning Department. Once complete, the recombination survey will be presented for approval to the BOCC and the chair's signature for the Headwaters Preserve and all three local governments for the joint area. Funding for this will be requested through an interlocal agreement similar to Rogers Road community and sewer planning.
- B. *Initiate process to determine development and preservation goals - Summer 2019*
 Land use, density, and affordable housing options for the Greene Tract were presented and reviewed by the elected officials. Comments were previously received by Board members; however, no final decisions were made by the three individual Boards. As a result, development and preservation options will be further evaluated and discussed in order to determine goals for the Greene Tract in regards to development type, land use, preservation, density, and affordable housing. This phase will include community outreach. Presentation to elected officials Fall of 2019.
- C. *Commence Implementation Strategy - Fall 2019*
 Staff will also be seeking general direction on how to achieve goals using zoning strategies such as "Master Planned Developments", developer agreements, etc. and the interest in Request for Qualifications (RFQ) for mixed income neighborhoods. Presentation to elected officials Winter of 2019.

FINANCIAL IMPACT: There is no direct financial impact associated this item. The interlocal agreement may be amended to include costs related to the recombination survey in 2019.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
 The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.
- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
 The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

RECOMMENDATION(S): The Manager recommends the Board:

1. Receive the resolution and conceptual plan;
2. Discuss as appropriate;

3. Approve and authorize the Chair to sign the Greene Tract resolution and conceptual plan (Attachment 1) including definitions as noted in Exhibit 1; and
4. Recommend that the timeline noted herein related to Next Steps A, B, and C be pursued with all due diligence.

RESOLUTION**A RESOLUTION APPROVING MODIFICATIONS TO THE 60 ACRE PORTION OF THE GREENE TRACT IN COUNTY OWNERSHIP AND CONCEPTUAL PLAN FOR THE 104 ACRE PORTION IN JOINT OWNERSHIP**

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill jointly acquired the property (104 acres) known as the Greene Tract in 1984 which was purchased from the joint solid waste management system; and

WHEREAS, title to 60 acres (also known as Headwaters Preserve) of this property was deeded exclusively to the Orange County Solid Waste Enterprise Fund in 2000 under provisions of the 1999 Interlocal Agreement for Solid Waste Management and was purchased by Orange County via reimbursement to the Solid Waste Enterprise Fund in 2016; and

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill adopted the 2002 Resolution which called for approximately 86 acres for open space and 18 acres for affordable housing on the jointly owned land; and

WHEREAS, the Greene Tract is part of the Historic Rogers Road Neighborhood where the Towns of Chapel Hill and Carrboro are researching market development potential and zoning constraints to implement a planning program in the overall area; and

WHEREAS, over the last 16 years, various joint planning studies, including the Historic Rogers Road Task Force Report and Mapping Our Community's Future, and collaborations with the community and school district have suggested land use and acreage needs; and

WHEREAS, Mayors for Carrboro and Chapel Hill and the Orange County Board of Commissioner Chair agreed to jointly pursue an update to the 2002 Resolution and have been meeting with respective management and supporting staff, as suggested by the elected officials at an Assembly of Governments meeting in 2017, to determine next steps for preservation and development of the Greene Tract, and

WHEREAS, analysis of the Greene Tract's past, present, and future identified the following land use needs and goals:

- Preserve valuable environmental features and corridors
- Protect historical and cultural resources
- Promote cost effective infrastructure
- Incorporate school and recreation site
- Earmark development areas for mixed income housing and mixed use potential

WHEREAS, the staff work group considered direction from the respective governing boards, specialized staff, housing partners, and community in developing a conceptual plan for the Greene Tract;

NOW, THEREFORE, BE IT RESOLVED THAT the Orange County Board of Commissioners:

