

## Section 5.4: Transportation Language for the Obey Creek Development Agreement

*Last revised: April 8, 2015*

### 5.4 Transportation.

#### a) General Provisions.

- 1) All roads and streets within the Property that may support public transit in the future shall be designed and constructed to meet Town standards for such use unless otherwise approved by the Town Manager. All pedestrian, bicycle, and greenway facilities within the Property shall be designed and constructed to meet Town standards unless otherwise approved by the Town Manager. For all sidewalk, bicycle, and greenway facilities, easements will be granted to the Town and the public for public use.
- 2) Transit stops, transit passenger amenities, bus turnouts, or other transit facilities necessary to support the provision of safe, accessible and efficient public transit shall be incorporated into the design and construction of all applicable new roads (as shown in [OBEY CREEK: Insert Exhibit]) within the Property if required. Appropriate parking restrictions shall be applied and enforced within bus stops. Transit stop design shall be consistent with Town standards or unless otherwise approved by the Town Manager.
- 3) Each Development Agreement Compliance Permit application will include information about the phasing of the appropriate roadway network connections and infrastructure to support occupancy of each building.
- 4) Sidewalks in the Property shall be built to standards required under the Americans with Disabilities Act including where the sidewalks cross driveways. A sidewalk shall not be required to be altered if there is no Development adjacent to the sidewalk.
- 5) The Representative will be responsible for repairing roads damaged by construction of the Property.

#### b) Construction Management Plan.

- 1) Each Development Agreement Compliance Permit application shall include a construction management plan. The construction management plan shall, at a minimum:
  - i. Demonstrate how construction vehicle traffic will be managed and where the construction vehicle routes will be located.
  - ii. Identify any impacts to bicycle, pedestrian, or Transit routes and/or facilities and indicate how these impacts will be mitigated.
  - iii. Show parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods.
  - iv. Identify construction staging and material storage areas.
  - v. Identify construction trailers and other associated temporary construction management structures.

- vi. Indicate how Development will comply with the Town's Noise Ordinance (see Section 5.20 of this Agreement).
- vii. Propose times and days when construction and noise from the Development are permitted.
- viii. Indicate that the construction management plan will provide a phone number for noise notifications during the construction period. The Developer Owner or the Parcel Owner will post a sign on-site stating that noise issues can be reported by calling the posted phone number.
- ix. Submit written confirmation that Representative has provided information to contractors and subcontractors regarding noise mitigation requirements for Development for contractor and subcontractor review and compliance with same.

c) Traffic Impact Study (TIS).

- 1) Benchmark Set: The TIS for the Property (see [OBEY CREEK: Insert Exhibit]) was prepared and submitted in April 2014. Several Amendments to April 2014 TIS were prepared (see [OBEY CREEK: Insert Exhibit]).
- 2) Annual Trip Generation Report: Each Annual Report shall include trip generation table showing the following:
  - i. Land use type built and a location map of the buildings;
  - ii. Number of trips generated for each land use type using the trip Equivalency Matrix as provided in [OBEY CREEK: Exhibit], which is based on Institute of Transportation Engineers trip generation rates and is included to assist the Developer or Representative and the Town in calculating the number of trips generated to compare to the trips in the TIS dated October, 2013; and
  - iii. Comparison of trip generation table with the trips generated in the TIS dated April, 2014.
- 3) Subsequent TIS updates.
  - i. An updated TIS shall be submitted if the total external daily vehicle trips exceeds 15,858; 1,000 more than the approved April 2014 TIS approved external daily trips.
  - ii. If required, an updated TIS shall be conducted according to the Guidelines and Procedures used in the April 2014 TIS and the Town's Traffic Impact Study Guidelines.
  - iii. The cost of preparation of the TIS and subsequent updates shall be borne by the Developer or Representative and shall be conducted by the Town's TIS Consultant.

- iv. Each TIS shall consider transit, traffic, bicycle, pedestrian, and greenway transportation and shall address the accuracy of the projections and assumptions in April 2014 TIS for the Property.

d) Specific Roadway Improvements.

