

Aydan Court Proposed Public Art Stipulation

An artwork construction and installation plan shall be approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. The preferred location for the artwork, to be visible to the public, is within the NC 54 right-of-way at the front of Aydan Court, but not visually competitive with the Town of Chapel Hill entry monument sign.

The artwork shall be placed outdoors in the NCDOT right-of-way, subject to NCDOT approval of an appropriate encroachment agreement. The artist and artwork shall be selected jointly by the developer and the Public Art Commission. The value of this public art installation, or payment-in-lieu thereof, shall be no less than \$20,000 including artist fee, fabrication cost, transportation, and installation cost. The artwork shall be installed prior to the receipt of a Certificate of Occupancy for the last dwelling unit at Aydan Court.

If NCDOT will not permit the placement of the artwork in the NC 54 right-of-way at the front of Aydan Court, the developer shall make a payment-in-lieu of \$20,000 to the Chapel Hill Public Arts fund prior to issuance of the Certificate of Occupancy for the last dwelling unit at Aydan Court. This PIL shall be used only for the creation and installation of an artwork on public property with appropriate credit citing the source of all funds used in the artwork.

February 9, 2009