



UNIVERSITY ARCHITECT AND DIRECTOR  
FACILITIES PLANNING DEPARTMENT

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UNIVERSITY ARCHITECT AND DIRECTOR  
FACILITIES PLANNING DEPARTMENT

103 AIRPORT DRIVE  
CAMPUS BOX 1090  
CHAPEL HILL, NC 27599-1090

#1 3-21-05 PH  
Clerk copy  
ATTACHMENT 8

TEL: 919-966-1571  
FAX: 919-962-9103  
www.fpa.unc.edu  
annaw@fa.unc.edu

March 21, 2005

Statement from Anna Wu to  
Chapel Hill Town Council  
On behalf of The University of North Carolina at Chapel Hill  
And UNC Health Care Systems

I am here on behalf of The University of North Carolina at Chapel Hill and UNC Health Care System to voice our objections to the Town's proposed re-zonings of the Horace Williams property.

The professed intent of the re-zonings are to establish a dialogue with the University. The proposed re-zonings are completely unnecessary to achieve this goal. Discussions with the Town and University can be initiated without rezoning the property. In his letter to Mayor Foy on October 15, 2004, the Chancellor expressed his hope that the town and the University would work cooperatively to develop Carolina North. Even though the Town has initiated this re-zoning, we believe that the Town and University can work cooperatively to discuss the future of the community and University to create an appropriate regulatory tool for Carolina North. We look forward to beginning these conversations.

Our letter dated March 16, 2005 outlines the specific reasons these re-zonings are not in accordance with the Land Use Management Ordinance. Please refer to the letter from Vice-Chancellor Sutenfield in your packet.

The University believes strongly that a single zoning district for this tract is the most responsible way to proceed with its development. A single zoning to OI-2, however, encourages a building by building approach to development and offers no comprehensive mitigation strategies for transportation, perimeter protection, or environmental management. Rezoning the Horace Williams properties to OI-2 is not in conformance with the Comprehensive Plan, is not in conformance with the 1998 JJR plan referenced in the Comprehensive Plan, nor is it necessary to the promotion of the public health, safety, or general welfare.

The Chancellor concludes in his October, 2004 letter to Mayor Foy, and I quote:

"The town and the University worked cooperatively to develop the OI-4 zoning and I would hope that the same kind of cooperation would exist as we approach the development of Carolina North. We respectfully request that the Council not proceed with rezoning at this time. Instead, let us use this time to work together to further our mutual goal of building a better community and University."



THE UNIVERSITY  
of NORTH CAROLINA  
at CHAPEL HILL

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Clerk's copy  
Agenda # 1 PH  
3-21-05

JAMES MOESER  
Chancellor

103 SOUTH BUILDING  
CAMPUS BOX 9100  
CHAPEL HILL, NC 27599-9100

T 919.962.1365  
F 919.962.1647  
www.unc.edu

October 15, 2004

The Honorable Kevin Foy  
Mayor, Town of Chapel Hill  
Town Hall  
306 N. Columbia St.  
Chapel Hill, NC 27516

Dear Mayor Foy:

I write to register, in the strongest possible terms, our objection to the action taken by the Town Council on Monday, October 11, initiating the rezoning of the University's Carolina North property to OI-2. No such action item was included in the Council's agenda for the meeting, so we were surprised to see the Council act in this way. For the record, the University has not submitted a request for rezoning of the Carolina North property, and when it does, we expect to consult with the Town to identify appropriate ways to proceed with any rezoning consideration. I would also note that we have no intention of making any application under the current OI-3 zoning.

When the main campus was rezoned in 2001, the town-gown process we used resulted in the creation of a new zoning district, OI-4, which required the University to submit a new instrument, the Development Plan, for consideration by the Town Council. Since approval by the Council in October 2001, the Development Plan has guided the renovation and building program under way on the campus.

The town and the University worked cooperatively to develop the OI-4 zoning, and I would hope that the same kind of cooperation would exist as we approach the development of Carolina North. We respectfully request that the Council not proceed with rezoning at this time. Instead, let us use this time to work together to further our mutual goal of building a better community and University.