- 1) All designs and construction details are subject to NCDOT and Town approval. All design plans are subject to approval by the Town Manager prior to the issuance of a permit for each phase of the construction. All roadway improvements including traffic signal upgrades and signal system improvements must be completed prior to first Certificate of Occupancy.
- 2) Traffic Signal System Improvements. Traffic Signal System improvements shall include the following, subject to the approval by the Town Manager and NCDOT, and should be done in conjunction with the corresponding roadway improvements:
  - i. Traffic signal system timing plans for progression shall be studied, revised, and implemented in the Town system at all traffic signals on US 15/501 from Dogwood Acres Drive to NC 54 Westbound Off-Ramp. A traffic management camera must be designed, installed, and incorporated into the traffic signal system near the intersection of US 15-501 and Sumac Road.
- 3) Traffic signal upgrades on US 15/501 at the intersections of Market Street and the Sumac Road intersections shall be completed (including upgrades traffic signal and turn lanes) per terms of the April 2015 Traffic Impact Study Amendment and/or other design alternatives as required and approved by NCDOT and Town Manager. These improvements shall include the following:
  - i. High visibility thermo-plastic pedestrian crosswalks and pedestrian signals on all approaches at Market Street/US Highway 15-501 and Sumac Road/US Highway 15-501 intersections;
  - ii. Incorporation of APS Equipment to all traffic signal upgrades.
  - iii. Bicycle activated loops on all approaches to the side streets at Market Street/US Highway 15-501 and Sumac Road/US Highway 15-501 intersections.
- 4) Improvements to be made prior to first Certificate of Occupancy of any building south of Sumac Road include:
  - i. Slip street to be constructed;
  - ii. All remaining on-site roads and bicycle/pedestrian facilities to be completed;
  - iii. All remaining frontage improvements along US 15-501 not previously constructed, including turn lanes for any secondary entrances or exits, to be completed.

- 5) Slip Road.
  - i. If the slip road is allowed by NCDOT to connect to Sumac Road, there shall not be a left-turn movement onto US Highway 15/501 and Sumac Road from the slip road.
  - ii. If the slip road is not allowed by NCDOT for the full length between Middle Street and Sumac Road, it shall be allowed to divide the block between Middle Street and Sumac Road and onto Main Street.
  
- 6) The Developer or Representative shall construct on-site roads and bicycle and pedestrian facilities on US 15/501 between Market Street and Sumac Road which shall include the following:
  - i. Construction of sidewalks across the Property frontage and continue along the Property currently owned/occupied by Strata Solar, provided there is adequate width in the NCDOT right-of-way;
  - ii. Install Thermo-Plastic Sharrow Markings on all interior streets that do not have designated bike lanes;
  - iii. Install bike lanes on Market Street and Sumac Road between US Highway 15-501 and Main Street;
  - iv. Pedestrian walkways on both sides of every street as designated in [OBEY CREEK: Exhibit X];
  - v. No changes are proposed by the Developer to the existing bike lanes in US Highway 15/501.
  
- 7) Improvements at US 15/501/Market Street/Site Driveway.
  - i. Construction of southbound left turn lanes with NCDOT required full storage length and appropriate tapers on US 15/501.
  - ii. Construction of a second exclusive westbound left turn lane with appropriate tapers on Market Street if ROW permits.
  - iii. Construction of an exclusive northbound right turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15-501.
  - iv. Construction of dual ingress lanes and three egress lanes consisting of one exclusive left turn lane, an exclusive through lane, and an exclusive right turn lane, each with NCDOT required full storage length on the site access.
  - v. If required by NCDOT, provision of a minimum 300' protected internal driveway stem length prohibiting all turning and parking maneuvers on the site access.
  
- 8) Improvements at US 15/501/Sumac Road/Site Driveway.

- i. Construction of an exclusive southbound left turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15/501.
  - ii. Construction of an exclusive northbound left turn lane with NCDOT required full storage length and appropriate deceleration tapers on US 15/501.
  - iii. Construction of an exclusive northbound right turn lane with NCDOT required full storage length and appropriate deceleration taper on US 15-501.
  - iv. Construction of two ingress lanes and two egress lanes with NCDOT required full storage on the site access.
  - v. Provision of a minimum of 300' of protected internal driveway stem length prohibiting all turning and parking maneuvers on the site access.
  
