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, April 21, 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_HUYeSJPqQu2oLAnBvdRksg After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 830 2695 0514

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.

1. Environmental Stewardship Advisory Board Request Regarding UNC-CH's Request to Renew its Coal-Burning Permit for the Cameron Avenue Co-Generation Power Plant. **[21-0328]**

2. Brown & Bunch, PLLC Request for Permission to Proceed with Presentation of Proposal for a Columbarium at the Old Chapel Hill Cemetery. **[21-0329]**

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.

3. Approve all Consent Agenda Items. **[21-0330]**

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

4. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2020-21. **[21-0331]**

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Library Gift Fund, and Capital Improvements Fund FY 2021 budgets. By enacting the projects ordinance amendment, the Council adjusts the Affordable Housing Fund.

5. Extend and Provide Option to Expand Territory of the Encroachment and Lease Agreement for Town Right-of-Way along Cleland Drive for Continued Use as a Cellular Tower Site. **[21-0341]**

By adopting the resolution, the Council hereby gives notice of intent to authorize at its next regular meeting, on April 21, 2021, the execution of an amendment to the encroachment and lease agreement for Town right-of-way along Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC for two additional periods of five additional years to commence July 1, 2026 and expire June 30, 2036, with an option to extend the leased territory by a maximum of 432 square feet.

6. Call a Public Hearing to Consider Proposals for Downtown Municipal Service District Services for May 5, 2021. **[21-0332]**

By adopting the resolution, the Council calls a Public Hearing for May 5, 2021 to consider proposals for providing services to the Downtown Municipal Service District.

7. Call a Public Hearing for a Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd, from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) on May 12, 2021. **[21-0327]**

By adopting the resolution, the Council calls a public hearing to discuss the Conditional Zoning Application for 1000 Martin Luther King Jr. Blvd. on May 12, 2021.

8. Amend the 2020-21 Council Calendar. **[21-0333]**

By adopting the resolution, the Council amends the 2020-21 Council calendar to adjust the May meeting types and start times to balance the meetings with regard to development applications.

INFORMATION

9. Receive Upcoming Public Hearing Items and Petition Status List. **[21-0334]**

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

DISCUSSION

10. Town of Chapel Hill Poet Laureate Program Update. **[21-0335]**

PRESENTER: Susan Brown, Executive Director, Community Arts & Culture

RECOMMENDATION: That the Council adopt proposed Guidelines for the Town of Chapel Hill's Poet Laureate program and extend C.J. Suitt's current term as Poet Laureate to December 31, 2022 with an additional compensation of $1,000.

SPECIAL USE PERMIT(S)

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized

subjects should first establish that at the beginning of their testimony.

11. Consider an Application for Special Use Permit Limited Scope Modification for Signature Healthcare of Chapel Hill, 1602 E. Franklin Street. **[21-0336]**

PRESENTER: Anya Grahn, Senior Planner

Swearing of all persons wishing to present evidence

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. Comments and questions from the Mayor and Town Council
d. Applicant's statement regarding proposed conditions
e. Motion to adopt a resolution approving the Special Use Permit Modification.

RECOMMENDATION: That the Council adopt Resolution A, approving the application.

Continued Discussion

12. Consider 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. **[21-0337]**

PRESENTER: Anya Grahn, Senior Planner

a. Introduction and revised recommendation
b. Mayor and Town Council discussion
c. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
d. Motion to enact the ordinance to approve the changes to the Land Use Management Ordinance.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Ordinance A.

13. Updates and Preliminary Recommendations from Re-Imagining Community Safety Task Force. **[21-0338]**

PRESENTER: Christine Edwards, Amplify Consulting

RECOMMENDATION: That the Council receive information on the Task Force's progress and preliminary recommendations.

14. Open a Public Hearing for Land Use Management Ordinance (LUMO) Text Amendments - Proposed **[21-0339]**

Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Initial Review of Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.
For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

15. Open the Public Hearing: Application for Conditional Zoning - 2200 Homestead Road (Project 20-081). **[21-0340]**

PRESENTER: Anya Grahn, Senior Planner

a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
b. Introduction and preliminary recommendation
c. Presentation by the applicant
d. Recommendation of the Planning Commission
e. Recommendations of other boards and commissions
f. Comments from the public
g. Comments and questions from the Mayor and Town Council
h. Referral to the Manager and Attorney
i. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing.
j. Consider enacting the ordinance to approve the Conditional Zoning application at the May 19, 2021 Council meeting

RECOMMENDATION: That the Council open the public hearing, and receive comment on the proposed Conditional Rezoning. That the Council then make a motion to close the public hearing and schedule the proposed Conditional Rezoning application review for May 19, 2021.

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 #:** [21-0328], **Version:** 1 **Meeting Date:** 4/21/2021

Environmental Stewardship Advisory Board Request Regarding UNC-CH's Request to Renew its Coal-Burning Permit for the Cameron Avenue Co-Generation Power Plant.

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

Department:
Communications and Public Affairs

Overview: 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 <https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status> webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

Recommendation(s):

That the Council consider the petition.

Attachments:

- Environmental Stewardship Advisory Board Request

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Petition for Denying UNC-CH's Request to Renew the Permit to Burn Coal at the Cameron Avenue Power Plant

Tom Henkel
March 2021

Whereas: The Chapel Hill Town Council is considering the adoption of a Climate Action Plan to reduce greenhouse gas (GHG) emissions within the Town; and

Whereas: The burning of coal produces the greatest amount of GHG emissions than any other fossil fuel; and

Whereas: Coal burning emissions and pollution are a public health hazard and have recently been linked to increased death rates from COVID-19; and

Whereas: The UNC-CH co-generation plant on Cameron Avenue burns coal for the production of electricity and for steam for the district steam system on the university campus; and

Whereas: UNC-CH has applied to the NC Division of Air Quality (DAQ) for a renewal of its permit to burn coal; and

Whereas: NC DAQ expects to release UNC's draft air permit request for public comment by Monday, March 29th; and

Whereas: The Town Government has a responsibility to protect the public health of the residents of Chapel Hill.

Therefore, be it resolved: The Environmental Stewardship Advisory Board requests that the Town Council ask the NC Division of Air Quality to deny the request by UNC-CH to renew its permit to continue burning coal at the Cameron Avenue co-generation power plant.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 2., **File #:** [21-0329], **Version:** 1 **Meeting Date:** 4/21/2021

Brown & Bunch, PLLC Request for Permission to Proceed with Presentation of Proposal for a Columbarium at the Old Chapel Hill Cemetery.

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

Department:
Communications and Public Affairs

Overview: 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 <https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status> webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.

Recommendation(s):

That the Council consider the petition.

Attachments:

- Brown & Bunch, PLLC Request

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Amy Harvey

From: Marlene Lang <mlang@brownandbunch.com>
Sent: Wednesday, April 14, 2021 3:18 PM
To: Pam Hemminger; Amy Harvey
Cc: LeAnn Nease Brown
Subject: Petition for Permission to Proceed with Presentation of Proposal for a Columbarium at the Old Chapel Hill Cemetery (Sent on Behalf of LeAnn Nease Brown)
Attachments: 002Old Chapel Hill Cemetery Map Showing Location of Plots.pdf; 003Rendering View North Along Pathway.pdf; 004Rendering View West.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Agenda Packet Process

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

April 14, 2021

via email, phemminger@townofchapelhill.org

Mayor Pam Hemminger
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

via email, aharvey@townofchapelhill.org

Amy Harvey, Deputy Town Clerk
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Re: Petition for Permission to Proceed with Presentation of Proposal for a Columbarium at the Old Chapel Hill Cemetery

Dear Mayor Hemminger and Town Clerk Harvey:

I am working with John Shearer, Gardner Altman and John Hart. John Shearer's parents, Edna and Andy, owned two plots in the Old Chapel Hill Cemetery, Plots T-07 and T-14 in Section 4. The plots measure 20 foot by 12 and together are the largest remaining plot currently available. Recognizing that there are very few

opportunities for interment in the Town of Chapel Hill, Messrs. Shearer, Altman and Hart have worked on ideas for meaningful use of these plots. After much research, they determined that a columbarium could create an opportunity for these plots to be utilized by more individuals who desire to be buried in Chapel Hill than traditional underground interment offers. After considering several possible columbarium designs, my clients have a draft design that fits in with the Old Chapel Hill Cemetery.

