TOWN OF CHAPEL HILL

Town Council
Meeting Agenda

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Mayor Pam Hemminger
Mayor pro tem Michael Parker
Council Member Jessica Anderson
Council Member Allen Buansi
Council Member Hongbin Gu
Council Member Tai Huynh
Council Member Amy Ryan
Council Member Karen Stegman

Wednesday, March 10, 2021 7:00 PM **Virtual Meeting**

Virtual Meeting Notification

Town Council members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend the Zoom webinar directly online or by phone. Register for this webinar: https://us02web.zoom.us/webinar/register/WN_7-B8ps5QRvOWk7NP_Uq_fg After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 850 9468 6814

Llame al (919) 969-5156 para obtener interpretación en español. Inserte el código 887 6452#. Después del tono, diga su nombre y oprima #. (Call (919) 969-5156 for Spanish language interpretation. Enter Code 887 6452#. After the tone, say your name and press #.)

View Council meetings live at https://chapelhill.legistar.com/Calendar.aspx – and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV).

OPENING

ROLL CALL

PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS

Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present,

petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

ANNOUNCEMENTS BY COUNCIL MEMBERS

CONSENT

Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.

1. Approve all Consent Agenda Items. **[21-0176]**

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

2. Adopt the 2020 Update to the Eno-Haw Hazard Mitigation Plan. **[21-0177]**

By adopting the resolution, the Council adopts the 2020 Update to the Eno-Haw Hazard Mitigation Plan.

INFORMATION

3. Receive Upcoming Public Hearing Items and Petition Status List. **[21-0178]**

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

DISCUSSION

4. Update on Town Efforts to Respond to the COVID-19 Crisis. (no attachment) **[21-0179]**

PRESENTER: Quintana Stewart, Orange County Health Director
Chris Blue, Police Chief/Community Safety Executive Director
Vencelin Harris, Fire Chief
Kelly Drayton, Emergency Management Coordinator

The purpose of this item is for the Town Emergency Management/Public Safety staff to provide an overview of Town efforts to respond to the COVID-19 crisis.

5. Second Reading to Consider Application for **[21-0180]**

Conditional Zoning - 1200 & 1204 Martin Luther King, Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD) (PROJECT #19-065).

PRESENTER: Michael Sudol, Planner II

RECOMMENDATION: That the Council enact Revised Ordinance A (approving the Conditional Zoning Application) and adopt Resolution B (revoking the Special Use Permits).

6. Consider an Application for Conditional Zoning for Phi Gamma Delta, 108 W. Cameron Avenue to Rezone from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD). **[21-0181]**

PRESENTER: Anya Grahn, Senior Planner

a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
b. Introduction and revised recommendation
c. Comment by the applicant
d. Comments and questions from the Mayor and Town Council
e. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
f. Motion to enact an Ordinance to abandon the Special Use Permit and rezone the property.

RECOMMENDATION: That the Council adopt the Resolution of Consistency; and enact Ordinance A, abandoning the Special Use Permit and approving the Conditional Rezoning.

7. Update from Orange County Partnership to End Homelessness. **[21-0182]**

PRESENTER: Corey Root, Manager, Orange County Partnership to End Homelessness

RECOMMENDATION: That the Council receive the report from the Orange County Partnership to End Homelessness.

8. Receive the Second Quarter Fiscal Year (FY) 2021 Affordable Housing Report. **[21-0183]**

PRESENTERS: Loryn Clark, Executive Director
Sarah Osmer Viñas, Assistant Director

Nate Broman-Fulks, Affordable Housing Manager
Faith Brodie, Public Housing Director
Stacey Todd, Public Housing Management Analyst

RECOMMENDATION: That the Council receive this Fiscal Year 2021 second quarter report and provide feedback on the draft Public Housing Quarterly Report.

9. Consider Number of Lanes and Parking Technology as related to the East Rosemary Parking Deck. **[21-0184]**

PRESENTER: Dwight Bassett, Economic Development Officer
Geoffrey A. Posluszny, CPP - Consultant, Walker Consultants

RECOMMENDATION: That the Council adopt the resolutions to determine number of lanes at eastern East Rosemary entrance, and to determine the parking technology for the deck.

10. Introduction of Bond Orders for Two-Thirds Bonds and Call for a Public Hearing for the Issuance of Two-Thirds Bonds. **[21-0185]**

PRESENTER: Amy Oland, Business Management Director

RECOMMENDATION: That the Council take the following actions concerning the issuance of $3.205 million of two-thirds bonds.

1. Formally introduce the Bond Orders describing the use of the bonds.
2. Adopt the resolution setting the public hearing for March 24, 2021 and authorizing the filing of a sworn statement of debt.

11. Consider Response to Petition for Limited Scope Review of a Conditional Zoning Modification Application for 1751 Dobbins Drive. **[21-0186]**

PRESENTER: Judy Johnson, Assistant Planning Director

RECOMMENDATION: That the Council consider adopting Resolution A, limiting the scope of the modified Conditional Zoning application and reducing the application fee.

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 1., **File #:** [21-0176], **Version:** 1 **Meeting Date:** 3/10/2021

Approve all Consent Agenda Items.

Staff:
Sabrina M. Oliver, Director/Town Clerk
Amy T. Harvey, Deputy Town Clerk

Department:
Communications and Public Affairs

Overview: Items of a routine nature to be voted on in a block. Any item may be removed from the Consent Agenda by the request of the Mayor or any Council Member.

Recommendation(s):

That the Council adopt the various resolutions and ordinances.

Fiscal Impact/Resources: Please refer to each agenda item for specific fiscal notes.

Attachments:

- Resolution

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES (2021-03-10/R-1)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions and ordinances as submitted by the Town Manager in regard to the following:

2. Adopt the 2020 Update to the Eno-Haw Hazard Mitigation Plan. (R-2)

This the 10th day of March, 2021.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

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TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 2., **File #:** [21-0177], **Version:** 1 **Meeting Date:** 3/10/2021

Adopt the 2020 Update to the Eno-Haw Hazard Mitigation Plan.

Staff:	**Department:**
Vencelin Harris, Chief	Fire
John Richardson, Community Resilience Officer	Manager's Office
Lance Norris, Director	Public Works
Kelly Drayton, Emergency Management Coordinator	Fire

Overview: During the Spring and Summer of 2020, the Town of Chapel Hill participated in the collaborative update of the Eno-Haw Hazard Mitigation Plan. In addition to fostering interlocal cooperation, adopting this plan will allow the Town to remain eligible to receive Federal and State Hazard Mitigation Funding. Orange County has already adopted a resolution for this 2020 update, which is attached to this item.

Recommendation(s):

That the Council adopt the resolution to adopt the 2020 Update to the Eno-Haw Hazard Mitigation Plan.

Key Points:

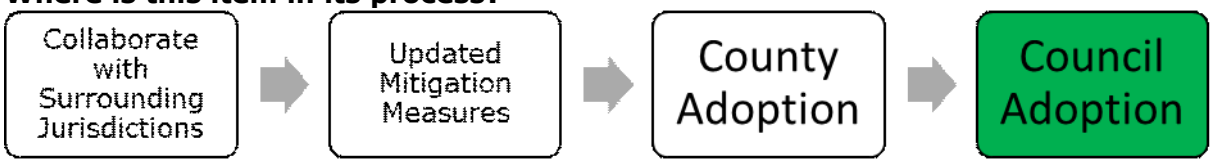
- The federal "Disaster Mitigation Act of 2000" (DMA 2000) (PL 106-390) requires local governments to adopt a hazard mitigation plan and update it every five years to be eligible for hazard mitigation funding.
- North Carolina General Statute §166A-19.41 requires that the eligible entity have an approved hazard mitigation plan to receive State public assistance funds following a disaster.
- The State of North Carolina Division of Emergency Management prioritizes planning funds for counties that collaborate with neighboring jurisdictions to create regional hazard mitigation plans.
- The Eno-Haw Regional Hazard Mitigation Plan was approved by the North Carolina Division of Emergency Management on May 25, 2015, by the Federal Emergency Management Agency on August 3, 2015, and by the Orange County Board of Commissioners on June 16, 2015.
- In Fall 2019, the Town of Chapel Hill joined Orange County, the Town of Carrboro, the Town of Hillsborough, the County of Durham and its encompassed municipalities, and the County of Alamance and its encompassed incorporated areas to update the 2015 Eno-Haw Regional Hazard Mitigation Plan. John Richardson, Community Resilience Officer for the Town of Chapel Hill served on this planning group.
- The Town of Chapel Hill retained specific mitigation actions that pertain directly to Chapel Hill, within the regional plan.
- The plan may be viewed at: <http://www.enohawhmp.com/assets/pdf/documents/EnoHaw%20HMP%20Revised%20Review%
- No local control is lost by any participating entity in the region, and each participant retains the right to apply for State or Federal funding. An additional benefit of this partnership is that any combination of participants can choose to share the cost of any required local match when applying

for project funding.

- By adopting the updated Eno-Haw Regional Hazard Mitigation Plan, the Town of Chapel Hill will remain eligible for federal and state hazard mitigation and disaster assistance funds.

Fiscal Impact/Resources: Collaboration on the plan allows for efficient use of the Town's resources. There are no direct financial impacts associated with adopting the Eno-Haw Regional Hazard Mitigation Plan.

Where is this item in its process?



Attachments:

- Resolution
- Orange County Resolution
- Link: Orange County Adopted 2020 Eno-Haw Hazard Mitigation Plan <http://www.enohawhmp.com/assets/pdf/documents/EnoHaw%20HMP%20Revised%20Review%20Draft.pdf>

A RESOLUTION ADOPTING THE ENO-HAW REGIONAL HAZARD MITIGATION PLAN (2021-03-10/R-2)

WHEREAS, the federal "Disaster Mitigation Act of 2000" (PL 106-390) requires local governments to adopt a mitigation plan in order to be eligible for hazard mitigation funding; and

WHEREAS, Federal mitigation planning regulations require local mitigation plans to be updated and resubmitted to the Federal Emergency Management Agency for approval every five years in order to continue eligibility for Federal Emergency Management Agency hazard mitigation assistance programs; and

WHEREAS, North Carolina General Statute §166A-19.41 requires local governments to have an approved hazard mitigation plan in order to receive state public assistance funds; and

WHEREAS, the Council of the Town of Chapel Hill desires to remain eligible for hazard mitigation funding and public assistance disaster relief funds; and

WHEREAS, Town staff along with representatives from partnering jurisdictions, in conjunction with contract services, have performed a comprehensive review and evaluation of the newly- created Eno-Haw Regional Hazard Mitigation Plan and have updated the plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the North Carolina Division of Emergency Management; and

WHEREAS, the Eno-Haw Regional Hazard Mitigation plan formalizes the regional partnerships necessary to strategically and efficiently reduce and eliminate long-term risk to our citizens and their property from hazards; and

WHEREAS, the North Carolina Division of Emergency Management has deemed the Eno-Haw Regional Hazard Mitigation Plan compliant with Section 322 of the Disaster Mitigation Act of 2000, as well as with relevant state requirements; and

WHEREAS, the Federal Emergency Management Agency has deemed the Eno-Haw Regional Hazard Mitigation Plan compliant with Section 322 of the Disaster Mitigation Act of 2000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts, by way of this resolution, the "Eno-Haw Regional Hazard Mitigation Plan" as approved by the North Carolina Division of Emergency Management and the Federal Emergency Management Agency.

This the 10th day of March, 2021.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting the resolution, the Council adopts the 2020 Update to the Eno-Haw Hazard Mitigation Plan.

PAF 9/1/2020; 8-9

RES-2020-050

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION OF ADOPTION
2020 ENO-HAW REGIONAL HAZARD MITIGATION PLAN

WHEREAS, in October 2000, the President of the United States signed into law the "Disaster Mitigation Act of 2000" (PL 106-390) to amend the "Robert T. Stafford Disaster Relief and Emergency Act of 1988" which requires local governments to adopt a mitigation plan in order to be eligible for hazard mitigation funding; and

WHEREAS, Federal mitigation planning regulations require local mitigation plans to be updated and resubmitted to the Federal Emergency Management Agency for approval every five years in order to continue eligibility for Federal Emergency Management Agency hazard mitigation assistance programs; and

WHEREAS, North Carolina General Statute §166-A - 19.41, approved by the North Carolina General Assembly in June 2001 requires local governments to have a hazard mitigation plan approved in order to receive state public assistance funds; and

WHEREAS, County staff along with representatives from partnering jurisdictions in conjunction with contract services have performed a comprehensive review and evaluation of the 2015 Eno-Haw Regional Hazard Mitigation Plan and have updated the plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the North Carolina Division of Emergency Management; and

WHEREAS, the North Carolina Division of Emergency Management has deemed the Eno-Haw Regional Hazard Mitigation Plan compliant with Section 322 of the Disaster Mitigation Act of 2000, as well as with relevant state requirements; and

WHEREAS, the Federal Emergency Management Agency has received a draft of the 2020 Eno-Haw Regional Hazard Mitigation Plan and is currently reviewing;

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Orange County hereby adopts, by way of this resolution, the revised "Eno-Haw Regional Hazard Mitigation Plan" as approved by the North Carolina Division of Emergency Management.

This the 1st day of September, 2020.

Penny Rich, Chair
Orange County Board of Commissioners

ATTEST:

David Hunt
Deputy Clerk to the Board

COUNTY SEAL



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 3., **File #:** [21-0178], **Version:** 1 **Meeting Date:** 3/10/2021

Receive Upcoming Public Hearing Items and Petition Status List.

Staff:
Sabrina Oliver, Director and Town Clerk
Amy Harvey, Deputy Town Clerk

Department:
Communications and Public Affairs

Recommendation(s):

That the Council accept the reports as presented.

Background:
Two pages on our website have been created to track:

- public hearings scheduled for upcoming Council meetings; and
- petitions received, including their status and who you can call for information.

The goal is to provide, in easily available spaces, information that allows people to know when Council will be seeking their comments on a particular topic of development and to know the status of a petition submitted at Council meetings.

In addition to being on the website, these pages will be included in each agenda for Council information,

Fiscal Impact/Resources: Staff time was allocated to create the semi-automated web pages, and additional staff time will be needed for maintenance.

Attachments:

- Scheduled Public Hearings <https://www.townofchapelhill.org/government/mayor-and-council/council-minutes-and-videos/scheduled-public-hearings>
- Status of Petitions to Council <https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

SCHEDULED PUBLIC HEARINGS

This webpage lists public hearings that are scheduled for a *specific Council meeting date*, although periodically, some may be continued to a future date. Public hearings may relate to the Land Use Management Ordinance (LUMO), Residential or Commercial Development, Budget, Transportation, or Housing issues. Meeting materials are posted at Council Meeting Agendas, Minutes and Videos.

Interested in a development project not yet scheduled for Council review? See the Development Activity Report for the project's current status.

March 10

- Second Reading: Consider Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD) (Project #19-065).
- Consider an Application for Conditional Rezoning - Phi Gamma Delta at 108 W. Cameron Avenue

March 24

- Consider Conditional Zoning for S. Columbia Street Annex, 1150 S. Columbia Street - Proposed Change from Residential-2 (R-2) to Mixed Use - Village (MU-V)
- Consider a Request to Close a Portion of an Unmaintained and Unimproved Public Right-of-Way on Monroe Street
- Open the Public Hearing to issue general obligation parks and recreation, public safety, and streets and sidewalks “two-thirds” bonds
- Open the Public Hearing for Land Use Management Ordinance Text Amendments-Proposed Changes to Section 3.6.2 Historic Districts Related to Review Criteria and Section 8.4 Historic District Commission
- Open the Public Hearing: Special Use Permit Modification, Signature Health, 1602 E. Franklin Street (Project 21-003)

STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted at Council Meetings, Agendas, Minutes and Videos.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
02/24/2021	Parks, Greenways, and Recreation Commission	Request Regarding Facilities Repair.	Business Management Amy Oland, Business Management Director Phone: 919-969-5017	
02/24/2021	Shaw Design Associates	Request for Expedited Review and Fee Waiver for 1751 Dobbins Drive Project.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	The Council will consider taking action on this request at their 03/10/21 meeting.
02/24/2021	Linda Brown	Regarding 101-111 Development on Erwin Road.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	
11/04/2020	Residents in the area of Mason Farm Rd., Whitehead Circle, and Purefoy Rd	Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
11/04/2020	Barbara Driscoll	Request for a Leave the Leaves Campaign.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100 Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
10/28/2020	Stormwater Management Utility Advisory Board	Recommendations Regarding the Development Review Process.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.
10/28/2020	Residents of Dixie Drive	Request to Rename Dixie Drive.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff is evaluating this request in accordance with the Town's policy for renaming existing residential streets.
06/10/2020	Community Design Commission	Request to Create a Downtown Design District.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
05/20/2020	Parks, Greenways, and Recreation Commission	Request to Designate all 36.2 Acres of the American Legion Property for Use as a Community Park.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	This request will be incorporated into the public engagement process for the future use of the site.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
05/20/2020	Elaine McVey	Request to Amend the Land Use Management Ordinance Related to Deer Fencing.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
02/26/2020	Carlisle Willard	Request Regarding Proposed Anti-Corruption Resolution.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
02/26/2020	Lillian Pierce	Request to Abandon Bicycle/Pedestrian Easement at 205 Huntington Way.	Parks & Recreation Phillip Fleischmann, Director Parks and Recreation Phone: 919-968-2785 Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff has reviewed this request and will follow up with options for taking action.
02/19/2020	Steve Moore	Request Regarding Cemetery Needs.	Parks & Recreation Phillip Fleischmann, Director Parks and Recreation Phone: 919-968-2785 Communications & Public Affairs Sabrina Oliver, Communications & Public Affairs Director Phone: 919-968-2757	Staff is in contact with the petitioner and is working to respond to the items raised in the petition.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/08/2020	Beth Waldron	Request Regarding Revising the Deer Management Program.	Parks & Recreation Phillip Fleischmann, Director Parks and Recreation Phone: 919-968-2785 Police Chris Blue, Police Chief Phone: 919-968-2766	Staff met with the petitioner and continue to have conversations with partner agencies on improving communications and safety for residents.
01/08/2020	Renuka Soll	Request for an Improved Petition Process.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Staff continues to look for ways to improve this process, including dedicating additional staff resources.
11/20/2019	John Morris	Request Regarding Local & Regional Transit Planning.	Transit Brian Litchfield, Transit Director Phone: 919-969-4908	Staff is preparing information to respond to this request.
10/02/2019	Daniel Dunn	Request Regarding Government Transparency.	Technology Solutions Scott Clark, CIO Phone: 919-968-2735 Communications & Public Affairs Sabrina Oliver, Communications & Public Affairs Director Phone: 919-968-2757	Town staff continue to work on improving and expanding the open data portal. This is one of many data sets that are candidates for inclusion on the portal. This information remains available to the public via a public records request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	Request Regarding Neighborhood Preservation.	Police Chris Blue, Police Chief Phone: 919-968-2766 Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	The Council most recently discussed this at their 09/16/2020 work session. Staff is piloting new ways to present Concept Plans to boards, using Town projects as subjects.
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
04/24/2019	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
02/13/2019	Citizens	Request Regarding Coal Use and Coal Ash.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	The Town plans to fund interim remedial measures based on recommendations from the human health and ecological risk assessment performed at the coal ash site. The Town continues to monitor NC Division of Air Quality's review of the power plant permit.
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	The Town's Resiliency Map is part of the map series for the Future Land Use Map. On 06/12/19, the Council received a presentation on the Town's Stormwater program. Staff is preparing information to respond to the additional requests in this petition.
06/27/2018	Susanne Kjemtrup / Brian Hageman	Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Referred to the Future Land Use Map and Land Use Management Ordinance rewrite process, which began in Fall 2017 and is expected to be completed in 2020.
06/13/2018	Mayor pro tem Jessica Anderson	Request to Amend Bus Advertising Policy.	Transit Brian Litchfield, Transit Director Phone: 919-969-4908	At their 01/22/19 meeting, the Chapel Hill Transit Public Transit Committee considered the draft nonpublic forum transit advertising policy in order to provide feedback to the Chapel Hill Town Council on the option of amending the policy.
06/13/2018	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.
03/14/2018	Council Members Anderson, Gu, and Schaevitz	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Council enacted ordinance amendments pertaining to stormwater management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council will consider amendments for townhomes at their 02/24/21 meeting.
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078 Police Chris Blue, Police Chief Phone: 919-968-2766 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships.

Last modified on 3/4/2021 3:15:04 AM

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 5., **File #:** [21-0180], **Version:** 1 **Meeting Date:** 3/10/2021

Second Reading to Consider Application for Conditional Zoning - 1200 & 1204 Martin Luther King, Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD)(PROJECT #19-065).

Staff:
Colleen Willger, Director
Judy Johnson, Assistant Director
Michael Sudol, Planner II

Department:
Planning

Overview: On February 24, 2021 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804531&GUID=9FFF252C-413C-4B4A-BB1C-F608C9B93148&Options=&Search=>, the Town Council voted 5-3 on a proposed ordinance to rezone approximately 13.9 acres of a site located at 1200 and 1204 Martin Luther King Jr. Blvd. from Neighborhood Commercial (NC) and Residential-4 (R-4) to Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD). By State law, an ordinance must receive a 2/3 affirmative vote to be enacted on the first reading. The language included on the proposed Conditional Zoning Ordinance is substantially the same as Revised Ordinance A from February 24, 2021. The ordinance today has incorporated minor edits as indicated at the February 24, 2021 meeting. Staff also recommends the Council adopt Resolution B which will revoke the Special Use Permits for the service station/convenience store and the manufactured home park.

Tonight, the rezoning ordinance is back before the Council for second reading. Attached are the agenda materials on the Conditional Zoning application from the February 24 Council meeting.

Recommendation(s):

That the Council enact Revised Ordinance A (approving the Conditional Zoning Application) and adopt Resolution B (revoking the Special Use Permits).

Attachments:

- Staff Report
- Staff Technical Report
- Project Fact Sheet
- Draft Staff Presentation
- Adopted Resolution of Consistency (2021-02-24/R-6)
- Revised Ordinance A (Approval)
- Resolution B (Revocation of Special Use Permits)
- Resolution C (Denial)
- Applicant materials
- Plan Set

- Restrictive Covenants (prepared by Applicant)
- Planning Commission Recommendation February 22, 2021
- Community Design Commission Recommendation February 23, 2021
- Council Questions with staff and applicant responses February 24, 2021
- Emails from the Public
- Council Questions with staff and applicant responses December 9, 2020
- Supplemental Information to Council about Stackhouse (prepared by Applicant)
- Stackhouse rules for Mobile Home Parks
- Summary of Community Engagement Meeting

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Michael Sudol, Planner II

RECOMMENDATION: That the Council enact Revised Ordinance A (approving the Conditional Zoning Application) and adopt Resolution B (revoking the Special Use Permits).

SECOND READING TO CONSIDER AN APPLICATION FOR CONDITIONAL ZONING AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. FROM RESIDENTIAL-4 (R-4) AND NEIGHBORHOOD COMMERCIAL (NC) TO OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) AND NEIGHBORHOOD COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD)(PROJECT #19-065)

STAFF REPORT TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Michael Sudol, Planner II

PROPERTY ADDRESS	**MEETING DATE**	**APPLICANT**
1200 & 1204 Martin Luther King Jr. Blvd.	March 10, 2021	Jeremy Anderson, Coulter Jewell Thames, PA on behalf of Stackhouse Properties, LLC, agent for owner, Jones Estates Group, LLC

CHANGES SINCE THE FEBRUARY 24, 2021 PUBLIC HEARING:

- Condition #26 of Revised Ordinance A has been clarified to only allow a reduction from 83 to 73 mobile home sites during the initial 15-year period after Town approval of a displacement mitigation plan, where applicable.
- Condition #29 of Revised Ordinance A has been clarified to apply only to dedicated short term rentals.

TOWN MANAGER RECOMMENDATION

The application highlights several competing objectives in the Town's 2020 Comprehensive Plan.

The Council could choose to approve the application providing a long-term stability of the existing affordable and diverse housing stock. This action could be supported by the 2020 Comprehensive Plan goal of a Place for Everyone (to provide a range of housing options for current and future residents).

Alternatively, the Council could choose to deny the application as the area is identified on the Future Land Use Map (FLUM) as predominately multi-family, shops and offices and is located adjacent to a future bus rapid transit (BRT) stop. The uses proposed in the application, specifically fuel pumps and self-storage, are typically considered more vehicle-oriented and not complementary to transit service such as BRT. The FLUM states the corridor is envisioned to include a mixture of uses, including a diversity of housing types, that make the best use of the future proposed transit service.

ZONING

Current: Residential–4 (R-4) and Neighborhood Commercial (NC)

Proposed: Office/Institutional–2–Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial–Conditional Zoning District (NC-CZD).

PROCESS

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties. For consideration of this Conditional Zoning request, the process requires, and the proposal includes a request to revoke the current Special Use Permits on the property.

The Land Use Management Ordinance states that the zoning shall not be amended except:

- To correct a manifest error in the appendix;
- because of changed or changing conditions in a particular area or in the jurisdiction generally;
- or to achieve the purposes of the comprehensive plan.

DECISION POINTS

The site is encumbered by two Special Use Permits that the applicant is requested to be revoked. Resolution B would revoke the two Special Use Permits.

The applicant is also requesting the following modifications to regulations:

- Conditioned self-storage facility, to be on the same zoning lot as an accessory use to a Mobile Home Park
- Conditioned self-storage facility to be located across from an intersection, but not on a corner lot created by two intersecting streets.
- Service station/convenience store within 300 feet of any intersecting street or within 750 feet of driveways intersecting the same street and serving another existing or approved service station.
- Modified northern and eastern buffers
- Reduce the minimum number of parking spaces than required (45 commercial spaces proposed instead of the required 68 spaces)
- Modified nonconforming uses to allow relocation of existing mobile homes on-site and addition of new mobile homes

PROJECT OVERVIEW

The site consists of two parcels, totaling approximately 13.9 acres. The applicant proposes:

- replacing the existing service station/convenience store with a new service station/convenience store and a 4-story self-storage facility, conditioned building.
- relocating approximately 16 of the existing 73 dwelling

PROJECT LOCATION

units on-site.
- Addition of 10 new dwelling units (mobile homes) on-site.

The applicant requests:
- two access points to Martin Luther King Jr. Blvd.
  - one as a full-access
  - one as a right-in/right-out access only.

Due to NCDOT requirements, the right-in/right-out access has conflicts with the proposed Bus Rapid Transit (BRT) system in this corridor. The applicant has indicated a need for the second access point. Staff has been working with NCDOT and the applicant to accommodate the BRT design and the access proposal. A condition is now included that requires the right-in/right-out northern access point to be converted to right-out only when BRT is built.



TECHNICAL REPORT

PROJECT OVERVIEW

The application proposes a Conditional Zoning to rezone the property from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional–2–Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD). The 13.9-acre site currently consists of two parcels with one existing single-family home, 73 mobile home units, and a gas station/convenience store. The applicant is proposing to replace the existing gas station/convenience store with a new 5,000-square foot gas station/convenience store and a 134,400-square foot 4-story self-storage facility, conditioned, building. Three stories of the proposed self-storage building are indicated to be above-grade, with one story below-grade. The existing 73 dwelling units will be maintained on site, relocating 16 of the existing units on-site as part of the redevelopment. An additional ten mobile home units are also proposed for a total of 83 dwelling units.

The developer's Narrative explains that the applicant is seeking to modernize the service station, add a new self-storage building, and preserve or reposition all of the existing mobile home residential units on site. The developer states that they understand the significance that the existing affordable housing plays in the Town's naturally occurring affordable housing, thus retaining as many of the existing units, while redeveloping a portion of the site, is important. More details about the proposed development can be found in the Developer's Program found on page 25 of the applicant materials.

Information about the site and zoning districts can be found below, as well as a list of proposed Modifications to Regulations, and a Technical Report.

SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Conditional Zoning:

- The 13.9-acre subject site fronts on and has access to Martin Luther King Jr. Blvd., an arterial street with high traffic volume and existing bus service.
- The right-in/right-out access, requested by the applicant, has potential conflicts with the Bus Rapid Transit (BRT) system proposed for Martin Luther King Jr. Blvd. Further flexibility of the design is requested by the applicant with minor adjustments to be approved administratively if approved by NCDOT and Town staff.
- Properties on the opposite side of Martin Luther King Jr. Blvd. are zoned Neighborhood Commercial (NC), and consist of an assortment of commercial buildings, including a car wash and service station/convenience store.
- The property adjacent to the north is zoned Residential–3–Conditional (R-3-C) and contains a place of worship.
- Properties to the south and east are zoned Residential–2 (R-2) and consist of single-family dwelling units.

- A perennial stream runs through the northern portion of the site and is subject to a 150-foot Resource Conservation District (RCD) and 50-foot Jordan Buffer. Multiple mobile homes are currently located in both the RCD and Jordan Buffer.

PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal as part of a rezoning. It also allows site-specific standards to be formulated and applied as condition of the rezoning through a legislative process. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by the development. Conditions can also address conformance of the development with town regulations and adopted plans. A -CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant has proposed two different Conditional Zoning districts for different areas of the site, as shown on the site plan: Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD).

The intent of the Office/Institutional-2 (OI-2) zoning district is to "provide for medium-intensity office and institutional development".

The intent of the Neighborhood Commercial (NC) zoning district is to "provide for the development of low-intensity commercial and service centers that are accessible by pedestrians from the surrounding neighborhoods, serve the daily conveniences and personal service needs of the surrounding neighborhoods, and are of such nature as to minimize conflicts with surrounding residential uses." This Conditional Zoning application proposes limiting uses to a narrower range of retail/service/business uses.

PROPOSED MODIFICATIONS TO REGULATIONS

The applicant has proposed modifications to regulations for the proposed conditional zoning districts for this development. These include:

1. **Section 6.23.4, Self-storage Facility, Conditioned**: Section 6.23 specifies standards requiring self-storage facilities to be only allowed on the same zoning lot as other office, commercial, or institutional. The applicant is requesting to allow self-storage facility, conditioned, to be on the same zoning lot and accessory to a Mobile Home Park (in terms of land area).

   Staff Comment: Staff believes that the Council could find a public purpose for allowing the additional uses as the proposal will maintain up to 83 mobile homes (73 existing), naturally occurring affordable housing, on the site for fifteen (15) years.

2. **Section 6.23.2, Self-storage Facility, Conditioned**: Section 6.23 requires that self-storage facilities shall not be permitted on property located at an intersection with any arterial street. The applicant contends that the self-storage building is not located at an intersection, but across from the intersection of Martin Luther King Jr. Blvd. and Northfield Dr. The applicant is requesting to allow a self-storage facility, conditioned, building to be located across from an intersection, but not on a corner lot created by two intersecting streets.

Staff Comment: Staff believes that the Council could find a public purpose for allowing the site location as the proposal will maintain 83 mobile homes (73 existing), naturally occurring affordable housing, on the site for fifteen (15) years.

3. **Section 6.12(d), Service station/convenience store:** Section 6.12 states that service stations shall not be located within three hundred (300) feet of any intersecting street or within seven hundred fifty (750) feet of driveways intersecting the same street and serving another existing or approved service station. The applicant is requesting to allow a service station/convenience store to be located within the thresholds listed above as an existing service station/convenience store was previously approved and permitted on this site.

   Staff Comment: Staff believes that the Council could find a public purpose for allowing the service station location to continue to operate and provide for economic opportunities.

4. **Section 5.9.7, Minimum and maximum parking space requirements:** The applicant requests a modification to the required minimum number of parking spaces for the Self-storage facility, conditioned. Based on the standards of the Land Use Management Ordinance, a minimum of 1 space per 2,500 sf, the minimum requirement would be 90 spaces. The developer feels this number is almost 5 times the actual need, and that based on market experience at other facilities, this facility would require 16-20 spaces during a peak period.

   Staff Comment: Staff believes that the Council could find a public purpose for reducing the amount of parking to reduce the amount of impervious surface and environmental impacts.

5. **Section 5.6.6, Schedule of Required Buffers:** The applicant requests to allow a modification to the 10-foot Type B and 20-foot Type C required buffers along the eastern and northern property line. Modified buffers in these areas are to be comprised of existing vegetation and existing fence.

   Staff Comment: Staff believes that the Council could find a public purpose for allowing the existing mobile homes and existing vegetation to remain and provide buffering.

6. **Section 7.3.2 Nonconforming Uses:** Modify the nonconforming uses standard to allow relocation of existing mobile homes on-site and addition of new mobile homes.

   Staff Comment: Staff believes that the Council could find a public purpose for allowing the mobile homes to be reconfigured on-site, providing opportunities to maintain diverse housing stock in the Town limits.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute Section 160A-605 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the Neighborhood Commercial (NC) district notes low-intensity commercial uses, which is consistent with the Commercial designation of a portion of the site on the 2020 Land Use Plan. The OI-2 zoning area supports housing appropriate to the site which is consistent with the Medium Residential designation of the remainder of the site on the 2020 Land Use Plan.

- The site is located within the S MLK Jr Blvd/Area 3 Future Focus Discussion Area. Chapel Hill 2020 identifies S MLK Jr Blvd as an opportunity to proactively plan for character and to coordinate development with investment in higher capacity bus service. The Statement of Consistency notes that "the project is making significant improvements to the access, commercial services, and streetscape for the projects frontage, which all support these future transit improvements along the corridor."

- The Mobility and Connectivity Plan shows a future trail forming part of the 'Timberlyne Corridor' running along the eastern edge of the site. This bicycle/pedestrian-focused corridor would provide a parallel route to Martin Luther King Jr. Blvd., allowing more safe and comfortable travel between the Timberlyne area and central Chapel Hill. Bicycle and pedestrian facilities are also shown along Martin Luther King Jr. Blvd. in the Mobility Plan, to support access to local destinations and Bus Rapid Transit stations. A more robust multimodal network would support growth and redevelopment in the corridor. However, it should be noted that new facilities proposed in the associated application (service station and self-storage) do not represent uses typically associated with bicycle, pedestrian, or transit activity.

- The application proposes a condition to retain 83 mobile homes (73 existing) in the existing mobile home park. This condition would support Comprehensive Plan goals for a range of housing options and a range of neighborhood types. It also would further the theme of making Chapel Hill A Place for Everyone.

- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application, as well as those that would be in conflict with this application.

FINDINGS OF FACT

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

1) To correct a manifest error in the chapter; or
2) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
3) To achieve the purposes of the Comprehensive Plan.

Below is an evaluation of this application based on the three findings. Further information may be presented for the Council's consideration as part of the public hearing process, and will be included in the record of the hearing.

Finding #1: The proposed zoning amendment is necessary to correct a manifest error.

Arguments	No information provided

Finding #2: The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

Arguments in Support	Staff notes that the Comprehensive Plan identifies the site as part of a Focus Area (S MLK Jr Blvd) which suggests it is an appropriate location for investment, improvement, and/or development. Staff notes that the mobile home park is over 35 years old and that since its establishment there has been continued development along the Martin Luther King Jr. Blvd. corridor. The applicant notes that generally, new commercial facilities need more space to meet modern standards, and that over time new commercial uses are becoming in demand in Chapel Hill.
Arguments in Opposition	Staff notes that uses proposed in the application, specifically fuel pumps and self-storage, are typically considered more vehicle-oriented and therefore not complementary to transit service such as BRT. Staff notes that the proposed financial investment in the BRT may change the conditions in this area.

Finding #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

Arguments in Support	The applicant's Statement of Consistency suggests that the proposed rezoning would contribute to the following elements of the Comprehensive Plan: • A range of housing options for current and future residents *(Goal-Place for Everyone.3)* • Balance and sustain finances by increasing revenues and decreasing expenses *(Goal-Community Prosperity and Engagement.1)* • 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-Good Places, New Spaces.5)* • A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal Getting Around.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-Nurturing Our Community.3)*
Arguments in Opposition	The proposed playground would be located within the upland zone of the Resource Conservation District. Staff notes that these impacts are in conflict with the following elements of the Comprehensive Plan: • Open and accessible common spaces for community gathering, cultural uses, and community development *(Goal-Good Places, New Spaces.7)*

	• Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems *(Goal- Nurturing Our Community.2)* Staff also notes that the adopted Future Land Use Map (FLUM) shows this area as predominately multi-family, shops and offices and is located adjacent to a future bus rapid transit (BRT) stop. The FLUM states the corridor is envisioned to include a mixture of uses, including a diversity of housing types, that make the best use of the future proposed transit service.

PROJECT FACT SHEET

Project Details

Site Description	
Project Name	1200 MLK (Tarheel Mobile Home Park)
Address	1200 & 1204 Martin Luther King Jr. Blvd.
Property Size (NLA)	13.9 acres
Existing	Mobile home park and service station/convenience store
Orange County Parcel Identifier Numbers	9789-29-7279 and 9789-39-2409
Existing Zoning	Neighborhood Commercial (NC) and Residential-4 (R-4)
Proposed Zoning	Neighborhood Commercial–Conditional Zoning District (NC-CZD) and Office/Institutional-2–Conditional Zoning District (OI-2-CZD)

Site Development Standards

Topic	Comment	Status
Development Intensity		
Use/Density (Sec. 3.7)	Mobile home park (83 mobile homes); Service station/convenience store; Self-storage facility, conditioned	**M**
Dimensional Standards (Sec. 3.8)	Service Station/Convenience Store – maximum 18 ft. height Self-Storage Facility, Conditioned – maximum 38 ft. height	✓
Floor area (Sec. 3.8)	139,400 sq. ft. commercial, 52,358 sq. ft. residential	✓
Landscape		
Buffer – North (Sec. 5.6.2)	*Required*: Internal 20’ Type “C”	**M**
Buffer – East (Sec. 5.6.2)	*Required*: Internal 10’ Type “B”	**M**
Buffer – South (Sec. 5.6.2)	*Required*: Internal 20’ Type “C”	✓
Buffer - West (Sec. 5.6.2)	*Required*: External 30’ Type “D”	✓
Tree Canopy (Sec. 5.7)	*Required*: 30%	✓
Landscape Standards (Sec. 5.9.6)	*Required:* 5’ foundation buffer planting strip *Required:* Landscaped interior islands every 10 spaces	✓

	Required: Maximum distance of 75' that a parking space may be located from a shade tree *Required:* 8' minimum landscaped buffer strip requirement for parking entrance drives	
Environment		
Resource Conservation District (Sec. 3.6)	*Proposed:* Existing Mobile Homes to remain, with new disturbance as follows: - *Streamside Zone*: 2,500 sq. ft. - *Managed Use Zone*: 4,000 sq. ft. - *Upland Zone*: 9,500 sq. ft.	✓
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	✓
Steep Slopes (Sec. 5.3.2)	*Required*: Disturb < 25% of slopes greater than 25% slope *Proposed*: Disturb 3.6% (1,269 sq. ft.) of slopes > 25%	✓
Stormwater Management (Sec. 5.4)	No stormwater measures currently on-site; applicant proposes to install measures, inlets, and piping designed to meet or exceed LUMO 5.4 standards	✓
Land Disturbance	247,779 sq. ft. (40% of site)	✓
Impervious Surface	271,416 sq. ft. (45% of site)	✓
Solid Waste & Recycling	Private trash pickup proposed	✓
Jordan Riparian Buffer (Sec. 5.18)	*Proposed*: 2,500 sq. ft. of land disturbance	**M**
Access & Circulation		
Road Improvements (Sec. 5.8)	Addition of right turn lane into development	✓
Vehicular Access (Sec. 5.8)	Two points of access proposed at the intersection with Martin Luther King Jr. Blvd.	✓
Bicycle Improvements (Sec. 5.8)	No improvements proposed	✓
Pedestrian Improvements (Sec. 5.8)	5' sidewalk proposed along Martin Luther King Jr. Blvd.	✓
Traffic Impact Analysis (Sec. 5.9)	TIA completed and Executive Summary attached	✓
Vehicular Parking (Sec. 5.9)	*Required*: 68 commercial, 73 residential *Proposed*: 45 commercial, 158 residential	**M**
Transit (Sec. 5.8)	Provide a $15,000 payment-in-lieu for construct a transit stop to accommodate future Bus Rapid Transit service with a shelter	✓
Bicycle Parking (Sec. 5.9)	*Required*: 10 spaces *Proposed*: 10 spaces	✓
Electric Vehicle Parking	None proposed	✓

Parking Lot Standards (Sec. 5.9)	Constructed to Town Standards	✓
Technical		
Fire	Meet Town Standards	✓
Site Improvements	As shown on plans	**NA**
Schools Adequate Public Facilities (Sec. 5.16)	Application must comply	✓
Inclusionary Zoning Ordinance (Sec. 3.10)	All mobile home units are proposed remain on-site for a minimum of fifteen years	✓
Recreation Area (Sec. 5.5)	*Required:* 27,887 sq. ft. *Proposed:* 27,887 sq. ft.	✓
Lighting Plan (Sec. 5.11)	Maximum of 0.3 foot-candles at property line	**FP**
Homeowners Association (Sec. 4.6)	N/A	**NA**

Project Summary Legend

Symbol	Meaning
✓	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plan
NA	Not Applicable

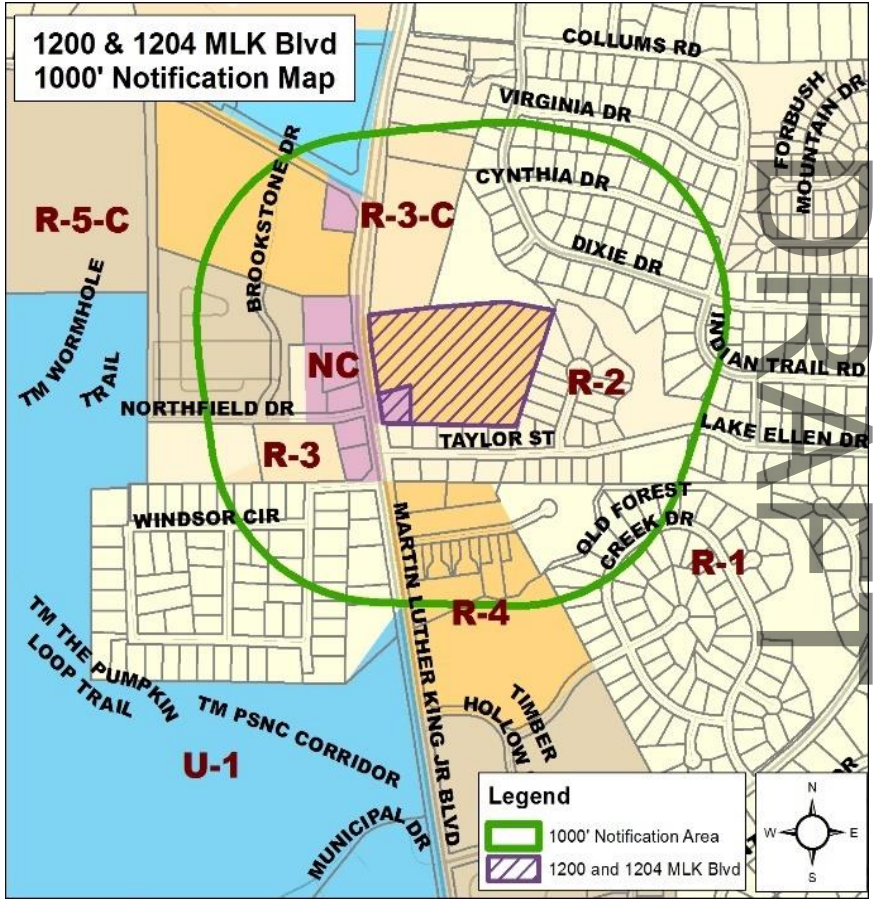
1200 MLK
Conditional Zoning
2nd Reading

Town Council
March 10, 2021

DRAFT

1200 MLK – Project Summary

- 13.9-acre site
- Rezoning required
  - Currently R-4 and NC
  - Proposing NC-CZD and OI-2-CZD
- Demolish existing gas station
- Construct gas station and self-storage



Process

Town Evaluation of Application **According to Standards**

Report Presented to Advisory Boards and Commissions

Open and Close Public Hearing: **Report and Recommendation Presented to Town Council**

Council Action (2nd Reading): **Consider the Conditional Zoning**

DRAFT

1200 MLK – Changes Since February 24th

- Condition #26 of Revised Ordinance A has been clarified to only allow a reduction from 83 to 73 mobile home sites during the initial 15-year period and after Town approval of a displacement mitigation plan, where applicable.
- Condition #29 of Revised Ordinance A has been clarified to apply only to dedicated short term rentals.

DRAFT

1200 MLK – Recommendation

- That the Council consider the following:

1. Enact or Deny the Conditional Rezoning (Revised Ordinance A)
2. Adopt or Deny the Revocation of Special Use Permits

DRAFT

I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2021-02-24/R-6) adopted by the Chapel Hill Town Council on February 24, 2021.

This the 24th day of February, 2021.

Amy T. Harvey

Amy T. Harvey
Deputy Town Clerk

RESOLUTION A
(Resolution of Consistency)

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL–CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL–2–CONDITIONAL ZONING DISTRICT (OI-2-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-02-24/R-6)

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Jeremy Anderson of Coulter Jewell Thames on behalf of Stackhouse Properties, LLC, agent for Jones Estates Group, LLC, the owner of the property located at 1200 and 1204 Martin Luther King Jr. Blvd., for which this application is made, to amend the Zoning Atlas to rezone property described in the accompanying rezoning application for the 1200 MLK project at 1200 and 1204 Martin Luther King Jr. Blvd. from Residential–4 (R-4) and Neighborhood Commercial (NC) to Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional–2-Conditional Zoning District (OI-2-CZD); and

WHEREAS, the Town staff have completed a review of the application for compliance with the Land Use Management Ordinance, Town Code, and for Consistency with the Comprehensive Plan; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A range of housing options for current and future residents *(Goal-Place for Everyone.3)*
- Balance and sustain finances by increasing revenues and decreasing expenses *(Goal-Community Prosperity and Engagement.1)*
- 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-Good Places, New Spaces.5)*
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal Getting Around.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-Nurturing Our Community.3)*

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town's Comprehensive Plan.

This the 24th day of February, 2021.

REVISED ORDINANCE A

(Rezoning from Residential–4 (R-4) and Neighborhood Commercial (NC) to Neighborhood Commercial–Conditional Zoning District (NC-CZD) and Office/Institutional–2-Conditional Zoning District (OI-2-CZD)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL–CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL –2–CONDITIONAL ZONING DISTRICT (OI-2-CZD) (2021-03-10/O-1)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Jeremy Anderson of Coulter Jewell Thames, PA, on behalf of Stackhouse Properties, LLC, agent for Jones Estates Group, LLC, the owner of the property located at 1200 and 1204 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Numbers 9789-29-7279 and 9789-39-2409, for which this application is made and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A range of housing options for current and future residents *(Goal-Place for Everyone.3)*
- Balance and sustain finances by increasing revenues and decreasing expenses *(Goal-Community Prosperity and Engagement.1)*
- 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-Good Places, New Spaces.5)*
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal Getting Around.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-Nurturing Our Community.3)*

WHEREAS, the application, if rezoned to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD) according to the rezoning plan dated May 31, 2019, and last revised August 19, 2020, December 3, 2020, and February 17, 2021, would address the impacts reasonably expected to be generated by the development or use of the site and the conditions listed below:

1) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
2) Conform with the Comprehensive Plan
3) Be compatible with the adjoining uses
4) Mitigate impacts on surrounding properties and the Town as a whole
5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

MODIFICATIONS TO REGULATIONS

WHEREAS, the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

1. **Section 6.23.4 – Self-storage facility, conditioned:** Modify the standards to allow Self-storage facilities, conditioned, to be an accessory use to a mobile home park on a zoning lot, and not on the same zoning lot as other office, commercial, and/or institutional uses permitted in the zoning district

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposal maintains 83 mobile homes (73 existing), naturally occurring affordable housing, on the site for fifteen (15) years.

2. **Section 6.23.2 – Self-storage facility, conditioned:** Modify the standards to allow a Self-Storage facility, conditioned to be located across from an intersection, but not on a corner lot created by two intersecting streets.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposal maintains 83 mobile homes (73 existing), naturally occurring affordable housing, on the site for fifteen (15) years.

3. **Section 6.12(d) – Service station/convenience store:** Modify the spacing of driveways for a service station/convenience store as the existing facility was previously approved and permitted on the site.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree by allowing the service station location to continue to operate and provide for economic opportunities.

4. **Section 5.9.7, Minimum and maximum parking space requirements:** Modify the minimum parking standards based on the applicant's experience of other similar uses and require a minimum of 20 parking spaces.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree, as based on the applicant's market experience of other facilities this facility would require 16-20 spaces during a peak period, by reducing the environmental impacts of the development.

5. **Section 5.6.6 Required Buffers**: Modify the buffer standards to allow the existing vegetation and fence to provide buffers for the northern and eastern property lines.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree by allowing the existing vegetation and fence to remain and provide buffering.

6. **Section 7.3.2 Nonconforming Uses:** Modify the nonconforming uses standard to allow relocation of existing mobile homes on-site and addition of new mobile homes.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as allowing the existing mobile homes to be reconfigured on-site, providing opportunities to maintain diverse housing stock within the Town limits.

CONDITIONAL USES

BE IT ORDAINED by the Council of the Town of Chapel Hill that it finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Neighborhood Commercial–Conditional Zoning District (NC-CZD) and Office/Institutional–2–Conditional Zoning District (OI-2-CZD).

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

The following Orange County parcels identified by Parcel Identifier Number (PIN) 9789-29-7279 and 9789-39-2409, described below, shall be rezoned to Neighborhood Commercial–Conditional Zoning District (NC-CZD) and Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

New Parcel #1 Legal Description – Zone Neighborhood Commercial–Conditional Zoning District (NC-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°20'52"E a distance of 257.93'; thence S11°20'49"E a distance of 265.36'; thence S78°39'11"W a distance of 259.39'; thence N11°37'00"W a distance of 67.56'; thence N11°37'20"W a distance of 30.00'; thence N11°37'20"W a distance of 51.55'; thence N11°06'20"W a distance of 93.87'; thence N06°31'20"W a distance of 21.08', which is the point of beginning, having an area of 68,739.55 square feet, or 1.578 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #2 Legal Description – Zone Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°39'11"E a distance of 259.39'; thence N11°20'49"W a distance of 265.36'; thence N78°20'52"E a distance of 119.42'; thence S59°24'39"E a distance of 47.22'; thence S11°20'49"E a distance of 338.80'; thence S87°13'16"W a distance of 254.54'; thence S01°26'25"E a distance of 32.56'; thence N88°37'12"W a distance of 160.26'; thence N11°37'20"W a distance of 30.76'; thence N11°37'00"W a distance of 32.45', which is the point of beginning, having an area of 75,123.73 square feet, or 1.725 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #3 Legal Description – Zone Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N79°38'47"E a distance of 352.29'; thence N85°55'23"E a distance of 446.13'; thence S79°36'38"E a distance of 277.05'; thence S18°22'41"W a distance of 679.83'; thence N88°37'12"W a distance of 603.58'; thence N01°26'25"W a distance of 32.56'; thence N87°13'16"E a distance of 254.54'; thence N11°20'49"W a distance of 338.80'; thence N59°24'39"W a distance of 47.22'; thence S78°20'52"W a distance of 377.35'; thence N06°31'20"W a distance of 77.82'; thence N04°22'27"W a distance of 183.88', which is the point of beginning, having an area of 462,379.49 square feet, or 10.615 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

SECTION II

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the following conditions are hereby incorporated:

1. Construction Deadline: Construction shall begin by March 10, 2023 (two years from the date of approval) to be completed by March 10, 2025 (four years from the date of approval). [LUMO 4.5.5]

2. Consent to Conditions: This approval is not effective until all owners of the property provide written consent to the approval. Written consent must be provided within 10 days of enactment by the Town Council.

3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Land Use Intensity		
New Parcel #1 – Neighborhood Commercial– Conditional Zoning District (NC-CZD)	Permitted Use	Service station/convenience store
	Gross Land Area	81,920 sq. ft.
	Maximum Building Height	18 ft.
	Maximum Commercial Floor Area	5,000 sq. ft.
	Maximum Impervious Surface	56,904 sq. ft.
	Minimum Parking Spaces	14
	Maximum Parking Spaces	20
	Minimum Bicycle Parking Spaces	6
	Tree Canopy Coverage	30%
New Parcel #2 – Office/Institutional– 2–Conditional Zoning District (OI-2-CZD)	Permitted Use	Self-Storage Facility, Conditioned
	Gross Land Area	78,264 sq. ft.
	Maximum Building Height	38 ft.
	Maximum Commercial Floor Area	134,400 sq. ft.
	Maximum Impervious Surface	58,110 sq. ft.
	Minimum Parking Spaces	54 (Modification requested proposing minimum of 20)
	Maximum Parking Spaces	90
	Minimum Bicycle Parking Spaces	4
	Tree Canopy Coverage	30%
New Parcel #3 – Office/Institutional– 2–Conditional Zoning District (OI-2-CZD)	Permitted Uses	Manufactured home park
	Gross Land Area	475,460 sq. ft.
	Maximum dwelling units	83 dwelling units (mobile

		homes)
	Maximum Impervious Surface	164,493 sq. ft.
	Minimum Parking Spaces	83
	Maximum Parking Spaces	166
	Recreation Area	27,887 sq. ft.
	Tree Canopy Coverage	30%
Total Site	Number of Buildings	2 commercial, 83 dwelling units
	Gross Land Area	635,644 sq. ft.
	Maximum Commercial Floor Area	139,400 sq. ft
	Maximum Height	34 ft. setback, 38 ft. core (FFE)
	Total Impervious Surface	279,516 sq. ft.
	Maximum Land Disturbance	247,779 sq. ft.
	Maximum Land Disturbance in RCD	Streamside Zone: 2,500 sq. ft. Managed Use Zone: 4,000 sq. ft. Upland Zone: 9,500 sq. ft.
	Maximum Parking Spaces	45 commercial, 98 residential
	Minimum Bicycle Parking Spaces	10 Spaces

4. Permitted Construction: This Conditional Zoning authorizes the construction or maintenance of two (2) commercial buildings and eighty-three (83) (seventy-three (73) existing) mobile home lots. Any additional future buildings and other new development would need to meet all applicable Town requirements and conditions.

5. Continued Existence of Mobile Home Park on Property: For fifteen (15) years from the date of the adoption hereof, the only permitted use of the portion of Property on which a mobile home park presently is located shall be for a mobile home Park, and such accessory uses as may be permitted from time to time by applicable law. During this fifteen (15) year period, no Tenant of the Park shall have their lease terminated or be asked to remove their mobile home from the Park, so long as their lease is not in default. If a Tenant defaults under the terms of their lease, the developer or its successors shall have all the rights and remedies available under the terms of any applicable lease, or other applicable law, to cause the removal of the Tenant or mobile home in question, and to pursue money damages and other remedies which may be permitted by law. For the purposes hereof the "Tenants" are the persons who from time to time, lease spaces in the mobile home Park from the developer or its successors, as landlord, for the purpose of locating manufactured homes to which they hold title. The developer and its successors shall use commercially reasonable efforts to maintain the occupancy of the mobile home park at full occupancy for the full fifteen (15) year period of this condition.

6. Accepting Local Mobile Homes: For a period of fifteen (15) years from the date of the adoption hereof, the developer and its successors shall notify the Town in writing by certified mail as well as by email, read receipt requested, addressed to the Town Manager, when a lot in the Park becomes available for a new mobile home. The Town then will have the right to make this fact known to then current residents of other existing mobile home parks within the jurisdiction of the Town. The developer and its successors shall hold any available lot for 60 days from the date on which the Town receives this notification to allow persons contacted by the Town an opportunity to apply to lease the lot. Nothing herein shall require the developer to lease a lot in the Park to any person who is not a Tenant on the date hereof, in accordance with the terms hereof.

7. Restricted Hours: Prior to Final Zoning Inspection, the developer shall install signs on the driveways to the rear of the self-storage building that say "Access to rear entrance permitted only between 8:00 a.m. to 10:00 p.m.", subject to Town Manager approval. These restricted hours shall only be applicable to the loading dock and the rear entrance to the self-storage building.

8. Jordan Buffer Variance: A minor variance for land disturbance in Zone 2 of the Jordan Buffer for construction of stormwater management is hereby approved, in accordance with the approved plans. Any land disturbance proposed in Zone 1 must be approved by the State of North Carolina.

9. Subdivision of Lots: All proposed new lots shall front or have direct access to a public street right-of-way, or a public-street easement, or private street easement that is built to Town standards. New lots fronting a private street easement must provide documentation that the lot has direct access to public right-of-way or public street easement. Review and approval of new subdivision lots shall be processed as an administrative approval of a minor subdivision or commercial subdivision during the Final Plan Review process.

10. Martin Luther King Jr. Blvd. Intersection Improvements: Prior to Final Zoning Inspection, the developer shall construct a right-in/right-out entrance north of the existing entrance, subject to NC Department of Transportation (NCDOT) and Town approval. Should the proposed Bus Rapid Transit (BRT) Station be located along the property frontage north of the traffic light, developer shall close the right-in entrance at their own expense and at a date determined by the Town that allows for construction, testing and operation of the BRT service, in a safe configuration that is acceptable to NCDOT and the Town. The developer and his/her assignees agree that the Town has the right to install the BRT Station along the property frontage. A note shall be added to any future plats or encroachment agreements that includes the language of this stipulation. Any sale or lease of the property will include the language of this stipulation.

11. Pedestrian Improvements: Pedestrian crosswalks shall be installed at both entrances on the northbound approach of Martin Luther King Jr. Blvd. prior to Final Zoning Inspection.

12. Transit Stop: Prior to Final Zoning Inspection, the developer shall provide a payment-in-lieu of $15,000 for Bus Rapid Transit (BRT) stop improvements.

13. Multi-Use Path: As part of the Final Plans Zoning Compliance Permit, the developer shall work with the Town to identify an appropriate alignment of a multi-use path

along Martin Luther King Jr. Blvd. associated with the North-South Bus Rapid Transit plan, and shall construct said path. Any minor changes to the site plan to accommodate this path may be approved administratively.

14. Playground: Prior to Final Zoning Inspection, the developer shall provide a playground in accordance with the size and location as shown on the approved plan set.

15. Landscape Bufferyards: The following landscape bufferyards shall be provided:

Location	**Required Buffer**
West	30' External Type "D"
South	20' Internal Type "C"
East	10' Internal Type "B" (Modified)
North	20' Internal Type "C" (Modified)

16. Landscaping within Right-of-Way: All landscaping within NCDOT right-of-way shall comply with the NCDOT Guidelines for Planting within Highway Right-of-way, including a Landscape Encroachment Agreement and private maintenance of landscaping in the right-of-way.

17. Demolition Plan: The Landscape Protection Plan shall be consistent with the Demolition Plan.

18. Solid Waste: Solid waste and mixed recycling (including corrugated cardboard) will be collected by a private waste contractor, once the new buildings are built and in service.

19. Stormwater Structures: No stormwater management structures are permitted in the rights-of-way or building setbacks. This includes the outlet structure and stabilization, any underdrains, side slopes, and the downgradient toe of french drains. Further, the discharge must be in a sheet flow condition.

20. Stormwater Control Measure: The proposed stormwater control measure for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual.

21. Building Height: Prior to issuance of a Certificate of Occupancy, a secondary fire apparatus access shall be reviewed and approved by the Town of Chapel Hill and NCDOT. Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. NC FPC 2012, D104.1, D104.3

22. Fence Between Storage Building and Homes: Prior to issuance of a Zoning Final Inspection for the storage building, the developer will construct a fence which complies with applicable Town codes but is not a chain link fence along the eastern edge of the proposed driveway directly behind the storage building.

23. Conversion to Annual Leases: Tenants who are Tenants of the existing mobile home park on the property as of the date of enactment of this Ordinance shall be given the option by the developer or its successors, in writing by certified mail as well as by email, read receipt requested, to convert their present monthly leases to annual leases within 60 days of the date hereof, and they shall have 60 days from the date on which they receive this written option to accept or decline this option. If a Tenant fails to

respond within 60 days from the date of receipt, then they shall be deemed to have declined the option to convert their lease to an annual lease.

24. Market Rate Protection for Tenants: In January of 2025, January of 2029, and January of 2033, the developer or its successors shall retain a NC licensed real estate broker (the "Expert") with professional expertise in mobile home parks to survey mobile home park rents in the greater Raleigh and Charlotte markets. Within 60 days of being retained, the Expert will confirm in writing to the developer or its successors, with a copy sent in writing by certified U.S mail, return receipt requested to the Town Manager, whether the lot rent rates at the Park are within 15 percent of the rental rate charged by comparable mobile home parks in the greater Raleigh and Charlotte markets. If the Expert determines that rents at the Park are more than 15 percent higher than those at comparable mobile home parks in the Raleigh and Charlotte Markets, the developer or its successors, shall reduce the rental rates charged to persons who are Tenants on the date the rent rates are reduced, until they are within 15 percent of the rates charged by those comparable mobile home parks within 30 days of the date on which it receives the expert report.

25. Restrictive Covenants: Developer shall cause a Declaration of Restrictive Covenants to be recorded in the office of the Orange County Register of Deeds, creating rights in the Tenants of the Mobile Home Park to enforce conditions 5, 6, 23, and 24 directly, within seven (7) days of the enactment of this Ordinance and prior to written consent of approval.

26. Displacement Mitigation Plan: For a period of fifteen (15) years from the date of the adoption hereof, two (2) years prior to the involuntary displacement of any mobile home park resident due to a reduction in the number of home sites from the approved eighty-three (83) sites to a minimum of seventy-three (73) sites in the mobile home park, shown on the site plan dated May 31, 2019, and last revised August 19, 2020, December 3, 2020, and February 17, 2021, the property owner or developer shall provide to the Town Manager a Displacement Mitigation Plan that includes strategies and tactics for relocating existing mobile home park residents. The Plan shall outline in detail the timeline for relocation and what services and resources will be provided to existing residents to aid in relocation. The Town Manager will evaluate such Plan and no relocation of existing residents shall occur until the Town Manager approves such Plan.

27. Cross Access Easement: Prior to the issuance of a Zoning Compliance Permit, the developer shall record a public pedestrian, bicycle, and motorized vehicle cross-access easements across the three proposed parcels, providing access to the manufactured home park, the self-storage facility, conditioned, and the service station/convenience store. Notes to this effect shall be placed on the final plans. Details to be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

28. Manufactured Home Park Lot Layout: Prior to issuance of Zoning Compliance Permit, the developer shall provide details for review and approval by the Town Manager for the additional mobile home lots. The additional ten (10) lots shall be located outside of the Resource Conservation District, with no additional impervious surface or land disturbance than provided in this Ordinance.

29. Short Term Rental Use Prohibited: Dedicated short term rental use of the manufactured home park is prohibited. Dedicated short term rental is the rental of a residential dwelling unit that is not used as a primary residence and is rented in its entirety to one

party of transient guests at a time for a fee for fewer than thirty (30) consecutive days.

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS

The following standard stipulations are supplemental to site-specific conditions as set by Town Council-approved resolution. Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by Conditional Zoning.

Access

30. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

Transportation

31. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]

32. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 4.5.2]

33. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design. [LUMO 5.9.5]

34. Parking Lot Landscape and Screening: The parking lot landscape design shall adhere to the standards of the Chapel Hill Land Use Management Ordinance. [LUMO 5.9.6]

35. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT).

36. Driveway Permit: The developer must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fees, and any necessary performance and indemnity bonds.

37. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.

38. Off-Site Construction Easements: Prior to any development associated land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]

39. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]

40. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]

41. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, the developer shall repair all damage for work in the public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design of such repairs must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. [Town Code 17-40]

42. Street Closure Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager and NCDOT approval, for any work requiring street, sidewalk, or lane closure(s). [Town Code 21-7.1]

43. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager and NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]

Landscaping and Building Elevations

44. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]

45. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]

46. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]

47. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing around construction limits and

indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]

48. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. [LUMO 4.5.3]

49. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]

50. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

51. Demolition Plan: Prior to beginning any proposed demolition activity, the developer must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).

52. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]

53. Community Design Commission: The CDC shall review and approve building elevations and site lighting prior to issuance of a Zoning Compliance Permit. Building elevation review and site lighting shall be complete within 2 meetings of an accepted application for final plans. The commission shall also approve any alternate buffer request prior to issuance of a Zoning Compliance Permit.

Environment

54. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]

55. Phasing Plan: If phasing of the project is proposed, then the developer shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans. [LUMO 4.5.3]

56. Erosion Control Bond: If one acre or more is to be uncovered by land-disturbing activities for the project, then a performance guarantee in accordance with *Section 5-97.1 Bonds* of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [Town Code 5-98]

57. Sediment Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry sediments on adjacent roadways. [Town Code 5-86]

58. Erosion Control Inspections: In addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and maintain inspection logs documenting the daily inspections and any necessary repairs. [Orange County Erosion Control]

59. Erosion Control: The developer shall provide a copy of the approved erosion and sediment control permit from Orange County Erosion Control Division prior to receiving a Zoning Compliance Permit. During the construction phase, additional erosion and sediment controls may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance. [Town Code 5-98]

60. Stormwater Control Measure: The proposed stormwater control measures for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual and Town of Chapel Hill Public Works Engineering Design Manual. [LUMO 5.4.3]

61. Storm Drain Inlets: The developer shall provide pre-cast inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-4A, SD-5A, SD-5C include all applicable details, for all new inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]

62. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [Town of Chapel Hill Design Manual]

63. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town of Chapel Hill Design Manual]

64. Performance Guarantee: A performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirement of Section 4.9.3 of the Land Use Management Ordinance prior to the approval of Constructional plans. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the

grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

Upon completion of the storm water control measures(s) and other improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall submitted by the developer prior to the issuance of certificate of occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the storm water control structure(s) to determine that the storm water measure(s) are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control(s) are performing as required by this Ordinance, and after any repairs to the storm water control structure(s) are made by the owner, shall release the remaining maintenance bond. [LUMO 4.9.3]

65. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]

66. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

Recreation

67. Recreation Space (Multi-Family): A minimum of 25 percent of the required Recreation Space for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.

68. Recreation Area (Subdivision): A minimum of 25 percent of the required Recreation Area for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.

Water, Sewer, and Other Utilities

69. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The developer shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.3]

70. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]

71. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. [LUMO 5.12.1]

72. OWASA Approval: Prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]

73. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

Fire Safety for Commercial Structures

74. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]

75. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]

76. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC -2018, 503.2.7, 503.2.8 and D103.2]

77. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a

water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.

78. Fire Department Connections and Standpipes: When the building being constructed requires standpipes, a temporary standpipe connection will be constructed with ready Fire Department Access when the building is not more than 40 feet in height. Such standpipes shall provide usable connections adjacent to the stairs and shall continue with building progression always being not more than one floor below the highest floor of the building. [NC FPC 912 & NC FPC 2018 3313]

79. Fire Command Center: Where required in the North Carolina Fire Protection Code and in all high rise buildings, a fire command center must be constructed in accordance with Section 508, NC FPC 2018.

80. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]

81. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1,503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]

82. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.

83. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]

84. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.

85. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]

86. Hydrants Active: The developer shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be

stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]

87. Fire Hydrant and FDC Locations: The Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC 2018 Section 501.5.1.1]

88. Firefighting Access During Construction: Vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC FPC 2018, Section 3310.1]

89. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]

90. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC FPC 2018, 506]

91. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 and Town Code 7-56 is required to be installed in non-residential construction.

92. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NC FPC 2018 and Town Code 7-38 for location. FDCs shall be installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5” siamese.

93. Fire Department Connections, Installation: A working space of not less than 36 inches in width and depth and a working space of 78 inches in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected from impacts by an approved barrier. [NC FPC 2018, 912.1, 912.2 912.2.1, 312]

94. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.

95. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be

provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]

96. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]

97. Emergency Responder Radio Coverage in New Buildings: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. [NC FPC 2018 Section 510.1]

Solid Waste Management and Recycling

98. Solid Waste Management Plan: Prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager and Orange County Solid Waste (OCSW). The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the developer shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]

99. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard (Regulated Recyclable Materials), all present in construction waste, must be recycled. All haulers of construction waste containing Regulated Recyclable Materials must be properly licensed with Orange County Solid Waste. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered. [Orange County Solid Waste]

100. Deconstruction Assessment: For any existing structure 500 square feet or larger a deconstruction assessment shall be conducted by OCSW staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO). Prior to any demolition or construction activity on the site, the developer shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be held at the same pre-construction meeting held with other development/enforcement officials.

State and Federal Approvals

101. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]

102. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in

associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

Miscellaneous

103. Construction Management Plan: A Construction Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods, 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance. [Town Design Manual Chapter 10]

104. Traffic and Pedestrian Control Plan: The developer shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the developer must apply to the Town Manager for a lane or street closure permit. [Town Code 17-42]

105. Construction Sign Required: The developer shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. The sign shall be non-illuminated, and shall consist of light letters on a dark background. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.4]

106. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public Schools or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]

107. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]

108. Detailed Plans: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Chapel Hill Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]

109. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete. A note to this effect shall be placed on the final plats.

    If the Town Manager approves a phasing plan, no Certificates of Occupancy shall be

issued for a phase until all required public improvements for that phase are complete, and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase. A note to this effect shall be placed on the final plats.

110. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.

111. New Street Names and Numbers: The name of the development and its streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

112. As-Built Plans: Prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [Town Design Manual Chapter 10]

113. Vested Right: Approval of a Conditional Zoning District and the associated district-specific plan constitutes a site specific development plan establishing a vested right. During the period of vesting, this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.

114. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

115. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

116. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Conditional Zoning for 1200 MLK at 1200 and 1204 Martin Luther King Jr. Blvd.

This the 10th day of March, 2021.

FIRST READING: February 24, 2021.
SECOND READING: March 10, 2021.

RESOLUTION B
(Revocation of Special Use Permits)

A RESOLUTION APPROVING THE REVOCATION OF 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. FROM THE EXISTING SPECIAL USE PERMITS (2021-03-10/R-3)

WHEREAS, on April 28, 1980, the Chapel Hill Town Council approved a Special Use Permit for 87 dwelling units, known as Tarheel Mobile Court, encumbering 607,226 square feet and approximately 13.94 acres, which was recorded at the Orange County Register of Deeds in Deed Book 338, Page 541; and

WHEREAS, on March 15, 1995, the Chapel Hill Town Council approved a Special Use Permit Modification for a drive-in business, to include self-service gasoline pumps, known as Airport Road Mini Mart, encumbering 35,070 square feet and approximately 0.80 acres, which was recorded at the Orange County Register of Deeds in Deed Book 1356, Page 182; and

WHEREAS, on February 13, 2019, the Town Council reviewed a concept plan for 1200 MLK for a development containing service station/convenience store, self-storage facility, conditioned, and a mobile home park; and

WHEREAS on May 30, 2019, the applicant submitted a Special Use Permit Modification for a Service Station/Convenience Store, Self-Storage Facility, Conditioned, and Mobile Home Park; and

WHEREAS, on September 1, 2020 the applicant requested to replace the Special Use Permit Modification application, with a Conditional Zoning permit application in order to move forward with the project during the COVID-19 pandemic and requested revocation of the existing Special Use Permits.

WHEREAS, Section 4.5.5(f)(2) of the Land Use Management Ordinance has been met as the request is made in conjunction with an application for approval of a development other than that authorized by the permit of modification;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby revokes the 1995 and 1980 Special Use Permits for 1200 and 1204 Martin Luther King Jr. Blvd., known as Tarheel Mobile Court, as they pertain to the 9.2-acre parcel for which the 1200 MLK Conditional Zoning Permit is currently proposed. The revocation of the Special Use Permits and any Modifications would be such that the subject parcels for the 1200 and 1204 MLK Conditional Zoning (PINs 9789-39-2409 and 9789-29-7279), would no longer be encumbered by Special Use Permits; and

BE IT FURTHER RESOLVED that the applicant shall record the affidavit for revocation for the parcels identified as Orange County Parcel Identifier Numbers (PIN 9789-39-2409 and 9789-29-7279), for the Tarheel Mobile Court Special Use Permit, dated April 28, 1980 and the drive-in business Special Use Permit Modification, dated March 15, 1995.

This the 10th day of March, 2021.

RESOLUTION C
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN APPLICATION TO AMEND THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL–CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL–2–CONDITIONAL ZONING DISTRICT (OI-2-CZD) (2021-03-10/R-4)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Jeremy Anderson of Coulter Jewell Thames, PA, on behalf of Stackhouse Properties, LLC agent for Jones Estates Group, LLC, the owner of the property located at 1200 and 1204 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Numbers 9789-29-7279 and 9789-39-2409, for which this application is made, if developed according to the rezoning plan dated May 31, 2019, and last revised February 17, 2021, the conditions listed below would not:

a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code

b) Conform with the Comprehensive Plan

c) Be compatible with adjoining uses

d) Mitigate impacts on surrounding properties and the Town as a whole

e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities

f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for a Conditional Zoning for 1200 MLK at 1200 and 1204 Martin Luther King Jr. Blvd.

This the 10th day of March, 2021.

CONDITIONAL ZONING APPLICATION

TOWN OF CHAPEL HILL
Planning and Development Services
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 969-5066 *fax* (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9789297279 & 9789392409 Date: 12 / 03 / 2020

Section A: Project Information

Project Name:	1200 MLK		
Property Address:	1200 & 1204 Martin Luther King Jr. Blvd.	Zip Code:	27514
Use Groups (A, B, and/or C):	A & C	Existing Zoning District:	NC & R-4
Project Description:	Replacement convenience store, new self storage building, & repositioned mobile homes Minimal disturbance to existing mobile home residences, approx. 16 units to be relocated onsite.		

Section B: Applicant, Owner, and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed):

Name:	Coulter Jewell Thames, PA – c/o Jeremy Anderson				
Address:	111 West Main Street				
City:	Durham	State:	NC	Zip Code:	27701
Phone:	919-682-0368	Email:	JAnderson@cjtpa.com		

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: Date: 04-12-2019

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name:	Stackhouse Properties, LLC				
Address:	PO Box 14466				
City:	RTP	State:	NC	Zip Code:	27709
Phone:	919-408-7150	Email:	accounting@rentstackhouse.com		

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: Date: 04-12-2019

Click here for application submittal instructions.

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

SIGNED CONDITIONS: All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

RECORDATION OF CONDITIONS: After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Service

Section A: Project Information

Use Type: *(check/list all that apply)*

☐ Office/Institutional ☒ Residential ☐ Mixed-Use ☒ Other: Commercial (Convenience store & self storage)

Overlay District: *(check all that apply)*

☐ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	537,504 (OI-2) 68,740 (NC)	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	16,250 (OI-2) 13,150 (NC)	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	n/a	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	553,754 (OI-2) 81,890 (NC)	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: *(check all those that apply)*
☒ Jordan Buffer ☒ Resource Conservation District ☒ 100 Year Floodplain ☐ Watershed Protection District

Land Disturbance	**Total (sq. ft.)**
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	247,779 sf
Area of Land Disturbance within RCD	40,257 sf
Area of Land Disturbance within Jordan Buffer	4,960 sf

Impervious Areas	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Impervious Surface Area (ISA)	185,316	Per SIA	Per SIA	Per SIA
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%		Per SIA	Per SIA	Per SIA
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Service

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	57,100	4,742	5,000 + 134,400	139,400
Number of Floors	1		1 & 4	
Recreational Space				

Residential Space				
Dimensional Unit (sq. ft.)	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Floor Area (all floors – heated and unheated)	54,704	2,346	0	52,358
Total Square Footage of All Units	54,704	2,346		**52,358**
Total Square Footage of Affordable Units	54,704	2,346		**52,358**
Total Residential Density	5.9			5.9
Number of Dwelling Units	73		10	**83**
Number of Affordable Dwelling Units	73		10	**83**
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space *(Gross Floor Area in Square Feet)*					
Use Type	**Existing**	**Proposed**	**Uses**	**Existing**	**Proposed**
Commercial		139,400			
Restaurant			**# of Seats**		
Government					
Institutional					
Medical					
Office					
Hotel			**# of Rooms**		
Industrial					
Place of Worship			**# of Seats**		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22	65	22
	Interior (neighboring property lines)	8	36	8
	Solar (northern property line)	9	35	9
Height (maximum)	Primary	34		34
	Secondary	60		60
Streets	Frontages			
	Widths			

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Services

Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Martin Luther King Jr. Blvd.	100’	66’	5	☐ Yes	☐ Yes
				☐ Yes	☐ Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	**Dimensions**	**Surface**	**Handicapped Ramps**
Martin Luther King Jr. Blvd.	5 and 6	Conc.	☒ Yes ☐ No ☐ N/A
			☐ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	57		43
Handicap Spaces	3		2
Total Spaces	60		45
Loading Spaces	2		4
Bicycle Spaces	10		10
Surface Type	Concrete or asphalt		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
West (MLK JR. BLVD.)	30’	30’	☐ Yes	☐ Yes
South	20’	20’	☐ Yes	☐ Yes
			☐ Yes	☐ Yes
			☐ Yes	☐ Yes

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Services

Section I: Land Use Intensity

Existing Zoning District: **NC & R4**
Proposed Zoning Change *(if any)*: **NC & OI-2**

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	**Floor Area Ratio (FAR)**	**Recreation Space Ratio (RSR)**	**Low Density Residential (0.24)**	**High Density Residential (0.50)**	**Non-Residential (0.70)**	**Maximum Floor Area (MFA) = FAR x GLA**	**Minimum Recreation Space (MSR) = RSR x GLA**
OI-2	.264	.046				146,191	25,473
N.C.	.264					21,619	
TOTAL						167,810	25,473
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply:

Water	☒ OWASA	☐ Individual Well	☐ Community Well	☐ Other
Sewer	☒ OWASA	☐ Individual Septic Tank	☐ Community Package Plant	☐ Other
Electrical	☐ Underground	☒ Above Ground		
Telephone	☐ Underground	☒ Above Ground		
Solid Waste	☐ Town	☒ Private		

CONDITIONAL ZONING APPLICATION SUBMITTAL REQUIREMENTS

TOWN OF CHAPEL HILL
Planning and Development Services

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 969-5066 or at planning@townofchapelhill.org.

X	**Application fee** (including Engineering Review fee) (refer to fee schedule)	Amount Paid $	See attached slip
2/4	**Pre-application meeting** –with appropriate staff		
X	**Digital Files –** provide digital files of all plans and documents		
X	**Recorded Plat or Deed of Property**		
X	**Project Fact Sheet**		
X	**Traffic Impact Statement** – completed by Town's consultant (or exemption)		
n/a	**Description of Public Art Proposal,** if applicable		
X	**Statement of Justification**		
X	**Response to Community Design Commission and Town Council Concept Plan comments**		
n/a	**Affordable Housing Proposal, if applicable**		
X	**Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan**		
X	**Mailing list of owners of property within 1,000 feet perimeter of subject property** (see GIS notification tool)		
X	**Mailing fee for above mailing list (mailing fee is double due to 2 mailings)**	Amount Paid $	286.40
X	**Written Narrative describing the proposal, including proposed land uses**		
X	**Resource Conservation District, Floodplain, & Jordan Buffers Determination** – necessary for all submittals		
n/a	**Jurisdictional Wetland Determination – if applicable**		
n/a	**Resource Conservation District Encroachment Exemption or Variance (determined by Planning)**		
n/a	**Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)**		
x	**Reduced Site Plan Set (reduced to 8.5" x 11")**		

Stormwater Impact Statement (1 copy to be submitted)

a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
b) Description of land uses and area (in square footage)
c) Existing and proposed impervious surface area in square feet for all subareas and project area
d) Ground cover and uses information
e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
f) Time of concentration calculations and assumptions
g) Topography (2-foot contours)
h) Pertinent on-site and off-site drainage conditions
i) Upstream and/or downstream volumes
j) Discharges and velocities
k) Backwater elevations and effects on existing drainage conveyance facilities
l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
m) Water quality volume calculations
n) Drainage areas and sub-areas delineated
o) Peak discharge calculations and rates (1, 2, and 25-year storms)
p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
q) Volume calculations and documentation of retention for 2-year storm

r) 85% TSS removal for post-development stormwater runoff
s) Nutrient loading calculations
t) BMP sizing calculations
u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

Cover Sheet

a) Include Project Name, Project fact information, PIN, and Design Team

Area Map

a) Project name, applicant, contact information, location, PIN, & legend
b) Dedicated open space, parks, greenways
c) Overlay Districts, if applicable
d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
f) 1,000' notification boundary

Existing Conditions Plan

a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
b) Location of all existing structures and uses
c) Existing property line and right-of-way lines
d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
e) Nearest fire hydrants
f) Nearest bus shelters and transit facilities
g) Existing topography at minimum 2-foot intervals and finished grade
h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Detailed Site Plan

a) Existing and proposed building locations
b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
d) Location of existing and proposed fire hydrants
e) Location and dimension of all vehicle entrances, exits, and drives
f) Dimensioned street cross-sections and rights-of-way widths
g) Pavement and curb & gutter construction details
h) Dimensioned sidewalk and tree lawn cross sections
i) Proposed transit improvements including bus pull-off and/or bus shelter
j) Required landscape buffers (or proposed alternate/modified buffers)
k) Required recreation area/space (including written statement of recreation plans)
l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
m) Construction parking, staging, storage area, and construction trailer location
n) Sight distance triangles at intersections
o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
p) Easements
q) Clearing and construction limits
r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

a) Topography (2-foot contours)
b) Existing drainage conditions
c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
d) Proposed drainage and stormwater conditions
e) Drainage conveyance system (piping)
f) Roof drains
g) Easements
h) BMP plans, dimensions, details, and cross-sections
i) Planting and stabilization plans and specifications

Landscape Protection Plan

a) Rare, specimen, and significant tree survey within 50 feet of construction area
b) Rare and specimen tree critical root zones
c) Rare and specimen trees proposed to be removed
d) Certified arborist tree evaluation, if applicable
e) Significant tree stand survey
f) Clearing limit line
g) Proposed tree protection/silt fence location
h) Pre-construction/demolition conference note
i) Landscape protection supervisor note
j) Existing and proposed tree canopy calculations, if applicable

Planting Plan

a) Dimensioned and labeled perimeter buffers
b) Off-site buffer easement, if applicable
c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement

Steep Slope Plan

a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
b) Show and quantify areas of disturbance in each slope category
c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

a) Topography (2-foot contours)
b) Limits of Disturbance
c) Pertinent off-site drainage features
d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

a) Public right-of-way existing conditions plan
b) Streetscape demolition plan
c) Streetscape proposed improvement plan
d) Streetscape proposed utility plan and details
e) Streetscape proposed pavement/sidewalk details
f) Streetscape proposed furnishing details
g) Streetscape proposed lighting detail

Solid Waste Plan

a) Preliminary Solid Waste Management Plan
b) Existing and proposed dumpster pads
c) Proposed dumpster pad layout design
d) Proposed heavy duty pavement locations and pavement construction detail
e) Preliminary shared dumpster agreement, if applicable

Construction Management Plan

a) Construction trailer location
b) Location of construction personnel parking and construction equipment parking
c) Location and size of staging and materials storage area
d) Description of emergency vehicle access to and around project site during construction
e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

a) Description of how project will be 20% more energy efficient than ASHRAE standards
b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
c) Participation in NC GreenPower program
d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

Coulter Jewell Thames, PA

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Planning for the Future

1200 MLK

Conditional Zoning

05.30.2019
08.06.2019 - revised
04.13.2020 - revised
06.18.2020 - revised
08.19.2020 - revised

DEVELOPER'S PROGRAM

This is a request for review of a Conditional Zoning applications by the Town of Chapel Hill.