Sincerely,

  
James Moeser

cc: Richard "Stick" Williams and members of the Board of Trustees  
Members of the Chapel Hill Town Council  
Cal Horton

(40)

#1  
3-21-05 PH  
Clerk's copy

Statement to Town Council  
March 21, 2005

Good evening Mayor Foy and members of the Council. I'm speaking tonight on behalf of the citizens group Neighborhoods for Responsible Growth.

Neighborhoods for Responsible Growth is a grassroots citizens organization dedicated to improving communication and cooperation among neighborhoods and pursuing forward-thinking solutions to the problems and issues facing our community.

We support rezoning the OI-3 part of the Horace Williams tract to OI-2, and leaving any areas that are currently zoned R-2 unchanged. This is the Planning Board's recommendation, and we support it fully.

We have supporters from more than a dozen neighborhoods here tonight. At this time, I'd like to ask those in the audience who have come to show their support for our position to stand.

The Land Use Management Ordinance specifies that rezoning may be undertaken for any *one* of three reasons: to correct manifest errors, to adapt to changing or changed conditions, or to achieve the goals of the Comprehensive Plan. This rezoning meets not just one but *two* of these criteria.

First, conditions *are* changing. The Horace Williams tract is no longer on the outskirts of town - it is almost surrounded by residential neighborhoods. On November 14, 1994, the Chapel Hill Town Council voted to rezone portions from OI-3 to OI-2 because it considered OI-3 "...inappropriate in consideration of future development proposals for this area". What was true then is still true now. In the past 10 years, a number of *new* neighborhoods have sprung up around the property

Second, this rezoning meets the Comprehensive Plan goal of preservation of existing neighborhoods as an essential part of Chapel Hill's vision for the future. As proposed, Carolina North would be the largest development in town history, with a tremendous impact on surrounding neighborhoods and the town as a whole. Rezoning helps preserve neighborhoods in two respects: first, OI-2 is more neighborhood-friendly than OI-3 with respect to its density, setbacks, and building height limits. Second, it is imperative that Chapel Hill citizens have a voice in how this development is conceived and implemented through an open process involving their elected representatives. This open process is required under OI-2 but not under OI-3.

By this same logic, it makes little sense to change the R-2 portion to OI-2. The latest concept plans for Carolina North and statements made by university officials indicate that there is no plan to build on those areas. Therefore, given the lack of pending projects and the great interest among citizens to preserve at least this portion of it, why not leave this area R-2?

It may be many years before discussions begin on whether the Horace Williams tract will become home for a satellite campus or be preserved as a green oasis within a highly developed area, or some combination of both. Until that time, it is only good foresight to apply zoning that is properly suited to today's conditions.

We urge you to adopt the Planning Board recommendation and the recommendation of the Horace Williams Citizens Committee and vote to rezone only the OI-3 portion of the tract to OI-2.

Thank you for your consideration.

Michael Collins  
723 Williams Circle, Chapel Hill, NC 27516  
Neighborhoods for Responsible Growth

(4)

**Sandy Cook**

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**From:** Carol Abernethy on behalf of Cal Horton  
**Sent:** Monday, March 21, 2005 3:26 PM  
**To:** 'Diana Steele'  
**Cc:** Roger Waldon; JB Culpepper; Bruce Heflin; Cal Horton; Catherine Lazorko; Emily Dickens; Flo Miller; Ralph Karpinos; Sabrina Oliver; Sandy Cook; Toni Pendergraph; Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; 'Edith Wiggins'; 'Jim Ward'; Jim Ward (w) ; Kevin Foy; Mark Kleinschmidt ; Sally Greene (w)  
**Subject:** Email RE: Please rezone H.Wms O&I-3 to O&I-2 and leave the R2 untouched.

A copy of your email message has been forwarded to each Council Member.

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

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**From:** Diana Steele [mailto:willowhill@bellsouth.net]  
**Sent:** Monday, March 21, 2005 3:25 PM  
**To:** Town Council  
**Subject:** Please rezone H.Wms O&I-3 to O&I-2 and leave the R2 untouched.