Attached to this email is an Old Chapel Hill Cemetery map which shows the location of the plots and two renderings which show what a columbarium sized and designed for this location in the cemetery could look like.

The purpose of this petition is to seek permission from the Chapel Hill Town Council to proceed as appropriate with exploration of this concept. We request the Town Council refer this matter to the Town Manager to direct us as to next steps.

We appreciate the Town Council's consideration.

Best regards.

Sincerely,

BROWN & BUNCH, PLLC

LeAnn Nease Brown

LNB/mjl
13636\01\l\007Hemminger Harvey
Attachments
cc: John A. Shearer (via email)
Gardner Altman (via email)
John Hart (via email)

LeAnn Nease Brown
BROWN & BUNCH, PLLC
101 North Columbia Street
Chapel Hill, NC 27514
919.968.1111

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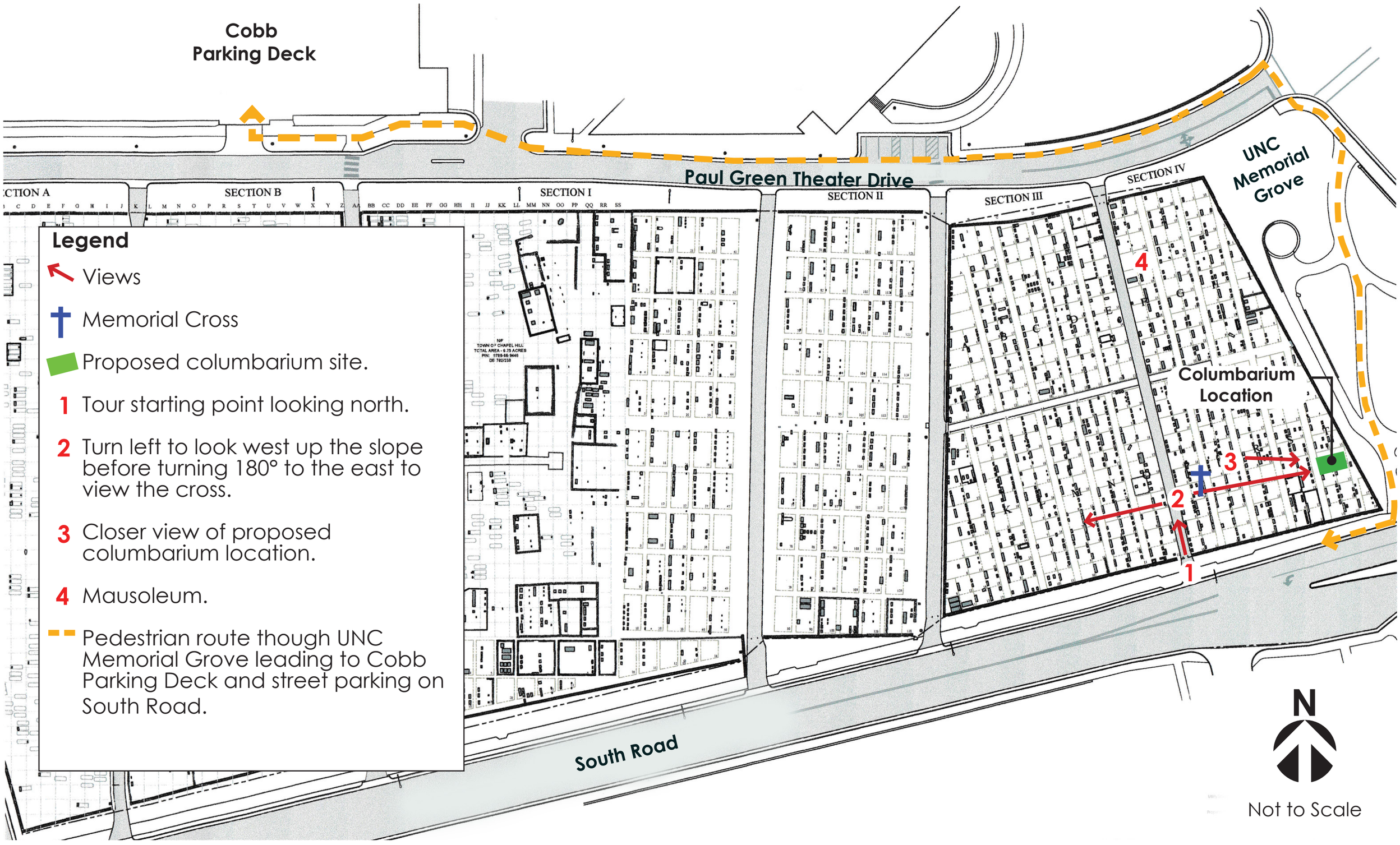
Old Chapel Hill Cemetery Map

LEES + ASSOCIATES



Legend

- Views
- Memorial Cross
- Proposed columbarium site.

1. Tour starting point looking north.
2. Turn left to look west up the slope before turning 180° to the east to view the cross.
3. Closer view of proposed columbarium location.
4. Mausoleum.

- Pedestrian route though UNC Memorial Grove leading to Cobb Parking Deck and street parking on South Road.

Proposed Columbarium Render - View 1 [12]

LEES + ASSOCIATES

Proposed Columbarium Render - View 2 [13]

LEES + ASSOCIATES

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., **File #:** [21-0330], **Version:** 1 **Meeting Date:** 4/21/2021

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 (2021-04-21/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:

4. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2020-21. (O-1)(O-2)

5. Extend and Provide Option to Expand Territory of the Encroachment and Lease Agreement for Town Right-of-Way along Cleland Drive for Continued Use as a Cellular Tower Site. (R-2)

6. Call a Public Hearing to Consider Proposals for Downtown Municipal Service District Services for May 5, 2021. (R-3)

7. Call a Public Hearing for a Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd, from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) on May 12, 2021. (R-4)

8. Amend the 2020-21 Council Calendar. (R-5)

This the 21st day of April, 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.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., **File #:** [21-0331], **Version:** 1 **Meeting Date:** 4/21/2021

Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2020-21.

Staff:
Amy Oland, Director
Matt Brinkley, Assistant Director

Department:
Business Management

Overview: After the Council adopts the annual budget, periodic changes require the Town to amend the current budget.

Recommendation(s):

That the Council:

- Enact the attached budget ordinance amendment to adjust the General Fund, Library Gift Fund, and the Capital Improvements Fund; and
- Enact the attached project ordinance amendment to adjust the Affordable Housing Fund.

Key Issues:

- **General Fund**
  Hargraves Donation - Hargraves Community Center has received a donation of $6,000 from a local church who does not wish to receive any recognition for the donation. The funding is intended to be used for programs and activities supporting youth at the Hargraves Center. Staff proposes the funds be used toward equipment and supplies for STEM (robotics), life skills, entrepreneurship, and college prep classes as well as two water fountain bottle fillers needed at the facility. Enactment of the attached budget ordinance amendment would recognize and appropriate the $6,000 for support of Parks and Recreation programs.

- **Library Gift Fund**
  Chapel Hill Library Foundation - The Chapel Hill Public Library Foundation would like to make a restricted gift of $25,000 to the Town. The gift is designated to fund redesign and update the furnishings and fixtures on the lower level of Chapel Hill Public Library and better support users' public computing needs. This gift will allow staff to contract with a designer to draft plans for a subsequent lower-level facelift.