Introduction

The '1200 MLK' project is the redevelopment of the existing Tar Heel Mobile Home Park and non-operational Marathon Service Station, on the east side of Martin Luther King Boulevard, across from the intersection with Northfield Drive. The project is proposing to modernize the service station, add a new self-storage building, and preserve or reposition all of the existing mobile home residential units onsite. The developer understands the significance that the existing affordable housing plays in the Towns variety of housing options, thus retaining as many of the existing units, while redeveloping a portion of the site, is important. The parcel addresses are 1200 and 1204 MLK Jr. Blvd.

The proposal is to enlarge the Commercial Neighborhood (NC) Zoning at the front of the site, and rezone the R-4 to O-I2 at the sides and rear of the site. The O-I2 portion at the rear of the site will include a PD(H) overlay, to allow for the existing mobile home park.

The project was previously submitted as a Concept Plan and reviewed by Town staff, the Housing Advisory Board and Town Council earlier this year. An outlined of the applicant responses to comments made at the Council meeting are attached to this application.

Site Description
The site consists of two parcels, totaling approximately 13.9 acres. The site is partially wooded, with the old Marathon service station at the front of the site, and approximately 73 existing mobile home residential units and 1 single family residence at the rear and sides of the site. The site has access via multiple access points off of MLK Jr. Blvd. Two of these access points are oddly positioned on either side of the signalized intersection with Northfield Drive. There are existing bus stops on both the east and west sides of MLK Jr. Blvd, adjacent to the site.

The project site is bounded by the Orange United Methodist Church to the north, an existing single family residential neighborhood to the east and south, and various commercial businesses on the west side of MLK Jr Blvd.

The site slopes gently from the front (west) to the rear (east). An existing OWASA lift station is positioned at the northeast corner of the project site.

Site Access and Circulation
The site is currently accessed via a split driveway spanning the across the signalized intersection at Northfield Drive. This pair of driveways will be reworked to align with the signalized intersection, improving access functionality and safety. There are two additional residential driveways off of MLK Jr Blvd. that will remain unchanged. The project will improve vehicular circulation into to the mobile home park via the reworked signalized intersection. Pedestrian sidewalk improvements will be provided along the frontage of the site, which currently does not have one. Adequate onsite parking will be provided for both of the proposed uses.
Per the Town of Chapel Hill LUMO, the combined parking requirement for the commercial components of the project is a minimum of 68 spaces and a maximum of 110 spaces. The proposed site plan shows 46 spaces, which based on the real market demands for the parking of these uses (30 for Gas/Convenience Store and 16 for Self-Storage), is adequate. See below for a modification request to reduce the minimum required spaces for the Self-Storage facility.

Building Orientation and Site Layout
The convenience store building will be oriented so that the parking is at the side or rear, with the fuel pump canopy positioned behind the building. The multi-story self-storage building will be located approximately 250’ from the ROW, minimizing visibility, and serving a buffer to the existing mobile home units. Several of the existing mobile home units (~16) will have to be relocated for the proposed site redevelopment, but the developer has analyzed the units and opportunity rezoned within the existing property, to relocate all of the units that can physically be moved. The building architecture will meet or exceed the LUMO requirements.

Environmental and Landscaping
The 13.9 acre site contains 4.5 acres of protected RCD buffer area, extending 150' from the Kings Branch Stream along the northern property line. The existing mobile home park contains a variety of mature trees, with the majority of these to be retained. New landscaping and street trees will be provided for the redeveloped portion of the site. Required tree coverage, parking lot shading, and landscape buffers will provide screening and visual interest. The developer will continue to work with the existing residents to best utilize the open space areas onsite, including the open play field, the frontage RCD areas, and landscaping along the rear of the storage building.

Stormwater
The existing site currently doesn't have stormwater treatment. The proposed redevelopment will comply with the current stormwater quality and quantity regulations through the installation of Stormwater Control Measures, inlets and piping. The project will comply with all sedimentation and erosion control requirements utilizing and on and offsite protection measures.

Utilities
The project site is currently served by OWASA water and sewer services. The new commercial buildings will have new water and sewer services designed to current standards and specifications. Water and sewer services to the existing and relocated residences will remain as is, or be reconnected to the new lines run as part of the commercial project. The existing OWASA pump station will remain.

PD-H Determination
Per LUMO section 6.18.1, the following points are provided in support of the location of the PD-H designation.

- The creation of this PD-H is unique in the fact that this is an established residential community that has existed at this location for over 30 years.
- The community is located with access to a major street, with pedestrian and bicycle access. This site is located along the route of the future BRT transportation improvements. The site does not require access through a residential neighborhood outside the development.
- The site has access to public water and sewer facilities, without requiring public extensions. The project will be incorporating new stormwater improvements, as the site currently does not have any.
- The proposal to keep the residential community in place means the current public infrastructure (schools, parks, etc,) will continue to serve the community and its residents. The site is within walking distance to Homestead Park, and well as the greenway trails within the Carolina North nature area. In addition to surrounding public amenities, the project is proposing a new playground within the site for the residents.

- The continuation of this residential community should cause an increase on maintenance or operation cost of the existing public facilities.

In summary, the developer finds that the existing residential community would continue to serve and be served by the adjacent public infrastructure, and not have an appreciable negative impact of the adjacent residential neighborhoods.

Outline of Modifications requested

The following is list of Modifications to the LUMO that are being requested as part of this Conditional Zoning Application:

1. *Per LUMO section 6.23, self-storage is only allowed on the same zoning lot as other office, commercial, or institutional.*

   A Modification to regulations is requested to allow Self-Storage to be on the same zoning lot and accessory to a Mobile Home Park (in terms of land area)

2. *Per LUMO section 6.23, self-storage facilities shall not be permitted on property located at an intersection with any arterial street.*

   The applicant contends that the Self-Storage building is not located at an intersection, but across from the intersection of MLK Jr. Blvd and Northfield.

   A Modification to regulations is requested to allow a Self-Storage building to be located across from an intersection, but not on a corner lot created by two intersecting streets.

3. *Per LUMO section 6.12, a service station/convenience store shall not be located within three hundred (300) feet of any intersecting street or within seven hundred fifty (750) feet of driveways intersecting the same street and serving another existing or approved service station.*

   A Modification to regulations is requested to allow a service station / convenience store to be located within the thresholds listed above if an existing service station / convenience store was previous approved and permitted on this site.

4. *Per LUMO section 3.6.3-2, Permitted Uses within* Resource Conservation District

   The applicant requests a modification to allow mobile home residences to remain in or be moved into the RCD, to preserve the residence onsite, within the existing mobile home park.

5. *Per LUMO section 5.9.7, Minimum and maximum parking space requirements*

   The applicant requests a modification to the required minimum number of parking spaces for a Conditioned Self Storage Facility. Based on the LUMO calculation of a minimum of 1 space per 2,500 sf, the minimum requirement

would be 90 spaces. The Developer feels this is almost 5x the actual requirement. Based market experience of other facilities, this facility would require 16-20 spaces during a peak period.

6. *Per LUMO section 3.7.3, Use Groups*

The applicant requests a modification to the Use Group Table that would allow existing Class B manufactured homes to be allowed within a PD-H. The exiting mobile home community consists of Class B units, and this modification would allow the existing units to remain onsite, as outlined elsewhere in this Developer Narrative.

ENERGY MANAGEMENT PLAN

1200 MLK – CONDITIONAL ZONING
CHAPEL HILL, NORTH CAROLINA

Prepared by: CJTpa

The current Town of Chapel Hill Energy Management Plan Section list of requests are included below, accompanied by the applicants response:

1. **Description of how project will be 20% more energy efficient than ASHRAE Standards**
    - *a.* While final designs are still being developed and construction costs evaluated, areas of consideration to increase the energy efficiency of the building will be:
        i. Tight building envelope construction.
        ii. Explore energy recovery HVAC systems with variable speed motors.
        iii. High-efficiency domestic hot water system, utilizing condensing water.
        iv. Heat-absorbing, low-emissivity or energy-star window strategies.
        v. Use of energy star appliances and equipment will be used for all appliance as practical.
        vi. Use of masonry walls and concrete floors that increase the thermal mass of the building to reduce the temperature swings in the building.
        vii. Use of energy efficient LED lighting for interior and exterior.
        viii. Occupancy sensors for light controls provided in areas as required per ASHRAE 90.1
        ix. Programmable mechanical systems controls.

2. **Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)**
    - *a.* The possible use of a solar energy source hot water system is the only current option to explore.

3. **Participation in NC GreenPower program**
    - *a.* Participation in the program will be explored through either a probable contribution or solar array.

4. **Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy**
    - *a.* The project will investigate appropriate ways to achieve these goals through use of the following methods:
        i. An outdoor air make-up system beyond industry standards.
        ii. Paints, sealants, fabrics and finishes to have low VOC content.
        iii. The common space areas to utilize large exterior windows to bring daylight into interior spaces, balance energy needs and views.
        iv. Mechanical systems will be designed to operate with controllable fresh air intakes and economizers.

5. **Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time**
    - *a.* While this project is not pursuing LEED certification, the research and use of green oriented products, materials and equipment will provide for long-term reduction in carbon footprint.
    - *b.* Light Pollution Reduction: The proposed light fixtures are dark sky friendly and the project will utilize LEED-compliant forms of light pollution reduction design practices to improve nighttime visibility and reduce the consequences of development for wildlife and people
    - *c.* White roofing materials to promote reflectivity.

d. Outdoor Water Use Reduction: through LEED-compliant forms of outdoor water use reduction design practices involving selective irrigation areas and careful choice of planting materials that should thrive in years of normal rainfall

e. Indoor Water Use Reduction: through LEED-compliant forms of indoor water use reduction design practices involving specification of low flow, water-saving plumbing fixtures

f. Fundamental Refrigerant Management: through LEED-compliant forms of fundamental refrigerant management design practices to reduce stratospheric ozone depletion.

g. Construction and Demolition Waste Management Planning: through LEED-compliant forms of demolition and construction waste management planning and practices.

h. Through education of staff of building utilization to maintain awareness of energy usage and reduction.

i. Indoor Environmental quality: through LEED-compliant forms of minimum indoor air quality performance compliance, environmental tobacco smoke control and minimum acoustic performance strategies

6. Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

a. Proposed project siting provides LEED-compliant access to bus routes for guests and employees and accommodations for bike riders

7. An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

a. Height from mean natural grade indication is provided on the Drawings

1200 MLK REDEVELOPMENT

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY

Prepared for:

The Town of Chapel Hill
Public Works Department - Engineering

Prepared by:

HNTB North Carolina, PC

343 East Six Forks Road
Suite 200
Raleigh, NC 27609

NCBELS License #: C-1554

June 2019

HNTB

1200 MLK REDEVELOPMENT

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY

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June 2019

EXECUTIVE SUMMARY

Project Overview

A redevelopment of an existing site parcel, known as the 1200 MLK Redevelopment, is being proposed along NC 86 (Martin Luther King Jr. Boulevard) at its intersection with Northfield Drive in Chapel Hill, NC. The project proposes to redevelop an existing gas station/convenience mart site with a new, larger 5,700 square foot facility along with a 100,000 square foot indoor storage facility. The site also currently features residential mobile homes which will continue to occupy existing areas in the rear of the property. **Figure ES-1** shows the general location of the site. The overall project is anticipated to be fully complete and occupied by 2021. This report analyzes the build-out scenario for the year 2022 (one year after anticipated completion), the no-build scenario for 2022, as well as 2019 existing year traffic conditions.

The proposed site concept plan shows a provision for two access driveways, one full movement and one right-turn in/right-turn out only (RIRO) that connect to NC 86 (Martin Luther King, Jr. Boulevard). The full movement driveway will form the fourth leg of the NC 86 signalized intersection with Northfield Drive. No other external vehicular access connections are proposed. The site driveways are proposed to have internal connectivity with on-site buildings and their respective parking areas as well as existing driveway aisles that serve the mobile home park. **Figure ES-2** displays the preliminary concept plan of the 1200 MLK Redevelopment and nearby land uses and roadways. The site is expected to provide approximately 75 parking spaces on surface lots. This report analyzes and presents the transportation impacts that the 1200 MLK Redevelopment will have on the following intersections in the project study area:

- NC 86 (Martin Luther King, Jr. Boulevard) and Homestead Road / Church Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Proposed Right-In/Right-Out Site Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Northfield Drive / Proposed Main Site Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Piney Mountain Road / Municipal Drive

The impacts of the proposed site at the study area intersections will be evaluated during the AM, noon, and PM peak hours of an average weekday.

Existing Conditions

Study Area

The site is located in north Chapel Hill along the NC 86 (Martin Luther King, Jr. Boulevard) corridor. The study area contains three signalized intersections along NC 86 at Homestead Road, Northfield Drive and Piney Mountain Road. All future site traffic is expected use the two proposed site driveways along NC 86. Internal driveways shown on the preliminary site plan will circulate site traffic to designated parking areas and fuel pump locations. NC 86 is a principal north-south arterial providing connectivity throughout Chapel Hill and points beyond in Orange County. Homestead Road is a minor arterial street for access to areas in western Chapel Hill and Carrboro. Remaining study area network roadways are local neighborhood/commercial/institutional access streets.

Site Traffic Generation

With the addition of new peak hour trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates taken from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 10* and the most conservative estimates of potential trip generation yield taken from information on potential development land use types included in the *ITE Trip Generation Manual*.

Table ES-1. Weekday Vehicle Trip Generation Summary

TRIP TYPE	Daily			AM Peak Hour			Noon Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
NEW SITE TRIPS	935	935	1,870	85	83	168	66	66	132	84	85	169
PASS-BY SITE TRIPS	1,235	1,235	2,470	129	129	258	84	84	168	97	97	194
TOTAL TRIPS	**2,170**	**2,170**	**4,340**	**214**	**212**	**426**	**150**	**150**	**300**	**181**	**182**	**363**

Trip generation estimates account for both new site trips and "pass-by" type trips that occur at the driveway entrances/exits and do not add new trips to the traffic stream. Existing trip generation data was also collected for the mobile home park and was included in the 2022 analysis year traffic volumes.

Background Traffic
Background traffic growth for the 2022 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Historic growth patterns taken from daily traffic volume information do not indicate substantial increases in the project study area, however a number of development projects are occurring or are expected to occur just outside the project study area, which may contribute to future area-wide traffic growth. To conservatively account for this potential, a 0.5 percent per year ambient growth rate was applied to 2019 traffic volumes, along with the inclusion of four nearby specific background traffic generating projects to estimate 2022 background traffic on study area roadways.

Impact Analysis

Peak Hour Intersection Level of Service
Existing 2019 traffic operations at all study area intersections are acceptable during all three peak hours analyzed. Projected ambient and background development traffic growth will increase impacts in the study area by 2022, but not cause any intersection to operate at deficient levels in any peak hour. With the addition of peak hour site-generated trips to the projected 2022 background traffic volumes, no additional study area intersections are expected to experience deficient traffic operations in any peak hour. A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding Level-of-Service (LOS) is shown in **Table ES-2** on the following page.

Access Analysis
Vehicular site access is to be accommodated at two proposed access driveways connecting to NC 86 (Martin Luther King, Jr. Blvd). The southern (main) site driveway will connect as a fourth leg to the NC 86 (Martin Luther King, Jr. Blvd) signalized intersection with Northfield Drive. The other driveway connection will be a limited access RIRO driveway located to the north of the signalized intersection. The main driveway connection would have a throat length of approximately 175 feet and the RIRO driveway would have a throat length of 50 feet prior to internal parking lot connections. Throat lengths are acceptable, based on 50 foot minimum throat length standards found on Page 69 of the 2019 *Town of Chapel Hill Public Works Design Manual*. 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways* throat length recommendations are 100 feet, which is not provided for the RIRO driveway.

The distance between the proposed driveway connections is approximately 225 feet. Driveway connection separations from an intersection are acceptable, based on recommendations of 100 foot minimum corner clearance as set forth in the 2003 *NCDOT Policy on Street and Driveway Access to*

Table ES-2. Peak Hour Intersection Capacity Analysis Summary

Intersections	Peak Hour	2019 Existing		2022 No-Build		2022 Build		2022 Build – Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
NC 86 (Martin Luther King, Jr. Boulevard) & Homestead Road / Church Driveway	AM	C	24.5	C	26.2	C	25.6	N/A	N/A
	NOON	C	23.2	C	24.9	C	24.0	N/A	N/A
	PM	C	21.8	C	24.1	C	23.5	N/A	N/A
NC 86 (Martin Luther King, Jr. Boulevard) & Proposed RIRO Driveway#	AM	N/A	N/A	N/A	N/A	B	14.4	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	B	12.8	N/A	N/A
	PM	N/A	N/A	N/A	N/A	D	26.6	N/A	N/A
NC 86 (Martin Luther King, Jr. Boulevard) & Northfield Drive / Proposed Main Site Driveway	AM	A	3.6	A	3.6	B	19.6	B	16.4
	NOON	A	4.2	A	4.0	B	15.4	B	14.1
	PM	A	9.9	B	10.6	B	18.8	B	16.7
NC 86 (Martin Luther King, Jr. Boulevard) & Piney Mountain Road / Municipal Drive	AM	B	12.7	B	12.7	B	11.6	N/A	N/A
	NOON	A	8.9	A	8.7	A	8.7	N/A	N/A
	PM	B	12.1	B	13.0	B	12.9	N/A	N/A

N/A – Not Applicable or No Improvements Necessary
BOLD/ITALICS – Critical Movement or Overall Intersection Requires Mitigation Analysis Per Town TIS Guidelines
- Worst-Case LOS/Delay for Two-Way Unsignalized/Stop-Controlled Critical Movement

North Carolina Highways and the recommended 150 foot spacing between a driveway and an intersection along arterial roadways found in Table 3.2 – Street Standards in the Town Design Manual. The driveway separation distance is less than the 500 foot minimum along arterial streets specified in the Town Design Manual, but the proposed design improves the current parcel driveway access alignment, where the two existing driveways are full access, separated by only 125 feet and do not align with the current signalized intersection at Northfield Drive.

Access for pedestrians and bicycles is lacking connectivity in the project study area. Sidewalk is present along the NC 86 (Martin Luther King, Jr. Blvd) corridor, but not continuously along both sides of the road south of Homestead Road. Bicycle lanes are present along the segment of NC 86 (Martin Luther King, Jr. Blvd) in the project study area north of Homestead Road, but no other bicycle facilities exist in the project study area.

Crash Analysis
A crash analysis of the NC 86 (Martin Luther King, Jr. Boulevard) corridor was completed using the NCDOT TEAAS crash data base for the last five years 2014-2019. Analysis results indicate that the study area corridor segment of NC 86 has lower crash rates for all reported crash types/categories than similar five-lane undivided urban North Carolina routes.

Other Transportation-Related Analyses
Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.

Table ES-3. Other Transportation-Related Analyses

Analysis	Comment
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using Synchro and HCM 95th percentile (max) queue length estimates for all analyzed scenarios. At the intersection of NC 86 (Martin Luther King, Jr. Blvd) and Northfield Drive/Main Site Driveway, projected 95th percentile queue lengths may exceed the driveway stem length in the 2022 AM and PM peak hours for with site redevelopment. A recommended improvement to provide separate left-turn and through/right-turn lanes would mitigate this issue.
Appropriateness of Acceleration / Deceleration Lanes	The site concept plan shows no specific related to new acceleration/deceleration lanes along NC 86. It is assumed that the existing two-way center left-turn lane would be utilized for southbound left-turns into the site at the Northfield Drive intersection. Auxiliary turn lanes are provided at most locations along NC 86 (Martin Luther King, Jr. Blvd) and at select minor street approaches. No other specific acceleration or deceleration lane issues were analyzed in the project study area
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity currently lacking along NC 86 on the east side of the road adjacent to the site, but some pedestrian connections and crosswalk/pedestrian signals are present along the NC 86 corridor. Striped bicycle lanes are present along the facility, but only to the north of Homestead Road. Pedestrian sidewalk is shown along a portion of the site frontage with NC 86, but additional sidewalk connections should be considered along the entirety of the site frontage as well as to areas internal to the site to connect to the mobile home park and directly to the convenience store site.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is excellent, with bus stops directly serving the site parcel and multiple local CHT T bus routes along NC 86 (Martin Luther King, Jr. Blvd) in both directions proximate to the site.

Mitigation Measures/Recommendations

Planned Improvements

There are no planned transportation improvement projects by NCDOT or the Town of Chapel Hill expected to be complete between 2019 and 2022 in the immediate project study area. The Town is currently moving forward on planning for bus rapid transit (BRT) service along the NC 86 corridor but no specific changes or improvements to the facility were analyzed for this study.

Background Committed Improvements

There are no specific transportation network improvements to study area roadway intersections related to background private development projects that are expected to be completed between 2019 and 2022.

Applicant Committed Improvements

Based on the preliminary site plans and supporting development information provided, the Applicant is proposing to reconfigure driveways that access the site. The two existing full access driveways will be closed, and a full access driveway is proposed to align with Northfield Drive and utilize the existing traffic signal. A second proposed RIRO driveway is to be located to the north of the signalized intersection. Additional reconfiguration of existing internal driveways that serve the mobile home park are also proposed to allow better traffic circulation throughout the site development. The two proposed site driveways along NC 86 and initial laneage assumptions are schematically shown in **Figure ES-3**, based on the preliminary concept plans shown in **Figure ES- 2**.

Necessary Improvements

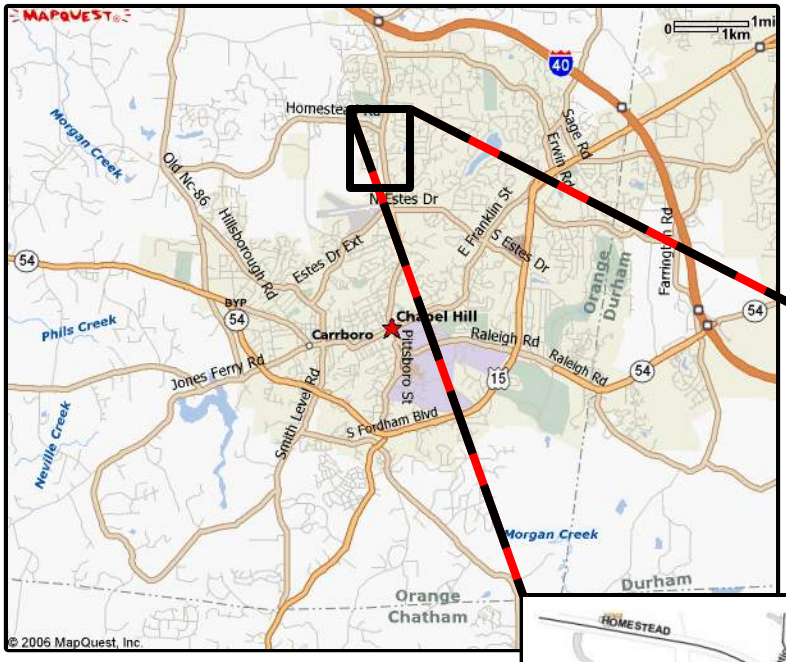
Based on traffic capacity analyses for the 2022 design year, and analyses of existing study area turning bay storage lengths and site access, the following improvements are recommended as being necessary for adequate transportation network operations (see **Figure ES-3**).

1) To provide adequate traffic operations and improve pedestrian safety and connectivity, the existing traffic signal at NC 86 and Northfield Drive should be upgraded to allow the Main Site Driveway to operate as a concurrent signal phase with Northfield Drive. The southbound and westbound approaches at the intersection include crosswalk and pedestrian signalization. The northbound and southbound left-turn lanes along NC 86 should operate with protected+permitted signal phasing. The signal should be retimed for all peak periods to maximize efficiency along the NC 86 corridor. These improvements are recommended for the 1200 MLK Redevelopment project.

2) Capacity analysis results indicate that a single westbound lane exiting at the Main Site Driveway may have maximum queues that exceed the proposed driveway stem length in 2022 AM and PM peak hours. To mitigate this issue, separate westbound left-turn and through/right-turn lanes are recommended to improve overall queue storage. This improvement is recommended for the 1200 MLK Redevelopment project.

3) The concept plan design for the RIRO driveway along NC 86 has limited driveway stem length and the nearby driveway aisle along the frontage of the convenience store may cause safety issues with turning traffic into/exiting this driveway in the vicinity of the external RIRO driveway. To mitigate this issue, extension of the proposed concrete median island at the RIRO driveway past the adjacent internal driveway is recommended, along with making this driveway aisle a one-way southbound movement. **Figure ES-4** schematically shows these proposed changes. This improvement is recommended for the 1200 MLK Redevelopment project.

4) An extension of sidewalk along the site frontage with NC 86 north of the proposed RIRO Driveway will allow better pedestrian connectivity along the corridor. In addition, provision of a sidewalk connection from the NC 86 sidewalk directly to the convenience store would improve safety. This improvement is recommended for the 1200 MLK Redevelopment project.

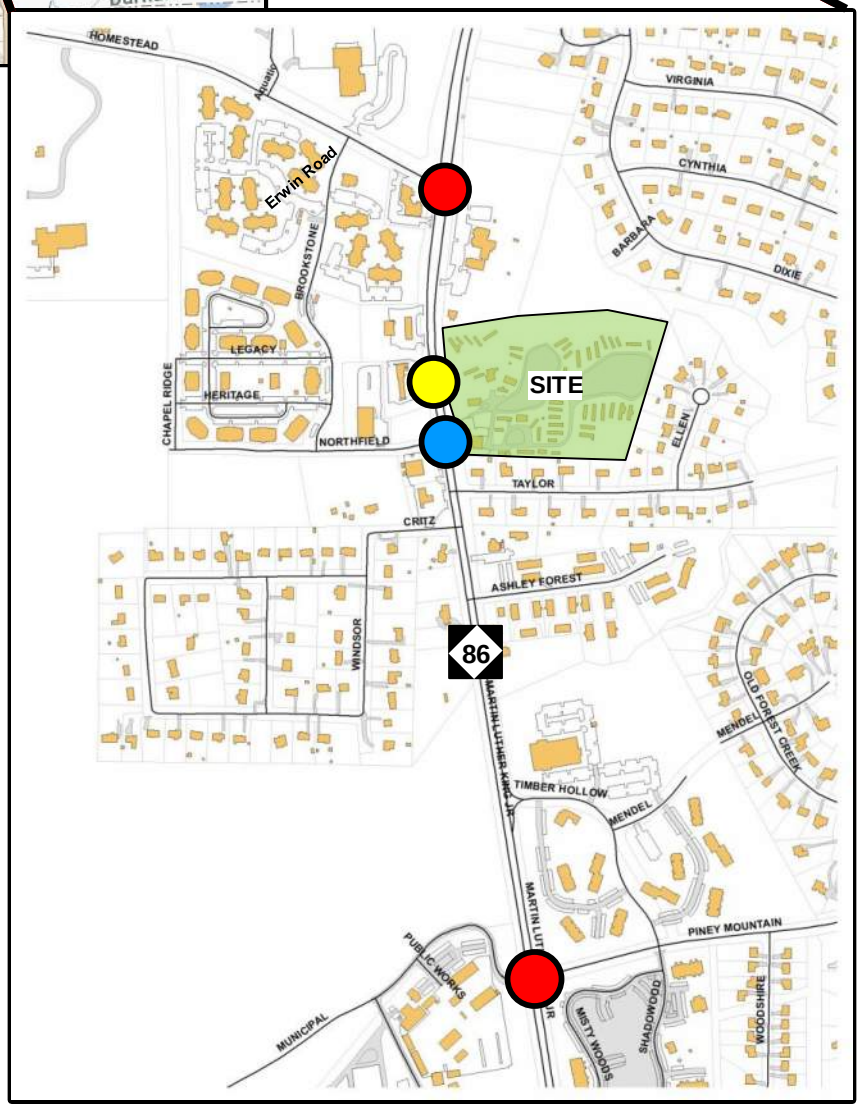


LEGEND

- = Existing Building Footprint
- = Proposed Site Parcel
- = Existing Study Area Intersection
- = Proposed Full Access Site Driveway
- = Proposed Future RIRO Driveway

N

NOT TO SCALE



HNTB

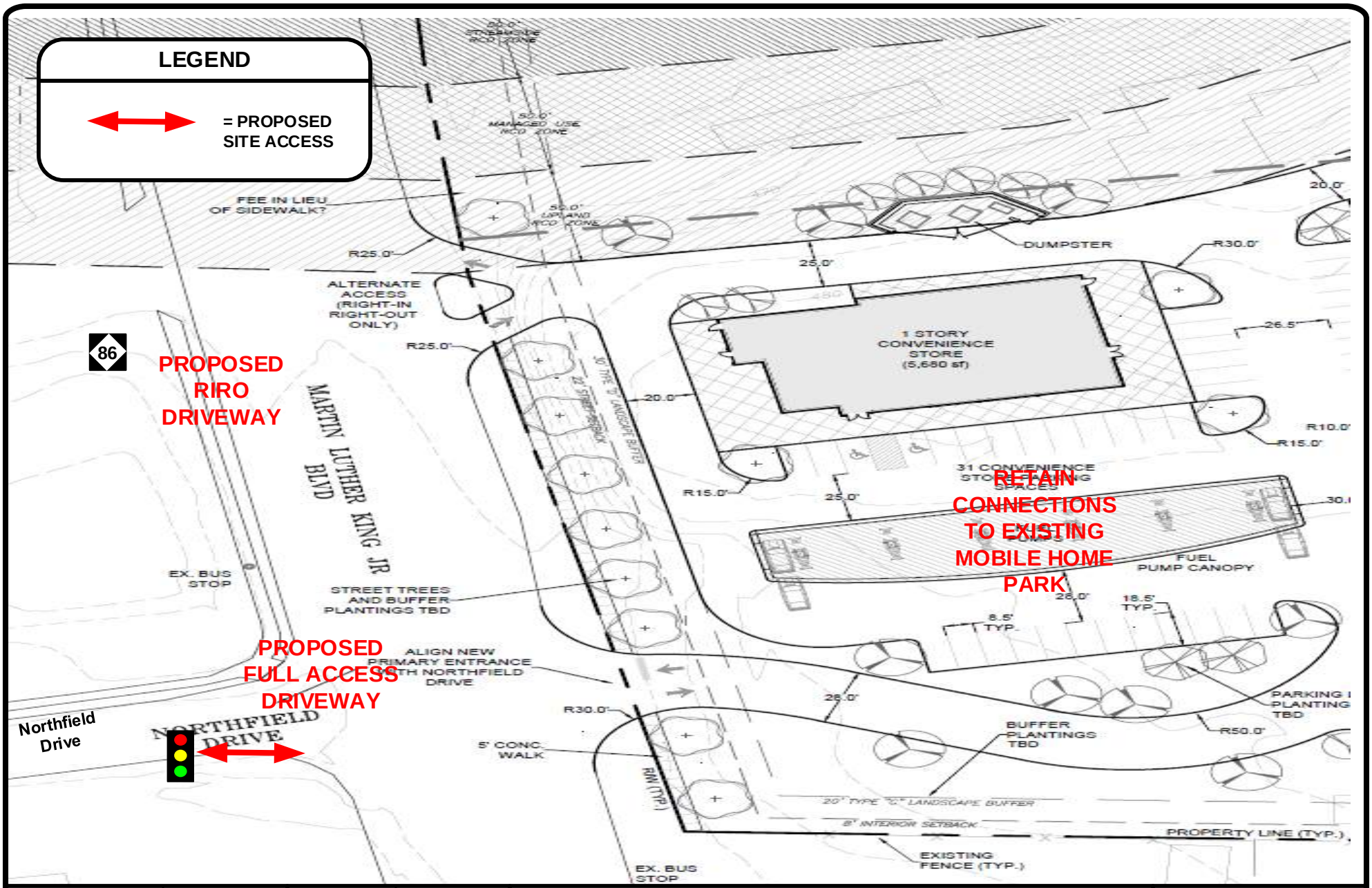
TOWN OF CHAPEL HILL

1200 MLK Redevelopment
Traffic Impact Study

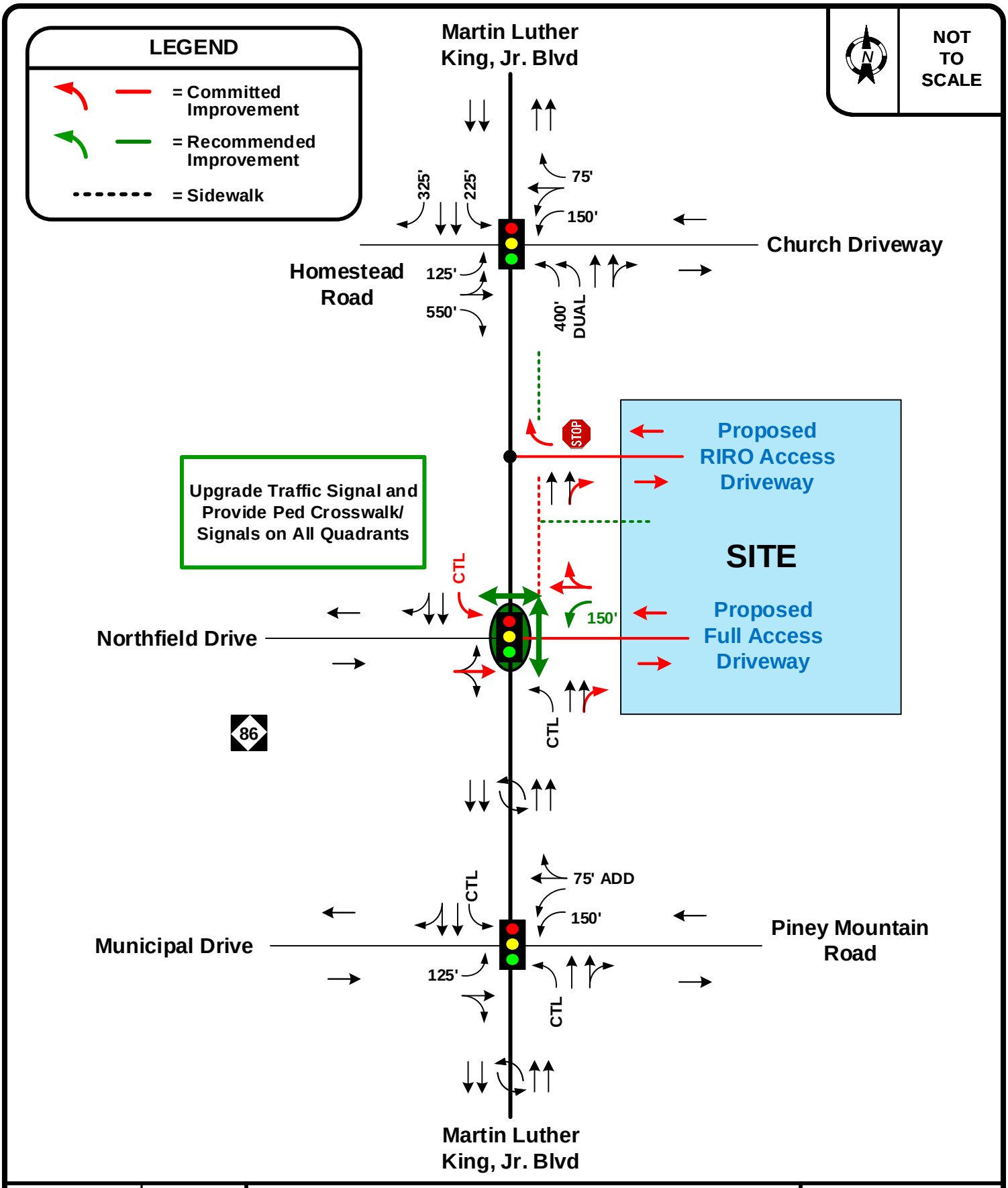
DATE: June 2019

PROJECT STUDY AREA MAP

FIGURE ES-1



HNTB	TOWN OF CHAPEL HILL	N	NOT TO SCALE	**1200 MLK Redevelopment** **Traffic Impact Study** **SITE CONCEPT PLAN**	**DATE:** June 2019 **FIGURE ES-2**



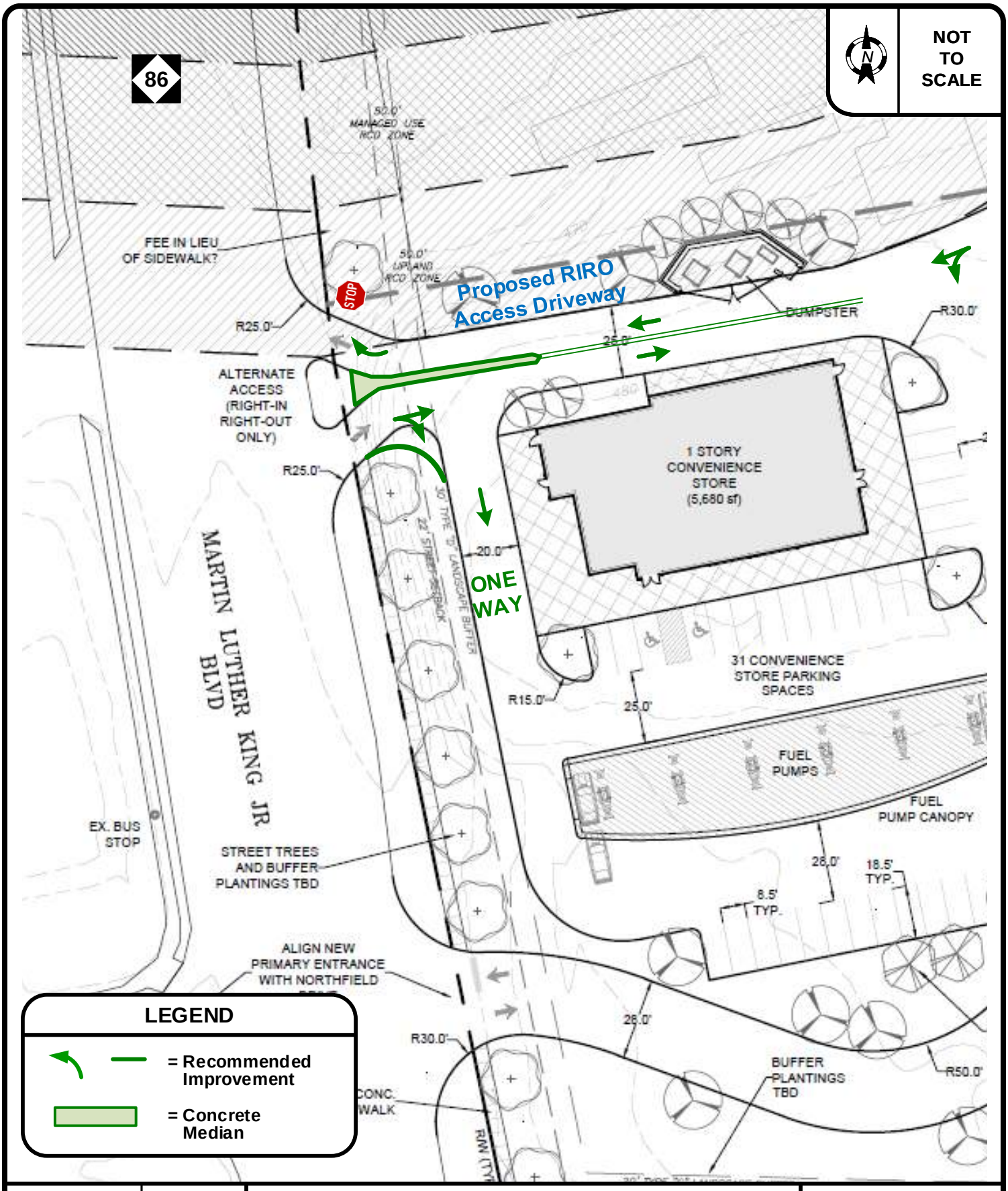
HNTB

1200 MLK Redevelopment
Traffic Impact Study

DATE: June 2019

COMMITTED & RECOMMENDED IMPROVEMENTS

FIGURE ES-3



HNTB

TOWN OF CHAPEL HILL

1200 MLK Redevelopment
Traffic Impact Study

DATE: June 2019

RECOMMENDED RIRO DRIVEWAY IMPROVEMENTS SCHEMATIC

FIGURE ES-4

1200 MLK

CONDITIONAL ZONING APPLICATION

CHAPEL HILL, NORTH CAROLINA

OWNER / CLIENT:

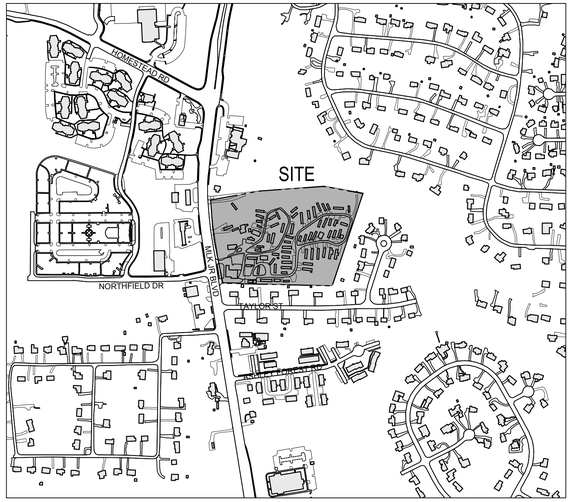
STACKHOUSE PROPERTIES, LLC
PO BOX 14466
RTP, NC 27709
919-408-7150

APPLICANT / CONSULTANT:

LANDSCAPE ARCHITECT / LAND PLANNER:
COULTER JEWELL THAMES, PA
111 WEST MAIN STREET
DURHAM, NC 27701
919-682-0368
CONTACT: JEREMY ANDERSON

ENGINEER:
COULTER JEWELL THAMES, PA
111 WEST MAIN STREET
DURHAM, NC 27701
919-682-0368
CONTACT: PRESTON ROYSTER

VICINITY MAP



1"=500'

PROJECT DATA:

EXISTING PARCELS

PARCEL A:
- ADDRESS: 1200 MARTIN LUTHER KING JR. BLVD.
- PIN: 9789297279
- ACREAGE: 32,068.98 SF / 0.736 AC
- ZONE: NC

PARCEL B:
- ADDRESS: 1204 MARTIN LUTHER KING JR. BLVD.
- PIN: 9789392409
- ACREAGE: 574,173.80 SF / 13.181 AC
- ZONE: R-4

GROSS LAND AREA: 606,242.78 SF / 13.917 AC

PROPOSED PARCELS: RE: 2/C200

PARCEL 1:
- ACREAGE: 68,739.55 SF / 1.578 AC
- PROPOSED ZONE: NC

PARCEL 2:
- ACREAGE: 75,123.73 SF / 1.725 AC
- PROPOSED ZONE: OI-2

PARCEL 3:
- ACREAGE: 462,379.49 SF / 10.615 AC
- PROPOSED ZONE: OI-2 WITH PLANNED DEVELOPMENT OVERLAY (PD-H)

GROSS LAND AREA: 606,242.78 SF / 13.917 AC

LAND USE:
- EXISTING: CONVENIENCE STORE & MOBILE HOME PARK
- PROPOSED
  - PARCEL 1: PRINCIPAL USE - CONVENIENCE STORE
  - PARCEL 2: ACCESSORY USE TO PARCEL 3 - SELF STORAGE
  - PARCEL 3: PRINCIPAL USE - MOBILE HOME PARK

ZONING:
- EXISTING: NC & R-4
- PROPOSED: NC - 68,739.55 SF / 1.578 AC; OI-2 - 537,503.22 SF / 12.339 AC

ALLOWABLE FAR FOR PROPOSED ZONE: .264

EXISTING BUILDINGS: 5,200 SF CONVENIENCE STORE TO BE REMOVED; EXISTING 73 CLASS B MOBILE HOMES LOCATED IN PROJECT AREA TO BE RELOCATED WITHIN PROJECT SITE

PROPOSED BUILDINGS:
- CONVENIENCE STORE: +/- 5,000 SF FOOTPRINT
- SELF STORAGE: +/- 33,600 SF FOOTPRINT (4 STORY / 134,400 SF OVERALL)
- EX. RESIDENTIAL: EXISTING 73 CLASS B UNITS TO REMAIN (ALL WILL BE RELOCATED ONSITE)
- PROPOSED RESIDENTIAL: 10 NEW UNITS

VEHICULAR PARKING:
- REQUIRED: 14 TO 20 - CONVENIENCE STORE (MIN. 1/375 SF, MAX. 1/250 SF); 54 TO 90 - SELF STORAGE (MIN. 1/2500 SF, MAX. 1/1500 SF); = 68 TO 100 SPACES REQUIRED; 73 TO 146 - RESIDENTIAL (MIN. 1 PER UNIT, MAX. 2 PER UNIT)
- PROPOSED: = 45 SPACES PROVIDED; 158 SPACES PROVIDED FOR RESIDENTIAL

BICYCLE PARKING:
- REQUIRED: 6 - CONVENIENCE STORE (4 MIN + 2/2,500 SF); + 4 - SELF STORAGE; = 10 SPACES REQUIRED
- PROPOSED: 8 - SHORT TERM SPACES (4 LOOPS); + 2 - LONG TERM SPACES (1 LOOP LOCATED INSIDE CONVENIENCE STORE); = 10 SPACES (5 LOOPS) PROVIDED

IMPERVIOUS SURFACE:
- EXISTING: 185,732 SF
- PROPOSED: 271,416 SF

LIST OF SHEETS:

C000	COVER SHEET
C100	AREA MAP
C101	EXISTING CONDITIONS PLAN
C102	PLAN NOTES
C200	SITE PLAN
C201	ELEVATION MASSING
C202	UNIT RELOCATION PLAN
C300	GRADING PLAN
C500	UTILITY PLAN
	LIGHTING PLAN
C700	LANDSCAPE PLAN
C800	SITE DETAILS
C801	SITE DETAILS
A-1	ARCHITECTURAL ELEVATION
A-2	ARCHITECTURAL ELEVATION

CONDITIONS OF APPROVAL

1. Main Site Entrance at Northfield Dr and Martin Luther King Jr Blvd: The Applicant shall construct the main entrance with a three lane section with minimum 11-feet wide lanes(two- lane outbound and one lane inbound). Construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit. Construction shall be completed prior to the issuance of Certificate of Occupancy.
2. Second Site Entrance on Martin Luther King Jr Blvd: The Applicant shall design and construct the second entrance on Martin Luther King Jr Blvd as Right-In and Right-Out-Only entrance. Construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit. . Construction shall be completed prior to the issuance of Certificate of Occupancy.
3. Traffic Signal Upgrade: The Applicant shall upgrade the traffic signal at the intersection of Martin Luther King Jr Blvd and Northfield Dr/Site Entrance with pedestrian amenities (high visibility crosswalks on all approaches and APS equipment), bike activated loops, and appropriate traffic signal phasing and other elements as approved by NCDOT and the Town. Upgraded traffic signal design plans and construction details shall be approved prior to the issuance of Zoning Compliance Permit. Construction shall be completed prior to the issuance of Certificate of Occupancy.
4. Payment-In-Lieu for Traffic Signal Timing: The Applicant shall provide a payment-in-lieu of $5,000 for traffic signal timing plan revisions shall be provided prior to the issuance of Zoning Compliance Permit. Signal Timing Plans will be revised by the Town Consultant after six months of issuance certificate of occupancy.
5. Street lighting: Prior to the issuance of Certificate of Occupancy, the Applicant shall upgrade the street lighting along the site frontage to LED lighting and AASHTO standards. The design and construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit.

RESOURCE CONSERVATION NOTES

STREAM BUFFERS:
THERE IS A MAPPED STREAM AND ASSOCIATED STREAM BUFFER LOCATED ON SITE. A DETERMINATION WAS COMPLETED BY CHAPEL HILL PUBLIC WORKS TO VERIFY THAT THE STREAM SHOWING UP ON THE ORANGE COUNTY SOIL SURVEY EXISTS.

FLOODPLAIN PROTECTION:
THE SITE IS AN AREA AFFECTED BY A MAPPED FLOODPLAIN ACCORDING TO FIRM MAPS 3710978900 J (FEB. 2 2007).

STEEP SLOPE PROTECTION:
THERE ARE STEEP SLOPES ON SITE LOCATED PRIMARILY WITHIN THE RCD.

WETLANDS:
THERE ARE NO MAPPED WETLANDS ONSITE.

TREE PROTECTION:
REFER TO SHEET C101 AND C700.

TOWN OF CHAPEL HILL NOTES

1. A FIRE FLOW REPORT SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A ZCP.
2. P.E. CERTIFICATION: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY PHASE, THE APPLICANT SHALL PROVIDE A CERTIFICATION, SIGNED AND SEALED BY A NORTH CAROLINA-LICENSED PROFESSIONAL ENGINEER, THAT THE STORMWATER MANAGEMENT FACILITY IS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.
3. AS-BUILT PLANS: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE CERTIFIED AS-BUILT PLANS FOR BUILDING FOOTPRINTS, PARKING LOTS, STREET IMPROVEMENTS, STORM DRAINAGE SYSTEMS AND STORMWATER MANAGEMENT STRUCTURES, AND ALL OTHER IMPERVIOUS SURFACES, AND A TALLY OF THE CONSTRUCTED IMPERVIOUS AREA. THE AS-BUILT PLANS SHOULD BE IN DXF BINARY FORMAT USING STATE PLANE COORDINATES AND NAVD 88.
4. JORDAN SURETY: PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE OWNER SHALL POST A MAINTENANCE BOND OR OTHER SURETY INSTRUMENT SATISFACTORY TO THE TOWN MANAGER, IN AN AMOUNT EQUAL TO ONE HUNDRED TWENTY-FIVE (125) PERCENT OF THE CONSTRUCTION COST OF EACH STORMWATER MANAGEMENT FACILITY TO ASSURE MAINTENANCE, REPAIR, OR RECONSTRUCTION NECESSARY FOR ADEQUATE PERFORMANCE OF THE STORMWATER MANAGEMENT FACILITY, OR ESTABLISH A STORMWATER MAINTENANCE (SINKING FUND) BUDGET AND ESCROW ACCOUNT IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 5.19 OF THE LAND USE MANAGEMENT ORDINANCE.
5. STORMWATER FACILITIES, EASEMENTS, AND OPERATIONS AND MAINTENANCE PLANS: ALL STORMWATER DETENTION, TREATMENT AND CONVEYANCE FACILITIES LOCATED ON AND BELOW THE GROUND SHALL BE WHOLLY CONTAINED WITHIN AN EASEMENT ENTITLED: "RESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATED" AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A COPY OF THE FINAL PLAT OR EASEMENT EXHIBIT, SIGNED AND SEALED BY A NORTH CAROLINA-REGISTERED LAND SURVEYOR AND RECORDED BY THE COUNTY REGISTER OF DEEDS, AND CONTAINING THE FOLLOWING NOTES SHALL BE SUBMITTED PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
   - ALL ENGINEERED STORMWATER MANAGEMENT CONTROL, TREATMENT, AND CONVEYANCE STRUCTURES ON AND BELOW THE GROUND SHALL BE WHOLLY LOCATED WITHIN AN EASEMENT ENTITLED: "RESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATED" AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A SUITABLE MAINTENANCE ACCESS (MINIMUM 20' WIDE) TO ACCOMMODATE HEAVY EQUIPMENT FROM THE NEAREST PUBLIC RIGHT-OF-WAY TO THE RESERVED STORMWATER FACILITY EASEMENT MUST BE PROVIDED AND SHOWN ON THE PLANS.
   - THE "RESERVED STORMWATER FACILITY EASEMENT(S)" AND THE FACILITIES IT/THEY PROTECT ARE CONSIDERED TO BE PRIVATE, WITH THE SOLE RESPONSIBILITY OF THE OWNER TO PROVIDE FOR ALL REQUIRED MAINTENANCE AND OPERATIONS AS APPROVED BY THE TOWN MANAGER.
   - THE RESERVED STORMWATER FACILITY EASEMENT AND THE OPERATIONS AND MAINTENANCE PLAN ARE BINDING ON THE OWNER, HEIRS, SUCCESSORS, AND ASSIGNS.
6. JORDAN STORMWATER MANAGEMENT FOR NEW DEVELOPMENT: THAT PRIOR TO ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT THE FINAL JORDAN ACCOUNTING TOOL SPREADSHEET, STORMWATER REPORT, AND PLANS FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE JORDAN STORMWATER MANAGEMENT REGULATIONS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE THE REQUIRED REDUCTIONS IN NITROGEN AND PHOSPHORUS LOADS FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS.
7. STORMWATER MANAGEMENT PLAN: THAT PRIOR TO THE ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT A STORMWATER MANAGEMENT PLAN FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE STORMWATER MANAGEMENT REQUIREMENTS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE FOR 85 PERCENT TOTAL SUSPENDED SOLIDS REMOVAL FROM THE INCREASED IMPERVIOUS AREA, RETENTION FOR 2-5 DAYS OF THE INCREASED VOLUME OF STORMWATER RUNOFF FROM THE 2-YEAR, 24-HOUR STORM, AND CONTROL OF THE STORMWATER RUNOFF RATE FOR THE 1-YEAR, 2-YEAR, AND 25-YEAR STORMS.

ENGINEERING . PLANNING . LANDSCAPE ARCHITECTURE

Coulter Jewell Thames P.A.

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www.cjtpa.com

NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1209
NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN:
9789297279
9789392409

NORTH CAROLINA LANDSCAPE ARCHITECT 1268 JEREMY S. ANDERSON

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

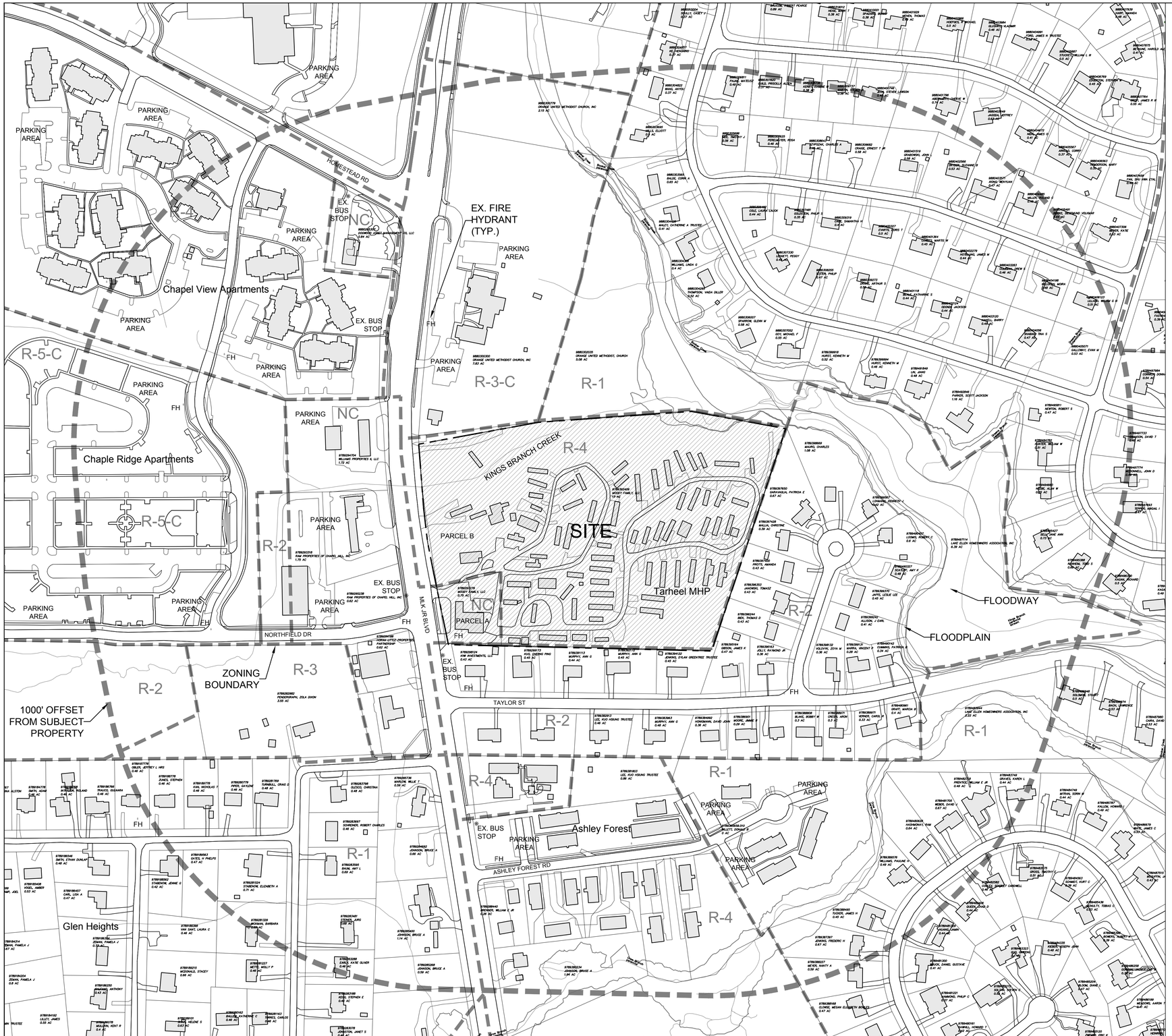
Conditional Zoning

Sheet Title:

COVER SHEET

Sheet Number

C000



AREA MAP

1" = 140'-0"

0 70 140 280

TOPOGRAPHY/SLOPES:

THE SITE SLOPES FROM SOUTHWEST TO NORTHEAST, AND DROPS APPROXIMATELY 44 FEET OVER THE LENGTH OF THE SITE.

THE SITE HAS SLOPES OF 1% TO OVER 25%. THE MAJORITY OF THE SITE HAS SLOPES UNDER 10%.

EXISTING SLOPES:
THERE ARE STEEP SLOPES LOCATED IN THE RCD ON THIS SITE.

HYDROLOGICAL FEATURES/DRAINAGE

THE SITE GENERALLY DRAINS FROM SOUTHWEST TO NORTHEAST, EVENTUALLY DRAINING INTO A TRIBUTARY OF KINGS BRANCH STREAM THAT RUNS ROUGHLY PARALLEL WITH THE NORTHERN PROPERTY LINE.

SOIL TYPES

THE USDA / NRCS WEB SOIL SURVEY CLASSIFIES TWO SOIL TYPES ON THIS SITE.
-ToD: TARRUS SILT LOAM
-HrC: HERNDON SILT LOAM
-GeB: GEORGEVILLE SILT LOAM (2-6% SLOPES)
-GeC: GEORGEVILLE SILT LOAM (6-10% SLOPES)

SUN/SHADE PATTERNS

THE SUN WILL PASS AROUND THE SOUTH SIDE OF THE STRUCTURES DURING THE COURSE OF THE DAY. THE FRONT ENTRIES WILL GET MORNING SUN. EXISTING TREES WILL BE RETAINED SOUTH AND WEST OF THE BUILDING TO PROVIDE SHADE FOR THESE SIDES OF THE BUILDING.

TREES WILL BE ADDED TO THE NEW PARKING TO PROVIDE SHADE AND MEET MINIMUM REQUIREMENTS. TREES AND SHRUBS WILL BE ADDED TO ALL UNPAVED AREAS TO PROVIDE AS MUCH SHADE AND LANDSCAPING AS POSSIBLE.

FEMA FLOODPLAIN INFORMATION.

THERE IS MAPPED FLOODPLAIN ON SITE PER
FEMA PANEL 3710978900J DATED 2/2/2007

SPECIAL FEATURES

THIS PROPERTY HAS FRONTAGE ON MARTIN LUTHER KING JR. BLVD.

VEGETATION

THE SITE CONTAINS OF MIX OF VARIOUS HARDWOODS AND PINES.

2 C100 SITE NOTES

LEGEND

Water Valve	WV
Curb Inlet/Catch Basin	CB
Mail Box	MB
Traffic Signal Box	TSB
Electric Transformer	ET
Electric Junction Box	EJ
Gas Meter	GM
Sanitary Sewer Manhole	SS
Storm Sewer Manhole	SD
Telephone Manhole	TP
Electric Manhole	EP
Sign	
Telephone Pedestal	TEL
Fire Hydrant	
Post Indicator Valve	PIV
Water Manhole	W
Water Meter	WM
Hot Box	HB
Utility Pole	
Light Pole	LP
Sewer Cleanout	CO
Flared End Section	
Gas Valve	GV
Existing Iron Pipe (3/4" unless noted)	
1/2" Iron Pipe Set	IPS
Existing PK Nail	PK
PK Nail Set	PKS
Computed Point	
Concrete Monument	
Tree Line	
Fence	
Underground Electric	UE
Underground Telephone	UT
Gas Line	GAS
Water Line	W
Overhead Utilities	OU
Storm Sewer	S
Sanitary Sewer	SS
Guard Rail	

1 C100 AREA MAP

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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1268 JEFFREY S. ANDERSON

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Drawn	JSA, MTC
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Date	5-31-2019 SUP
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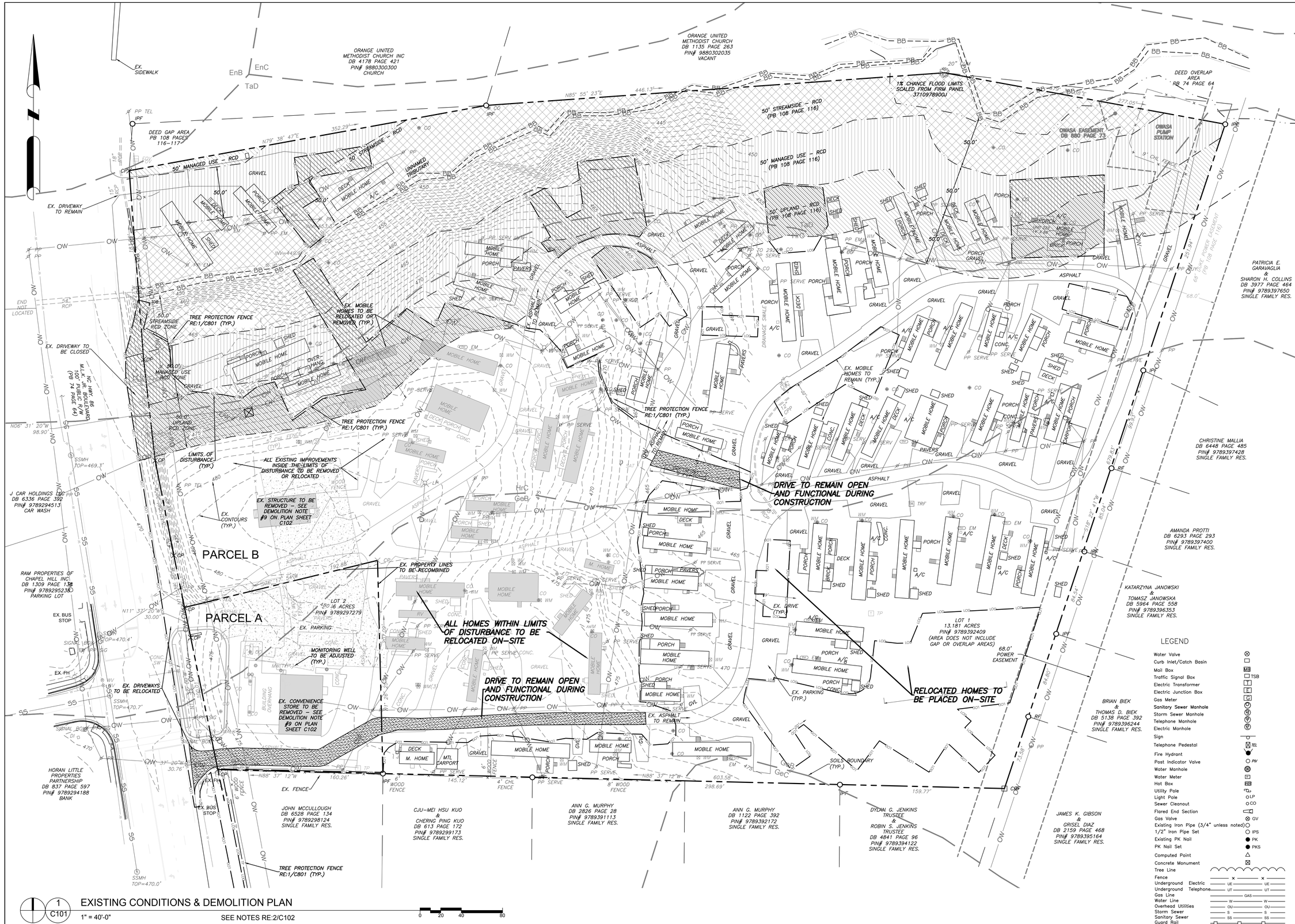
Conditional Zoning

Sheet Title:

AREA MAP

Sheet Number

C100



1 / C101 EXISTING CONDITIONS & DEMOLITION PLAN

1" = 40'-0" SEE NOTES RE:2/C102

0 20 40 80

Coulter Jewell Thames PA.
ENGINEERING . PLANNING . LANDSCAPE ARCHITECTURE
111 West Main Street
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	6-18-2020 SUP Rev. 3
	8-19-2020 CZ
	12-03-2020 PLAYGROUND

Conditional Zoning

Sheet Title:

EXISTING CONDITIONS & DEMOLITION

Sheet Number

C101

ADA route notes apply to all sheets

FOR ALL SIDEWALKS THE FOLLOWING APPLIES:

1. SIDEWALK SLOPES TO BE A MAXIMUM 4.8%.
2. SIDEWALK CROSS SLOPES TO BE A MAXIMUM 1.8%.
3. MINIMUM 1' SHOULDER AT MAXIMUM 2% SLOPE ADJACENT TO ADA PAVED ROUTES UNLESS A HANDRAIL IS CALLED OUT.
4. ADA PARKING TO BE A MAXIMUM 1.8% SLOPE IN ANY DIRECTION FOR ENTIRE AREA – PARKING SPACES AND AISLES.
5. ALL DOORS EXITING THE BUILDING REQUIRE AN ADA ACCESSIBLE COMPLIANT ROUTE TO A PUBLIC WAY.
6. PARKING – NUMBER OF SPACES TO COMPLY WITH NCBC 2012 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE, NO SLOPE TO EXCEED 2% IN ANY DIRECTION. SIGNAGE PER NC REQUIREMENTS, MUT-CD AND ICC A 117.1.
7. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 ED. CROSS SLOPE LIMITED TO 2%, CALL FOR INSPECTION BEFORE PLACEMENT OF CONCRETE.
8. SLOPE GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.

1 C102 GENERAL NOTES

1. ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION.
2. SEE SITE PLAN SHEET C101 FOR LAYOUT DIMENSIONS OF EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
3. UTILITIES: SEE UTILITY PLAN C500. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES FOR LOCATION, REMOVAL AND RELOCATION OF ANY UTILITIES. CONTRACTOR RESPONSIBLE FOR DETERMINING EXTENT AND LOCATION OF UTILITIES. THIS MAY INCLUDE CONTACTING "NO-CUTS" TO HELP LOCATE SOME UTILITIES.
4. CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
5. CONTRACTOR RESPONSIBLE FOR OBTAINING ANY PERMITS FOR WORK IN THE NCDOT AND TOWN OF CHAPEL HILL RIGHTS OF WAY. ANY DAMAGED INFRASTRUCTURE IN THE RIGHT OF WAY CAUSED BY CONSTRUCTION ACTIVITIES MUST BE REPAIRED TO TOWN OF CHAPEL HILL STANDARDS. THIS INCLUDES, BUT IS NOT LIMITED TO UTILITIES, SIDEWALKS, CURB AND GUTTER, ASPHALT.
6. CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
7. CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
8. ABANDONMENT OF WATER SERVICES SHALL INCLUDE EXCAVATING DOWN TO CORPORATION, TURNING IT OFF AND CUTTING SERVICE LINE FREE FROM CORPORATION. THE METER, IF PRESENT, SHALL BE RETURNED TO OWASA.
9. ABANDONMENT OF SANITARY SEWER SERVICE LINES SHALL CONSIST OF PLUGGING THE LATERAL AT THE RIGHT-OF-WAY LINE.
10. ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
11. A DECONSTRUCTION ASSESSMENT MUST BE CONDUCTED BY OCSW STAFF PRIOR TO THE APPROVAL OF THE DEMOLITION PERMIT FOR THE EXISTING CONVENIENCE STORE AND 2 STORY STRUCTURE. CONTACT OCSW ENFORCEMENT STAFF AT 919-968-2788 TO REQUEST THE ASSESSMENT.
12. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
13. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
14. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
15. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ('ACM') OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
16. ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING THE LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
17. DEMOLITION PERMIT REQUIRED TO REMOVE 5,200 SF STORE.
18. ASBESTOS ABATEMENT REPORT REQUIRED BEFORE DEMOLITION PERMIT MAY BE ISSUED.
19. A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO REMOVE ANY FLAMMABLE / COMBUSTIBLE LIQUIDS FROM UNDERGROUND OR ABOVE-GROUND TANKS OTHER THAN BY THE ON-SITE PUMPS. 2018 NC FIRE CODE SECTION 105.6.17 #5.
20. A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO REMOVE ANY UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE / COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17 #7.
21. TREE PROTECTION SEMINAR TO BE COMPLETED BY CONTRACTOR PRIOR TO TREE PROTECTION FENCE INSTALLATION. PLEASE CALL ADAM NICHOLSON AT 919-969-5006

2 C102 DEMOLITION NOTES

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. REFERENCE EXISTING CONDITION SHEET C101 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
10. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL ('ACM') OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CHAPEL HILL AND OWASA MAINTAINED UTILITIES.
12. THERE WILL BE TWO CLASS 1 BIKE RACKS LOCATED INSIDE THE BUILDING.
13. KEY BOXES FOR FIRST RESPONDERS WILL BE REQUIRED NEAR THE FRONT DOOR AND SPRINKLER RISER ROOM AREAS. 2012 NC FIRE CODE, SECTION 506.
14. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE BASE FLOOD ELEVATION + 2 FEET.
15. PRIOR TO PERFORMING WORK IN THE NCDOT R/W, THE APPLICANT WILL NEED TO OBTAIN THE FOLLOWING:
    (1) APPROVED NCDOT DRIVEWAY PERMITS FOR PROPOSED ACCESSES TO NC 86.
    (2) APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH TOCH FOR PROPOSED / STIPULATED SIDEWALK AND APPURTENANCES.
    (3) APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH OWASA FOR PROPOSED WATER AND SEWER CONNECTIONS.
16. PRIOR TO ISSUANCE OF THE DRIVEWAY PERMITS AND ENCROACHMENT AGREEMENTS, THE APPLICANT WILL NEED TO PROVIDE COMPLETE AND DETAILED DESIGN PLANS PER NCDOT, TOCH, AND OWASA REQUIREMENTS FOR REVIEW AND APPROVAL.

3 C102 SITE PLAN NOTES

1. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL".
4. CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
5. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
6. SOIL UNDER BUILDING PAD, PAVED AREAS AND WITHIN SLOPES GREATER THAN 3:1 (H:V) SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. THESE SOILS SHALL BE COMPACTED AS SPECIFIED UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ANY UNDERCUT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO QUANTIFIED BY THE GEOTECHNICAL ENGINEER.
7. ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR WET LAWN AREAS, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.
8. ALL SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM 1.8% CROSS SLOPE IN THE DIRECTION SHOWN ON THE PLAN.
9. CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
10. CURB INLETS: PROVIDE PRE-CAST CURB INLET HOODS AND COVERS STATING, "DUMP NO WASTE! DRAINS TO JORDAN LAKE", IN ACCORDANCE WITH THE SPECIFICATIONS OF THE TOWN STANDARD DETAIL SD-5A, FOR ALL NEW CURB INLETS FOR PRIVATE, TOWN AND STATE RIGHTS-OF-WAY.
11. BW (BOTTOM OF WALL) ELEVATION IS FINISH GRADE, NOT THE FOOTING. REFERENCE RETAINING WALL PLANS/DETAILS FOR DEPTH OF FOOTING.
12. ANY DISTURBANCE WITHIN THE FORESTED "NO LAND DISTURBANCE AREA" WILL REQUIRE AN UPDATE TO THE JORDAN ACCOUNTING TOOL.
13. AN TOWN OF CHAPEL HILL ENCROACHMENT AGREEMENT WILL BE NEEDED FOR THE ROUGH GRADING FOR THE FUTURE SIDEWALK WITHIN THE COLERIDGE ROAD RIGHT-OF-WAY.
14. AN ENCROACHMENT AGREEMENT WILL BE NEEDED FOR THE ROUGH GRADING FOR THE FUTURE SIDEWALK WITHIN THE COLERIDGE ROAD RIGHT-OF-WAY.

4 C102 GRADING NOTES

1. ALL STORM DRAINAGE PIPES SHOWN ARE TO BE CLASS III REINFORCED CONCRETE (RCP) UNLESS NOTED OTHERWISE.
2. ALL STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS.
3. ALL CONCRETE SHALL MEET A MINIMUM 3000 PSI COMPRESSIVE STRENGTH.
4. ALL PIPE IN STORM DRAIN STRUCTURES SHALL BE STRUCK EVEN WITH INSIDE WALL.
5. ALL PIPE JOINTS SHALL BE MADE WITH PREFORMED JOINT SEALER, WHICH CONFORMS TO AASHTO SPECIFICATION M-198 FOR TYPE B FLEXIBLE PLASTIC GASKETS UNLESS OTHERWISE NOTED.
6. THE INTERIOR SURFACES OF ALL STORM DRAINAGE STRUCTURES SHALL BE POINTED AND SMOOTHED TO AN ACCEPTABLE STANDARD USING MORTAR MIXED TO MANUFACTURER'S SPECIFICATIONS.
7. ALL BACKFILL SHALL BE NON-PLASTIC IN NATURE, FREE FROM ROOTS, VEGETATION MATTER, WASTE CONSTRUCTION MATERIAL OR OTHER OBJECTIONABLE MATERIAL. SAID MATERIAL SHALL BE CAPABLE OF BEING COMPACTED BY MECHANICAL MEANS AND SHALL HAVE NO TENDENCY TO FLOW OR BEHAVE IN A PLASTIC MANNER UNDER THE TAMPING BLOWS OR PROOF ROLLING.
8. MATERIALS DEEMED BY THE OWNER'S REPRESENTATIVE AS UNSUITABLE FOR BACKFILL PURPOSES SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL.
9. BACKFILLING OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PIPE IS LAID. THE FILL AROUND THE PIPE SHALL BE THOROUGHLY COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY OBTAINABLE WITH THE STANDARD PROCTOR TEST. THE TOP EIGHT (8) INCHES SHALL BE COMPACTED TO 100% STANDARD PROCTOR.
10. UNDER NO CIRCUMSTANCES SHALL WATER BE ALLOWED TO RISE IN UNBACKFILLED TRENCHES AFTER PIPE HAS BEEN PLACED.
11. RISER STRUCTURES WITH MULTIPLE BARREL SECTIONS SHALL HAVE GASKETTED JOINTS, AND EACH SECTION SHALL BE BOLTED TO ADJACENT SECTIONS WITH STAINLESS STEEL STRAPS.

5 C102 STORM DRAINAGE NOTES

1. EROSION CONTROL BOND: IF ONE (1) ACRE OR MORE IS UNCOVERED BY LAND-DISTURBING ACTIVITIES FOR THIS PROJECT, THEN A PERFORMANCE GUARANTEE IN ACCORDANCE WITH SECTION 5-97.1 BONDS OF THE TOWN CODE OF ORDINANCES SHALL BE REQUIRED PRIOR TO FINAL AUTHORIZATION TO BEGIN LAND-DISTURBING ACTIVITIES. THIS FINANCIAL GUARANTEE IS INTENDED TO COVER THE COSTS OF RESTORATION OF FAILED OR FAILING SOIL EROSION AND SEDIMENTATION CONTROLS, AND/OR TO REMEDY DAMAGES RESULTING FROM LAND-DISTURBING ACTIVITIES, SHOULD THE RESPONSIBLE PARTY OR PARTIES FAIL TO PROVIDE PROMPT AND EFFECTIVE REMEDIES ACCEPTABLE TO THE TOWN.
2. THE APPLICANT SHALL PROVIDE A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PERMIT FROM ORANGE COUNTY EROSION CONTROL DIVISION PRIOR TO RECEIVING A ZONING COMPLIANCE PERMIT. DURING THE CONSTRUCTION PHASE, ADDITIONAL EROSION AND SEDIMENT CONTROLS MAY BE REQUIRED IF THE PROPOSED MEASURES DO NOT CONTAIN THE SEDIMENT. SEDIMENT LEAVING THE PROPERTY IS A VIOLATION OF THE TOWN'S EROSION AND SEDIMENT CONTROL ORDINANCE.
3. THE CONTRACTOR SHALL TAKE THE APPROPRIATE MEASURES TO PREVENT AND REMOVE THE DEPOSIT OF WET OR DRY SILT ON ADJACENT PAVED ROADWAYS.
4. EROSION CONTROL INSPECTIONS: IN ADDITION TO THE REQUIREMENT DURING CONSTRUCTION FOR INSPECTION AFTER EVERY RAINFALL, THE APPLICANT SHALL INSPECT THE EROSION AND SEDIMENT CONTROL DEVICES WEEKLY, MAKE ANY NECESSARY REPAIRS OR ADJUSTMENTS TO THE DEVICES, AND MAINTAIN INSPECTION LOGS DOCUMENTING THE DAILY INSPECTIONS AND ANY NECESSARY REPAIRS.

6 C102 EROSION CONTROL NOTES

1. CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICE INDEPENDENT OF "NORTH CAROLINA ONE CALL".
2. ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY THE TOWN OF CHAPEL HILL.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
4. ALL EXISTING UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. ACTUAL LOCATION AND DEPTH SHALL BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION.
5. BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY TOWN OR N.C.D.O.T. STREET OR HIGHWAY RIGHT-OF-WAY THE FOLLOWING PROCEDURES SHOULD BE UNDERTAKEN; TOWN RIGHT-OF-WAY: CONTACT LOCAL AUTHORITIES' TRAFFIC ENGINEERING DEPT. FOR INFORMATION ON DETOURS, OPEN CUTTING OF STREETS OR FOR ANY CONSTRUCTION WITHIN RIGHT-OF-WAY. N.C.D.O.T. RIGHT-OF-WAY: CONTACT PROJECT ENGINEERS AND OBTAIN ALL PERMITS AND ENCROACHMENTS (KEEP COPIES ON CONSTRUCTION SITE, ALSO CONTACT N.C.D.O.T. DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER).
6. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST. PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADING CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
7. POWER, TELEPHONE, AND GAS SERVICES TO BUILDINGS SHALL BE UNDERGROUND. ACCESS AND SERVICE ROUTES TO BE COORDINATED WITH THE PUBLIC UTILITIES, CONTRACTOR AND THE OWNER.
8. RESURFACING OF STREET DUE TO UTILITY CUTS SHALL BE REQUIRED AT THE DIRECTION OF ENGINEERING. (MINIMUM 50' TO EITHER SIDE OF UTILITY CUTS).
9. PROVIDE 10-FT OF HORIZONTAL SEPARATION BETWEEN PROPOSED NEW WATER AND SEWER MAINS

SANITARY SEWER:

1. BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL UNITS WITH FINAL FLOOR ELEVATIONS OF BUILDINGS LESS THAN 1'-0" ABOVE UPSTREAM MANHOLE.
2. MINIMUM COVER OF 5 FEET IN TRAFFIC AREAS TO BE PROVIDED FOR ALL COLLECTOR LINES 4 INCHES AND LARGER. IF LESS THAN 5 FEET, DUCTILE IRON PIPE SHALL BE REQUIRED.
3. MINIMUM SLOPE FOR 4 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 2.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.
4. MINIMUM SLOPE FOR 6 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 1.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.

WATER:

1. WATERLINES WILL BE 3' OFF CURB AND GUTTER UNLESS SHOWN OTHERWISE.
2. LAY WATER MAINS AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SANITARY SEWERS. IF LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT SEPARATION, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER PIPE EITHER IN A SEPARATE TRENCH OR IN THE SAME TRENCH ON A BENCH OF UNDISTURBED EARTH.
3. WHEN A PROPOSED WATER MAIN CROSSES OVER A PROPOSED OR EXISTING SANITARY SEWER, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER. IF LOCAL CONDITIONS PREVENT AN 18" VERTICAL SEPARATION, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER FOR A DISTANCE OF 10 FEET ON EACH SIDE TO THE POINT OF CROSSING WITH FERROUS PIPE HAVING WATER MAIN QUALITY JOINTS.
4. WHEN A PROPOSED WATER MAIN CROSSES UNDER A PROPOSED OR EXISTING SANITARY SEWER, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER OF FERROUS MATERIALS WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. CENTER THE SECTION OF WATER PIPE AT THE POINT OF CROSSING.
5. MAINTAIN A MINIMUM COVER OF 36" AND MAXIMUM COVER OF 42" BELOW FINISHED GRADE OVER ALL PIPES UNLESS OTHERWISE DIRECTED OR SHOWN ON THE PLANS. DUE TO THE HEIGHTS OF VALVES, INCREASE THE COVER DEPTHS ADJACENT TO THE VALVES OR VARIED AT POINTS OF TIE-IN TO EXISTING LINES.
6. ALL FDC(S) AND HYDRANT(S) SHALL BE SIAMESE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
7. A FIRE SPRINKLER SYSTEM WILL BE REQUIRED FOR THE SELF-STORAGE FACILITY.
8. A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO INSTALL ANY NEW UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE/COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17.

