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ATTACHMENT 3

CORRESPONDENCE RECEIVED



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CHAPEL HILL DOWNTOWN PARTNERSHIP
driving downtown's destiny

November 17, 2006

Mr. Kevin Foy, Mayor
Mr. Roger Stancil, Town Manager
Town of Chapel Hill
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514

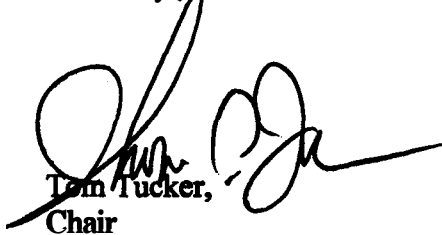
Dear Mayor Foy and Mr. Stancil:

On behalf of the Chapel Hill Downtown Partnership, I am writing in support of the concept of the revised Lot 5 mixed-use development project. The Board of Directors has not had an opportunity to review the details of the revised plan but in general, supports the concept of this project for the interest that it has brought to downtown. On March 20, 2006, our organization submitted a letter of support that identified five keys points that we feel are still important elements of this project.

In addition, it is important to note that the council's interest in downtown and their initiative reignited the community's interest in downtown. This has also provided confidence within the private development community to move forward with projects like *Rosemary Village, the Condominiums at McCorkle Place, Shortbread, and Greenbridge*. These four projects alone are anticipated to generate an additional total investment of \$100 million downtown, creating new residential, retail, and office space. Several more additional projects are in the concept stage for downtown.

We look forward to an opportunity to discuss the detail of these revisions with you and offer our assistance and support in creating a successful project for downtown.

Sincerely yours,


Tom Tucker,
Chair

CHAPEL HILL DOWNTOWN PARTNERSHIP

Driving Downtown's Destiny

308 West Rosemary Street Suite 202 Chapel Hill, North Carolina 27516
919-967-9440

March 20, 2006

Mr. Kevin Foy, Mayor
Mr. Cal Horton, Town Manager
Town of Chapel Hill
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514

Dear Mayor Foy and Mr. Horton:

On behalf of the Chapel Hill Downtown Partnership Board of Directors, I am writing in support of the proposed Lot 5 and *Wallace Deck* mixed-use development projects. The Board of Directors reviewed these projects at their March 8, 2006 board of directors meeting and voted unanimously to send a letter of support to the Town of Chapel Hill.

The Downtown Partnership commends the foresight of the Town Council and the efforts of the entire RAM Development team to create a vision for underutilized downtown property that will serve the needs of our community through the 21st century. As mixed-use centers located on the corners of Rosemary Street and Church Street and Franklin & Church Street; and on the corner of Hillsborough Street and Rosemary Street, we see these projects as having tremendous impact on future development opportunities. They will bring much needed residents and commercial enterprises to downtown, and will serve as a means of bridging the East and West ends of Franklin Street, and in strengthening the connectivity between Franklin and Rosemary Streets.

There are several key elements to these projects that our organization is very excited and pleased to see incorporated into the plans.

1. The Downtown Partnership board was pleased that the Lot 5 project is a series of several buildings of various heights and depths that fit together on the lot to provide street level space for retail and service businesses, and plaza space that encourages pedestrian flow, and human interaction. The board was not concerned with the height of the nine-story section in context with the other buildings on the lot, but would caution you to review this section carefully in relation to neighboring properties, specifically the Aveda building and the NC Association of Pharmacists building on Church Street. Successful downtowns are built in a manner that the buildings have a relationship with one another, and although are

not of the same architectural style or period, compliment each other in size, mass, scale, and materials.

The board was very pleased to see that this section was stepped back from both Franklin and Rosemary Streets, noting that the issue with the height of the Bank of America center was not one of height alone, but was an issue of the height within the context of a block of two-story, turn-of-the-century commercial buildings.

The proposed Lot 5 project gives the downtown much needed street-level space for our community to gather. We see opportunities for entertainment, market-place events, and special activities. Most downtowns were built with a square or a plaza where the community gathered for important announcements and events. The post office has served that function for many years here in Chapel Hill, but the public space is simply too limited for the needs of Chapel Hill's growing community. In order to adequately carry Chapel Hill through the 21st century, we must have a larger "square".