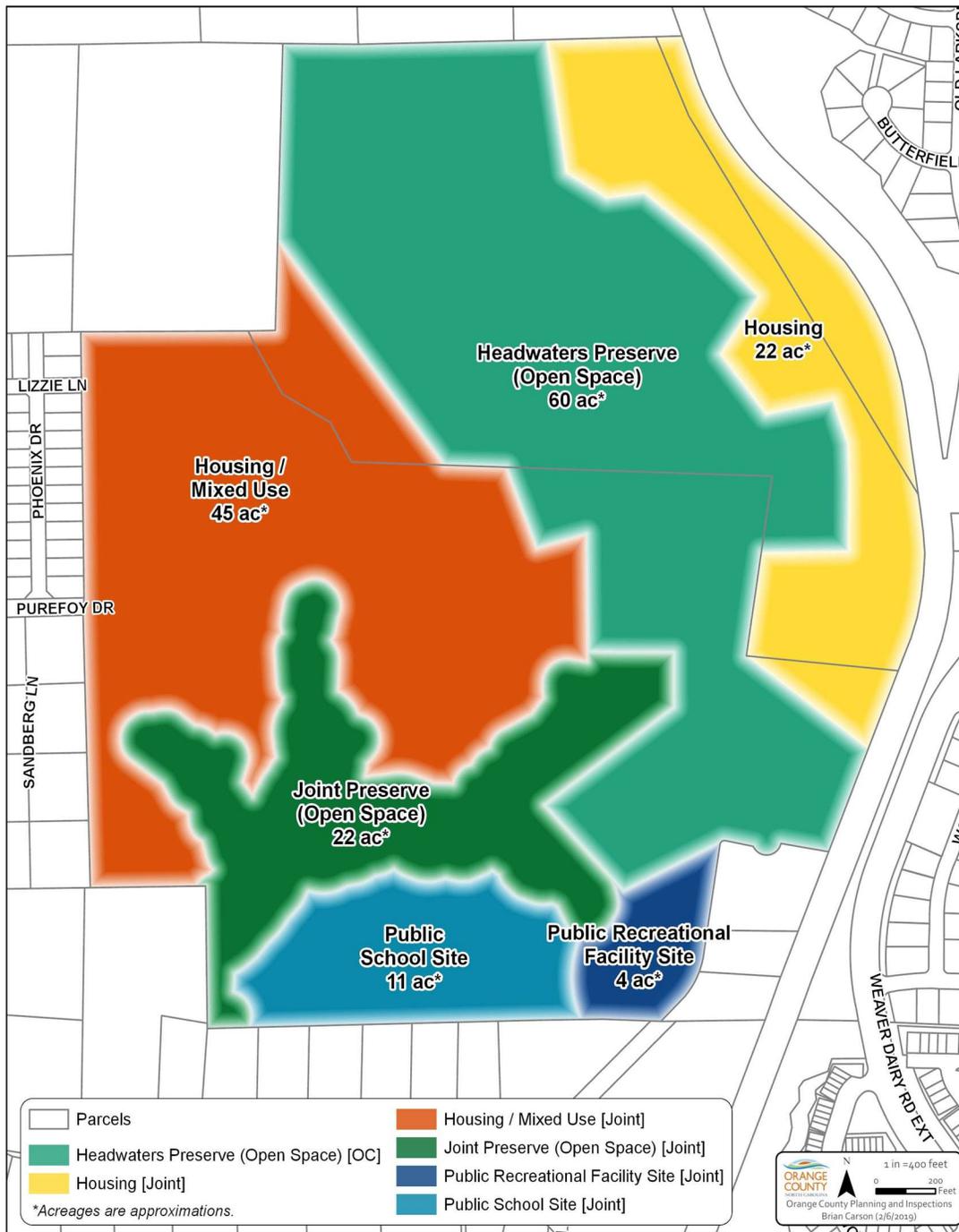
1. Approve the accompanying map to modify the existing county owned (60 acres) and joint owned (104 acres) portions of the Greene Tract as shown in Exhibit 1.
2. Approve the accompanying conceptual master plan as shown in Exhibit 1 for the joint owned portion of the Greene Tract, not deeded exclusively to Orange County, which designates the following:
 - Approximately 22 acres for joint preserve
 - Approximately 11 acres for public school site
 - Approximately 4 acres for public recreational facility site
 - Approximately 67 acres for housing/mixed use
3. Authorize the exchange of acreage from Joint owned to County owned and County owned to Joint owned commencing the recombination process as illustrated in Exhibit 2.
4. Explore protecting the areas shown on the conceptual plan as Joint Owned Preserve and Headwaters Preserve
5. Solicit input from the public and respective governing boards regarding land use and mixed income housing needs during the master plan process.