7 C102 UTILITY NOTES

LIGHTING CONDUIT

LIGHTING CONDUIT SHALL MEET THE FOLLOWING GUIDELINES.

1. CONDUIT DESIGN MUST BE APPROVED BY DUKE ENERGY PRIOR TO INSTALLATION. CHANGING THE CONDUIT LAYOUT CAN CAUSE CONDUCTOR LENGTH TO EXCEED ACCEPTABLE VOLTAGE LEVEL WHICH WILL AFFECT THE LIGHT'S ABILITY TO OPERATE.
2. ALL CONDUITS ARE TO BE 2" SCHEDULE 40 GRAY ELECTRICAL PVC.
3. ALL JOINTS ARE TO BE GLUED.
4. ALL ENDS ARE TO BE MARKED WITH SCRAP CONDUIT OR A BOARD (PAINTING THE GROUND WITH MARKING PAINT IS NOT ACCEPTABLE). IT IS STRONGLY SUGGESTED THAT THE ENDS SHOULD BE IDENTIFIED BY GPS COORDINATES.
5. ALL ENDS ARE TO BE CAPPED TO PREVENT ENTRY OF DEBRIS.
6. ALL CONDUITS MORE THAN 30' IN LENGTH SHALL HAVE A STRING INSTALLED.
7. TO COMPLY WITH NESC, ALL CONDUIT ARE TO BE INSTALLED AT A MINIMUM DEPTH OF 30" FROM FINISH GRADE TO TOP OF CONDUIT. CONDUITS THAT CAN NOT MEET THIS CRITERIA MUST BE INCASED IN 3" MINIMUM CONCRETE ENVELOPE. (FLOWABLE FILL IS ACCEPTABLE IN PLACE OF CONCRETE).
8. IF CONCRETE ENCASED CONDUIT IS REQUIRED AT ANY POINT, IT MUST BE ENCASED IN CONCRETE UNTIL PIPE IS BACK DOWN TO REQUIRED DEPTH.
9. PEDESTAL AREAS WHERE MULTIPLE CONDUIT ENDS TERMINATE ARE TO HAVE THE CONDUIT ENDS WITHIN 12" OF EACH OTHER.
10. DIRECT BURIED LIGHT POLE AREAS ARE TO HAVE CONDUITS TERMINATE 36" APART AND 12" BACK OF POLE LOCATION.
11. CONDUITS SERVING LIGHTS ON CONCRETE REVEALS ARE TO BE CONTINUOUS FROM REVEAL TO REVEAL.

LIGHTING NOTES

1. MEASURES SHALL BE PROVIDED TO PREVENT LIGHT SPILLOVER ONTO ADJACENT PROPERTIES AND GLARE TOWARD MOTOR VEHICLE OPERATORS. EXTERIOR LIGHTS SHALL BE SHIELDED SO THEY DO NOT CAST DIRECT LIGHT BEYOND THE PROPERTY LINE.
2. PROVIDE 2" PVC CONDUIT UNDER PAVEMENT, UNDER HEAVILY LANDSCAPED AREAS AS NECESSARY, AND AS DETERMINED BY DUKE ENERGY TO PROVIDE ACCESS TO ALL LIGHT FIXTURES. COORDINATE WITH DUKE ENERGY TO FINALIZE CONDUIT LOCATIONS AND LENGTHS.

SPECIAL COORDINATION NOTES:

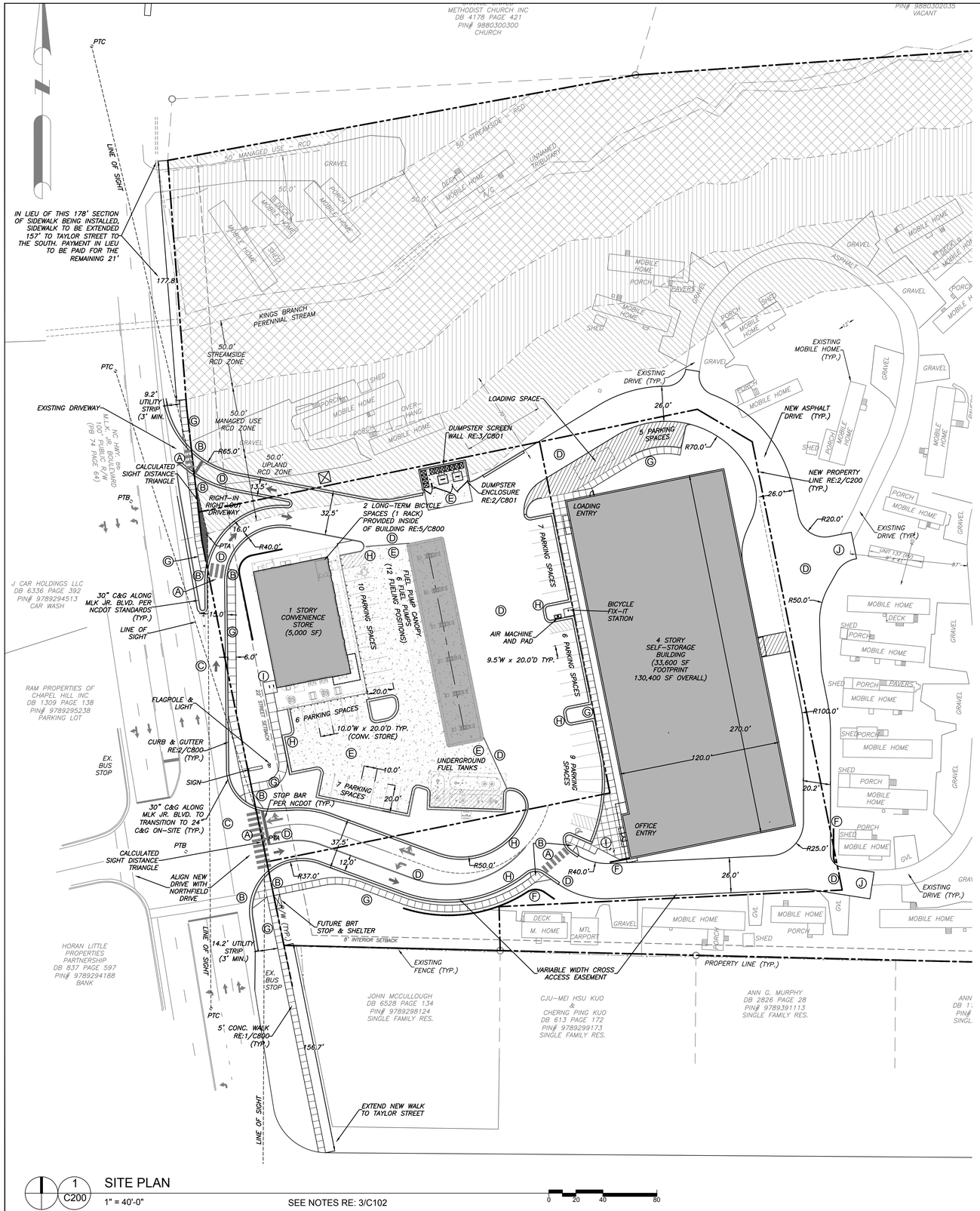
1. CONTRACTOR IS TO COORDINATE LIGHT POLE AND CONDUIT LOCATIONS WITH DUKE ENERGY PRIOR TO INSTALLATION OF WALLS AND PAVING.
2. ABOVE GROUND PEDESTALS AND LIGHT POLES WILL BE PROVIDED AND INSTALLED BY DUKE ENERGY.
3. CONTRACTOR IS TO REFER TO DUKE ENERGY SPECIFICATIONS FOR CONDUIT INSTALLATION.
4. CONDUIT IS TO BE FURNISHED AND INSTALLED BY CONTRACTOR.

8 C102 LIGHTING NOTES

1. LANDSCAPING MUST BE IN PLACE PRIOR TO REQUEST FOR A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, DEPTHS, QUANTITIES, DISTANCES, ANGLES AND SLOPES PRIOR TO ORDERING MATERIALS OR INSTALLING PROJECT.
3. IN AREAS OF GROUND COVER, MAINTAIN A 12" MINIMUM DISTANCE BETWEEN PLANTS AND HARD IMPROVEMENTS.
4. BED LINES SHALL CONFORM TO CONFIGURATION SHOWN ON THE PLANS. BED LINES SHALL MEET CURBS, WALKS, BUILDINGS, ETC. AT RIGHT ANGLES UNLESS SHOWN OTHERWISE.
5. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE THEMSELF WITH ACTUAL CONDITIONS AND VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL REPORT ALL DISCREPANCIES TO LANDSCAPE ARCHITECT.
6. CONTRACTOR SHALL ACCEPT ACTUAL CONDITIONS AT SITE AND PERFORM THE WORK SPECIFIED INCLUDING FINE GRADING AND INCORPORATION OF TOP SOIL INTO PLANTING AREAS, WITHOUT ADDITIONAL COMPENSATION FOR POSSIBLE VARIATION FROM GRADES AND CONDITIONS SHOWN, WHETHER SURFACE OR SUBSURFACE, EXCEPT AS PROVIDED FOR IN CONTRACT DOCUMENTS.
7. IN LAWN AREAS, 2" TOPSOIL SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING.
8. CONTRACTOR WILL OBTAIN WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY PLANT SUBSTITUTIONS OF SPECIES, SIZE, OR TYPE OF CONTAINER.
9. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE UTILITIES DURING INSTALLATION, AND SHALL PROMPTLY REPAIR AND RESTORE SERVICES AT NO ADDITIONAL COST TO THE OWNER IF DAMAGE OCCURS DURING INSTALLATION.
   CONTRACTOR SHALL BECOME THOROUGHLY FAMILIAR WITH THE FULL SET OF CONSTRUCTION DRAWINGS AND SPECIFICATIONS FOR COORDINATION WITH UTILITIES, ARCHITECTURAL FEATURES, ETC.
10. CONTRACTOR WILL LEAVE DISTURBED AREAS LEVEL AND RAKED SMOOTH, REMOVING ALL ROCKS AND DEBRIS.
11. MULCH IS TO BE A 3" LAYER OF TRIPLE SHREDDED HARDWOOD MULCH. MULCH IS TO BE KEPT AWAY FROM TREE TRUNKS.
12. ANY DAMAGE TO EXISTING CONDITIONS OUTSIDE THE CONTRACT LIMITS, INCLUDING CURBS, SIDEWALKS, TURF AREAS AND PAVING, SHALL BE RESTORED TO ORIGINAL CONDITION BY THE CONTRACTOR WITHOUT EXTRA COST TO THE OWNER.
13. IN CASE OF DISCREPANCY BETWEEN THE QUANTITY OF PLANTS ON THE PLANS COMPARED TO THE PLANT LIST, THE CONTRACTOR SHALL SUPPLY QUANTITIES AS SHOWN ON THE PLANS.
14. ALL UNPAVED SURFACES ARE TO BE COVERED IN PLANTS, MULCH, OR GRASS.
15. LINE OF SIGHT NOTE: NO PROPOSED LANDSCAPING WITHIN THE LINE OF SIGHT EASEMENT SHALL EXCEED 24" AT MATURITY. ANY NEW TREES SHALL BE LIMBED TO 7' ABOVE FINISHED GRADE.
16. ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING THE LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
17. THE AREA WITHIN THE SIGHT TRIANGLE AREA SHALL BE THINNED OF ALL SHRUBS, UNDERSTORY TREES UNDER 1" IN CALIPER, VINES, AND DEAD PLANT MATERIAL. EXISTING TREES LARGER THAN 1" SHALL BE LIMBED UP TO 7' ABOVE EXISTING GRADE TO IMPROVE VISIBILITY.

9 C102 LANDSCAPE NOTES

1. NCFPC Section 510. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
2. FIRE WATCH; During construction and demolition where hot work, materials subject to spontaneous combustion, or other hazardous construction or demolition is occurring, the owner or their designee shall be responsible for maintaining a fire watch. The fire watch shall consist of at least one person with a means of communicating an alarm to 911, shall have a written address posted in a conspicuous location, and shall maintain constant patrols. 2018 NCFC Section 3304.5
3. CONSTRUCTION/DEMOLITION; All Construction and demolition conducted shall be in compliance of the current edition of the NC Fire Code. 2018 N



1 C200 SITE PLAN

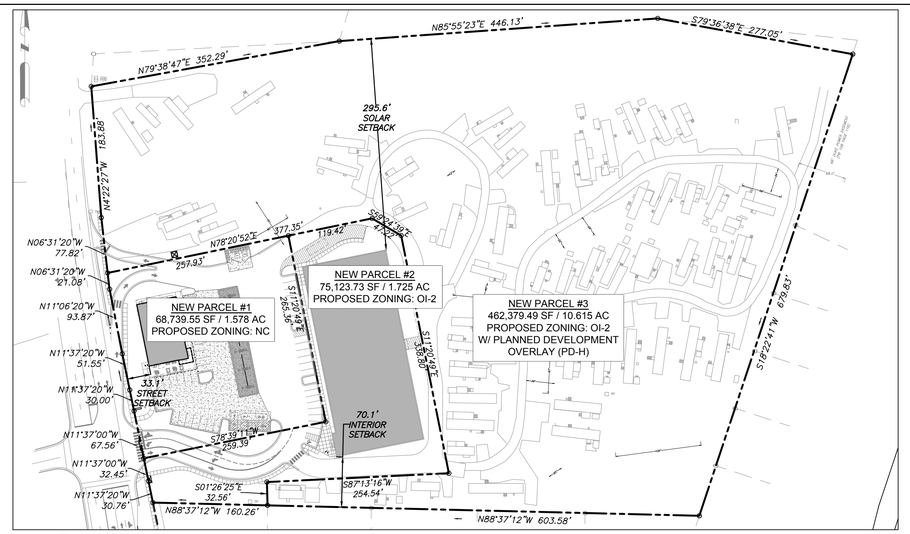
1" = 40'-0"

SEE NOTES RE: 3/C102

0 20 40 80

SITE PLAN KEY

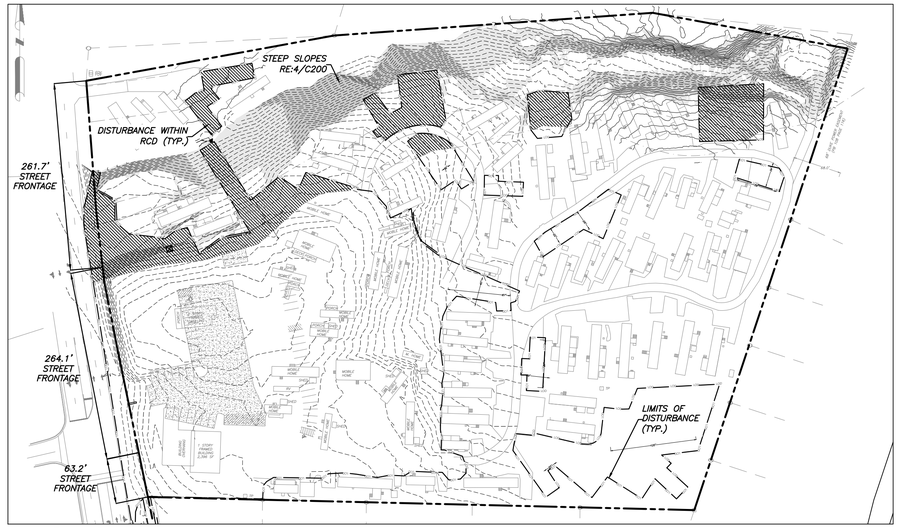
- (A) CROSSWALK RE: 10/C800
- (B) ADA RAMP WITH DETECTABLE WARNING DOMES PER TOWN OF CHAPEL HILL STANDARD DETAIL ST-5.1 RE: 8/C801
- (C) VALLEY GUTTER RE: 9/C800
- (D) HEAVY DUTY ASPHALT PAVEMENT RE: 3/C800
- (E) HEAVY DUTY CONCRETE PAVEMENT RE: 4/C800
- (F) KEYSTONE RETAINING WALL
- (G) CONCRETE SIDEWALK RE: 1/C800
- (H) CURB & GUTTER RE: 2/C800
- (I) BICYCLE RACK RE: 7/C801
- (J) FIRE TRUCK TURNAROUND



2 C200 NEW LOTS & BUILDING SETBACKS

1" = 100'-0"

0 50 100 200



3 C200 RCD SLOPE ANALYSIS & LOT FRONTAGE CALLOUTS

1" = 100'-0"

0 50 100 200

DIMENSIONAL STANDARDS

Zone	Size (min.)	Frontage (min.)	Width (min.)
NC	5,500 sf	40'	40'
OI-2	5,500 sf	40'	40'

LEGEND

SLOPES > 25%
34,976 SF
PROPOSED 1,269 SF ESTIMATED DISTURBANCE OF SLOPES >25%

SLOPES 15%-25%
32,651 SF
PROPOSED 1,423 SF ESTIMATED DISTURBANCE OF SLOPES 15%-25%

AREA NOT HATCHED
REPRESENTS SLOPES <15%
538,616 SF

4 C200 SLOPE SUMMARY

ENGINEERING . PLANNING . LANDSCAPE ARCHITECTURE
Coulter Jewell Thames P.A.
111 West Main Street
Durham, N.C. 27701
p 919.682.0368
f 919.688.5646
www.cjtpa.com
NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1209
NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN:
9789297279
9789392409

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1268 JEREMY S. ANDERSON

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

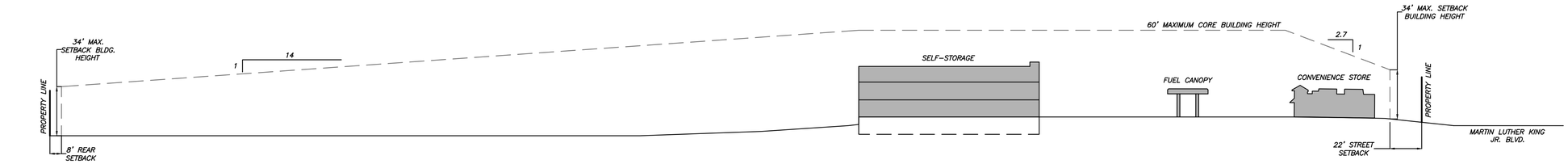
Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ
	12-03-2020 PLAYGROUND

Conditional Zoning

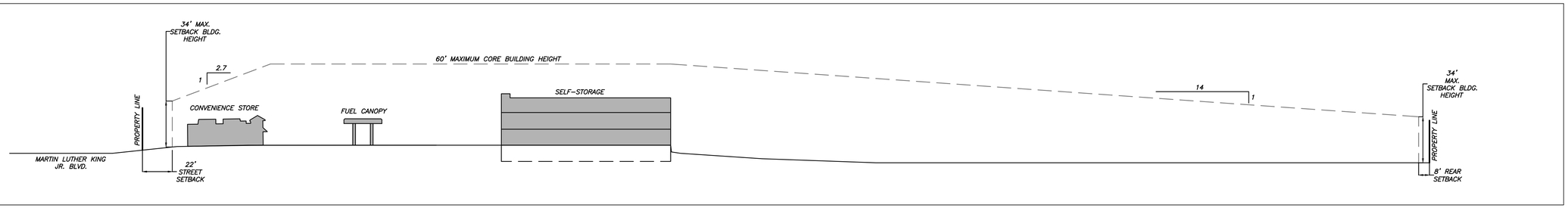
Sheet Title:

SITE PLAN

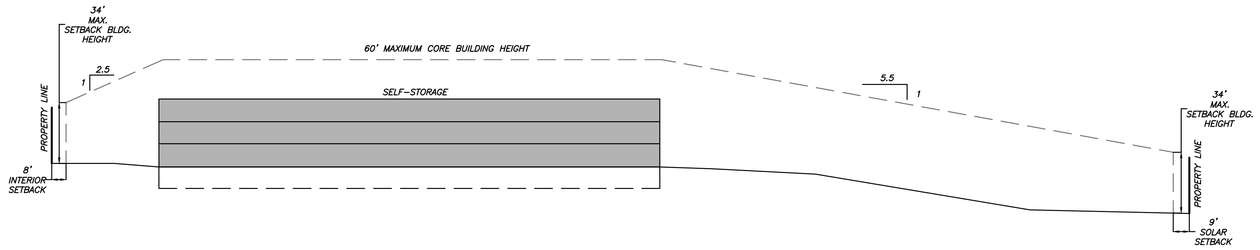
Sheet Number
C200



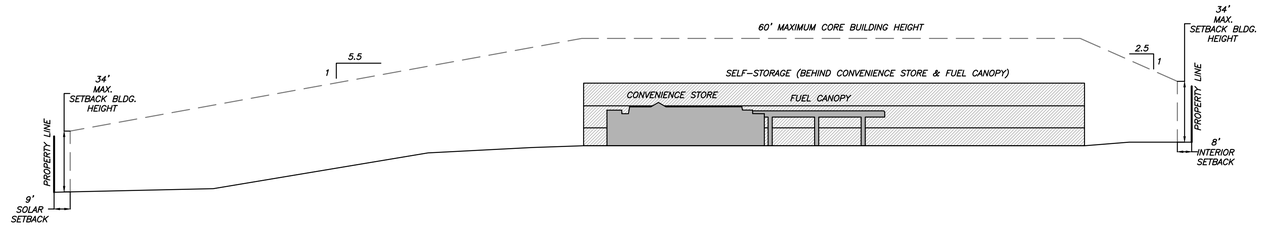
1 C201 NORTH ELEVATION
1" = 40'-0"
0 20 40 80



2 C201 SOUTH ELEVATION
1" = 40'-0"
0 20 40 80



3 C201 EAST ELEVATION
1" = 40'-0"
0 20 40 80



4 C201 WEST ELEVATION
1" = 40'-0"
0 20 40 80

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Project:

1200 MLK

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Orange County, North Carolina

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9789392409

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 768 JEFFREY S. ANDERSON

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

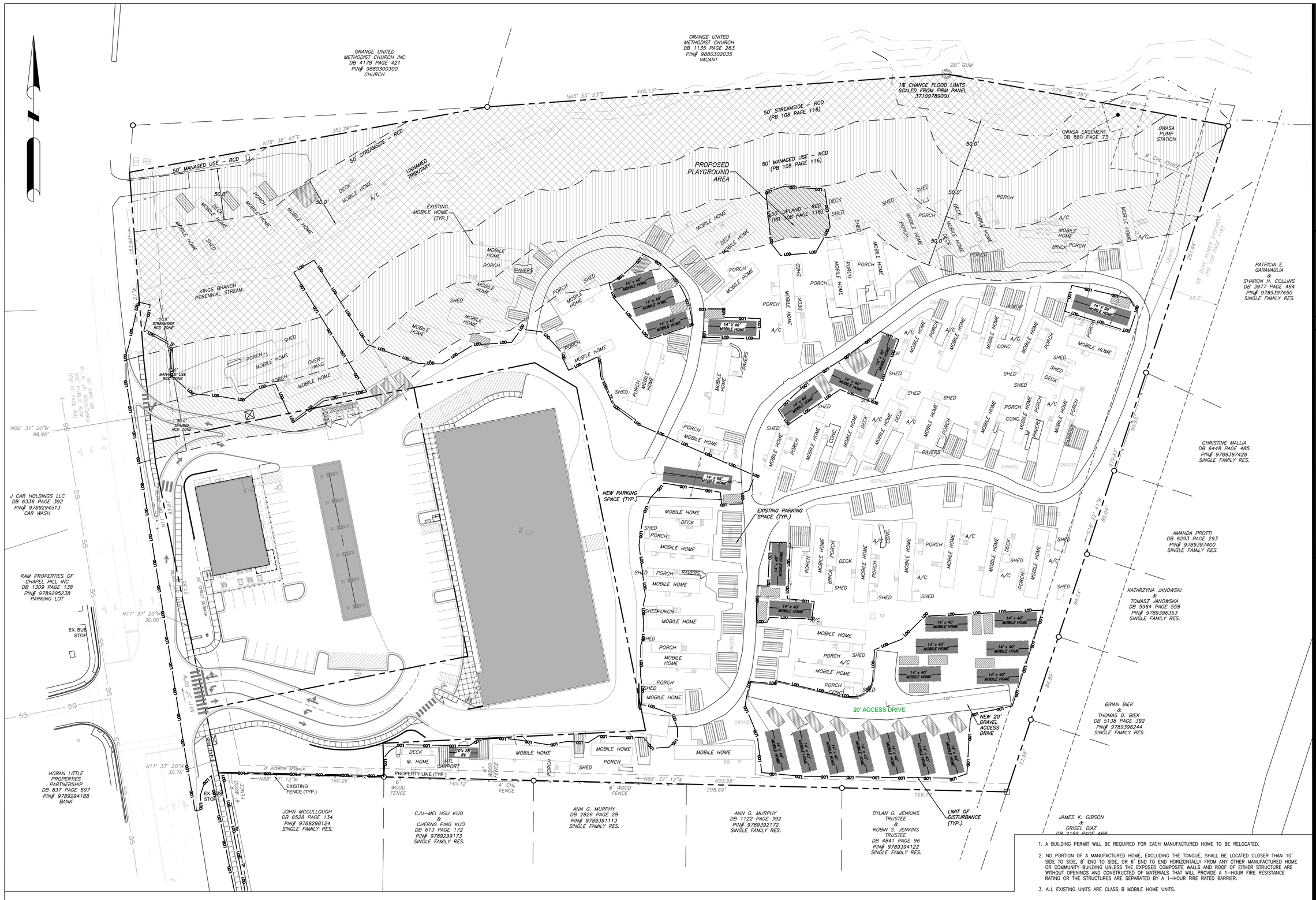
Drawn	JSA, MTC
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	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional Zoning

Sheet Title:

EXTERIOR ELEVATION MASSING

Sheet Number
C201



1 C202-A **ALTERNATE UNIT RELOCATION EXHIBIT**

1" = 40'-0"

0 20 40 80

2 C202-A UNIT RELOCATION NOTES

1. A BUILDING PERMIT WILL BE REQUIRED FOR EACH MANUFACTURED HOME TO BE RELOCATED.
2. NO PORTION OF A MANUFACTURED HOME, EXCLUDING THE TONGUE, SHALL BE LOCATED CLOSER THAN 10' SIDE TO SIDE, 8' END TO SIDE, OR 6' END TO END HORIZONTALLY FROM ANY OTHER MANUFACTURED HOME OR COMMUNITY BUILDING UNLESS THE EXPOSED COMPOSITE WALLS AND ROOF OF EITHER STRUCTURE ARE WITHOUT OPENINGS AND CONSTRUCTED OF MATERIALS THAT WILL PROVIDE A 1-HOUR FIRE RESISTANCE RATING OR THE STRUCTURES ARE SEPARATED BY A 1-HOUR FIRE RATED BARRIER.
3. ALL EXISTING UNITS ARE CLASS B MOBILE HOME UNITS.

Coulter Jewell Thames PA.

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	6-18-2020 SUP Rev. 3
	8-19-2020 CZ
	12-03-2020 PLAYGROUND
	02-17-2021 RELOCATION

Conditional Zoning

Sheet Title:

ALTERNATE UNIT RELOCATION EXHIBIT

Sheet Number

C202 -A



1 C300 GRADING & STORM DRAINAGE PLAN

1" = 40'-0"

SEE NOTES RE: 4/C102, 5/C102, 6/C102

RCD DISTURBANCE BY ZONE:

STREAMSIDE RCD ZONE:
4,960 SF

MANAGED USE RCD ZONE:
11,036 SF

UPLAND RCD ZONE:
24,261 SF

JORDAN STREAM BUFFER DISTURBANCE:

4,960 SF

2 C300 DISTURBANCE

LEGEND

Water Valve	WV
Curb Inlet/Catch Basin	CI
Mail Box	MB
Traffic Signal Box	TSB
Electric Transformer	T
Electric Junction Box	E
Gas Meter	G
Sanitary Sewer Manhole	SS
Storm Sewer Manhole	SD
Telephone Manhole	TP
Electric Manhole	EP
Sign	
Telephone Pedestal	TEL
Fire Hydrant	
Post Indicator Valve	PIV
Water Manhole	W
Water Meter	
Hot Box	F/H
Utility Pole	UP
Light Pole	LP
Sewer Cleanout	CO
Flared End Section	
Gas Valve	GV
Existing Iron Pipe (3/4" unless noted)	
1/2" Iron Pipe Set	IPS
Existing PK Nail	PK
PK Nail Set	PKS
Computed Point	
Concrete Monument	
Tree Line	
Fence	x x
Underground Electric	UE UE
Underground Telephone	UT UT
Gas Line	GAS
Water Line	W W
Overhead Utilities	OU OU
Storm Sewer	S S
Sanitary Sewer	SS SS
Guard Rail	

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9789392409

NORTH CAROLINA PROFESSIONAL SEAL 35003 ENGINEER PRESTON B. ROYSTER

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC, JCJ
Checked	JSA, PBR
Date	5-31-2019 SUP
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	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ
	12-03-2020 PLAYGROUND

Conditional Zoning

Sheet Title:

GRADING & STORM DRAINAGE PLAN

Sheet Number

C300



1 / C500 UTILITY PLAN

1" = 40'-0"

SEE NOTES RE: 7/C102

0 20 40 80

ENGINEERING . PLANNING . LANDSCAPE ARCHITECTURE

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NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1209
NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

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9789392409

NORTH CAROLINA PROFESSIONAL SEAL 35003 ENGINEER PRESTON B. ROYSTER

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

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Checked	JSA, PBR
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Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional Zoning

Sheet Title:

UTILITY PLAN

Sheet Number

C500

red leonard associates
1340 Kemper Meadow Dr. | Cincinnati, OH 45240 | 513-574-9500
www.redleonard.com

LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
1 - 24	A	16
25	B	1
26 - 41	C	3
42, 43	D	9.33
44 - 49	D	12
50 - 61	E	12
62 - 69	F	23
70, 71	G	23
72 - 77	H	23
78 - 88	J	11.33

NOTE:
- ALL AREA LIGHTS ON NEW 20 FT. POLE MOUNTED ON 3 FT. CONCRETE BASE

FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES					
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
SITE PAVED AREA	4.11	15.1	1.1	3.74	13.73
UNDEFINED	0.53	7.2	0.0	N.A.	N.A.
UNDER CANOPY	40.06	50	23	1.74	2.17

NORTH

GRAPHIC SCALE

0 30 60 90 120

LUMINAIRE SCHEDULE										
SYMBOL	QTY	LABEL	ARRANGEMENT	LUMENS	LLF	BUG RATING	WATTS/LUMINAIRE	TOTAL WATTS	MANUFACTURER	CATALOG LOGIC
	24	A	SINGLE	11213	1.020	B3-U0-G0	99	2376	CREE, INC.	CAN-228-PS-RM-06-E-UL-XX-525
	1	B	SINGLE	11678	1.020	B4-U0-G0	86	86	CREE, INC.	OSQ-AAXX w/PGM-1 + OSQ-A-NM-15D-B-57K-UL-XX
	16	C	SINGLE	1441	1.020	B1-U0-G1	22	352	CREE, INC.	PWY-EDG-3M-P3-02-E-UL-XX-350-57K
	8	D	SINGLE	2947	1.020	B1-U0-G1	36	288	CREE, INC.	SEC-EDG-3M-WM-02-E-UL-XX-525
	12	E	SINGLE	5893	1.020	B2-U0-G2	68	816	CREE, INC.	SEC-EDG-3M-WM-04-E-UL-XX-525
	8	F	SINGLE	11648	1.020	B2-U0-G2	86	688	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
	2	G	2 @ 90 DEGREES	11648	1.020	B2-U0-G2	86	344	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
	6	H	SINGLE	8950	1.020	B1-U0-G2	86	516	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX w_OSQ-BLSMF
	11	J	SINGLE	328	1.000	N.A.	8.1	89.1	B-K LIGHTING, INC.	BKLT CH-LED-e17-FL-BZP-12 (BY OTHERS)

PERSONS USING THIS PROGRAM ARE ADVISED THAT THIS PROGRAM MAY CONTAIN ERRORS WHICH RED LEONARD ASSOCIATES, INC. OR ITS SOFTWARE PROVIDER HAVE NOT OBSERVED. IN ADDITION, THE USE OF THIS PROGRAM TO AID IN LAYOUT OF LIGHTING AND ESTIMATING MATERIAL QUANTITIES IS NOT INTENDED TO REMOVE THE RESPONSIBILITY OF THE USER TO VERIFY THE ACCURACY OF THE LAYOUT AND QUANTITIES AND THAT THE LAYOUT OR USE OF LUMINAIRES IS IN FULL ACCORDANCE WITH ALL LOCAL, STATE, OR FEDERAL STATUTES, REGULATIONS OR OTHER REQUIREMENTS, OR THE REQUIREMENTS OF ANY INSURANCE GROUP, ORGANIZATION OR CARRIER REGARDING LUMINAIRES AND THEIR APPLICATION.

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ILLUMINATION RESULTS SHOWN ON THIS LIGHTING APPLICATION ARE BASED ON PROJECT PARAMETERS PROVIDED BY THE MANUFACTURER LISTED, USED IN CONJUNCTION WITH LUMINAIRE TEST PROCEDURES CONDUCTED UNDER LABORATORY CONDITIONS. ACTUAL PROJECT CONDITIONS DIFFERING FROM THESE PARAMETERS MAY AFFECT FIELD RESULTS. THE CUSTOMER IS RESPONSIBLE FOR VERIFYING COMPLIANCE WITH ANY APPLICABLE ELECTRICAL, LIGHTING, OR ENERGY CODE.

SCALE: 1" = 30'
LAYOUT BY: DAR
DWG SIZE: D
DATE: 6/18/20

CHAPEL HILL, NC
DRAWING NUMBER:
RL-6830-S1

rla

PRODUCT	QTY	LABEL	DESCRIPTION
CANOPY			
	24	A	CAN-228-PS-RM-06-E-UL-XX-525

PRODUCT	QTY	LABEL	DESCRIPTION
FLOOD / AREA			
	1	B	OSQ-AAXX W/PGM-1 + OSQ-A-NM-15D-B-57K-UL-XX
	8	F	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
	2	G	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
	6	H	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX W_OSQ-BLSMF

PRODUCT	QTY	LABEL	DESCRIPTION
PATHWAY			
	16	C	PWY-EDG-3M-P3-02-E-UL-XX-350-57K

PRODUCT	QTY	LABEL	DESCRIPTION
WALL MOUNTED			
	8	D	SEC-EDG-3M-WM-02-E-UL-XX-525
	12	E	SEC-EDG-3M-WM-04-E-UL-XX-525

228 Series™

LED Recessed Canopy Luminaire

Product Description

Slim, low profile, easy mounting from below or above the deck. Luminaire sides are rugged cast aluminum with high performance extruded aluminum heat sinks specifically designed for LED. Luminaire mounts directly to the canopy deck and is secured in place with compression molded trim frame. Luminaire housing is provided with factory applied foam gasket and provides for a weathertight seal between luminaire housing and canopy deck. Suitable for single or double skin canopies with 12" (305mm) or 16" (406mm) centers. Designed for canopies of 14–22 gauge (maximum 0.060" (1.60mm) thickness).

Weathertight driver compartment is constructed of anodized extruded aluminum for exceptional corrosion resistance and thermal performance.

Integral weathertight junction box with a 5" (114mm) IP threaded connection points. Rated for feed through #16 in, 6 awG #12 AWG conductors

Below ceiling serviceable driver tray for ease of upgrade or replacement

Field adjustable drive current. Can't exceed drive current specified in part number. Exception is 90 LEDs at 350mA which can be adjusted to 525mA

Exclusive Colorfast DeltaGuard® finish features an E-Coat epoxy primer with an ultra-durable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Black, bronze, silver, and white are available.

Weight: See Dimensions and Weight chart on page 1

Performance Summary

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

* See http://lightking.cree.com/warranty for warranty terms

Accessories

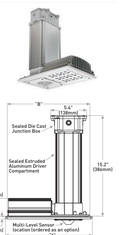
Field-Installed

Upgrade Plate Kit
- Used for replacement existing 4 x 532mm) steel face plate used when replacing recessed HID luminaires in existing open canopies
- Includes mounting channels and hardware
- XA-CTGP3S7W – 35 LED
- XA-CTGP3S7W – 60 LED
- XA-CTGP3S7W – 90 LED
- For use with canopies that are greater than 2.5" (64mm) in height
- XA-CTGP3S7WS – 35 LED
- XA-CTGP3S7WS – 60 LED
- XA-CTPRP3S7WS – 90 LED
- Shallow mount option for canopies that are less than 2.5" (64mm) in height

Upgrade Plate Kit – Metal
Metal plate used when replacing surface mounted HID luminaires. Painted ColorFast DeltaGuard® white. Must be used with Surface Mount luminaires.
- XA-CTP3456LWF
- 26" x 26" (660mm x 610mm) steel plate spans two 12" (305mm) deck panels
- XA-CTP3456LWF
- 26" x 32" (660mm x 813mm) steel plate spans two 14" (356mm) deck panels

Upgrade Plate Kit – Plastic
Plastic plate used when replacing metal plastic canopy trim plates with pre-existing backer plates. For use when replacing existing surface mounted or recessed HID luminaires
- XA-CTJBB3W7W – 35 LED
- XA-CTJBB3W7W – 60 LED
- XA-CTPBB3W7W – 90 LED
- Kits with backer plates for use with canopies that have a maximum of 7 (178mm) aluminum cut hole
- XA-CTJBC3W7W – 35 LED
- XA-CTJBC3W7W – 60 LED
- XA-CTPBC3W7W – 90 LED
- Kits with backer plates for use with 14" (406mm) canopies that have a maximum of 12" (305mm) diameter or 12" x 12" (305mm x 305mm) cut hole

Surface Mount Frame
XA-SCM24KM
- For successful implementation of the programmable multi-level option, a minimum of two hand-held remote is required



LED Count (x10)	Drive Current	Dim. "A"	Dim. "B"	Weight
03	525/700mA	13.7" (347mm)	13.5" (337mm)	18.7 lbs (8.5kg)
06	525/700mA	17.8" (451mm)	17.2" (437mm)	23.9 lbs (10.8kg)
09	350mA	23.5" (597mm)	21.9" (557mm)	32.8 lbs (14.9kg)
09	525/700mA	23.5" (597mm)	21.9" (557mm)	31.9 lbs (14.5kg)

Ordering Information

Example: CAN-228-S-SL-RM-03-E-UL-WH-525

CAN-228				A				
Product	**Optic**	**Mounting**	**LED Count (x10)**	**Series**	**Voltage**	**Color Options**	**Drive Current**	**Options**
CAN-228	SM Type V Medium SL Type V Medium Symmetric	RM Recessed	03 Available with SL optic only 09	E	UL Universal 120-277V UH Universal 347-480V	BK Black BZ Bronze SV Silver WH White	350 350mA Available with 90 LEDs only 525 525mA 700 700mA	DIM 0-10V Dimming - Control by others - Refer to Dimming spec sheet for details - Can't exceed specified drive current PML Programmable Multi-Level - Refer to PML spec sheet for details xDR xDDR Color Temperature - Color temperature per luminaire - Minimum 70 CRI

* 90 LED luminaires with 700mA require marked spacing, 48" x 24" x 6" (1219mm x 610mm x 152mm), 48" (1,219mm) center to center of adjacent luminaires, 24" (610mm) luminaire center to side building member, 6" (152mm) top of luminaire to overhead building member

c UL us DLC

US: lightking.cree.com T (800) 236-4800 F (262) 504-5415

Rev. Date: V5 03/13/2019

CREE

Canada: www.cree.com/canada T (800) 473-1234 F (800) 890-7507

Electrical Data*

LED Count (x10)	System Watts 120-480V	Total Current (A) 120V	208V	240V	277V	347V	480V
350mA							
09	99	0.83	0.48	0.42	0.38	0.29	0.22
525mA							
03	54	0.45	0.28	0.25	0.23	0.16	0.12
06	99	0.83	0.48	0.42	0.38	0.29	0.22
09	155	1.32	0.76	0.68	0.61	0.45	0.34
700mA							
03	70	0.58	0.35	0.31	0.28	0.21	0.16
06	132	1.11	0.66	0.57	0.50	0.39	0.28
09	201	1.66	0.96	0.86	0.75	0.59	0.44

* Electrical data at 25°C (77°F). Actual wattage may differ by +/- 10% when operating between 120-277V or 347-480V +/-10%.

228 Series™ Ambient Adjusted Lumen Maintenance†

Ambient	Initial LMF	25K hr Projected‡ LMF	50K hr Projected‡ LMF	75K hr Calculated‡ LMF	100K hr Calculated‡ LMF
5°C (41°F)	1.04	1.01	0.99	0.98	0.96
10°C (50°F)	1.03	1.00	0.98	0.97	0.95
15°C (59°F)	1.02	0.99	0.97	0.96	0.94
20°C (68°F)	1.01	0.98	0.96	0.95	0.93
25°C (77°F)	1.00	0.97	0.95	0.94	0.92

† Lumen maintenance values at 25°C (77°F) are calculated per TM-21 based on LM-80 data and in-situ luminaire testing. Luminaire ambient temperature factors (LMF) have been applied to all lumen maintenance factors. Please refer to the Temperature Zone Reference Document for outdoor average nighttime ambient conditions.

‡ In accordance with IES TM-21, Reported values represent interpolated values based on time durations that are within our times (life) for IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) or the packaged LED chip†.

§ Estimated values are calculated and represent time durations that exceed the test duration of the LED.

CA RESIDENTS WARNING: Cancer and Reproductive Harm – www.p65warnings.ca.gov

OSQ Series

OSQ™ LED Area/Flood Luminaire – Medium

Rev. Date: V21 10/23/2019

Product Description

The OSQ™ Area/Flood luminaire blends extreme optical control, advanced thermal management and modern, clean aesthetics. Built to last, the housing is rugged cast aluminum with an integral, weathertight LED driver compartment. Versatile mounting configurations offer simple installation. Its slim, low-profile design minimizes wind load requirements and blends seamlessly into the environment. Available in multiple sizes, each with a choice of field programmable optics, the OSQ is ideal for applications up to 250 Watt, and the 'A' input power designator is a suitable upgrade for HID applications up to 400W.

Applications: Parking lots, walkways, campuses, car dealerships, office complexes, tunnels, underpasses, and internal roadways

Performance Summary

NanoOptic® Precision Delivery Grid™ optic

Assembled in the U.S.A. of U.S. and imported parts

Initial Delivered Lumens: Up to 17,291

Efficacy: Up to 136 LPW

CRI: Minimum 70 CRI (3000K, 4000K & 5700K), 90 CRI (5000K)

CCT: 3000K, 4000K, 5000K, 5700K

Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish/5 years on Synapse wireless control accessories/1 year on luminaire accessories

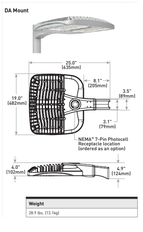
* See http://lightking.cree.com/warranty for warranty terms

Ordering Information

Field assembled and composed of two components that must be ordered separately:

Example: **Mount**: OSQ-B-AA53 + **Luminaire**: OSQ-A-NM-2ME-B-60K-UL-SV

Mount (Luminaire must be ordered separately)*			
OSQ-			
OSQ-B-AA Adjustable Arm **OSQ-DA** Direct Arm **OSQ-M-TOP** Trunnion Mount (Stainless steel, do not specify color)		**Color Options:**	**SV** Silver **BK** Black **BZ** Bronze **WH** White



Weight
28.9 lbs (13.1kg)

Luminaire (Mount must be ordered separately)*										
OSQ-	**A**	**NM**								
Product	**Version**	**Mounting**	**Optic**	**Input Power Designator**	**CCT**	**Voltage**	**Color Options**	**Options**		
OSQ-	A	NM No Mount	**Asymmetric:** **2ME** Type 2 Medium **3ME*** Type 3 Medium **Symmetric:** **5ME** Type 5 Medium **15H** Type 15 Short **WSN** Wide Symmetric **15D** 15° Flood	**A**† 640 **K** 120W **E** 240W	**30K** 3000K, 70 CRI **40K** 4000K, 70 CRI **50K** 5000K, 70 CRI **57K** 5700K, 70 CRI	**UL** Universal 120-277V **UH** Universal 347-480V - Available with Input Power Designators only	**BK** Black **BZ** Bronze **SV** Silver **WH** White	**PML** Programmable Multi-Level, up to 65' Mounting Height - Refer to PML spec sheet for details - Not available with PML or PML2 options **PML2 Programmable Multi-Level, 15-30' Mounting Height** - Refer to PML spec sheet for details - Not available with Emergency options at 57.7W **DYG/BZ/BS/AD/SCD/SC** **Field-Installed Options** - Must select BK, BZ, BS, DA, SCD, SC or Y1 - Offers full range adjustability - Refer to pages 11-13 for power and lumen values - Available with B & K Input Power Designators only - Not available with PML or PML2 options	**R** **RCL** Reverse Current Limiting **RL** Retain Right - Lens and optics are rotated to the right for re-lens configuration - Refer to RERRL configuration drawing on page 13 for optic directionality	**NEMA® 7-Pin Photocell Receptacle** - 7-pin receptacle per ANSI C136.41 - Intended for downlight applications - Available with 5ME optic - Factory connected 3-15V dim leads, 18" (457mm) seven-conductor cord with connector for details - Photocell or shorting cap by others **Retain Left** - LED and optic are rotated to the left for re-lens configuration - Refer to RERRL configuration drawing on page 13 for optic directionality

* Available with Backlight Shield when ordered with field-installed accessory (see table above).

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US: creelighting.com (800) 236-4800
Canada: creelighting.canada.com (800) 473-1234

Accessories

Field-Installed

Backlight Shield OSQ-BLSMF - Reduces backlight optics - OSQ-BLSMF - Related optics	**Hand-Held Remote** XA-SENSREM - For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required	**Bird Spikes** OSQ-MED-BIRDSPK

Synapse Wireless Control Accessories

Total-Line Lighting Controller TLI-1A2 - Suitable for 120-277V (UL) voltage only - Refer to Synapse spec sheet (TLI4x.01) P for Dimming Parameters - Not for use with PML or Q options - Provides 0-10V dimming, energy, power metering, digital sensor input, and status monitoring of luminaires	**SimplySNAP On-Site Controller** SNAP-IBG - Version 2.7.5 installed - Refer to SimplySNAP datasheets **Building Management System (BMS) Gateway** BMS-DM - Refer to BACNET integration **Outdoor Antennas** **(Optional, for increased range, field gain)** XA-ANTA05 - Kit includes antenna, 20' cable and bracket XA-ANTA20 - Kit includes antenna, 20' cable and bracket XA-ANTA50 - Kit includes antenna, 50' cable and bracket

CREE LIGHTING

Cree Edge™ Series

LED Pathway Luminaire

Product Description

Durable die-cast aluminum luminaire housing mounts directly to 4" (102mm) diameter pole (included) without visible mounting hardware for clean appearance

Pole mounts to rugged die cast aluminum internal flange secured by three 3/8" - 16x1" hex head screws. **Note:** T45 Torx 3/8" socket required for head installation

Top mounted LEDs for superior optical performance and light control

Open design, passive thermal management for superior lumen maintenance

Exclusive Colorfast DeltaGuard® finish features an E-Coat epoxy primer with an ultradurable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Black, bronze, silver and white are available

Weight: See Dimension and Weight Chart on pages 1 and 4

Performance Summary

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

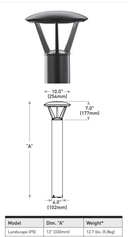
Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

* See http://lightking.cree.com/warranty for warranty terms

Accessories

Field-Installed

Upgrade Kit
- Used for replacement of existing ballards with a bolt hole circle of 5.75" (146mm)
- XA-XBPRSV – XA-XBPWH
- XA-XBPRBK – XA-XBPRBZ



Model	Dim. "A"	Weight*
Landscape (PX)	13" (330mm)	13.7 lbs. (5.2kg)
Landscape (P3)	18" (457mm)	13.3 lbs. (6.0kg)
Pathway (P3)	24" (914mm)	17.9 lbs. (8.1kg)
Pathway (P4)	42" (1066mm)	18.4 lbs. (8.4kg)
Pedestrian (PE)	96" (2438mm)	28.4 lbs (12.9kg)

* Add 4.5 lbs (2.0kg) for 347-480V

Ordering Information

Example: PWY-EDG-3M-P5-02-E-UL-SV-350

PWY-EDG				E				
Product	**Optic**	**Mounting**	**LED Count (x10)**	**Series**	**Voltage**	**Color Options**	**Drive Current**	**Options**
PWY-EDG	2M Type 2 Medium 3M Type 3 Medium 5M Type 5 Medium 5S Type 5 Short	PE 12' (330mm) landscape pathway PX 18" (457mm) landscape pathway P3 24" (610mm) pathway P4 42" (1067mm) pathway P5 96" (2438mm) pedestrian	02 Available with P3, P4, and P5 mounts only 04 Available only with TL option 06 Available only with TL option	E	UL Universal 120-277V UH* Universal 347-480V - Available with P3, P4, P5 mounts only	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA - Available with P5 mounts only	F Fuse - When code dictates fusing, use time delay fuse provided by others (5A, 250V) TL Two-Level (7/5/3) w/integrated sensor control - Available with 12 or 27 voltages only - Refer to PML spec sheet for details WH Welded Base Plate - Standard on P8 mount option, available with P3 and P4 mounts - Not available with base cover xDR xDDR Color Temperature - Minimum 70 CRI - Color temperature per luminaire

* 347-480V utilizes magnetic step-down transformer. For input power for 347-480V, refer to the Electrical Data table

c UL us

US: lightking.cree.com T (800) 236-4800 F (262) 504-5415

Rev. Date: V6 12/10/2018

CREE

Canada: www.cree.com/canada T (800) 473-1234 F (800) 890-7507

Electrical Data*

LED Count (x10)	System Watts 120-277V	System Watts 347-480V	Total Current (A) 120V	208V	240V	277V	347V	480V
350mA								
02	22	26	0.18	0.12	0.10	0.10	0.09	0.13
525mA								
02	34	40	0.29	0.19	0.17	0.15	0.12	0.13

* Electrical data at 25°C (77°F). Actual wattage may differ by +/- 10% when operating between 120-480V +/-10%

Cree Edge™ Series Ambient Adjusted Lumen Maintenance†

Ambient	25K hr Projected‡ LMF	50K hr Projected‡ LMF	75K hr Calculated‡ LMF	100K hr Calculated‡ LMF
5°C (41°F)	1.04	1.01	0.99	0.98	0.96
10°C (50°F)	1.03	1.00	0.98	0.97	0.95
15°C (59°F)	1.02	0.99	0.97	0.96	0.94
20°C (68°F)	1.01	0.98	0.96	0.95	0.93
25°C (77°F)	1.00	0.97	0.95	0.94	0.92

† Lumen maintenance values at 25°C (77°F) are calculated per IES TM-21 based on LM-80 data and in-situ luminaire testing. Luminaire ambient temperature factors (LMF) have been applied to all lumen maintenance factors. Please refer to the Temperature Zone Reference Document for outdoor average nighttime ambient conditions.

‡ In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) or the packaged LED chip†.

§ Estimated values are calculated and represent time durations that exceed the test duration of the LED.

CA RESIDENTS WARNING: Cancer and Reproductive Harm – www.p65warnings.ca.gov

Cree Edge® Series

LED Security Wall Pack Luminaire

Rev. Date: V6 08/29/2019

Product Description

The Cree Edge® wall mount luminaire has a slim, low-profile design. The luminaire end caps are made from rugged die cast aluminum with integral, weathertight LED driver compartments and high performance aluminum heat sinks specifically designed for LED applications. Housing is rugged aluminum. Includes a lightweight mounting box for installation over standard and mud ring single gang J-Boxes. Luminaire can also be wall mounted to a wall and surface wired

Secures to wall with four 3/16" (5mm) screws (by others)

Conduit entry from top, bottom, sides, and rear

Allows mounting for upright or downlight

Designed and approved for easy through-wiring

Includes badblerry guard

Exclusive Colorfast DeltaGuard® finish features an E-Coat epoxy primer with an ultradurable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Black, bronze, silver and white are available

Weight: See Dimensions and Weight Chart on page 1

Applications: General area and security lighting

Performance Summary

Patented NanoOptic® Product Technology

Assembled in the U.S.A. of U.S. and imported parts

CRI: Minimum 70 CRI

CCT: 4000K (+/- 300K), 5700K (+/- 500K) standard

Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

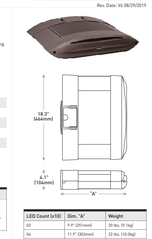
* See http://lightking.cree.com/warranty for warranty terms

Accessories

Field-Installed

Bird Spikes XA-BRDSPK	**Beauty Plate** WM-PLT2™ - 12" (305mm) Square WM-PLT4™ - 14" (356mm) Square - Covers holes left by incumbent wall packs	**Hand-Held Remote** XA-SENSREM - For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required

* Must specify color



LED Count (x10)	Dim. "A"	Weight
02	9.9" (251mm)	20 lbs. (9.1kg)
04	11.9" (302mm)	20 lbs. (10.1kg)
06	13.9" (353mm)	25 lbs. (11.3kg)
08	15.9" (404mm)	27 lbs. (12.2kg)
10	17.9" (455mm)	31 lbs. (14.1kg)
12	19.9" (506mm)	32 lbs. (14.5kg)

Ordering Information

Example: SEC-EDG-3M-WM-04-E-UL-SV-700

SEC-EDG		WM		E				
Product	**Optic**	**Mounting**	**LED Count (x10)**	**Series**	**Voltage**	**Color Options**	**Drive Current**	**Options**
SEC-EDG	2M Type 2 Medium 3M Type 3 Medium 5S Type 5 Short 5M Type 5 Short w/BLS 5M Type 5 Medium 3MB Type III Medium w/BLS 4M Type IV Medium 4MB Type IV Medium w/BLS	WM Wall Mount	02 04 06 08 10 12	E	UL Universal 120-277V UH Universal 347-480V - Available with 120 or 277 voltages only	BK Black BZ Bronze SV Silver WH White	350 350mA 525 525mA - Available with 20-80 LEDs 700 700mA - Available with 20-40 LEDs	DIM 0-10V Dimming - Control by others - Refer to Dimming spec sheet for details - Not available with PML option P Photocell - Factory installed, 120 or 277 voltage PML Programmable Multi-Level - Refer to PML spec sheet for details - Not available with DIM or P options xDR xDDR Color Temperature - Minimum 70 CRI - Color temperature per luminaire

Electrical Data*

LED Count (x10)	System Watts 120-480V	Total Current (A) 120V	208V	240V	277V	347V	480V
350mA							
02	25	0.21	0.13	0.11	0.10	0.08	0.07
04	46	0.36	0.23	0.21	0.20	0.15	0.12
06	66	0.52	0.31	0.28	0.26	0.20	0.15
08	90	0.75	0.44	0.38	0.34	0.26	0.20
10	110	0.92	0.53	0.47	0.41	0.32	0.26
12	138	1.16	0.67	0.58	0.51	0.40	0.32
525mA							
02	37	0.30	0.19	0.17	0.14	0.12	0.10
04	70	0.58	0.34	0.31	0.28	0.21	0.16
06	101	0.84	0.49	0.43	0.38	0.30	0.22
08	133	1.12	0.64	0.56	0.51	0.39	0.28
700mA							
02	50	0.41	0.25	0.22	0.20	0.15	0.12
04	93	0.78	0.46	0.40	0.36	0.27	0.20
06	134	1.14	0.65	0.57	0.50	0.39	0.29

* Electrical data at 25°C (77°F). Actual wattage may differ by +/- 10% when operating between 120-277V or 347-480V +/- 10%

Cree Edge® Series Ambient Adjusted Lumen Maintenance†

Ambient	Initial LMF	25K hr Reported‡ LMF	50K hr Reported‡ LMF	75K hr Estimated§ LMF	100K hr Estimated§ LMF
5°C (41°F)	1.04	1.01	0.99	0.98	0.96
10°C (50°F)	1.03	1.00	0.98	0.97	0.95
15°C (59°F)	1.02	0.99	0.97	0.96	0.94
20°C (68°F)	1.01	0.98	0.96	0.95	0.93
25°C (77°F)	1.00	0.97	0.95	0.94	0.92

† Lumen maintenance values at 25°C (77°F) are calculated per IES TM-21 based on IES LM-80 report data for the LED package and in-situ luminaire testing. Luminaire ambient temperature factors (LMF) have been applied to all lumen maintenance factors. Please refer to the Temperature Zone Reference Document for outdoor average nighttime ambient conditions.

‡ In accordance with IES TM-21, Reported values represent interpolated values based on time durations that are within our times (life) for IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) or the packaged LED chip†.

§ Estimated values are calculated and represent time durations that exceed the test duration of the LED.

c UL us DLC

US: creelighting.com (800) 236-4800
Canada: creelighting.canada.com (800) 473-1234

CREE LIGHTING

REDLEONARD ASSOCIATES

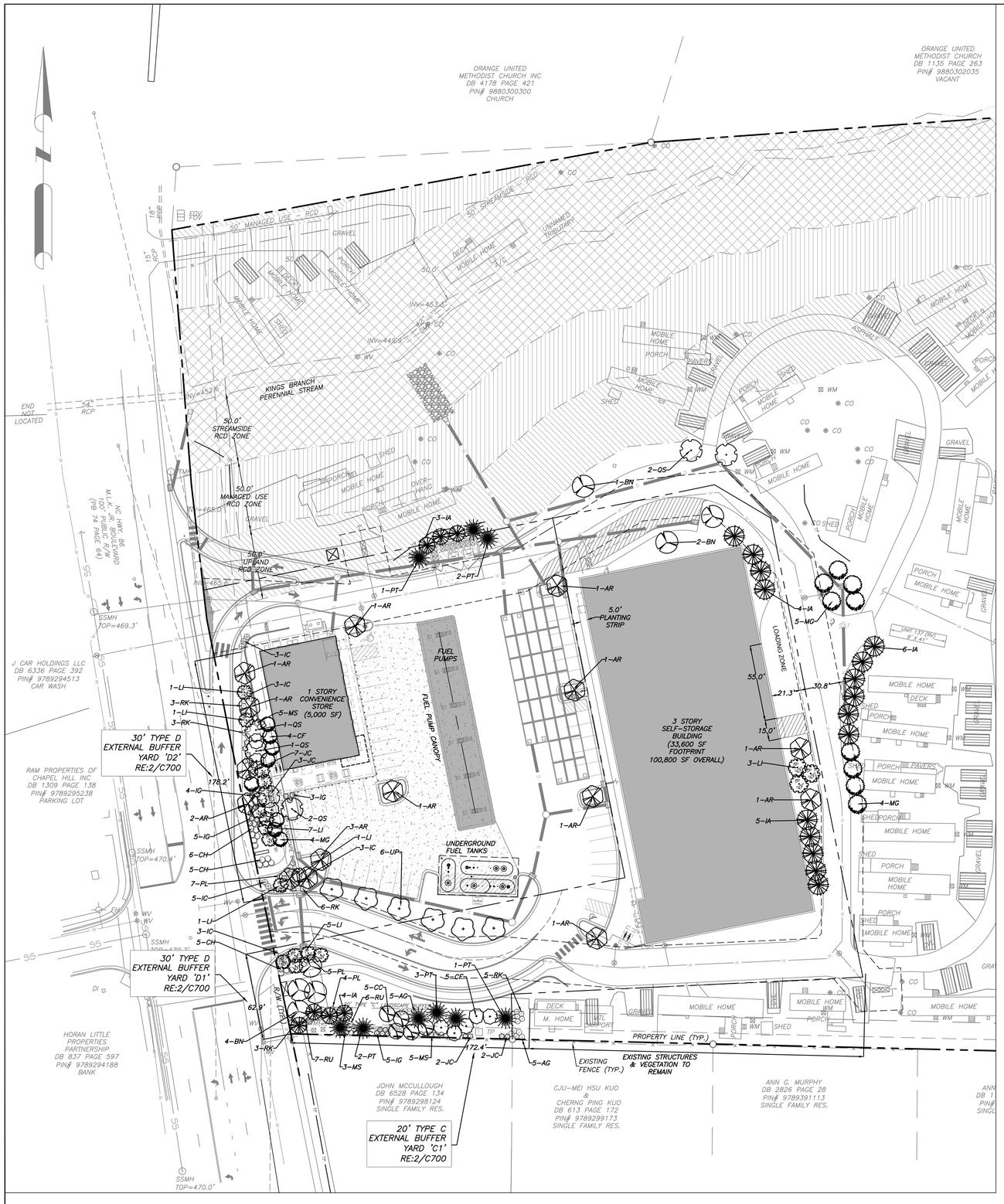
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1200 & 1204 MARTIN LUTHER KING JR. BLVD
CHAPEL HILL, NC

RL-6830-S1



1 C700 LANDSCAPE PLAN

1" = 40'-0"

SEE NOTES RE: 9/C102

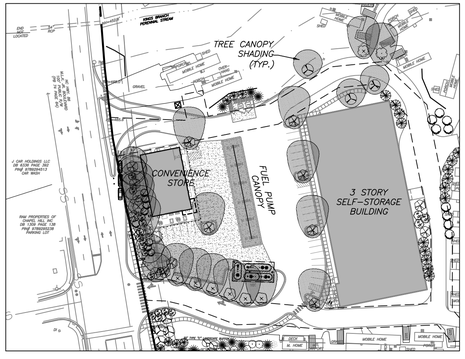
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Buffer "C1"	# Required per 100'			Required Plantings:		Existing Plantings		Plantings Provided
20' Wide	4 Large Tree	=	6.9	7	Large Trees	- 0	=	**7 Large Trees**
172.4 LF	8 Small Tree	=	13.8	14	Small Trees			**14 Small Trees**
(Internal)	30 Shrubs	=	51.8	52	Shrubs	- 0	=	**52 Shrubs**
Buffer "D1"								
30' Wide	6 Large Tree	=	3.8	4	Large Trees	- 0	=	**4 Large Trees**
62.9 LF	12 Small Tree	=	7.6	8	Small Trees			**8 Small Trees**
(External)	40 Shrubs	=	25.2	26	Shrubs	- 0	=	**26 Shrubs**
Buffer "D2"								
30' Wide	6 Large Tree	=	10.7	11	Large Trees	- 0	=	**11 Large Trees**
178.2 LF	12 Small Tree	=	21.4	22	Small Trees			**22 Small Trees**
(External)	40 Shrubs	=	71.3	72	Shrubs	- 0	=	**72 Shrubs**

2 C700 LANDSCAPE BUFFER CALCULATIONS

QTY	%	EVGN	KEY	BOTANICAL NAME	COMMON NAME	SIZE		SPACING	REMARKS
CANOPY TREES									
15		N	AR	Acer Rubrum	Red Maple	2.5" CAL.	14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
7		N	BN	Betula nigra 'heritage'	Heritage River Birch	3" CAL tot	14' ht.	AS SHOWN	3 TRUNK MINIMUM
9		Y	PT	Pinus tadea	Loblolly Pine	2" cal.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
6		N	QS	Quercus shumardii	Shumard Oak	2.5" CAL.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
6		N	UP	Ulmus parvifolia 'BSNUPF'	Everclear Lacebark Elm	2.5" CAL.	14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
43	0%								
UNDERSTORY TREES									
5		N	CC	Cercis chinensis 'Avondale'	Chinese Avondale Redbud	1" cal.	8' HT.	AS SHOWN	SINGLE TRUNK & LEADER
10		N	CF	Cornus florida	Dogwood	1" cal.			
22		Y	IA	Ilex x attenuata 'Fosteri'	Foster Holly	1" cal.	6' HT.	8' O.C.	SINGLE TRUNK & LEADER
19		N	LI	Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle		8-10' HT.	AS SHOWN	MULTI-TRUNK
15		Y	MG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	1.5" cal.	8' ht.	10' O.C.	FULL AND MATCHING
71	0%								
SHRUBS									
10		Y	AG	Abelia x grandiflora 'Edward Goucher'	Edward Goucher Abelia	15" HT.		30" O.C.	FULL AND MATCHING
17		Y	CH	Cotoneaster horizontalis	Rock Spray Contoneaster	12" HT.		30" O.C.	FULL AND MATCHING
17		Y	IC	Ilex cornuta 'carissa'	Carissa Holly	15" HT.		30" O.C.	FULL AND MATCHING
17		Y	IG	Ilex glabra	Inkberry Holly	15" HT.		36" O.C.	FULL AND MATCHING
14		Y	JC	Juniperus chinensis 'Sea Green'	Sea Green Juniper	18" HT.		36" O.C.	FULL AND MATCHING
13		Y	MS	Miscanthus sinenesis 'morning light'	Morning Light Miscanthus	15" HT.		36" O.C.	FULL AND MATCHING
16		Y	PL	Loropetalum chinense	Loropetalum	15" HT.		36" O.C.	FULL AND MATCHING
20		N	RK	Rosa 'Radrazz'	Knock Out Rose	15" HT.		36" O.C.	FULL AND MATCHING
13		Y	RU	Raphiolepis umbellata	Indian Hawthorn	18" HT.		36" O.C.	FULL AND MATCHING
137	0%								
GROUNDCOVER									
AR			LAWN	AS REQUIRED TO MATCH EXISTING					

3 C700 PLANT LIST



4 C700 PROPOSED TREE CANOPY SHADING

1" = 100'-0"

PARKING LOT OUTSIDE ROW
TOTAL PAVED AREA: 47,015 SF
TOTAL SHADED AREAS: 17,700 SF = 37.6%

ENGINEERING . PLANNING . LANDSCAPE ARCHITECTURE
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Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN:
9789297279
9789392409

NORTH CAROLINA LANDSCAPE ARCHITECT 1768 TIMOTHY S. ANDERSON

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

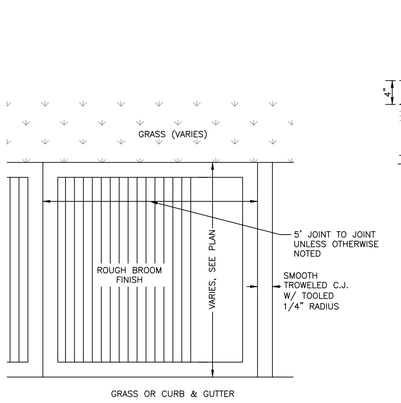
Conditional Zoning

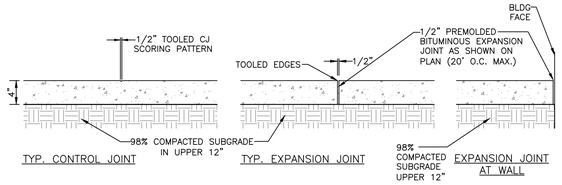
Sheet Title:

LANDSCAPE PLAN

Sheet Number

C700





NOTES:

1) 4" THICK CONC., 3000 PSI MIN.

2) ALL SIDEWALK ARE TO HAVE MAXIMUM 1.8% CROSS SLOPE

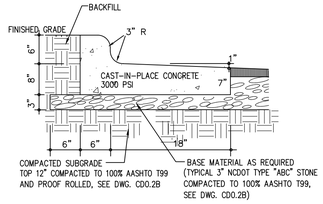
3) USE 1/2" BITUMINOUS EXPANSION JOINT A MAX. OF 20' O.C. AND WHENEVER CONCRETE WALK MEETS FIXED OBJECTS (IE. CURBS, BLDG. ETC.). EXPANSION JOINTS THAT ABUT BUILDINGS WALL SHALL BE SEALED WITH A FOAM BACKER ROD AND ELASTOMERIC SEALANT.

   ALL CONSTRUCTION JOINTS AND EXPANSION JOINTS IN NCDOT RIGHT-OF-WAY SHALL BE SEALED PER NCDOT STANDARDS AND SPECIFICATION.

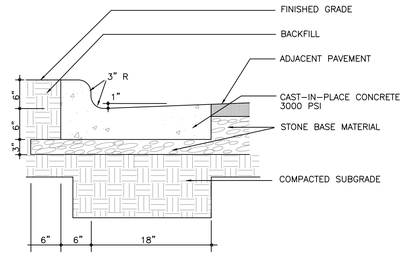
4) ALL SIDEWALKS SHALL BE CONSTRUCTED WITH TOOLED 1/4" EDGE RADIUS.

1 C800 **CONCRETE SIDEWALK**

no scale



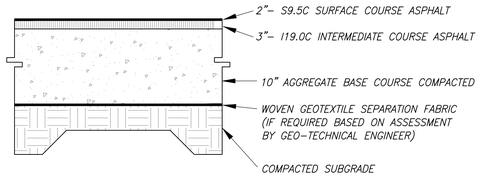
SPILL CURB AS REQ.



- CONTRACTION JOINTS SHALL BE SPACED AT 10 FOOT INTERVALS. EXCEPT THAT A 15 FOOT SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10 FOOT INTERVALS. JOINT SPACING MAY BE ALTERED BY THE ENGINEER TO PREVENT UNCONTROLLED CRACKING.
- CONTRACTION JOINTS MAY BE INSTALLED BY THE USE OF TEMPLATES OR FORMED BY OTHER APPROVED METHODS. WHERE SUCH JOINTS ARE NOT FORMED BY TEMPLATES, A MINIMUM DEPTH OF 1 1/2" SHALL BE MAINTAINED.
- CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSION STRENGTH OF 3000 PSI AT 28 DAYS.
- ALL CONTRACTION JOINTS SHALL BE FILLED WITH JOINT FILLER.
- JOINTS SHALL MATCH LOCATIONS WITH JOINT IN ABUTTING SIDEWALK.
- EXPANSION JOINTS SHALL BE SPACED AT 90 FOOT INTERVALS AND ADJACENT TO ALL RIGID OBJECTS.

2 C800 **CURB AND GUTTER**

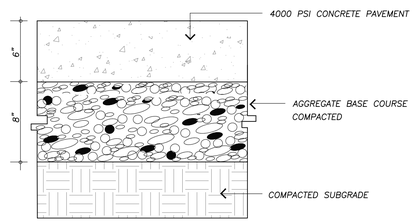
no scale



FINAL PAVEMENT SECTION IS PROVIDED BY GEO-TECHNICAL ENGINEER BASED SITE SPECIFIC GEO-TECHNICAL REPORT

3 C800 **HEAVY DUTY ASPHALT PAVING**

no scale

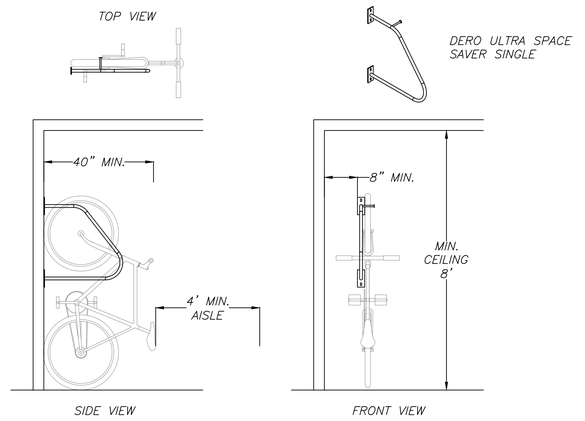


NOTES:

1. *ALL CONCRETE TO 4000 PSI, PROPERLY AIR ENTRAINED FOR EXTERIOR GRADE CONCRETE MIXES.*
2. *CABC BASE AND SOIL SUBGRADE TO BE COMPACTED TO 98% OF THE ASTM D-698 STD. PROCTOR MDD IN ACCORDANCE WITH THE REPORT BY THE GEOTECHNICAL ENGINEER AND PROOFROLLED AND APPROVED BY GEOTECHNICAL PERSONNEL.*
3. *CONTRACTOR SHALL INSTALL CONTRACTION AND EXPANSION JOINTS AS NECESSARY TO MINIMIZE CRACKING. CONTRACTION JOINTS SHALL BE SPACED AT 10' MAXIMUM EACH WAY WITH ACTUAL PATTERN BASED ON FIELD CONDITIONS. JOINTS SHALL BE TOOLED OR SAW CUT TO A MINIMUM DEPTH OF 2". EXPANSION JOINTS SHALL BE INSTALLED BETWEEN PAVEMENT AND ANY RIGID OBJECTS AND SPACED AS SPECIFIED IN LATEST VERSION OF ACI STANDARDS.*
4. *ALL PAVEMENT CONSTRUCTION SHALL BE IN ACCORDANCE WITH LATEST VERSION OF ACI STANDARDS AND THE REPORT BY THE GEOTECHNICAL ENGINEER.*

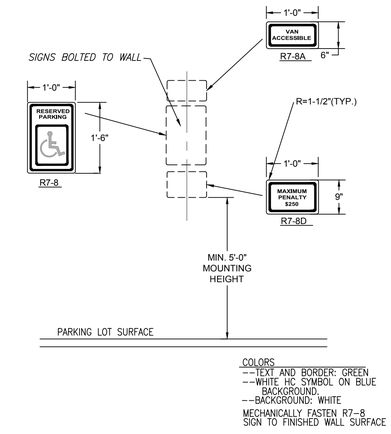
4 C800 **HEAVY DUTY CONCRETE PAVING**

no scale



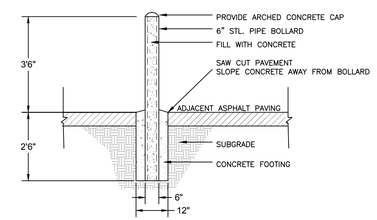
5 C800 **WALL MOUNTED BICYCLE RACK**

no scale



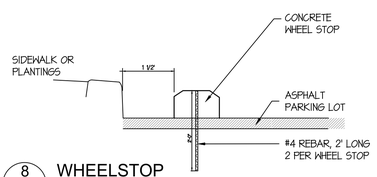
6 C800 **ADA SIGNAGE**

no scale



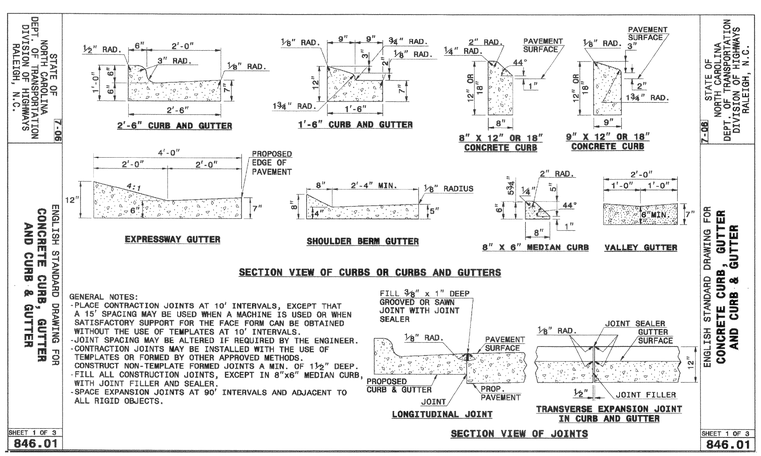
7 C800 **BOLLARD**

no scale



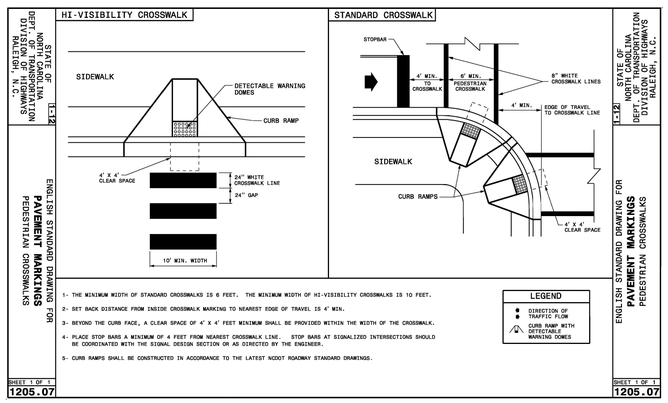
8 C800 **WHEELSTOP**

no scale



9 C800 **VALLEY GUTTER**

no scale



10 C800 **CROSSWALK**

no scale

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Durham, N.C. 27701
p 919.682.0368
f 919.688.5646
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NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN:
9789297279
9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

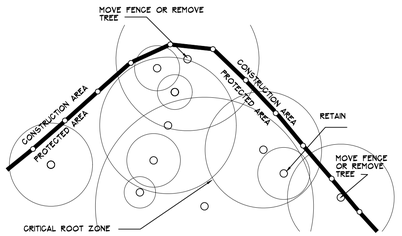
Conditional Zoning

Sheet Title:

SITE DETAILS

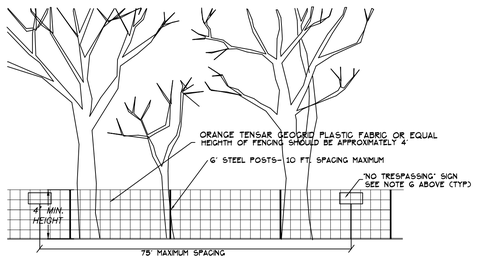
Sheet Number

C800



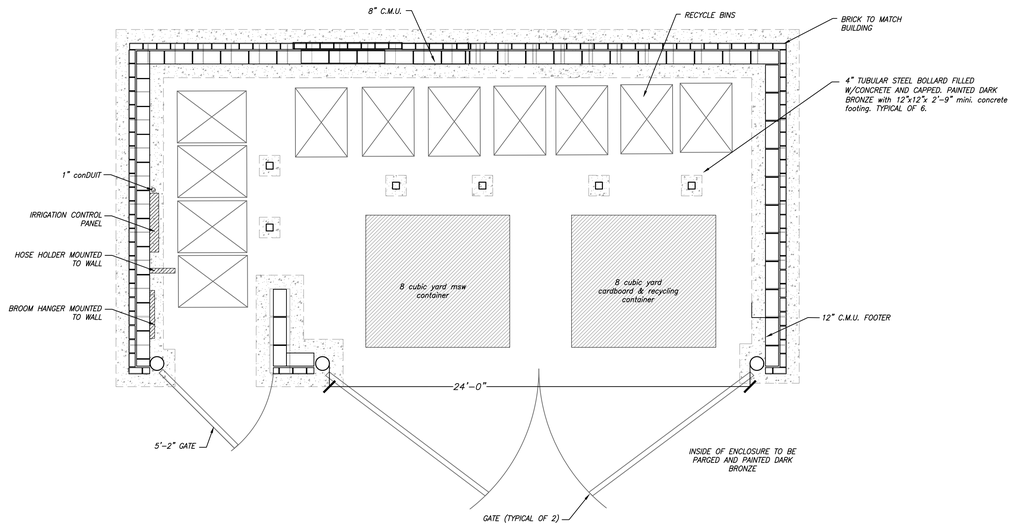
NOTES:

1. MOVE FENCE OR REMOVE TREE IF MORE THAN 20% OF A TREE'S CRITICAL ROOT AREA IS UNPROTECTED.
2. ROOT PRUNE TREES TO REMAIN WHERE CONSTRUCTIONACTIVITIES WILL SEVER ROOTS.
3. ANY TREE ROOTS EXPOSED BY CONSTRUCTION SHALL BE SEVERED CLEANLY WITH A PRUNING TOOL.
4. DO NOT DISPOSE OF ANY CHEMICALS OR REMOVE SOIL OUTSIDE THE LIMITS OF WORK.
5. WHEN INSTALLING NEW LANDSCAPE PLANTS, DO NOT DRIVE EQUIPMENT UPON OR DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.
6. SIGNAGE MUST BE PLACED ON TREE PROTECTION FENCING WITH A MINIMUM MINIMUM SPACING OF 75' O.C., TO READ 'TREE PROTECTION AREA - NO TRESPASSING WITHIN THE FENCE'.



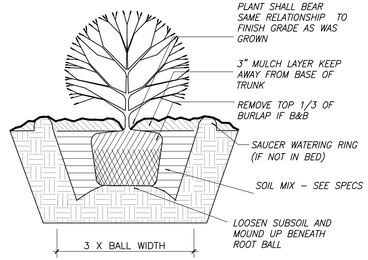
1 C801 **TREE PROTECTION FENCING**

1" = 4'-0"



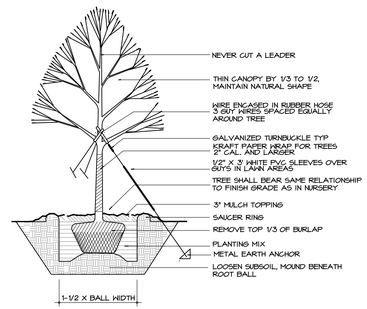
2 C801 **DOUBLE DUMPSTER**

NOT TO SCALE



4 C801 **SHRUB DETAIL**

NO SCALE

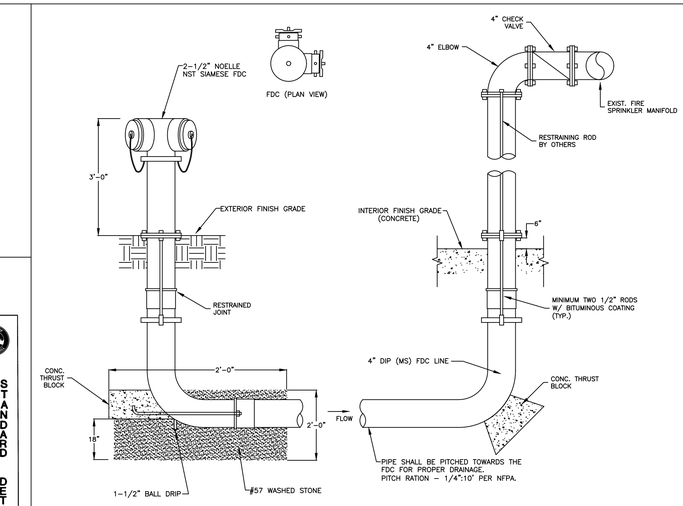


5 C801 **TREE PLANTING DETAIL**

NO SCALE

6 C801 **NOT USED**

NO SCALE



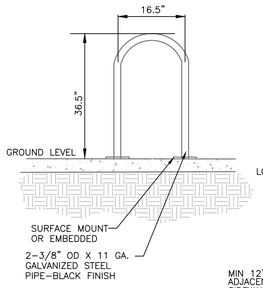
THE LOW POINT DRAIN SHALL BE CORROSION RESISTANT AND INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS. THE DRAIN ARRANGEMENT SHALL BE SUBMITTED AS PART OF THE SITE PLAN UTILITY DETAIL AND APPROVED BY FIRE PREVENTION AND ENGINEERING. A DRAINAGE PIT TWO FEET IN DIAMETER SHALL BE EXCAVATED BELOW EACH DRAIN AND FILLED COMPLETELY WITH CRUSHED STONE MIXED WITH COURSE SAND UNDER AND AROUND THE DRAIN TO A LEVEL 6 INCHES ABOVE THE DRAIN. PITS SHALL NEITHER BE CONNECTED TO A STORM OR SANITARY SERWER NOR LOCATED WITHIN THE RIGHT-OF-WAY OR ANY EASEMENT AREA.