  Citizen Science Award - Chapel Hill Public Library has received a $5,000 Citizen Science Month Mini Award from the Network of the National Library of Medicine to increase awareness of and engagement in Citizen Science Month events and supplemental programs. Library will host a virtual/hybrid City Nature Challenge event in April, add citizen science themed Grab 'n' Go kits during Library's April outreach events to kids and families in historically marginalized communities, and create exploring biodiversity library kits.

  COVID-19 Response Mini-Grant - Chapel Hill Public Library has been awarded a COVID-19 Response Mini-Grant in the amount of $2,000 from the Federal Institute of Museum and Library Services (IMLS) under the provisions of the Library Services and Technology Act (LSTA) as

administered by the State Library of North Carolina, a division of the Department of Natural and Cultural Resources. This award will allow the Library to purchase supplies to assist in monitoring visitor occupancy limits and safe social distancing.

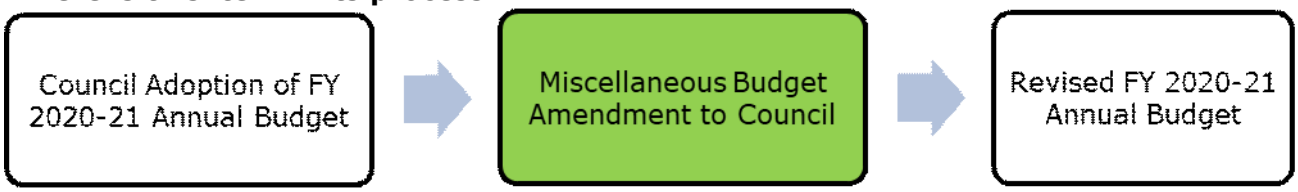
Enactment of the attached budget ordinance amendment would recognize and allocate the $25,000 from the Chapel Hill Library Foundation, $5,000 from the Network of the National Library of Medicine, and $2,000 from the Federal Institute of Museum and Library Services.

- **Capital Improvements Funds**
  In May of 2020, there were concerns related to the air quality at Fire Station #3. The Public Work's Facilities Division made the recommendation based on conversations with HVAC contractors that a design professional is needed to develop a scope of work that will permanently address and resolve the issue.

  On January 27, 2021, Council approved a budget amendment of $75,000 to allocate funds towards this project. After receiving bids for the project, the lowest bid came in at $150,000. Enactment of the attached budget ordinance amendment would allocate an additional $75,000 towards the Fire Station #3 air quality assessment from fund balance within the Capital Improvements Fund.

- **Affordable Housing Fund**
  Emergency Housing Assistance - The Town has received $14,140 from community donations for the Emergency Housing Assistance Program. Enactment of the attached project ordinance amendment would recognize the community donations of $14,140 and would appropriate the funds to provide support to town residents experiencing a housing crisis.

Where is this item in its process?



Attachments:

- Budget Ordinance
- Project Ordinance - Affordable Housing Fund

AN ORDINANCE TO AMEND "THE ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2020" (2021-04-21/O-1)

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Budget Ordinance entitled "An Ordinance Concerning Appropriations and the Raising of Revenue for the Fiscal Year Beginning July 1, 2020" as duly adopted on June 24, 2020, be and the same is hereby amended as follows:

ARTICLE I

APPROPRIATIONS	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Mayor/Council	$ 419,020	$ -	$ -	$ 419,020
Town Manager/CaPA	2,949,041	-	-	2,949,041
Human Resource Dev't	1,902,810	-	-	1,902,810
Business Management	2,330,886	-	-	2,330,886
Technology Solutions	2,386,765	-	-	2,386,765
Attorney	391,747	-	-	391,747
Planning & Sustainability	2,177,472	-	-	2,177,472
Building and Development Services	2,403,013	-	-	2,403,013
Housing and Community	834,709	-	-	834,709
Public Works	12,465,577	-	-	12,465,577
Police	13,953,921	-	-	13,953,921
Fire	9,700,234	-	-	9,700,234
Parks and Recreation	7,258,077	6,000	-	7,264,077
Library	3,715,709	-	-	3,715,709
Non-Departmental	5,526,192	-	-	5,526,192
	$ 68,415,173	$ 6,000	$ -	$ 68,421,173
LIBRARY GIFT FUND				
Other Expenses	$ 652,466	$ -	$ -	$ 652,466
Chapel Hill Library Foundation	-	25,000	-	25,000
Citizen Science Award	-	5,000	-	5,000
COVID-19 Response Mini-Grant	-	2,000	-	2,000
	$ 652,466	$ 32,000	$ -	$ 684,466
CIP FUND				
Other Projects	$ 743,773	$ -	$ -	$ 743,773
Fire Station #3 Air Assessment	75,000	75,000	-	150,000
	$ 818,773	$ 75,000	$ -	$ 893,773

ARTICLE II

REVENUES	Current Budget	Increase	Decrease	Revised Budget
GENERAL FUND				
Other Revenues	$ 68,415,173	$ -	$ -	$ 68,415,173
Donations-Recreation	-	6,000	-	6,000
	$ 68,415,173	$ 6,000	$ -	$ 68,421,173
LIBRARY GIFT FUND				
Other Expenses	$ 652,466	$ -	$ -	$ 652,466
Chapel Hill Library Foundation	-	25,000	-	25,000
Citizen Science Award	-	5,000	-	5,000
COVID-19 Response Mini-Grant	-	2,000	-	2,000
	$ 652,466	$ 32,000	$ -	$ 684,466
CIP FUND				
Other Revenues	$ 245,494	$ -	$ -	$ 245,494
Appropriated Fund Balance	573,279	75,000	-	648,279
	$ 818,773	$ 75,000	$ -	$ 893,773

This the 21st day of April, 2021.

AN ORDINANCE TO AMEND THE AFFORDABLE HOUSING FUND ORDINANCE (2021-04-21/O-2)

BE IT ORDAINED by the Council of the Town of Chapel Hill that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the Affordable Housing Fund Ordinance to provide funds to support affordable homeownership opportunities is hereby amended as follows:

"SECTION I

The Affordable Housing Fund Ordinance as authorized by the Town Council provides funds to purchase properties to create permanently affordable homeownership opportunities.

SECTION II

The Manager of the Town of Chapel Hill is hereby directed to proceed with implementation of these projects within terms of funds appropriated here.

SECTION III

Revenues anticipated to be available to the Town are hereby amended as follows:

	Current Budget	Revised Budget
Transfer from Housing Loan Trust Fund	$ 155,778	$ 155,778
Loan Repayment	650,799	650,799
Payment in lieu - Affordable Housing	3,502,576	3,502,576
Donations - Rental Assistance	36,542	50,682
Interest Income	54,612	54,612
Total Revenues	$ 4,400,307	$ 4,414,447

SECTION IV

Amounts appropriated to create permanently affordable homeownership opportunities are hereby amended as follows:

	Current Budget	Revised Budget
Grants/Deferred Loans	$ 1,426,536	$ 1,440,676
Revolving Loan Fund	650,800	650,800
Rehabilitation & Refurbishment	106,511	106,511
Contributions to HOME Program	338,974	338,974
Contributions to Affordable Housing agencies	165,000	165,000
Contributions to Community Home Trust	394,242	394,242
Contributions to Affordable Housing	632,100	632,100
Rental Asssistance	77,147	77,147
Homestead Road project	100,000	100,000
Professional Services	50,000	50,000
Miscellaneous Contracted Services	75,000	75,000
Legal Fees	380,000	380,000
Other Expenditures	3,997	3,997
Total Expenditures	$ 4,400,307	$ 4,414,447

SECTION V

The Manager is directed to report annually on the financial status of the project in an informational section to be included in the Annual Budget, and shall keep the council informed of any unusual occurrences.