- 9) US 15-501/Service Lane (south driveway).
  - i. Shall be constructed to right-in only from US 15-501.
  - ii. West-bound traffic on the service lane shall turn right onto the frontage road and shall not enter US 15-501.
  
- 10) Middle Street.
  - i. Shall have a right-turn from the Frontage Road to 15-501
  - ii. Shall not have a right-turn in from US 15-501.
  
- 11) US 15-501/Culbreth Road/Mt. Carmel Church Road.
  - i. Restripe existing westbound Mt. Carmel Church Road approach for a shared left-turn/through lane and dual right-turn lanes.
  - ii. Upgrade traffic signal plan as required by NCDOT and Town.
  - iii. Recommended improvements in the April 2014 Traffic Impact Study to the intersection of Mount Carmel Church Road and US 15-501 shall be completed.
  
- 12) Columbia Street and NC 54 Westbound Interchange.
  - i. Extend the storage lengths of the existing dual left turns and right turn lanes of the off-ramp as required by NCDOT.
  - ii. Upgrade the signal plan to include the extended turning lanes if needed by NCDOT.
  - iii. Restripe the existing South Columbia/US 15-501 Fordham Blvd. interchange, from Purefoy Road to Mt. Carmel Church Road as shown in Exhibit I.
  
- e) Transit Improvements.

- 1) The Developer Owner or Representative shall make an annual contribution of \$0.02 per square foot of completed heated building area to help fund night and weekend transit service to the Property and Southern Village area. This contribution shall be made for the term of this Agreement and shall be adjusted each year on July 1<sup>st</sup> for any new buildings completed in the past twelve (12) months. The payment shall be made no later than September 1<sup>st</sup> of each year.
    - i. The first payment shall be made upon issuance of the first Certificate of Occupancy;
    - ii. The \$0.02 contribution shall be adjusted annually with the Consumer Price Index (CPI) category “all urban consumers”;
    - iii. All payments made from three years after the Effective Date of this Agreement, provided a Certificate of Occupancy for the Property has been issued, shall be no less than \$10,000.
  - 2) A bus pull-out shall be constructed between Sumac Road and Market Street along the northbound lanes of US 15-501, in a location to be agreed upon with Chapel Hill Transit and the Town Manager.
  - 3) Bus facilities shall be built to the standard required by Chapel Hill Transit and shall accommodate any future design related to the implementation of bus rapid transit service.
  - 4) If desired by Chapel Hill Transit, a second bus pull-out along the northbound side of US 15-501 shall be constructed near the southern boundary of the Property prior to the Certificate of Occupancy for the southern-most building in the project.
- f) Bicycle Improvements.
- 1) Bicycle parking shall be in compliance with the LUMO Minimum and Maximum Off-Street Parking Space Requirements (Section 5.9.7) and shall be demonstrated for each Development Agreement Compliance Permit.
  - 2) [OBEY CREEK: Insert design standards for bicycle parking here].
- g) Other Transportation-Related Contributions.
- 1) A contribution of \$125,000 shall be made prior to the approval of the first Development Agreement Compliance Permit.
  - 2) The Council may choose to use a portion of the \$125,000 for the two (2) following improvements:
    - i. Up to \$50,000 may be used towards the funding of a traffic study and/or installation of traffic calming measures on Dogwood Acres Drive, provided that:

- (i) The NCDOT requirements have been met for formation by the property owners on and around Dogwood Acres Drive of a legal entity to do the following:
  - a. Petition NCDOT for traffic calming;
  - b. Maintain the traffic calming improvements.
- ii. Up to \$75,000 may be used towards the design and installation a pedestrian and bicycle crossing of US15-501/Fordham Blvd. at Oteys Road, including the provision of a HAWK signal, as shown in Exhibit F.
- iii. If either of these two improvements are chosen, the payment shall be made at the time the petition is approved by NCDOT (for Dogwood Acres Drive) or the design is approved by NCDOT for (Oteys Road).

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