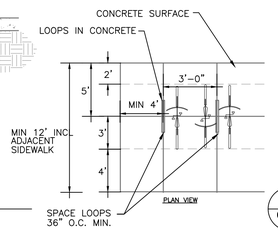
9 C801 **FDC**

NO SCALE

FIRE DEPARTMENT CONNECTIONS, LOCATIONS; Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NCFC and Town Ordinances; 7-38 for location. FDCs shall be installed on the street/address side f the building and within 100' of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping.

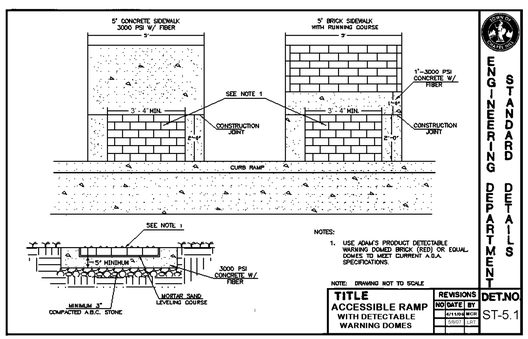
NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. DO NOT SCALE DRAWINGS.





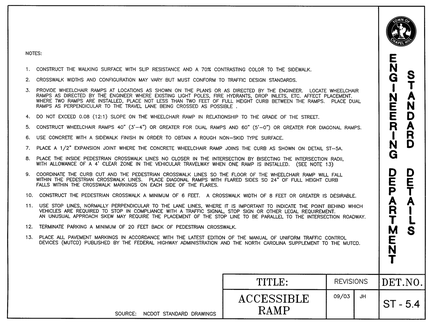
7 C801 **BICYCLE RACK**

NO SCALE



8 C801 **ACCESSIBLE RAMP**

NO SCALE



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NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN: 9789297279 9789392409

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1768 TIMOTHY S. ANDERSON

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

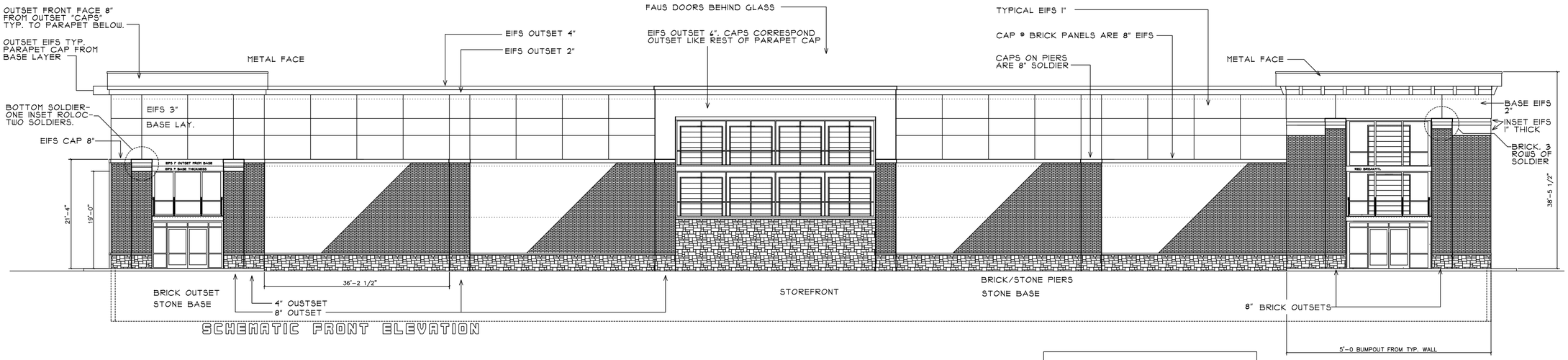
Conditional Zoning

Sheet Title:

SITE DETAILS

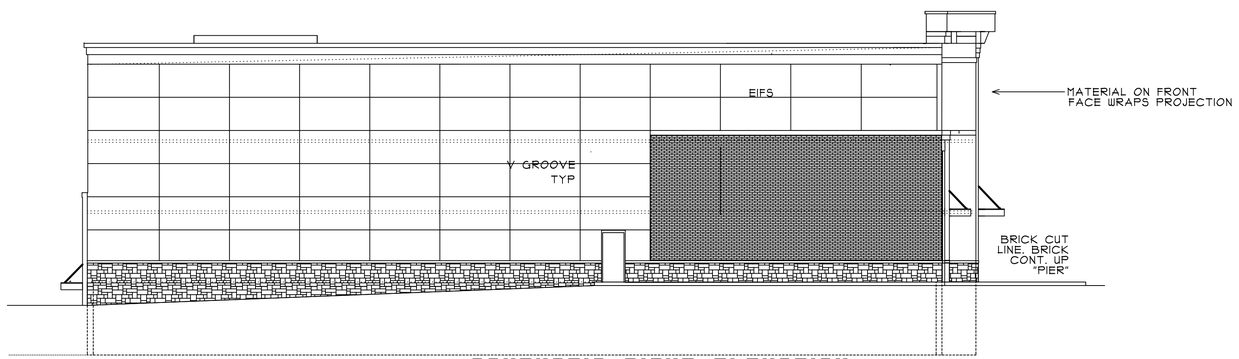
Sheet Number

C801



SCHEMATIC FRONT ELEVATION

ALL ALUMINUM STOREFRONT KAWNEER RED
CANOPYS WHITE
MAN DOORS SIDE RED



SCHEMATIC RIGHT ELEVATION

MATERIAL COLOR KEY:

RED METAL-METAL CAP AS CALLED AND ALUMINUM STOREFRONT-REGAL RED KAWNEER RED IS ACCEPTABLE. GENERALLY MATCH REDS ON RENDERING

RED CAP-SEE SAMPLE COLOR ELEV (EARLIER VERSION USE COLOR ONLY)
RED IS CALLED METAL AT TOP CAP ON ELEVATION.

EIFS MAIN BLDG COLOR-DRYVIT MOUNTAIN FOG GRAY 132
EIFS TRIM COLOR-DRYVIT DRIFTWOOD GRAY 133
NOTE: THESE COLOR DIFFERENCES ARE SUBTLE. FOR RENDERING IF TRIM COLOR NEEDS TO BE DARKED SOME FOR CONTRAST DO SO AND WE WILL REVISE IN ACTUAL FIELD APPROVALS

SEE SAMPLE COLOR ELEV. AREAS FOR GENERAL BASE VS ACCENT EIFS COLOR.

BRICK-GENERAL SHALE SMOKE GREY VELOUR OR SIMILAR GREY
THIS BRICK SHOULD RENDER SOMEWHAT DARKER THAT THE EIFS TRIM COLOR

STONE BASE SIM.TO CULTURED STONE -"LIMESTONE SUEDE". NOTE THAT REAL STONE OR SIM. ARCHITECTURAL CONC. STONE MAY BE USED.

ALL @ 3/32"

1200 MLK
SELF STORAGE CENTER

ORANGE COUNTY
NORTH CAROLINA

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GENERAL NOTES:

1. THIS DRAWING IS SCHEMATIC DESIGN ONLY AND NOT FOR CONSTRUCTION. IT IS FOR REVIEW AND DISCUSSION

REV. DATE:	REVISION DESCRIPTION
8/1/19	BRICK PANELS
10/31/19	REV. PER SITE
7/30/20	SITE OWN. REV

G. CLEVELAND PATE, PLLC
Architecture • Planning
6013 Fordland Drive, Raleigh, NC 27606
919-851-0052

SEALS:

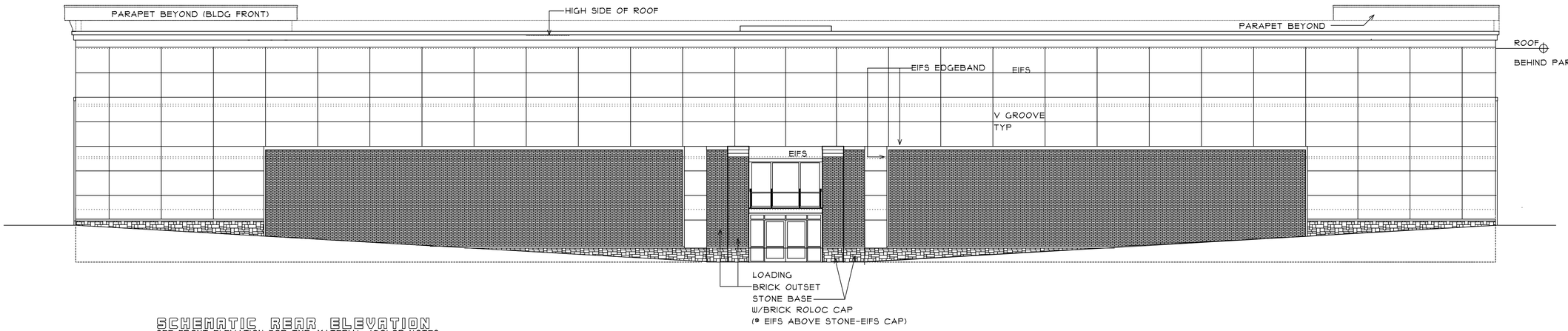
REVIEW

SEALS:

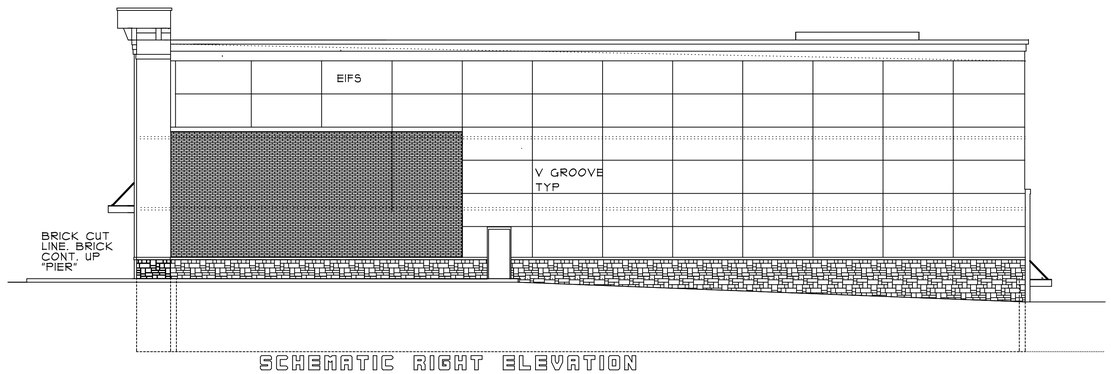
NOT FOR CONSTRUCT

ELEVATIONS

GCP	GCP	SHEET: A-1
DESIGNED BY:	DRAWN BY:	
GCP	GCP	
CHECKED BY:	APPROVED BY:	OF:
1200MLK	1200MLKA	7/19/19
CAD FILE NAME:	PROJECT #	DATE:



SCHEMATIC REAR ELEVATION
SEE FRONT ELEVATION FOR TYP. MATERIAL /COLOR NOTES



SCHEMATIC RIGHT ELEVATION

ALL @ 3/32"

1200 MLK
SELF STORAGE CENTER

ORANGE COUNTY
NORTH CAROLINA

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G. CLEVELAND PATE, PLLC
Architecture • Planning
6013 Fordland Drive, Raleigh, NC 27606
919-851-0052

SEALS:

REVIEW

SEALS:

NOT FOR CONSTRUCT

ELEVATIONS

GCP	GCP	SHEET: A-2
DESIGNED BY:	DRAWN BY:	
GCP	GCP	
CHECKED BY:	APPROVED BY:	OF:
1200MLK	1200MLKA	7/19/19
CAD FILE NAME:	PROJECT #	DATE:

Prepared by and return to:

William J. Brian, Jr.
Morningstar Law Group
112 W. Main Street, Second Floor
Durham, NC 27701

STATE OF NORTH CAROLINA)
COUNTY OF ORANGE)

DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants (hereinafter "Declaration") is made this _____ day of February, 2021 (the "Effective Date"), by Jones Estates Group, LLC ("Declarant"), and having its principal office at 2310 S. Miami Blvd., Suite 238, Durham, NC 27703-4900 ("Declarant").

WITNESSETH:

1. Declarant is the sole owner of those certain tracts of land located at 1200 and 1204 Martin Luther King Jr. Boulevard, Chapel Hill, North Carolina, and being more particularly described in Exhibit A, attached hereto and incorporated herein (together, the "Property").

2. Pursuant to Chapel Hill Town Council resolution made on February 24, 2021, in favor of Case Number 19-065, the Town of Chapel Hill (the "Town") has rezoned the Property to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD) (the "Rezoning").

3. A portion of the Property is being used as the location of the Tarheel Mobile Home Park (the "Park"). The portion of the Property on which the Park is located is referred to herein as the "Park Property". The remainder of the Property is referred to herein as the "Commercial Tract".

The Park Property and the Commercial Tract are more particularly described in Exhibit B, attached hereto and incorporated herein.

4. As a condition of the Rezoning, Declarant agreed to enact this Declaration in order to grant certain rights to the Tenants (as defined below) of the Park, and to make those rights enforceable by both the Tenants and the Town.

5. The Park Property consists of a number of informal lots on which manufactured homes are located. A map showing these informal lots is attached hereto as Exhibit C, and incorporated herein by reference. For the purposes of this Declaration, the "Tenants" are the persons who, as tenant, from time to time, lease these informal lots from Declarant, as landlord, for the purpose of locating manufactured homes to which they hold title upon these lots.

6. It is the desire of Declarant to enact this Declaration in order to ensure the continued operation and existence of the Park on the Terms and Conditions stated herein.

7. It is recognized by Declarant that the identity of the specific persons who make up the defined class of Tenants under this Declaration may change from time to time during the term hereof. Therefore, the Tenants to whom rights of enforcement are granted shall be the Tenants who occupy the Park on the date they seek to enforce this Declaration. Nothing in this Declaration shall be construed to create rights in any person who is not a Tenant of the Park on the date that person seeks to enforce this Declaration, other than the Town.

8. Accordingly, Declarant hereby subjects the Park Property to certain covenants, restrictions, and requirements pertaining to the Park Property, as defined herein, and hereby gives the Town and the Tenants the right to enforce this Declaration in accordance with its terms. The terms of this Declaration shall not apply to the Commercial Tract.

NOW THEREFORE, Declarant hereby declares that the Park Property shall be held, sold, used and conveyed subject to the following covenants, conditions, and restrictions, which shall run with the title to the Property**,** for the benefit of the Town and the Tenants, and shall be binding upon parties having any right, title, or interest in the Park Property and any portion thereof, and their heirs, successors, successors-in-title and assigns.

I. COVENANTS, RESTRICTIONS AND REQUIREMENTS.

1. The Recitals above are hereby incorporated into this Declaration as material terms.

2. Continued Existence of Mobile Home Park on Park Property: For the duration of this Declaration, the only permitted use of the Park Property shall be for a mobile home Park, and such accessory uses as may be permitted from time to time by applicable law. No Tenant of the Park shall have their lease terminated or be asked to remove their mobile home from the Park, so long as their lease remains in good standing. If a Tenant defaults under the terms of their lease, Declarant shall have all the rights and remedies available under the terms of any applicable lease, or other applicable law, to cause the removal of the Tenant or mobile home in question, and to pursue money damages and other remedies

which may be permitted by law. Declarant shall make commercially reasonable efforts to maintain the occupancy of the Park at full occupancy for the full fifteen (15) year period of this provision of this Declaration.

3. Accepting Local Mobile Homes: Declarant shall notify the Town in writing by email, read receipt requested, addressed to the Town Manager, when a lot in the Park becomes available for a new mobile home. The Town then will have the right to make this fact known to current residents of other existing mobile home parks within the jurisdiction of the Town. Declarant shall hold any available lot for 60 days from the date on which the Town receives this notification to allow persons contacted by the Town an opportunity to apply to lease the lot. Nothing in this Declaration shall require Declarant to lease a lot in the Park to any person who is not a Tenant on the date of this Declaration, in accordance with the terms hereof.

4. Conversion to Annual Leases: Tenants who are Tenants as of the date of this Declaration shall be given the option by Declarant in writing by certified mail as well as by by email, read receipt requested, to convert their present monthly leases to annual leases within 30 days of the date of this Declaration, and they shall have 30 days from the date on which they receive this written option to accept or decline this option. If a Tenant fails to respond within 30 days from the date of receipt, then they shall be deemed to have declined the option to convert their lease to an annual lease.

II. Market Rate Protection for Tenants: In January of 2025, January of 2029, and January of 2033, Declarant shall retain a NC licensed real estate broker (the "Expert") with professional expertise in mobile home parks to survey mobile home park rents in the greater Raleigh and Charlotte markets. Within 60 days of being retained, the Expert will confirm in writing to the Declarant, with a copy sent in writing by certified U.S mail, return receipt requested to the Town Manager, whether the lot rent rates at the Park are within 15 percent of the rental rates charged by comparable mobile home parks in the greater Raleigh and Charlotte markets. If the Expert determines that rents at the Park are more than 15 percent higher than those at the comparable mobile home parks in the Raleigh and Charlotte Markets, Declarant shall reduce the rental rates charged to Tenants who are Tenants on the date the rental rates are reduced, until they are within 15 percent of the rates charged by those comparable Mobile Home Parks, within 30 days of the date on which it receives the expert report. DEFAULT.

In the event of a breach of this Declaration by any fee simple owner of the Property subject to this Declaration, then Declarant, the Town and the Tenants shall have the right to enforce this Declaration by seeking a decree of specific performance or money damages, as provided by applicable law from the North Carolina General Court of Justice, Superior Court Division, located in Orange County, North Carolina, which shall be the exclusive forum for the adjudication of any disputes relating to this Declaration. However, nothing in this Declaration shall be construed to prevent the Town from taking ordinary zoning enforcement action in response to violations of its applicable ordinances which may occur on the Property from time to time, including, without limitation, the terms of the Rezoning.

III. DURATION; AMENDMENT.

A. Duration. This Declaration shall remain in full force and effect and shall run with and bind the Property until February 24, 2036.

B. Amendment. This Declaration shall not be amended except by an instrument in writing signed by Declarant and the Town, and duly recorded in the Orange County Registry. This Declaration may be amended without the signature of the Tenants.

C. Termination. This Declaration may be Terminated prior to February 24, 2036 by a writing signed by the Declarant and the Town, and duly recorded in the Orange County Registry.

IV. RUNS WITH THE LAND.

All provisions of this Declaration shall be appurtenant to and run with the title to the Property and shall be binding upon and inure to the benefit of the heirs, assigns, and successors in title to Declarant and the Town.

V. GENERAL PROVISIONS.

A. Interpretation. The captions of the sections of this Declaration are for convenience only and shall not govern or influence the interpretation hereof.

B. North Carolina Law. This Declaration shall be governed by the laws of the State of North Carolina, without regard to principles of conflicts of law.

C. Effective Date. This Declaration shall take effect upon its recordation in the Orange County Registry.

D. Severability. Invalidation of any of the provisions of this Declaration shall in no way affect any of the other provisions of this Declaration.

E. Estoppel Certificate. Within thirty (30) days of receipt of a written request made to the Town Attorney, by certified mail, return receipt requested, the Town shall execute a certification stating that this Declaration is in effect, and that Declarant is not in violation of this Declaration, or in the alternative, specifying the nature of any existing violation, if one exists.

[Declarant signature on following page.]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Declaration as of the _____ day of _____, 2021.

DECLARANT

Jones Estates Group, LLC

By: _____

Name: _____

Its: _____

STATE OF _____

COUNTY OF _____

I certify that the following person personally appeared before me this day and acknowledged to me that he voluntarily signed the foregoing documents for the purposes stated therein and in the capacity indicated:_____.

[Affix Seal]

_____
Notary Public

Print Name: _____

My Commission Expires:_____

Date: _____

Exhibit A
Description of the Property

Exhibit B

Park Property and the Commercial Tract

The following Orange County parcels identified by Parcel Identifier Number (PIN) 9789-29-7279 and 9789-39-2409, described below, shall be rezoned to Neighborhood Commercial–Conditional Zoning District (NC-CZD) and Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

New Parcel #1 Legal Description – Zone Neighborhood Commercial–Conditional Zoning District (NC-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°20'52"E a distance of 257.93'; thence S11°20'49"E a distance of 265.36'; thence S78°39'11"W a distance of 259.39'; thence N11°37'00"W a distance of 67.56'; thence N11°37'20"W a distance of 30.00'; thence N11°37'20"W a distance of 51.55'; thence N11°06'20"W a distance of 93.87'; thence N06°31'20"W a distance of 21.08', which is the point of beginning, having an area of 68,739.55 square feet, or 1.578 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #2 Legal Description – Zone Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°39'11"E a distance of 259.39'; thence N11°20'49"W a distance of 265.36'; thence N78°20'52"E a distance of 119.42'; thence S59°24'39"E a distance of 47.22'; thence S11°20'49"E a distance of 338.80'; thence S87°13'16"W a distance of 254.54'; thence S01°26'25"E a distance of 32.56'; thence N88°37'12"W a distance of 160.26'; thence N11°37'20"W a distance of 30.76'; thence N11°37'00"W a distance of 32.45', which is the point of beginning, having an area of 75,123.73 square feet, or 1.725 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #3 Legal Description – Zone Office/Institutional–2–Conditional Zoning District (OI-2-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N79°38'47"E a distance of 352.29'; thence N85°55'23"E a distance of 446.13'; thence S79°36'38"E a distance of 277.05'; thence S18°22'41"W a distance of 679.83'; thence N88°37'12"W a distance of 603.58'; thence N01°26'25"W a distance of 32.56'; thence N87°13'16"E a distance of 254.54'; thence N11°20'49"W a distance of 338.80'; thence N59°24'39"W a distance of 47.22'; thence S78°20'52"W a distance of 377.35'; thence N06°31'20"W a distance of 77.82'; thence N04°22'27"W a distance of 183.88', which is the point of beginning, having an area of 462,379.49 square feet, or 10.615 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

Exhibit C
Park Property

Insert Relocation Plan

From: Michael E. [mailto:mikemail08@gmail.com]
Sent: Thursday, February 11, 2021 1:15 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>; Michael Sudol <msudol@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; James Baxter <james.baxter56@gmail.com>
Subject: Planning Commission Statement regarding the 1200 MLK project

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Hello Mayor and Members of Council,

At our January 19th meeting, the Planning Commission crafted a short statement regarding the proposed development project at 1200 MLK Blvd. and voted unanimously to send it along to you. This being an additional statement to the longer letter that we sent previously.

Due to my own misunderstanding of the process as the new Chair, I failed to actually send our statement. I regret my oversight and hope that you are still able to consider our comments, which resulted from several long conversations during our meetings.

"The planning commission would like to see the Town Council make decisions based on the Town's long-range goals and that conform to all current LUMO regulations. Let the vision play out."

Respectfully,

Michael Everhart
Planning Commission Chair

RESOLUTION OF COMMUNITY DESIGN COMMISSION (CDC) ON FEBRUARY 23, 2021 REGARDING 1200 MLK BOULEVARD PROPOSAL

The purpose of this meeting was to further discuss the above project after having met with the Planning Board and reviewed our decision of denial dated July 28, 2020 and the most recent project information available from the Town's Website.

DESIGN REVIEW

Our vote to deny was based on incomplete project information and requested that the applicant produce…"elevations that are photorealistic, articulate the building facades, meet the fenestration requirements of Section 6.23 of the LUMO; and has reviewed elevations with the CDC".

As of today, the CDC has not been presented with any design drawings and we request that council delay any decision until the applicant has presented designs for us to review. In addition to building elevations the CDC should review the Landscape Plans especially in the rear that are intended to mitigate the impact of the 30' high storage facility on the residents.

In addition to this design review, the CDC and mobile homes HOA should review designs of the proposed fence between the storage facility and the residential homes.

PLAN FOR RESIDENTIAL COMPONENT

Another concern expressed at the July 28th meeting was that the Council should require the applicant to provide a residential component to the proposal, particularly plans for infrastructure improvements and assistance to homeowners to upgrade their units.

We note that the applicant has moved forward with a number of efforts to protect the tenants by extending some guarantees of tenancy, creating a Homeowners Association and ceding maintenance responsibility to the HOA.

However, there is still not a Comprehensive plan for improvements. Moreover, it appears to us that the developer is placing all future costs for common area work to the residents. This is usually done only after improvements have been made with assurances that all aspects of the residential component are in keeping with Rules, Regulations and Codes. We request that such a plan be created and that any infrastructure work be done in accordance with LUMO requirements.

02-24-2021 Town Council Meeting
Responses to Council Questions

ITEM #9: Consider an Application for Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd.

Council Question:
If I am understanding the rezoning request correctly, they are asking that the conditioned self-storage facility be considered as an accessory use to the Manufactured Home Park (as a residential use). Given this, would the applicant be in violation of the zoning if the MHP was removed or no longer in operation or can the MHP be change to another residential, office, commercial, or institutional use in order to continue to meet that zoning requirement?

***Staff Response**:*
If the Mobile Home Park were to be redeveloped or changed to another use, it would require a new Conditional Zoning. If the Mobile Home Park were to cease operation but remain on site, the Self-Storage would still be a conforming use until such time that the Mobile Home Park was redeveloped.

Council Question:
Since addition of homes in the RCD has been removed, is the total number now 73? If not, where would the additional 10 homes be placed and what impact would the additions have on spacing and privacy of current homes? Are there any regulations or guidelines on minimum spacing between mobile homes?

***Staff Response**:*
The applicant has requested to reserve the right to 83 units, in the event that they are able to find space on-site (not in the RCD) to fit additional units. The revised plan sheet, C202 Alternate Unit Relocation Exhibit, shows the proposed location of the additional units. The building code includes spacing requirements and fireproofing of walls depending on spacing between structures.

Council Question:
Is there a legal definition of "commercially reasonable"? Does this sentence (below) make the covenants stronger or weaker, in the Town attorney's opinion?

> The developer and its successors shall use commercially reasonable efforts to maintain the occupancy of the mobile home park at full occupancy for the full fifteen (15) year period of this condition.

02-24-2021 Town Council Meeting
Responses to Council Questions

***Staff Response**:*
Prior to the last draft of the Covenants and Conditions, the documents specified that the owner would maintain a mobile home park as a use for 15 years, but there was no express language requiring that use to be kept occupied by tenants during time. This sentence added by the applicant is designed to make that requirement more explicit. The "commercially reasonable efforts" standard is often seen in business contracts, and it imposes an objective standard on the owner's conduct. It is interpreted different ways by courts in different contexts, but in general it would require the owner to have made the same (or qualitatively equivalent) diligent efforts that another reasonable manufactured home park owner would make when attempting to keep full occupancy.

Council Question:
The application materials provide the total impervious surface and total RCD incursion by zone, but I don't see that it provides the requested new impervious surface and new RCD incursion amounts (vs. existing) - could those numbers be provided?

***Staff Response**:*
Information from the applicant to be provided.

Council Question:
Item 28 in the revised ordinance states that there will be 8 additional manufactured home pads added, while 10 additional in other locations?

***Staff Response**:*
Condition #28 will be corrected – it should read:

Manufactured Home Park Lot Layout: Prior to issuance of Zoning Compliance Permit, the developer shall provide details for review and approval by the Town Manager for the additional mobile home lots. The additional ~~eight (8)~~ ten (10) lots shall be located outside of the Resource Conservation District, with no additional impervious surface or land disturbance than provided in this Ordinance.

Council Question:
Are there lighting plans/requirements in place to ensure that lighting from the storage and gas station do not interfere with the residents, i.e. shining into windows at night, etc. or can that requirement be added to the ordinance?

***Staff Response**:*
The Town requires that light not exceed 0.3 footcandles at the perimeter of the development, to

avoid spillover into adjacent properties. There is no requirement for regulating on-site light levels, however. This requested requirement could be added into the ordinance if desired.

Council Question:
The packet included the email from the Planning Commission but not the official Recommendation report - could you please share that?

***Staff Response**:*
The recommendation is attached.

Council Question:
My recollection is that at the January 27th meeting Mr. Jewell said that the applicant was withdrawing his request for 10 additional pads. Why has that now changed, and the applicant is requesting 83, even if none of the new ones will be in the RCD?

***Staff Response**:*
The applicant has requested to reserve the right to 83 units, in the event that they are able to find space on-site (not in the RCD) to fit additional units.

Council Question:
In the CDC statement, they requested information from the applicant. Have they received all of the information that they requested?

***Staff Response**:*
The information provided to the CDC was provided to all the advisory boards. Staff is not aware of a request for additional information.

Council Question:
Pg. 88: The last sentence of stipulation 6 would appear to largely negate all that comes before it, i.e., although they need to notify the Town and accept applicants, they have no obligation to accept them. Is that true? Would they be able to fill empty pads with applicants from elsewhere instead?

***Staff Response**:*
The Town Attorney has interpreted this condition to require them to notify the Town of a vacancy, so the Town can then opt to inform the other mobile home park residents. (The Town Manager would have discretion as to whether and how to resource and administer this notification process.) The notification appears designed to provide a fuller opportunity for the other mobile home residents to become applicants. It does not require the owner to accept any

particular applicant as a resident, and it does not prevent other members of the public from applying to become (or being accepted as) park residents. Note that in a separate condition the applicant has agreed to use commercially reasonable efforts to keep the park at full occupancy for the 15 years.

Council Question:
Pg. 90: In stipulation 26 there is a requirement for a displacement plan with approval from the Town Manager required. What happens if the Town Manager rejects the plan? Should there not be some minimum requirements for such a plan?

***Staff Response**:*
Any reduction in the first 15 years would be subject to the Displacement Mitigation Plan. The requirements for the Displacement Mitigation Plan are provided in the condition.

Council Question:
Pg. 90: Stipulation prohibits using the park for STRs. Would that prohibition apply to individual residents for any STR use? If so, is that appropriate?

***Staff Response**:*
The stipulation broadly prohibits STRs in the Mobile Home Park.

Council Question:
Pg. 91: In stipulation 32, to which uses/structures do the bicycle parking requirements apply?

***Staff Response**:*
Bicycle parking is required for the gas station and self-storage buildings.

Council Question:
Pg. 93: Is stipulation 53 the standard CDC requirement or is it unique to this project?

***Staff Response**:*
This is the standard CDC condition.

Council Question:
Questions have been raised about a crown sign on the building. Can we ensure that if, such signage (or any other illuminated signage) is used, it does not face the mobile homes?

02-24-2021 Town Council Meeting
Responses to Council Questions

***Staff Response**:*
Staff has discussed the proposal of limiting the self-storage building to one crown sign. The applicant did not agree to this condition, so it was not included.

Council Question:
The applicant has stated that the rules and regulations that they have promulgated are standard on all of their properties (and may be common for the entire industry). Have we verified this?

***Staff Response**:*
Staff has not verified this statement. A copy of the rules and regulations, provided by the applicant, is attached.

Council Question:
Under the Community Rules & Standards, who is responsible for power washing the mobile homes?

***Applicant Response**:*
Residents are responsible for power-washing their own homes.

Council Question:
What kind of fencing then would be erected between the self-storage and mobile homes?

***Staff Response**:*
The ordinance prohibits chain-link fencing, but otherwise does not specify. The applicant may be able to provide additional details regarding the intended fence design.

Council Question:
Did the applicant not commit to removing the 10 additional dwelling units on-site? Why is it still on the application? It says that the units in the RCD have been removed, so is the applicant planning on adding the 10 units within the current footprint of the park?

***Staff Response**:*
The applicant has requested to reserve the right to 83 units, in the event that they are able to find space on-site (not in the RCD) to fit additional units.

02-24-2021 Town Council Meeting
Responses to Council Questions

Council Question:
Is there any national data around new manufactured housing and appreciation/depreciation over time?

***Staff Response**:*
Yes, there have been studies on the appreciation or depreciation of manufactured housing. The data in this Urban Institute article[1] suggests there is evidence that manufactured homes can appreciate similarly to site-built homes. The University of New Hampshire's Carsey Institute also released this study[2] with a key finding that manufactured homes in resident owned communities can see the value of their homes increase over time. Not all manufactured housing is shown to appreciate though. The data seems to suggest there are several factors that influence whether a manufactured home appreciates in value or depreciates, including the regional housing market, the desirability of the specific community, and the home.

Council Question:
The CDC resolution mentions a mobile home HOA, does one exist?

***Staff Response**:*
No HOA is included in the proposal.

Council Question:
Has the applicant come back with an answer on being willing to reduce the 15% down to 10% in terms of rental price range compared to other MHP's and doing the rent market comparisons more frequently than every 4 years? Is there anything stopping the applicant from raising the rents above the 15% threshold between the 4 year "checks"?

***Staff Response**:*
The applicant has not agreed to modify the terms of the market rate rental comparison process.

Council Question:
Is the PIL of $15,000 for BRT stop improvements sufficient? What will that get us?

***Staff Response**:*
The $15,000 payment-in-lieu will provide for a standard bus shelter. Staff is estimating that the cost of future BRT stations will be approximately $585,000.

[1] https://www.urban.org/urban-wire/new-evidence-shows-manufactured-homes-appreciate-well-site-built-homes
[2] https://scholars.unh.edu/cgi/viewcontent.cgi?article=1009&context=carsey

02-24-2021 Town Council Meeting
Responses to Council Questions

Council Question:
On pg. 90, if the Town Manager finds the Displacement Mitigation Plan insufficient, what happens? Do we have an enforcement mechanism or some sort of minimum requirements for such a plan?

***Staff Response**:*
Any reduction in the first 15 years would be subject to the Displacement Mitigation Plan. The requirements for the Displacement Mitigation Plan are provided in the condition.

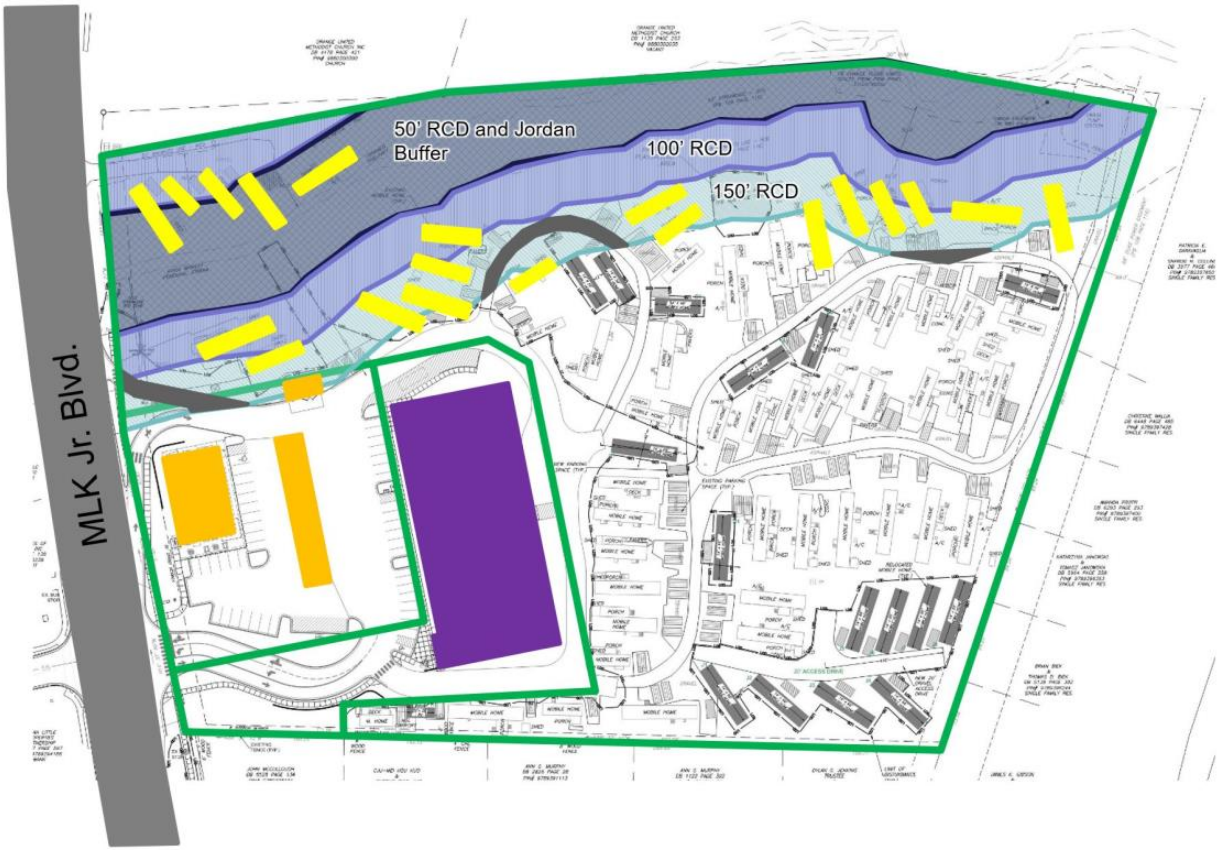
Council Question:
Where in the stipulations are the street improvements for safety within the park that the applicant agreed to (i.e. installing a speed table or some other speed reduction device)?

***Staff Response**:*
The work is not included in the conditions. The work is part of the on-going updates to the park that the Owner is doing. The potholes have already been filled, and a more comprehensive resurfacing and in some cases widening will take place upon issuance of a ZCP. Any widening will entail an increase in impervious surface (which is accommodated in the pre-post impervious calculations) and can't be done until a ZCP is approved.

02-24-2021 Town Council Meeting
Responses to Council Questions

Council Question:
The closest map that I see for the 3 new parcels in the slide #9 of the staff presentation. However there is a txt box near lower left corner "New gas station" that blocked that area. Can we resend the GIS map without the text box?

***Staff Response**:*
See diagram below:



Council Question:
From what I can see now, parcel 2 and 3 don't seem to have exit/entrance to access the public right-of-way without going through parcel 1, or construct new road in the RCD area. How could these work as independent parcels? Are there regulations on criteria to establish an independent parcel?

***Staff Response**:*
Each of the proposed lots does meet the dimensional standards of the Land Use Management Ordinance as shown in the table below:

02-24-2021 Town Council Meeting
Responses to Council Questions

	Zoning District	*Minimum Lot Size*	*Proposed Lot Size*	*Minimum Frontage*	*Proposed Frontage*
Parcel 1	*NC*	*5,500 sf*	*68,739 sf*	*40 ft*	*264 ft*
Parcel 2	*OI-2*	*5,500 sf*	*75,124 sf*	*40 ft*	*63 ft*
Parcel 3	*OI-2*	*5,500 sf*	*462,379 sf*	*40 ft*	*262 ft*

It is fairly common for developments consisting of multiple parcels to have a joint access, where the access driveway goes through one or more parcels. Typically, an access easement is created to allow all properties to have use of the driveway. A condition has been included in Revised Ordinance A for cross-access easements through the site. There is no requirement for each parcel to have independent access, but they must meet the minimum requirements for street frontage and lot width.

Council Question:
According to LUMO Table 3.7-1: Use Matrix, Manufactured Home Park is "--" Not Permitted for OI-2. So, is it against our LUMO to designate manufactured home park to be the primary use for New Parcel #3 (OI-2-CZD)?

***Staff Response**:*
While it is true that manufactured home parks are not allowed as a primary (or accessory) use in OI-2, they are not allowed in the existing R-4 zoning district either. The applicant is requesting a modification to regulations to allow the existing nonconforming use (the manufactured home park) to continue.

Amy Harvey

From: Jeanette Coffin
Sent: Tuesday, November 03, 2020 9:57 AM
To: John Rees
Cc: Judy Johnson; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd.

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin

Jeanette Coffin
Office Assistant
Town of Chapel Hill Manager's Office
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
(o) 919-968-2743 | (f) 919-969-2063

From: John Rees [mailto:jreesnc@gmail.com]
Sent: Monday, November 2, 2020 5:05 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Cc: Michael Sudol <msudol@townofchapelhill.org>; Elizabeth Webber <buffie.webber@gmail.com>; Melissa McCullough <melissamccnc@gmail.com>; Louie Rivers <lriversiii@gmail.com>; James Baxter <james.baxter56@gmail.com>; Michael Everhart <mikemail08@gmail.com>; Whit Rummel <whitr@icloud.com>; sbwhitlow <sbwhitlow@gmail.com>; Neal Bench <nj397bench@gmail.com>; Kai Nilsen <kaicnilsen@gmail.com>
Subject: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd.

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

To the mayor and town council.
On Wednesday, you will be reviewing the conditional zoning application for the Tarheel Trailer park, 1200 and 1204 Martin Luther King Jr. Blvd.

The planning commision moved to recommend Resolution B, denying the Special Use Permit Modification. This was not an easy decision for our advisory board to make.

We felt it important to explain to the council the detailed reasons for the denial. The planning commission formed a sub committee to draft the letter below. It was then reviewed by the entire commission and approved, by vote, at a subsequent meeting to be sent as representative of the feelings of the entire planning commission membership.

Date: October 20th, 2020
From: The Chapel Hill Planning Commission
To: The Chapel Hill Town Council
Memorandum: SUP Proposal for 1200/1204 MLK Blvd.

On October 6th, 2020, the Chapel Hill Planning Commission voted 5-2 to adopt Resolution B, recommending a denial of the Special Use Permit modification application for 1200/1204 MLK Blvd. Commissioners broadly agreed that the project as proposed presents several significant drawbacks for the residents of the neighborhood, and the Town at large.

The driver of this project is the proposed addition of a large, conditioned, self-storage building on the site, which requires moving several mobile homes, which are currently elsewhere on the site, into the Resource Conservation District to make space for the new building. The proposal prompts numerous requested changes to the Land Use Management Ordinance.

The Commission in no way wants to threaten the existence or location of the familial community in the existing neighborhood, and our decision is based foremost in this belief. We want the town to actively work to help protect this underserved community. This neighborhood is in fact identified on the current draft of the Future Land Use Map as a "Sensitive Displacement Area." According to the applicant, the new owner of the site purchased the property with the promise that they would preserve the home locations of those that live there. We expect them to honor this promise.

Please note that even the two Commissioners who voted against Resolution B had concerns about the project, and one commented that this was a "bad, bad project." Their votes reflected a belief that accepting this proposal might be better than waiting for a different proposal that might not retain all current homes on site.

Overall, while we laud the applicant for presenting a plan that does **not** directly displace any residents, we find that the proposal is asking the Town for too much in return.

1. Requested change to LUMO 6.23.4
    - The Commission recommends denial of this request because both the present zoning and the FLUM designate this area for community and residential uses. Self-storage is not an appropriate "community use" for the limited Chapel Hill infill land, especially alongside a future major Bus Rapid Transit line that was designed and funded in order to get cars off the road and foster transit-oriented development. We believe that self-storage as an accessory use is intended exclusively for situations where on-site storage facilities are provided for the use of the residents.

2. Requested change to LUMO 6.23.2
    - The Commission recommends denial of this request because this regulation is intended to be applied regardless of being a "T" intersection or not, and is intended to promote walkable and lively streetscapes. Additionally, the FLUM calls for an active frontage on this portion of MLK, as well as the afore-mentioned BRT stop. A large self-storage building will effectively be dead space. It is distinctly inactive and placing it here will work against the goals of the Town to invigorate this area and make it more pedestrian and bicycle friendly.

3. Requested change to LUMO 6.12(d)
    - The commission has no major objections to the reconstruction of the gas service station and the required access driveway. The developer has agreed to work with the Town when the BRT stop necessarily changes whatever sidewalk/driveway frontage is in place at the time.

4. Requested change to LUMO 3.6.3-2
    - The Commission recommends denial of this request. The Resource Conservation District was established to protect the Town's waters and water quality and we recommend that the protections of the

RCD be respected, there is not substantial justification to grant an exemption. This plan proposes grading nearly 1 acre of the RCD, negatively impacting the water quality and hydrology of the site, which feeds directly into Lake Ellen, and then into Booker Creek and across town. We are not opposed to any homes that currently sit within the RCD remaining where they are. However, a good plan would move homes out of the RCD, and certainly not into it.

- The developer contends that this relocation is necessary to prevent displacement, but that is only true if the storage building is constructed in the first place, and the assertion presents a false choice for the Town.
- Additionally, the relocation of homes into the RCD presents potential and unknowable issues for those residents in the long term. The developer cited the testimony of someone who grew up there that "it hadn't flooded" in their memory. However, we know that climate change is creating new patterns of flooding in our area and the past is a poor indicator of what is likely to come. Putting vulnerable mobile homes into what could be an active floodplain is a disservice to those residents.

5. Requested change to LUMO 5.9.7
   - Were the project to be built, we agree with the applicant that a reduction in the minimum number of parking spaces is appropriate.

6. Requested change to LUMO 3.7.3,
   - Were the project to be built, we agree with the applicant that this modification is appropriate. Otherwise, many of the mobile homes currently on site would be in violation of the LUMO and people would likely be displaced.

In conclusion, the Planning Commission recognizes that the process of matching infill development projects with appropriate locations, and the needs and wants of the Town is difficult. However, we do not believe that making so many significant precedent-setting exceptions in the LUMO is wise or appropriate in this case. Other projects in Chapel Hill would suggest that this proposal is not the only viable commercial option for the applicant. We implore both the Town Council and the project applicant to arrive at better solutions.

Respectfully,
The Chapel Hill Planning Commission.

TOWN OF CHAPEL HILL
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Response to Town Council Questions for 1200 MLK

December 9, 2020

Council Question: A few council members expressed an interest in having town staff have meetings with residents of the mobile home park, separate and apart from the management to gauge the concerns of residents in a comfortable setting. Can staff accommodate this request?
Staff Response: Housing and Community and Planning staff are planning a meeting with residents on Thursday, November 19th. We are working closely with Empowerment to plan the meeting and they, along with Family Success Alliance will assist with outreach to residents in advance of the meeting. We will also be noticing the meeting in English-Spanish and providing interpretation for the meeting for Spanish speakers.

Council Question: Regarding the gas station that is proposed as part of the application, is it proposed to be a 24/7 gas station or will there be specific times it will be open and closed? If so, what are those hours?
Applicant Response: The station will be open 24/7.

Council Question: A council member brought up, in a small group session, that the hours the proposed self-storage building would be open and suggested that the contemplated 10 pm closing time be moved to an earlier time, in consideration of the neighboring residents of the Tar Heel Mobile Home Park. Dan Jewell seemed amenable to this. Is the applicant willing to accommodate that request?
Applicant Response: In order to further limit the hours that residents might encounter someone pulling around to the north side of the building to use the loading dock, we will restrict the hours that that dock and back door are open to something less than the 6 AM to 10 PM time frame. We are surveying potential customers and will have those hours for you prior to the next Public Hearing. Signs will be installed on the driveways to the rear of the building that say “no access to loading dock from XX AM to XX PM”, or similar.

Council Question: A resident in the Tar Heel Mobile Home Park, during public comment, referenced a community rules packet that residents had been sent. What is the rules packet for residents of the Tar Heel Manufactured Home Park and its purpose. Can we, council members, be provided a copy of this?
Applicant Response: Park rules are attached.

Council Question: A few council members requested that the 10-year commitment to a mobile home park be extended to upwards of 15 years. Is the applicant wiling to accommodate this request?
Applicant Response: The applicant is in fact considering extending this to 15 years subject to acceptance of our proposed rental increase schedule.

Council Question: Is the applicant willing to use CPI or some other objective measure by which to limit rent increases, so as to establish reasonable expectations for residents, as to rent increases?
Applicant Response: The applicant is working on a proposal for a predictable graduated rental increase schedule based on some manner of market-based metric. This will be provided to Staff in the next week to 10 days.

Council Question: A couple of council members expressed a desire for longer lease periods to be provided to residents. Dan Jewell asserted that month-to-month leases are the standard with mobile home parks but he was willing to see if mobile home parks do longer leases. Can town staff investigate this for ourselves?
Staff Response: Staff is gathering additional information and will share additional information prior to the Public Hearing.

Tarheel Mobile Home Park
Supplemental Information for the Town Council

Stackhouse Management is the property management firm for Tarheel Mobile Home Park. Stackhouse is a Durham based company that specializes in managing mobile home parks across a 5 state region. Across nearly 20 NC properties, Stackhouse uses uniform rules and policies including those at Tarheel. The specific resident comment at Council meeting was referring to the recent distribution of the updated standard rules and concerned normal daily issues like pets, trampolines, parking spots, etc. There are / have been no significant rule changes for Tarheel residents. These rules have been provided to the Town as requested. All resident communications are in both English and Spanish – both written and verbal communications.

As part of the potential rezoning in Chapel Hill, Stackhouse has worked collaboratively with Town Housing Officials and Empowerment to facilitate open discussions about the project. Town Officials have been invited to every meeting and were represented at nearly all or all of the meetings. Moreover, Stackhouse made onsite space available for Town Officials and Empowerment to hold multiple onsite meetings with residents where the developer and Property Manager were not present.

We believe Town Housing officials can list all of the different interactions that they have had with residents to illustrate this point since Council had concerns about sufficient engagement with residents. It should be noted that residents have been invited to at least 5 onsite meetings and also been invited to participate in at least 10 public hearings. We are confident that residents have had full and transparent access to information and this process. As demonstrated in public comments, most residents are supportive of this project.

Neighborhood Meetings that the Developer organized, participated in or was aware of include:

12/2/2018 Park Meeting all residents
12/4/2018 Park Meeting all residents

1/26/2019 Empowerment Inc w/ affected residents

2/7/2019 Park meeting with affected residents

9/10/2019 One on One with Empowerment Inc & affected residents

9/22/2019 Park Meeting all residents
9/23/2019 Park Meeting all residents

9/30/2019 Park One on One with residents
10/1/2019 Park One on One with residents

10/19/2019 Park Community Day Q&A

5/14/2020 Park One on One with residents
5/28/2020 Park One on One with residents

Also met with the residents that purchased new homes separately on 2/5/2020, 6/1/2020, 9/25/2020.

We respectfully ask the Council to delineate between normal ongoing property management concerns of residents (rules about pets, trampolines, tree trimming, parking spaces) from the fundamentally critical issues addressed in this Conditional Zoning application.

Stackhouse Management has proactively worked with residents whose homes are in the potential construction area. Every family that wanted to move to a different location on site has been accommodated (some homes were moved and some families moved to a different home). The remaining residents in the construction zone have asked to remain in their current location until / if the project is approved. Those requests are being honored. For families whose homes were not moveable, Stackhouse provided an alternative home onsite as a temporary residence at no cost to that family. For families that needed to be relocated, Stackhouse offered them the option to purchase a brand-new home at cost with zero interest – 1 family took advantage of this offer.

RULES FOR NORTH CAROLINA MOBILE HOME PARKS

Welcome! To protect your investment and for the best interest of your community certain rules have been adopted to ensure each resident has the benefit of enjoying their home and the park. If these standards are not maintained, residents will receive a notice of violation, followed by a fine and possible eviction.

PAYMENT

All rents are payable in advance by the first of each month. After the 5th of the month a late fee penalty of $15, or 5% of full rent (whichever is greater), shall be applied to the rental payment. If full rental payment is not received within 7 days after it becomes due, anyone who does not have rents paid on time, unless otherwise arranged for in writing, shall be directed to leave the park within thirty (30) days at the option of management.

COMMUNITY

1. All homes and yards are kept in an outwardly presentable condition and not allowed to deteriorate or fall in disrepair so as to become an eyesore or nuisance to the neighborhood. The home should not have fading or flaking paint, broken windows, unsightly awning, and home accessories. No trees or shrubs may be planted. Vegetable and flower gardens are permitted. Failure to maintain a garden may result in fines or revocation of approval.
    a. House and/ or lot numbers must be visible on the top left corner of the front and back of the home. Standard 6" reflective number labels should be used to ensure the address is visible from the road.
    b. Lawn furniture, bicycles, toys and other outdoor articles, when not in use detract from the attractive appearance of the community. Therefore, no storage of any kind will be permitted around the home except in a utility building that has received written approval by management.
    c. No alterations, additions, or changes, such as outside buildings, antennas, fences, patios on the premises or fixtures thereon without the written consent of the management. As all the utility lines are underground, no fences, poles, or stakes can be driven into the ground.
    d. Towing hitches must be removed or covered per Federal Government Insurance guidelines (HUD).
2. Management provides for pickup of trash at specified times. All garbage must be in plastic bags and placed in garbage containers. Garbage containers used for mobile home site shall be tightly covered and fastened to prevent their blowing freely in park. Plastic garbage bags may not be left exposed out of doors. Any cardboard or other large items must be torn apart, smashed, or otherwise compressed as much as possible.
3. Communities with curbside trash service, may move garbage container to the curb after 3 PM the day before trash pick-up and must be returned to the home by 10 PM the day of trash pick-up. Trash service is provided for 1 solid waste container per household. Having more than 1 trash container for pick up or having more than one pick-up at your residence will result in a fine. If your trash is placed in dumpsters any trash found outside the dumpsters or placed improperly on top of dumpsters will result in a fine assessed to all residents.
4. To install approved steps and metal skirting around the mobile home within 60 days after home is placed on site. If inclement weather or other unforeseen matters cause a delay, this will be taken into consideration. Skirting shall be installed according to park standards.
5. Disorderly conduct, abusive language, noisy disturbances, or disregard of the rules and regulations contained herein shall be grounds for immediate removal of all persons committing said offenses from the premises.
6. Parents will be held responsible for any damage caused by their children. Tenants will be responsible for their guests and pets.

VEHICLES

1. Two vehicles are allowed at each homesite. Do not park on the Grass or in or along park roads, or in undesignated areas on the lots. Parking Spaces are 20X20.
2. Reasonable speed limits are essential to safeguard residents and the children, the speed limit of 10 miles per hour is strictly enforced. Please report excessive speeding.
3. Vehicles which are unlicensed, having plates that are expired or are inoperable cannot be parked or stored on

the premises. Any vehicle found to be in violation of this rule will be towed, at the owner's expense.

4. Tenants are not allowed to store, park or repair boats, "off road" vehicles, dirt bikes, Box Trucks or ATV on premises.
5. No automobiles can have a "for sale" sign on the car.

RESIDENT RESPONSIBILITIES

1. All water lines must be insulated at all times, by insulation or heat tape. Any damage caused to the park water lines or mobile home water system, because of frost or water lines freezing of resident water pipes and connections shall be repaired at the tenant's expense.
2. The only three things you should flush down the toilet are feces, urine, and toilet paper. Anything that is not dissoluble should not be put in the sewer. This means do not flush paper towels, disposable diapers, sanitary napkins, "flushable" wipes or cat litter.
3. No peddling, soliciting or commercial enterprises are permitted in the park. Signs or any type of advertisement is prohibited.
4. No leased lots shall be used for commercial or business purposes – this means you cannot operate a business or store business materials on your lot.
5. No home or lot shall be subleased or put in the possession of another party without prior written approval from management. All mobile homes and lots are to only be occupied by the applicant(s) and occupants listed on the signed lease. Prior to selling a home the tenant must have written approval from management. To receive obtain approval the prospect must complete an application, background check and provide valid photo identification. Without approval the home must be vacated.

REPAIR CHARGES:

Repair of any underground utility lines damaged by digging or planting on the premises will be charged to the appropriate resident causing the damage. Repair to common areas and other homes/buildings damaged by a resident's activities will be charged to the resident causing or participating in the cause of the damage. Any and all repairs that are required due to negligence or improper use on the part of the Resident will be charged to the tenant's lot rent account.

MANAGEMENT

1. The owner reserves the right to increase any fees or change or alter these rules providing the owner delivers to every resident a notice in writing at least 30 days in advance of increase of park fee or rule change.
2. Management shall not be liable for loss or damages to a home or any personal property owned by resident unless may be caused by negligence of management.
3. The management will not be responsible for accidents, injuries, or loss of property by fire, theft, wind, floods, or other natural acts which are beyond its control. Equipment and apparatus furnished on the grounds are solely for the convenience of residents and all persons using same do so at their own risk.
4. There are certain rules and ordinances for mobile homes set forth by the county and state that we all must abide by. These will be strictly enforced.
5. The park owner retains the right, in its sole discretion, to waive, any one or more of these rules with respect to any one or more homeowners. Waiver of any rule or right unless expressly stated herein, nor shall a waiver on behalf of any specified individual or individuals be deemed a waiver for any unspecified individuals. ANY violation of the above rules could be cause for eviction from the park.

PETS

NO FARM ANIMALS ALLOWED – this includes but is not limited to chickens, roosters, goats, cows, or sheep.

1. The presence of all animals shall be reported to the park owner within five (5) days of the acquisition of

the animal or pet.
Management requires proof of registration for all pets residing in the park. If you currently have a pet in your home, you have 30 days from the date you received the park rules and regulations to provide proof of registration from your county of residence or remove the pet from the premises.

2. Registered Pets are allowed in the park only so long as-
    a) they are not allowed to run loose at any time
    b) they are never chained outside the mobile home. -They are only outside while being walked on a leash.
    c) they do not annoy or disturb the neighbors.
3. All Pet excrement must be removed by the pet owner from the pet owner's yard or any other place or location within the community where the pet may have access. When pets are walked in the common areas, the pet owner must clean up after the animal. A $25.00 per incident fine will be imposed upon the owner of any pet who does not clean up after their animal anywhere in the community, including their lot.
4. All Pet owners are responsible for any damage caused by the pet to community property or the property of another resident. Such damage must be repaired and/or paid for by the pet owner.
5. No dog runs, dog houses, cage or fenced areas for a pet are permitted. All pets must be kept inside the home. Anytime time pet is outside, it must be kept on a leash and may not be left unattended.
6. No more than two pets are permitted per home
7. Under no circumstance are cats allowed to roam the property
8. Any homeowner who has a dog known to be unfriendly, aggressive or a dog that has previously bitten or attacked someone is prohibited. Management reserves the right to demand a pet be removed from the community in the event of a serious attack or aggressive behavior.
9. Prohibited Breeds – Specific breeds of dogs or mixes including those breeds are not permitted
    a) Pitbull
    b) Chow
    c) Doberman
    d) Rottweiler
    e) Husky
    f) Great Dane
    g) German Shepard
    h) Malamute
10. **INSURANCE REQUIRED.** Management requires proof of insurance from any resident housing a dog or any other pet in the community. Homeowners are advised to contact their insurance company/agent to make certain liability coverage for pets is included to their homeowner policy.

OUTSIDE PLAY/RECREATION EQUIPMENT

1. Outside play equipment, weightlifting or exercise equipment, spa, whirlpool or any other unit, device or equipment is **not permitted**.
2. **Trampolines of any size are not permitted**
3. **Pools of any size are not permitted**
4. **Swing sets are not permitted**

STORAGE AROUND & UNDER THE HOME

1. Mobile home tires, axles, hitches, and non-hazardous items may be stored beneath the manufactured home.
2. Up to ½ cord of firewood may be kept at least six feet from the home and 12 inches above the ground in a

freestanding frame.

3. Other combustible or hazardous materials are prohibited. The only items permitted on a patio are:
4. Patio furniture, picnic tables, potted plants, all in good condition.
5. Bikes, toys, garbage cans, lawn and garden equipment, tools and other large items must be stored in the shed, under the home or out of sight from the street.
6. Grills (gas or charcoal) may not be stored on the deck, porch or steps of any home. When in use the grill must be located at least 10 feet from any structure.

STORAGE SHEDS

Each lot is permitted one shed of an approved size and style as directed by management. Sheds must be in compliance with health regulations regarding proximity to neighboring structures. No auxiliary structures may be constructed or affixed to a shed to create additional covered storage area. Shed must be maintained in good appearance and condition.

DAMAGE TO DRIVEWAYS,

1. A homeowner will be held responsible for damage to a patio area, driveway, sidewalks or yard.
2. Management reserves the right to assess a fee to correct and/or clean any area for which the homeowner is responsible.

CONSTRUCTION AND SAFETY STANDARDS

1. Oil and propane gas tanks are to be located to the rear of the home, and out of sight from the road.
2. Fireworks, open fire-pits and any burning are prohibited on the park property and the areas around the park.
3. All mobile homes must be power washed annually.
4. All homes to be placed on lot according to the management specifications and all connections to water, electric and sewer lines must be with management approval.
5. All connections between the meter and the mobile home is to be made by a licensed electrician approved by the owner. The cost of such connections and maintenance is the Residents responsibility. Each homeowner will be responsible for any clogging of sewer lines, pumping of the sewer system necessitated by excessive use of water due to faulty or leaking fixtures or other detrimental usage.

REGLAS PARA EL PARQUE DE CASA MÓVIL

¡Bienvenido! Para proteger su inversión y para el mejor interés de su comunidad, se han adoptado ciertas reglas para asegurar que cada residente tenga el beneficio de disfrutar de su hogar y el parque. Si no se mantienen estos estándares, los residentes recibirán un aviso de violación, seguido de una multa y un posible desalojo.

PAGO

El alquiler de un sitio para viviendas se paga por adelantado y vence el primer día de cada mes. Si los alquileres no se reciben dentro de los 5 días de la fecha de vencimiento, se agregará un cargo por servicio del 5% o $ 15.00, el que sea mayor. La falta de pago de la renta provocará el desalojo del parque.

COMUNIDAD

1. Todas las casas y patios se mantienen en una condición aparentemente presentable y no se les permite deteriorarse o caer en mal estado para convertirse en una molestia para el vecindario. La casa no debe tener pintura descolorida o desconchada, ventanas rotas, toldo antiestético y accesorios para el hogar. No se pueden plantar árboles o arbustos. Vegetales y jardines de flores están permitidos. No mantener un jardín puede resultar en multas o revocación de la aprobación.
    a. Los números de casa y / o lote deben estar visibles en la esquina superior izquierda de la parte delantera y trasera de la casa. Se deben usar etiquetas de números reflectantes estándar de 6 "para asegurar que la dirección sea visible desde la carretera. segundo.
    b. Muebles de jardín, bicicletas, juguetes y otros artículos de exteriores, cuando no están en uso, restan valor a la apariencia atractiva de la comunidad. Por lo tanto, no se permitirá ningún tipo de almacenamiento en el hogar, excepto en un edificio de servicios públicos que haya recibido la aprobación por escrito de la administración. do.
    c. No se permiten modificaciones, adiciones o cambios, como edificios externos, antenas, cercas, patios en las instalaciones o accesorios sin el consentimiento por escrito de la administración. Como todas las líneas de servicios públicos están bajo tierra, no se pueden colocar vallas, postes o estacas en el suelo.
    d. Los enganches de remolque deben retirarse o cubrirse según las pautas de seguro del gobierno federal (HUD)
2. La administración proporciona la recolección de basura en momentos específicos. Toda la basura debe colocarse en contenedores apropiados y colocarse en el lugar designado

3. Instalar pasos aprobados y zócalos de metal alrededor de la casa móvil dentro de los 60 días posteriores a la colocación de la casa en el sitio. Si las inclemencias del tiempo u otros asuntos imprevistos causan un retraso, esto se tendrá en cuenta. Los zócalos se instalarán de acuerdo con las normas del parque.
4. Instalar escalones aprobados y zócalos de metal alrededor de la casa móvil dentro de los 60 días posteriores a la colocación de la casa en el sitio. Si las inclemencias del tiempo u otros asuntos imprevistos causan un retraso esto se tendrá en cuenta. Los zócalos se instalarán de acuerdo con los estándares del parque.
5. La conducta desordenada, el lenguaje abusivo, los disturbios ruidosos o el incumplimiento de las reglas y regulaciones contenidas en este documento serán motivo para la expulsión inmediata de todas las personas que cometan dichos delitos de las instalaciones.
6. Los padres serán responsables por cualquier daño causado por sus hijos. Los inquilinos serán responsables de sus invitados y mascotas.

VEHICULOS

1. Se permiten dos vehículos en cada sitio. No se estacione en la hierba o fuera de la calle. Los límites de velocidad razonables son esenciales para proteger a los residentes y los niños, el límite de velocidad de 10 millas por hora se aplica estrictamente. Por favor, informe de exceso de velocidad.
2. Los vehículos que no tienen licencia, que tienen placas vencidas o inoperables no se pueden estacionar ni almacenar en las instalaciones. Cualquier vehículo que se encuentre en violación de esta regla será remolcado, a cargo del propietario.
3. Los inquilinos no tienen permitido almacenar, estacionar o reparar embarcaciones, camiones de caja vehículos "off road" ,ATV en las instalaciones.
4. Ningún automóvil puede tener un letrero de “venta” en el automóvil.

RESPONSABILIDADES DE LOS RESIDENTES

1. Todas las líneas de agua deben estar aisladas en todo momento, mediante aislamiento o cinta de calor. Cualquier daño causado a las líneas de agua del parque o al sistema de agua de la casa móvil, debido a la congelación o la congelación de las tuberías y conexiones de agua residentes se reparará por cuenta del inquilino.
2. No se permite el tráfico, la solicitud o las empresas comerciales en el parque. Las señales o cualquier tipo de publicidad está prohibida.
3. No se deben usar lotes arrendados con fines comerciales o comerciales; esto significa que no puede operar un negocio o almacenar materiales comerciales en su lote.
4. Las únicas tres cosas que debe tirar en el inodoro son las heces, la orina y el papel higiénico. Cualquier cosa que no sea soluble no debe ser puesta en la alcantarilla. Esto significa que no debe tirar toallas de papel, pañales desechables, toallas sanitarias, toallitas desechables o arena higiénica para gatos.
5. Ningún hogar o lote será subarrendado o puesto en posesión de otra parte. Todas las casas móviles y lotes solo deben ser ocupados por los solicitantes y los ocupantes que figuran en el contrato firmado. Antes de vender una casa, el inquilino debe contar con la aprobación por escrito de la administración. Para recibir y obtener la aprobación, el prospecto debe completar una solicitud, verificación de antecedentes y proporcionar una identificación con foto válida. Sin aprobación el hogar debe ser desalojado.

CARGOS DE REPARACIÓN:

La reparación de cualquier línea de servicio subterráneo dañada por la excavación o plantación en las instalaciones se cargará al residente correspondiente que cause el daño. La reparación de las áreas comunes y otras casas / edificios dañados por las actividades de un residente se cargará al residente que cause o participe en la causa del daño. Todas y cada una de las reparaciones que sean necesarias debido a negligencia o uso indebido por parte del Residente se cargarán a la cuenta de alquiler del lote del inquilino.

ADMINISTRACIÓN

1. El propietario se reserva el derecho de aumentar cualquier tarifa o cambio o alterar estas reglas, siempre que el propietario envíe a cada residente un aviso por escrito al menos 30 días antes del aumento de la tarifa del parque o el cambio de reglas.
2. La administración no será responsable por pérdidas o daños a un hogar o propiedad personal que sea propiedad del residente, a menos que sea causada por negligencia de la administración.
3. La administración no será responsable por accidentes, lesiones o pérdida de propiedad por incendio, robo, viento, inundaciones u otros actos naturales que estén fuera de su control. Los equipos y aparatos suministrados en el terreno son únicamente para la comodidad de los residentes y todas las personas que los usan lo hacen bajo su propio riesgo.
4. Hay ciertas reglas y ordenanzas para casas móviles establecidas por el condado y el estado que todos debemos cumplir. Estos serán estrictamente aplicados.
5. El propietario del parque se reserva el derecho, a su exclusivo criterio, de renunciar a cualquiera de estas reglas o más con respecto a cualquiera o más propietarios de viviendas. Renuncia a cualquier regla o derecho, a menos que se indique expresamente en el presente documento, ni una renuncia a nombre de ninguna persona o personas específicas se considerará una renuncia para personas no especificadas. CUALQUIER violación de las reglas anteriores podría ser causa de desalojo del parque.

MASCOTAS

NO SE PERMITEN ANIMALES DE GRANJA - esto incluye, pero no se limita a pollos, gallos, cabras, vacas o ovejas.

1. La presencia de todos los animales se informará al propietario del parque dentro de los cinco (5) días posteriores a la adquisición del animal o mascota. La administración requiere comprobante de registro para todas las mascotas que residen en el parque. Si actualmente tiene una mascota en su hogar, tiene 30 días a

partir de la fecha en que recibió las reglas y regulaciones del parque para proporcionar un comprobante de registro de su condado de residencia o retirar a la mascota de las instalaciones.

2. Se permiten mascotas registradas en el parque solo por un tiempo a) no se les permite correr sueltos en ningún momento b) nunca se encadenan fuera de la casa móvil. -Sólo están afuera mientras caminan con una correa. c) No molestan ni molestan a los vecinos.
3. Todos los excrementos de mascotas deben ser retirados por el dueño de la mascota del patio del propietario de la mascota o cualquier otro lugar o ubicación dentro de la comunidad donde la mascota pueda tener acceso. Cuando las mascotas son paseadas por las áreas comunes, el dueño de la mascota debe limpiar después del animal. Se impondrá una multa de $ 25.00 por incidente al propietario de cualquier mascota que no limpie después de su animal en ninguna parte de la comunidad, incluido su lote.
4. Todos los dueños de mascotas son responsables por cualquier daño causado por la mascota a la propiedad de la comunidad o la propiedad de otro residente. Dicho daño debe ser reparado y / o pagado por el dueño de la mascota.
5. No se permiten corridas de perros, casetas de perros, jaulas o áreas cercadas para mascotas. Todas las mascotas deben mantenerse dentro de la casa. En cualquier momento en que la mascota esté afuera, debe mantenerse con una correa y no puede dejarse desatendida.
6. No se permiten más de dos mascotas por hogar.
7. Bajo ninguna circunstancia se les permite a los gatos vagar por la propiedad
8. Se prohíbe cualquier propietario de casa que tenga un perro conocido como hostil, agresivo o que haya mordido o atacado previamente a alguien. La administración se reserva el derecho de exigir que una mascota sea removida de la comunidad en caso de un ataque serio o comportamiento agresivo.
9. Razas prohibidas: no se permiten razas específicas de perros o mezclas, incluidas aquellas razas
   a. Pitbull
   b. Chow
   c. Doberman
   d. Rottweiler
   e. Husky
   f. Gran danés
   g. Pastor Alemán
   h. Malamute

SEGURO REQUERIDO. La administración requiere prueba de seguro de cualquier residente que aloje a un perro o cualquier otra mascota en la comunidad. Se recomienda a los propietarios de viviendas que se pongan en contacto con su compañía / agente de seguros para asegurarse de que la cobertura de responsabilidad para mascotas se incluya en su póliza de propietario.

JUEGO EXTERIOR / EQUIPO DE RECREACIÓN

1. **No se permite el equipo de juego exterior, levantamiento de pesas o equipo de ejercicios, spa, hidromasaje o cualquier otra unidad, dispositivo o equipo.**
2. **No se permiten trampolines de cualquier tamaño.**
3. **No se permiten piscinas de cualquier tamaño.**
4. **No se permiten columpios.**

ALMACENAMIENTO ALREDEDOR Y BAJO EL HOGAR

1. Los neumáticos, los ejes, los enganches y los elementos no peligrosos de las casas móviles pueden almacenarse debajo de la casa manufacturada.
2. Se puede mantener hasta media cuerda de leña al menos a seis pies de la casa y 12 pulgadas por encima del suelo en un marco independiente.
3. Otros materiales combustibles o peligrosos están prohibidos. Los únicos artículos permitidos en un patio son:
4. Muebles de patio, mesas de picnic, macetas, todo en buenas condiciones.

5. Las bicicletas, los juguetes, los botes de basura, el equipo para el césped y el jardín, las herramientas y otros artículos grandes deben almacenarse en el cobertizo, debajo de la casa o fuera de la vista de la calle.
6. Las parrillas (gas o carbón) no pueden almacenarse en la terraza, el porche o los escalones de ninguna casa. Cuando esté en uso, la parrilla debe ubicarse al menos a 10 pies de cualquier estructura.

TALLER DE ALMACENAMIENTO

Cada lote tiene permitido un cobertizo de un tamaño y estilo aprobados según lo indique la administración. Los cobertizos deben cumplir con las regulaciones de salud con respecto a la proximidad a las estructuras vecinas. Ninguna estructura auxiliar puede construirse o colocarse en un cobertizo para crear un área de almacenamiento cubierta adicional. El cobertizo debe mantenerse en buen aspecto y condición.

DAÑO A LAS CONDUCCIONES,

1. Un propietario será responsable por daños a un área de patio, camino de entrada, aceras o patio.
2. La administración se reserva el derecho de cobrar una tarifa para corregir y / o limpiar cualquier área de la cual el propietario sea responsable.

NORMAS DE CONSTRUCCIÓN Y SEGURIDAD

1. Los tanques de petróleo y gas propano deben ubicarse en la parte trasera de la casa, y estar fuera de la vista de la carretera.
2. Los fuegos artificiales, fogatas abiertas y cualquier quema están prohibidos en la propiedad del parque y las áreas alrededor del parque.
3. Todas las casas móviles deben ser lavadas a presión anualmente.
4. Todas las viviendas que se colocarán en el lote de acuerdo con las especificaciones de administración y todas las conexiones a las líneas de agua, electricidad y alcantarillado deben ser aprobadas por la administración.
5. Todas las conexiones entre el medidor y la casa móvil deben ser realizadas por un electricista autorizado y aprobado por el propietario. El costo de tales conexiones y mantenimiento es responsabilidad de los residentes. Cada propietario será responsable de cualquier obstrucción de las líneas de alcantarillado, bombeo del sistema de alcantarillado debido al uso excesivo de agua debido a accesorios defectuosos o con fugas u otro uso perjudicial.

Summary of Tar Heel Community Engagement Meeting
November 19, 2020

Town staff, in partnership with EmPOWERment, Inc., held a community meeting for Tar Heel Mobile Home Park residents on November 19 to hear residents' thoughts about neighborhood issues and feedback on the development proposal under consideration for the side. At least ten residents attended the virtual meeting, and seven residents spoke. Below is a summary of the feedback received from those residents:

Feedback about the development proposal:

- Happy they would be fixing the traffic light and entrance to the neighborhood.
- Generally like the project and am happy with it.
- Don't understand the point of another gas station. There are already two nearby.
- Safety concerns between the new development and neighborhood. A fence might help but people can climb over a fence or go around.
- Concerns about how close the homes will be once everyone is relocated and the new buildings are built.
- Encourage the town to think about our most vulnerable population when considering affordable housing projects.

Feedback about the neighborhood:

- The lighting in the community needs improving. There are several areas of the community that are very dark.
- The intersection at the entrance and exit of the neighborhood is dangerous and there are car accidents.
- The roads in the neighborhood can be dangerous. Stop signs and other measures to slow down cars would be helpful. There are potholes in the roads. Roads are narrow and dangerous if cars are driving in different directions on the road at the same time.
- Trees are an issue. A resident was killed several months ago, and there continue to be dangerous branches falling that could hurt residents. Have sent requests to property management, but they have not improved tree safety.
- Concern that any improvements that are made to the neighborhood will be charged back to the residents.
- Management keep sending new rules and regulations but won't say how they're going to improve the neighborhood.
- There aren't options for kids to play in the neighborhood. Many of the rule changes have limited types of play equipment we can keep outside of our houses, which limits options available for kids.
- Concern that some neighbors may not be coming to the meetings or speaking due to worries they could be retaliated against.
- Believe that technology has been a barrier for many families to participate in the meeting and provide feedback.

Prepared by Town of Chapel Hill Housing and Community Staff – November 2020

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 6., **File #:** [21-0181], **Version:** 1 **Meeting Date:** 3/10/2021

Consider an Application for Conditional Zoning for Phi Gamma Delta, 108 W. Cameron Avenue to Rezone from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

See Staff Report on the next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Anya Grahn, Senior Planner

a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
b. Introduction and revised recommendation
c. Comment by the applicant
d. Comments and questions from the Mayor and Town Council
e. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
f. Motion to enact an Ordinance to abandon the Special Use Permit and rezone the property.

RECOMMENDATION: That the Council adopt the Resolution of Consistency; and enact Ordinance A, abandoning the Special Use Permit and approving the Conditional Rezoning.

CONSIDER AN APPLICATION FOR CONDITIONAL ZONING AT PHI GAMMA DELTA AT 108 WEST CAMERON AVENUE FROM OFFICE/INSTITUTIONAL-1 (OI-1) TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD)

STAFF REPORT TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Planning Director
Judy Johnson, Assistant Planning Director
Anya Grahn, Senior Planner

PROPERTY ADDRESS	DATE	APPLICANT
108 W. Cameron Avenue	March 10, 2021	Kevin R. Hornik, The Brough Law Firm, on behalf of Phi Gamma Delta

TOWN MANAGER RECOMMENDATION

That the Council adopt Resolution A, adopt the Resolution of Consistency, and enact Ordinance A, abandoning the Special Use Permit and approving the Conditional Zoning Atlas Amendment.

UPDATE SINCE DECEMBER 9 PUBLIC HEARING

No public comment was received at the public hearing on December 9. The Council continued this item at the January 13, 2021 meeting at the request of the applicant to March 10, 2021.

PROCESS

The Council approved a Special Use Permit (SUP) at this site on July 7, 1997, and the applicant is requesting to replace that entitlement with this Conditional Zoning application.

An SUP holder may request that the Council approve the abandonment of the permit if the development authorized by the permit or modification no longer requires a SUP and all conditions of the SUP have been satisfied. The applicant satisfied the SUP conditions prior to making new changes to the site without required building and zoning permits.

If the proposed Conditional Zoning is approved, the SUP would no longer be required. Conditional Zoning is a legislative process that allows the Council to review the zoning application for consistency with the Land Use Plan in the Comprehensive Plan.

On November 18, 2020, the Council continued this item to the December 9, 2020 meeting. At the request of the applicant, the Council deferred discussion of this item from the scheduled January 13, 2021 meeting to March 10, 2021.

DECISION POINTS

The applicant requests the following:

- Abandon the Special Use Permit, dated July 7, 1997 and replace it with Conditional Zoning.
- Limit the use to only a fraternity or sorority dwelling.
- Modify regulations to reduce required landscape buffers.
- Modify regulations to remove requirement for on-site parking.
- Increase the floor area by 1,547 sf for a total of 13,450 sf.

PROJECT OVERVIEW

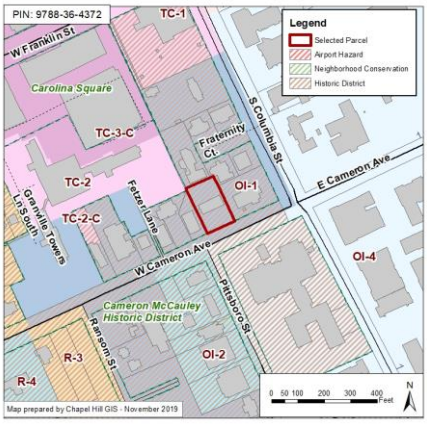
The applicant proposes abandoning the existing Special Use Permit (SUP) and replacing it with Conditional Zoning to allow the following:

- Enclose a rear porch increasing the floor area; and
- Remove all on-site parking.

The site is:

- Currently zoned Office/Institutional–1 (OI-1)
- Proposed zoning to Office/Institutional–3–Conditional Zoning District (OI-3-CZD)
- Lot size is 23,763 sq. ft. (0.55 acres)

PROJECT LOCATION



ATTACHMENTS

1. Technical Report
2. Project Fact Sheet
3. Draft Staff Presentation
4. Resolution A, Resolution of Consistency
5. Ordinance A, Abandoning the Special Use Permit and Approving the Application
6. Resolution B, Denying the Application
7. Applicant's Materials
8. Submitted Plans

TECHNICAL REPORT

KEY CONSIDERATIONS

1. Historic District Commission (HDC): At the March 10, 2020 meeting[1], the HDC recommended approval as proposed.
2. Environmental Stewardship Advisory Board (ESAB): At the April 14, 2020 meeting[2], ESAB recommended approval as proposed.
3. Transportation and Connectivity Advisory Board (TCAB): At the April 16, 2020 meeting[3], TCAB recommended approval with the following conditions:
    a. Applicant shall work with the Fire Department to ensure parking does not occur in the existing shared driveway and impede emergency vehicle access.
    b. Boulder bollards at the end of the driveway does not impede emergency vehicle access to the backyard.

    Staff Response: Staff has confirmed with the Fire Department that the proposed improvements would not impede access to the site.
4. Planning Commission: At the April 21, 2020 meeting[4], the Planning Commission recommended approval with the following conditions:
    a. The Town must determine whether fire sprinklers are required.