SECTION VI

Copies of this amended projects ordinance shall be entered into the minutes of the Council and copies shall be filed within five days of adoption with the Manager, Business Management Director and Town Clerk."

This the 21st day of April, 2021.

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

By enacting the budget ordinance amendment, the Council adjusts the General Fund, Library Gift Fund, and Capital Improvements Fund FY 2021 budgets. By enacting the projects ordinance amendment, the Council adjusts the Affordable Housing Fund.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., **File #:** [21-0341], **Version:** 1 **Meeting Date:** 4/21/2021

Extend and Provide Option to Expand Territory of the Encroachment and Lease Agreement for Town Right-of-Way along Cleland Drive for Continued Use as a Cellular Tower Site.

Staff:
Scott Clark, Executive Director
Amy Oland, Director

Department:
Technology Solutions
Business Management

Overview: The attached resolution would authorize the Manager to extend the lease agreement period and offer Tenant an option to expand the encroachment of this Cellular Tower in the Town right-of-way space on Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC, successor to Crown Castle International Corp.

Recommendation(s):

That the Council adopt the attached resolution that would authorize the Manager to execute an amendment to the encroachment and lease agreement of Town right-of-way along Cleland Drive to Tenant for two successive five (5) year terms commencing on July 1, 2026, and providing an option to expand the leased territory by a maximum of 432 square feet.

Background: This encroachment and lease agreement originally expired November 12, 2006 and was renewed January 23, 2006 for a ten-year term. The ten-year encroachment and lease agreement expired June 30, 2016 and was renewed in 2013 for a ten-year term to end on June 30, 2026. The lease amount began at $1,950 per month ($23,400 per year) with an annual 3% increase over the previous year. The Town is currently receiving $2,398 per month ($28,779 per year).

North Carolina General Statute 160A-372 states that property may be rented or leased by municipality pursuant to a resolution of the Council authorizing the execution of the lease, adopted at a regular meeting. Extension and expansion of the Lease requires Council authorization. We believe that the arrangement has worked well for both parties. If the Council agrees, we would amend the lease on the following terms:

- The amendment would extend the existing lease up to two additional five (5) year terms to end June 30, 2036.
- The lease would provide an option for Tenant to expand the territory of the lease up to an additional 432 square feet as set out in Appendix A to the lease. The per-square-foot lease rate would be the same as for the existing leased territory.
- Tenant has also agreed to refresh the paint on the surrounding fencing and to plant screening plants to improve the aesthetics.
  Construction in the expansion area is subject to all Town ordinances and rules.
- The new lease amount would begin at $29,900 per year with an annual increase of 3% over the previous year paid in one lump sum at the beginning of the year:
  - Year 1: $29,900.00
  - Year 2: $30,797.00
  - Year 3: $31,720.91

- Year 4: $32,672.54
- Year 5: $33,652.71

- If the Tenant expands the leased territory, the lease amount would increase proportionally.
- The new term of the lease would commence on July 1, 2026. The amended lease would end on June 30, 2036 if not terminated sooner.

Fiscal Impact/Resources: The new lease amount would begin at $29,900 per year with an annual increase of 3% over the previous year paid in one lump sum at the beginning of the year.

Attachments:

- Resolution
- Third Amendment to Structure and Encroachment Agreement - Cleland RD (BU 840608)

A RESOLUTION GIVING PUBLIC NOTICE OF TOWN COUNCIL INTENT TO AMEND AN ENCROACHMENT AND LEASE AGREEMENT FOR TOWN RIGHT-OF-WAY ALONG CLELAND DRIVE WITH NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS, SUCCESSOR IN INTEREST TO NEW CINGULAR WIRELESS PCS (2021-04-21/R-2)

WHEREAS, Cleland Drive is a Town of Chapel Hill-maintained road with Town right-of-way; and

WHEREAS, New Cingular Wireless PCS (now succeeded by NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC) leased Town right-of-way on Cleland Drive for purposes of operating a cellular communications site under a lease with the Town of Chapel Hill that expired on November 12, 2006; and

WHEREAS, New Cingular Wireless PCS (now succeeded by NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC) leased Town right-of-way on Cleland Drive for purposes of operating a cellular communications site under a lease with the Town of Chapel Hill that expired on June 30, 2016; and

WHEREAS, Crown Castle International Corp. (now succeeded by NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC) leases Town right-of-way on Cleland Drive for purposes of operating a cellular communications site under a lease with the Town of Chapel Hill that is due to expire on June 30, 2026 (existing lease); and

WHEREAS, the Town and NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC ("Tenant") desire to enter into an amendment to the existing lease extending the term of the lease for two additional five (5) year terms and providing Tenant the option of expanding the leased territory by a maximum of 432 square feet at the same lease rate per square foot; and

WHEREAS, the North Carolina Statute 160A-272 authorizes the Town to lease or rent Town property pursuant to a resolution of the Council authorizing the execution of the lease or rental agreement adopted at a regular Council meeting upon 10 days' public notice.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby gives notice of intent to authorize at its next regular meeting, on April 21, 2021, the execution of an amendment to the encroachment and lease agreement for Town right-of-way along Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC for two additional periods of 5 additional years to commence July 1, 2026 and expire June 30, 2036, with an option to extend the leased territory by a maximum of 432 square feet

BE IT FURTHER RESOLVED that the Council directs that notice of this proposed lease be published as provided under North Carolina General Statute 160-272.

This the 21st day of April, 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 hereby gives notice of intent to authorize at its next regular meeting, on April 21, 2021, the execution of an amendment to the encroachment and lease agreement for Town right-of-way along Cleland Drive to NCWPCS MPL 31 - YEAR SITES TOWER HOLDINGS LLC for two additional periods of five additional years to commence July 1, 2026 and expire June 30, 2036, with an option to extend the leased territory by a maximum of 432 square feet.

THIRD AMENDMENT TO STRUCTURE LEASE AND ENCROACHMENT AGREEMENT
(BU 840608)

THIS THIRD AMENDMENT TO STRUCTURE LEASE AND ENCROACHMENT AGREEMENT ("Third Amendment") is made effective this _____ day of _____, 2020, by and between the TOWN OF CHAPEL HILL, a North Carolina municipal corporation ("Landlord"), and NCWPCS MPL 31 – YEAR SITES TOWER HOLDINGS LLC, a Delaware limited liability company ("Tenant"), by and through CCATT LLC, a Delaware limited liability company, its Attorney in Fact.

WHEREAS, Landlord and New Cingular Wireless PCS, LLC, a Delaware limited liability company ("New Cingular"), entered into a Structure Lease and Encroachment Agreement dated June 30, 2006 (as amended and assigned, the "Agreement"), whereby Landlord leased to New Cingular a portion of land being originally described as a 1,546 square feet portion of that property (said leased portion, as amended, together with those certain access, utility and/or maintenance easements and/or rights of way granted in the Agreement, being the "Premises"), located at 100-A Cleland Drive, Chapel Hill, Orange County, State of North Carolina; and

WHEREAS, Landlord and New Cingular entered into that First Amendment to Structure Lease and Encroachment Agreement dated July 12, 2013 ("First Amendment"), whereby the Agreement was amended to extend the term of the Agreement through June 30, 2026, as provided in the First Amendment, among other changes; and

WHEREAS, Landlord and New Cingular entered into that Second Amendment to Structure and Encroachment Agreement dated October 16, 2013, whereby the parties increased the size of the Premises to 1,747.6 square feet, among other changes; and

WHEREAS, Tenant is the successor-in-interest in the Agreement to New Cingular; and

WHEREAS, the term of the Agreement commenced on July 1, 2006, and has an original term, including all Extension Terms (as defined in the Agreement), that will expire on June 30, 2026 ("Original Term"), and Landlord and Tenant now desire to amend the terms of the Agreement as provided herein.