This the ____ day of _____, 2019.

Penny Rich, Chair
Orange County Board of Commissioners

ATTEST:

Donna Baker, Clerk to the Board of County Commissioners



Headwaters Preserve (County Owned): 60 acres deeded to Orange County in 2000 under provisions of the 1999 Interlocal Agreement for Solid Waste and considered for protection by the Towns and County in the 2002 Joint Greene Tract Resolution. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Orange County Board of Commissioners may consider protecting its 60 acres of the Greene Tract by executing a conservation easement.

Joint Preserve: Approximately 22 acres* designated for future preservation. Area preliminarily identified as having environmental attributes such as stream buffers, and wetlands. Would allow for infrastructure and utilities (i.e. roadway and pedestrian access, public water and sewer, stormwater facilities), as needed. Carrboro Board of Alderman, Chapel Hill Town Council, and Orange County Board of Commissioners may consider protecting the area shown on the conceptual plan as Joint Owned Preserve by executing a conservation easement.

Public School Site: Approximately 11 acres* dedicated for a future school. The area shown on the conceptual plan as a School Site will remain as public jointly owned land until needed for a future school.

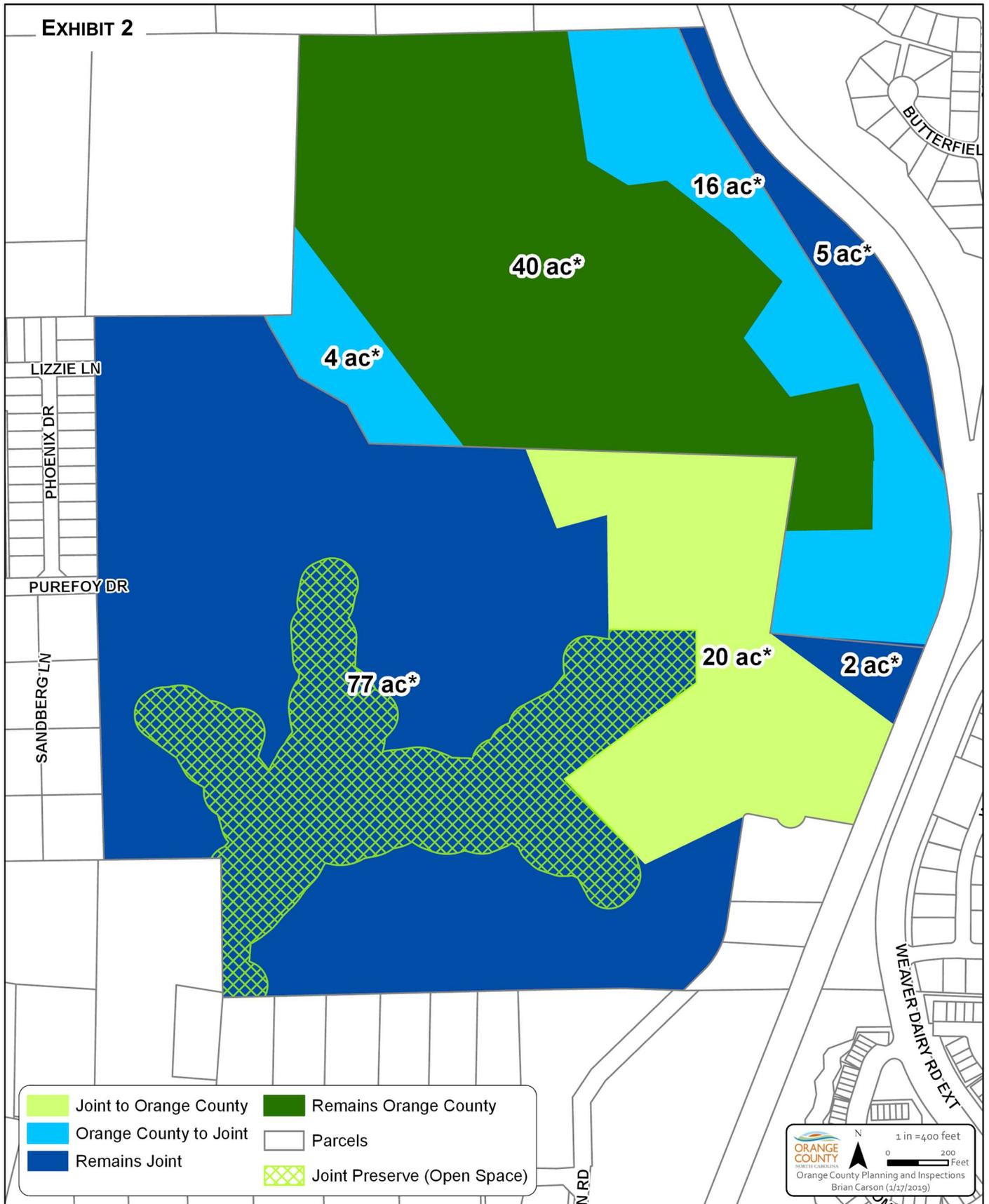
Public Recreational Facility Site: Approximately 4 acres* for an active, outdoor recreation area (playground, playfields, or other recreation purpose). The area shown on the conceptual plan as Recreational Facility Site will remain as public owned land and could be developed independently, but consistent with joint school/park facilities. Acreage will be freely dedicated for recreational purposes by the joint governments.