    Staff Response: Staff has confirmed that the new enclosed porch does have fire sprinklers and a fire alarm. Additionally, staff has incorporated the following condition of approval:

    33. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]

PROJECT OVERVIEW

January 17, 2019	The Town issues a Stop Work Order on the property for changes made to the site without the required permits. Changes include replacing screened openings on the porch

[1] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710237&GUID=3BD2619B-5EA0-43B9-81FA-816B401C8203&Options=info|&Search=
[2] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710353&GUID=DE1C3022-C223-4250-BF2B-BE48ED63CB7E&Options=info|&Search=
[3] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=774019&GUID=DC639C8B-7BB7-4CF8-9FF6-43423C13B574&Options=info|&Search=
[4] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710322&GUID=A0072D56-8445-4552-BD01-43E57F821856&Options=info|&Search=

	with windows creating floor area, installing new patio/hardscape, and removing on-site parking.
February 15, 2019	The Town issues a Notice of Violation to Phi Gamma Delta for violating the terms and conditions associated with maximum floor area and minimum parking requirements, as outlined in the July 7, 1997 Special Use Permit (SUP).
September 10, 2019	The Historic District Commission (HDC) approves an After-the-Fact Certificate of Appropriateness (ATF COA) for the replacement of screened openings with glass windows on the porch, expanding the floor area of the building; installation of a staircase from the rear deck to ground level as an emergency exit; installation of a fieldstone rear patio; and removal of on-site parking area and replacing with a lawn.
September 10, 2019	Concept Plan for changes already made to the Phi Gamma Delta presented to the HDC. The applicant presented the 1,044 square foot enclosure of a rear porch that increased the floor area as well as the previously removed on-site parking.
November 14, 2019	Applicant submitted a conditional zoning permit application to replace the 1997 SUP and seek approval for the changes made to the site without the required permits.
January 8, 2020	Concept Plan for Phi Gamma Delta presented to Council.
March- April 2020	Advisory Board review of the conditional zoning application.

The applicant proposes applying the Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to accommodate changes made to the site without the required permits. The total floor area of the building is 13,450 square feet, exceeding the allowable floor area in the current Office/Institutional-1 (OI-1) zoning district. More details about the proposed development can be found in the Application Materials.

Information about the site and the proposed zoning district can be found below, as well as the list of proposed Modifications to Regulations, the analysis of the project's consistency with the Comprehensive Plan, and relevant Findings of Fact.

Recommendations by the Historic District Commission (HDC), Housing Advisory Board (HAB), Environmental Stewardship Advisory Board (ESAB), Transportation and Connectivity Advisory Board (TCAB) and Planning Commission are included as attachments.

SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The subject site is located along West Cameron Avenue, within the Town of Chapel Hill town limits. The site has visibility to a high traffic volume; is along the route for over one dozen bus routes that travel through/near campus, including the '420', 'RU', 'A', 'CW' and 'CM' routes; and is located directly north of the Carolina Inn.

- Properties immediately to the east, west, and north the site are zoned Office/Institutional-1 (OI-1) and are developed with fraternity houses.
- Property directly to the northwest of the site is zoned Town Center-2 (TC-2).
- Phi Gamma Delta sits west of the intersection of South Columbia Street and Cameron Avenue. Directly across the street, the Carolina Inn is zoned Office/Institutional-4 (OI-4). To the west of the Carolina Inn and southwest of Phi Gamma Delta, the properties containing fraternity houses are zoned Office/Institutional-2 (OI-2).
- There are various multi-family, fraternity, and institutional buildings near the intersection of South Columbia Street and Cameron Avenue.
- There are no streams, stream buffers, floodplains, or wetlands impacting the site.

PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and allows site-specific standards to be formulated and applied as conditions through a legislative process. A –CZ suffix would be added to the zoning district designation to incorporate the approved conditions. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with Town regulations and adopted plans. A –CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant proposes a Conditional Zoning district for the site, as shown on the site plan: Office/Institutional-3-Conditional Zoning District (OI-3- CZD).

The Office/Institutional-3 (OI-3) Zoning District is characterized by the following standards:

- **Intent:** Section 3.3.5 of the Land Use Management Ordinance states that the Office/Institutional-3 (OI-3) district "is intended to provide for major educational, research, public service, and office uses, and their necessary support functions, while minimizing conflicts with adjacent land uses."

- **Permitted Uses**: As established in LUMO Table 3.7-1, permitted uses include (but are not limited to) offices and research activities; limited types of businesses; single-family and multifamily residential; fraternity dwellings, and public/institutional facilities.
    - The Conditional Zoning application proposes limiting uses to fraternity or sorority dwelling.
    - The existing Office/Institutional-1 (O-1) zoning limits fraternity dwellings as a special use.

- **Dimensional Standards:** As established in LUMO Table 3.8-1, standards for Office/Institutional-3 include:

	OI-1	OI-3	Proposed
Setbacks:			
Street	24 ft.	0 ft.	24 ft.
Interior	8 ft.	0 ft.	8 ft.
Solar	11 ft	0 ft.	11 ft.
Building Height	29 ft. primary 60 core	N/A	48 ft.

	OI-1	OI-3	Proposed
Floor Area	0.264 (6,266 SF)	0.566 (13,464 SF)	0.566 (13,450 SF)

The proposed zoning would moderately increase the development potential for the site in terms of building scale.

- **Design and Development Standards**: Other standards (including landscape buffers, parking ratios, etc.) are established in LUMO Article 5 and are applicable. The LUMO also has special regulations for fraternity or sorority houses. Section 6.3 requires a minimum of 250 square feet of floor area for each resident.

  The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans.

PROPOSED MODIFICATIONS TO REGULATIONS:

1) **Section 3.7.3 Use Groups Modification:** The applicant proposes to limit the allowed uses on the site to a fraternity or sorority dwelling.

   Staff Comment: Staff believes that Council could find a public purpose for this as the use memorializes the existing fraternity dwelling and is consistent with the neighboring properties.

2) **Section 4.5.5 (d) Abandonment of Special Use Permit:** The applicant proposes to abandon the 1997 SUP for the fraternity house and replace it with conditional zoning in order to maintain the changes made without the required permits.

   Staff Comment: An SUP holder may request that the Council approve the abandonment of the permit if the development authorized by the permit or modification no longer requires a SUP and all conditions of the SUP have been satisfied. Staff finds that the applicant had satisfied the SUP conditions prior to making changes to the site without the required permits. If the proposed Conditional Zoning is approved, the SUP would no longer be required.

3) **Section 5.6.6 Schedule of required buffers:**

Location	Required Buffer	Proposed Buffer
West – shared driveway	10-foot Type 'B'	Modified buffer*
North	10-foot Type 'B'	Alternative buffer*
East	10-foot Type 'B'	Alternative buffer*
South – W. Cameron Avenue	20-foot Type 'C'	Modified buffer*

**No change proposed*

Staff Comment: Since the applicant is not proposing changes to the existing bufferyards, staff believes that the Council could find a public purpose for the reduced buffer width and plantings. A low stone wall (approximately eighteen inches in height) wraps the front yard along the driveway and four-foot deep planting bed behind the wall along the Cameron Avenue frontage provides a modified bufferyard. The house is set back almost 75 feet from the front property line. There is an alternate buffer along the north (rear) of the lot provided by a six foot tall (6') stone wall that extends across the back of the

property where the topography drops down and abuts the Sigma Nu fraternity to the north. An alternate buffer is also provided along the east (side) property line where hedges, including mature holly plants, divide the Phi Gamma Delta property from Delta Kappa Epsilon.

A fire in May 1996 destroyed much of the original building that had housed the Phi Gamma Delta fraternity. On July 7, 1997, the Town Council approved a Special Use Permit (SUP) for the reconstructed fraternity house and shed measuring 10,870 square feet in floor area. The SUP required eight to twelve parking spaces behind the house. At that time, a modification to the required 10-foot wide internal bufferyard was granted along the west side of the property, as there was an existing shared driveway along the west property line.

Council Findings and Public Purpose: The Council has the ability to modify the regulations according to Section 4.5.6 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.

For additonal information on the proposed modifications, please refer to the Applicant's Materials.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff reviewed this application for compliance with the themes from the 2020 Comprehensive Plan[5], the standards of the Land Use Management Ordinance[6], and the Town of Chapel Hill, NC : Design Manual and Standard Details[7] and offers the following evaluation:

Comprehensive Plan Themes: The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

☐		Create a Place for Everyone	☐		Develop Good Places, New Spaces
☐		Support Community Prosperity	☐		Nurture Our Community
☐		Facilitate Getting Around	☒		Grow Town and Gown Collaboration

Staff believes the Phi Gamma Delta proposal complies with the above theme of the 2020 Comprehensive Plan.

[5] http://www.townofchapelhill.org/home/showdocument?id=15001
[6] https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA
[7] http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details

Land Use Plan: The 2020 Land Use Plan[8], a component of the 2020 Comprehensive Plan, designates this site for Town/Village Center. The 2020 Land Use Plan also designates this site as part of the Downtown Chapel Hill Future Focus Discussion Area.[9]

Staff Evaluation: North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the Office/Institutional-3 (OI-3) zoning district is to encourage uses supporting the university, such as educational, research, public service, and office uses. It also speaks to minimizing conflicts with adjacent land uses, which is consistent with the 2020 Land Use Plan. The site is in the Downtown Study Area, which calls for multifamily residences along Cameron Avenue.

- The site is located in the Downtown/Area 1 Future Focus Discussion Area. Chapel Hill 2020 characterizes Downtown as an area with opportunities "to preserve the historic/small-town character" of the adjacent residential areas including the Historic District. The plan also identifies traffic congestion, pedestrian and bicycle access, safety, and parking as key issues.

- The applicant states that the increased floor area provides additional space for student residents in the Phi Gamma Delta fraternity house. Further, the replacement of the parking area with green space improves a congested parking area and promotes safety on site.

- The Mobility and Connectivity Plan calls for Cross Cities Connector links along Cameron Avenue. One of the suggested improvements is a two-way cycle track from Merritt Mill Road to Pittsboro Road, directly southwest of Phi Gamma Delta.

- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application.

FINDINGS OF FACT

To establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

A. To correct a manifest error in the chapter; or
B. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
C. To achieve the purposes of the Comprehensive Plan.

The Staff evaluation of this application is based on the three findings. Further information may be presented for the Council's consideration during the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

[8] http://www.townofchapelhill.org/home/showdocument?id=1215
[9] https://www.townofchapelhill.org/town-hall/departments-services/chapel-hill-2020/future-focus-areas

1.) **Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.

Arguments in Support: To date, no arguments in support have been submitted or identified by staff.

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that there is no manifest error in the Town's Zoning Atlas Amendment related to the project site.

2.) **Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

Arguments in Support: To date, no arguments in support have been submitted or identified by staff.

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that there has been no change or changing conditions in a particular area or in the jurisdiction generally.

3.) **Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

Arguments in Support: The applicant's Statement of Consistency states that the proposed rezoning would contribute to the following elements of the Comprehensive Plan:

- Contribute to providing housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students (*Goal Town and Gown Collaboration.4)*
- Contribute to housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4)*

Arguments in Opposition: To date, no arguments in opposition have been submitted or identified by staff.

Staff Response: We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

PROJECT FACT SHEET

Overview

Site Description	
Project Name	Phi Gamma Delta
Address	108 West Cameron Avenue
Property Description	Existing Fraternity
Property Size	23,763 SF (0.55 acres)
Existing	Fraternity Dwelling
Orange County Parcel Identifier Numbers	9788-36-4372
Existing Zoning	Office/Institutional-1 (OI-1)
Proposed Zoning	Office/Institutional–3–Conditional Zoning (OI-3-CZ)

Topic	Comment	Status
Use/Density (Sec 3.7)	Fraternity	✓
Dimensional Standards (Sec. 3.8)	no required street, interior, or solar setbacks in the OI-3 Zoning District	✓
Floor area (Sec. 3.8)	Maximum: 13,464 sq. ft. Proposed: 13,464 sq. ft.	✓
Modifications to Regulations (Sec. 4.5.6)	• Limit use to Fraternity/Sorority House • Eliminate required parking • Eliminate western buffer	**M**
Adequate Public Schools (Sec. 5.16)	Not applicable	✓
Inclusionary Zoning (Sec. 3.10)	Not applicable	✓
Landscape		
Buffer – North (Sec. 5.6.2)	10’ Internal Type “B” buffer	✓
Buffer – East (Sec. 5.6.2)	10’ Internal Type “B” buffer	✓
Buffer – South (Sec. 5.6.2)	15’ Modified External Type “B” buffer	**M**
Buffer - West (Sec. 5.6.2)	Reduced Modified 0’ Internal Type “B”	**M**
Tree Canopy (Sec. 5.7)	Tree canopy coverage standards are required for applications proposing tree removal that require council approval. No tree removal is proposed at this time.	✓
Landscape Standards (Sec. 5.9.6)	Not applicable	✓

Environment		
Resource Conservation District (Sec. 3.6)	Not applicable	
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required, if greater than 20,000 square feet of land disturbance.	
Steep Slopes (Sec. 5.3.2)	Not applicable	
Stormwater Management (Sec. 5.4)	No stormwater measures are required at this time.	
Land Disturbance	4,912 sq. ft.	
Impervious Surface (Sec. 3.8)	16,634 sq. ft. (70% of gross land area)	
Solid Waste & Recycling	Private trash pickup; County recyclable pickup	
Jordan Riparian Buffer (Sec. 5.18)	Not applicable	
Access and Circulation		
Road Improvements (Sec. 5.8)	Not applicable	
Vehicular Access (Sec. 5.8)	There is an existing concrete driveway along the west side of the site that will remain.	
Bicycle Improvements (Sec. 5.8)	16 existing spaces	
Pedestrian Improvements (Sec. 5.8)	Existing sidewalk along frontage	
Traffic Impact Analysis (Sec. 5.9)	Traffic Impact Analysis not required.	
Vehicular Parking (Sec. 5.9)	None proposed on-site. Minimum vehicular parking requirements do not apply for uses within the OI-3 zoning district. Bollards have been added to the end of the driveway to keep the residents from parking on the lawn in the backyard.	
Transit (Sec. 5.8)	Site is served by over one-dozen bus routes, including the '420', 'RU', 'A', 'CW' and 'CM' routes	
Electric Vehicle Parking	None proposed	
Parking Lot Standards (Sec. 5.9)	No parking on site	

Technical		
Fire	No fire flow studies or reports required at this time.	✓
Site Improvements	Removal of parking to expand lawn area.	✓
Recreation Area (Sec. 5.5)	Not applicable	✓
Lighting Plan (Sec. 5.11)	Not applicable	✓
Homeowners Association (Sec. 4.6)	Not applicable	✓

Project Summary Legend

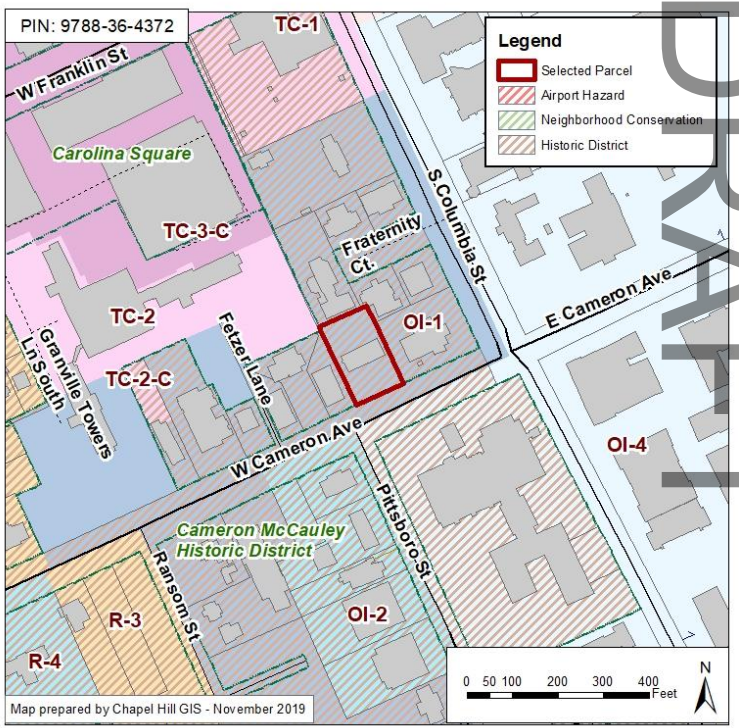
Symbol	Meaning
✓	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plan;
NA	Not Applicable

Phi Gamma Delta—108 W. Cameron

Conditional Zoning

Town Council
Regular Meeting

March 10, 2021



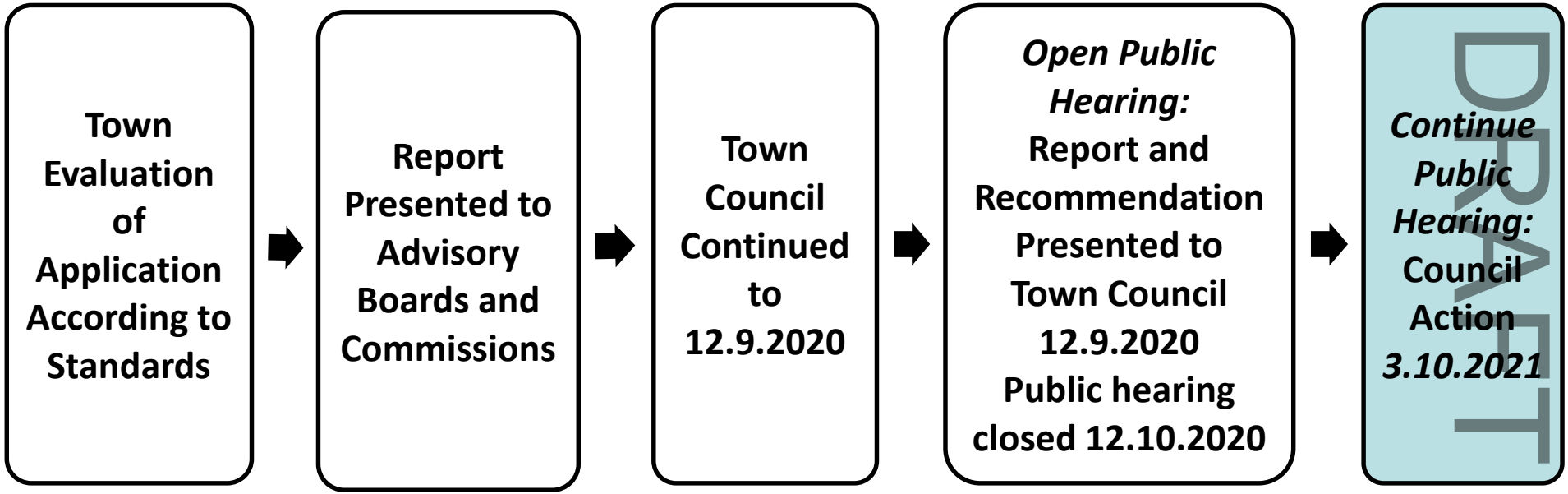
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Phi Gamma Delta– Recommendation

- Adopt Resolution A, Resolution of Consistency
- Enact Ordinance A, abandoning the SUP and approving the Conditional Zoning application

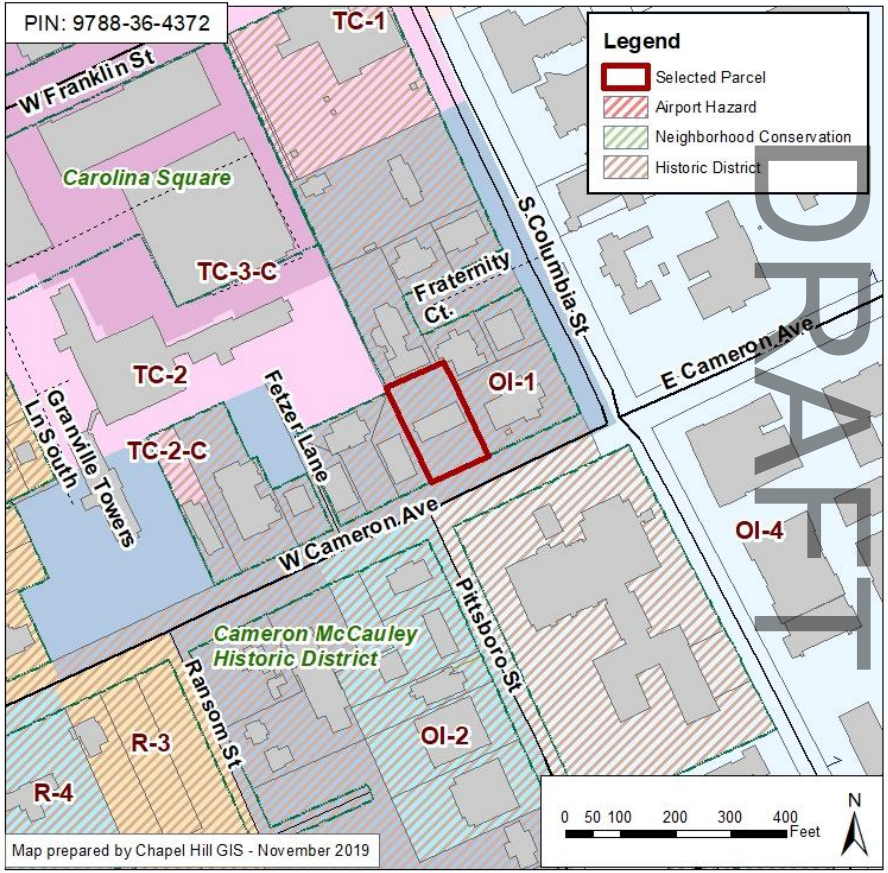
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Phi Gamma Delta– Process



Phi Gamma Delta– Project Summary

- 23,763 SF (0.55 acres)
- Zoning
  - Currently OI-1
  - Proposing OI-3-CZ
- Cameron-McCauley Historic District
- Additional floor area of 1,044 SF
- Removal of parking



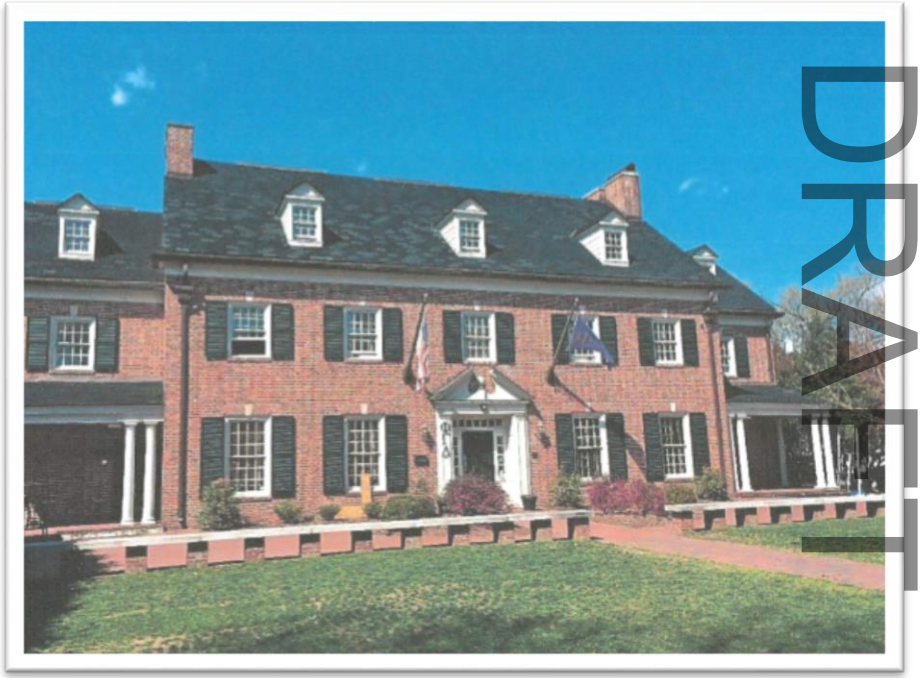
Phi Gamma Delta - Existing Special Use Permit (SUP)

- July 7, 1997: Town Council approved a Special Use Permit (SUP) for fraternity house
- Applicant requesting to abandon the existing SUP and replace it with Conditional Zoning District

DRAFT

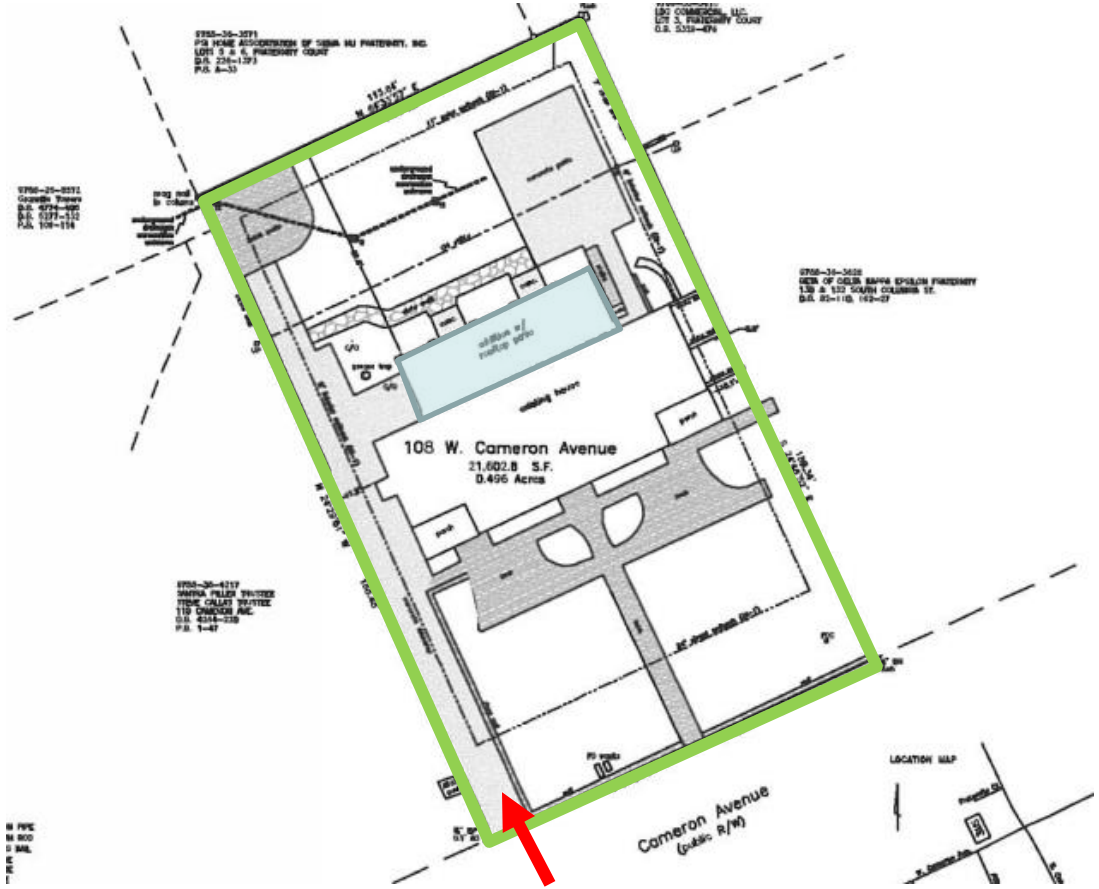
Phi Gamma Delta – Existing Conditions





DRAFT

Phi Gamma Delta – Site Plan



DRAFT

Phi Gamma Delta– Advisory Boards

Advisory Boards/ Commissions	Recommendation	Conditions
HDC	Approval	None
ESAB	Approval	None
TCAB	Approval	Concerns about fire access- RESOLVED
Planning Commission	Approval	Concerns about fire sprinklers on the porch- RESOLVED

DRAFT

Phi Gamma Delta– Recommendation

- Adopt Resolution A, Resolution of Consistency
- Enact Ordinance A, abandoning the SUP and approving the Conditional Zoning application

DRAFT

RESOLUTION A
Resolution of Consistency

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT TO REZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-03-10/R-5)

WHEREAS, Kevin Hornik, The Brough Law Firm, has filed an application for Conditional Zoning Atlas Amendment on behalf of Epsilon of Phi Gamma Delta, Inc. to rezone a 0.55-acre parcel located at 108 West Cameron Avenue and identified as Orange County Parcel Identifier Number 9788-36-4372 to Office/Institutional-3-Conditional Zoning District (OI-3-CZ) to allow 13,450 square feet of floor area fraternity or sorority dwelling type use; and

WHEREAS, the Town staff have completed a review of the application for compliance with the Land Use Management Ordinance, Town Code, and for Consistency with the Comprehensive Plan; and

WHEREAS, the Planning Commission reviewed the application on April 21, 2020 and recommended that the Council enact the Zoning Atlas Amendment rezoning the property; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment on behalf of Epsilon of Phi Gamma Delta, Inc. to rezone and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community. (*Town and Gown Collaboration.4*)
- Housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4)*

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the 10th day of March, 2021.

ORDINANCE A

(Abandoning the Special Use Permt and Approving the Conditional Zoning Application)

AN ORDINANCE APPROVING AN ABANDONMENT OF THE 108 WEST CAMERON AVENUE SITE FROM THE EXISTING PHI GAMMA DELTA SPECIAL USE PERMIT AND AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL–3–CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #19-127) (2021-03-10/O-2)

WHEREAS, on July 7, 1997, the Chapel Hill Town Council approved a Special Use Permit for a fraternity dwelling, known as Epsilon of Phi Gamma Delta, Inc., encumbering 23,763 square feet and approximately 0.55 acre, which was recorded at the Orange County Register of Deeds in Deed Book 1776, Page 335, identified as Orange County Parcel Identifier Number (9788-36-4372); and

WHEREAS, the 1997 Special Use Permit limited the Phi Gamma Delta Fraternity to no more than 10,870 square feet of floor area (10,770 sq. ft. for the house, 100 sq. ft. for the shed) and eight to twelve parking spaces; and

WHEREAS, on April 12, 2012, the Historic District Commission (HDC) approved a Certificate of Appropriateness (COA) that included a raised patio (loggia) with screened porch below and restriping parking spaces; and

WHEREAS on March 26, 2018, staff issued a Zoning Compliance Permit (ZCP) for the construction of a raised patio (loggia) with screened porch below; doors, transoms, and lighting; parking lot restriping; and stormwater drainage redesign to be completed in accordance with the 2012 COA; and

WHEREAS on February 15, 2019, staff issued a Notice of Violation to Phi Gamma Delta due to changes to the property that occurred without required permits. These changes included replacing screened openings with windows, installing a new stone patio, and removing parking spaces in the backyard; and

WHEREAS on October 31, 2019, Phi Gamma Delta submitted a request to abandon the Special Use Permit and apply for Conditional Zoning to rezone the property from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Kevin Hornik, The Brough Law Firm, on behalf of Epsilon of Phi Gamma Delta, Inc., to rezone a 0.55-acre parcel located at 108 West Cameron Avenue on property identified as Orange County Property Identifier Number 9788-36-4372, to allow an addition of 1,547 square feet of floor area to an existing fraternity house and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community. (*Town and Gown Collaboration.4*)
- Housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4)*

WHEREAS, the application, if rezoned to Office/Institutional–3–Conditional Zoning (OI-3-CZ) according to the rezoning plan dated October 31, 2019, and the conditions listed below would:

1. Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
2. Conform with the Comprehensive Plan
3. Be compatible with adjoining uses
4. Mitigate impacts on surrounding properties and the Town as a whole
5. Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
6. Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

MODIFICATIONS TO REGULATIONS

WHEREAS, the Council of the Town of Chapel Hill finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:"

Section 3.7.3 Use Group Modification: Modify the Use Group to limit only fraternity or sorority dwellings at this site.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges that this site has historically been used as a fraternity and that the fraternity or sorority use is consistent with the neighboring properties.

Section 4.5.5 (d) Abandonment of Special Use Permit (SUP): Modify the requirement to allow the applicant to abandon the SUP when the development or use authorized by the permit or modification no longer requires a special use permit and not all conditions of the special use permit are currently satisfied.

This finding is based on the determination that public purposes are satisfied to an equivalent or greater degree as the conditions of the 1997 SUP were satisfied prior to the applicant making changes without the required permits in 2018.

Section 5.6.6 Buffer Modification: Reduce the required 10-foot internal interior Type "B" buffer requirement along the west lot line by maintaining the alternate buffer.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the applicant is not proposing to change the existing bufferyards. There is an existing low stone wall and four-foot deep planting bed along Cameron Avenue. There is an alternate buffer along the north (rear) of the lot provided by a six foot tall (6') stone wall that extends across the back of the property where the topography drops down and abuts the Sigma Nu fraternity to the north. An alternate buffer is also provided along the east (side) property line where hedges, including mature holly plants, divide the Phi Gamma Delta property from Delta Kappa Epsilon. There is there is an existing shared driveway and an existing low (18") stone wall along the west side of the front yard that provides an alternate buffer along the west side of the property.

CONDITIONAL ZONING DISTRICT

WHEREAS the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses allowed in Office/Institutional-3 (OI-3), subject to the conditions below, satisfies the purposes of Office/Institutional–3–Conditional Zoning District (OI-3-CZD):

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

SECTION I

The following Orange County parcel identified by Parcel Identifier Number (PIN) 9788-36-4372 along with one-half of the abutting right-of-way of West Cameron Avenue on the southern side of the parcel, described below, shall be rezoned to Office/Institutional–3–Conditional Zoning District (OI-3-CZD):

Beginning at an existing iron pin having NC Grid coordinates of N=786,330.55 and East=1,983,671.01 and located in the norther right-of-way line of West Cameron Street, said existing iron pin located South 38 degrees 04 minutes 31 seconds West 304.18 feet from NCGS "Brick Walk" having coordinates North=786,569.99 and East 1,983,858.58, and running thence along and with the northern right-o-way line of West Cameron Street South 64 degrees 33 minutes 40 seconds West 114.74 feet; thence North 24 degrees 56 minutes 20 seconds West 188.16 feet to a parker kalon nail in the top of a stone column; thence North 63 degrees 57 minutes 40 seconds East 113.75 feet to an existing iron pin; thence South 25 degrees 11 minutes 10 seconds East 39.05 feet to an existing iron pin; thence South 25 degrees 15 minutes 30 seconds East 150.30 feet to the point and place of Beginning, containing .495 acres and being the property shown on the survey entitled, "Foundation Location of Epsilon of Phi Gamma Delta, Inc." by John C. Atkins, RLS, dated May 8, 1999.

SECTION II

The following conditions are hereby incorporated by reference:

1. Abandonment Document: The applicant shall record the abandonment document for the parcel identified as Orange County Parcel Identifier Number (PIN 9788-36-4372), for the proposed Phi Gamma Delta Special Use Permit, dated July 7, 1997.

2. Expiration of Conditional Zoning Atlas Amendment: An application for Zoning Compliance Permit must be filed by March 10, 2023 (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]

3. Consent to Conditions: This approval is not effective until the petitioner provides written consent to the approval. Written consent must be provided within ten (10) days of enactment by the Town Council.

4. Land Use: The use of this property is limited to a *Fraternity or Sorority Dwelling,* subject to no more than 13,450 square feet of floor area.

5. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Use: Fraternity or Sorority, Dwelling Type	
Number of Buildings	1
Gross Land Area	23,763 sq. ft. (0.55 acres)
Maximum Floor Area	13,450 sq. ft.
Total Impervious Surface	16,634 sq. ft. or 70%
Maximum Land Disturbance	4,912 sq. ft.
Maximum Parking Spaces	No maximum required
Minimum Parking Spaces	No minimum required
Minimum Bicycle Parking Spaces	16 spaces

6. Parking: The applicant has removed on-site parking and has committed to renting parking spaces at a neighboring site for the fraternity residents. The applicant shall install "No Parking" signs on the property to prevent parking from occurring in the driveway and on the grass.

7. Landscape Bufferyards: The following landscape bufferyards shall be provided:

Location	Type
West	Modified Type "B"
North	Alternative Type "B"
East	Alternative Type "B"
South	Modified Type "C"

8. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval shall be required from the Historic District Commission for any proposed alternate buffer. [LUMO 5.6.8]

9. Fraternity or Sorority Special Regulations: A minimum of 250 square feet of floor area shall be provided for each resident. [LUMO 6.3]

10. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Historic District Commission shall approve a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]

11. Historic District Commission Approval: This site is located in the Cameron-McCauley Historic District. The Historic District Commission shall exercise, within the historic district, all powers and duties of the Chapel Hill Community Design Commission. Exterior changes to the building or site may require Historic District Commission approval of a Certificate of Appropriateness (COA).

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS

Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by a Conditional Zoning Atlas Amendment. The following standard stipulations are supplemental to site-specific conditions as set by Town Council.

Access

12. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the applicant shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

Transportation

13. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards described in the Town Design Manual. [LUMO 4.5.2]

14. Driveway Permit: The applicant must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fees, and any necessary performance and indemnity bonds.

Landscaping and Building Elevations

15. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the applicant shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]

16. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Historic District Commission for any proposed alternate buffer. [LUMO 5.6.8]

17. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]

18. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the applicant shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]

19. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. [LUMO 4.5.3]

20. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]

21. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

22. Demolition Plan: Prior to beginning any proposed demolition activity, the applicant must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).

23. Lighting Plan Review: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]

24. Community Design Commission Review: The Community Design Commission shall review the building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.5.5] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission. [LUMO 8.4.6]

Environment

25. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance.

26. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [Town of Chapel Hill Design Manual]

27. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy. [Town Design Manual Chapter 10]

28. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient"

feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]

29. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

Water, Sewer, and Other Utilities

30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The applicant shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.3]

31. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]

32. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. [LUMO 5.12.1]

33. OWASA Approval: Prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]

34. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

Fire Safety

35. Fire Sprinklers: The applicant shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]

36. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]

37. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC –2018, 503.2.7, 503.2.8 and D103.2]

38. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.

39. Fire Department Connections and Standpipes: When the building being constructed requires standpipes, a temporary standpipe connection will be constructed with ready Fire Department Access when the building is not more than 40 feet in height. Such standpipes shall provide usable connections adjacent to the stairs and shall continue with building progression always being not more than one floor below the highest floor of the building. [NC FPC 912 & NC FPC 2018 3313]

40. Fire Command Center: Where required in the North Carolina Fire Protection Code and in all high rise buildings, a fire command center must be constructed in accordance with Section 508, NC FPC 2018.

41. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]

42. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1,503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]

43. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.

44. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]

45. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.

46. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]

47. Hydrants Active: The applicant shall provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]

48. Fire Hydrant and FDC Locations: The Final Plans shall indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC 2018 Section 501.5.1.1]

49. Firefighting Access During Construction: Vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC FPC 2018, Section 3310.1]

50. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]

51. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC FPC 2018, 506]

52. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 and Town Code 7-56 is required to be installed in non-residential construction.

53. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NC FPC 2018 and Town Code 7-38 for location. FDCs shall be

installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5" siamese.

54. Fire Department Connections, Installation: A working space of not less than 36 inches in width and depth and a working space of 78 inches in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected from impacts by an approved barrier. [NC FPC 2018, 912.1, 912.2 912.2.1, 312]

55. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.

56. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]

57. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]

58. Emergency Responder Radio Coverage in New Buildings: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. [NC FPC 2018 Section 510.1]

Solid Waste Management and Recycling

59. Solid Waste Management Plan: Prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager and Orange County Solid Waste (OCSW). The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the applicant shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]

State and Federal Approvals

60. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]

61. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

Miscellaneous

62. Detailed Plans: Prior to the issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Chapel Hill Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]

63. As-Built Plans: Prior to the issuance of a Certificate of Occupancy, the applicant shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [Town Design Manual Chapter 10]

64. Vested Right: Approval of a Conditional Zoning District and the associated district-specific plan constitutes a site specific development plan establishing a vested right. During the period of vesting, this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.

65. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.

66. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

67. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Council hereby abandons the Special Use Permit for 108 West Cameron Avenue, known as Epsilon of Phi Gamma Delta, Inc., as it pertains to the 0.55-acre parcel, for which the Phi Gamma Delta Conditional Zoning Permit is approved. The abandonment of the Special Use Permit and Modifications would be such that the subject parcel for the Phi Gamma Delta Conditional Zoning District (PIN 9788-36-4372), would no longer be encumbered by the Special Use Permit, subject to the following condition: The Council hereby approves the application for an amendment of the Chapel Hill Zoning Atlas to zone the property located at 108 West Cameron Avenue to Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

This the 10th day of March, 2021.

RESOLUTION B
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO ZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL–3–CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #19-127) (2021-03-10/R-6)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Kevin Hornik, The Brough Law Firm on behalf of Epsilon of Phi Gamma Delta, Inc., to zone a 0.55-acre parcel located at 108 West Cameron Avenue on property identified as Orange County Property Identifier Number 9788-36-4372, if zoned to Office/Institutional–3–Conditional Zoning District (OI-3-CZD) according to the rezoning plan dated October 31, 2019, and the conditions listed below would not:

a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code

b) Conform with the Comprehensive Plan

c) Be compatible with adjoining uses

d) Mitigate impacts on surrounding properties and the Town as a whole

e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities

f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to zone the property located at 108 West Cameron Avenue to Office/Institutional–3–Conditional Zoning District (OI-3-CZD).

This the 10th day of March, 2021.

THE BROUGH LAW FIRM, PLLC

G. Nicholas Herman herman@broughlawfirm.com
Robert E. Hornik, Jr. hornik@broughlawfirm.com
T.C. Morphis, Jr. morphis@broughlawfirm.com
Albert M. Benshoff benshoff@broughlawfirm.com
S. Ellis Hankins hankins@broughlawfirm.com
Kevin R. Hornik khornik@broughlawfirm.com
Brady N. Herman bherman@broughlawfirm.com

31 October 2019

Town of Chapel Hill
Office of Planning and Sustainability
405 Martin Luther King Jr. Boulevard
Chapel Hill, North Carolina 27514

Re: Phi Gamma Delta Conditional Rezoning Application for 108 W. Cameron Ave.

To Whom It May Concern,

Please find enclosed the required Conditional Rezoning Application and application materials, submitted by Epsilon of Phi Gamma Delta (hereinafter, the "Applicant"). Additionally, this letter is intended to provide a brief explanation of the procedural history of this property and of the Applicant's efforts to correct certain zoning violations.

Sometime prior to February 22, 1947, a structure was built at 108 W. Cameron Avenue (hereinafter, the "Subject Property") which came to be used as a fraternity house for Epsilon of Phi Gamma Delta. In May of 1996 the structure burned down during a tragic fire, leaving only portions of the exterior façade standing. On July 7, 1997, the Town of Chapel Hill Town Council issued a Special Use Permit, recorded in the Orange County Registry in Book 1776 at Page 335, to the Applicant for the construction or reconstruction of a fraternity house located at the Subject Property. Construction began sometime in 1998 and was completed in the summer of 1999. The Special Use Permit required, in relevant part, that the Applicant be limited to 23,769 square feet of Gross Land Area and 10,870 square feet of Floor Area and required the Applicant to provide eight to twelve parking spaces.

The Applicant's proposed rezoning to OI-3-CZ is made at the recommendation of Town Staff and is intended to remedy certain violations of the Town's Land Use Management Ordinance (hereinafter, the "LUMO") currently existing on the Subject Property. Currently, the Subject Property violates the Floor Area limitation and on-site parking requirement imposed by the existing Special Use Permit.

After first securing a Zoning Compliance Permit and Building Permit from the Town, the Applicant constructed a "[r]aised patio (loggia) with screened porch below[.]" However, as a

result of post-construction practical difficulties with drainage and rain water accumulating inside of the structure, the Applicant installed glass windows in place of the approved screened panels. This resulted in an increase in Floor Area beyond that permitted by the Special Use Permit. Additionally, as part of the project, the Applicant removed the on-site parking lot. This was done in an effort to eliminate parking and vehicle congestion on site—an issue which the Applicant is especially sensitive to, following the 1996 fire.

The installation of glass windows on the new structure, as well as other improvements to the property (including the removal of on-site parking, the installation of an exterior stairway from the top deck to ground level, and the installation of a fieldstone patio at the rear of the Subject Property) were approved by the Town's Historic District Commission at the Commission's September 10, 2019 meeting. At that time, the Commission issued an After-the-Fact Certificate of Appropriateness for those improvements and also recommended approval of the Applicant's Concept Plan, pursuant to Section 8.4.6(q) of the LUMO. As of the date of this letter, the Town Council (or a subcommittee, appointed pursuant to Section 4.3.2(e)(1) of the Land Use Management Ordinance) has not yet reviewed the Applicant's Concept Plan.

The Applicant proposes to rezoning the Subject Property, which is currently zoned OI-1, to OI-3-CZ. The Applicant proposes to subject the Subject Property to the same standards applicable to the parallel OI-3 district with no modifications or variations, except to limit the use of the Subject Property to Fraternity Dwelling use, which is a permitted use in the OI-3 district and is permitted with a Special Use Permit in the OI-1 district. The Applicant does not intend to change the use of the Subject Property, nor does the Applicant intend to further develop the Subject Property at this time. Rather, the Applicant simply seeks a rezoning of the Subject Property and to continue to use the Subject Property for the purposes for which it is already used.

Due to the unique procedural posture of the Applicant's proposed Conditional Zoning of the Subject Property, much of the information requested in the Conditional Zoning Application is irrelevant. As a result, the Applicant has not included a Stormwater Impact Statement, a formal Area Map, an Existing Conditions Plan, a Detailed Site Plan, a Stormwater Management Plan, a Landscape Protection Plan, a Planting Plan, a Steep Slope Plan, a Grading and Erosion Control Plan, a Streetscape Plan, a Solid Waste Plan, a Construction Management Plan, or an Energy Management Plan. Instead, the Applicant has included the exterior elevations of the structure, as it currently exists, and an As-Built Survey of the Subject Property. These documents should be sufficient to demonstrate the existing condition of the Subject Property and the structure located thereon. The Applicant does not seek approval to perform additional construction on the Subject Property as part of this Application.

Pursuant to Section 4.4.5(d) of the LUMO, the Town Council's review of the Applicant's proposed rezoning to OI-3-CZ shall be based on the criteria described in Section 4.4.3(f)(2) of the LUMO. Those criteria are:

"a. The conformity of the application with the applicable provisions of [the Land Use Management Ordinance] and town Code.
b. The conformity of the application with the comprehensive plan.
c. The compatibility of the proposed application with adjoining uses.

d. The impacts of the proposed application on the surrounding properties and town as a whole.
e. The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities. [and]
f. The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints."

In response to the criteria requiring "conformity of the application with the applicable provisions of [the Land Use Management Ordinance] and town Code," the Applicant submits that the Applicant does not intend to perform any additional development on the Subject Property at this time. The Subject Property and structure located thereon conform to all standards and provisions of the LUMO for the OI-3 district. The Applicant does not seek to increase or vary those standards in this Application. Therefore, it is clear that the Applicant's proposal conforms with the applicable provisions of the LUMO and Town Code.

In response to the criteria requiring "conformity of the application with the comprehensive plan," the Applicant submits that the Applicant's proposed rezoning conforms with the Town's 2020 Comprehensive Plan. The proposed rezoning is consistent with the Goals identified under Theme 6, found on Page 37 of the Comprehensive Plan. Specifically, the proposed rezoning will help to provide "[h]ousing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (TGC.4)." The proposed rezoning provides additional space for students residing at the Phi Gamma Delta fraternity house through the increase in permitted floor area, provides additional green space for those same students through the removal of impervious on-site parking, and promotes safety of those students residing on the Subject Property by removing a congested parking area. Therefore, it is clear that the Applicant's proposal conforms with the Town's 2020 Comprehensive Plan.

In response to the criteria requiring "compatibility of the proposed application with adjoining uses," the Applicant submits that the proposed rezoning is compatible with adjoining uses, all of which are also "Fraternity Dwelling" uses, because the proposed rezoning does not include a change in use of the Subject Property. The Applicant proposes to rezone the Subject Property to OI-3-CZ in an effort to achieve increased permitted floor area and to eliminate the on-site parking requirement while assuring the Town that the existing "Fraternity Dwelling" use, which is permitted in the current zoning OI-1 district and in the OI-3 district, will remain unchanged. Therefore, it is clear that the Applicant's proposal is compatible with the adjoining uses.

In response to the criteria asking the Town Council to consider the "impacts of the proposed application on the surrounding properties and town as a whole," the Applicant submits that the proposed rezoning will have little or no effect on the surrounding properties and Town as a whole. The proposed rezoning will not change the current use of the property as a "Fraternity Dwelling." The proposed rezoning will permit the increased floor area resulting from the "enclosure" of the covered patio area with glass windows, which has no impact on surrounding properties or on the

Town as a whole. Further, the proposed rezoning will eliminate the on-site parking requirement imposed by the Special Use Permit. This will have little impact, if any, on surrounding properties or the Town as a whole due to the fact that the Applicant already requires residents to park at off-site parking areas leased by the Applicant for its residents. The proposed rezoning would simply eliminate an unnecessary requirement imposed by the Special Use Permit. Therefore, it is clear that the Applicant's proposal will have no significant impact on the surrounding properties or the Town as a whole.

In response to the criteria asking the Town Council to consider the "relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities," the Applicant submits that the relationship of the Subject Property to existing and proposed built systems will not be affected by the proposed rezoning. The Applicant does not intend to use or develop the Subject Property in a way which may place additional burdens on existing and proposed built systems like utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities. From a practical perspective, the status quo will remain unchanged by the Applicant's proposed rezoning. Therefore, it is clear that the Applicant's proposal will not affect the relationship of the Subject Property and existing "Fraternity Dwelling" use to existing and proposed built systems.

In response to the criteria asking the Town Council to consider the "relationship of the application to natural systems such as hydrology, topography, and other environmental constraints," the Applicant submits that the relationship of the Subject Property to natural systems will not be affected by the proposed rezoning. The Applicant does not intend to use or develop the Subject Property in a way which may place additional burdens on natural systems such as hydrology, topography, and other environmental constraints on the Subject Property and surrounding properties. From a practical perspective, the status quo will remain unchanged by the Applicant's proposed rezoning. Therefore, it is clear that the Applicant's proposal will not affect the relationship of the Subject Property and existing "Fraternity Dwelling" use to natural systems.

For the foregoing reasons, it is clear that the Applicant's proposed rezoning of the Subject Property from OI-1 to OI-3-CZ meets all criteria for approval described in Section 4.4.3(f)(2) of the LUMO.

In addition to the Conditional Zoning request, the Applicant also requests that, if the Town Council approves the rezoning, the Town Council also approve the abandonment of the 1996 Special Use Permit pursuant to Section 4.5.5(d)(1)(B.) of the LUMO. If the Town Council approves the rezoning of the Subject Property to OI-3-CZ, the Fraternity Dwelling use located on the Subject Property will no longer require a SUP. In the event that the Town Council approves the rezoning, the Applicant will submit an affidavit formally stating the Applicant's intent to abandon the 1996 Special Use Permit and requesting approval of such abandonment by the Town Council, in accordance with Section 4.5.5(d)(2) of the LUMO.

If you have any questions, or require anything further form my client, please feel free to contact me at khornik@broughlawfirm.com or at (919) 929-3905.

Sincerely,

THE BROUGH LAW FIRM, PLLC

Kevin R. Hornik

CONDITIONAL ZONING APPLICATION

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 969-5040 *fax* (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9788364372 Date: 31 October 2019

Section A: Project Information

Project Name: Conditional Zoning of Phi Gamma Delta Fraternity House to OI-3-CZ

Property Address: 108 W. Camberon Ave., Chapel Hill Zip Code: 27516

Use Groups (A, B, and/or C): B Existing Zoning District: OI-1

Project Description: Conditional Zoning of Property to allow increased floor area ratio, and removal of on-site parking.

Section B: Applicant, Owner, and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed):

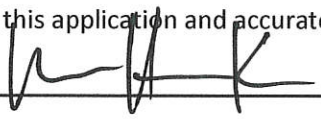
Name: Kevin R. Hornik, The Brough Law Firm, PLLC

Address: 1526 E. Franklin St., Suite 200

City: Chapel Hill State: NC Zip Code: 27514

Phone: (919) 929-3905 Email: khornik@broughlawfirm.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: 10/31/2019

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: Epsilon of Phi Gamma Delta, Inc.

Address: 1801 Greak Oaks Dr.

City: Raleigh State: NC Zip Code: 27608

Phone: (919) 593-2841 Email: jhughes@newhopetech.org

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: See attached signature page from John Hughes Date:

Click here for application submittal instructions.

CONDITIONAL ZONING APPLICATION

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 969-5040 *fax* (919) 969-2014
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Phone: (919) 593-2841 Email: jhughes@newhopetech.org

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: John W. Hughes III, Board Member Date: 10-16-19

Click here for application submittal instructions.

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

SIGNED CONDITIONS: All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

RECORDATION OF CONDITIONS: After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Service

Section A: Project Information

Use Type: *(check/list all that apply)*

☐ Office/Institutional ☒ Residential ☐ Mixed-Use ☐ Other: _____

Overlay District: *(check all that apply)*

☒ Historic District ☐ Neighborhood Conservation District ☐ Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	21,602.8	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=		sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	23,763.1	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: *(check all those that apply)*

☐ Jordan Buffer ☐ Resource Conservation District ☐ 100 Year Floodplain ☐ Watershed Protection District

Land Disturbance	**Total (sq. ft.)**
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	None
Area of Land Disturbance within RCD	None
Area of Land Disturbance within Jordan Buffer	None

Impervious Areas	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Impervious Surface Area (ISA)	~11,091		16,634.2 (per LUMO Sec. 3.8)	~11,091
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	.46		.7 (per LUMO Sec. 3.8)	
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Service

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1			
Number of Floors	4			
Recreational Space				

Residential Space				
Dimensional Unit (sq. ft.)	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Floor Area (all floors – heated and unheated)	11,903		13,449.9	
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units	1			1
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space *(Gross Floor Area in Square Feet)*					
Use Type	**Existing**	**Proposed**	**Uses**	**Existing**	**Proposed**
Commercial					
Restaurant			**# of Seats**		
Government					
Institutional					
Medical					
Office					
Hotel			**# of Rooms**		
Industrial					
Place of Worship			**# of Seats**		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	24		0
	Interior (neighboring property lines)	8		0
	Solar (northern property line)	11		0
Height (maximum)	Primary			
	Secondary			
Streets	Frontages			
	Widths			

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Services

Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
Cameron Ave	86	14.6	2	☒ Yes	☒ Yes
				☐ Yes	☐ Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	**Dimensions**	**Surface**	**Handicapped Ramps**
			☐ Yes ☐ No ☐ N/A
			☐ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces			0
Handicap Spaces			0
Total Spaces			0
Loading Spaces			0
Bicycle Spaces			0
Surface Type			

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
			☐ Yes	☐ Yes
			☐ Yes	☐ Yes
			☐ Yes	☐ Yes
			☐ Yes	☐ Yes

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning and Development Services

Section I: Land Use Intensity

Existing Zoning District:
Proposed Zoning Change *(if any)*:

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	**Floor Area Ratio (FAR)**	**Recreation Space Ratio (RSR)**	**Low Density Residential (0.24)**	**High Density Residential (0.50)**	**Non-Residential (0.70)**	**Maximum Floor Area (MFA) = FAR x GLA**	**Minimum Recreation Space (MSR) = RSR x GLA**
TOTAL							
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply:

Water	☒ OWASA	☐ Individual Well	☐ Community Well	☐ Other
Sewer	☒ OWASA	☐ Individual Septic Tank	☐ Community Package Plant	☐ Other
Electrical	☒ Underground	☐ Above Ground		
Telephone	☒ Underground	☐ Above Ground		
Solid Waste	☒ Town	☐ Private		

CONDITIONAL ZONING APPLICATION SUBMITTAL REQUIREMENTS

TOWN OF CHAPEL HILL
Planning and Development Services

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 969-5066 or at planning@townofchapelhill.org.

	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid $
	Pre-application meeting –with appropriate staff	
	Digital Files – provide digital files of all plans and documents	
	Recorded Plat or Deed of Property	
	Project Fact Sheet	
	Traffic Impact Statement – completed by Town's consultant (or exemption)	
	Description of Public Art Proposal, if applicable	
	Statement of Justification	
	Response to Community Design Commission and Town Council Concept Plan comments	
	Affordable Housing Proposal, if applicable	
	Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan	
	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)	
	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid $
	Written Narrative describing the proposal, including proposed land uses	
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals	
	Jurisdictional Wetland Determination – if applicable	
	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)	
	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)	
	Reduced Site Plan Set (reduced to 8.5" x 11")	

Stormwater Impact Statement (1 copy to be submitted)

a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
b) Description of land uses and area (in square footage)
c) Existing and proposed impervious surface area in square feet for all subareas and project area
d) Ground cover and uses information
e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
f) Time of concentration calculations and assumptions
g) Topography (2-foot contours)
h) Pertinent on-site and off-site drainage conditions
i) Upstream and/or downstream volumes
j) Discharges and velocities
k) Backwater elevations and effects on existing drainage conveyance facilities
l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
m) Water quality volume calculations
n) Drainage areas and sub-areas delineated
o) Peak discharge calculations and rates (1, 2, and 25-year storms)
p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
q) Volume calculations and documentation of retention for 2-year storm

r) 85% TSS removal for post-development stormwater runoff
s) Nutrient loading calculations
t) BMP sizing calculations
u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

Cover Sheet

a) Include Project Name, Project fact information, PIN, and Design Team

Area Map

a) Project name, applicant, contact information, location, PIN, & legend
b) Dedicated open space, parks, greenways
c) Overlay Districts, if applicable
d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
f) 1,000' notification boundary

Existing Conditions Plan

a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
b) Location of all existing structures and uses
c) Existing property line and right-of-way lines
d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
e) Nearest fire hydrants
f) Nearest bus shelters and transit facilities
g) Existing topography at minimum 2-foot intervals and finished grade
h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries

Detailed Site Plan

a) Existing and proposed building locations
b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
d) Location of existing and proposed fire hydrants
e) Location and dimension of all vehicle entrances, exits, and drives
f) Dimensioned street cross-sections and rights-of-way widths
g) Pavement and curb & gutter construction details
h) Dimensioned sidewalk and tree lawn cross sections
i) Proposed transit improvements including bus pull-off and/or bus shelter
j) Required landscape buffers (or proposed alternate/modified buffers)
k) Required recreation area/space (including written statement of recreation plans)
l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
m) Construction parking, staging, storage area, and construction trailer location
n) Sight distance triangles at intersections
o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
p) Easements
q) Clearing and construction limits
r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

a) Topography (2-foot contours)
b) Existing drainage conditions
c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
d) Proposed drainage and stormwater conditions
e) Drainage conveyance system (piping)
f) Roof drains
g) Easements
h) BMP plans, dimensions, details, and cross-sections
i) Planting and stabilization plans and specifications

Landscape Protection Plan

a) Rare, specimen, and significant tree survey within 50 feet of construction area
b) Rare and specimen tree critical root zones
c) Rare and specimen trees proposed to be removed
d) Certified arborist tree evaluation, if applicable
e) Significant tree stand survey
f) Clearing limit line
g) Proposed tree protection/silt fence location
h) Pre-construction/demolition conference note
i) Landscape protection supervisor note
j) Existing and proposed tree canopy calculations, if applicable

Planting Plan

a) Dimensioned and labeled perimeter buffers
b) Off-site buffer easement, if applicable
c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement

Steep Slope Plan

a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
b) Show and quantify areas of disturbance in each slope category
c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

a) Topography (2-foot contours)
b) Limits of Disturbance
c) Pertinent off-site drainage features
d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

a) Public right-of-way existing conditions plan
b) Streetscape demolition plan
c) Streetscape proposed improvement plan
d) Streetscape proposed utility plan and details
e) Streetscape proposed pavement/sidewalk details
f) Streetscape proposed furnishing details
g) Streetscape proposed lighting detail

Solid Waste Plan

a) Preliminary Solid Waste Management Plan
b) Existing and proposed dumpster pads
c) Proposed dumpster pad layout design
d) Proposed heavy duty pavement locations and pavement construction detail
e) Preliminary shared dumpster agreement, if applicable

Construction Management Plan

a) Construction trailer location
b) Location of construction personnel parking and construction equipment parking
c) Location and size of staging and materials storage area
d) Description of emergency vehicle access to and around project site during construction
e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

a) Description of how project will be 20% more energy efficient than ASHRAE standards
b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
c) Participation in NC GreenPower program
d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

2012 APPENDIX B
BUILDING CODE SUMMARY
FOR ALL COMMERCIAL PROJECTS

Name of Project: **Patio Addition to the Phi Gamma Delta House**

Address: **108 W. Cameron Ave., Chapel Hill, NC, 27514**

Proposed Use: **Addition to existing structure**

Owner/Authorized Agent: **Jack Haggerty, Architect; 205 W. Main St.; Carrboro NC**
919 967-5191 jack@jackhaggertyarchitect.com

Owned By: **Private**

Code Enforcement Jurisdiction **Town of Chapel Hill**

LEAD DESIGN PROFESSIONAL: Jack Haggerty, Architect

DESIGNER	FIRM	NAME	LICENSE #	TELEPHONE #	E-MAIL
Architectural	Jack Haggerty, Architect	Jack Haggerty	51782 / 6892	919-967-5191	jack@jackhaggertyarchitect.co
Electrical:	Alamance Consulting Eng.	G. Kevin Bengal	25043	336-449-4558	alamance@ace-nc.net
Fire Alarm:	Alamance Consulting Eng.	G. Kevin Bengal	25043	336-449-4558	alamance@ace-nc.net
Sprinkler-to be submitted under separate permit					
Structural:	Excel Engineering	Rob Munach	19339	919-542-7578	rob@robmunachpe.com

2012 EDITION OF NC CODE FOR: X Addition
EXISTING: ☐ Reconstruction ☐ Alteration ☐ Repair
CONSTRUCTED _____ **ORIGINAL USE** _____ **RENOVATED** _____ **CURRENT USE** _____

BUILDING DATA
Construction Type: ☐ I-A ☐ II-A ☐ III-A ☐ IV ☐ V-A
☐ I-B ☐ II-B **X III-B** ☐ V-B
Mixed construction: ☐ No ☐ Yes Types _____
Sprinklers: **X Yes** ☐ NFPA 13 ☐ NFPA 13R ☐ NFPA 13D
Standpipes: ☐ No ☐ Yes Class ☐ I ☐ II ☐ III ☐ Wet ☐ Dry
Fire District: **X No** **Flood Hazard Area:** X No
Building Height: 48' Number of Stories : 4
Mezzanine: **X No**
Gross Building Area:

FLOOR	EXISTING (SQ FT)	NEW (SQ FT)	SUB-TOTAL
3rd Floor	**2,372**		
2nd Floor	**2,724**		
1st Floor	**2,724**	1,044 unhtd.	
Basement	**3038.5**	1,044 unhtd.	
TOTAL			No new htd. sq.f.t.

ALLOWABLE AREA

Primary Occupancy: Assembly ☐ A-1 ☐ A-2 ☐ A-3 ☐ A-4 ☐ A-5
☐ Business ☐ Educational Factory ☐ F-1 Moderate ☐ F-2 Low
Hazardous ☐ H-1 Detonate ☐ H-2 Deflagrate ☐ H-3 Combust ☐ H-4 Health ☐ H-5 HPM
Institutional ☐ I-1 ☐ I-2 ☐ I-3 ☐ I-4
I-3 Condition ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
☐ Mercantile Residential ☐ R-1 **X R-2** ☐ R-3 ☐ R-4
Storage ☐ S-1 Moderate ☐ S-2 Low ☐ High-piled
☐ Utility and Miscellaneous ☐ Parking Garage ☐ Open ☐ Enclosed ☐ Repair Garage
Secondary Occupancy: **N/A**
Special Uses: N/A – 419 Group R-2 but no effect on dwelling units
Special Provisions: N/A
Mixed Occupancy: N/A

ALLOWABLE HEIGHT AREA INCREASE
NO HEIGHT OR AREA INCREASE IS REQUIRED OR REQUIRED

FIRE PROTECTION REQUIREMENTS
Life Safety Plan Sheet #, if Provided **A-2, PLAN**
Information below is for addition shown in drawings.

BUILDING ELEMENT	FIRE SEPARATION DISTANCE (FEET)	RATING REQ'D	RATING PROVIDED (w/_____* REDUCTION)	DETAIL # AND SHEET #	DESIGN # FOR RATED ASSEMBLY	DESIGN # FOR RATED PENETRATION	DESIGN # FOR RATED JOINTS
Structural Frame, including columns, girders, trusses							
Bearing Walls							
Exterior							
North	----------						
East	27'	1					
West	30'	1					
South	70'	1					
Interior							
Nonbearing Walls and Partitions Exterior walls							
North							
East							
West							
South							
Interior walls and partitions		0					
Floor Construction Including supporting beams and joists		0					
Roof Construction Including supporting beams and joists							
Shaft Enclosures - Exit							
Shaft Enclosures - Other							
Corridor Separation							
Occupancy Separation							
Party/Fire Wall Separation							
Smoke Barrier Separation							
Tenant Separation							
Incidental Use Separation							

* Indicate section number permitting reduction

LIFE SAFETY SYSTEM REQUIREMENTS

Emergency Lighting:	☐ No	**X Yes**
Exit Signs:	☐ No	**X Yes**
Fire Alarm:	☐ No	**X Yes**
Smoke Detection Systems:	X No	☐ Yes ☐ Partial _____
Panic Hardware:	**X No**	☐ Yes

EXIT REQUIREMENTS

NUMBER AND ARRANGEMENT OF EXITS

FLOOR, ROOM OR SPACE DESIGNATION	MINIMUM[1] NUMBER OF EXITS		TRAVEL DISTANCE		ARRANGEMENT MEANS OF EGRESS[1,3] (SECTION 1015.2)	
	REQUIRED	SHOWN ON PLANS	ALLOWABLE TRAVEL DISTANCE (TABLE 1015.1)	ACTUAL TRAVEL DISTANCE SHOWN ON PLANS	REQUIRED DISTANCE BETWEEN EXIT DOORS	ACTUAL DISTANCE SHOWN ON PLANS
SCREENED ENCLOSURE	2	2	250'	20'	SEE PLAN	SEE PLAN
RAISED PATIO	1	1	250'	35'		

[1] Corridor dead ends (Section 1017.3)
[2] Buildings with single exits (Table 1019.2), Spaces with one means of egress (Table 1015.1)
[3] Common Path of Travel (Section 1014.3)

EXIT WIDTH

USE GROUP OR SPACE DESCRIPTION	(a) AREA[1] sq. ft.	(b) AREA[1] PER OCCUPANT (TABLE 1004.1.1)	CALCULATED OCCUPANT LOAD (a÷b)	(c) EGRESS WIDTH PER OCCUPANT (TABLE 1005.1)		EXIT WIDTH (in)[2,3,4,5,6] REQUIRED WIDTH (SECTION 1005.1) (a÷b) x c		ACTUAL WIDTH SHOWN ON PLANS	
				STAIR	LEVEL	STAIR	LEVEL	STAIR	LEVEL
PATIO	1,044	200 GROSS	49	--------	.2"	---------	20"	---------	70"

[1] See Table 1004.1.1 to determine whether net or gross area is applicable. See definition "Area, Gross" and "Area, Net" (Section 1002)
[2] Minimum stairway width (Section 1009.1); min. corridor width (Section 1017.2); min. door width (Section 1008.1)
[3] Minimum width of exit passageway (Section 1021.2)
[4] See Section 1004.5 for converging exits.
[5] The loss of one means of egress shall not reduce the available capacity to less than 50 percent of the total required (Section 1005.1)
[6] Assembly occupancies (Section 1025)

STRUCTURAL DESIGN

DESIGN LOADS:

Importance Factors: Wind (I_w) ___1.0___
Snow (I_s) ___1.0___
Seismic (I_E) ___1.0___

Live Loads: Roof _____ psf
Mezzanine _____ psf
Floor __100_____ psf

Ground Snow Load: ___10___ psf

Wind Load: Basic Wind Speed ___90_____ mph (ASCE-7)
Exposure Category ___B_____
Wind Base Shears (for MWFRS) Vx = __1.6_____Vy = _.5.2_____

SEISMIC DESIGN CATEGORY ☐ A ☐ B ☒ C ☐ D
Provide the following Seismic Design Parameters:
Occupancy Category (Table 1604.5) ☐ I ☒ II ☐ III ☐ IV
Spectral Response Acceleration S_s ___21___ %g S_1 ___8___ %g
Site Classification _____ ☐ Field Test ☒ Presumptive ☐ Historical Data
Basic structural system (check one)
_____ Bearing Wall _____ Dual w/Special Moment Frame
_ _ Building Frame _____ Dual w/Intermediate R/C or Special Steel
Moment Frame _X__ Inverted Pendulum
Seismic base shear V_x = ___2.0___ V_y = ___2.0
Analysis Procedure ____X__ Simplified _____ Equivalent Lateral Force _____ Modal
Architectural, Mechanical, Components anchored? _____

LATERAL DESIGN CONTROL: Earthquake _____ Wind _X_____

SOIL BEARING CAPACITIES:
Field Test (provide copy of test report) _____ psf
Presumptive Bearing capacity _____2000_____ psf
Pile size, type, and capacity _____

PLUMBING FIXTURE REQUIREMENTS

NO OCCUPANT INCREASE

ACCESSIBLE PARKING

LOT OR PARKING AREA	TOTAL # OF PARKING SPACES		# OF ACCESSIBLE SPACES PROVIDED		TOTAL # ACCESSIBLE PROVIDED
	REQUIRED	PROVIDED	REGULAR WITH 5' ACCESS AISLE	VAN SPACES WITH 8' ACCESS AISLE	
PARKING IN REAR OF BLDG.	**8-12**	**9**		**1**	**1**
TOTAL					

General Notes

The scope of work shall include all labor, materials, equipment, temporary services (including toilet, space heating, generators, etc.) building and other permits and fees necessary to complete the job as shown on these documents.

All Work shall conform to all applicable State and Local Codes, Regulations and Ordinances, and shall be constructed to the highest standards of craftsmanship by properly licensed and qualified Subcontractors of the respective trades. All defective work shall be reconstructed to the approval of the Architect at no cost to the Owner. It shall be the Contractor's responsibility to report any code or workmanship discrepancies to the Owner before proceeding with the Work; otherwise, it is assumed that the represented conditions are accurate and satisfactory, and that the Work can be performed as indicated in the Construction Documents.

All equipment and materials shall be installed according to manufacturers' instructions unless noted otherwise. The Contractor shall provide the owner with a one year warranty on all workmanship and materials., with such warranty beginning at the date of Substantial Completion.

If any material is discovered during excavation or demolition which is in any way considered to contain asbestos or other hazardous or toxic material, construction shall be stopped immediately and the condition reported to Owner.

Drawings shall not be scaled. If there is a descrepancy or absent dimension, contact Architect for clarification.

The Contractor shall take all reasonable precautions to minimize water entering building during construction, and that the building and site remain secure and safe at all times, providing all necessary components for construction safety, care of adjacent existing property and construction. The Contractor shall comply with all County, State and Federal Regulations regarding safety.

General Contractor shall keep job site clean, free of trash and orderly. Work area, interior and exterior, shall be cleaned at end of project.

All new construction shall be plumb, straight and square., and in proper alignment.

General Contractor shall protect all existing construction and finishes to remain, and shall repair any that are disturbed by his operations.

General Contractor shall engage qualified sprinkler contractor for design and extension of sprinklers to Basement ceiling. Piping to sprinkler shall be above ceiling. Sprinkler cost and associated construction shall be included in General contractor's proposal.

General Site Notes

General Contractor shall coordinate w/ Owner on location for material storage.

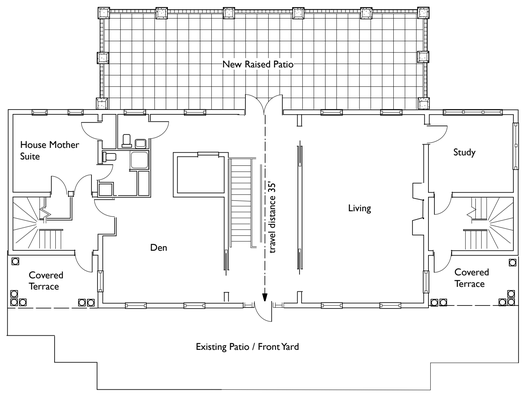
Erosion Control: Contractor shall do all that is possible to minimize soil erosion and siltation caused by his operations. He shall comply with all applicable Town of Chapel Hill regulations relating to erosion prevention and control.

Earth Excavation: Footing trenches shall extend into adequate bearing soil a minimum of 6", and be a minimum of 12" below finish grade or as indicated on drawings. Provide fences, barricades or any other safety devices around all open trenches, excavations or any other hazardous area. Protect all graded and excavated areas from traffic and erosion.

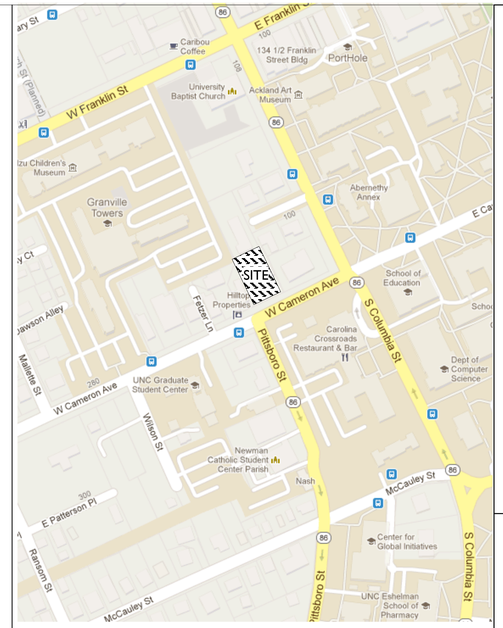
General Contractor shall protect all existing construction to remain.

Termite Treatment shall be according to N.C. State Building Code.

All plantings shall have 1 year warranty.



First Floor Life Safety Plan



Location Map

Project Team

Jack Haggerty, Architect - Designer

Alamance Engineers- Plumbing, Mechanical, Electrical & Fire Alarm

Rob Munach, P.E. - Structural Design

Sheet Index

a drawing for extension of sprinkler system will be supplied by sprinkler contractor

COVER - Appendix B

A-1 - Site Plans, New & Exist.; Demolition Plan

A-2 - Raised Patio and Screened Enclosure Plan

A-3 - Drain Plan; Reflected Ceiling Plan

A-4 - North Elevation

A-5 - West Elevation; Details

A-6 - Section and Elevation Details

S-1 - Structural Plan and Details (Excel Engineering)

P-1 - Patio Drain Plan (Alamance Consulting Engineers)

E-1 - Lighting Plan (Alamance Consulting Engineers)

E-2- Electrical Plan (Alamance Consulting Engineers)

E-3- Panel Schedule & Notes (Alamance Consulting Engineers)

FA-1- Fire Alarm Plan (Alamance Consulting Engineers)

Jack Haggerty, Architect
205 W. Main St., Ste. 213, Carrboro, NC 27510
919-967-5191

JACK HAGGERTY, ARCHITECT REGISTERED ARCHITECTS INC. CORPORATION 51782 NORTH CAROLINA CARRBORO, N.C. JOHN J. HAGGERTY 6892 NORTH CAROLINA CARRBORO, N.C. 10/16/17

Phi Gamma Delta Fraternity House
108 W. Cameron St., Chapel Hill , North Carolina

for construction

COVER

October 13, 2017

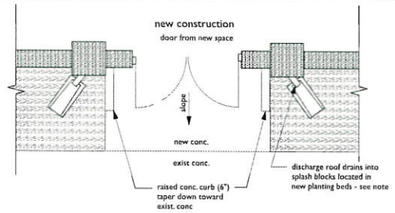
1 of 13

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Demolition Notes

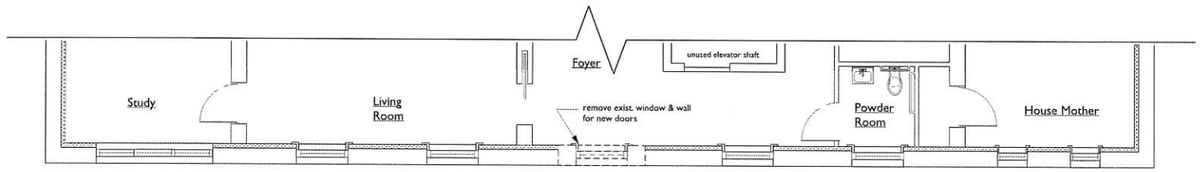
- All demolition work may not be shown. General Contractor shall coordinate demolition work with work shown on other drawings
- General Contractor shall provide means of temporary support at areas where walls are removed.
- General Contractor shall coordinate w/ fraternity representatives regarding any utility stoppage or disruptions.
- General Contractor shall provide protectection and warning around any open excavations
- General Contractor shall protect existing mechanical equipment and re-install any bollards disturbed by construction
- General Contractor shall protect existing downspouts and divert temporarily from construction activity.
- General Contractor shall keep building interior secure and protected from the weather during construction.
- General Contractor shall coordinate w/ Sprinkler Contractor on any req'd demolition for installation of sprinklers.

adj. - adjacent
a.f.f. - above finished floor
blk. - block/blocking
cab.(s) - cabinet(s)
clg. - ceiling
col. - column
cont. - continuous
conc. - concrete
ds - downspout
dtl. - detail
dwg. - drawing
elec. - electric
elev. - elevation
eq. - equal
e.w.c. - electric water cooler
flrg. - flooring
fir. ext. - fire extinguisher
gwb - gypsum wall board
ht. - height
insul. - insulation
lav. - lavatory
matl. - material
max. - maximum
mfr. - manufacturer
min. - minimum
misc. - miscellaneous
moist. resist. gwb - moisture resistant gypsum wall board
o.c. - on center
opng. - opening
reinf. - reinfocement
r.o. - rough opening
sch. - schedule
s.h. - sill height
sim. - similar
spec (s). - specifications
stl. - steel
t.o.p. - top of wall
typ. - typical
u.o.n. - unless otherwise noted
vert. - vertical
wd. - wood

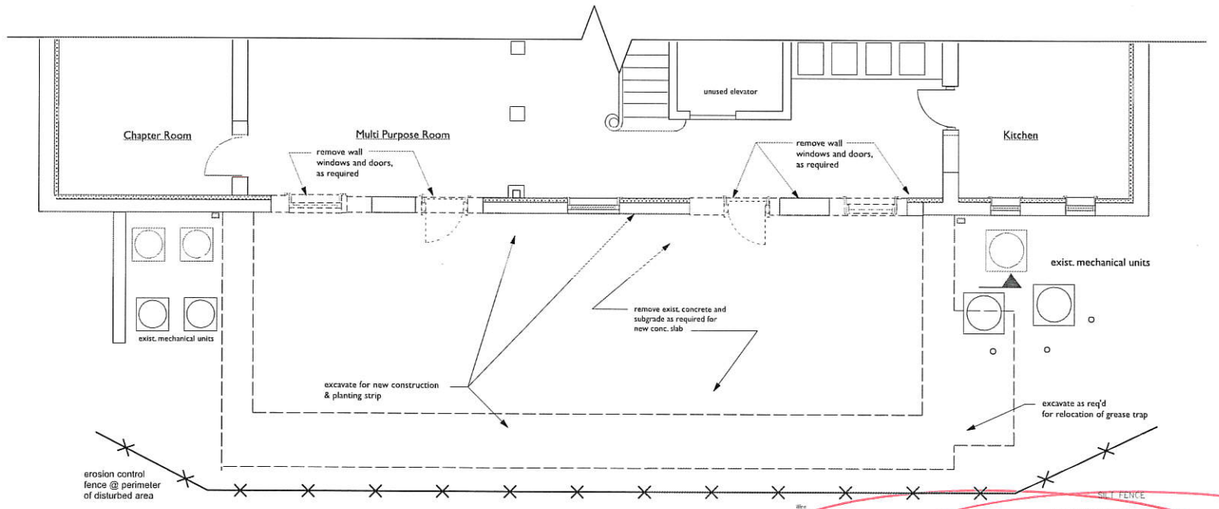


1 / A-1 Patio Drain and Walk Detail - 1/4"

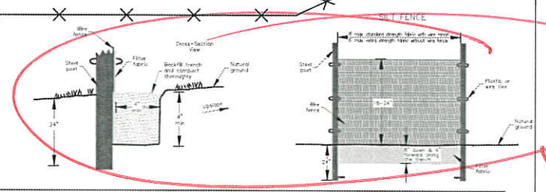
Note - 4 roof drains are proposed in order to disperse patio stormwater run-off, w/ each roof drain draining 260 s.f.



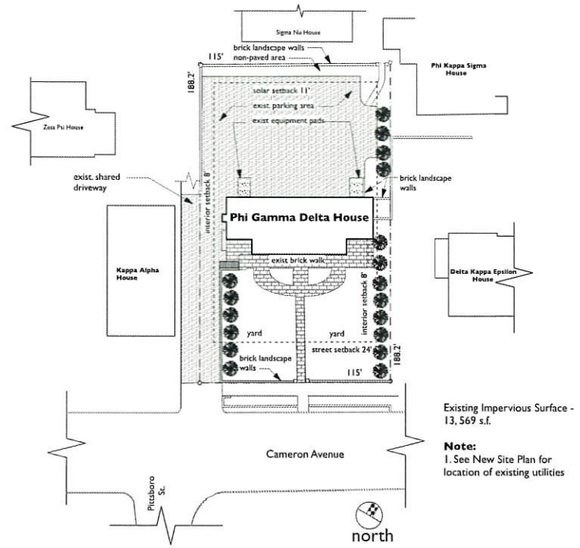
2 / A-1 First Floor Demolition Plan- 3/16"



3 / A-1 Parking Area Demolition Plan- 3/16"



4 / A-3 Silt Fence Detail
Town of Chapel Hill - nts
install @ perimeter of disturbed area

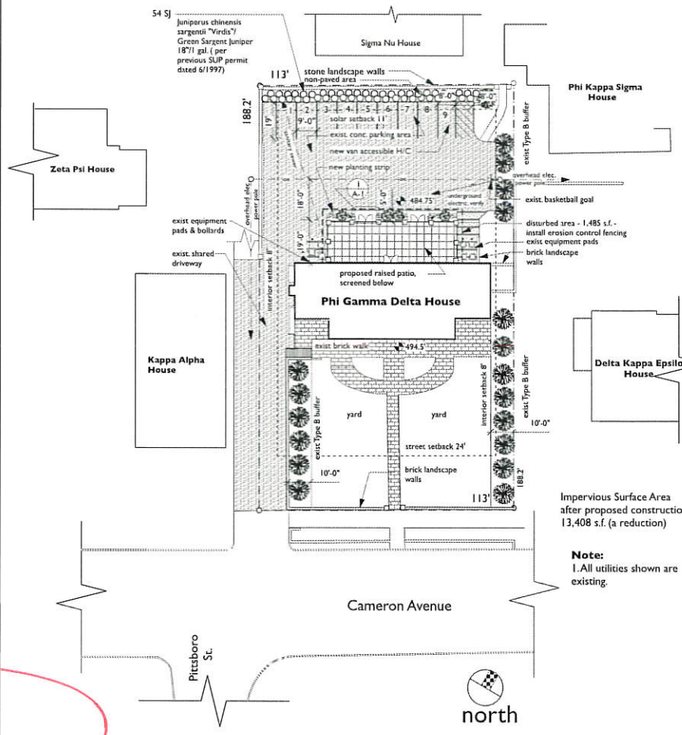


Existing Impervious Surface - 13,569 s.f.