NOW THEREFORE, in exchange for the mutual promises contained herein, Landlord and Tenant agree to amend the Agreement as follows:

1. Any capitalized terms not defined herein shall have the meanings ascribed to them in the Agreement. The recitals in this Third Amendment are incorporated herein by this reference.

2. Section 1 of the First Amendment is amended by replacing "1" with "three (3)", thereby adding two (2) additional five (5) year Extension Terms to the Agreement beyond the

Original Term, and extending its total term to June 30, 2036, unless sooner terminated as provided in the Agreement.

3. As further consideration for Tenant entering into this Third Amendment, during the term of the Agreement, Tenant shall have the irrevocable option ("Option") to lease up to a maximum of 432 square feet of real property adjacent to the existing Premises at a location shown as the "PROPOSED LESSEE 12' X 36' LEASE AREA (432 +/- SQ. FT.)" on **Exhibit A** attached hereto and incorporated herein by reference ("Additional Lease Area") on the same terms and conditions set forth in the Agreement. Tenant may conduct any reasonable due diligence activities on the Additional Lease Area at any time after full execution of this Third Amendment. If Tenant elects to exercise the Option, after full execution of the Additional Lease Area Documents (as defined below) and the commencement of construction into the Additional Lease Area, Tenant shall pay the same rent per square foot for the Additional Lease Area as the rent paid per square foot by Tenant for the existing Premises at the time of full execution of the Additional Lease Area Documents. The rent for the Additional Lease Area shall commence on the first day of the second full month following commencement of construction into the Additional Lease Area. The rent for the Additional Lease Area shall increase in the same manner as the rent increases for the existing Premises. Tenant may exercise the Option by providing written notice to Landlord at any time; provided, however, that following Tenant's delivery of notice to Landlord, Tenant may at any time prior to full execution of the Additional Lease Area Documents withdraw its election to exercise the Option if Tenant discovers or obtains any information of any nature regarding the Additional Lease Area which Tenant determines to be unfavorable in its sole discretion. Within thirty (30) days after Tenant's exercise of the Option, Landlord agrees to execute and deliver an amendment to the Agreement, a memorandum of lease and/or amendment, and any other documents necessary to grant and record Tenant's interest in the Additional Lease Area ("Additional Lease Area Documents"). In addition, within thirty (30) days after Tenant's exercise of the Option, Landlord shall obtain and deliver any documentation necessary to remove, subordinate or satisfy any mortgages, deeds of trust, liens or encumbrances affecting the Additional Lease Area to Tenant's satisfaction. The rights granted to Tenant under this Section are in addition to the rights granted to Tenant pursuant to Section 7 of the First Amendment, and shall not affect the additional rights granted to Tenant pursuant to Section 7 of the First Amendment.

4. Notwithstanding anything in the Agreement to the contrary, the annual Rent due under the Agreement shall be payable in equal monthly installments during the term of the Agreement.

5. Pursuant to Section 16 of the Agreement, Landlord hereby consents to Tenant's sublease or license of all or any portion of the Additional Lease Area. Prior to commencing construction into the Additional Lease Area, Tenant agrees to comply with all applicable permitting requirements.

6. Section 17 of the Agreement is amended by deleting Tenant's notice addresses and inserting the following:

Tenant:	NCWPCS MPL 31 – Year Sites Tower Holdings LLC Legal Department Attention: Network Legal 208 S. Akard Street Dallas, Texas 75202-4206
With a copy to:	CCATT LLC Attention: Legal Dept. 2000 Corporate Drive Canonsburg, Pennsylvania 15317

7. Maintenance of Premises. Tenant agrees to refresh all paint on the fencing installed at the Premises by Tenant and to install hedges or other plants, as determined by Tenant, as a screening barrier along the public right of way in the area abutting the Premises. Tenant agrees to complete the work required under this Section 7 by December 31, 2021.

8. Representations, Warranties and Covenants of Landlord. Landlord represents, warrants and covenants to Tenant as follows:

(a) Landlord is duly authorized to and has the full power and authority to enter into this Third Amendment and to perform all of Landlord's obligations under the Agreement as amended hereby. Landlord has complied with all applicable laws in entering into this Third Amendment, including, without limitation, any laws requiring prior public notice or opportunity for bidding on same, and Tenant is relying on such compliance in entering into this Third Amendment.

(b) Tenant is not currently in default under the Agreement, and to Landlord's knowledge, no event or condition has occurred or presently exists which, with notice or the passage of time or both, would constitute a default by Tenant under the Agreement.

(c) Landlord agrees to provide such further assurances as may be requested to carry out and evidence the full intent of the parties under the Agreement as amended hereby, and ensure Tenant's continuous and uninterrupted use, possession and quiet enjoyment of the Premises under the Agreement as amended hereby.

(d) Landlord acknowledges that the Premises, as defined, shall include any portion of Landlord's property on which communications facilities or other Tenant improvements exist on the date of this Third Amendment.

9. Tenant reserves the right, at its discretion and at its sole cost, to obtain a survey ("Survey") specifically describing the Premises and any access and utility easements associated therewith. Tenant shall be permitted to attach the Survey as an exhibit to this Third Amendment and any related memorandum for recording, which shall update and replace the existing description, at any time prior to or after closing of this Third Amendment.

10. IRS Form W-9. Landlord agrees to provide Tenant with a completed IRS Form W-9, or its equivalent, upon execution of this Third Amendment and at such other times as may be reasonably requested by Tenant. In the event the Premises is transferred, the succeeding Landlord shall have a duty at the time of such transfer to provide Tenant with a completed IRS Form W-9, or its equivalent, and other related paper work to effect a transfer in rent to the new Landlord. Landlord's failure to provide the IRS Form W-9 within thirty (30) days after Tenant's request shall be considered a default and Tenant may take any reasonable action necessary to comply with IRS regulations including, but not limited to, withholding applicable taxes from rent payments.

11. In all other respects, the remainder of the Agreement shall remain in full force and effect. Any portion of the Agreement that is inconsistent with this Third Amendment is hereby amended to be consistent with this Third Amendment. All of the provisions hereof shall inure to the benefit of and be binding upon Landlord and Tenant, and their personal representatives, heirs, successors and assigns. This Third Amendment may be executed in two or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument, it being understood that all parties need not sign the same counterparts.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Landlord and Tenant have signed this instrument under seal, and have caused this Third Amendment to be duly executed on the day and year first written above.

LANDLORD:

Town of Chapel Hill,
a North Carolina municipal corporation

By: _____(SEAL)
Print Name: _____
Title: _____

IN WITNESS WHEREOF, Landlord and Tenant have signed this instrument under seal, and have caused this Third Amendment to be duly executed on the day and year first written above.