Hello, all,  
This is my short and sweet request to you to:

**please rezone the part of the Horace Williams tract that is O&I-3 to o&I-2  
please leave the O&I-2 part alone unless you dare rezone it to R2.  
Please DO NOT rezone the R2 part of the property.**

Details available, but surely you know them all,  
and you have the Planning Board's recommendation,  
and you have the Horace Williams Committee's recommendations.  
SOMEBODY's got to help UNC and other megadevelopers get a grip on values.  
That would be you.  
Be of good courage; Chapel Hillians WANT you to guide development here.  
Don't be bullied (however adeptly) into giving up your guidance clout.  
Thank you,  
Mother Diana

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Diana Whittinghill Steele, Director/Teacher  
**Willow Hill Preschool**  
1207 Mason Farm Road  
Chapel Hill, NC 27514-4842  
Landline: 919-929-8922  
Mobile: 919-357-6257  
email: willowhill@bellsouth.net

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**Sandy Cook**

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**From:** Carol Abernethy on behalf of Cal Horton  
**Sent:** Monday, March 21, 2005 4:06 PM  
**To:** 'prose@med.unc.edu'  
**Cc:** Roger Waldon; JB Culpepper; Bruce Heflin; Cal Horton; Catherine Lazorko; Emily Dickens; Fio Miller; Ralph Karpinos; Sabrina Oliver; Sandy Cook; Toni Pendergraph; Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; 'Edith Wiggins'; 'Jim Ward'; Jim Ward (w) ; Kevin Foy; Mark Kleinschmidt ; Sally Greene (w)  
**Subject:** Email RE: horace williams rezoning

A copy of your email message has been forwarded to each Council Member.

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

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

**From:** Claudia Prose [mailto:claudia\_prose@med.unc.edu]  
**Sent:** Monday, March 21, 2005 4:02 PM  
**To:** Town Council  
**Subject:** horace williams rezoning

Dear Mayor and Council members,  
I support the neighborhood representatives who will speak this evening on the issues of rezoning Horace Williams land. In particular, the rezoning of the OI-3 area to OI-2 and the continuation of the R-2 zoning have my support. I may not get home in time to stand with other neighborhood representatives. All the support you give our neighborhoods will be appreciated. Thanks, Claudia Prose  
123 Cedar Hills Circle  
Chapel Hill

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**Sandy Cook**

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**From:** Carol Abernethy on behalf of Cal Horton  
**Sent:** Monday, March 21, 2005 12:02 PM  
**To:** 'Joan Guilkey'  
**Cc:** Roger Waldon; JB Culpepper; Bruce Heflin; Cal Horton; Catherine Lazorko; Emily Dickens; Flo Miller; Ralph Karpinos; Sabrina Oliver; Sandy Cook; Toni Pendergraph; Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; 'Edith Wiggins'; 'Jim Ward'; Jim Ward (w) ; Kevin Foy; Mark Kleinschmidt ; Sally Greene (w)  
**Subject:** Email RE: Horace Wms Re-zoning

A copy of your email message has been forwarded to each Council Member.

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

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

**From:** Joan Guilkey [mailto:jguilkey@nc.rr.com]  
**Sent:** Monday, March 21, 2005 11:00 AM  
**To:** Town Council  
**Subject:** Horace Wms Re-zoning

Dear Mayor Foy and Council:

I cannot attend the hearing tonight, but strongly support the efforts to keep the HW area that is R-2 as it is and to consider re-zoning only the area that currently is OI-3. I want the Council and the public to continue to have the power to govern the uses in OI-3 and R-2 areas.

THANK YOU. Joan Guilkey

**CHAPEL HILL TOWN COUNCIL/UNC/CAROLINA NORTH**

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**SUBJECT: Programmatic Environmental Impact Assessment (or, Strategic Environmental Assessment)**

**FROM: Barnes Bierck**  
3 Hampton Hill Place  
Chapel Hill, NC 27517

**DATE: March 21, 2005**

The purposes of this memorandum are to

1. Describe Programmatic Environmental Impact Assessment (PEIA), and to
2. Suggest that the Town and University consider working together to perform a PEIA, helping chart the future of Carolina North.