Note:
1. See New Site Plan for location of existing utilities

Existing Site Plan - 1" = 40'

Lot size - 21,643 s.f.



Impervious Surface Area after proposed construction: 13,408 s.f. (a reduction)

Note:
1. All utilities shown are existing.

Proposed Site Plan - 1" = 30'

Lot size - 21,643 s.f.

Lot line location: building and drive location; landscape walls and walk locations and building footprint are taken from S.U.P. application filed with the town of Chapel Hill in 6/1997

see attached updated details mk

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10/14/17

Phi Gamma Delta Fraternity House

108 W. Cameron St., Chapel Hill, North Carolina

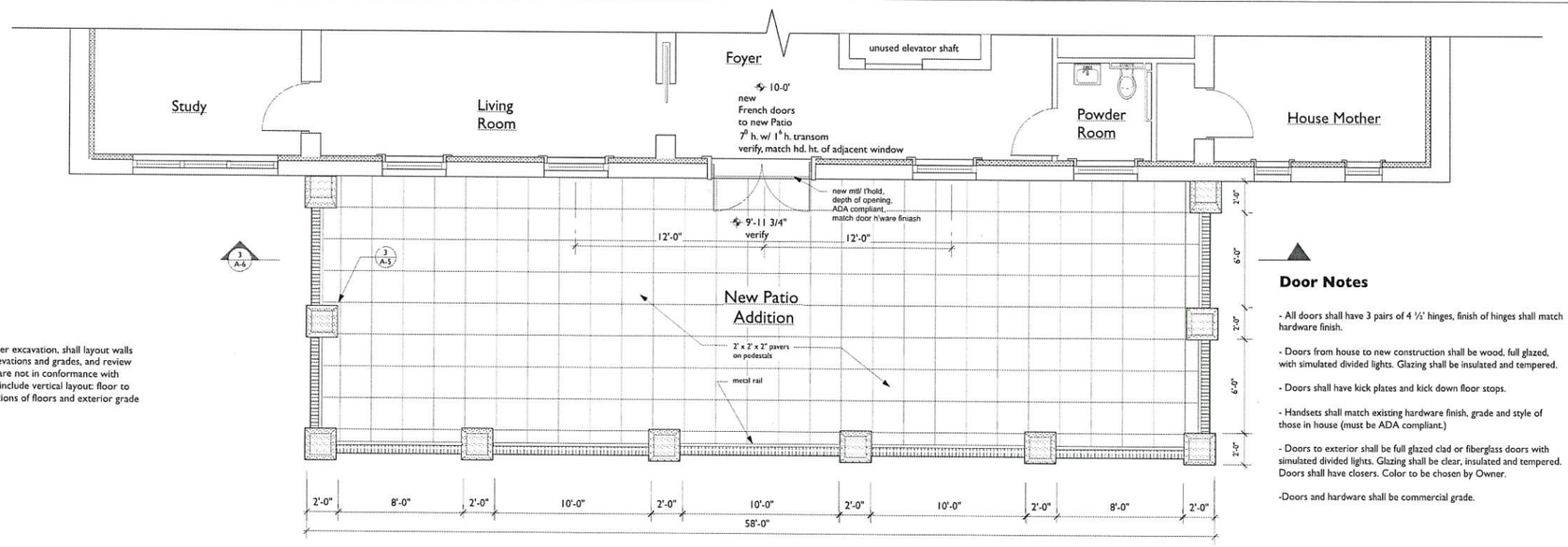
for construction

10/13/17

A-1

13

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Lay-Out Note

General Contractor, prior to and after excavation, shall layout walls and openings, and proposed floor elevations and grades, and review with Architect if existing conditions are not in conformance with proposed construction. Layout shall include vertical layout: floor to floor, top of openings, finished elevations of floors and exterior grade outside of doors.

Door Notes

- All doors shall have 3 pairs of 4 ½' hinges, finish of hinges shall match hardware finish.

- Doors from house to new construction shall be wood, full glazed, with simulated divided lights. Glazing shall be insulated and tempered.

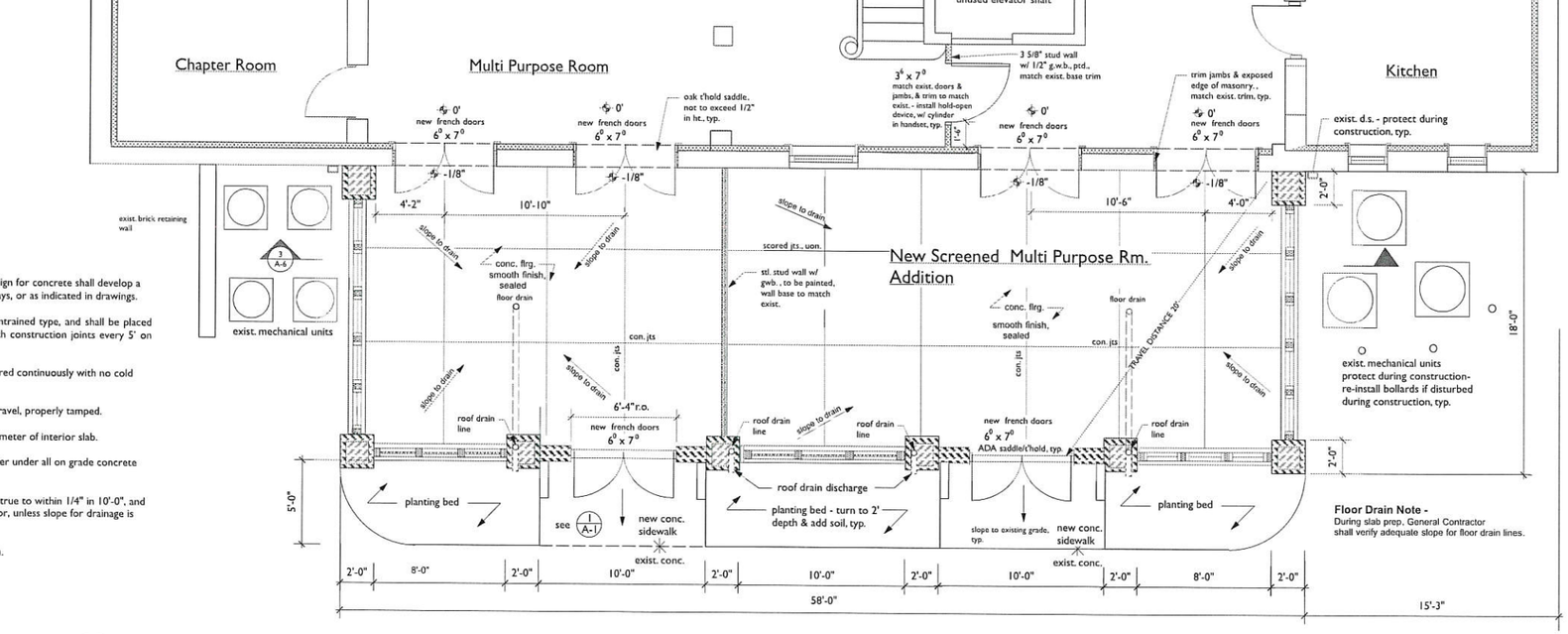
- Doors shall have kick plates and kick down floor stops.

- Handsets shall match existing hardware finish, grade and style of those in house (must be ADA compliant.)

- Doors to exterior shall be full glazed clad or fiberglass doors with simulated divided lights. Glazing shall be clear, insulated and tempered. Doors shall have closers. Color to be chosen by Owner.

-Doors and hardware shall be commercial grade.

1 / A-2 First Floor Plan- 1/4"



Floor Drain Note -
During slab prep, General Contractor shall verify adequate slope for floor drain lines.

Concrete

Concrete Slabs and Footings: Mix design for concrete shall develop a minimum strength of 3000 psi in 28 days, or as indicated in drawings.

Concrete for sidewalks shall be air-entrained type, and shall be placed on gravel or compacted subgrade with construction joints every 5' on center.

All cast-in-place concrete shall be poured continuously with no cold joints.

Concrete shall be placed on washed gravel, properly tamped.

Install expansion joint material @ perimeter of interior slab.

Install 12 mil. polyethylene vapor barrier under all on grade concrete slabs.

All concrete shall be poured level and true to within 1/4" in 10'-0", and not to exceed 1/2" in entire run of floor, unless slope for drainage is indicated.

Interior slab shall have broom finish.

2 / A-2 Basement Plan- 1/4"

Jack Haggerty, Architect Inc.
205 W. Main St., Ste. 213, Carrboro, NC 27510
919-967-5191

JACK HAGGERTY, ARCHITECT INC. REGISTERED ARCHITECTS CORPORATION 61782 NORTH CAROLINA CARRBORO, N.C.
JOHN J. HAGGERTY REGISTERED ARCHITECT 6892 NORTH CAROLINA CARRBORO, N.C.
10/13/17

Phi Gamma Delta Fraternity House

108 W. Cameron St., Chapel Hill , North Carolina

for construction

10/13/17

A-2

13

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Masonry

All masonry work shall comply with recommendations of the Brick Institute of America and the Carolinas Concrete Masonry Association.

Concrete Masonry Units (CMU): Provide manufacturer's standard units as indicated on Drawings. Provide units complying with ASTM C 90, Grade N-1.

Mortar for Unit Masonry: Provide commercial mortar mix, type "S", for all exposed brick and CMU masonry work.

Brick shall match brick at fraternity house in size, color and texture. Brick bond shall match that of brick at the same building. Provide sample for owner review prior to ordering.

Layout walls in advance for accurate spacing of bond patterns, with uniform joint widths and to properly locate openings.

Clean mortar from all walls as work progresses. At the end of the job clean masonry walls with stiff brushes and cleaning compound as recommended by the manufacturer.

General Contractor and Masonry Contractor shall coordinate on work to be installed in masonry – See electrical and architectural plans.

Aluminum Railing Note

Railings at Patio shall be by Superior Aluminum Products, Inc., Series 9100.

Rail height shall be 36", with double top rail and ring inserts.

Rails shall be side-mounted, with intermediate heavy-duty base mounts. All rail components shall be by Superior Aluminum Products, Inc.

Finish shall be dark bronze.

Location of anchor-verticals and bases are schematic. Manufacturer shall determine number and location of anchor verticals and mounting bases based on support required for rails and length of rail run.

Exterior Finish Notes

Brick
- Exterior brick walls shall be sealed with clear sealant.
- Sealer shall be silane/siloxane based.
- Brick shall be clean and dry before application of sealant.
- apply per manufacturer's instructions.

Screening Frames
- Pressure treated material shall be stained with a solid color stain.
-Prep surface and apply stain per manufacturer's recommendation.
-Color to be chosen by Owner.



1/A-4 North Elevation - 1/4"

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10/13/17

Phi Gamma Delta Fraternity House

108 W. Cameron St., Chapel Hill , North Carolina

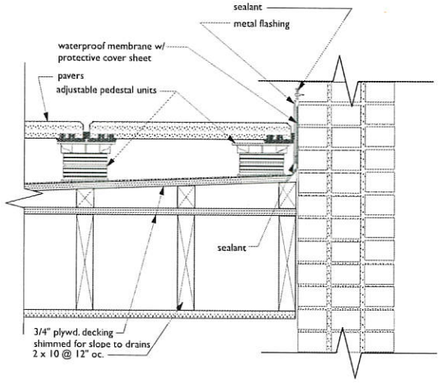
for construction

Oct. 13, 2017

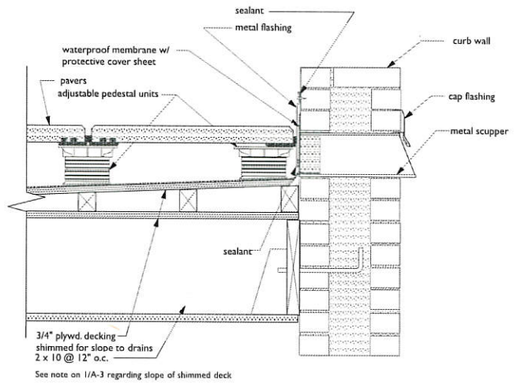
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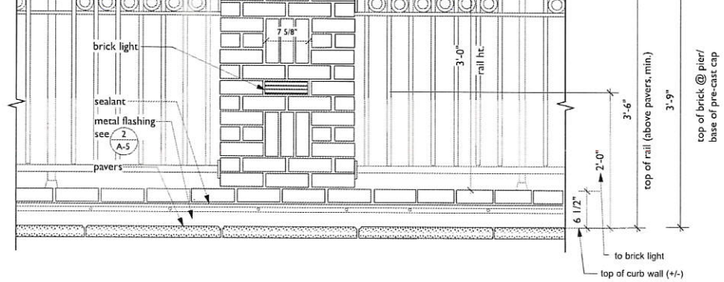


2 / A-5 Flashing @ Existing House Wall - 1 1/2"



Flashing @ Patio Curb - 1 1/2"

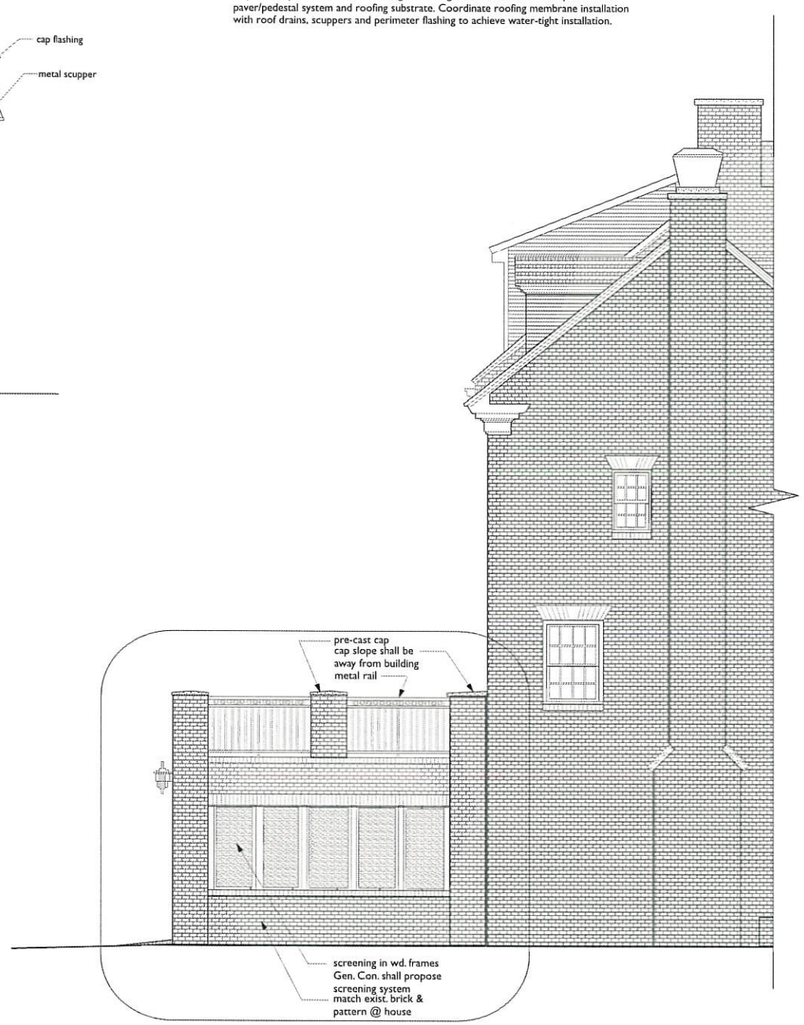
Rail note - No opening in railing system shall esceed 3 7/8"



3 / A-5 Piers @ Patio - 1"

Paver and Pedestal System shall be Terra-Stand Pedestal system by Tectura Designs and Wausau. Installation shall include all components necessary for system – spacers (3/16"), Terra-Tabs, shims, waffle reducers and pedestals and any other required components. Pavers shall be by Tectura Design Pavers, and shall be compatible with pedestal system. Color of pavers to be selected by Owner from manufacturer's standard palette , allow for two colors in checkerboard pattern
Contractor experienced with pedestal/paver system shall install system.

Waterproof Membrane Note: General Contractor shall consult with Paving/Pedestal System Contractor and Roofing Contractor on roofing membrane recommendation – type of membrane, thickness, type of protective cover sheet and required slope for membrane drainage. Roofing membrane shall be compatible with paver/pedestal system and roofing substrate. Coordinate roofing membrane installation with roof drains, scuppers and perimeter flashing to achieve water-tight installation.



New Patio Addition

1 / A-5 West Elevation - 1/4"

Note: East Elevation of Raised Patio is identical to the West Elevation

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10/13/17

Phi Gamma Delta Fraternity House

108 W. Cameron St., Chapel Hill , North Carolina

~~for~~ construction

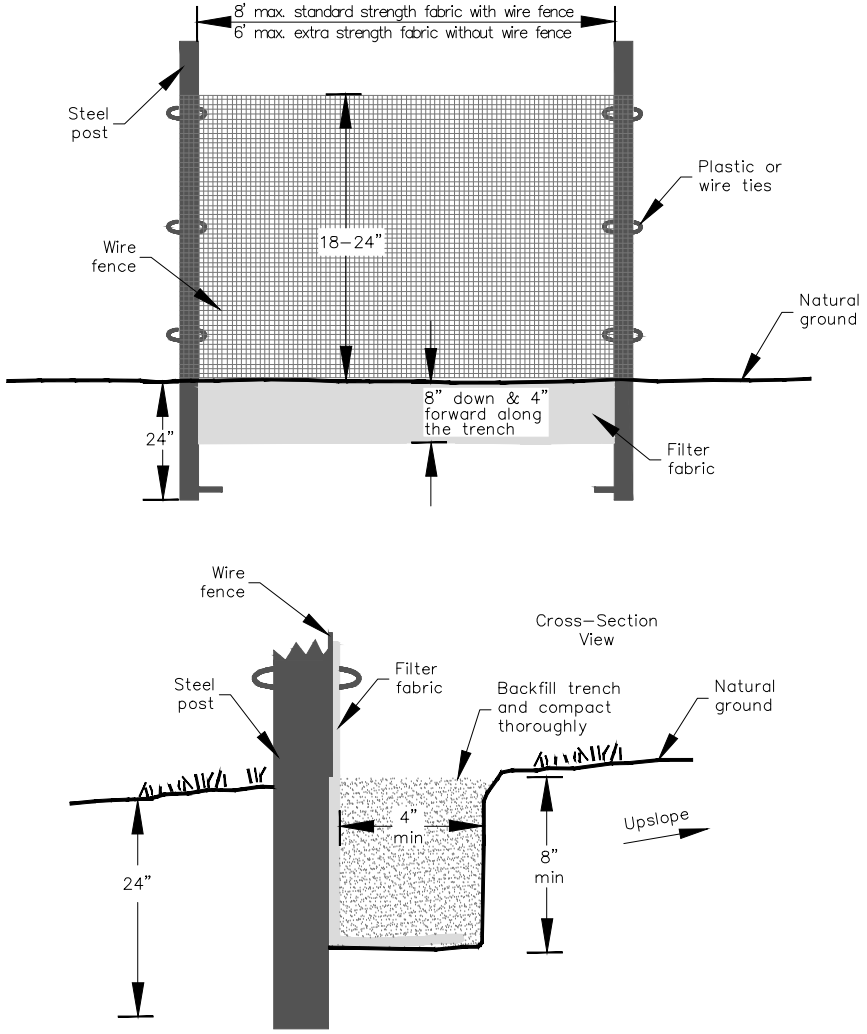
Oct. 13, 2017

A-5

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SILT FENCE



GENERAL NOTES:

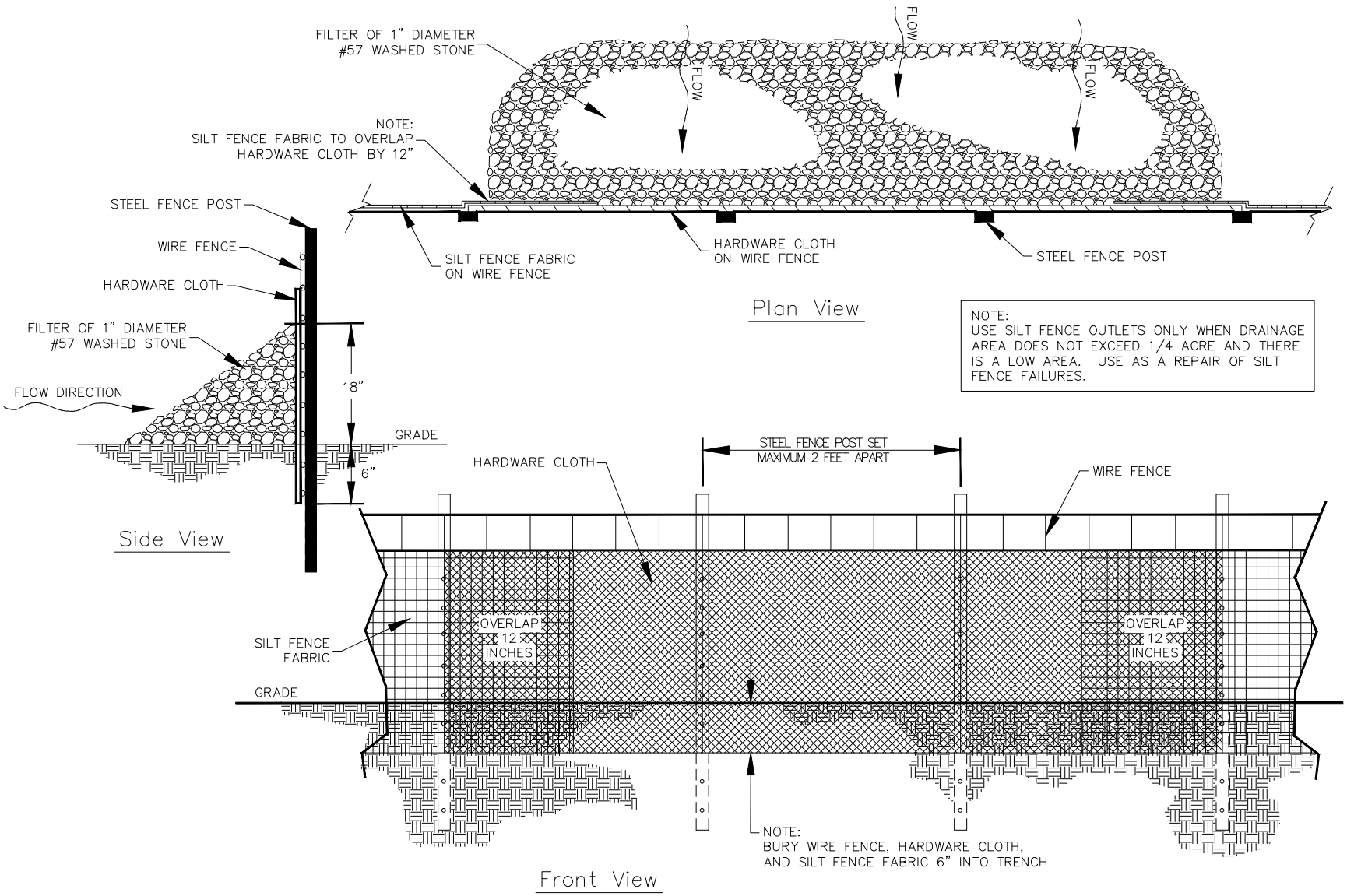
1. Use silt fence only when drainage area does not exceed ¼ acre and never in areas of concentrated flow.
2. Silt fence shall not be removed unless site is stabilized and inspected by Town of Chapel Hill staff.

NOTE: DRAWING NOT TO SCALE

ENGINEERING DEPARTMENT STANDARD DETAILS

TITLE:	REVISIONS		DET. NO.
SILT FENCE	08/13	15	SD-18

SILT FENCE OUTLET



TOWN OF CHAPEL HILL

ENGINEERING DEPARTMENT

STANDARD DETAILS

NOTE: DRAWING NOT TO SCALE

TITLE:	REVISIONS		DET. NO.
SILT FENCE OUTLET	08/13	15	SD-19

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 7., **File #:** [21-0182], **Version:** 1 **Meeting Date:** 3/10/2021

Update from Orange County Partnership to End Homelessness.

Staff:
Loryn Clark, Executive Director
Sarah Viñas, Assistant Director
Nate Broman-Fulks, Affordable Housing Manager

Department:
Housing and Community

Overview: The Orange County Partnership to End Homelessness was established in 2008 to coordinate funding and activities to end homelessness in Orange County. Partnership to End Homelessness Manager Corey Root will present the 2020 Annual Report highlighting the current status of homelessness and provide an update on the effort to close homeless system gaps in Orange County.

Recommendation(s):

That the Council receive the report and update.

Attachments:

- Draft Partnership to End Homelessness Presentation (*to be distributed)*
- 2020 Annual Report

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Corey Root, Manager, Orange County Partnership to End Homelessness

RECOMMENDATION: That the Council receive the report from the Orange County Partnership to End Homelessness.

Orange County Partnership to End Homelessness

2020 REPORT

Collaboration with Orange County Housing & Community Development led to unprecedented expansion

4 Direct Service Programs Added in 2020

PROGRAM	DESCRIPTION	STARTED	FTEs
Housing Helpline	Coordinated entry point for people seeking housing and homeless services	April 2020	2 fulltime, 2 temp
Housing Access Coordinator	Working with landlords to make units available for people at very low incomes	April 2020	1
Rapid Re-housing	Short-term rental assistance and services	April 2020	2
Street Outreach, Harm Reduction & Deflection*	Connections to housing and services for people living unsheltered	October 2020	3

**Partnership with OC Criminal Justice Resource Department*

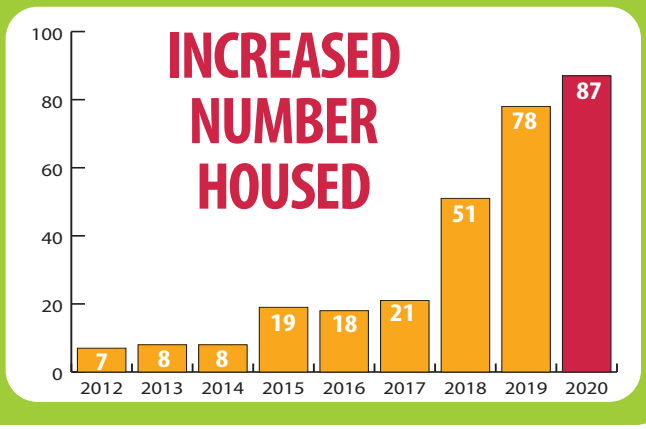
Housing Helpline Contacts Increased Dramatically during COVID-19

MONTH	# HOUSEHOLDS	# CALLS	# EMAILS
April	113	210	5
May	350	617	116
June	391	1005	293
July	365	915	598
August	507	1527	1579
September	628	1459	955
October	587	1335	1032
November	571	1328	1224
December	667	1518	1263
2020 TOTAL	**4179**	**9914**	**7065**

87 VULNERABLE HOUSEHOLDS HOUSED IN 2020

294 HOUSED SINCE 2012

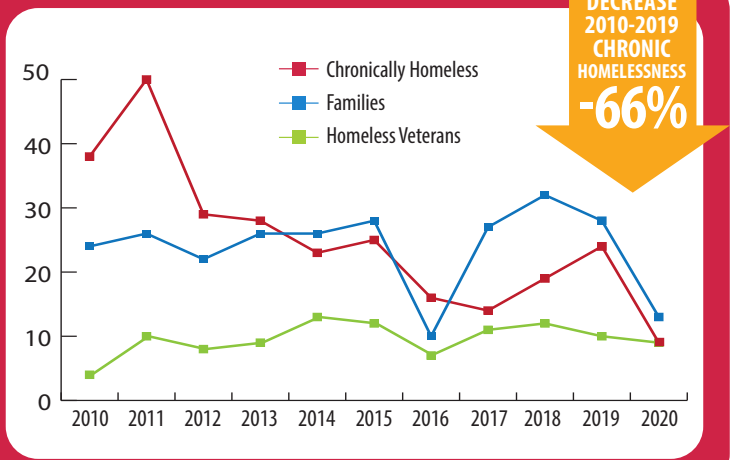




SPECIAL POPULATIONS



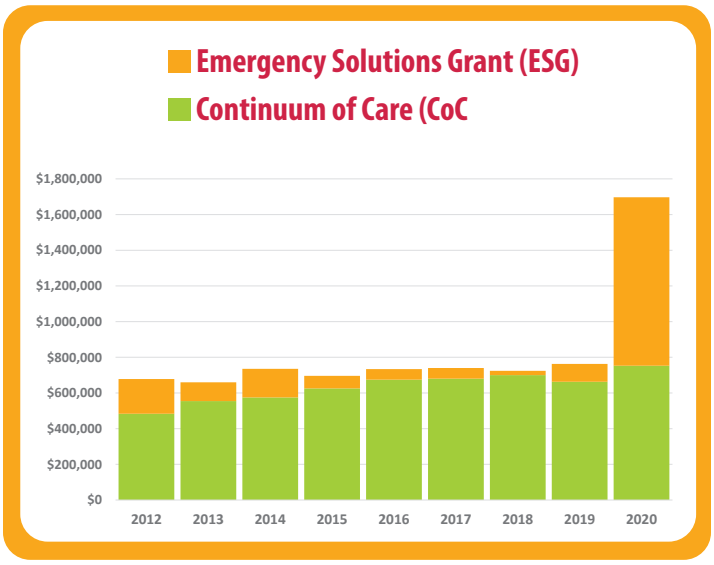
Progress Towards Ending Chronic Homelessness In Orange County



For more information about homelessness in Orange County, contact ***Corey Root, croot@orangecountync.gov, (919) 245-2496.***

Orange County Partnership to End Homelessness

2020 REPORT



$1.7 MILLION
FEDERAL FUNDING PREVIEWED IN 2020

$11.2 MILLION
SINCE 2005

ONLINE RESOURCE DATABASE: OCCONNECT.INFO

124
PEOPLE IN ORANGE COUNTY EXPERIENCED HOMELESSNESS ON ONE NIGHT

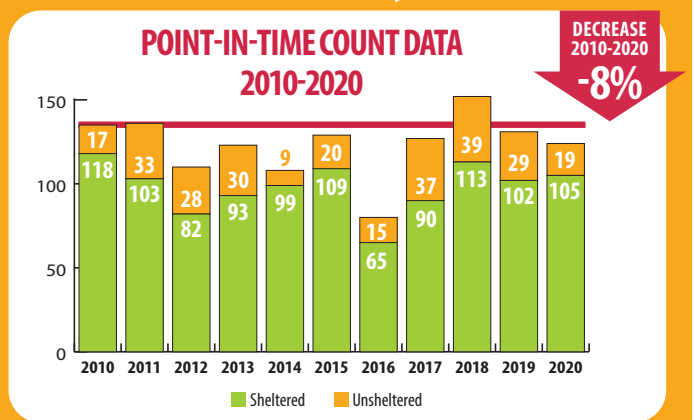
PEOPLE SERVED***

365 SHELTER & TRANSITIONAL HOUSING
- 225 SHELTER
- 140 TRANSITIONAL HOUSING

42 RAPID RE-HOUSING

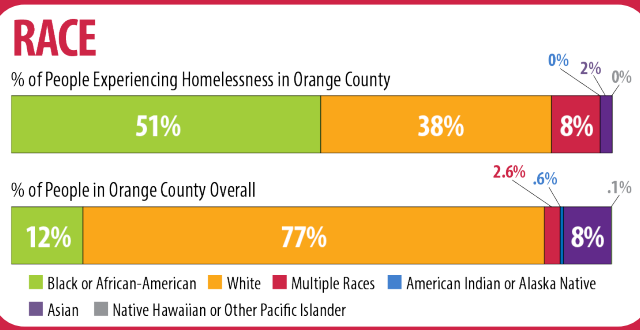
96 PERMANENT SUPPORTIVE HOUSING

Orange County Point-in-Time (PIT) count numbers virtually flat since 2010





People experiencing homelessness are disproportionately people of color



*-11% Decrease Nationwide (Tot '19: 567,715. Tot '10: 637,0077) https://www.hudexchange.info/programs/coc/coc-homeless-populations-and-subpopulations-reports

**24% decrease statewide, 2010-2019 https://www.ncceh.org/media/files/files/7bd752c5/2019-nc-pit-infographic.pdf

***FY2020 System Performance Measures

For more information about homelessness in Orange County, contact ***Corey Root, croot@orangecountync.gov, (919) 245-2496.***

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 8., **File #:** [21-0183], **Version:** 1 **Meeting Date:** 3/10/2021

Receive the Second Quarter Fiscal Year (FY) 2021 Affordable Housing Report.

Staff:
Loryn B. Clark, Executive Director
Faith Brodie, Public Housing Director
Sarah Osmer Viñas, Assistant Director
Nate Broman-Fulks, Affordable Housing Manager
Stacey Todd, Public Housing Management Analyst

Department:
Housing and Community

Overview: This quarterly report on affordable housing activities for Fiscal Year 2021 tracks:

- Community indicators related to the housing market and affordable housing,
- Our progress toward affordable housing targets,
- The status of projects funded with Town resources, and
- General housing conditions in Chapel Hill.

Recommendation(s):

That the Council receive this Fiscal Year 2021 second quarter report and provide feedback on the draft Public Housing Quarterly Report.

Highlights of the report for the second quarter of FY 21 (October 1 - December 31, 2020) include:

- The Town has continued to focus on COVID-19 response efforts and supported 264 Emergency Housing Assistance payments for Town residents. This assistance is reflected in the total units preserved. An additional 133 assistance payments were provided through the HOPE program.
- The 2200 Homestead Road development team submitted a rezoning application to develop approximately 120 homes.
- The Community Home Trust added one new home into their permanently affordable inventory.
- The Council allocated all available Affordable Housing Development Reserve funds for the fiscal year to projects.
- Some of the key community indicators this year include:
    - The median household income in Chapel Hill has continued to increase to $90,400, an increase of $6,000 (or 7%) from last year,
    - The median home value is $410,105, an increase of $26,000 (or 6%) from last year,
    - The percentage of cost-burdened renters has continued to rise with 58% of renters currently spending more than 30% of their income on housing expenses.
- As discussed with this Council in the fall, this report will also include a quarterly report on the status of Public Housing operations and steps that we are taking to exceed expectations outlined by the U.S. Department of Housing and Urban Development. Highlights of the second quarter include updates on:
    - Actions taken during COVID for the safety of staff and residents;
    - Expenditures and proposed actions for property restoration;
    - Implementation of the Public Housing Master Plan including redevelopment of Trinity Court;

and
- Efforts to increase resident engagement and programming needs.

Attachments:

- Draft Staff Presentation
- Affordable Housing Quarterly Report - Fiscal Year 2021 Quarter 2
- Public Housing Quarterly Report - Fiscal Year 2021 Quarter 2

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTERS: Loryn Clark, Executive Director
Sarah Osmer Viñas, Assistant Director
Nate Broman-Fulks, Affordable Housing Manager
Faith Brodie, Public Housing Director
Stacey Todd, Public Housing Management Analyst

RECOMMENDATION: That the Council receive this Fiscal Year 2021 second quarter report and provide feedback on the draft Public Housing Quarterly Report.

Affordable Housing Quarterly Report

Mid-Year Report

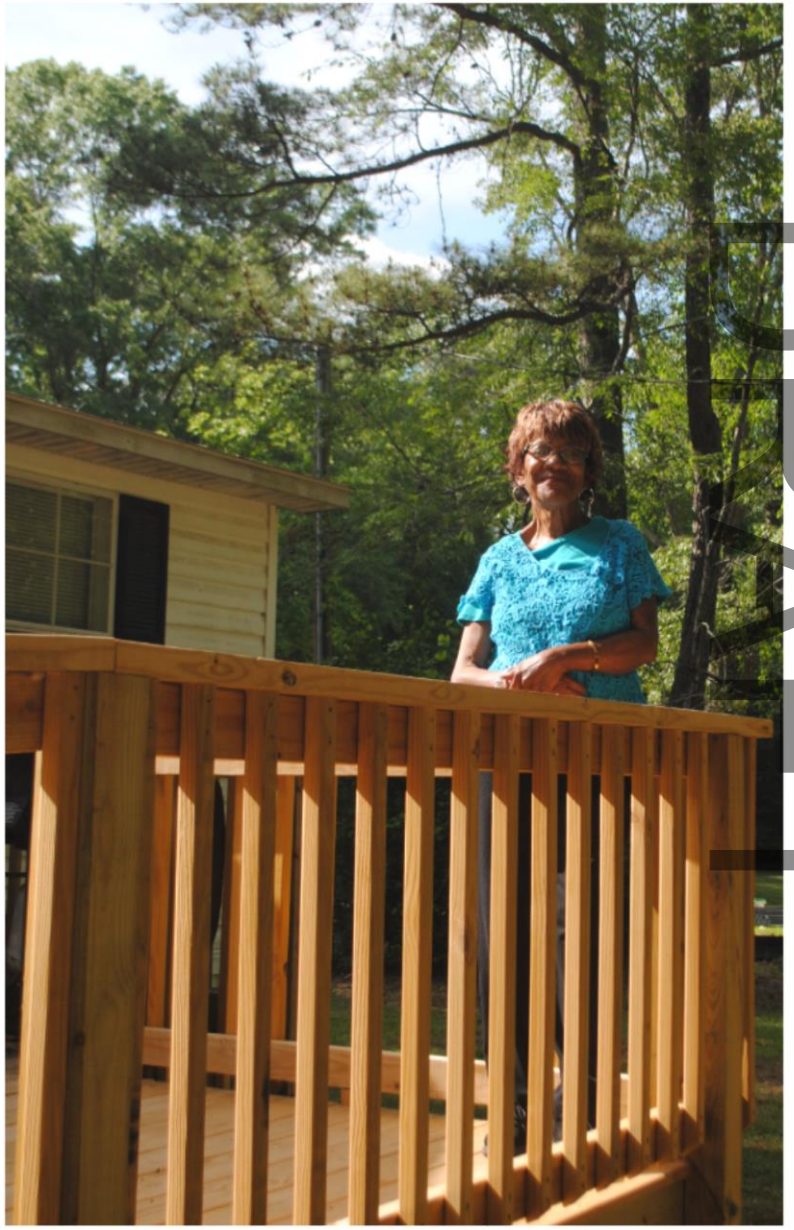
(July 1 – December 31, 2020)

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Council Meeting Presentation
March 10, 2021

Agenda

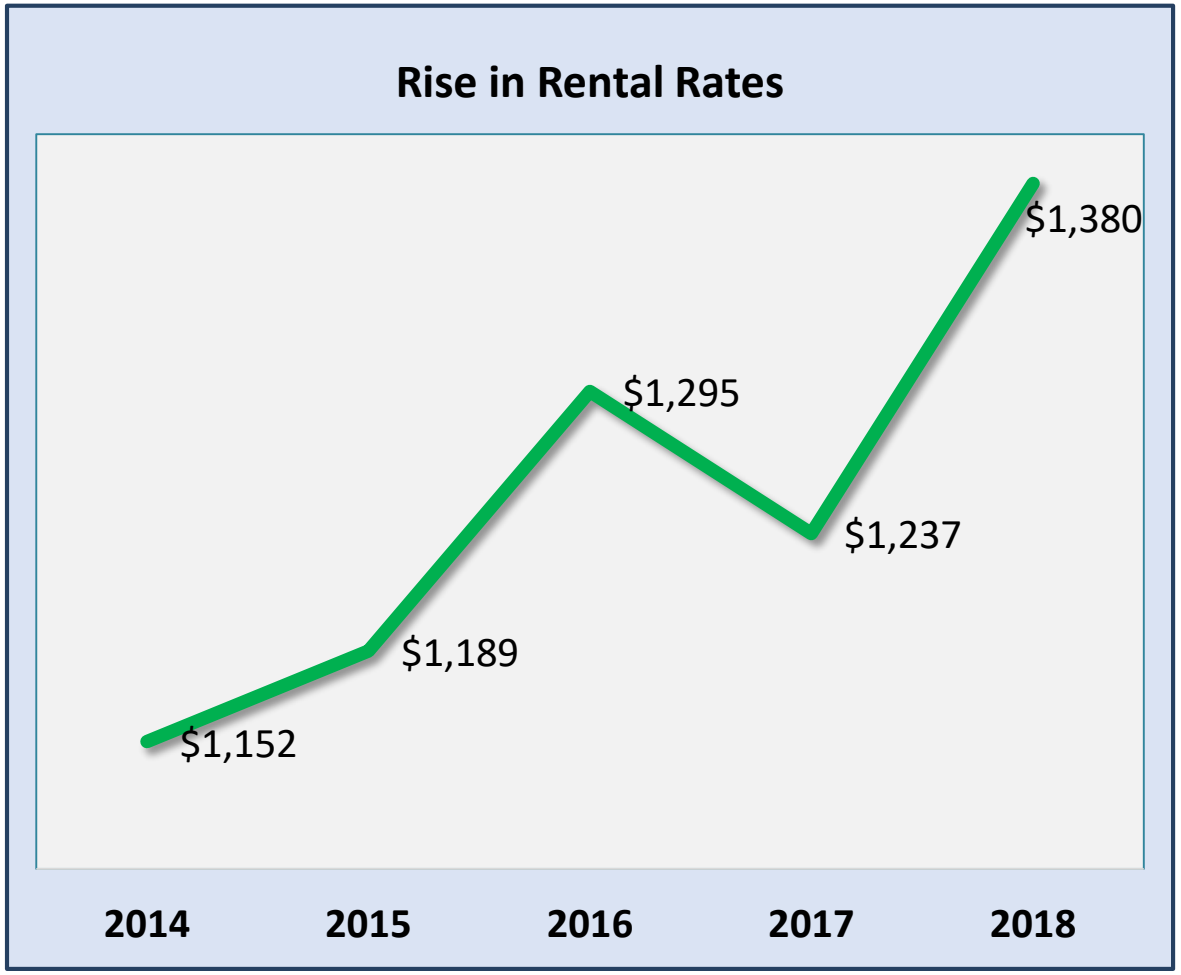
1. Quarterly Report Overview
2. Project Highlights
3. Next Steps
4. Public Housing Quarterly Report

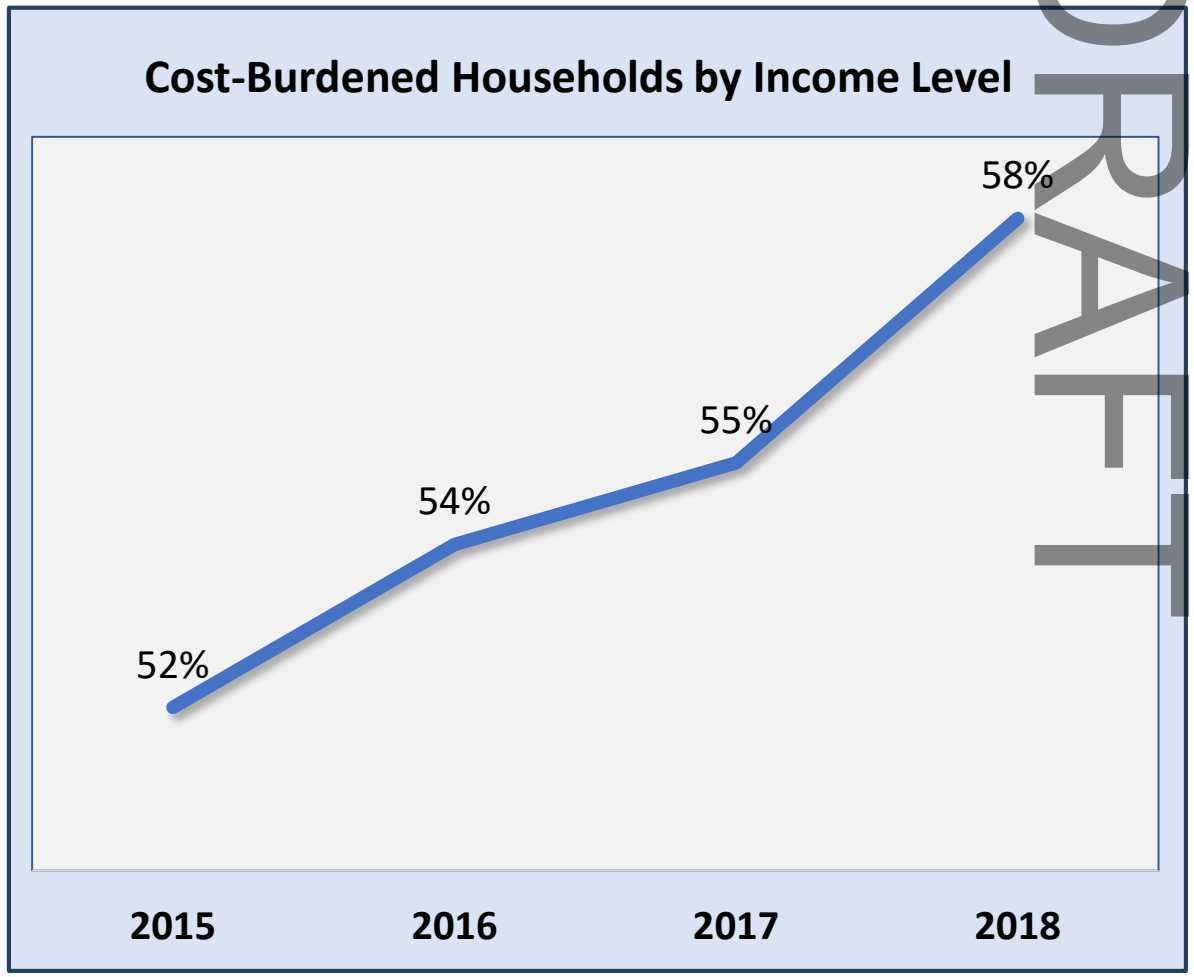


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Our Goal

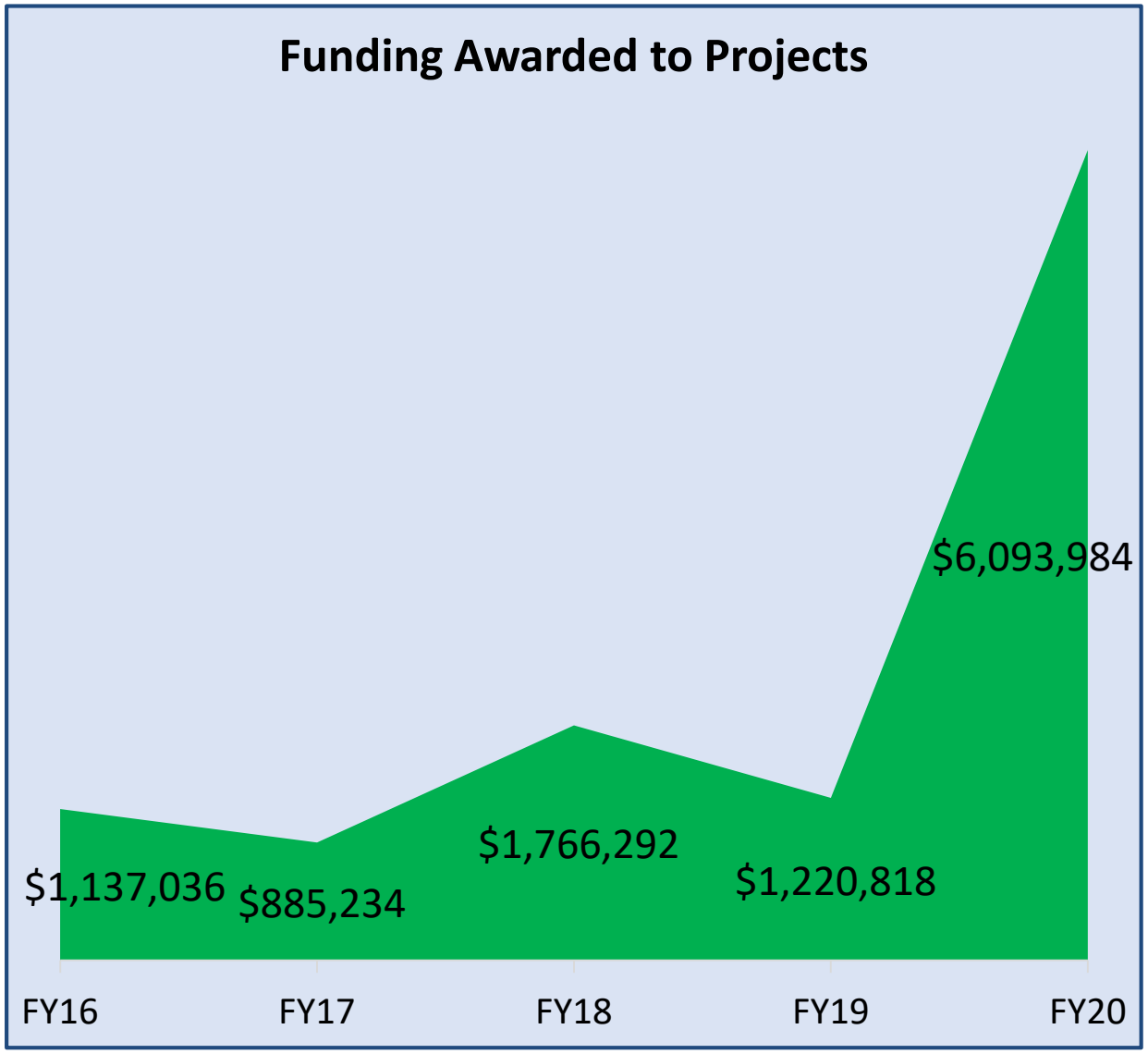
To increase access to housing for residents across a range of incomes, and constantly strive for more equitable outcomes and opportunities for historically underserved populations.

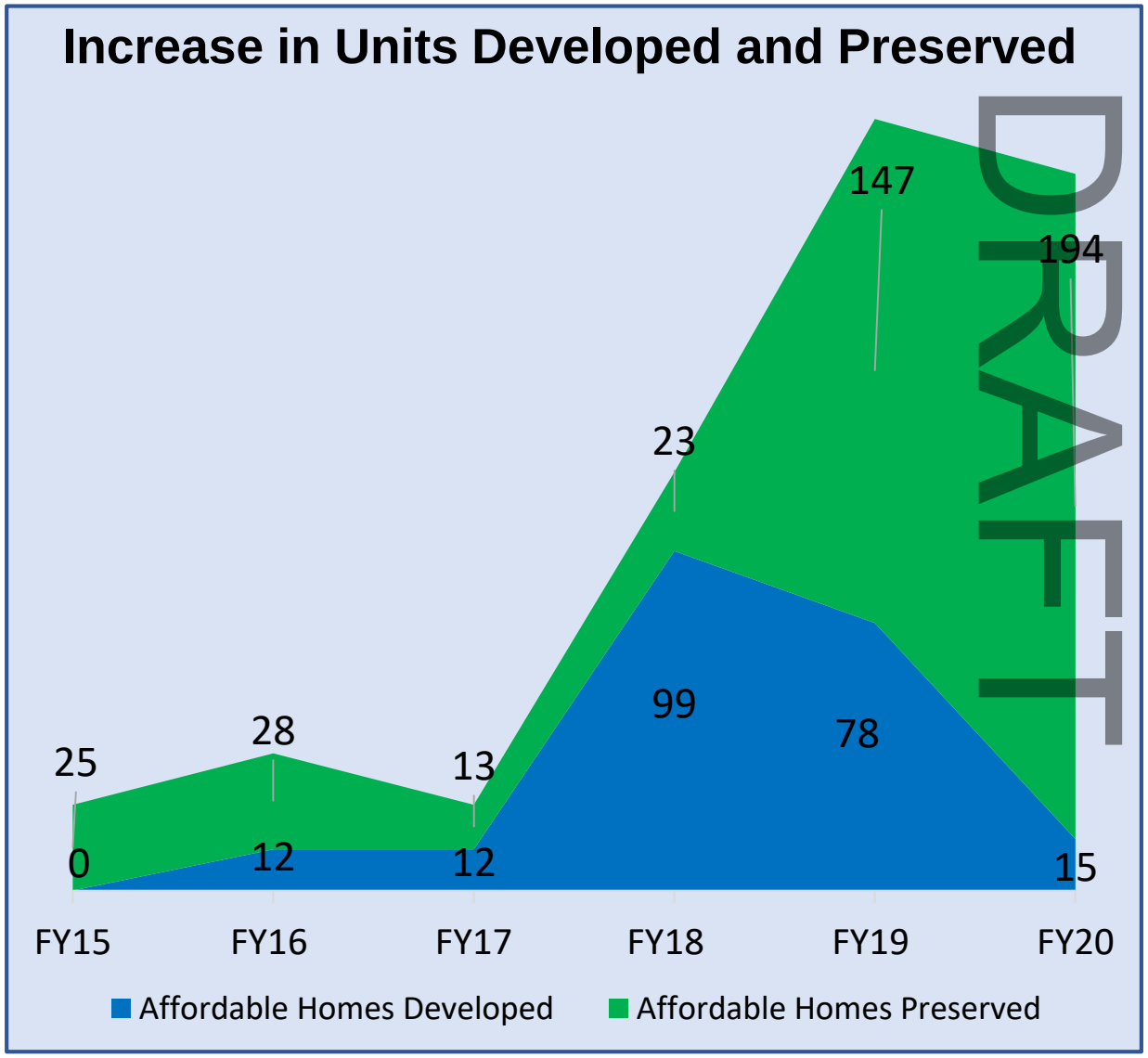




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The Town has increased its support for affordable housing:





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FY21 Projection

15

Development



400

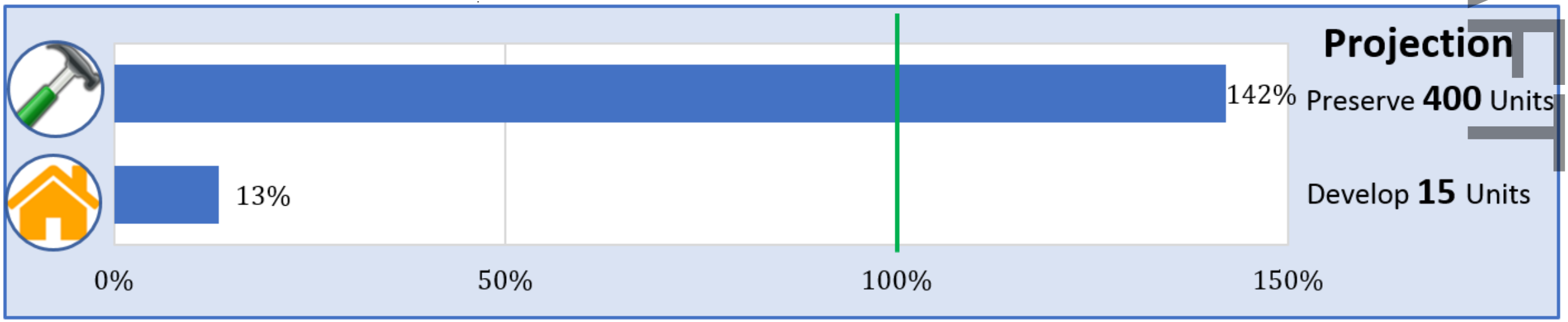
Preservation



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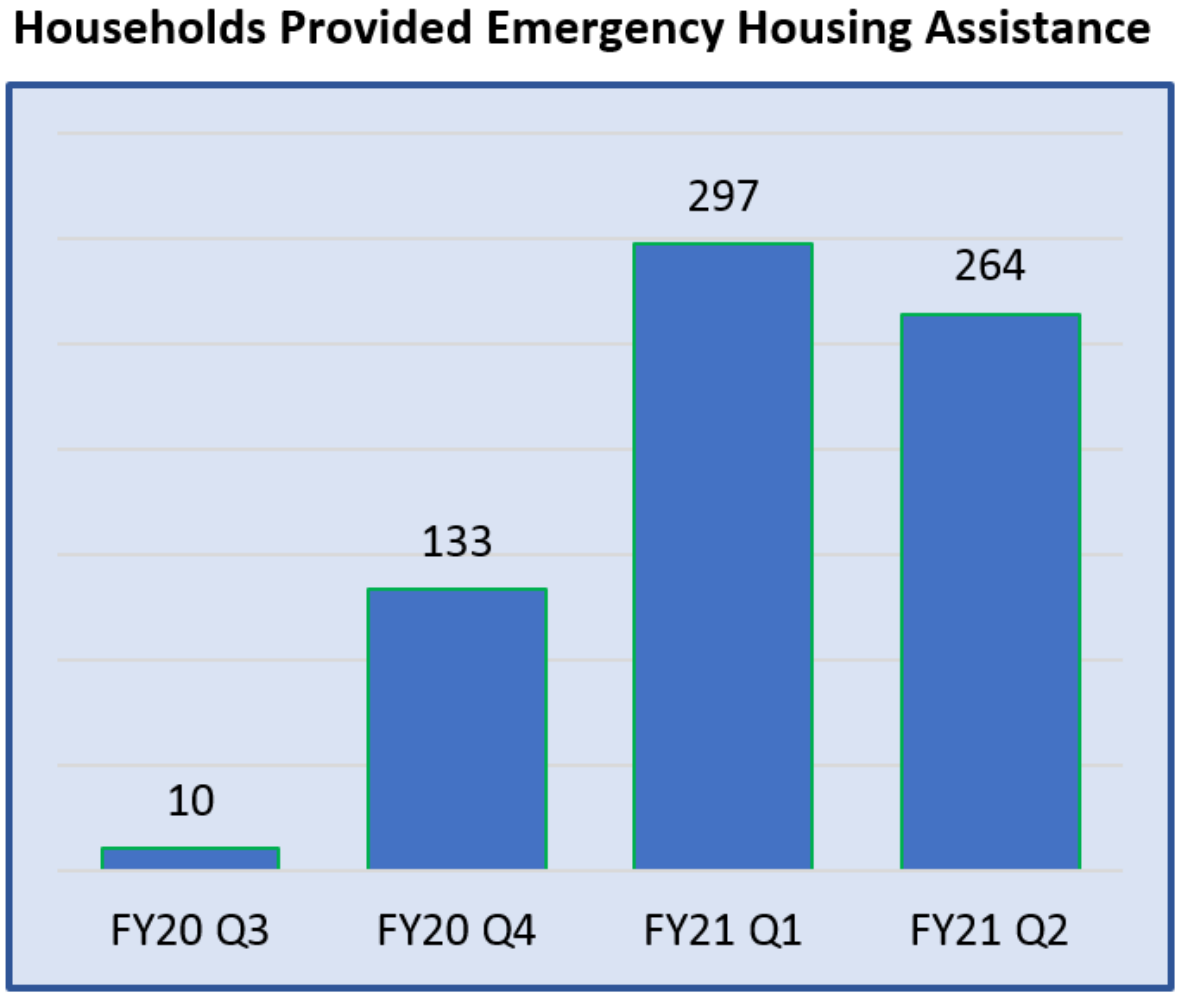
FY21 Progress

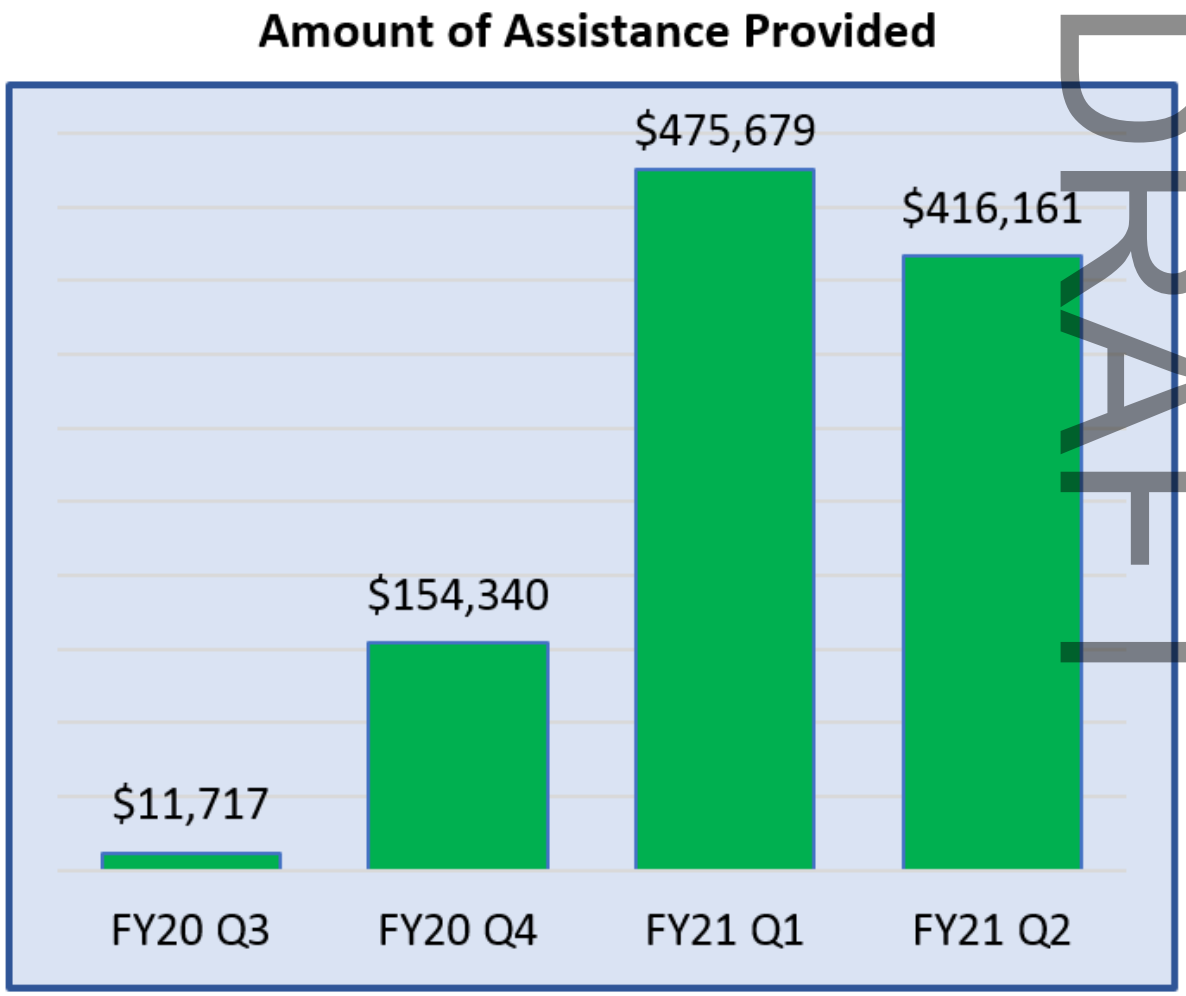
2	568	89%	84%	$1.39 Million
Units Developed	Units Preserved	of Projects on Track	of Funding Available for Projects Allocated	Allocated to Emergency Housing Assistance



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Emergency Housing Assistance Program





DRAFT

Community Home Trust Home

- Northside Neighborhood
- Permanently affordable
- Serving household below 115% AMI



DRAFT

Development on Town-Owned Land

- 2200 Homestead
  - Submitted development application in October
  - Town Council and Advisory Boards review in spring
- Jay Street
  - Executing MOU with selected partner
  - Concept planning and engagement kicking off
- Bennett Road
  - Proposed visioning process for Council review in spring



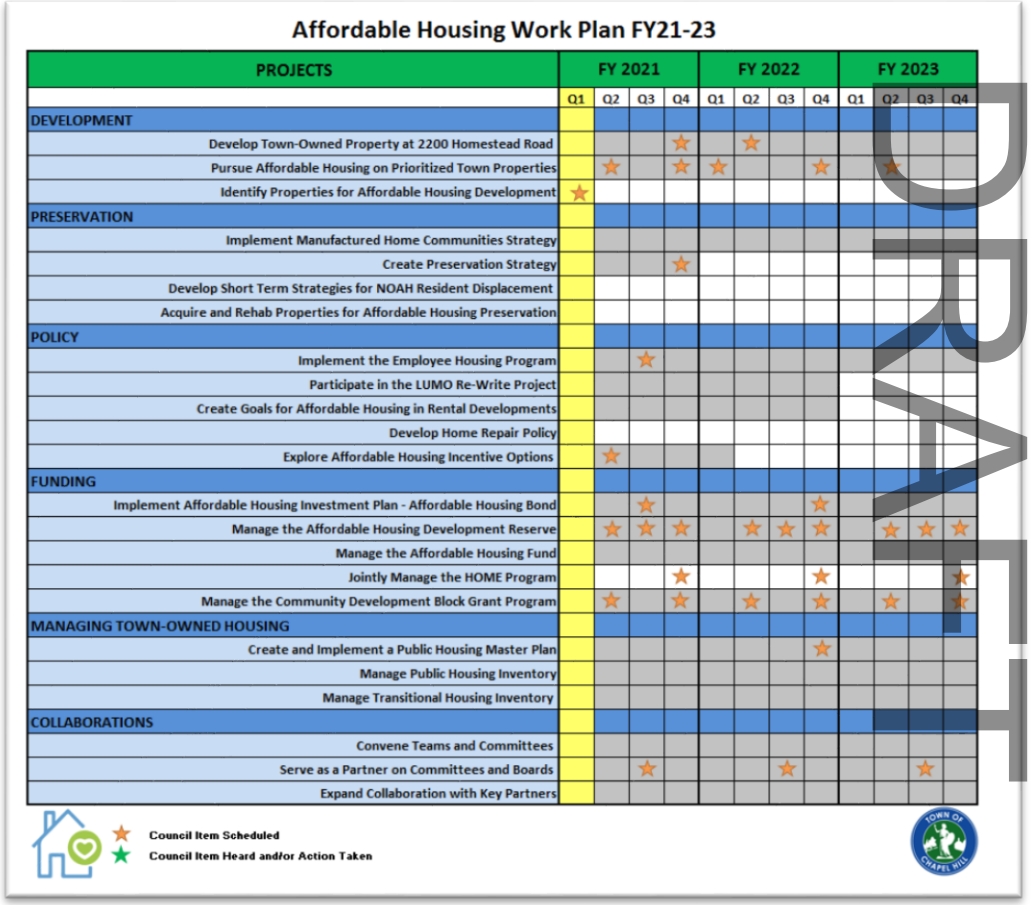
What's Ahead

1. Continue providing Emergency Housing Assistance

2. Council review CDBG, HOME Annual Plans

3. Continue Implementing Manufactured Home Strategy based on Council guidance

4. Increase housing inventory for Transitional Housing Program and create opportunities in Employee Housing Program



Public Housing

Quarterly Report/ FY2021 Q2/ October- December

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PURPOSE OF TONIGHT'S PRESENTATION

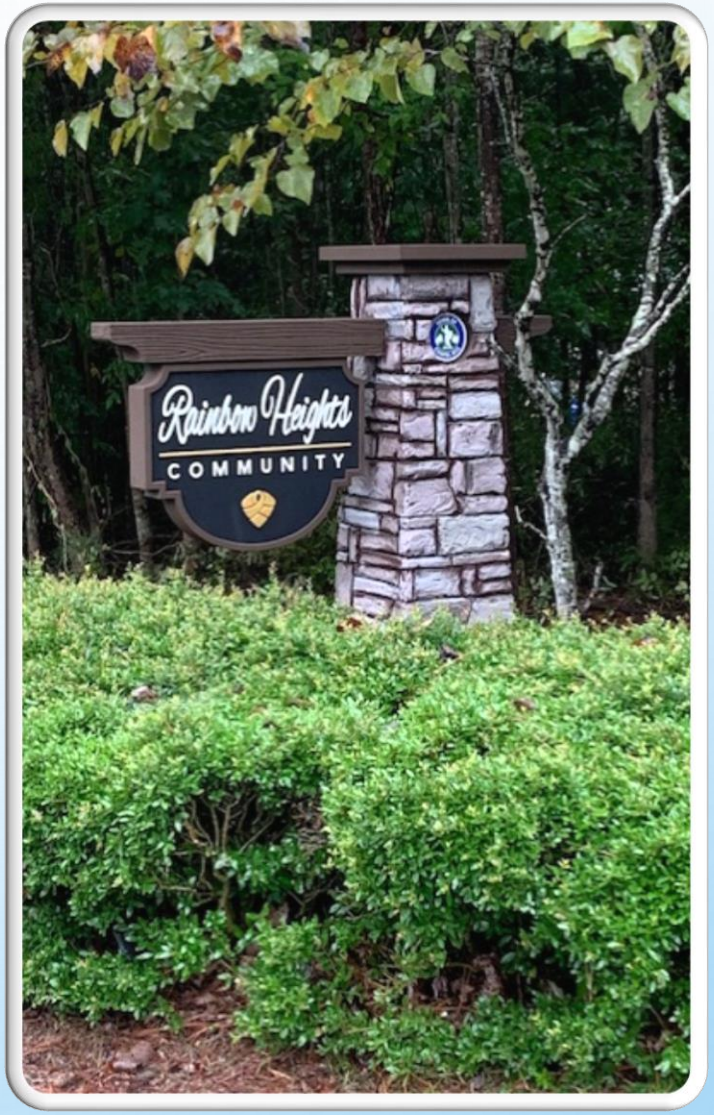
- During council's fall work session, we promised that we would make an effort to keep council informed of our activities to improve the public housing assessment score (PHAS) that we received from the Department of Housing and Urban Development (HUD)

And

- Provide Quarterly Reports to better familiarize Council with elements of the Public Housing Master Plan

And

- Share information of our efforts to further engage all residents of Chapel Hill Public Housing



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Metrics

To track our progress and success, We have used HUD's metrics in the PHAS score.

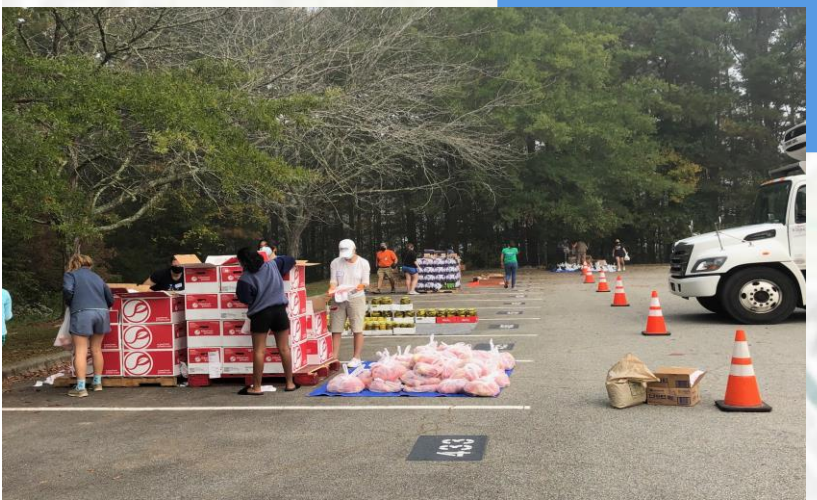
These metrics are:

- Physical Condition
- Financial Condition
- Management Operations
- Capital Fund
- Community Engagement

DRAFT

Operations during COVID-19

- HUD suspended the annual PHAS inspection
- Relocated Food distribution to central location (Touchless)
- We suspended Monthly Residential Preventative Maintenance
- Responded to Emergency Work Orders during this quarter
- Implemented pre-screening process (Staff, Residents, & Applicants)
- Distributed masks to all Public Housing Residents





DRAFT

Physical Condition of Properties

HUD evaluates site, building exterior, interior, and general condition of neighborhood

- Repair of brick wall at Craig Gomains playground
- Reroofing at Craig Gomains and Lindsay Street (total of 19 buildings)
- Regrading of Oakwood sidewalk
- Rebuild of Oakwood units damaged by fire



New roofs



Oakwood

DRAFT

Physical Condition of Properties



- Monthly Pest Control and Filter Changes restarted in Nov
- Included COVID pre-screening of residents by phone
- November: **45.9%** of units were inspected and treated for pests
- December: **45.3 %** of units were inspected and treated for pests
  - Goal is for 100% of units to be treated. Goal was not reached this quarter because some residents were unable to respond to COVID screening questions.
- Unable to inspect if we could not reach resident



179 Emergency Work Orders

176 closed within 24 hours

DRAFT

Financial Operations

FY	222 Liquidity	Adequacy of Reserves	Adjusted Operated Income	% of Money owed to vendors
2019	8.45%	23.37%	$327,947	2.23907
2020	12.83%	26.63%	$474,541	1.26168

Operational Fund

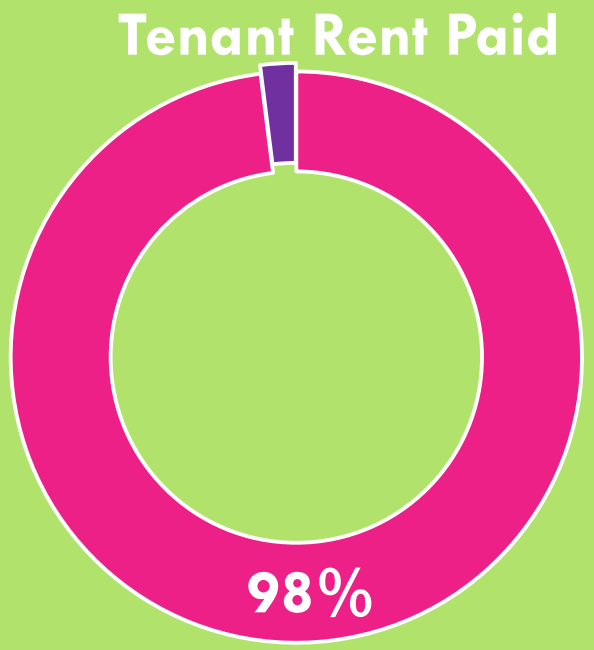
HUD evaluates whether the Housing Agency has sufficient financial resources and is managing those resources effectively

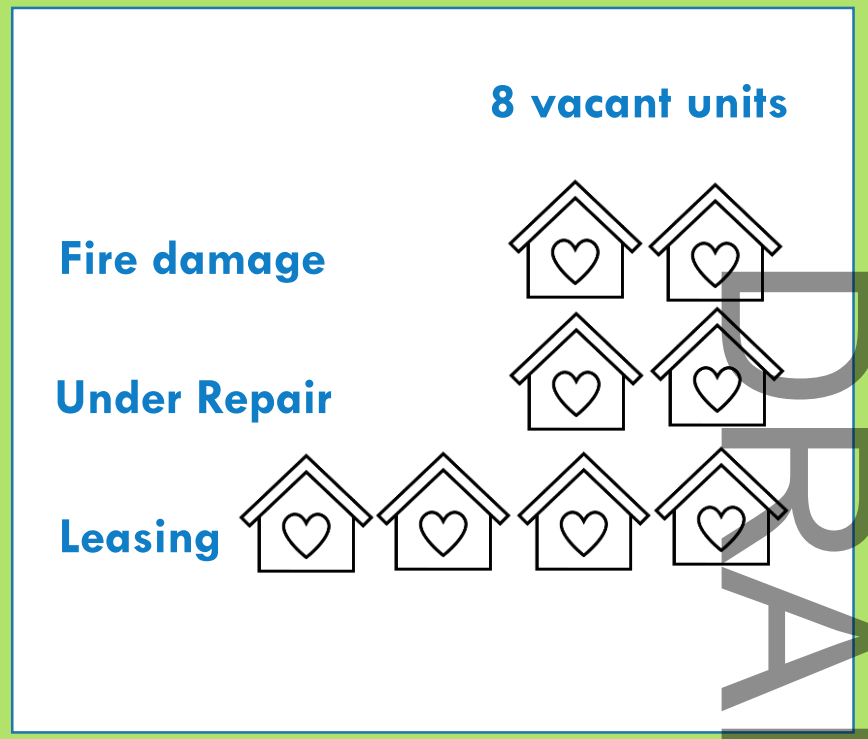
- Data represents values from Annual Financial Data Schedule collected at FY end (6/30/20)
- Improvements were made in each Financial category from 6/30/19 to 6/30/20

DRAFT

Management Operations

HUD is assessing the effectiveness of the Housing Agency's Management in terms of **Occupancy, Tenant Account Receivables, and Accounts Payable**





98% of tenants paid their rent

There are 8 vacant units: 2 are under repair for fire damage, 2 are under repair for leasing, and 4 are being leased.

DRAFT

Capital Fund Grants

Grant Funds can be used for:

1. Development
2. Financing
3. Modernization
4. Management Improvement

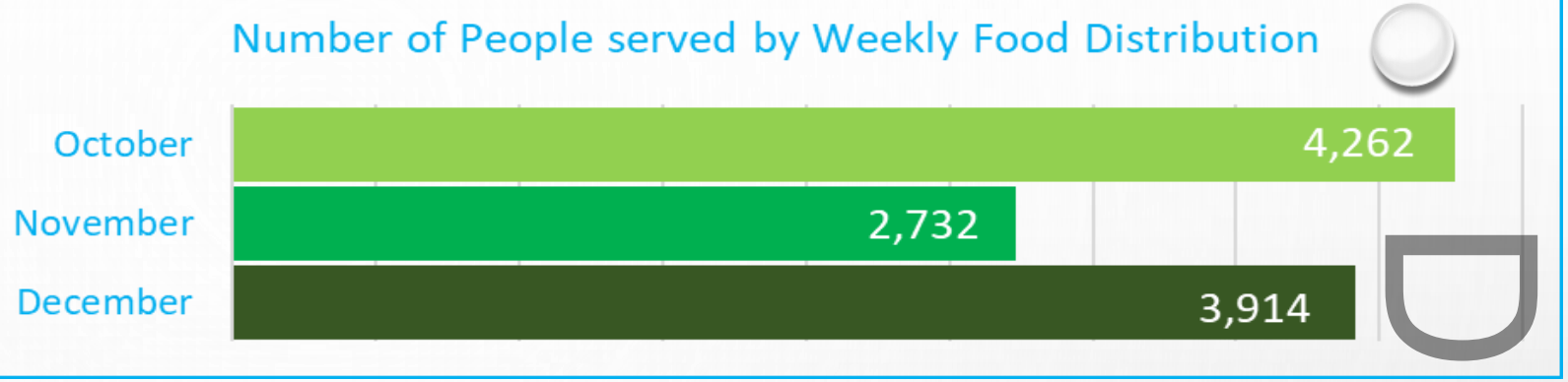
HUD evaluates the time it takes to use the funds designated for Building Improvements. All Grant Funds must be spent within 4 years of receipt.

	Awarded	Portion of Staff Salaries	Spent	Available
FY18	$549,598	$54,000	$495,895	$53,703
FY19	$789,318	$78,224	$333,778	$455,540
FY20	$825,913	$82,000	$50,260	$775,653
FY21	$886,583	$80,000	$0	$886,583
TOTALS	$3.051,412	$294,224	$879,933	$2,171,479

DRAFT

Community Engagement





Added to better track efforts towards resident engagement



DECEMBER 2020 ISSUE NO. 46

WHAT'S IN THIS ISSUE: MESSAGE FROM THE DIRECTOR PAGE 01 · MOLD & MOISTURE PREVENTION PAGE 04 · PIEDMONT HEALTH PAGE 06 · WHO IS RETIRING? PAGE 06

IN THE LOOP

THE OFFICIAL NEWSLETTER OF CHAPEL HILL PUBLIC HOUSING

DIRECTOR'S MESSAGE

BY FAITH M. BRODIE

Chapel Hill Public Housing
Our office is Closed, BUT we are OPEN for business!
You Can Call Us!!
(919) 968-2850

WELCOME to the latest edition of YOUR newsletter. We are embracing this fall/winter season by bringing you a bright, fresh layout of the newsletter, packed with all the latest information and news. Please continue to share your feedback so that we know what you want.

These past 9 months have been a very busy time in our communities despite the COVID-19 pandemic, social unrest, political campaigns and economic struggles which are still plaguing many of us.

1. **RAD** – we started 2020 continuing to review how we might renovate Trinity Court in a manner that would increase affordable housing and remain consistent with Council's goals to open up the space and make it more physically attractive. I am excited to report that as a result of our Request for Qualifications, we have received 3 bids from developers that want to work with us to make our vision a reality. As we move forward in assessing their bids, I will keep you in the loop and solicit your evaluation of the development team we want to work with. Please respond as quickly as you can so that we can stay on track with any HUD deadlines.