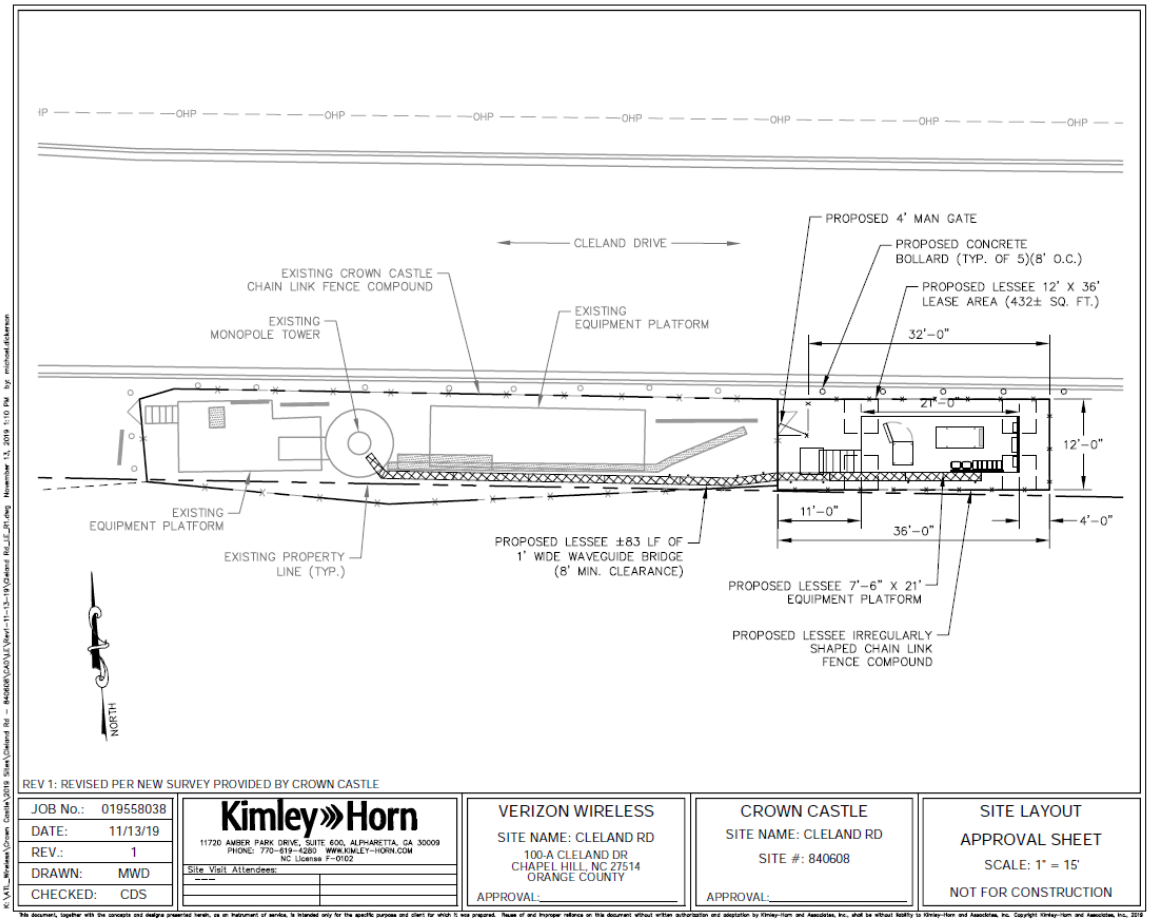
TENANT:

NCWPCS MPL 31 – Year Sites Tower Holdings LLC, a Delaware limited liability company

By: CCATT LLC,
a Delaware limited liability company,
Its Attorney-in-Fact

By: _____(SEAL)
Print Name: _____
Title: _____

Exhibit A


OHP
CLELAND DRIVE
PROPOSED 4' MAN GATE
PROPOSED CONCRETE BOLLARD (TYP. OF 5)(8' O.C.)
PROPOSED LESSEE 12' X 36' LEASE AREA (432± SQ. FT.)
EXISTING CROWN CASTLE CHAIN LINK FENCE COMPOUND
EXISTING MONOPOLE TOWER
EXISTING EQUIPMENT PLATFORM
32'-0"
21'-0"
12'-0"
11'-0"
36'-0"
4'-0"
EXISTING EQUIPMENT PLATFORM
EXISTING PROPERTY LINE (TYP.)
PROPOSED LESSEE ±83 LF OF 1' WIDE WAVEGUIDE BRIDGE (8' MIN. CLEARANCE)
PROPOSED LESSEE 7'-6" X 21' EQUIPMENT PLATFORM
PROPOSED LESSEE IRREGULARLY SHAPED CHAIN LINK FENCE COMPOUND
NORTH
REV 1: REVISED PER NEW SURVEY PROVIDED BY CROWN CASTLE
JOB No.: 019558038
DATE: 11/13/19
REV.: 1
DRAWN: MWD
CHECKED: CDS
Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600, ALPHARETTA, GA 30009
PHONE: 770-619-4280 WWW.KIMLEY-HORN.COM
NC License F-0102
Site Visit Attendees:

VERIZON WIRELESS
SITE NAME: CLELAND RD
100-A CLELAND DR
CHAPEL HILL, NC 27514
ORANGE COUNTY
APPROVAL:
CROWN CASTLE
SITE NAME: CLELAND RD
SITE #: 840608
APPROVAL:
SITE LAYOUT
APPROVAL SHEET
SCALE: 1" = 15'
NOT FOR CONSTRUCTION

Prepared by:

Parker Poe Adams & Bernstein LLP
P.O. Box 389
Raleigh, NC 27602

Return to:

Crown Castle
1220 Augusta, Suite 500
Houston, Texas 77057

MEMORANDUM OF THIRD AMENDMENT TO
STRUCTURE LEASE AND ENCROACHMENT AGREEMENT

THIS MEMORANDUM OF THIRD AMENDMENT TO STRUCTURE LEASE AND ENCROACHMENT AGREEMENT ("Amended Memorandum") is made effective this _____ day of _____, 2020, by and between the TOWN OF CHAPEL HILL, a North Carolina municipal corporation ("Landlord"), with a mailing address of 405 Martin Luther King Jr. Boulevard, Chapel Hill NC, 27514, and NCWPCS MPL 31 – YEAR SITES TOWER HOLDINGS LLC, a Delaware limited liability company ("Tenant"), with a mailing address of Legal Department, Attn: Network Legal, 208 S. Akard Street, Dallas, TX 75202-4206, by and through CCATT LLC, a Delaware limited liability company, its Attorney in Fact, with a mailing address of c/o Crown Castle USA Inc., 2000 Corporate Drive, Canonsburg, Pennsylvania 15317-8564.

WHEREAS, Landlord and New Cingular Wireless PCS, LLC, a Delaware limited liability company ("New Cingular"), entered into a Structure Lease and Encroachment Agreement dated June 30, 2006 (as amended and assigned, the "Agreement"), whereby Landlord leased to New Cingular a portion of land being originally described as a 1,546 square feet portion of that property (said leased portion, as amended, together with those certain access,

utility and/or maintenance easements and/or rights of way granted in the Agreement, being the "Premises"), located at 100-A Cleland Drive, Chapel Hill, Orange County, State of North Carolina; and

WHEREAS, Landlord and New Cingular entered into that First Amendment to Structure Lease and Encroachment Agreement dated July 12, 2013 ("First Amendment"), whereby the Agreement was amended to extend the term of the Agreement through June 30, 2026, as provided in the First Amendment, among other changes; and

WHEREAS, Landlord and New Cingular entered into that Second Amendment to Structure and Encroachment Agreement dated October 16, 2013, whereby the parties increased the size of the Premises to 1,747.6 square feet, among other changes; and

WHEREAS, Tenant is the successor-in-interest in the Agreement to New Cingular; and

WHEREAS, the term of the Agreement commenced on July 1, 2006, and has an original term, including all Extension Terms (as defined in the Agreement), that will expire on June 30, 2026 ("Original Term"), and Landlord and Tenant now desire to amend the terms of the Agreement as provided herein; and

WHEREAS, Landlord and Tenant made and entered into a Third Amendment to Structure Lease and Encroachment Agreement of even date herewith ("Third Amendment") and pursuant to the terms of, and for that consideration recited in, the Third Amendment, the parties wish to hereby amend certain provisions of the Agreement, and provide this Amended Memorandum as notice thereof, as follows:

1. Landlord does hereby lease and grant unto Tenant, its successors and assigns, the Premises for two (2) additional five (5) year Extension Terms beyond the Original Term, such that the Original Term and all Extension Terms of the Agreement may last for a term of thirty (30) years, expiring on June 30, 2036, unless sooner terminated as provided in the Agreement.

