**ORDINANCE A**

Approving the Obey Creek Development Agreement

**AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT FOR THE OBEY CREEK DEVELOPMENT (Orange County Parcel Identifier Numbers 9787-13-0667; 9787-24-1209; 9787-14-4852; 9787-14-1770) (2015-06-15/O-3)**

WHEREAS, North Carolina Statute Chapter 160A, Article 19, Part 3D authorizes a local government and a developer to enter into a development agreement to establish long term arrangements for the development of large scale development projects; and

WHEREAS, the Council of the Town of Chapel Hill has cooperatively negotiated with Obey Creek Ventures, LLC c/o East West Partners Management Company, Inc. to establish a Development Agreement to address development at the Obey Creek site and finds that the agreement is warranted, in order to achieve purposes of the Comprehensive Plan including but not limited to:

* Family-friendly, accessible exterior and interior places throughout to the town for a variety of active uses (Goal PFE.1)
* A range of housing options for current and future residents (Goal PFE.3)
* A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
* Balance and sustain finances by increasing revenue and decreasing expenses (Goal CPE.1)
* Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
* A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (Goal GA.1)
* A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
* Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
* Create a comprehensive transportation system that provides everyone safe and reasonable access to all the community offers (Goal GA.5)
* A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill’s character for residents, visitors, and students (Goal GPNS.5)
* Open and accessible common spaces for community gathering, cultural uses, and community development (Goal GPNS.7)
* Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)
* Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (Goal NOC.2)
* Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections (Goal NOC.3) ; and

WHEREAS, North Carolina General Statute Section 160A-400.22 requires that a Development Agreement established pursuant to Chapter 160A, Article 19, Part 3D of the General Statutes be approved by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill:

SECTION I

That the Council approves the attached Development Agreement, incorporating the amendments to the Agreement and to the accompanying Exhibit J: Design Guidelines discussed and approved by the Council on June 15, 2015, on property identified as now or formerly Orange County Parcel Identifier Numbers 9787-13-0667; 9787-24-1209; 9787-14-4852; 9787-14-1770, and located generally to the east of US Highway 15-501; to the west of Wilson Creek; and to the north of Wave Road.

SECTION II

That the Council authorizes and directs the Town Manager to execute the attached Development Agreement, incorporating the amendments to the Agreement and to the accompanying Exhibit J: Design Guidelines discussed and approved by the Council on June 15, 2015, on behalf of the Town; provided that the Manager is authorized to approve minor, non-substantive adjustments to the language that do not affect the meaning of any term of the Agreement prior to execution of the Agreement.

SECTION III

This Ordinance shall be effective July 1, 2015.

This the 15th day of June, 2015.