

ATTACHMENT A

A RESOLUTION APPROVING THE CONCEPT PLAN FOR THE PORTION OF THE GREENE TRACT THAT REMAINS IN JOINT OWNERSHIP

Resolution No. 52/2002-03

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill acquired the property known as the Greene Tract in 1984 as an asset of the joint solid waste management system; and

WHEREAS, title to 60 acres of this property was deeded exclusively to Orange County in 2000 under provisions of the 1999 interlocal "Agreement for Solid Waste Management"; and

WHEREAS, under the same interlocal agreement the County and Towns agreed to bargain in good faith during the two-year period following the effective date of the agreement to determine the ultimate use or disposition of the balance of the acreage on the Greene Tract; and

WHEREAS, the end date of the "bargaining period" as defined in the agreement was April 17, 2002, the second anniversary of the date upon which the County assumed overall responsibility for solid waste management in Orange County; and

WHEREAS, the Greene Tract Work Group considered direction from the respective governing boards, comments from interested citizens and organizations, and information developed by staff in response to Work Group inquiries in developing a recommended concept plan for the balance of the Greene Tract; and

WHEREAS, the Work Group reported to all three governing boards in a resolution dated March 21, 2002 that it had reached substantial agreement on a concept plan providing for approximately 78 acres to be earmarked for open space protected by conservation easements and approximately 15 acres to be earmarked for affordable housing but had not yet reached agreement regarding what designation should be placed on the remaining 11 acres; and

WHEREAS, the governing boards of all three jurisdictions approved resolutions extending the bargaining period beyond April 17, 2002 in order to allow the Greene Tract Work Group additional time to try to reach consensus on the basic uses to be established for the approximately 11 acres at that time unresolved; and

WHEREAS, the Work Group received a technical report from the County Engineer outlining the basic alternatives available and approximate costs for providing sewer service to a portion of the Greene Tract, which service would be necessary for the economical and practical provision of affordable housing; and

WHEREAS, the Work Group concluded by consensus that "the carrying capacity of the land" should be the determining factor in establishing how much of the unresolved 11 acres should be earmarked for specific purposes, and that the ridge line reflected on the accompanying concept map determines the portion (approximately one-third) of the 11 acres that can practically be used for affordable housing served by a sewer line that would access the Greene Tract via Purefoy Road:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Mayor and Board of Aldermen accept the accompanying map as the concept plan for that portion of the Greene Tract not deeded exclusively to Orange County, with the acreage to be set aside for open space protected by conservation easements approximating 85.90 acres and the acreage for affordable housing approximating 18.10 acres;

Section 2. The Mayor and Board of Aldermen agree that the acreage for affordable housing be placed in the Land Trust;

Section 3. The Mayor and Board of Aldermen direct the Town Manager to investigate options with the Managers of Orange County and Chapel Hill for reimbursement of the Solid Waste/Landfill Enterprise Fund for the portions of the site designated for affordable housing and open space; and

Section 4. The Mayor and Board of Aldermen agree that the triggering mechanism for reimbursement to the Solid Waste/Landfill Enterprise Fund should be formal action taken by all three boards to approve conservation easements protecting the designated open space, with such approvals taking effect no sooner than July 1, 2003, and no later than July 1, 2005.

Section 5. The following additional steps should be taken:

- **The area shown on the concept plan as open space should be protected by executing a conservation easement between appropriate parties.**
- **The Board of County Commissioners should consider protecting its 60-acre portion of the Greene Tract by executing a conservation easement with an appropriate party.**
- **The Chapel Hill Town Council should consider initiating a small area planning process to examine desirable land uses for the Purefoy Road area.**
- **The property should be renamed in a manner that recognizes the significance of this area as the headwaters for three important streams (Bolin Creek, Old Field Creek, and Booker Creek).**
- **The governing boards should take note of the public investment already made in the general vicinity of the Greene Tract, as cataloged in an accompanying table.**

Section 6. This resolution shall become effective upon adoption.

PROPOSED GENERAL USES OF THE GREENE TRACT

The purpose of this item was to request that the Board of Aldermen adopt a resolution, which provides direction to the Greene Tract Work Group regarding the disposition of the remaining 109 acres of the Greene Tract and affirms the Board's position on the general use of the property.

The following resolution was introduced by Alderman Joal Hall Broun and duly seconded by Alderman Jacquelyn Gist.

**A RESOLUTION REGARDING RECOMMENDED USES OF THE
109 ACRES OF THE GREENE TRACT THAT REMAIN IN JOINT OWNERSHIP**

Resolution No. 73/2001-02

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill acquired the 169-acre property known as the Greene Tract in 1984 as an asset of the joint solid waste management system: and

WHEREAS, title to 60 acres of this property was deeded exclusively to Orange County in 2000 under provisions of the 1999 *Interlocal Agreement for Solid Waste Management*; and

WHEREAS, under the same interlocal agreement the County and Towns agreed to bargain in good faith during the two-year period following the effective date of the agreement to determine the ultimate use or disposition of the remaining 109 acres of the Greene Tract; and

WHEREAS, on November 19, 2001, the Greene Tract Work Group, comprised of two elected representatives appointed from each jurisdiction, approved a resolution making recommendations to the County and Town governing boards regarding basic uses to be programmed for the 109 acres of the Greene Tract that remain in joint ownership.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen hereby affirms that the remaining 109 acres of the Greene Tract be used solely for the following public purposes:

- a. Open space (primarily the preservation of the natural environment);
- b. Affordable housing (as defined in the Affordable Housing Task Force report);
- c. Recreation (both active and low impact).

Section 2. The Board of Aldermen states its desire that no less than twenty-five (25) acres of the Greene Tract should be set aside for affordable housing.

Section 3. In order to secure an affordable housing project that will have a truly positive impact on our community's housing crunch, the zoning for the twenty-five (25) acres set aside for affordable housing should be at the highest density allowed in Chapel Hill's zoning ordinances.

Section 4. The Board of Aldermen does hereby affirm that this property will not be used for any solid waste management purposes; and

Section 5. The Board of Aldermen charges the Greene Tract Work Group to develop and present to each Board in March 2002 a more detailed written and graphic concept plan for the use of the 109 acres.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 18th day of December, 2001:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Michael Nelson, Diana McDuffee, Alex Zaffron

Noes: None

Absent or Excused: None

The Board requested that Mayor Nelson forward a cover letter to the Orange County and Chapel Hill stating that the Board of Aldermen expects all negotiations for the Greene Tract to be complete by April 2002. If negotiations are not complete by that time, the Board of Aldermen will exercise its rights with regard to this property pursuant to the 1999 *Interlocal Agreement for Solid Waste Management*.

Greene Tract Concept Plan

Approved by the Greene Tract Workgroup, 6/26/02