2. Landlord has granted Tenant an Option (as defined in the Third Amendment) that may be exercised during the term of the Agreement to lease an additional 432 square feet of land on that parent parcel on which the Premises is located at a location generally shown as the "PROPOSED LESSEE 12**'** X 36' LEASE AREA (432 +/- SQ. FT.)" on **Exhibit A** attached to the Third Amendment and attached hereto and incorporated herein by reference, which Option is more particularly defined in the Third Amendment. The consideration for the additional land shall be calculated as provided in the Third Amendment. The Option shall expire upon the expiration of the Agreement. Landlord may not market, lease, license, grant easement rights over or otherwise encumber any property which would prevent or interfere with Tenant exercising the Option.

3. This Amended Memorandum contains only selected provisions of the Third Amendment, and reference is made to the full text of the Agreement and the Third Amendment for their full terms and conditions, which are incorporated herein by this reference. Except as

otherwise provided in the Third Amendment and this Amended Memorandum, the terms and conditions of the Agreement remain in full force and effect. This Amended Memorandum may be executed in two or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument, it being understood that all parties need not sign the same counterparts. A copy of the Agreement and its amendments are located at the office of the Tenant.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Landlord and Tenant have signed this instrument under seal, and have caused this Amended Memorandum to be duly executed on the day and year first written above.

LANDLORD:

TOWN OF CHAPEL HILL,
a North Carolina municipal corporation

By: _____(SEAL)
Print Name: _____
Title: _____

STATE OF _____

COUNTY OF _____

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing Memorandum of Third Amendment to Structure Lease and Encroachment Agreement under seal: Town of Chapel Hill, a North Carolina municipal corporation, by _____, its _____.

Date: _____

By: _____
Print Name: _____
Notary Public
My Commission Expires:

[SEAL OR STAMP]

IN WITNESS WHEREOF, Landlord and Tenant have signed this instrument under seal, and have caused this Amended Memorandum to be duly executed on the day and year first written above.

TENANT:

NCWPCS MPL 31 – Year Sites Tower Holdings LLC, a Delaware limited liability company

By: CCATT LLC,
a Delaware limited liability company,
Its Attorney-in-Fact

By: _____(SEAL)
Print Name: _____
Title: _____

STATE OF _____

COUNTY OF _____

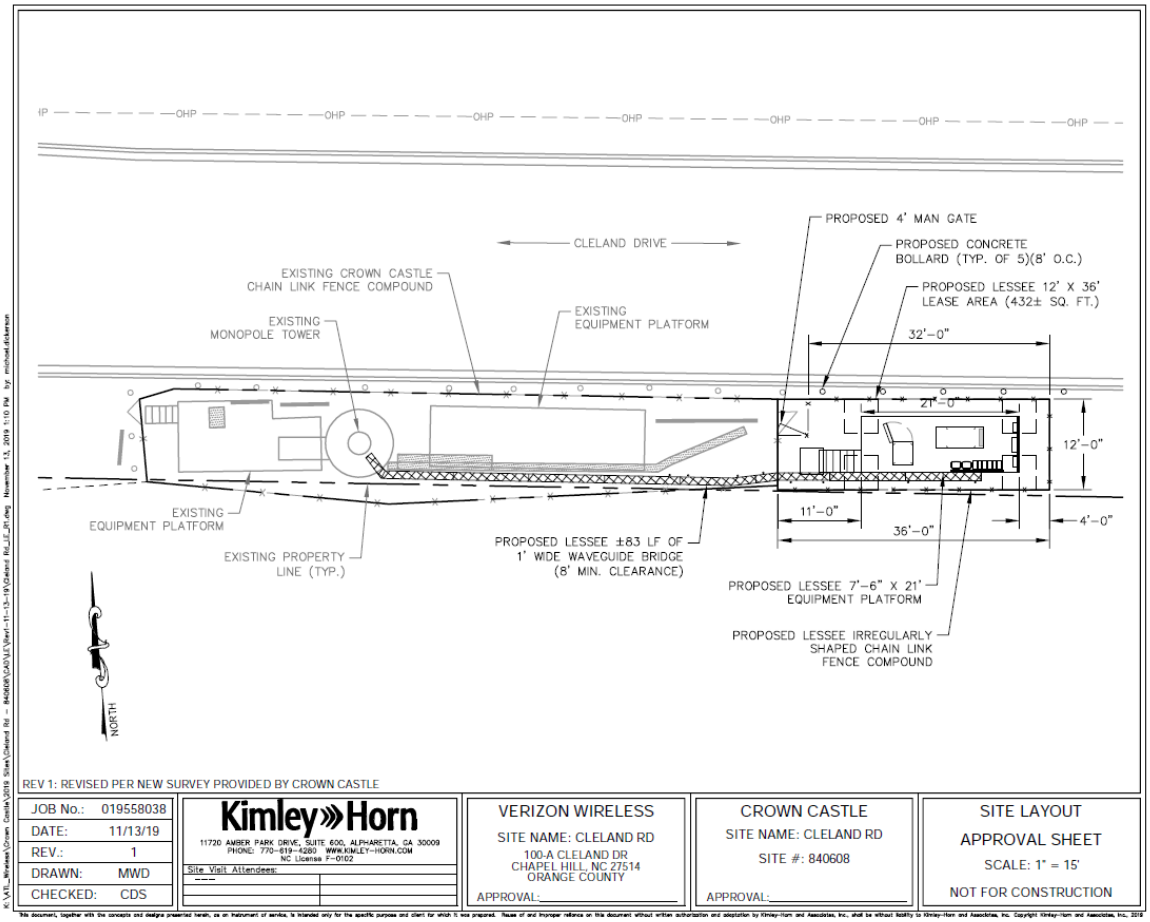
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing Memorandum of Third Amendment to Structure Lease and Encroachment Agreement under seal: NCWPCS MPL 31 – Year Sites Tower Holdings LLC, a Delaware limited liability company, by and through CCATT LLC, a Delaware limited liability company, its Attorney-in-Fact, by _____, its _____.

Date: _____

By: _____
Print Name: _____
Notary Public
My Commission Expires: _____

[SEAL OR STAMP]

Exhibit A


OHP
CLELAND DRIVE
EXISTING CROWN CASTLE CHAIN LINK FENCE COMPOUND
EXISTING MONOPOLE TOWER
EXISTING EQUIPMENT PLATFORM
PROPOSED 4' MAN GATE
PROPOSED CONCRETE BOLLARD (TYP. OF 5)(8' O.C.)
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EXISTING EQUIPMENT PLATFORM
EXISTING PROPERTY LINE (TYP.)
PROPOSED LESSEE ±83 LF OF 1' WIDE WAVEGUIDE BRIDGE (8' MIN. CLEARANCE)
PROPOSED LESSEE 7'-6" X 21' EQUIPMENT PLATFORM
PROPOSED LESSEE IRREGULARLY SHAPED CHAIN LINK FENCE COMPOUND
NORTH
REV 1: REVISED PER NEW SURVEY PROVIDED BY CROWN CASTLE
JOB No.: 019558038
DATE: 11/13/19
REV.: 1
DRAWN: MWD
CHECKED: CDS
Kimley»Horn
11720 AMBER PARK DRIVE, SUITE 600, ALPHARETTA, GA 30009
PHONE: 770-619-4260 WWW.KIMLEY-HORN.COM
NC License F-0102
Site Visit Attendees:
VERIZON WIRELESS
SITE NAME: CLELAND RD
100-A CLELAND DR
CHAPEL HILL, NC 27514
ORANGE COUNTY
APPROVAL:
CROWN CASTLE
SITE NAME: CLELAND RD
SITE #: 840608
APPROVAL:
SITE LAYOUT
APPROVAL SHEET
SCALE: 1" = 15'
NOT FOR CONSTRUCTION

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., **File #:** [21-0332], **Version:** 1 **Meeting Date:** 4/21/2021

Call a Public Hearing to Consider Proposals for Downtown Municipal Service District Services for May 5, 2021.