**Programmatic Environmental Impact Assessments**

Programmatic Environmental Impact Assessment (also known as Strategic Environmental Assessment, or SEA) is "the process of evaluating the impacts of a strategic action -- a policy, plan or program -- on the environment (or on sustainability), to inform decision-making." (Therivel, 2004). The PEIA process is a firmly established tool for examining alternatives at the strategic level, and can focus on the sustainability of various development options, helping make the right choices.

The PEIA approach is not the same as an Environmental Impact Assessment. A PEIA is a process involving the various stakeholders and experts, working together, looking at the big picture and evaluating alternatives. Environmental Impact Assessments (and Impact Statements) are basically at the project level, often performed after important decisions have already been made. The PEIA approach of evaluating alternatives at the strategic level, before important decisions have been made, helps lead to consensus on the best ideas resulting in the best outcomes.

**Steps in Performing a PEIA**

Steps in performing an PEIA are noted in many sources (e.g. the literature cited below). Early steps include determining, and agreeing upon, the goals and objectives (although they may change over time) of a given plan, or strategic action, under development.

When all stakeholders are involved in setting goals and objectives, then approaches for meeting them are much more realizable than when they are established by one party and reacted to by others. Key components of setting goals and objectives are to identify "the authority responsible for deciding on the strategic action, the geographical area and time period covered by the strategic action, the initial (they may change) objectives of the strategic action, and reasons for carrying out the PEIA." (Therivel, 2004).

Final steps include report writing and implementation of the plan. Report writing is not seen as a large component of the process because, if done properly, all stakeholders will already know the report's contents. Another key step of the PEIA process is monitoring results over time, to determine whether there are needs for modifying the approach.

#### Reasons for Working and Developing a PEIA

Carolina North represents a unique opportunity for improving both the University and the local community. By working together from the outset, all sides' concerns can be addressed. This approach results in win-win outcomes for all parties.

While the University is taking seriously its mission with respect to Carolina North in commendable ways, the Law of Unintended Consequences could rear its ugly head. For example, the right approaches to Carolina North will attract new, energetic faculty, bringing forth ideas benefiting gown and town financially and otherwise. On the other hand, an approach resulting in worsening of the town's quality of life would surely have the opposite effect. By entering a process that maximizes input of good ideas, the University will better the chances that Carolina North will maximize the local quality of life, helping attract world class faculty to accomplish the University's mission. A PEIA can help achieve the ideals of all parties.

#### How Would the PEIA Process be Carried Out Here?

The process can unfold in different ways. A number of good consultants can be retained to provide advice on approaches and/or to serve as a facilitator. Numerous factors to be considered include establishing roles and responsibilities, individual tasks, timing, budgeting, and opportunities for public input.

#### **References**

Therivel, R., <http://www.brookes.ac.uk/schools/planning/SEAmicro/SEA.html> (March 22, 2004).

Glasson, J., Therivel, R., and Chadwick, A., *Introduction to environmental impact assessment : principles and procedures, process, practice, and prospects*, UCL Press, London (1994).

Therivel, R., and Partidario, M., *The practice of strategic environmental assessment*, Earthscan Publications, London (1996).



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THE UNIVERSITY  
of NORTH CAROLINA  
at CHAPEL HILL

Post-It® Fax Note	7571	Date	4/8/05	Page	3
To	Cal Horton	From	Jan Hayes		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	919-2063	Fax #			

CHAPEL HILL, NC 27599-1000

www.unc.edu

Rec'd 4/10/05  
RCH

M MHC RW  
CH

April 5, 2005

Fred Stang  
218 Barclay Road  
Chapel Hill, NC 27516

Dear Mr. Stang:

This is in response to your letter of March 29, on behalf of Neighborhoods for Responsible Growth (NRG), requesting that the University "reconsider its opposition" to the proposed rezoning of the Horace Williams tract known as Carolina North.

Our objection has nothing to do with "excluding" the community's elected representatives from involvement in planning discussions, as your letter suggests. Although my letter of March 16 to Cal Horton provided a series of technical reasons to substantiate our protest, our objection is primarily a matter of principle.