3. The proposed projects are expected to add 151 residential units to downtown or 242,000 sq. ft of residential space in Lot 5 and an additional 99 units or 148,000 sq. ft. in the Wallace Deck project. Residential development is vital the revitalization of downtown. These projects, along with Greenbridge, Rosemary Village and Shortbread Lofts, are expected to add approximately 550 units and some 800+ residents to downtown. This increase will begin to dramatically shift the marketplace to support a range of retail and service businesses that supply the needs of residential users.

The interest in downtown living is expected to increase nationally over the next fifteen years. In addition, over the last ten years, communities across America have experienced an increase in the demand for downtown living and a much higher occupancy rate with residential availability than with office availability. It is important to have adequate retail, service, professional and residential opportunities for a healthy downtown economy; but the Downtown Partnership supports the mix of uses proposed for both of these projects and predicts, assuming pricing and rates are not above the current market, that there will be a high demand for these spaces.

In addition, the Downtown Partnership board was encouraged by the variety of residential options, particularly noting their interest in the Live-Work units in the Wallace Deck project, and once again, anticipating this trend to continue and for there to be high demand for these spaces.

4. And finally, the retail spaces collectively are expected to add approximately 28,300 square feet of ground floor availability to downtown. The Downtown Partnership board recommends maintaining as much flexibility with these spaces as possible until actually tenants are identified. The average downtown retailer today is looking for 1000-1500 square feet, but many chain retailers are looking for larger spaces and we anticipate new opportunities for retail and service

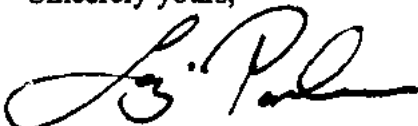
businesses that will cater to the residential growth and may require larger space or even flex space.

5. We are pleased to see that these projects offer a slight net increase in the number of available parking spaces to downtown. Parking is obviously in high demand, but again, given that the projects are mixed-use retail and residential, there should not be as much parking demand as there would if office uses were also a component of the projects.

The Downtown Partnership envisions a very dense, well-developed district full of retail and restaurant choices; educational, cultural and entertainment venues; office establishments throughout; and residential apartments, condos, and live-work units. Our goal is to retain and strengthen downtown as the center of activity for Chapel Hill. Development projects like the proposed *Lot 5* and *Wallace Deck Projects* will help *us* move one step closer towards that vision.

The Chapel Hill Downtown Partnership offers our support for the Lot 5 and the Wallace Deck Projects and our assistance in bringing these projects to fruition.

Sincerely yours,



Elizabeth H. Parham, CMSM
Executive Director

Cc: Josh Gurlitz
Susan Roussos

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Chris Berndt

From: Carol Abernethy
Sent: Monday, November 20, 2006 11:36 AM
To: 'George J Cianciolo'
Cc: JB Culpepper; Bill Strom; Bill Thorpe; Cam Hill; Ed Harrison; Jim Ward; Jim Ward (w) ; Kevin Foy; Laurin Easthom; Mark Kleinschmidt; Sally Greene (w); Adam Schaefer; Catherine Lazorko; Roger Stancil; Sabrina Oliver; Sandy Kline; Bruce Heflin; Flo Miller; Ralph Karpinos; Toni Pendergraph
Subject: Email RE: Downtown Redevelopment Plan

Thank you for your email. A copy has been forwarded to each Council Member and to senior staff members.

Carol Abernethy
Exec. Asst., Manager's Office
Town of Chapel Hill

From: George J Cianciolo [mailto:cianc002@mc.duke.edu]
Sent: Monday, November 20, 2006 9:00 AM
To: Town Council
Subject: Downtown Redevelopment Plan

Dear Mr. Mayor and Council Members:

While I hope to attend tonight's meeting to speak at the public forum on the Downtown Redevelopment Plan I have to pick my mother up at the airport and can't be sure that I'll be able to make it to Town Hall in time to speak. Therefore I wish to share my thoughts with you on this most important subject.