Housing/Mixed Use: Approximately 45 acres* for residential and commercial development in the short term. The location for this land use is based on site elevations and proximity to existing infrastructure. The area shown on the conceptual plan as Housing/Mixed Use will allow for appropriate development based on land suitability, public services, available infrastructure, accessibility to activity centers, and surrounding land uses. Permitted residential uses shall include single-family detached (one unit per lot), two-family attached (duplex), multifamily (apartments, townhomes), accessory dwelling units, manufactured housing, and group homes (i.e. adult care homes, child care homes). Affordable housing is of primary interest. The area may support low intensity commercial, service uses, and maker/incubator space which serve the needs of the surrounding neighborhoods, limit conflicts with the adjacent community, and are compatible with the surrounding residential development. The area will not be utilized predominantly for commercial purposes.

Housing: Approximately 22 acres* for future residential development. The area shown on the conceptual plan as Housing will remain as public owned and undeveloped land in the short term, but may be evaluated for development in the future (10—20 years) depending on the needs at that time.

* Acreage may deviate up to 15%

Greene Tract Ownership Status/ Transfer Map



* Acreage may deviate up to 15%

PLANNING & INSPECTIONS DEPARTMENT
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MEMORANDUM

TO: Board of County Commissioners
 Bonnie Hammersley, Orange County Manager
 Travis Myren, Deputy County Manager

FROM: Craig Benedict, Planning and Inspections Director

DATE: June 19, 2018

SUBJECT: Information Item – Greene Tract Update

Background

The Greene Tract is a 164 acre parcel of which 104 acres is jointly owned by Orange County/Chapel Hill/Carrboro and 60 acres owned by Orange County (Headwaters Preserve). Last year, local governments agreed to have the mayors and chair consider preservation and development options for the Greene Tract.

May 17, 2017 Managers, Mayors, and Chair (MMC) Meeting

The staff work group was requested to examine the development potential of the existing Greene Tract and provide three alternatives illustrating high, medium, and low development alternatives. The MMCs requested that each alternative include specific elements including, but not limited to, a site for a future elementary school, a site for a future park, highlight environmental and cultural areas of significance, development potential, and preliminary road network and infrastructure.

August 30, 2017 Managers, Mayors, and Chair (MMC) Meeting

Attendees recommended staff to examine the reconfiguration of the joint owned and county owned tracts. The purpose of this request was to determine the feasibility in adopting a revised resolution supporting the reconfiguration of these tracts. The 60 acres which are county owned will be established as prime preservation areas and be connected to the future joint owned preserve areas of the 104 joint owned lands. As a result, staff amended the proposed conceptual plan based on the proposed reconfigured joint owned and county owned tracts.

January 30, 2018 Assembly of Governments Meeting

The proposed modified headwaters preserve area and conceptual plans were presented to elected officials. At that time, the Orange County Board of Commissioners requested input from the Chapel Hill Town Council and Carrboro Board of Alderman regarding the possible reconfiguration of the Headwaters Preserve area and input regarding the Greene Tract conceptual plans.