3
Monthly newsletters

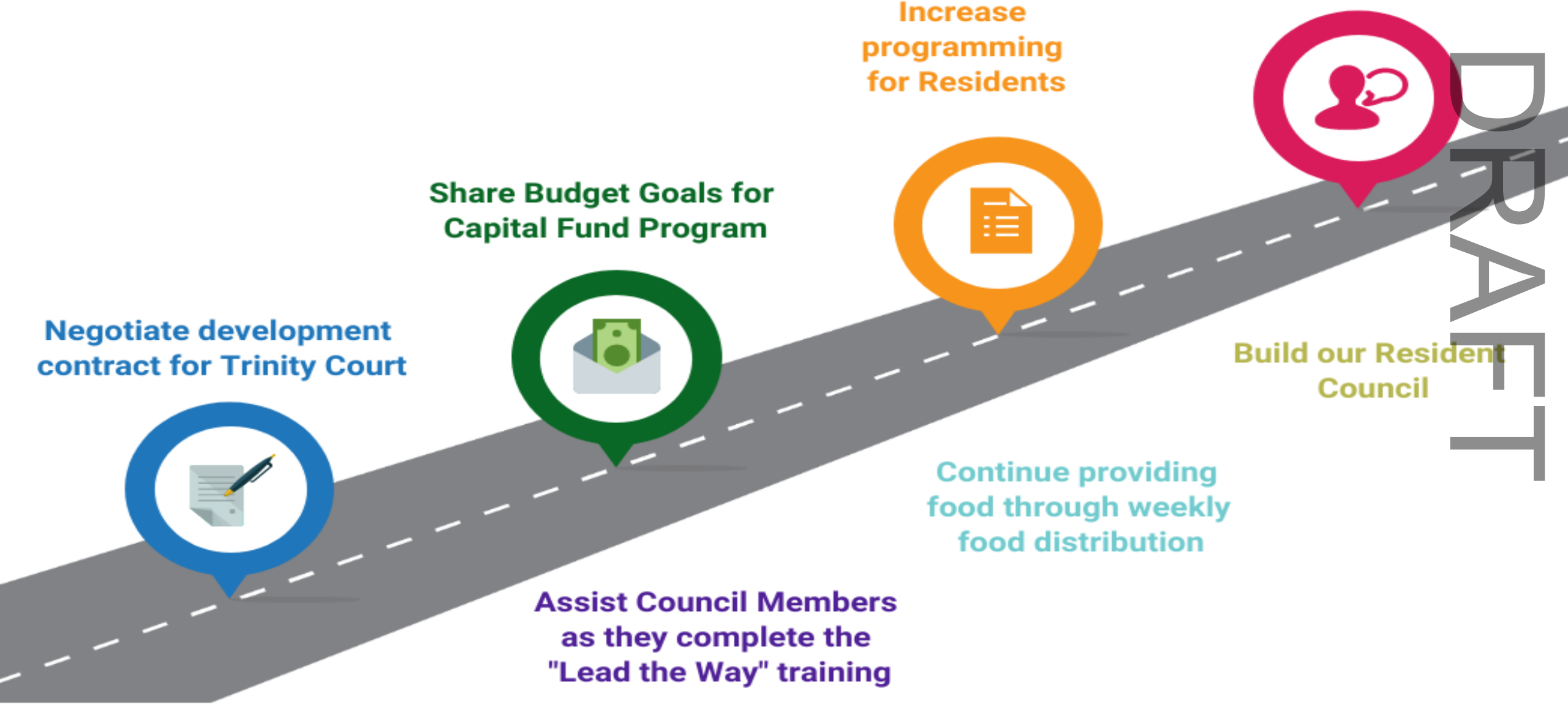
2,500
Face Masks Distributed

- **Resident Council Kick-Off Meeting was held January 2021**
- **2021 Calendars mailed to residents; including reminders to pay rent and info on community resources**

DRAFT

What's Ahead?

Goals for next quarter



DRAFT



THANK YOU

DRAFT

Affordable Housing Quarterly Report

Mid-Year Report

(July 1 – December 31, 2020)

DRAFT

Council Meeting Presentation
March 10, 2021

AFFORDABLE HOUSING QUARTERLY REPORT

FISCAL YEAR 2021 QUARTER 2

(OCTOBER 1 – DECEMBER 31, 2020)

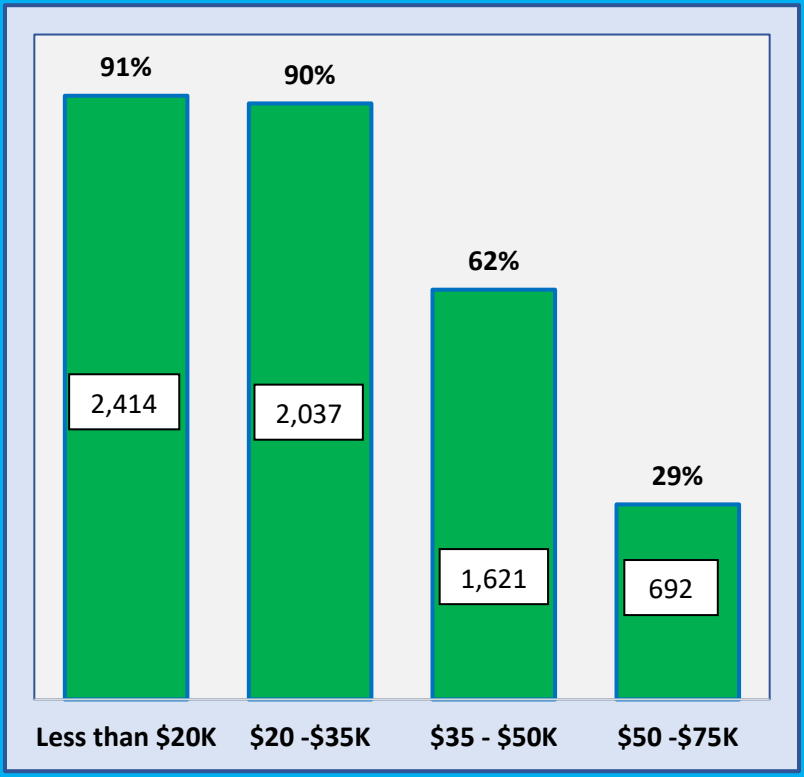
Our Goal

To increase access to housing for residents across a range of incomes, and to constantly strive for more equitable outcomes and opportunities for historically underserved populations.

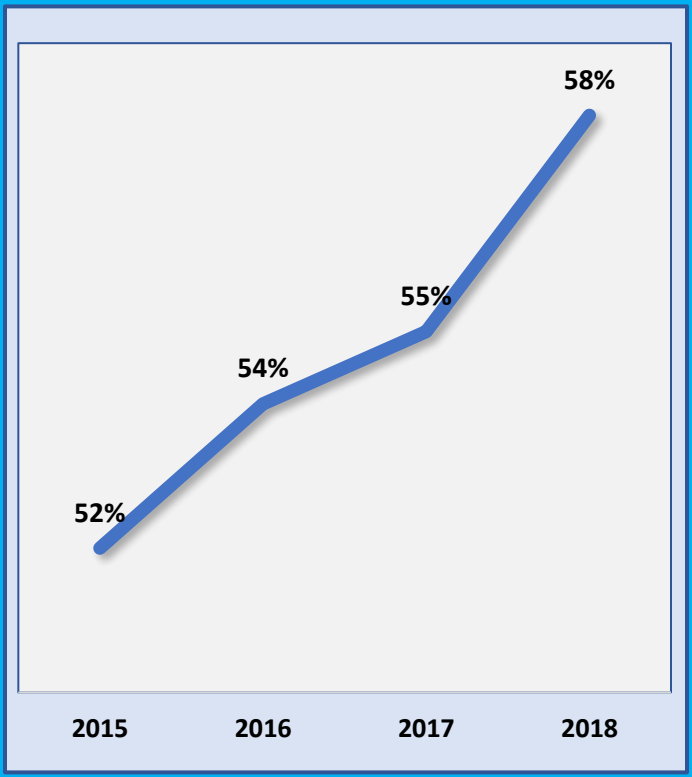
Community Indicators

$6,226,205 Town Budget for Affordable Housing Strategies	**$90,900** Median Household Income	**58%** of Renters spend more than 30% of income on Housing	**40%** of Housing Units (7,459) affordable to households with income at 80% AMI
	$410,105 Median Home Value	**22.5%** of Homeowners spend more than 30% of income on Housing	**21,708** Total housing units in town

Number and Percent of Households that are Cost-Burdened by Income Level

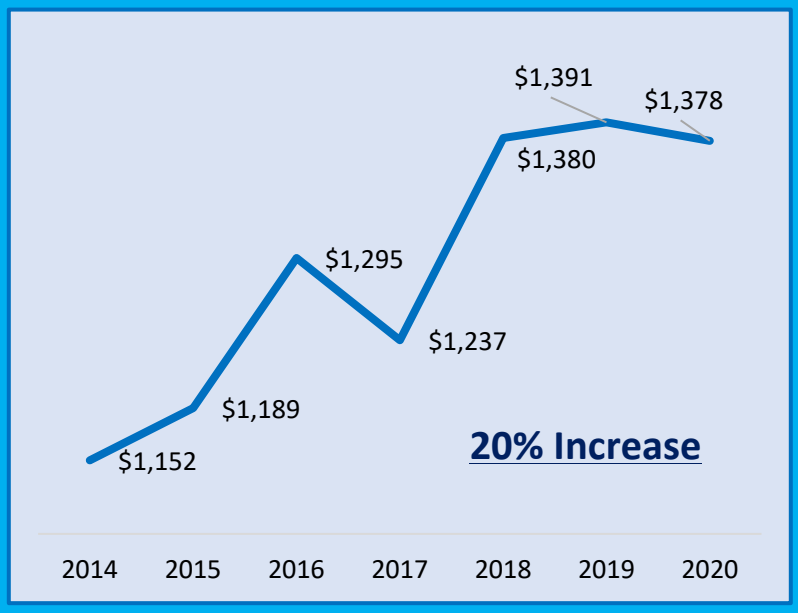


Percentage of Renters Cost-Burdened by Year

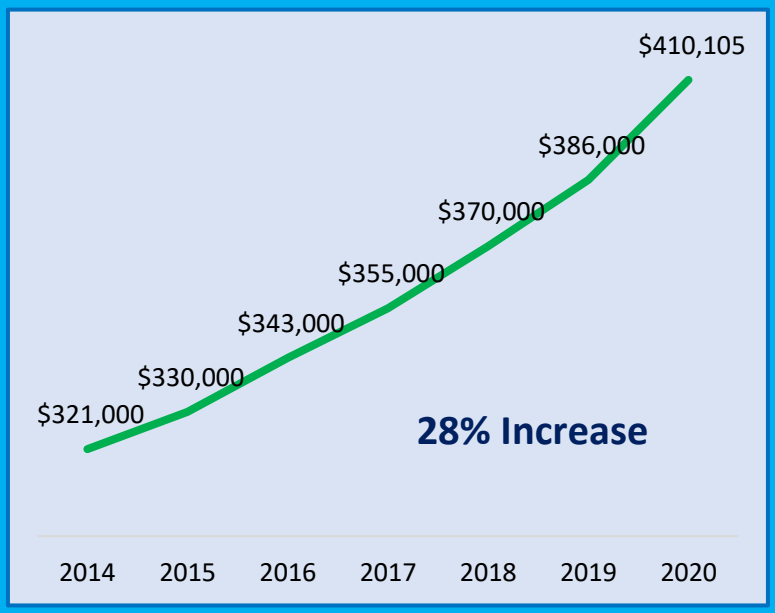


Housing costs have been rising in Chapel Hill since 2014:

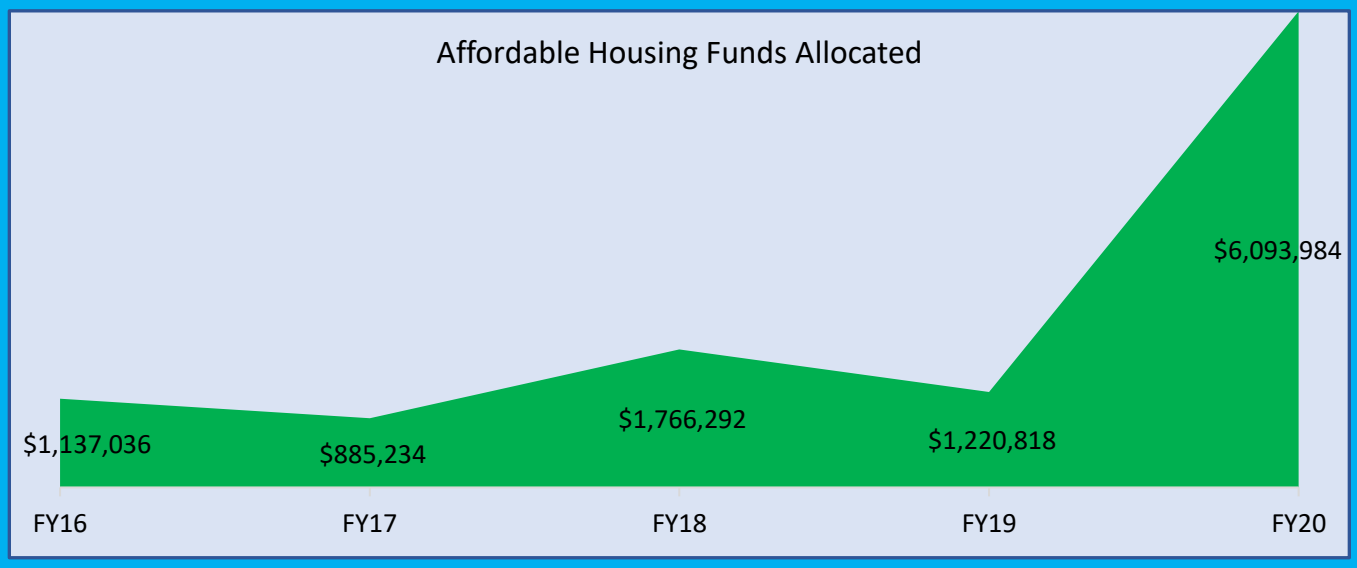
Rise in Rental Rates



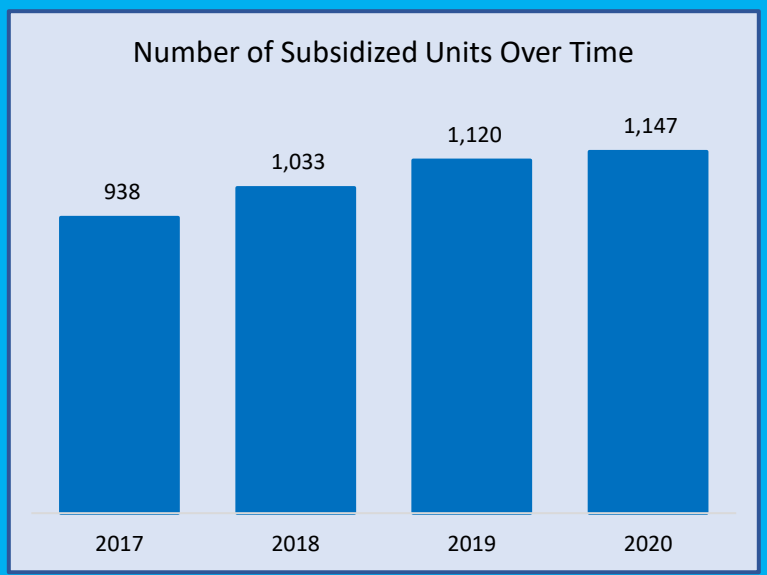
Rise in Home Values



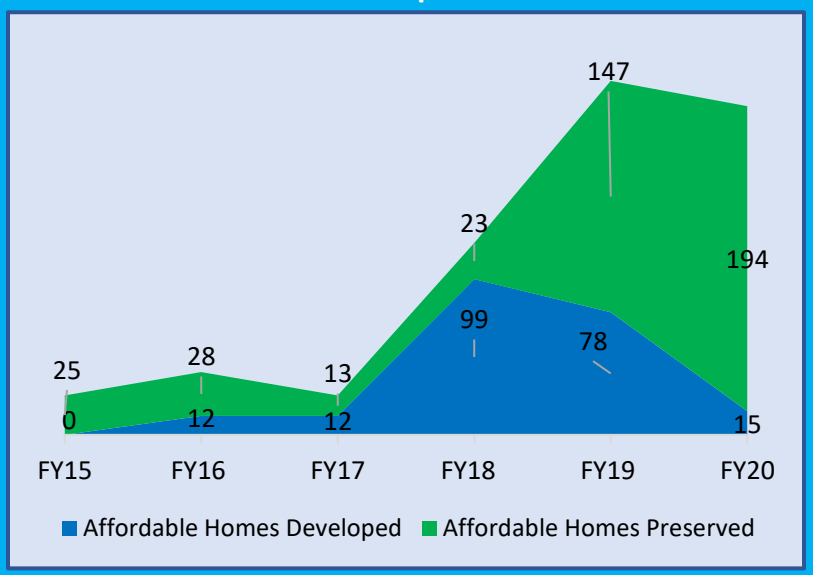
The Town has increased its support for affordable housing to address housing needs:



Increase in Number of Subsidized Units



Increase in Units Developed and Preserved

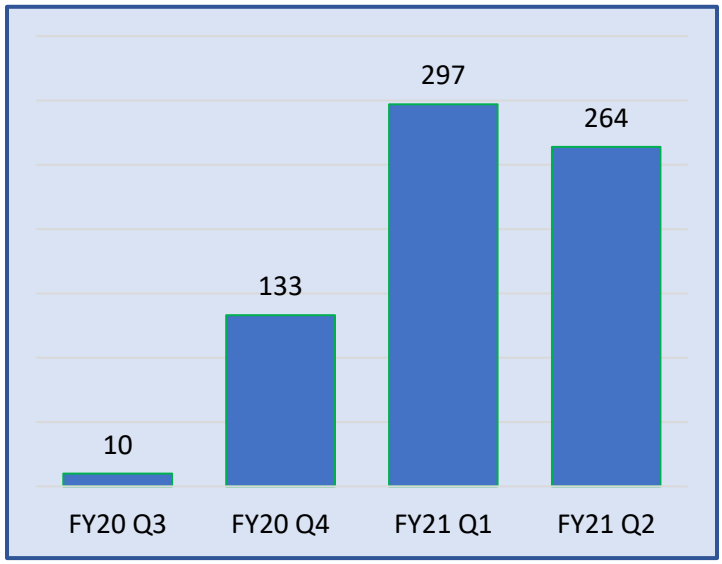


FY21 Q2 Highlights

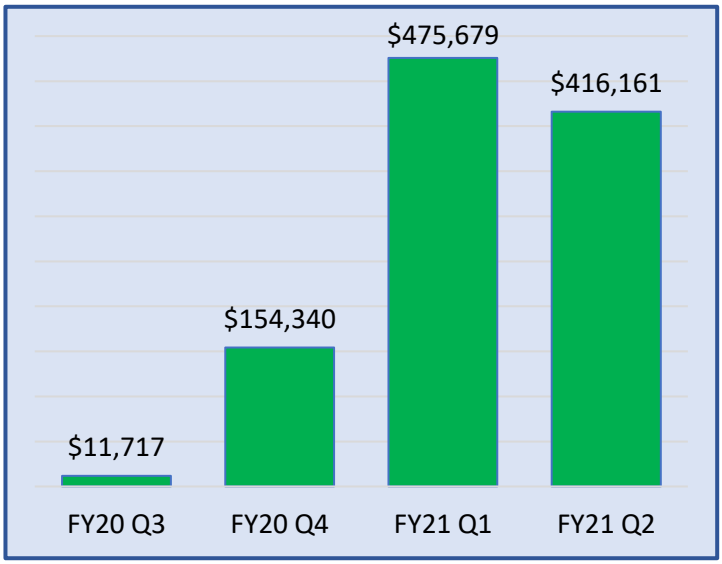
- The Town has continued to focus on COVID-19 response efforts and supported 264 Emergency Housing Assistance payments for Town residents. This assistance is reflected in the total units preserved. An additional 133 assistance payments were provided through the HOPE program.
- The 2200 Homestead Road development team submitted a rezoning application to develop ~120 homes
- The Community Home Trust added one new home into their permanently affordable inventory
- Allocated all available Affordable Housing Development Reserve funds for the fiscal year to projects

Emergency Housing Assistance

Households Provided Emergency Housing Assistance



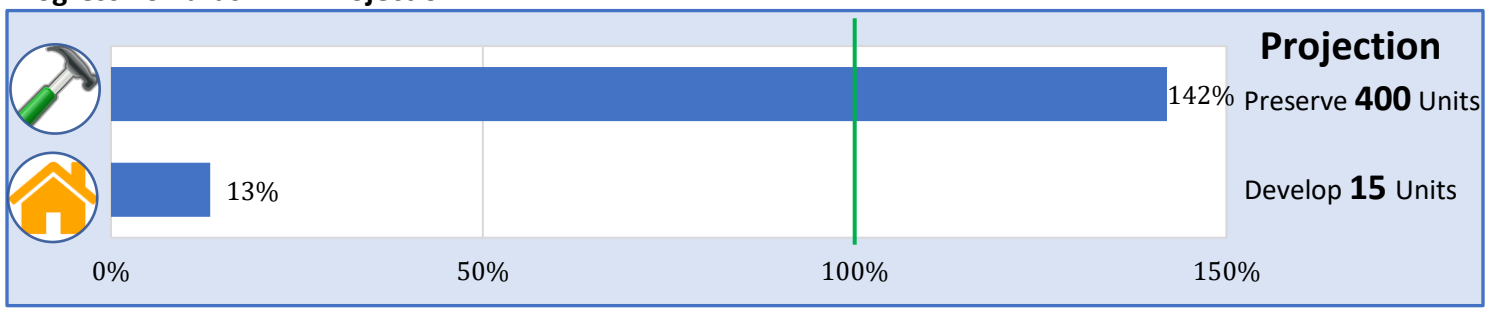
Amount of Assistance Provided



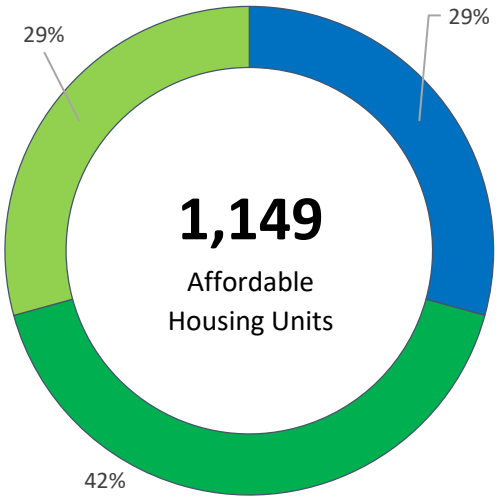
FY21 Town Performance-to-Date

2	568	89%	84%	$1.29 Million
Units Developed	Units Preserved	of Projects on Track	of Funding Available for Projects Allocated	Allocated to Emergency Housing Assistance

Progress Towards FY21 Projection

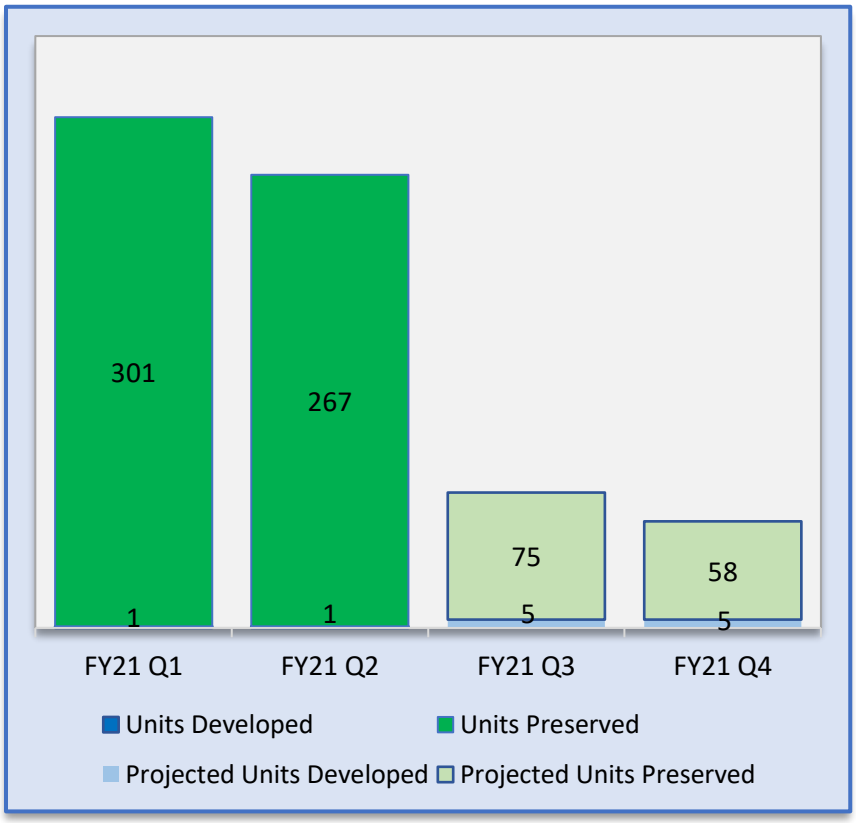


Number of Subsidized Units in Town



Home Ownership:	337
Public Housing:	336
Rental:	476

Actual and Projections by Quarter – Number of Units



Affordable Housing Projects Underway Supported by the Town

Project Type	Provider	Project Name	Number of Units	Projected Completion	Status
	Community Home Trust	Culbreth Park Acquisition	1	FY21 Q1	✓
	Community Home Trust	Graham Street Acquisition	1	FY21 Q2	✓
	Town of Chapel Hill Public Housing	Church Street Renovation	1	FY21 Q2	✓
	Town of Chapel Hill	Employee Housing Program	5	FY21 Q3	●
	Pee Wee Homes	Mitchell Lane Tiny-plex	2	FY21 Q4	●
	Town of Chapel Hill	Transitional Housing at Umstead Road	1	FY22 Q4	●
	Town of Chapel Hill Public Housing	Oak Avenue Furnace Replacement and Fire Repair	3	FY21 Q4	●
	Orange County	Emergency Housing Assistance	400	FY21 Q4	●
	Self-Help	Northside Neighborhood Initiative Housing Rehabilitation	10	FY21 Q4	●
	Town of Chapel Hill Transitional Housing	Ashley Forest Renovation	1	FY21 Q4	●
	Town of Chapel Hill Transitional Housing	Sykes Street Renovation	1	FY21 Q4	●
	Habitat for Humanity	Sunset Drive Home Construction	1	FY21 Q4	●

	Community Home Trust	Homebuyer Subsidy	2	FY21 Q4	
	Self-Help	Grisham Cottages	2	FY21 Q4	
	CASA	Merritt Mill Road Multi-Family Development	24	FY22 Q4	
	Town of Chapel Hill	2200 Homestead Road	120	FY24 Q2	
	EmPOWERment, Inc.	Johnson Street Development	8	FY24 Q2	
	Habitat for Humanity	Weavers Grove	100	FY28 Q2	

Legend:

✓: The project has been completed

: The project is on track to meet its project scope and schedule

: The project has been delayed in meeting its previous quarter project scope and schedule

: The project has stalled and may not be completed

: Development Project

: Preservation Project

Affordable Housing Work Plan Highlights

Project	Progress Update
DEVELOPMENT	
2200 Homestead	• Staff and the Homestead Collaborative submitted a Conditional Zoning Application in October to develop around 120 affordable homes
Prioritized Parcels of Town-Owned Land	• Staff are close to finalizing a Memorandum of Understanding with a development partner for the Jay Street site and plan to begin concept planning in the spring • Staff are exploring the design of a visioning process for the Bennett Rd site and plan to bring an update to Council in the spring
Identify Properties for Affordable Housing Development	• Staff is currently conducting an analysis of small, publicly-owned parcels to identify opportunities for small site development, including tiny homes
PRESERVATION	
Implement Manufactured Home Communities Strategy	• Staff provided a Town Council Work Session update on implementation of the strategy. Staff continue to implement the strategy based on Council feedback, including: 1. Build out relocation package and identify funding for Council consideration 2. Explore partnership opportunities for homeownership readiness program 3. Continue exploring site control options, including Resident-Owned Communities 4. Continue advancing Town development projects 5. Consider engaging a consultant to identify additional best practices
Affordable Housing Preservation Strategy	• The Emergency Housing Assistance (EHA) program has seen a large increase in demand due to COVID-19 and our partnership with the County and Towns, combined with additional funding, has assisted in meeting the increased demand • Staff is conducting additional research on implementation options for the Preservation Strategy based on Council's feedback
POLICY	
Implement Employee Housing Program	• Four employees became Chapel Hill residents through the program in FY20 • Staff are evaluating the pilot program and plan to report back to Council in the spring on our findings and recommendations for improving the program
FUNDING	
Implement Investment Plan for Affordable Housing – Affordable Housing Bond	• Council approved the allocation of $6.1 million in FY20 towards affordable housing development and preservation projects, $5 million from the Bond
Manage Funding Programs ▪ **Affordable Housing Fund (AHF)**	• The Town Council has allocated all available funding from the Affordable Housing Development Reserve for the remainder of this fiscal year

▪ **Development Reserve (AHDR)** ▪ **CDBG**	• Town Council approved an updated CDBG Program Plan that includes almost $1 million in funding for affordable housing and community development projects, much of it focused on COVID-19 relief efforts
MANAGING TOWN-OWNED HOUSING	
Public Housing Master Plan	• Staff are evaluating responses to the RFQ to solicit interest from developers to redevelop the Trinity Court and/or Craig Gomains public housing communities. • Staff worked with an engineering firm to conduct a feasibility study for redevelopment of the Trinity Court and Craig Gomains sites.

Notes & Citations

- The percentage of renters and homeowners that pay more than 30% of their income on Housing, the number and percentage of cost-burdened housing, and total occupied housing units in town data source is U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

- HUD defines cost-burdened families as those who pay more than 30 percent of their income for all housing related expenses and may have difficulty affording necessities such as food, clothing, transportation, and medical care.

- The median household income data source is the HUD 2020 Median Family Income Estimates based on American Community Survey data for the Durham-Chapel Hill Metropolitan Statistical Area.

- The median home value data source is Zillow.com and average rent rate is RentJungle.com

- The total budget this fiscal year for affordable housing strategies captures all Town expenditures for affordable housing. This includes the Affordable Housing Fund, CDBG Funds, the affordable housing bond, and operating funds, among others.

- The percentage of housing units that are affordable to households with income under 80% AMI includes naturally occurring affordable housing and units subsidized by the Town. The data source for this metric and corresponding chart is the commercial real-estate research firm Co-Star and the County-wide data inventory created through the Orange County Affordable Housing Coalition.

- The percent of budget allocated metric displays the percentage of the Town budget for affordable housing projects allocated as of the date of the quarterly report.

- The data source for the number of units subsidized by the Town is the County-wide Data Inventory created through the Orange County Affordable Housing Coalition.

- The data source for subsidized housing unit development projections is the County-wide data inventory created through the Orange County Affordable Housing Coalition.

- The number of subsidized units listed in this report has decreased by 35 units from the FY20 Q4 Report as an error in the jurisdictional classification of some units was discovered and corrected.

PUBLIC HOUSING QUARTERLY REPORT
FY21 Q2/ OCTOBER- DECEMBER 2020

In this report we provide an overview of the Town's Public Housing's rating as identified by the Department of Housing & Urban Development's (**HUD**) Public Housing Assessment System **(PHAS).** The PHAS was created by **HUD** to evaluate the overall condition of each housing agency to obtain results that are objective, uniform, and verifiable. The current PHAS score is a result of the Oct. 2019 Real Estate Assessment Center (**REAC**) inspection.

Chapel Hill Public Housing received these scores:

-Physical Condition: 19 (out of 40)

-Management: 5 (out of 25)

-Capital Fund: 5 (out of 10)

Total Score: 54 out of 100 = **Troubled Status**

Troubled Status resulted in a **Recovery Agreement** with HUD, which included the following corrective actions:

-Elected officials participating in training

-Increasing quantity and quality of contractors

-Improving expenditure of capital funds

-Evaluate maintenance staffing and performance

-Increase use of previous REAC reports for capital fund and maintenance cost planning

The methodology uses four evaluation tools referred to as **PHAS Indicators**. Public Housing leadership added a fifth, Community Engagement, to identify opportunities to further connect with tenants. The five indicators are listed below, as well as their evaluation measures and steps taken to positively influence those measures.

INDICATOR	HUD EVALUTION MEASURES	ACTIONS TAKEN TO IMPROVE SCORE
Physical Condition	▪ Physical inspections	▪ Building improvements ▪ Repairs
Financial Condition	▪ Management of funds	▪ Pay all invoices within 30 days
Management	▪ Tenant Accounts Receivable ▪ Occupancy Rate ▪ Accounts Payable	▪ Account for reductions in rent due to loss of income during pandemic ▪ Offering timely rent payment incentives ▪ Increase quantity of contractors
Capital Fund	▪ Obligation of HUD funds ▪ Occupancy Rate	▪ Obligate funds to specific projects – Create timeline to show exactly which properties will be improved and how ▪ Decrease time units are vacant
Community Engagement*	▪ Create additional methods to maintain contact with residents	▪ Distribute Monthly newsletter ▪ Sponsor weekly Food Bank ▪ Establish a Resident's Council ▪ Provide masks to residents ▪ Surveyed residents reference programming interest

*added by Public Housing leadership to maintain and improve connections with residents

COVID-19 CHANGES TO NORMAL OPERATIONS

- Implemented pre-screening process (employees, residents and applicants)
- Distributed masks to all Public Housing residents
- Postponed PHAS inspection this quarter
- Suspended Monthly Residential Preventative Maintenance
- Responded to Emergency Work Orders only (maintained record of Routine Work Orders)

PHYSICAL CONDITION

- Responded to 179 Emergency Work Orders; 173 (98%) closed within 24 hours
- Restarted monthly Pest Control and air conditioner filter changes
- Restarted residential entry level inspections
- Repair contracts completed or in progress:



Repair of brick wall at Sykes St. playground area



Reroofing of Craig/Gomains and Lindsay St. (19 buildings)



Rebuilding fire damaged Units (E-1 and E-2) Oakwood

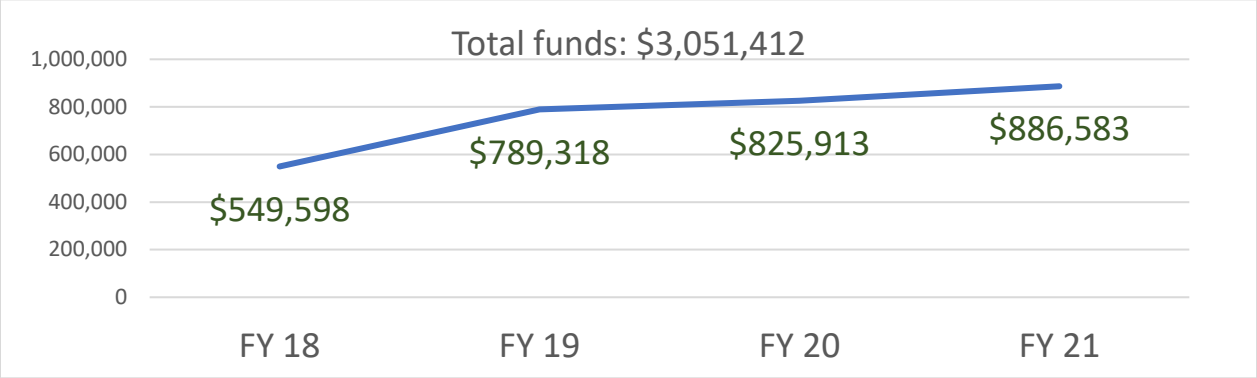
FINANCIAL CONDITION/ OPERATING FUND

- In both FY19 and FY20, Public Housing had no debt service and gained maximum points.
- Adequacy of Reserves has increased in percentage, which is a good thing.

MANAGEMENT

- Tenant Account Receivable: 98% of resident rent paid
- Occupancy Rates: 7 vacant units at the end of the quarter
  - 2 units under repair due to fire damage, 5 being prepared to lease

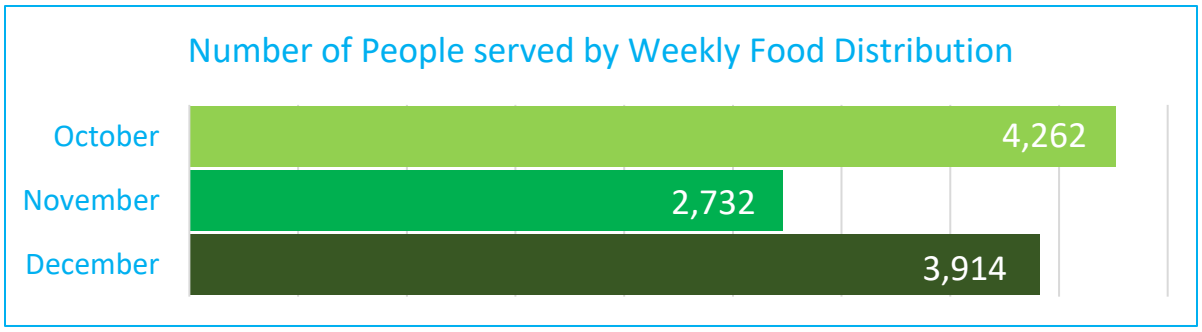
CAPITAL FUND



- Funds used for development, financing, modernization, and management improvement
- Continued to meet HUD requirement of allocating 100% of funds to identified projects

COMMUNITY ENGAGEMENT

- Mailed monthly newsletter to residents
- Mailed 2021 Calendars to residents including information on community resources
- Held Resident Council Kick-Off Meeting on January 27, 2021
- Partnered with Piedmont Health Services to administer COVID tests and flu shots
- Distributed over 2,500 masks to residents
- Operate weekly food distribution held at Eubanks Park and Ride



** NOTES AND DEFINITIONS

HUD- U.S. Department of Housing and Urban Development

PHAS- Public Housing Assessment System- An assessment tool used by HUD to measure Public Housing Agencies uniformly and consistently.

PHAS Indicators - Four areas of Public Housing Agency operations that are inspected and rated; they are physical condition, financial condition, management and capital fund.

Liquidity- The ratio between cash and current liabilities.

- The higher the ratio, the better the score.

Adequacy of Reserves-the ratio between unrestricted resources and average monthly operating expenses

- The higher the ratio, the better the score.

Unrestricted Resources- Access to anything that can be turned into cash (unrestricted cash, tenant's security deposits, unrestricted investments)

Monthly Operating Expenses- dwelling rent expense, operating expense, and extraordinary maintenance (divided by 12 for a monthly average)

Adjusted Operated Income-the ratio between operating income and annual debt service.

Accounts Payable-the ratio between total vendor accounts payable and monthly operating expense.

- The lower the ratio, the higher the score
- Accounts payable-(both > and < than 90 days)/Monthly operating expenses

TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 9., **File #:** [21-0184], **Version:** 1 **Meeting Date:** 3/10/2021

Consider Number of Lanes and Parking Technology as related to the East Rosemary Parking Deck.

Staff:
Dwight Bassett, Economic Development Officer
Geoffrey A. Posluszny, CPP - Consultant

Department:
Town Manager
Walker Consultants

Overview: The Town of Chapel Hill is committed to strengthening its fiscal and economic sustainability by enhancing downtown. The Town encourages developing new office space, which was stagnant for over a decade in Chapel Hill, to help strengthen the economy of downtown. Council authorized the East Rosemary Economic Development Agreement as a framework to guide this project and help create this investment.

Downtown, and more specifically the east end, has needed reinvestment to help build a strong economic climate for all of downtown. Both the existing Grubb building (CVS Plaza) and the proposed office building would work to tap the Meds/Eds/Beds (medical, education, and hospital/hospitality) sectors of our market. We believe we have tremendous potential for growth of entrepreneurial technology companies as well as retaining some of the research from UNC with biotechnology and life sciences companies.

This Agenda Item serves as a brief update on the project and to request decisions on:

1. the number of lanes at the eastern East Rosemary entrance,
2. the parking technology for the parking deck.

We will return to Council in April with final projected construction pricing and a request to authorize a bond issuance.

Recommendations:
That the Council adopt the resolutions to 1) determine the number of lanes at the eastern East Rosemary entrance, and 2) to determine the parking technology for the deck.

Decision Points:
1) Consider the option of a three-lane entrance, with a reversable middle lane, from Rosemary Street to the new parking Deck versus the originally designed two lane entrance. This would allow us to close the western East Rosemary entrance to vehicles and use that entrance for bikes and pedestrian access only.

2) Consider the options for parking technology for the parking deck. Based on previous conversation, we believe the Council's base level interest is in the gate and tag reader system (PARCS) to collect better data from deck users. The question is whether Council would like to consider the available space and wayfinding system (APGS) system for the deck which also provides an additional layer of data.

Key Issues for Consideration:

- Making the East Rosemary Parking Deck the easiest to access and park in, and
- Authorizing PARCS system at a minimum, with APGS considered when we share the final budget.

Fiscal Impact/Resources:
1) Preliminary estimates for adding the third lane and building out a full top floor for parking are in the range of $250,000.

2) The PARCS (Parking Access and Revenue Control System) bids ranged from:
- $400,900 - $469,000 for 3 entrance lanes.

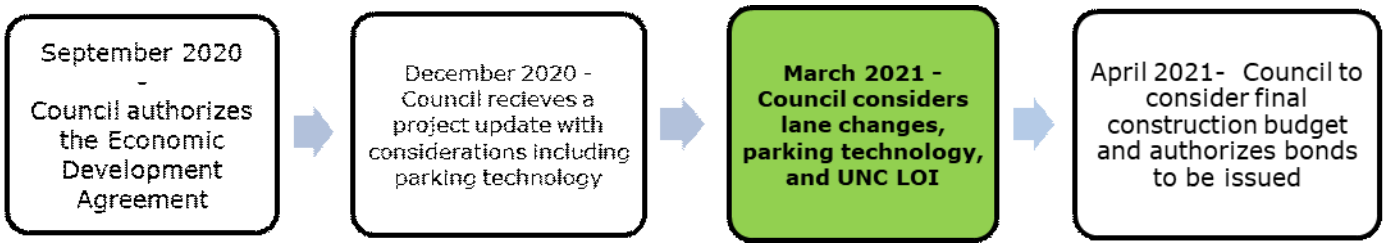
The APGS (Automated Parking Guidance System) bids came in in the range of:
- $522,000 to $606,000 for the base system.

On December 9, 2020 we estimated that the overall costs could range from $250,000 for the same base walk-up pay stations that we have now to $1,300,000 for a fully integrated system with gates, tag readers, and parking guidance systems.

The total of the bids came in at roughly $922,000 for both systems, if the lowest bid is accepted. We recommend that Council allow a staff team to review the RFP responses and bids and select the company that can provide the best service and maintenance, based on references. There is a difference of $153,000 between the lowest and highest bids.

We recommend that Council make a determination if this is the right technology for the Deck, authorize the PARCS system as a minimum and consider adding in the APGS system when we return to Council with a budget update in April.

Where is this item in its process?



Attachments:
- Resolution Authorizing Lanes
- Resolution Regarding Parking Technology
- PARCS Bid tally
- APGS Bid tally
- Draft Staff Presentation

A RESOLUTION AUTHORIZING THREE LANES TO BE ADDED TO THE ENTRANCE AT THE EAST ROSEMARY PARKING DECK (2021-03-10/R-7)

WHEREAS, Chapel Hill Town Council desires to build the best deck that will be fully utilized and easy to access; and

WHEREAS, the Town Council wants to work have the least impact on traffic on East Rosemary Street, and

WHEREAS, the East Rosemary Parking Deck having two entrances with a reversible lane for peak periods can best serve the need; and

WHEREAS, building three lanes at each entrance would have the least stacking impact on area streets.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the addition on a reversible lane to the eastern East Rosemary entrance for the East Rosemary Parking Deck.

This the 10th day of March, 2021.

A RESOLUTION AUTHORIZING THE ADDITION OF THE PARCS AND APGS SYSTEMS TO THE EAST ROSEMARY PARKING DECK (2021-03-10/R-8)

WHEREAS, Desires to operate a parking system that supports the needs of the community; and

WHEREAS, the Town Council wants to make sure we have great data in the future to help in making good parking decisions; and

WHEREAS, the Town's current meter system has strong limitations on the kind of data we can collect; and

WHEREAS, this investment in our downtown will be paying long into the future; and

WHEREAS, we want to make sure we operate this parking deck the best that we can, and it displays great useability for customers that desire to park there.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the addition of PARCS system to the East Rosemary Parking Deck and that Council consider the APGS system when we give a budget update in April.

This the 10th day of March, 2021

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Dwight Bassett, Economic Development Officer
Geoffrey A. Posluszny, CPP - Consultant, Walker Consultants

RECOMMENDATION: That the Council adopt the resolutions to determine number of lanes at eastern East Rosemary entrance, and to determine the parking technology for the deck.

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125 E. ROSEMARY ST PARCS RFP PRICE COMPARISON
Submitted January 29, 2021

OFFEROR:	Amano McGann	Designa Southern Time	HUB	Parkonect	Skidata
BASE PRICE	$386,977.80	$348,830.00	$359,217.85	$384,635.00	$399,644.29
Other Costs	$0.00	$0.00	$0.00	$10,840.00	-$8,829.32
1 YEAR COST BASE	*$386,977.80*	*$348,830.00*	*$359,217.85*	*$395,475.00*	*$390,814.97*
Recurring FEES (Years 2-8)	$0.00	$0.00	$17,500.00	$59,422.43	$42,896.00
PM & SERVICE (Years 2-8)	$126,180.00	$90,000.00	$217,000.00	$48,852.05	$109,754.23
PARTS WARRANTY (Years 2-8)	$0.00	$168,750.00	$0.00	$32,568.03	$81,888.04
8 YEAR COST BASE	**$513,157.80**	**$607,580.00**	**$593,717.85**	**$536,317.51**	**$625,353.24**
ADD Reversing Lane	$81,973.40	$52,161.00	$54,713.31	$70,245.00	$43,981.11
1 YEAR COST w/ Reversing Lane	$468,951.20	$400,991.00	$413,931.16	$465,720.00	$434,796.08
PM & SERVICE (Years 2-8)	$10,566.00	$13,554.00	$34,300.00	$9,770.41	$13,787.00
PARTS WARRANTY (Years 2-8)	$0.00	$21,905.00	$0.00	$3,256.80	$8,188.80
8 YEAR COST w/ Reversing Lane	**$605,697.20**	**$695,200.00**	**$682,731.16**	**$619,589.73**	**$691,310.15**
OPTIONAL SPARE PARTS	$0.00	$6,857.00	$32,186.00	$1,650.00	$97.30

Source: Walker: data from 125 E. Rosemary PARCS RFP Vendor Responses

TIBA / Carolina time
$374,789.07
$5,380.00
$380,169.07
$83,349.12
$92,664.00
$126,000.00
$682,182.19
$58,427.00
$438,596.07
$0.00
$20,520.00
$761,129.19
$15,465.00

125 E. ROSEMARY ST APGS RFP PRICE COMPARISON
Submitted January 29, 2021

OFFEROR:	PARK ASSIST	PARKING GUIDANCE	ITR / QUERCUS
BASE PRICE	$464,477.72	$606,400.00	$522,377.94
Other Costs	$71,654.78	$0.00	$0.00
1 YEAR COST BASE	*$536,132.50*	*$606,400.00*	*$522,377.94*
Recurring FEES (Years 2-8)	$34,153.00		
PM & SERVICE (Years 2-8)	$142,770.00	$21,000.00	$64,057.00
PARTS WARRANTY (Years 2-8)		$52,515.00	$103,278.00
8 YEAR COST BASE	**$713,055.50**	**$679,915.00**	**$689,712.94**
OPTIONAL SPARE PARTS	$1,496.75	$2,259.00	$2,360.00

Source: Walker: data from 125 E. Rosemary PARCS RFP Vendor Responses

* requires separate cabling

East Rosemary Parking Deck



March 10, 2021

CHAPEL HILL
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RECOMMENDATION:

That the Council adopt the resolutions to 1) determine the number of lanes at the eastern East Rosemary entrance, and 2) to determine the parking technology for the deck.

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WALKER CONSULTANTS

125 E. Rosemary Deck

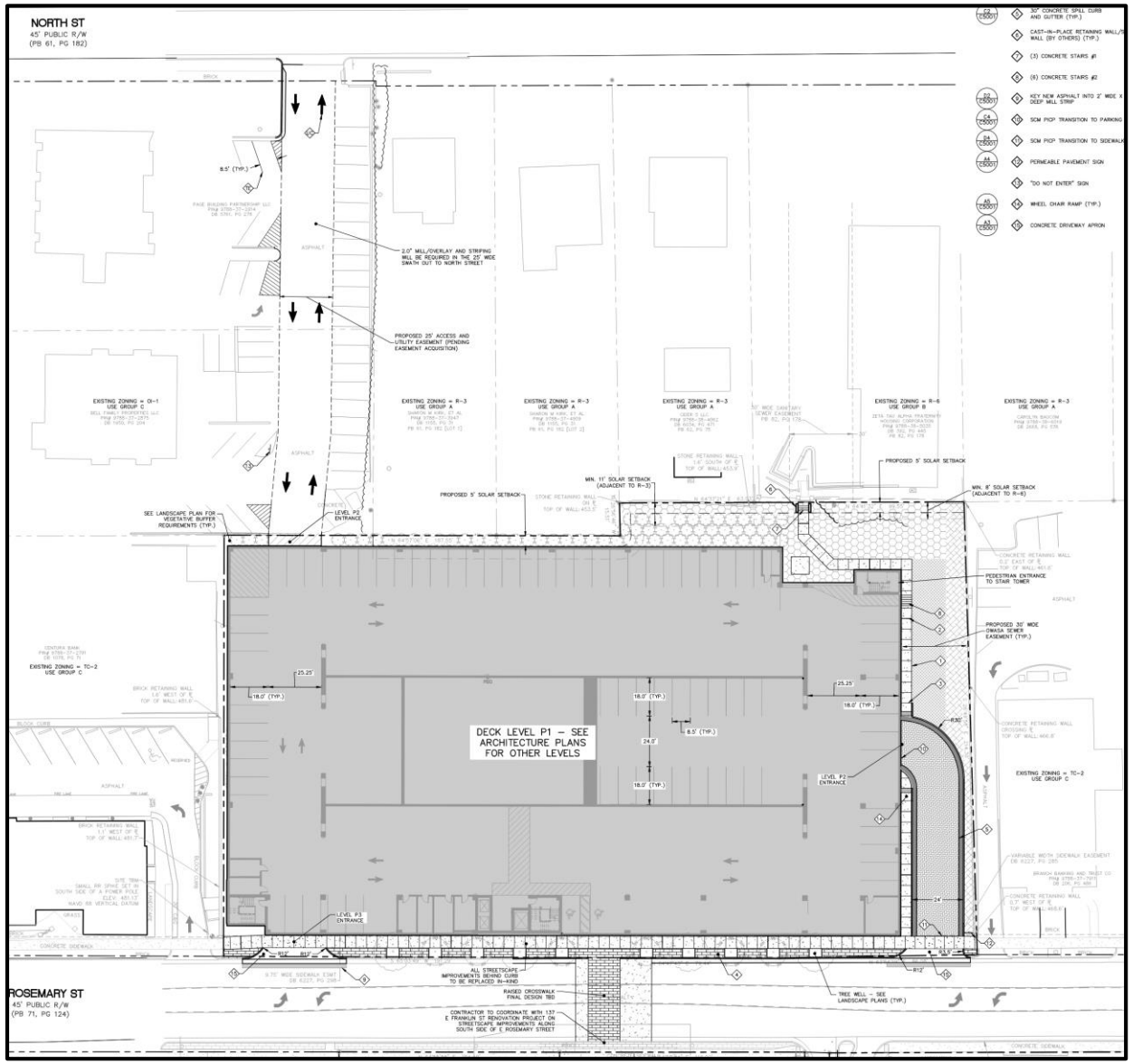
Vehicle Entrance & Exit Lane Configuration Selection

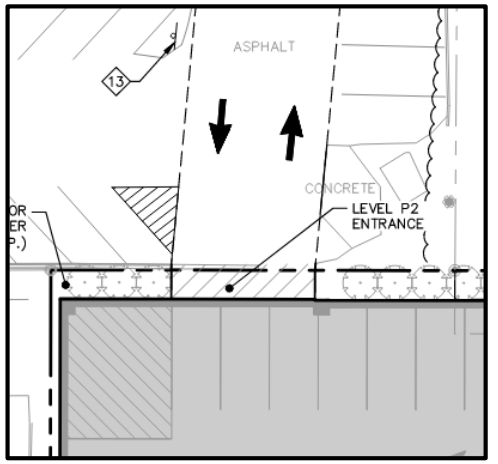


March 10, 2021

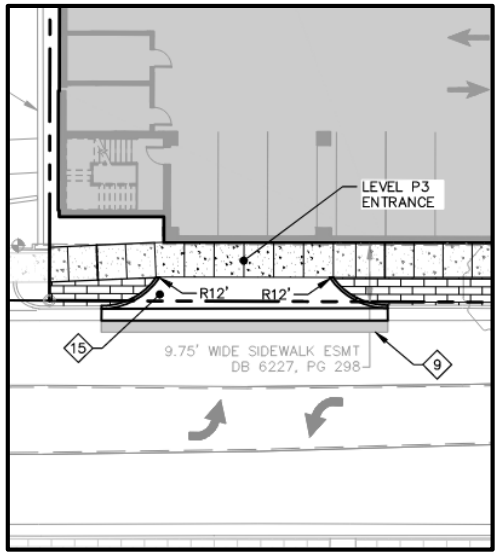
SITE PLAN – NO EQUIPMENT

251

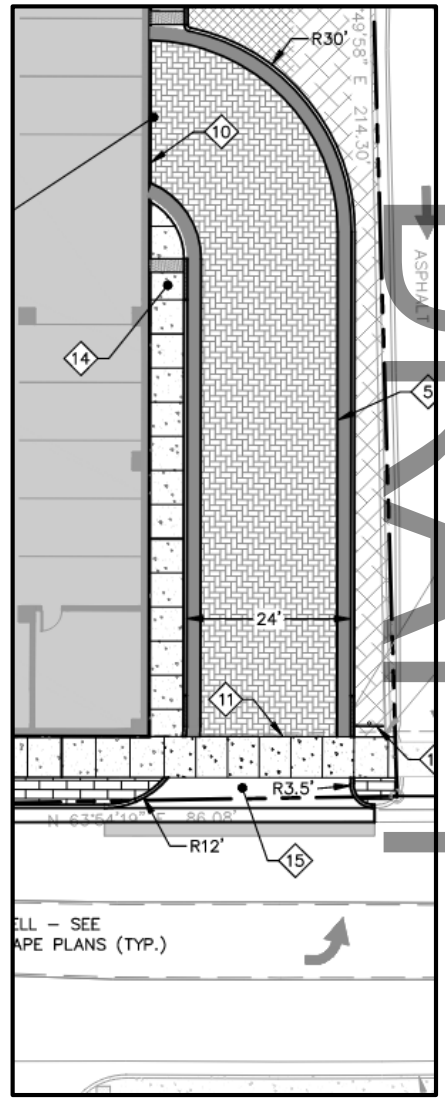




NORTH STREET



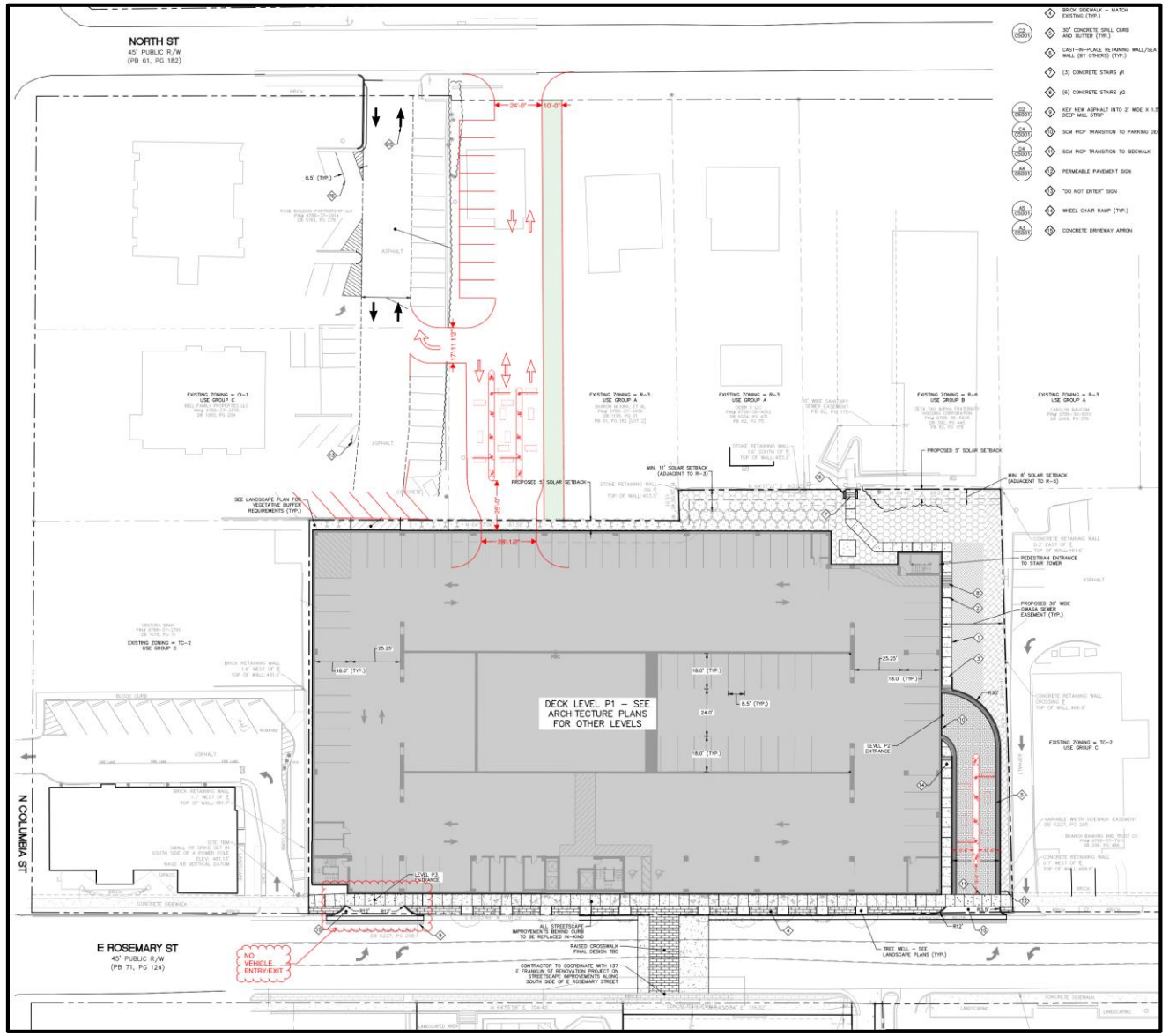
ROSEMARY STREET (WEST)

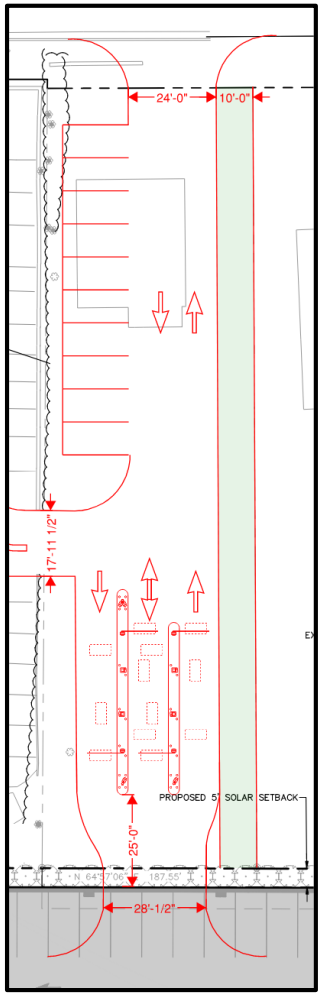


ROSEMARY STREET (EAST)

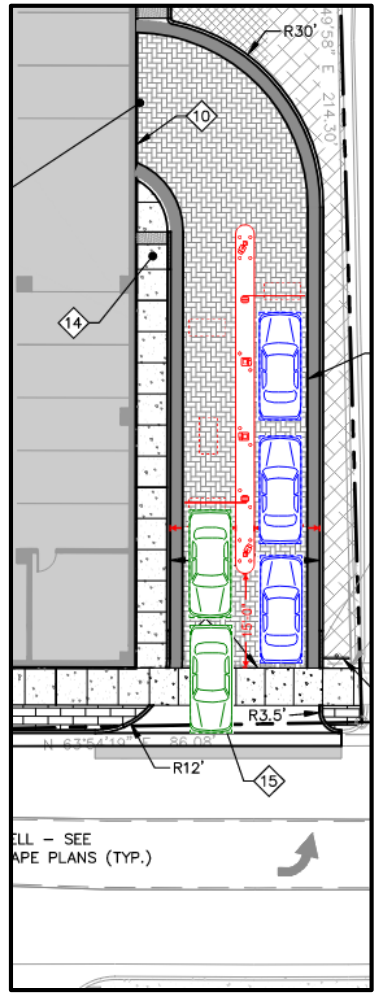
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SITE PLAN – PARCS EQUIPMENT: TWO LANES @ ROSEMARY





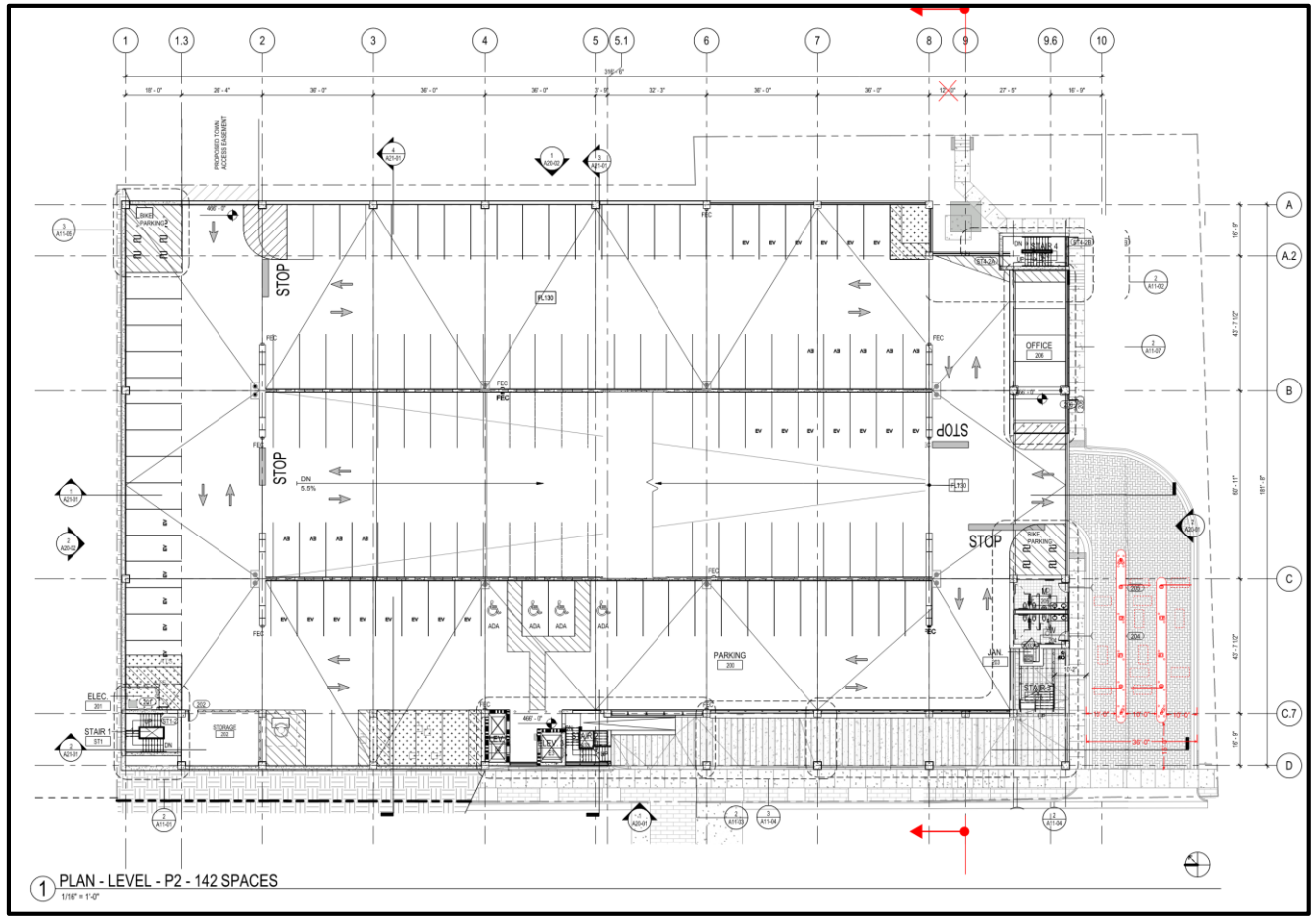
NORTH STREET



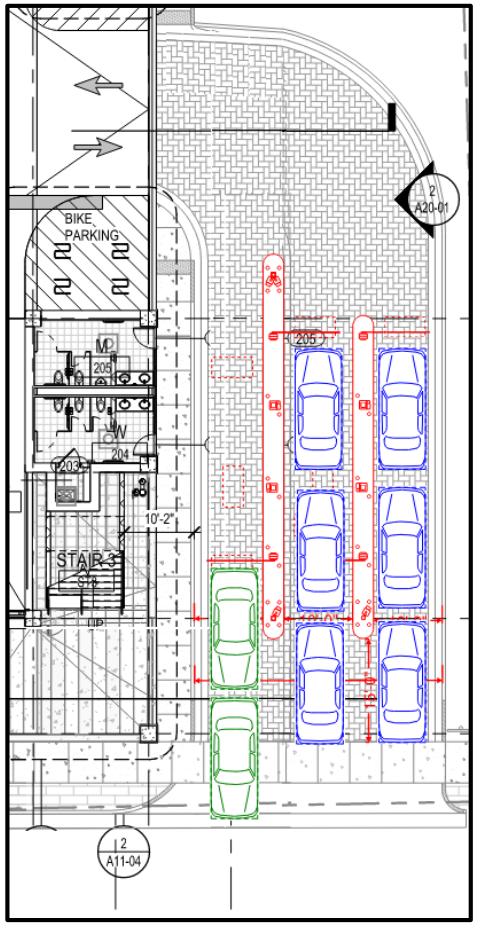
ROSEMARY STREET

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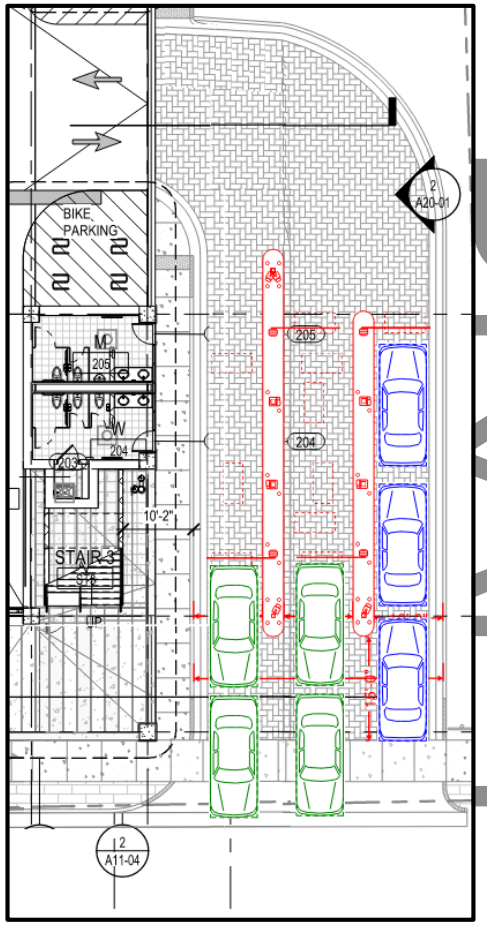
SITE PLAN – PARCS EQUIPMENT: 253 THREE LANES @ ROSEMARY



PARKING DECK SHORTENS 12 FT TO ACCOMMODATE THIRD LANE



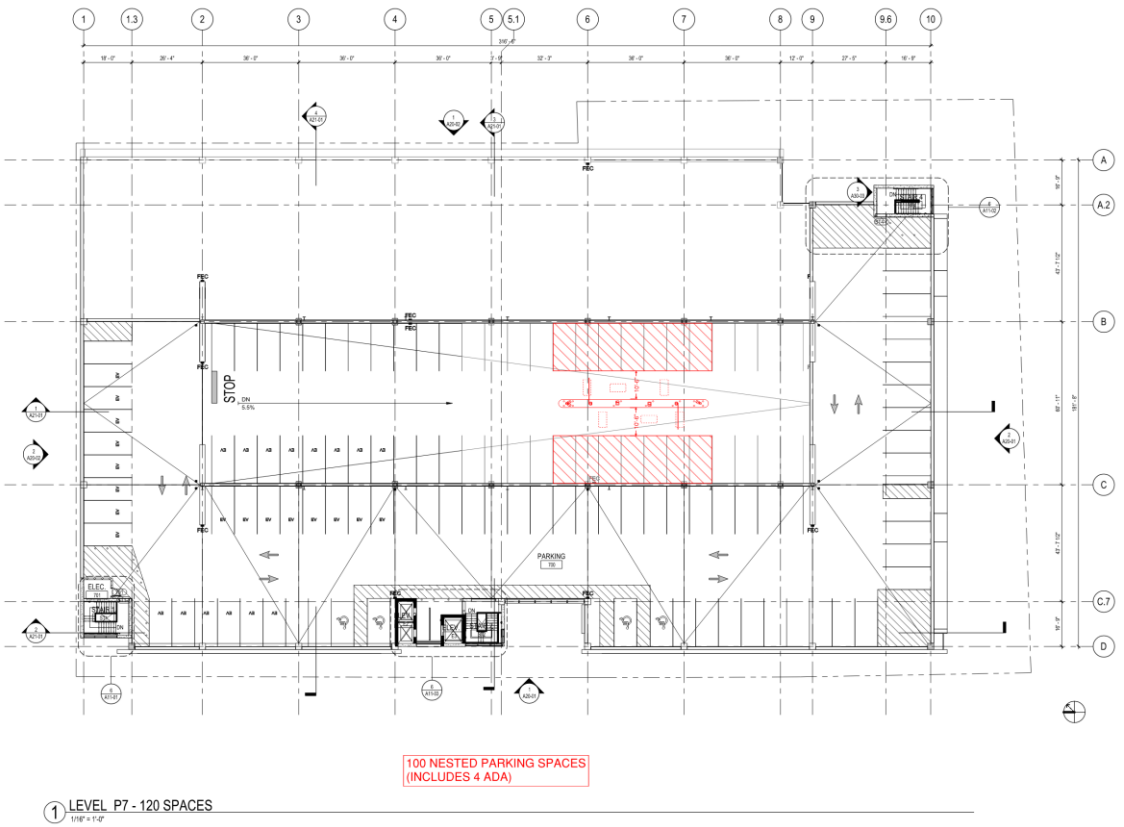
ROSEMARY STREET
PEAK ENTRY

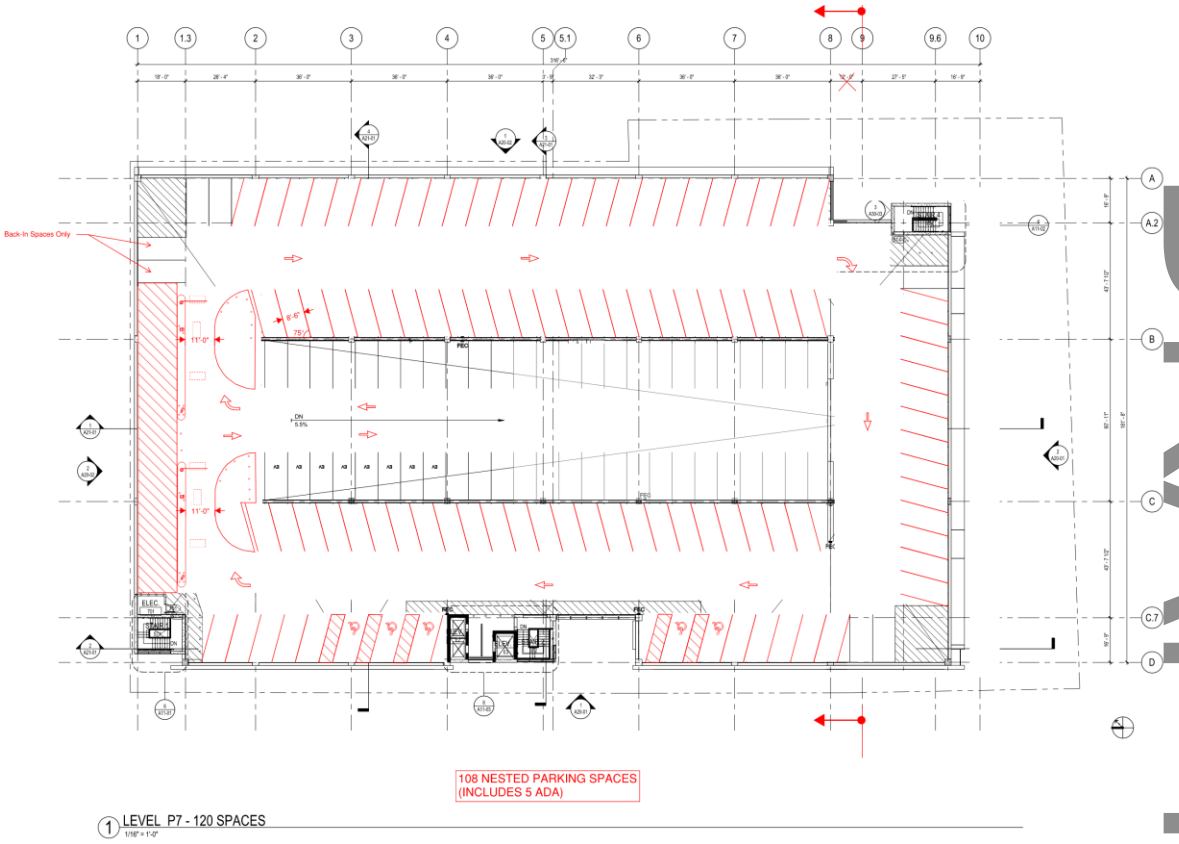


ROSEMARY STREET
PEAK EXIT

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LEVEL P7 (ROOF LEVEL) - COMPARISON





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TWO LANES @ ROSEMARY

- 2 Bay roof level with dead end parking
- Parking Access equipment on ramp to roof level

THREE LANES @ ROSEMARY

- 3 Bay roof level without dead end parking
- Parking Access equipment at top of ramp to roof level
- One-way traffic provides easier maneuverability in and out of spaces

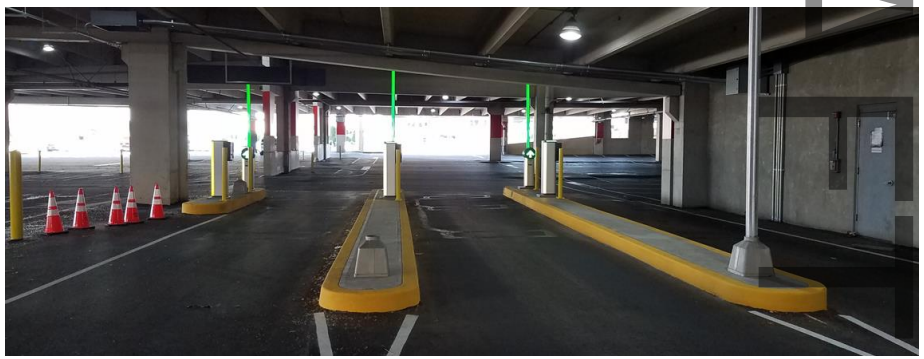
ADVANTAGES & DISADVANTAGES:

255

ADVANTAGES - THREE LANES @ ROSEMARY

1. PEAK ENTRY TIMES - Provides additional queuing from Rosemary street allowing more vehicles to pull off the street without blocking traffic.
2. PEAK EXIT TIMES – Provides additional queuing and second exit lane so exiting traffic is not stopped for vehicle waiting to turn left onto Rosemary upon exit.
3. PROVIDES FLEXIBILITY
   A. With a reversible lane the entry and exit capacity can be switched to account for peak times, events, or irregular traffic volume.
   B. Lane can be closed for maintenance or equipment malfunction without impacting access to the parking deck.
4. ENTRANCE/EXIT VISIBILITY – With a shorter deck there is more space between the property line and the deck making the entrance and exit more visible from Rosemary Street.
5. ROOF LEVEL – No dead-end parking and increased maneuverability for parking.





DISADVANTAGES - THREE LANES @ ROSEMARY

1. Requires design changes to current plans for parking structure to reduce length and add third bay at roof level. (Estimated cost $250,000)
2. Additional cost of PARCS equipment for the third lane.
3. Increase height of structure on North Elevation.

East Rosemary Parking Deck- update



The top floor of the deck would become a complete floor as compared to the partial floor in the picture.



East Rosemary Parking Deck- update



Questions?

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125 E. Rosemary Deck

Parking and Guidance Technology Selection



March 10, 2021

Presentation Agenda



01 Project Overview/Timeline

02 PARCS and APGS Technology

03 RFP Process

04 Recommendations / Next Steps

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PROJECT GOALS



Proven PARCS and APGS Management Solutions

Provide a realistic and implementable plan for more effective use of parking and better management of the downtown parking system

Experience and Data-driven Analyses

Provide PARCS and APGS systems that will offer credible information that can be communicated to the public and stakeholders

Technology Requirements

Identify solutions for a parking and guidance system that deploys the latest technology to improve the user experience while sustaining realistic revenue goals

Competitive Request for Proposal Process

Receive the best possible pricing and options from vendors through a Competitive RFP and provide detailed technical specifications and requirements

PARCS and APGS Solutions

Provide an evaluation of parking and guidance systems that will best suite the requirements of the 125 E. Rosemary Street Parking Deck today, and into the future..

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PROJECT TIMELINE

261

October 23

PARCS AND APGS TECHNOLOGY REPORT

Walker provides a comprehensive overview report of Parking Access and Revenue Control Systems (PARCS) and Automated Parking Guidance Systems (APGS) technologies as they exist in the market today.

November 12

PARCS AND APGS RECOMMENDATIONS

After review and discussions of the technologies report, Walker provides a recommendations report of the technologies best suited for 125 E. Rosemary Garage based on the anticipated requirements for successful operations.

December 4

COUNCIL COMMITTEE ON ECONOMIC SUSTAINABILITY

Walker Consultants presents the PARCS and APGS Technology overview and recommendations to Town Council Committee on Economic Sustainability. Committee provided final guidance.

January 8

PARCS AND APGS REQUEST FOR PROPOSAL

Request for Proposals ("RFP") is issued for PARCS and APGS

January 29

RFP DUE DATE

Proposals received from six (6) PARCS and three (3) APGS Vendors

March 10

COUNCIL PRESENTATION

HERE WE ARE TONIGHT PRESENTING SUGGESTED REQUESTS FOR THE PROJECT.

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Presentation Agenda



01 Project Overview/Timeline

02 PARCS and APGS Technology

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PARCS AND APGS TECHNOLOGIES

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SkiData	*14*

WALKER CONSULTANTS

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Charlotte, NC 28277

704.247.6230
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November 12, 2020

Dwight Bassett
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Re: Parking Access and Revenue Control Systems
Recommended Technologies for 125 E. Rosemary Street Parking Deck

Dear Mr. Bassett:

Walker provided an overview of parking access and revenue control systems (PARCS) technologies that are available for the Town of Chapel Hill's review and consideration for the new 125 E. Rosemary Street parking deck on October 23, 2020. The report also addressed automated parking guidance systems (APGS), or "electronic wayfinding", for the Town's consideration.

A review meeting was conducted via Zoom ® on November 4, 2020 at 10 am EST. Many of the technologies from that report were discussed between the Town of Chapel Hill and Walker Consulting. The report addressed technologies as they are utilized in a traditional gated PARCS; however, the Town was also interested in a "gateless" system. The meeting addressed both gated and gateless concepts, electronic payments, credit card systems, license plate recognition (LPR), on-line reservations, APGS, and Electric Vehicle Charging Stations. Another topic of discussion was the requirement to provide 100 spaces at the top of the garage to the University of North Carolina.

As a result of this meeting, the Town of Chapel Hill has asked Walker to discuss the options for technology as they will apply "specifically" to the E. Rosemary parking deck and to provide a recommended methodology of

(Presented December 4, 2020)

PARCS TECHNOLOGIES



- ACCESS CONTROL SYSTEMS
  - **PROXIMITY CARD (PROX)**
  - AUTOMATIC VEHICLE IDENTIFICATION (AVI)
  - BLUETOOTH ® TECHNOLOGY
  - **LICENSE PLATE RECOGNITION (LPR)**
- REVENUE CONTROL SYSTEMS
  - TRADITIONAL CASHIERING
  - **INTEGRATED CREDIT CARDS**
  - **PAY-ON-FOOT (POF) TECHNOLOGY**
  - **CREDIT CARD EXIT VERIFIER**
  - CREDIT CARD IN/OUT
  - **APPLE / GOOGLE PAY**
  - **QR BARCODE READER**
  - **PAY BY MOBILE DEVICE (PARKMOBILE)**
  - **RESERVATIONS (PARKMOBILE)**
  - FREQUENT PARKER PROGRAMS
- VALIDATION SYSTEMS
  - **OFFLINE VALIDATIONS**
  - CHASER TICKETS
  - ONLINE VALIDATIONS

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(Presented December 4, 2020)

APGS TECHNOLOGIES



WHERE IS MY CAR? I KNOW IT IS BLUE…

- FACILITY COUNTS
  - INTEGRAL TO PARKING ACCESS AND REVENUE CONTROL SYSTEM
  - TRACKS TOTAL OF MONTHLY CUSTOMERS AND DAILY CUSTOMERS
  - "RESERVES" AVAILABILITY FOR MONTHLY CUSTOMERS
  - "FULL STATUS" DISPLAYED AT ENTRY PREVENTS DAILY TRAFFIC
- LEVEL OR ZONE COUNTS
  - PROVIDES THE FACILITY COUNTS, BUT ONLY BY TOTAL SPACES
  - TRACKS SPACES BY LEVEL OR ZONE WITHIN THE GARAGE
  - PROVIDES QUICK ACCESS TO PARKING SPACES PER LEVEL
  - REQUIRES DAILY COUNTING AND/OR RESETTING
- **SINGLE-SPACE GUIDANCE**
  - PROVIDES THE SAME LEVEL OF SERVICES AS ABOVE, PLUS:
  - PROVIDES EXACT DIRECTION TO AVAILABLE PARKING
  - REDUCES TIME SPENT HUNTING FOR SPACES – REDUCING CARBON EMMISSIONS
  - INCREASED OCCUPANCY USAGE CAN BE CORRELATED TO RETURN ON INVESTMENT
  - **CAMERA-BASED SINGLE-SPACE SYSTEMS PROVIDE PARKED CAR LOCATOR KIOSKS VIA LICENSE PLATE TECHNOLOGY**
  - REDUCES STRESS AND PROVIDES A BETTER EXPERIENCE TO CUSTOMERS
  - ALLOWS FOR THE BEST LEVEL OF OCCUPANCY TRACKING AND DATA ANALYTICS CAPABILITIES

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PARCS DESCRIPTION:

CONTRACT CUSTOMER (MONTHLY, EMPLOYEE, ETC.)