The proposed plan is an important step for the Town of Chapel Hill. It is one that I have followed closely from its inception, having attended most, if not all, of the public meetings with the Town's consultant during the initial exploratory/planning stages. It is a project that I have always been supportive of. When I first arrived in the Triangle area in 1978 I lived in Durham. In the following decade or so Chapel Hill's downtown was always the place to be. It was vibrant, alive, and so characteristic of an exciting university town. Having moved to Chapel Hill in 1989 (after 2 1/2 years in the San Francisco bay area) I got to experience Chapel Hill first hand. And while it was still one of the premier destinations in the Triangle one could see that it was beginning to lose its edge. I don't think that anyone today would dispute that we have indeed lost our edge and that our downtown no longer has that sense of excitement that many of us fondly remember.

I also know from speaking to several of my fellow advisory board members and Chapel Hill citizens that there is some concern that Chapel Hill might be losing its identity - that the scope of this project and other proposed projects for downtown Chapel Hill are likely to cause us to cease being a "village" and to become more of a small city. I must confess that even I have occasional trepidations about the rapidity with which change seems to be coming and the magnitude of that change. But I do not believe that we can simply keep the status quo for two reasons. The first is that we have already lost the vibrancy which is necessary to make our downtown an attractive place to live, work, or visit. The second is that even if we were to choose to not grow, the University plans to and will indeed grow. And the growth of the University will be not only on the Carolina North campus but on the main campus as well. Thus I see the most likely chance of success is for the Town to embrace the concept of growth, but to do so as it has usually done, with an eye to well-designed, well-thought-out, and well-discussed plans for that growth.

Some people seem to question whether the Town should be participating in the proposed public-private partnership for this first step in the Downtown Redevelopment. I look to our neighbors in Durham and the rapid and extensive redevelopment that is occurring with the American Tobacco complex and West Village. I doubt that these projects, which appear to be moving forward successfully, would have proceeded without the financial commitment that both the City and County of Durham made in terms of the parking structures that they built. I

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understand that there is some financial risk to Chapel Hill in the proposed Lot 5 project (although it seems most of it is on the back end when it will have to pay for its completed parking spaces) but I think that we are at a crossroads for Chapel Hill. We can either let the University continue to grow as it indeed will and let the downtown become a sort of service area for the University and its students or we can move forward with courage and conviction to create a downtown that has an identity of its own, independent of but complementary to the University. A downtown that is alive and vibrant and not only an attractive place to live but that again becomes a destination for people not only in other parts of the Triangle but for people throughout the state and even the nation.

In conclusion, I strongly support the proposed project for Lot 5 and hope that this project will move forward quickly and decisively.

Best wishes,

George Cianciolo

11/29/2006

Chris Berndt

From: Carol Abernethy
Sent: Monday, November 20, 2006 3:54 PM
To: 'Pat Evans'
Cc: JB Culpepper; Bill Strom; Bill Thorpe; Cam Hill; Ed Harrison; Jim Ward; Jim Ward (w) ; Kevin Foy; Laurin Easthom; Mark Kleinschmidt; Sally Greene (w); Adam Schaefer; Catherine Lazorko; Roger Stancil; Sabrina Oliver; Sandy Kline; Bruce Heflin; Flo Miller; Ralph Karpinos; Toni Pendergraph
Subject: Email RE: Four Days is not enough!

Thank you for your email. A copy has been forwarded to each Council Member and to senior staff members.

Carol Abernethy
Exec. Asst., Manager's Office
Town of Chapel Hill

-----Original Message-----

From: Pat Evans [mailto:patevans@bellsouth.net]
Sent: Monday, November 20, 2006 1:48 PM
To: Town Council
Subject: Four Days is not enough!

Hi,

For a Council who supports public participation in decision making, four days is just not enough time to read, understand and get answers to questions, so that informed public comment can be made regarding the development of Lot 5. This is a project vitally important to the entire community and there are many, many questions that need to be asked and answered in the public eye. Please allow enough time for the citizens to have a chance to ask and get their questions answered.

Regards,
Pat

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Chris Berndt

From: Carol Abernethy
Sent: Monday, November 20, 2006 3:55 PM
To: 'Anita Badrock'
Cc: JB Culpepper; Bill Strom; Bill Thorpe; Cam Hill; Ed Harrison; Jim Ward; Jim Ward (w) ; Kevin Foy; Laurin Easthom; Mark Kleinschmidt; Sally Greene (w); Adam Schaefer; Catherine Lazorko; Roger Stancil; Sabrina Oliver; Sandy Kline; Bruce Heflin; Flo Miller; Ralph Karpinos; Toni Pendergraph
Subject: EmailRE: Ram Development project public hearing

Thank you for your email. A copy has been forwarded to each Council Member and to senior staff members.