The Town Council initiated a unilateral process for rezoning without any advance discussion with, or notice to, the University. Such unilateral action at this time is specious and unnecessary because, as Chancellor Moeser said in his letter of October 15, 2004 to the Mayor, "...the University has not submitted a request for rezoning of the Carolina North property, and when it does, we expect to consult with the Town to identify appropriate ways to proceed with any rezoning consideration". Further, there is no way that any development could take place without the community's knowledge and Council's ultimate review and involvement, which seems to be a fear. Before any development would proceed at Carolina North, various University approvals, all of which are public deliberations, would be necessary and would pave the way for the initiation of dialogue about rezoning.

Time and again we have emphasized that, in planning for the development of Carolina North, we will work together with the Town and citizens to build a better community and University. We have demonstrated good faith through countless early discussions with community groups about the planning principles and development concepts for Carolina North. Nevertheless, the Council has proceeded with the unilateral process as if downzoning is its only means of assuring itself reasonable involvement in planning and oversight.

While we will not, as a matter of principle, withdraw our objection to the proposed rezoning, we stand ready to work with the Town and citizens in a cooperative public planning process that will include zoning considerations. We appreciate and understand your strong interest in the future of Carolina North, and we

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urge you to join with us in urging the Town Council to abandon this unnecessary action. In any relationship, unilateral decisions only serve to create new tensions and needless obstacles to teamwork.

Sincerely,



Nancy D. Sattenfield  
Vice Chancellor for Finance and Administration

cc: Chancellor Moaser

(48)

FRED STANG  
218 Barclay Road  
Chapel Hill, NC 27516

APR 27 2005

March 29, 2005

Ms. Nancy D. Suttenfield  
Vice Chancellor  
302-A South Bldg.  
CB#1000  
University of North Carolina  
Chapel Hill, NC 27599

Dear Ms. Suttenfield,

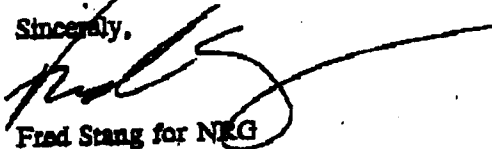
At its recent meeting, Neighborhoods for Responsible Growth (NRG) agreed that we should write you to reiterate NRG's position on the Horace Williams tract rezoning and to request that the University reconsider its opposition.

I am enclosing a copy of Mike Collins' statement presented on behalf of our organization at the Town's public hearing. Also enclosed is NRG's brochure which acknowledges UNC's desire to grow, and NRG's desire to assist in channeling that growth in constructive and responsible ways. NRG is devoted to maintaining a balance between development, including UNC'S expansion needs, and the Town Council's efforts to maintain a good quality of life for its residents.

The proposed rezoning supported by our organization provides reasonable oversight by the Town and does not unreasonably restrict UNC's expansion opportunities - rather, it would provide for UNC and the Town Council to work together in the best interest of the University AND the surrounding neighborhoods. UNC's current position would provide only for interaction with the Town Planning Board. As helpful and informed as its members are, still, the Planning Board is not an elected body - the Council is. It seems to us that the University would want to cooperate fully with the Town's elected representatives on their rezoning efforts. We think that withdrawing its opposition to the rezoning proposal would be a sound, welcomed, good-faith, and painless opportunity for the University to reassure the citizens of Chapel Hill.

We are asking you to reconsider your opposition and to withdraw your petition. We look forward to your response.

Sincerely,



Fred Stang for NRG

cc: Chancellor Moeser  
Anna Wu  
Tony Waldrop

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**From:** James W. Pruett [mailto:[jandlpruett@mindspring.com](mailto:jandlpruett@mindspring.com)]  
**Sent:** Tuesday, April 19, 2005 11:19 AM  
**To:** Town Council  
**Subject:** Horace Williams Tract

I encourage you to approve the rezoning request of the Horace Williams Tract OI-3 to OI-2, leaving the R-2 portion as is.

Thank you for your attention.

Lilian P. Pruett  
343 Wesley Drive  
Chapel Hill, NC 27516

James W. Pruett  
[jandlpruett@mindspring.com](mailto:jandlpruett@mindspring.com)  
Why Wait? Move to EarthLink.