1. APPROACH ENTRY LANE: LPR READS PLATE AND OPENS GATE.
2. IF LPR FAILS (PLATE OBSTRUCTED) CUSTOMER SCANS PROXIMITY CARD TO ENTER.
3. APPROACH EXIT LANES: REPEAT PROCESS FOR ENTRY TO EXIT.

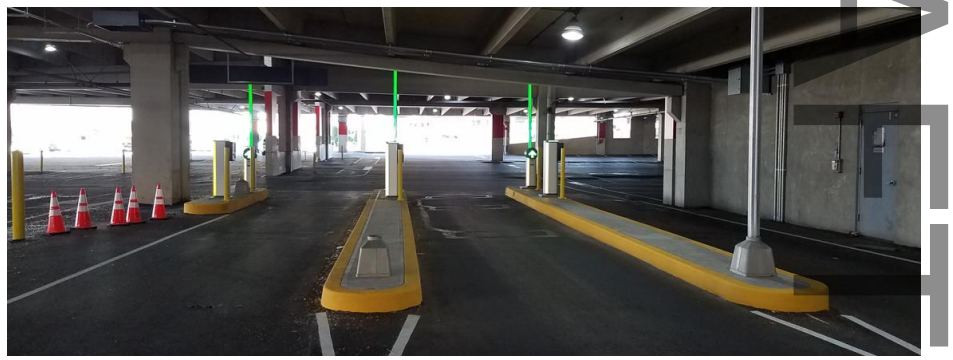
"TRANSIENT" CUSTOMER:

1. APPROACH ENTRY LANE: WAVE HAND FOR TICKET, LPR SCANS PLATE
   1) RECEIVE A VALIDATION FROM DESTINATION (IF APPLICABLE)
   2) PAY FOR PARKING AT PAY-ON-FOOT KIOSK – LOCATED IN ELEVATOR LOBBY
1. APPROACH EXIT LANE: LPR SCANS PLATE – IF PAID/VALIDATED GATE OPENS.
2. IF NOT PAID, PARCS DISPLAYS FEE DUE PER LPR ENTRY DATA.
3. IF LPR FAILS (PLATE OBSTRUCTED) CUSTOMER INSERTS TICKET AND FEE IS DISPLAYED.
4. PAYMENT IS MADE VIA CREDIT CARD OR PARKMOBILE APPLICATION.

PRE-REGISTERED CUSTOMER:

1. RESERVE PARKING ON PARKMOBILE APPLICATION – ENTER LICENSE PLATE AND/OR RECEIVE A QR BARCODE ON PHONE OR EMAIL – CAN BE PRINTED.
2. APPROACH ENTRY LANE: LPR READS PLATE AND OPENS GATE – IF NOT, SCAN QR/BARCODE (MOBILE OR PRINTED).
3. APPROACH EXIT LANE: REPEAT ENTRY LANE PROCESS.





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TRANSACTION FLOW

Read Plate, "Wave for Ticket" or scan QR on Entry









Check Database

Registered User

Raise Gate





Plate Read at Exit Activate Gate









Not Registered LPR – take ticket



Pay at kiosk or Validated

Plate Read at Exit – Activate Gate if paid
Or
Pay in Lane



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APGS DESCRIPTION:

1. Parking customer approaches the entry lane and receives a ticket.



2. As they enter the parking facility, they'll see a sign showing parking spaces on all levels of the facility.



3. As they approach decision points (turns), they'll see signs showing available spaces in each turning direction.



4. As they drive down the isle, they'll see lights over the parking spaces indicating if they are available or occupied.

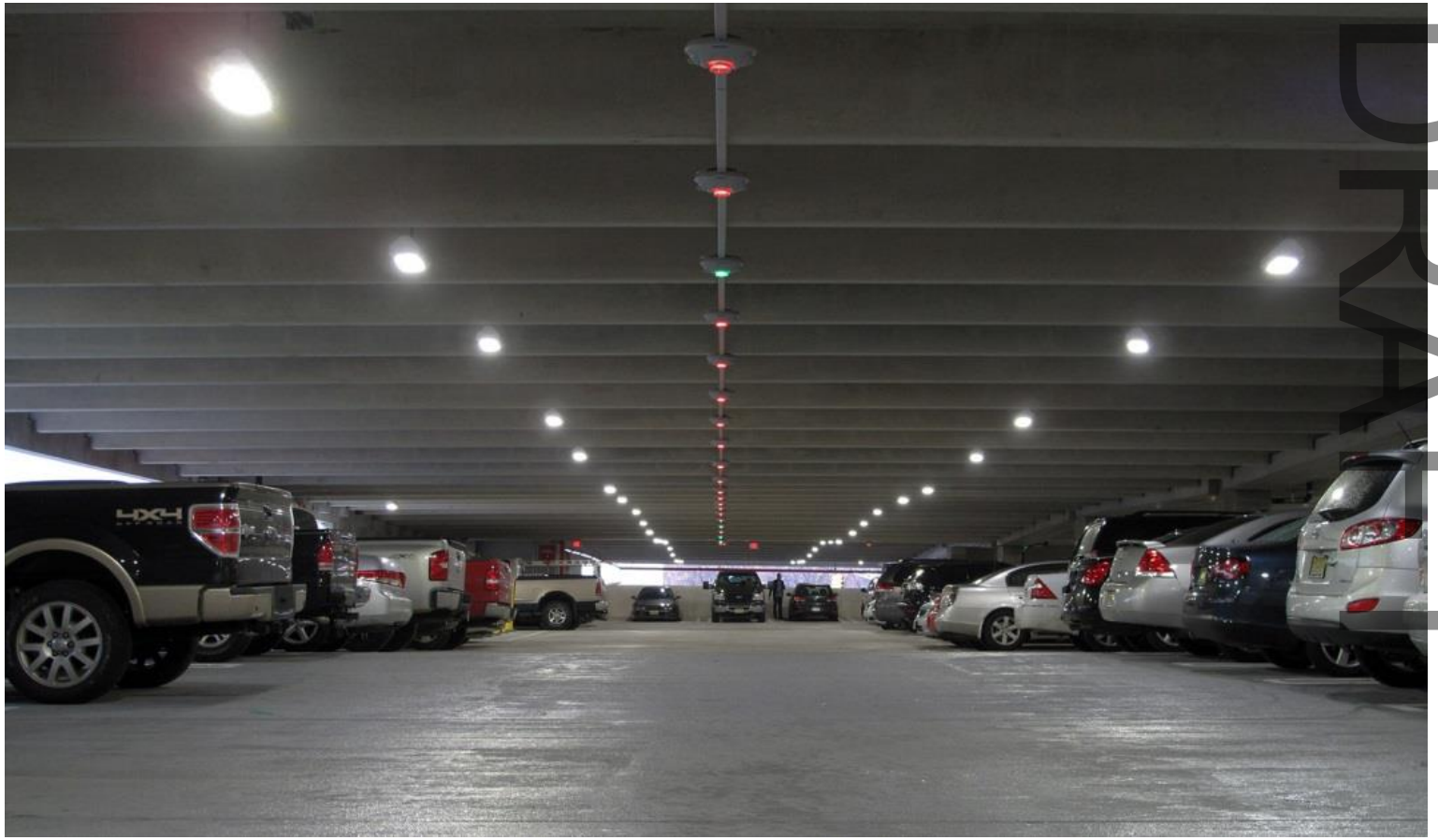


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CAMERA-BASED APGS (LICENSE PLATE RECOGNITION)

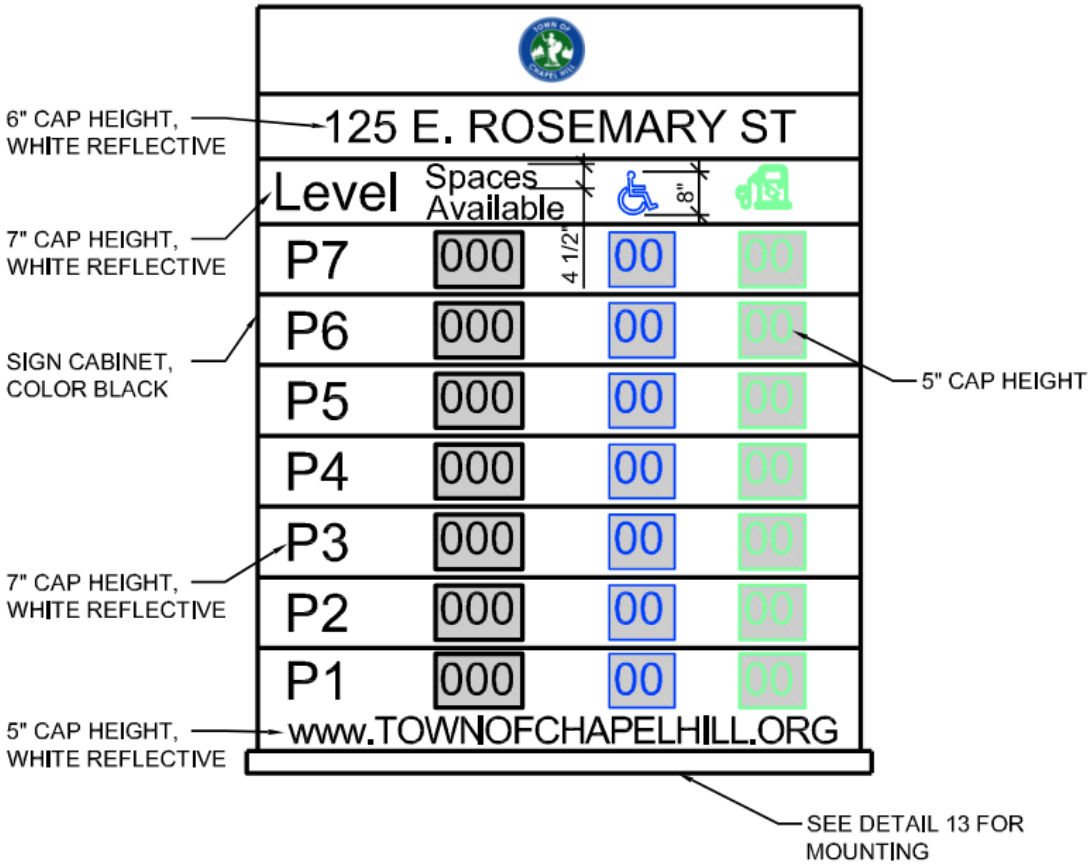




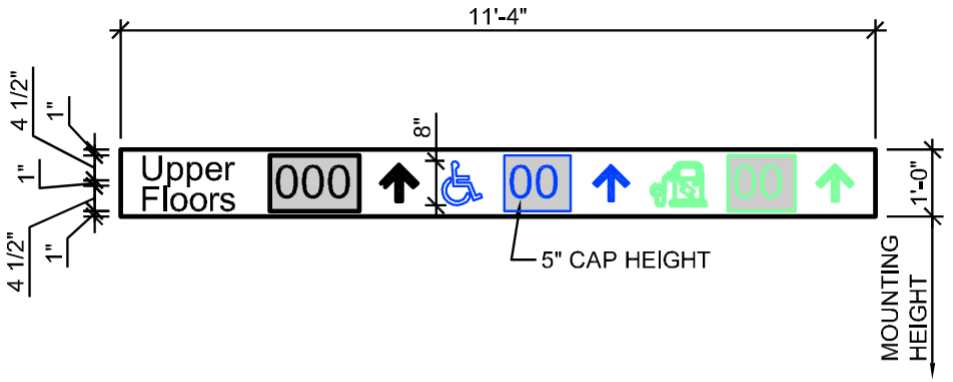


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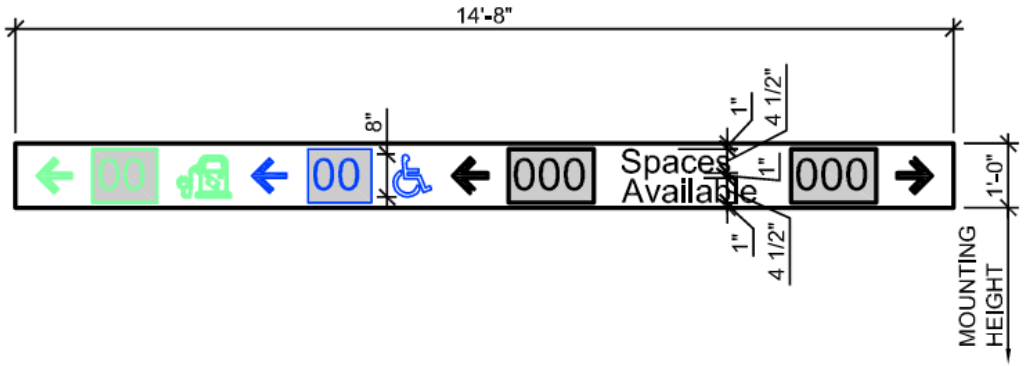
PARKING AVAILABILITY DISPLAYS



11 SIGN RDW-1 DETAIL



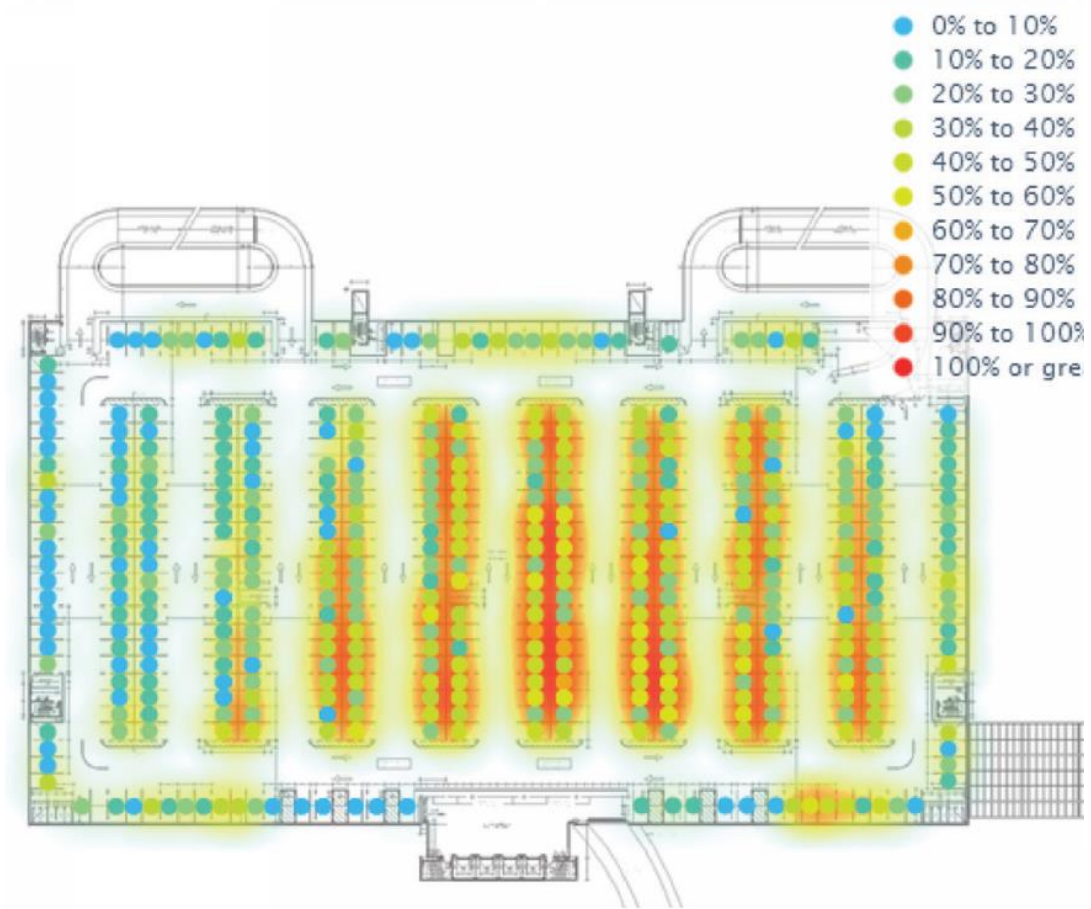
10 SIGN UF-3 DETAIL

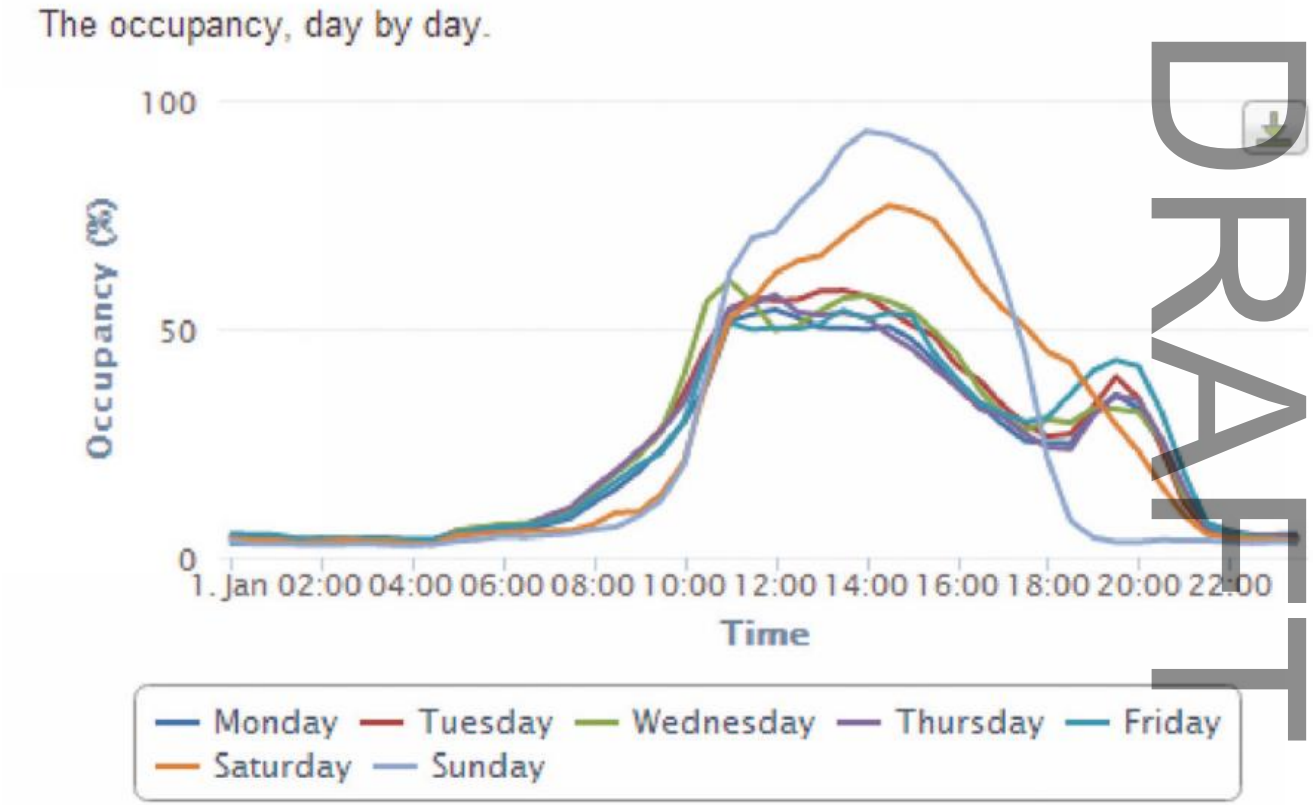


7 SIGN SA-7 DETAIL

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ADDITIONAL APGS BENEFITS



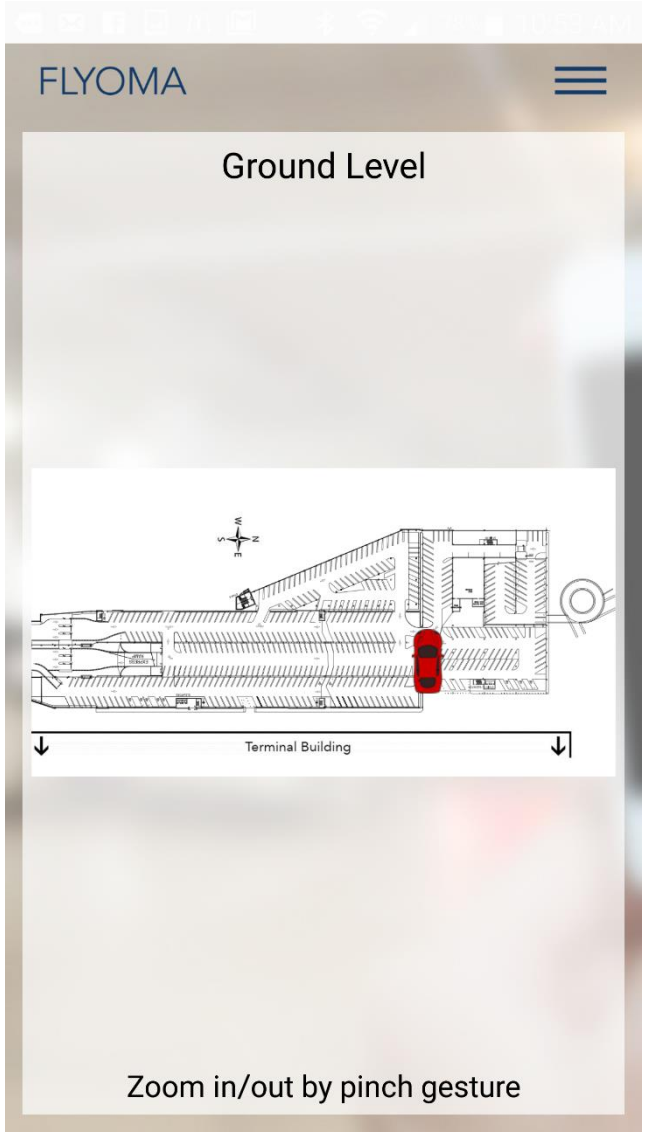


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CUSTOMER AMENITY: FIND YOUR CAR







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Presentation Agenda



01 Project Overview/Timeline

02 PARCS and APGS Technology

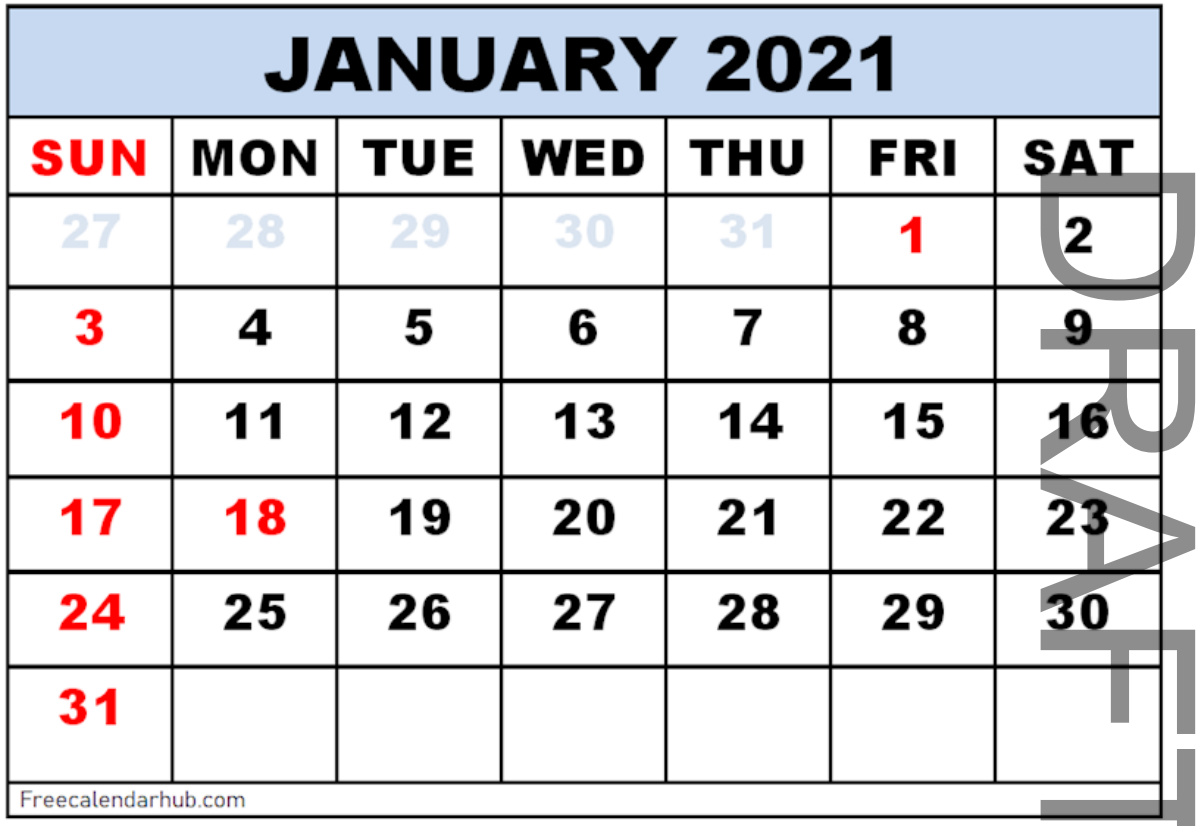
03 RFP Process

04 Recommendations / Next Steps

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REQUEST FOR PROPOSALS ("RFP") PROCESS

1. Technology – What do you want?
2. Technical Specifications.
3. Supplemental Documents.
4. Pre-Proposal Meeting.
5. Questions/Answers Period.
6. RFP Due Date.
7. Evaluation Summary and Bid-Leveling.



JANUARY 2021						
SUN	MON	TUE	WED	THU	FRI	SAT
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

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TECHNICAL SPECIFICATIONS – SEPARATE FOR PARCS AND APGS

SECTION 111233

PARKING ACCESS AND REVENUE CONTROL SYSTEM (PARCS)

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. Conceptual Design Drawings ("Drawings")
B. Division 01 Specifications Sections
C. Division 10 Section "Signage"
D. Division 11 Section "Automated Parking Guidance System ("APGS")
E. Division 26 Section "Common Work Results for Electrical"

1.2 DEFINITIONS

A. List of abbreviations:

1.	ADA	Americans with Disabilities Act
2.	ANSI	American National Standards Institute
3.	APGS	Automated Parking Guidance System
4.	API	Application Programming Interface
5.	EMV	Europay, MasterCard, and Visa
6.	ENS	Entry Station
7.	EXS	Exit Station
8.	FACTA	Fair and Accurate Credit Transactions Act
9.	GPR	Ground Penetrating Radar
10.	GUI	Graphical User Interface
11.	HDPE	High Density Polyethylene
12.	IRW	Image Review Workstation
13.	ISO	International Organization for Standardization
14.	LAT	Lane Acceptance Test
15.	LED	Light Emitting Diode
16.	LPN	License Plate Number
17.	LPR	License Plate Recognition
18.	NEMA	National Electrical Manufacturers Association
19.	NEC	National Electrical Code
20.	NFC	Near Field Communication
21.	ODBC	Open Database Connectivity
22.	ODT	Operational Demonstration Test

SECTION 111240

AUTOMATED PARKING GUIDANCE SYSTEM (APGS)

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. Conceptual Design Drawings ("Drawings")
B. Division 01 Specifications Sections
C. Division 10 section "Signage".
D. Division 11 section "Parking Access and Revenue Control System ("PARCS").
E. Division 26 section "Common Work Results for Electrical".

1.2 DEFINITIONS

A. List of abbreviations:

1.	ADA	Americans with Disabilities Act
2.	ANSI	American National Standards Institute
3.	APGS	Automated Parking Guidance System
4.	API	Application Programming Interface
5.	BI	Business Intelligence
6.	CSA	Canadian Standards Association
7.	DAT	Device Acceptance Test
8.	EV	Electric Vehicle
9.	GUI	Graphical User Interface
10.	IP	Intrusion Protection
11.	ISO	International Organization for Standardization
12.	IDF	Intermediate Distribution Frame
13.	LED	Light Emitting Diode
14.	LPR	License Plate Recognition
15.	MUTCD	Manual on Uniform Traffic Control Devices, Latest Edition
16.	NEMA	National Electrical Manufacturers Association
17.	NEC	National Electric Code
18.	NTP	Notice to Proceed
19.	ODBC	Open Database Connectivity
20.	ODT	Operational Demonstration Test
21.	PARCS	Parking Access and Revenue Control System
22.	POLP	Principle of Least Privilege

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SUPPLEMENTAL DOCUMENTS – BID FORM, INSTRUCTIONS, ETC.

SECTION 001116

APGS INSTRUCTIONS TO PROPOSER

1. PROJECT IDENTIFICATION AND DEFINITIONS

A. Project is a new-build parking structure with a single helix "center ramp" design located at 125 E. Rosemary in Chapel Hill, NC.

B. Owner requests the structure to be equipped with a Camera-Based LPR-capable Single Space Automated Parking Guidance System (APGS) covering approximately 1,050 spaces on the six covered levels. Only Camera-Based Single Space APGS may be proposed.

C. Approximately 100 spaces are located on the seventh "roof" level which will be counted as a separate, single zone without using camera-based single space counting. Count data for the roof level will be provided by loops/gates which are part of PARCS equipment.

D. The new APGS is to be integrated with the garage's PARCS system (provided by others) in two ways: (i) The APGS is to be capable of feeding car location information based on LPR to the PARCS system so that the PARCS Pay-on-Foot (POF) machines can display images and garage maps on the POF screen to assist the parker with locating their car. (ii) The APGS is to be capable of receiving car count data from PARCS lane/gate equipment on the ramp from Level 6 to Level 7, and processing and displaying this data on appropriate APGS signs.

E. Owner intends to have general contractor of the project contract with a professional APGS contractor (Contractor) to design, furnish, install, and service the system at the Facility as described in the Specification and Drawings accompanying these Instructions to Proposers.

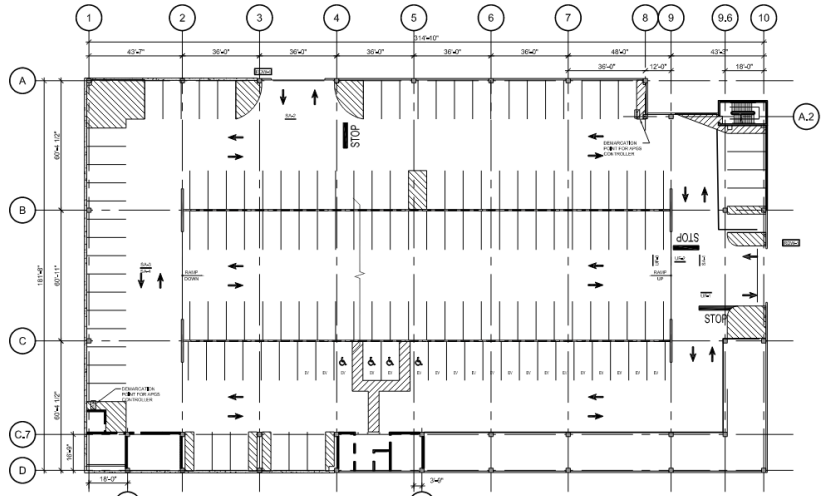
F. Owner is:

Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

G. Owner's Consultant is:

125 E. Rosemary St. APGS
Chapel Hill, North Carolina

WALKER CONSULTANTS



LEVEL P2

Schematic Design Drawing Set - Not for Construction
January 8, 2021

AS10-02

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Section 111233 - Appendix A - Proposal Price Tabulation Form
125 E. ROSEMARY STREET - PARCS PRICING DOCUMENTS

TOTAL	Written in Numerals	Written in Words
Base Price		
1-Year Cost		
Add Spares		
1-Year TOTAL		
1-Year TOTAL with Alternate		
Recurring Fee		
PM & Service		
Warranty		
8-Year TOTAL		
8-Year TOTAL with Alternate		

Company: Date:

Name: Signature:

UNIT PRICING

ITEM #	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
1	Entry: Ticket Dispenser	3	$0.00	$0.00

PROPOSAL SUMMARY, EVALUATION, AND BID LEVELING

WALKER CONSULTANTS

MEMORANDUM

125 E. ROSEMARY PARCS RFP ANALYSIS

PROJECT # 19-001227.00

DATE:	February 8, 2021
TO:	Dwight Bassett
COMPANY:	Town of Chapel Hill
ADDRESS:	405 Martin Luther King Jr. Blvd
CITY/STATE:	Chapel Hill, NC 28514
COPY TO:	Russ Randall, Joey Rowland
FROM:	Posluszny, Geoffrey
PROJECT NAME:	Chapel Hill Parking Consulting
PROJECT NUMBER:	19-001227.00

13860 BALLANTYNE CORPORATE PL,
SUITE 140
CHARLOTTE NC 28277

704.247.6230
WALKERCONSULTANTS.COM

Walker Consultants on behalf of the Town of Chapel Hill ("Town"), issued a Request for Proposal ("RFP") for a new Parking Access and Revenue Control System ("PARCS") for the 125 E. Rosemary St Parking Facility. The RFP was issued January 8, 2021 and was advertised via email solicitation to likely qualified vendors by Walker Consultants. A "virtual pre-proposal meeting" was held on Tuesday, January 12th, and vendors were provided the opportunity to ask questions by January 14th. An addendum was issued on January 16th providing updated information and answers to submitted questions. Following is an overview of the respondent proposals which were received as of Friday, January 29th, 2021.

EXECUTIVE SUMMARY

Six (6) PARCS vendors were responsive and respondent though the RFP process and provided proposals for the new PARCS. They were (alphabetically) Amano McGann, Carolina Time (TIBA Product Line), Designa/Southern Time, HUB Parking, Parkonect, and Skidata.

Pricing was requested for an initial one-year cost including warranty, service, preventive maintenance, and recurring expenses. Extended pricing for these services was also requested for an additional seven (7) years to provide the Town with an eight (8) year total estimated cost of ownership. Pricing was separated out as a "base system" with License Plate Recognition ("LPR") and Pay-on-Foot ("POF") technologies, integration with ParkMobile, and integration with an Automated Parking Guidance System (APGS). The design for the 125 E. Rosemary Parking Facility has yet to be finalized and an additional "Reversible" lane was included in the RFP as an "Add Alternate". A separate RFP process for the APGS ran simultaneously and is summarized in a separate memorandum.

Certain features were requested in the RFP specification document. These are listed in the table below ascertained to the best of our ability from the proposals submitted.

125 E. ROSEMARY ST PARCS RFP PRICE COMPARISON
Submitted January 29, 2021

OFFEROR:	Amano McGann	Designa Southern Time	HUB	Parkonect	Skidata	TIBA / Carolina Time
BASE PRICE	$386,977.80	$348,830.00	$359,217.85	$384,635.00	$399,644.29	$374,789.07
Other Costs	$0.00	$0.00	$0.00	$10,840.00		
1 YEAR COST BASE	*$386,977.80*	*$348,830.00*	*$359,217.85*	*$395,475.00*	*$399,644.29*	*$374,789.07*
Recurring FEES (Years 2-8)	$0.00	$0.00	$17,500.00	$59,422.43	$42,896.00	$83,349.12
PM & SERVICE (Years 2-8)	$126,180.00	$90,000.00	$217,000.00	$48,852.05	$109,754.23	$92,664.00
PARTS WARRANTY (Years 2-8)	$0.00	$168,750.00	$0.00	$32,568.03	$81,888.04	$126,000.00
8 YEAR COST BASE	**$513,157.80**	**$607,580.00**	**$593,717.85**	**$536,317.51**	**$634,182.56**	**$676,802.19**
ADD Reversing Lane	$81,973.40	$52,161.00	$54,713.31	$70,245.00	$43,981.11	$58,427.00
1 YEAR COST w/ Reversing Lane	$468,951.20	$400,991.00	$413,931.16	$465,720.00	$443,625.40	$433,216.07
PM & SERVICE (Years 2-8)	$10,566.00	$13,554.00	$34,300.00	$9,770.41	$13,787.00	$0.00
PARTS WARRANTY (Years 2-8)	$0.00	$21,905.00	$0.00	$3,256.80	$8,188.80	$20,520.00
8 YEAR COST w/ Reversing Lane	**$605,697.20**	**$695,200.00**	**$682,731.16**	**$619,589.73**	**$700,139.47**	**$755,749.19**
OPTIONAL SPARE PARTS	$0.00	$6,857.00	$32,186.00	$1,650.00	$97.30	$15,465.00

Source: Walker; data from 125 E. Rosemary PARCS RFP Vendor Responses

RANKING

Offeror	Amano	Designa	HUB	Parkonect	Skidata	TIBA/CTE
1 YEAR COST BASE	4	1	2	5	6	3
8 YEAR COST BASE	1	4	3	2	5	6
1 YEAR COST w/ Reversing Lane	6	1	2	5	4	3
8 YEAR COST w/ Reversing Lane	1	4	3	2	5	6

FEATURES:

Offeror	Amano	Designa	HUB	Parkonect	Skidata	TIBA/CTE
On-Prem Server	Yes	Yes	Yes		Yes	
Cloud-Based Software				Yes		Yes
Coin Acceptance	Yes	Yes	Yes	No	Yes	Yes
Integrate with APGS?						
Indect	No/LOI	Yes	No	Yes	Yes	No/LOI
Park Assist	No	Yes	No	No/LOI	Yes	No

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Presentation Agenda



01 Project Overview/Timeline

02 PARCS and APGS Technology

03 RFP Process

04 Recommendations / Next Steps

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THE BIG QUESTION:

WHICH VENDOR TO AWARD CONTRACT?

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1. Town of Chapel Hill to create a Technology Selection Committee to include:
   - One (1) member of Technology Solutions Department
   - Two (2) members of Economic Development Department
   - Three (3) members of Parking Services Department
2. Selection Committee recommendation will be provided to General Contractor.
3. General Contractor to include Technology Recommendation in the overall Project.

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East Rosemary Parking Deck- update



Questions?

DRAFT

CHAPEL HILL OPEN2.BIZ

East Rosemary Parking Deck- update



NEXT STEPS:

- Return to Council in April with a final construction budget and authorization of bonds
- Authorize Construction Contract
- May – Close on exchange of properties
- June – Begin construction

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CHAPEL HILL OPEN2.BIZ

RECOMMENDATION:

That the Council adopt the resolutions to 1) determine the number of lanes at the eastern East Rosemary entrance, and 2) to determine the parking technology for the deck.

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TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 10., **File #:** [21-0185], **Version:** 1 **Meeting Date:** 3/10/2021

Introduction of Bond Orders for Two-Thirds Bonds and Call for a Public Hearing for the Issuance of Two-Thirds Bonds.

Staff:
Amy Oland, Director

Department:
Business Management

Overview: The Business Management Department is pursuing the issuance of "two-thirds" bonds to fund parks and recreation, public safety, and streets and sidewalks projects in the Capital Improvements Plan (CIP). The two-thirds bonds would be sold April 27, 2021 in conjunction with an initial issuance of the 2018 referendum general obligation (GO) bonds for affordable housing.

Recommendation(s):

That the Council take the following actions concerning the issuance of $3.205 million of two-thirds bonds.

1. Formally introduce the Bond Orders describing the use of the bonds.
2. Adopt the resolution setting the public hearing for March 24, 2021 and authorizing the filing of a sworn statement of debt.

Key Issues:

Two-Thirds Bonds Background

- Under the Local Government Bond Act, the "two-thirds" rule authorizes local governments to issue general obligation bonds without a referendum under certain circumstances.
- Two-thirds bonds are restricted to two thirds of the net reduction in general obligation bond principal for the previous fiscal year. The Town's reduction in principal for FY 2020 was $4,812,000, two thirds of which is approximately $3,205,000. Two-thirds bonds must be issued in the fiscal year immediately following the year for which the principal reduction is calculated.
- Two-thirds bonds are also restricted to certain uses including streets, parks, public facilities, and public safety. All other allowable purposes are listed under Section 159-48 of NC General Statute, Chapter 159, Article 4 (the Local Government Bond Act).
- The availability of two-thirds bonds and the current low cost of borrowing are an opportunity to fund parks and recreation facility improvements, purchase a replacement Fire truck, and repair streets and sidewalks. The potential issuance of two-thirds bonds was discussed at the Council retreat on Friday, February 5, 2021.

Two-Thirds Bonds Recommended Uses

Parks and recreation facilities:

- Cedar Falls Park Tennis Complex Reconstruction - Project would remove the current tennis courts and reconstruct the complex to improve drainage and would include five tennis courts, four junior courts, new LED lighting, fencing, walkways and amenities.
- Hargraves Park Tennis Court Improvements - Resurfacing of existing tennis courts, replacement of fencing, and LED light installation.
- Ephesus Park Technical Assessment and Tennis & Pickleball Courts - Project would include the

assessment of the current complex conditions and subsurface by an engineer with recommendations and cost estimates on options for how to proceed in order to effectively address existing issues and would offer a short-term repair of the noted issues.
- Hargraves Park Playground Surface Replacement - Repair of the poured in place surfacing that is cracked and installation of curbing for playground user safety.
- AD Clark Pool Improvements - Replaster pool shell to allow the pool to remain open.
- Hargraves Center Ballfield Renovation - Regrade to improve drainage, including the addition of drain lines and irrigation, replace bleachers and fencing, improve and install ADA accessible paths or sidewalk to ballfields.
- Umstead Park Basketball Court - Resurface and restripe basketball court surface, add new goals, and add retaining walls to minimize erosion.
- Homestead Aquatic Center Pool Improvements - Replaster pool shell at the two Homestead Aquatic Center pools and related improvements.

Replacement Fire Truck:
- The Fire Department would use the bond funds to replace Engine 33 (2002 HME) as a frontline vehicle. The current Engine 33 would then be moved to replacement status. In FY 2020, Engine 33 spent 96 days out of service the Town spent $88,640 on repairs to maintain the apparatus.

Streets and Sidewalk projects:
- Street Resurfacing - There is a significant backlog of needed maintenance on about two-thirds of the Town's streets. Public Works staff have a prioritized list of about 26 shovel-ready street maintenance needs throughout the Town totaling $2.7 million. The Chapel Hill community has identified street maintenance as a top priority.
- Sidewalk Projects - Public Works staff have a list of high priority sidewalk repairs throughout the Town representing a backlog of maintenance needs. Addressing sidewalk repair needs also has a positive impact related to ADA requirements.

2018 Referendum Bonds
- The sale of the two-thirds bonds will be coordinated with the first issuance of the 2018 General Obligation bonds for affordable housing. Coordinating these two bond sales is more efficient than conducting separate bond sales and reduces the cost of issuance.
- In November 2018, Chapel Hill voters approved a general obligation bond order totaling $10 million for affordable housing. Based on the progress of the projects funded by the referendum bonds and the planned cash needs of those projects for the next 12 months, staff has determined that the first sale of referendum bonds in April should be for $4.755 million.
- The Town is in the process of developing cost estimates and project timelines for the affordable housing projects.

Fiscal Impact/Resources:

Based on the reduction in general obligation debt principal in FY 2020, the Town can issue up to $3,205,000 in two-thirds bonds in 2021. This capacity will be used to finance the following projects:

Parks and recreation facilities	$1,155,000
Fire truck	550,000
Street repairs	1,300,000
Sidewalk projects	200,000

The two-thirds and referendum bonds will have a 20-year term and debt service will be paid from the

Debt Management Fund. The estimated average annual debt service for the two-thirds issuance will be $234,000 per year and for the referendum issuance will be $295,000 per year. There are adequate resources in the Debt Fund to support these planned borrowings.

Where is this item in its process?



Attachments:

- Resolution
- Bond Orders
- Streets and Sidewalks Project Detail
- Draft Staff Presentation

A RESOLUTION SETTING A PUBLIC HEARING FOR MARCH 24, 2021 AND AUTHORIZING THE FILING OF DEBT STATEMENTS (2021-03-10/R-9)

WHEREAS, there have been introduced at this meeting bond orders entitled as follows:

Bond Order Authorizing the Issuance of General Obligation Bonds for Parks and Recreation Facilities in the Maximum Amount of $1,155,000

Bond Order Authorizing the Issuance of General Obligation Bonds for Public Safety Purpose in the Maximum Amount of $550,000

Bond Order Authorizing the Issuance of General Obligation Bonds for Streets and Sidewalks in the Maximum Amount of $1,500,000

AND WHEREAS, Section 159-57 of the General Statutes requires that a public hearing be held on each bond order prior to its adoption, Section 159-56 of the General Statutes requires publication of a notice of the hearing, and Section 159-55 of the General Statutes requires the filing of statements of debt and estimated interest prior to the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Chapel Hill, North Carolina, that the Town's Finance Officer is directed to prepare and file, prior to the publication of the notice of a public hearing, a sworn statement of the Town's net debt and statements of estimated interest in the forms prescribed by statute.

BE IT FURTHER RESOLVED (1) that a public hearing on each bond order will be held at 7:00 p.m. (or as soon thereafter as the matter may be heard) on March 24, 2021, via zoom (meeting information located on the Town's website) and (2) that the Council directs the Town Clerk to publish a notice of each public hearing, in the form provided by statute, one time, not less than six days prior to the hearing date, in a newspaper having general circulation in the Town.

This the 10th day of March, 2021.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Amy Oland, Business Management Director

RECOMMENDATION: That the Council take the following actions concerning the issuance of $3.205 million of two-thirds bonds.

1. Formally introduce the Bond Orders describing the use of the bonds.
2. Adopt the resolution setting the public hearing for March 24, 2021 and authorizing the filing of a sworn statement of debt.

Bond order for introduction – parks and recreation

Bond Order Authorizing the Issuance of General Obligation Bonds for Parks And Recreation Facilities in the Maximum Amount of $1,155,000

WHEREAS --

The Town Council of the Town of Chapel Hill, North Carolina, has stated its proposal to issue general obligation bonds to pay capital costs of providing parks and recreation facilities.

The Town has applied to the North Carolina Local Government Commission for its approval of such bonds, and the Commission has accepted the Town's application.

BE IT ORDERED by the Town Council of the Town of Chapel Hill, Carolina, as follows:

1. There are hereby ordered to be issued general obligation bonds to pay capital costs of providing parks and recreation facilities, including without limitation athletic fields, parks, playgrounds, recreation centers, shelters, stadiums, arenas, permanent and temporary stands, golf courses, swimming pools, wading pools, marinas, and lighting, buildings for recreation purposes and buildings for the administration of recreational programs, along with the acquisition of land and interests in land for these and related purposes, together with related financing and other necessary or incidental costs.

2. The maximum aggregate principal amount of the bonds issued for such purpose will be $1,155,000.

3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.

4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is open to public inspection.

5. This Bond Order shall take effect 30 days after its publication following adoption, unless it its petitioned to a vote of the people, as provided in Section 159-60 of the North Carolina General Statutes, and in that event the order will take effect when approved by the voters.

Bond order for introduction – public safety

Bond Order Authorizing the Issuance of General Obligation Bonds for Public Safety Purposes in the Maximum Amount of $550,000

WHEREAS --

The Town Council of the Town of Chapel Hill, North Carolina, has stated its proposal to issue general obligation bonds to pay capital costs of providing public safety improvements.

The Town has applied to the North Carolina Local Government Commission for its approval of such bonds, and the Commission has accepted the Town's application.

BE IT ORDERED by the Town Council of the Town of Chapel Hill, Carolina, as follows:

1. There are hereby ordered to be issued general obligation bonds to pay capital costs of providing public safety improvements, especially including the purchase of a fire truck and other public safety equipment, together with related financing and other necessary or incidental costs.

2. The maximum aggregate principal amount of the bonds issued for such purpose will be $550,000.

3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.

4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is open to public inspection.

5. This Bond Order shall take effect 30 days after its publication following adoption, unless it its petitioned to a vote of the people, as provided in Section 159-60 of the North Carolina General Statutes, and in that event the order will take effect when approved by the voters.

Bond order for introduction – streets and sidewalks

Bond Order Authorizing the Issuance of General Obligation Bonds for Streets and Sidewalks in the Maximum Amount of $1,500,000

WHEREAS --

The Town Council of the Town of Chapel Hill, North Carolina, has stated its proposal to issue general obligation bonds to pay capital costs of providing streets and sidewalks.

The Town has applied to the North Carolina Local Government Commission for its approval of such bonds, and the Commission has accepted the Town's application.

BE IT ORDERED by the Town Council of the Town of Chapel Hill, Carolina, as follows:

1. There are hereby ordered to be issued general obligation bonds to pay capital costs of providing streets and sidewalks, including without limitation bridges, viaducts, causeways, overpasses, underpasses and alleys; paving, grading, resurfacing and widening streets and sidewalks; curbs and gutters, culverts, and drains; traffic controls, signals, and markers; lighting, and grade crossings and the elimination thereof and grade separations, along with the acquisition of land and interests in land for these and related purposes, together with related financing and other necessary or incidental costs.

2. The maximum aggregate principal amount of the bonds issued for such purpose will be $1,500,000.

3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.

4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is open to public inspection.

5. This Bond Order shall take effect 30 days after its publication following adoption, unless it its petitioned to a vote of the people, as provided in Section 159-60 of the North Carolina General Statutes, and in that event the order will take effect when approved by the voters.

Two-Thirds Bonds – Streets and Sidewalks Bond Order Projects

STREET RESURFACING

Recommended: Based on the known need, the recommended bond issuance for Streets is highly recommended for street resurfacing.

Reason for Recommendation

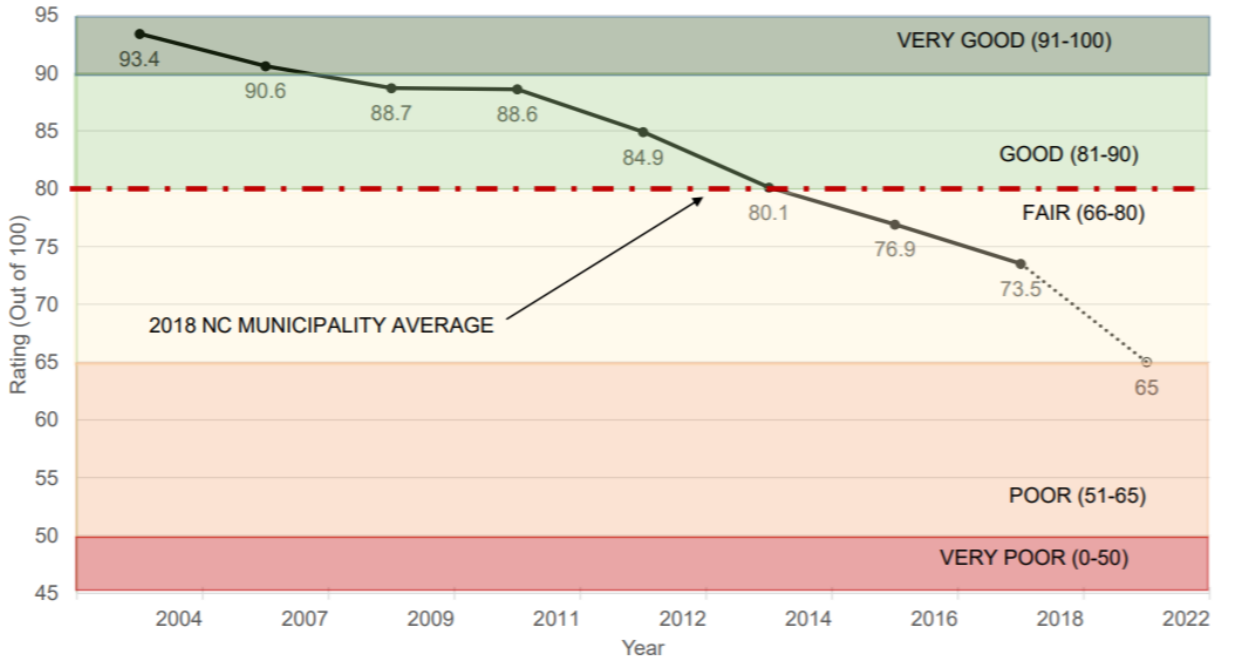
- Due to the insufficient operating budget, there is a significant **backlog of needed maintenance on about 2/3 of the Town's streets, equaling ~$12 million** (excluding additional cost of up to 40% for milling, curb repairs, mobilization, etc.).
    - PW has a prioritized list of **shovel-ready street maintenance needs throughout Town totaling $2.7 million** (about 26 streets - includes milling/striping costs). "Bonds at Work" signs will be posted throughout Town at the work sites.

- The community and Town staff have identified street maintenance as a top priority.
    - Street resurfacing was the #1 ranked need in 2019 and #3 ranked need of 116 projects in 2020 identified in the Town's capital project prioritization process.
    - According to the **2020 Community Survey, maintenance of streets was the top category of public facilities** that respondents identified as needing the most emphasis from Town leaders. According to the **2017 Community Survey, resident satisfaction with maintenance of streets decreased more than any other** decrease in satisfaction with a service (17 points since 2009).

- **The longer maintenance is deferred, the more the Town will pay** for the same maintenance**.**
    - Postponing maintenance until a street is in "Poor" condition typically comes with a much higher price tag than if we resurface streets when they are in "Good" to "Fair" condition.
    - The **annual funding need is $2.9 million** (excluding additional cost of up to 40% for milling, curb repairs, mobilization, etc.).
    - The Town's **annual street resurfacing budget has averaged ~$665,000** per year over the last 12 years. The FY21 operating budget for street resurfacing was $368,000.
    - As good stewards of taxpayer dollars, there is an interest to avoid future significantly higher maintenance costs by catching up as soon as possible.

Pavement Condition

The below graph shows the Town's overall Pavement Condition Rating (PCR) each year the third-party survey was completed through 2018.



The 2022 projection (dotted line on the graph) assumed that the operating budget would remain stable and accounted for planned use of remaining 2015 bond funds for resurfacing.

Multi-Modal (Bike-Ped and Transit) Impacts

- Public Works staff reviews the resurfacing plan each year with the Bike-Ped Team to identify opportunities to implement the Mobility and Connectivity Plan. **The proposed street resurfacing two-thirds bonds would include restriping roads to add bike lanes** on the following streets:
    - Burning Tree Drive
    - Europa DriveLegion Road
    - Tenney Circle
    - Riggsbee Road
    - N. Columbia St (sharrows)

- Further review is needed to confirm current conditions will permit the installation of bike lanes on these streets (such as, street width, on-street parking, any needed studies, coordination with other agencies, etc.)

- Many of the Town's roads were not originally constructed to carry heavy bus loads. As the Town resurfaces roads, multi-modal streets (which include bus routes) are prioritized to ensure that street condition is maintained for safe and efficient bus travel.

SIDEWALK PRIORITY PROJECTS

Recommended: Based on the known need, the recommended bond issuance for Sidewalks is highly recommended for sidewalk maintenance.

Sidewalk Maintenance Needs

- Staff has compiled a long list of high priority sidewalk repair needs throughout town representing a current backlog of $200,000.
- The Town recently received a request from one neighborhood that identified about 350 locations of sidewalk maintenance concerns. Staff is reviewing this request.
- Addressing sidewalk repair needs also has a positive impact related to ADA requirements.
- 2015 bond funds have been unavailable due to being prioritized for new sidewalk construction projects.

Status of New Sidewalk Construction Projects

In October 2016, the Council prioritized the Town's top ten sidewalk construction projects, and five of the sidewalk projects were funded. Status updates for these five projects are listed below:

- Rosemary Street (from Henderson Street to S. Merritt Mill Road) was completed in 2016 as part of the Rosemary Street Streetscape Improvements project.
- Willow Drive (from Bank of America to Conner Drive) was completed in 2017.
- Homestead Road (from Weaver Dairy Road Ext. to Seawell School Road) and Seawell School Road (from Homestead Road to existing sidewalk) were combined into one project.
    - All right-of-way property acquisition is completed.
    - Construction is tentatively scheduled to begin in Summer 2021.
    - About half of the funding (~$1 million) for this project is coming from federal grant funds.
- Ephesus Church Road Sidewalk Construction (East of Pinehurst to Colony Woods and Sharon Road to Pope Road) is at 90% design.

- Property acquisition is complete.
- Due to increasing costs for other bond projects, construction for this project was put on hold while staff worked to identify any alternate funding opportunities.
- **Staff has pursued but not received alternate funding opportunities at this time.** If we were to proceed with this project now, it would be completely funded by the Town. Waiting allows us to continue to pursue possible state and federal funding opportunities to offset the local cost to taxpayers.
- Because this project is planned for bond funds in Spring 2022, there will not be a significant delay.
- Proceeding with this project at a later date will be more accommodating to current staff capacity to manage the multiple construction.
- Given the above considerations, staff recommended the use of two-thirds bonds for other streets and sidewalks needs that have insufficient to no planned funding at this time.

Bike-Ped Projects

The Town plans to carry out Estes Drive Extension Bike-Ped and Fordham Sidepath projects using the last round of 2015 Streets and Sidewalk bond funding, tentatively planned to issue in Spring 2022. This timeframe will allow the projects to begin on schedule, as described below.

Both projects have been awarded federal grant funding through NCDOT, which will cover 80% of the project costs.

<u>Estes Extension Bike-Ped</u>

- Schedule:
  - Begin Design – FY 22, pending approval from NCDOT
  - Right-of-Way Acquisition – FY 23
  - Construction – FY 25
- Budget
  - The total local match is $856,000. The local match for design phase only is $65,000.

<u>Fordham Blvd. Multiuse Path</u>

- Schedule:
  - Begin Design – FY 23
  - Right-of-Way Acquisition – FY 24
  - Construction – FY 26
- Budget
  - The total local match is $450,000. The local match for design phase only is $41,000.

Town of Chapel Hill Capital Program

March 10, 2021

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Agenda

- Two-Thirds Bonds
- Funding Plan
- Next Steps

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Two-Thirds Bonds

- **Two-Thirds Bonds are General Obligation (GO) Bonds that can be issued under the following circumstances:**
  - If no new GO Bonds were issued during the year, Two-Thirds bonds can be issued in the subsequent year in an amount up to two-thirds of the reduction in principal for the base year



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Two-Thirds Bonds

• Reduction in principal FY20	$4,812,000
• Two-Thirds of reduction	**$3,208,000**
• Avg. annual debt service	$234,000*
• Years outstanding	20

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** Actual debt service amounts depend on the rates at the time of the sale.*

Two-Thirds Bonds Uses

Parks and Recreation Facilities:

- Cedar Falls Park Tennis Complex
- Hargraves Park Tennis Court
- Ephesus Park Technical Assessment & Tennis Court Repairs
- Hargraves Park Playground
- AD Clark Pool
- Hargraves Center Ballfield
- Umstead Park Basketball Court
- Homestead Aquatic Center Pool







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Two-Thirds Bonds Uses

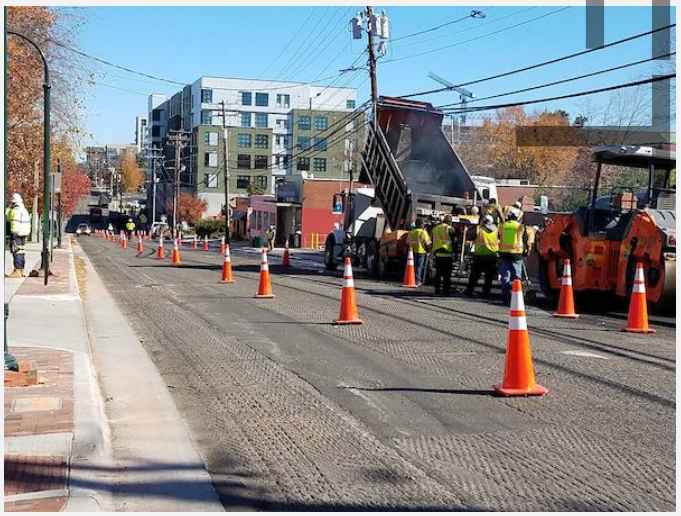
Fire Truck:

- Replacement of Engine 33 (2002 HME) as frontline vehicle.



Streets and Sidewalks Projects:

- Prioritized list of shovel-ready street maintenance needs
- Prioritized list of sidewalk repairs throughout Town



GO Bonds Issuance Schedule

• Preliminary Resolution (2/3)	Feb 24
• Introduce Bond Order (2/3)	Mar 10
• Public Hearing/Adopt Bond Order (2/3)	Mar 24
• Issuance Resolution (2/3 & Referendum)	Apr 7
• LGC Approval	Apr 13
• LGC Bond Sale	Apr 27
• Bond Closing	May 13



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Planned April Issuance

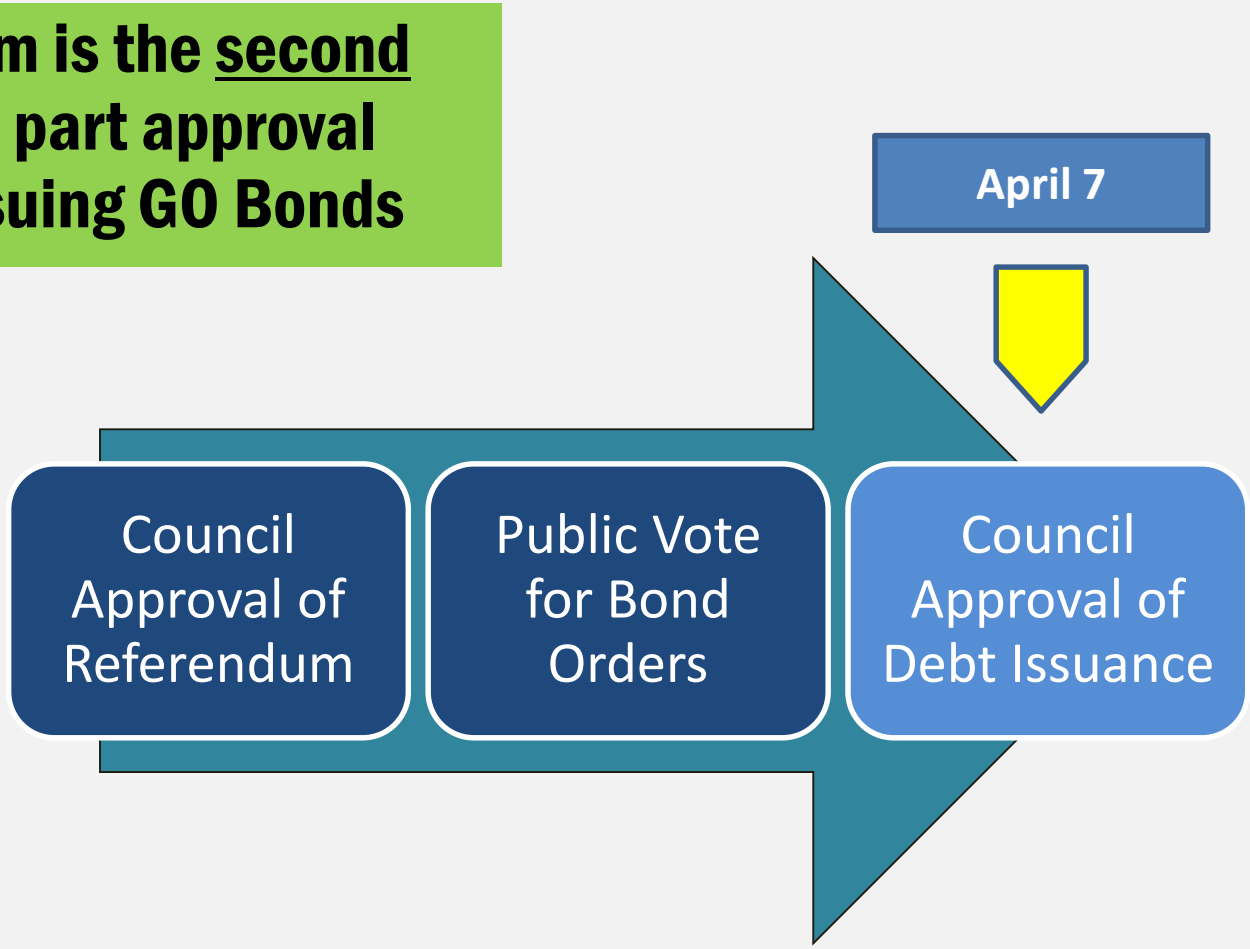
Bond Order	Authority*	April Issue
Referendum:		
Affordable Housing	$ 10,000,000	$ 4,755,000
Two-Thirds Bonds:		
Parks & Recreation		$ 1,155,000
Fire Truck		550,000
Streets & Sidewalks		1,500,000
Total Two-Thirds	**$ 3,205,000**	**$ 3,205,000**

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**Authority for two-thirds bonds contingent on Council approval*

Capital Funding
(Referendum Bonds)

The referendum is the <u>second</u> part of a three part approval process for issuing GO Bonds



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Debt Issuance Authority

Voters

2018 Referendum
$10 Million
GO Bonds

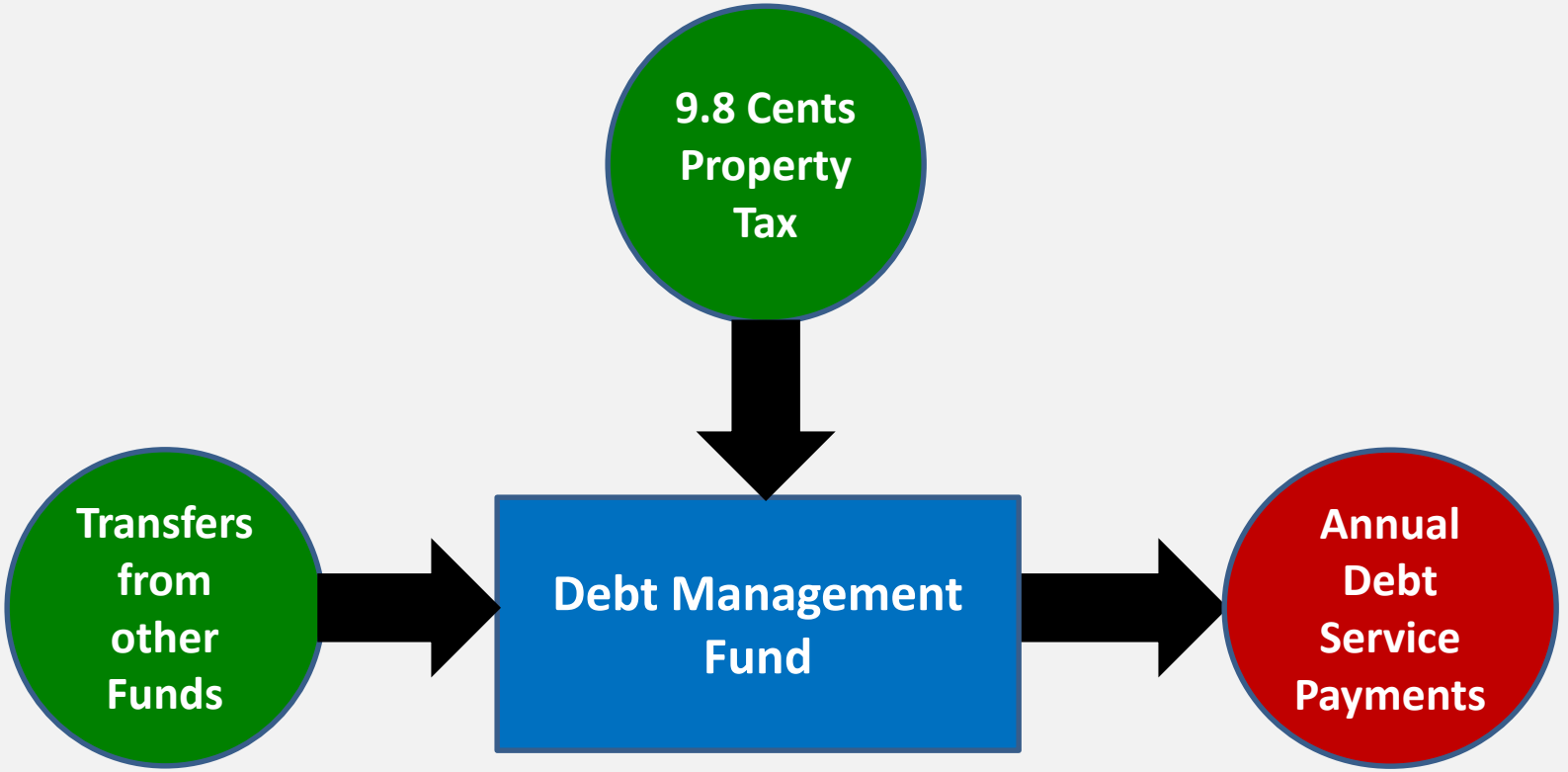
Council

Two-Thirds Bonds

Installment Financing

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Debt Fund Capacity



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Parking Fund
Ephesus Fordham TIF

New Projects & Priorities

- **Capital plans change over time as new opportunities arise, costs increase, and project scopes are adjusted to meet changing needs and requirements**
- **Flexibility is achieved by adjusting the sequence and timing of projects**

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Recommendation

- **Staff reading of "Introduction of the Two-Thirds Bond Orders"**

- **Council adopt resolution (R-) setting a public hearing for March 24, 2021 and authorizing the filing of a sworn statement of debt**

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TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514

Item Overview

Item #: 11., **File #:** [21-0186], **Version:** 1 **Meeting Date:** 3/10/2021

Consider Response to Petition for Limited Scope Review of a Conditional Zoning Modification Application for 1751 Dobbins Drive.

See Staff Report on next page.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Judy Johnson, Assistant Planning Director

RECOMMENDATION: That the Council consider adopting Resolution A, limiting the scope of the modified Conditional Zoning application and reducing the application fee.

CONSIDER RESPONSE TO PETITION FOR LIMITED SCOPE REVIEW OF A CONDITIONAL ZONING MODIFICATION APPLICATION FOR 1751 DOBBINS DRIVE

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director

PROJECT LOCATION	**MEETING DATE**
1751 Dobbins Drive	March 10, 2021

STAFF'S RECOMMENDATION

That the Council consider adopting Resolution A, limiting the scope of the modified Conditional Zoning application and reducing the application fee.

OVERVIEW

The applicant petitioned the Council at the February 24, 2021 meeting[1] requesting a limited scope review of the proposed Conditional Zoning application and requested the Council waive the application fee.

BACKGROUND

The project at 1751 Dobbins Drive received a Conditional Zoning approval by the Council at the November 13, 2019 Council meeting[2]. The approval was for construction of a 5,747 sq. ft. office building with 21 parking spaces. The applicant has recently received a Final Plan Zoning Compliance Permit.

In the petition, the applicant states the difficulty obtaining financing based on the building's cost per square foot. The applicant has requested a modification to the Conditional Zoning approval to increase the size of the building. The Land Use Management Ordinance (LUMO) Section 4.4 limits a minor change to an increase in floor area of up to 10 percent. The request in this case is to increase the size of the office building from 5,747 sq. ft. to 7,500 sq. ft., an increase of 26 percent.

The only change to the project would be to increase the height of the rear of the building to two full stories. Staff believes a limited scope review is appropriate because the proposed site changes are minimal. Staff recommends limiting advisory board review to only the Planning Commission.

The applicant has also requested:

- A fee waiver. The fee for a Conditional Zoning application has a base fee of $8,585 plus $30 per 100 sq. ft. of floor area.
- The Town's fees are calculated to reflect the cost of Town services associated with review of the conditional zoning modification application.
- As the project recently received Council approval and the scope of review of the modification to the project would be limited, less staff time would be required to review this application.
- For this particular case, staff believes the Council could reduce the fee by omitting the base fee and calculating the fee based on the incremental increase in project square footage.
- The fee for the proposed additional 1,753 sq. ft. calculated at $30 per 100 sq. ft. would be $5,259

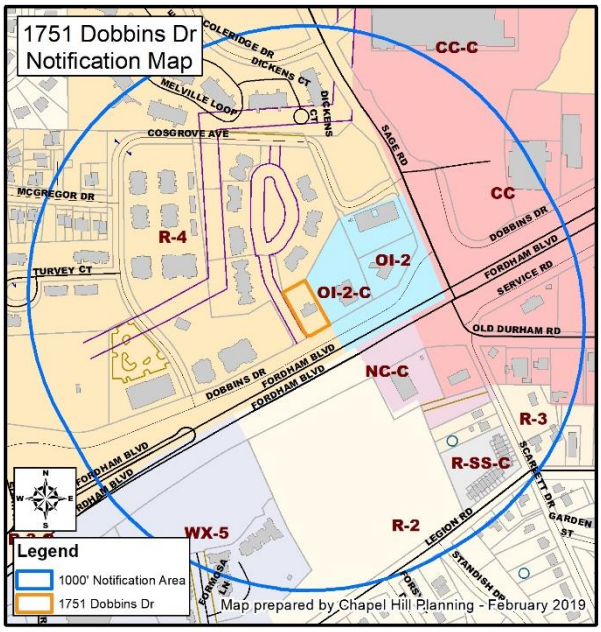
DECISION POINTS

The Council can limit the scope of their review of the proposed Conditional Zoning Modification application if they choose.

The Town currently waives fees associated with affordable housing projects, Town projects, and service projects associated with non-profit organizations.

The attached resolution would limit the scope of the Conditional Zoning Modification to the listed items as well as limit the advisory board review to the Planning Commission.

PROJECT LOCATION



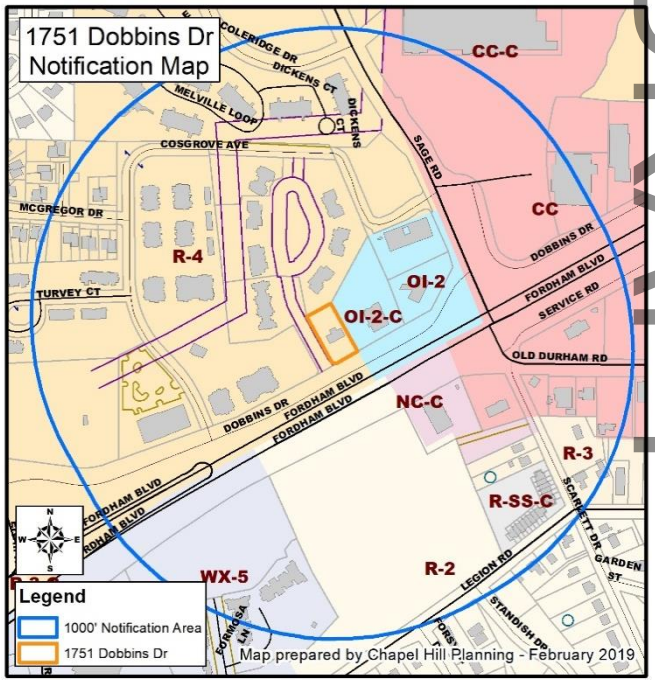
[1] https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4804638&GUID=F91B9FA2-52CA-425E-BFA6-8C0F59095C67
[2] https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4224798&GUID=2DE275C0-A181-4EF8-8D24-C41DDAF4F8AA

ATTACHMENT

1. Draft Staff Presentation
2. Resolution A
3. Petition dated February 24. 2021

1751 Dobbins Drive

March 10, 2021



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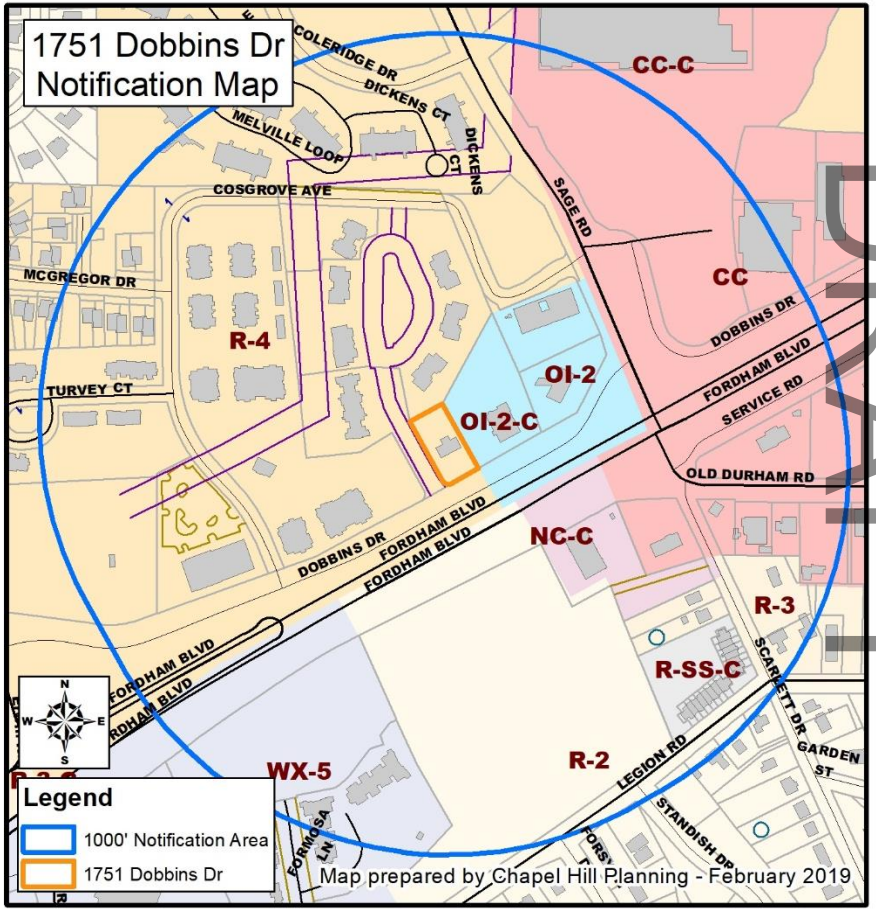
1751 Dobbins Dr – Recommendation

- Consider a limited scope review
- Consider a reduced fee.

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1751 Dobbins Dr – Project Summary

- 0.5 acre site
- Conditional Rezoning OI-2-CZ
- Previously approved: 5,747 SF office
- Requested change: 7,500 SF office



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1751 Dobbins Dr – Recommendation

- Consider a limited scope review
- Consider a reduced fee.

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RESOLUTION A
(Approving the Request)

A RESOLUTION LIMITING THE SCOPE OF THE MODIFICATION TO THE CONDITIONAL ZONING APPLICATION FOR 1751 DOBBINS DRIVE AND AUTHORIZING A REDUCED FEE (2021-03-10/R-10)

WHEREAS, the Council of the Town of Chapel Hill has considered the petition requesting a limited scope review of a Conditional Zoning Modification application submitted by Keith Shaw, Shaw Design, for property located at 1751 Dobbins Drive and having Orange County Property Identifier Number 9799-58-6643; and

WHEREAS, the Council believes the proposed modification, limited to building floor area, will have minimal impacts; and

WHEREAS, the Council finds, in this particular case, that the limited review of the application would reduce the staff time associated with the review of the application and that it is reasonable to reduce the fee accordingly.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Chapel Hill that the Conditional Zoning modification application for 1751 Dobbins Drive:

1. Limit the scope of the review to the Planning Commission and Public Hearing to the change in floor area; and
2. Reduce the application fee by omitting the base fee but still imposing $30 per 100 square feet for the requested additional floor area as provided in the fee schedule.

This the 10th day of March, 2021.

Amy Harvey

From: Jeanette Coffin
Sent: Friday, February 19, 2021 9:15 AM
To: Miho Elliott
Cc: Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: Petition to Town Council - 2/24 Meeting

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin

Jeanette Coffin
Office Assistant
Town of Chapel Hill Manager's Office
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
(o) 919-968-2743 | (f) 919-969-2063

From: Miho Elliott [mailto:miho@shawdesign.us]
Sent: Friday, February 19, 2021 8:57 AM
To: Town Council <mayorandcouncil@townofchapelhill.org>; All Agenda Materials <allclerk@townofchapelhill.org>; Manager <manager@townofchapelhill.org>
Cc: Keith Shaw <keith@shawdesign.us>
Subject: Petition to Town Council - 2/24 Meeting

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

All,

I am formally petitioning to speak to the Town Council on behalf of James Miller, our client and the property owner of 1751 Dobbins Drive. For the past several years we have been working with Mr. Miller and the Town of Chapel Hill to get this piece of property rezoned, through the Conditional Zoning Approval (CZA) process, and achieve a Zoning Compliance Permit (ZCP).

We have assisted Mr. Miller in designing a low-rise commercial office building, which his company Woodward Financial Advisors will personally occupy. The CZA permit limits the building's square footage to 5,747. Banks will not loan the amount for construction for that size of a building. In order to get bank appraisal values to better align with actual construction costs, we need to increase the square footage of the building to 7,500 square feet to effectively lower the building's cost per square foot.

We would like to petition the Town Council to modify the Conditional Zoning Approval permit of the property to increase the building square footage. A change to the CZA can only be achieved through Council approval. We have devised a way to increase the building square footage without altering: 1) the building footprint, 2) the CZA-approved and ZCP-approved civil drawings, 3) the height of the building, nor 4) the approved elevation view from 15-501.

The Mayor and Judy Johnson also both suggested that we formally request that all fees be waived in this second round of Town approvals. Mr. Miller has already paid significant amounts (upwards of $18,000) in Town fees to get to this point and the proposed square footage increase has minimal impact on the already-approved plans; we also therefore respectfully ask that all fees be waived in this second round of approvals.

Thank you,

Miho Elliott
Project Manager

SHAW DESIGN ASSOCIATES, P.A.
180 Providence Road, Suite 8
Chapel Hill, NC 27514
919.493.0528 | shawdesign.us
Facebook | Instagram | Houzz

Meaningful Architecture.

COVID-19 UPDATE: Our Shaw Design team is still working. The health of our team is a top priority and we will be working both remotely and in office. Continue to reach out. We are available by phone, email and virtual meeting spaces. Shaw Design Associates will coordinate ALL site visits / meetings on a per day basis to stay current with CDC recommendations. We are requesting no unauthorized visits to our office in the interest of everyone's health and safety. We are committed to our clients and want to ensure their current projects are moving forward. We appreciate your understanding and patience.