*Carol Abernethy
 Exec. Asst., Manager's Office
 Town of Chapel Hill*

From: Anita Badrock [mailto:abadrock@smithernc.com]
Sent: Monday, November 20, 2006 2:11 PM
To: Town Council
Subject: Ram Development project public hearing

Dear Mayor Foy and Members of the Town Council,

I wanted to send this email about tonight's public hearing on the joint downtown development project between our Town and Ram Development in case I am unable to attend tonight's meeting.

First of all, I want to thank you all for the thoughtfulness and diligence with which you have represented the Town's interest throughout this process, and for the vision to pursue this project in the first place. Our downtown will benefit from this project. Having high quality residential and retail space right in the center of downtown will tie together the East and West blocks of downtown, provide more customers for downtown businesses, and use what is probably the most valuable piece of real estate on the block in a productive and exciting way. The opportunity to put more retail space on Rosemary Street will be an important part of the redevelopment of that area and will enhance the other projects currently underway there.

So my support starts from the basic assumption that we should use this valuable property in a more productive manner that will improve the triple bottom line of sustainability.

1. Economic--this project vastly improves the tax performance of a prime piece of real estate. It promotes the economic health of existing downtown businesses by increasing downtown residents and visitors and providing another important destination point for downtown. Those people will patronize not just the retail offerings on the project, but other shops and restaurants throughout downtown area.
2. Environmental---building the project to LEEDS standards and providing community open space is extremely important to the community. Having downtown residents reduces the strain on transportation infrastructure. A beautifully designed project with underground parking improves the visual aesthetics of our community.
3. Social---Having affordable housing downtown within walking distance of many jobs will encourage people to live near where they work. The public space will provide an important gathering place in the heart of our downtown, space we currently do not have. More residents downtown creates a safer environment by putting more eyes and feet on the street.

I encourage you to carefully monitor the financial assumptions in the plan and cross check them to be sure they make sense in a wide array of economic conditions. I know that the town's investment has increased from the initial proposal to the final plan we are discussing tonight. The town is increasing its financial exposure, but the increased value of the final project to the community is more than worth it. I think the project maximally

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leverages the town's resources while acceptably mitigating the potential liability.

Sincerely,

Anita Badrock

Smither and Associates personnel services	' partnering exceptional talent with valued clients'
Anita W. Badrock	<u>100 Europa Drive, Suite 460</u>
<i>Vice-president</i>	<u>Chapel Hill, NC 27517</u>
	tel: 919-929-0127
	fax: 919-933-5566
<u>abadrock@smithernc.com</u>	mobile: 919-260-3153
<i><u>Powered by Plaxo</u></i>	<i><u>Want a signature like this?</u></i>

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Chris Berndt

From: JB Culpepper
Sent: Tuesday, November 21, 2006 3:04 PM
To: Sabrina Oliver; Chris Berndt
Cc: Ralph Karpinos; Roger Stancil
Subject: FW: Proposed Removal of Parking on Corner of Franklin and Church Streets

For distribution.

From: Whit Scott [mailto:whinnfjord@yahoo.com]
Sent: Monday, November 20, 2006 9:34 PM
To: planning
Subject: Proposed Removal of Parking on Corner of Franklin and Church Streets

To Whom It May Concern:

I am a concerned citizen of Chapel Hill and I don't believe that it is a good idea to remove one of the few parking lots on Franklin street simply because it is currently "a void". If it's truly that bad to look at, then instead of creating an attraction that will require MORE parking, build a big parking garage that will look nice and fit in with the motif of the area! Please do not get rid of one of the VERY FEW places to park on Franklin street!

I understand that it is also being proposed that there will be an underground parking garage as well, but that will most likely be only a few spaces (not as many as are there currently, and certainly not an increase in size, I'm sure). These new businesses will certainly require parking for their patrons and this will only exacerbate the huge parking problem that currently exists.

I believe it will be a HUGE mistake if you decide to replace this valuable parking lot with yet more stores that require even more parking.