February 20, 2018 BOCC Meeting

The Orange County Board of Commissioners supported modification to the Headwaters Preserve area and the high development alternative. In addition, the Board authorized

County staff to communicate the Board's preferences to Chapel Hill and Carrboro town staffs and request feedback regarding reconfiguration of the Headwaters Preserve area and the Greene Tract conceptual plans from the towns by May 1, 2018.

March 23, 2018 Greene Tract Tour

At the February 20 BOCC meeting, Board members requested a tour of the Greene Tract. The Orange County Planning and Inspections Department conducted two Greene Tract tours in order to review and discuss the proposed modified Headwater Preserve area and conceptual plans. The tour included elected officials, staff, and the public. As noted below, a community meeting will be scheduled in the future.

April 13, 2018 Orange County Affordable Housing Coalition Meeting

At the February 20 BOCC meeting, Board members identified the need to include the Rogers Road Neighborhood, affordable housing partners, and the adjacent communities as the planning process moves forward. The Greene Tract conceptual plans were presented to the Affordable Housing Coalition on April 13. The staff work group will continue to work directly with the Affordable Housing Coalition for their input as the process continues. In addition, the local community was invited to attend the Greene Tract tours on March 23.

May 22, 2018 Neville Tract Meeting

Providing safe and efficient access has been recognized as a key element in the future planning of the Greene Tract. Throughout the process, the work group has identified the need to provide a roadway connection to Eubanks Road which would likely require the use of the Neville Tract. As a result, staff met with the Orange County Solid Waste Management Department in May to discuss the possibility of utilizing the Neville Tract to allow for a future roadway connection. If a roadway easement can be accommodated on a portion of the Neville Tract, dependent on Solid Waste operations and site design, the County would be required to request a modification to the existing Special Use Permit issued in 1997 by the Town of Chapel Hill. Modifications to the existing Special Use Permit would need to address existing stream buffers, perimeter buffers, and/or sediment trap design specifications. Additional concerns including soil types, drainage, and elevations of the Neville Tract may also impact the potential use of the site for a future roadway. Providing access on the Neville Tract will continue to be explored and discussed at the next MMC meeting.

Chapel Hill Town Council

The Chapel Hill Town Council considered the Greene Tract item at their June 6 Town Council meeting. At that time, the Council considered reconfiguration to the Headwaters Preserve area, preservation of approximately 11 acres for a future elementary school site, and housing options. Comments from this meeting will be provided at the next MMC meeting.

Carrboro Alderman

The Carrboro Board of Aldermen will consider the Greene Tract item at their June 12 meeting. At that meeting, the Board of Aldermen will consider reconfiguration to the Headwaters Preserve area.

Next Steps

Modify Joint Greene Tract Resolution

Following conceptual approval from the three elected Boards, staff will continue efforts to prepare a joint resolution for adoption consideration in order to modify the Headwaters Preserve area. This resolution shall include a map illustrating the new Headwaters Preserve area (60 acres), joint owned preserve area (approximately 21 acres), and future elementary school site (approximately 11 acres).

New Joint Resolution

With adoption by all three governing boards, the resulting resolution would supersede the 2002 Resolution that outlined the County and Towns' intentions for developing the Greene Tract. In order to modify the existing Headwaters Preserve area, a recombination survey will need to be completed illustrating the new parcel lines of the Headwaters Preserve area (County owned) and Joint Owned area. This survey will be reviewed as a recombination plat by the Chapel Hill Planning Department.

Determine Development Goals

Land use, density, and affordable housing options for the Greene Tract were presented and reviewed by the elected officials. Comments were previously received by Board members; however, no final decisions were made by the three individual Boards. As a result, development and preservation options will be further evaluated and discussed at the next MMC meeting in order to determine goals for the Greene Tract in regards to development, land use, preservation, density, and affordable housing. The staff work group has discussed pursuing a market analysis for the Greene Tract, which may assist in determining land use options and goals in the future.

Implementation Strategy

Staff will also be seeking general direction on how to achieve goals using zoning strategies such as "Master Planned Developments", developer agreements, etc. and the interest in Request for Qualifications (RFQ) for mixed income neighborhoods.

Community Meeting

The staff work group plans on conducting a community input meeting following the next scheduled MMC meeting.