Sincerely,

Whit Scott
130 Weaver Dairy Road
Chapel Hill, NC 27514
(919) 696-0824

Everyone is raving about the all-new Yahoo! Mail beta.

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Chris Berndt

From: Carol Abernethy on behalf of Roger Stancil
Sent: Wednesday, November 29, 2006 12:32 PM
To: Chris Berndt
Subject: FW: citizen question re: RAM development

Carol Abernethy
Exec. Asst., Manager's Office
Town of Chapel Hill
(919) 968-2844
(919) 969-2063 (FAX)

From: Roger Stancil
Sent: Sunday, November 26, 2006 9:33 AM
To: Jay Brenman
Subject: RE: citizen question re: RAM development

On December 4, the Council will be voting on whether to authorize the Town Manager and the Town Attorney to proceed with negotiating a development agreement with Ram Development on the basis of the proposal discussed at the November 20 meeting. That proposal included a 12.5 million dollar equity investment by the owner. There will be performance and payment bonds included in the development agreement; however, the details of those requirements will not be finalized until the agreements complete. The basis of a performance bond, however, is that there are sufficient funds set aside so the project can be finished even if something happens so that the developer cannot complete the project himself.

In essence, the information you requested will be in the development agreement if the Council decides to proceed. Once that agreement is negotiated by the Manager and the Attorney, it will return to the Council for consideration.

Is that useful information? If you have other questions, please let me know.

Roger L. Stancil
Town Manager
Town of Chapel Hill, NC
919-968-743

From: Jay Brenman [mailto:brenmanjay@hotmail.com]
Sent: Sun 11/26/2006 9:19 AM
To: Manager
Subject: citizen question re: RAM development

Dear Mr. Manager,

I had a specific question about the performance or payment bonds for the lot 5 RAM project that the council will be voting on soon.

1. what is the total value of the performance/surety bond to the Town if

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the developer can not finish the project and under what time span?

2. What are the dates certain in the performance bond for completion: is there a time within which the developer must complete the project or face annual financial penalties - if so what are they?

Best wishes,

Jay Brenman

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http://sportmavs.live.com/index.html?source=emailIenovO6&FO=MGACO_1

From: Carol Abernethy on behalf of Roger Stancil
Sent: Wednesday, November 29, 2006 12:27 PM
To: Chris Berndt
Subject: FW: RAM lot 5

Carol Abernethy
Exec. Asst., Manager's Office
Town of Chapel Hill
(919)968-2844
(919)969-2063 (FAX)

-----Original Message-----

From: Roger Stancil
Sent: Tuesday, November 28, 2006 12:06 PM
To: Jay Brenman
Subject: RE: RAM lot 5

Mr. Brenman,

In response to your questions:

1. Condo fees are an issue to be addressed in the development agreement to be brought back to the Council for approval.
2. The Council on December 4 will consider whether to authorize the Town Manager and Town Attorney to negotiate a development agreement with Ram Development consistent with the original memorandum of Understanding as modified by the current proposal. If no agreement is reached and/or approved by the Council, there is no project and nothing changes about Lot 5. If an agreement is reached, I am sure it will be contingent upon the developer's ability to gain a Special Use Permit from the Town. If no permit is approved, the project will not move forward and nothing changes about Lot 5.

Roger L. Stancil
Town Manager
Town Manager's Office
Town of Chapel Hill
405 Martin Luther King Jr Blvd
Chapel Hill, NC 27514-5705

Phone: (919) 968-2743
Fax: (919) 969-2063

Note: Mail sent to or received from the Town Manager is subject to publication under the provisions of the North Carolina public records law.

---Original Message---

From: Jay Brenman [mailto:brenmanjay@hotmail.com]
Sent: Monday, November 27, 2006 8:52 AM
To: Manager
Subject: RAM lot 5

Dear Mr Manager,

- 1.. have the issues of condo fees for affordable units been adressed? The exorbitant condo fees are often a problem for affordable units - has this been adressed at all?
2. the Dec. 5 th vote on RAM: does that council vote lock in RAM as the exclusive developer for lot 5?
If so how long will they have rights to the property should the council later decide not to grant an SUP?

Best wishes,

Jay Brenman