Staff:
Maurice Jones, Town Manager
Ross Tompkins, Assistant to the Town Manager

Department:
Manager's Office

Overview: North Carolina General Statute 160A-536 <https://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_160A/GS_160A-536.pdf> establishes requirements which municipalities must follow when deciding to contract with a private agency to provide services to a municipal service district (MSD). These include using a bid process to determine which agency is best suited to achieve the needs of the service district, entering into a contract not to exceed five years in length, and holding a public hearing prior to entering into a contract for services.

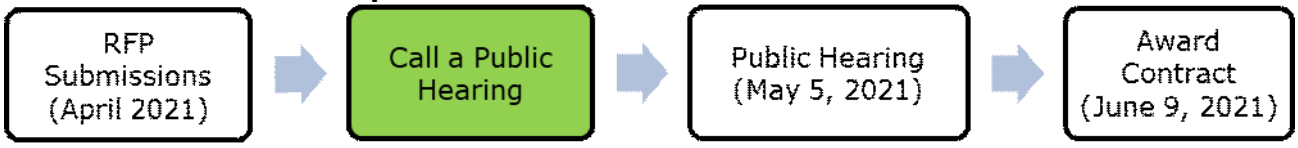
The Town's current contract for services to the Downtown MSD has been in place since July 2016. The Town published a Request for Proposals <https://www.townofchapelhill.org/home/showpublisheddocument?id=48587> on April 1, 2021 for services during the fiscal year starting July 1, 2021. The submittal period closes at noon on Monday, April 19, 2021. The Council and the public will have a chance to review the proposals at a public hearing in May prior to awarding a contract in June.

Recommendation(s):

That the Council adopt the resolution to call a Public Hearing for May 5, 2021 to consider proposals for providing services to the Downtown Municipal Service District.

Fiscal Impact/Resources: The current annual contract amount for these services is $210,376. Staff expects there will be about $220,000 available for this contract in Fiscal Year 2021-22, subject to budget approval.

Where is this item in its process?



Attachments:

- Resolution

powered by Legistar™

A RESOLUTION TO CALL A PUBLIC HEARING FOR MAY 5, 2021 TO CONSIDER PROPOSALS FOR PROVIDING SERVICES TO THE DOWNTOWN MUNICIPAL SERVICE DISTRICT (2021-04-21/R-3)

WHEREAS, the Town of Chapel Hill desires to contract with another agency to provide services that promote, maintain, and enhance the Town's Downtown Municipal Service District (MSD); and

WHEREAS, North Carolina General Statute 160A-536 establishes requirements that municipalities must follow when deciding to contract with another agency to provide services to a MSD; and

WHEREAS, the Town must hold a public hearing prior to entering into a contract with a private agency for MSD services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby declares its intent to consider proposals for providing annual services to the Downtown Municipal Service District.

BE IT FURTHER RESOLVED that the Council calls a Public Hearing at 7:00 pm on Wednesday, May 5, 2021 in a virtual meeting to receive public comment on the proposals for providing services to the Downtown Municipal Service District and hereby authorizes the Town Manager to arrange publication and posting of notices of the Public Hearing as required by law.

This the 21st day of April, 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 calls a Public Hearing for May 5, 2021 to consider proposals for providing services to the Downtown Municipal Service District.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., **File #:** [21-0327], **Version:** 1 **Meeting Date:** 4/21/2021

Call a Public Hearing for a Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd, from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) on May 12, 2021.

Staff:
Colleen Willger, Director
Judy Johnson, Assistant Director

Department:
Planning

Overview: The Town noticed the public hearing for the Conditional Zoning Application for April 21, 2021. Delaying the public hearing is necessary due to ongoing Town and applicant discussions.

Recommendation(s):

That the Council adopt a resolution opening a public hearing for the Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd, from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) on May 12, 2021.

Attachments:

- Resolution

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

By adopting the resolution, the Council calls a public hearing to discuss the Conditional Zoning Application for 1000 Martin Luther King Jr. Blvd. on May 12, 2021.

powered by Legistar™

A RESOLUTION CALLING THE PUBLIC HEARING FOR A CONDITIONAL ZONING APPLICATION FOR AURA DEVELOPMENT, 1000 MARTIN LUTHER KING JR. BLVD. ON MAY 12, 2021 (2021-04-21/R-4)

WHEREAS, the Town noticed the public hearing for the Conditional Zoning Application for Aura Development, 1000 Martin Luther King Jr. Blvd., to be rezoned from Residential-1 (R-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) for April 21,2021; and

WHEREAS, ongoing Town and applicant discussions require delaying of the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls the Public Hearing described above, to be opened at 7:00 p.m. on Wednesday, May 12, 2021 at the virtual Town Council Meeting.

This the 21st day of April, 2021.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., **File #:** [21-0333], **Version:** 1 **Meeting Date:** 4/21/2021

Amend the 2020-21 Council Calendar.

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

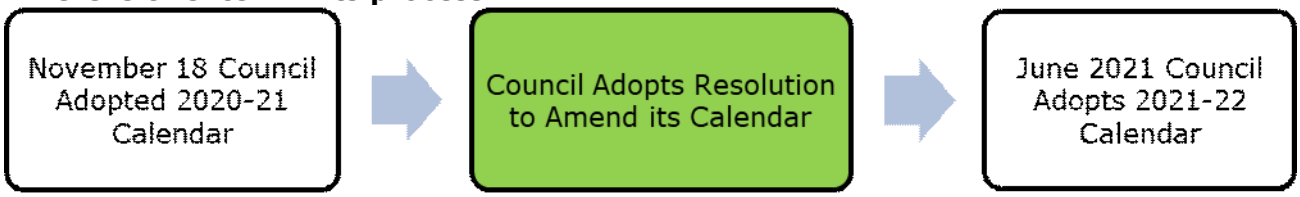
Department:
Communications and Public Affairs

Overview: The Council adopted its 2020-21 meeting calendar on November 18, 2020. This action amends the Council calendar reducing the number of budget work sessions and increasing the number of regular meetings to help the Council to hear several development applications with high public interest in different meetings and balance the meeting durations. This item also adds a special meeting to review traffic modeling.

Recommendation(s):

That the Council adopt a resolution amending the 2020-21 Council calendar to modify several May meeting types and start times.

Where is this item in its process?



Attachments:

- Resolution
- Proposed Chapel Hill Town Council 2020-21 Meeting Calendar

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A RESOLUTION AMENDING THE COUNCIL'S 2020-21 MEETING CALENDAR (2021-04-21/R-5)

WHEREAS, on November 18, 2020 the Council adopted its 2020-21 meeting calendar; and

WHEREAS, the Council has a large list of development applications to discuss; and

WHEREAS, reducing the number of budget work sessions and increasing the number of regular meetings will help the Council to hear several development applications with high public interest in different meetings and balance the meeting durations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends its 2020-21 meeting calendar to modify the meeting type and start time, as follows:

- May 12, 2021 will start at 6:30 p.m. *(unchanged)* online, see the Town's Calendar for details, *note the Council may consider both Regular Meeting and Budget Work Session type items.*
- May 26, 2021 will become a Regular Meeting at 7:00 p.m. online, see the Town's Calendar for details

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends its 2020-21 meeting calendar to add the following meetings:

- May 3, 2021 at 7:00 p.m. online, see the Town's Calendar for details, to review traffic modeling
- June 16, 2021 at 7:00 p.m. online, see the Town's Calendar for details, as needed

BE IT FURTHER RESOLVED that the Council continues to hold meetings in a virtual environment until conditions permit meetings in a physical environment. This extends the provisions in (2020-10-28/R-13).

BE IT FURTHER RESOLVED that the Council will conduct the remote meetings as described in Resolution (2020-04-22/R-7).

This the 21st day of April, 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 amends the 2020-21 Council calendar to adjust the May meeting types and start times to balance the meetings with regard to development applications.

Adopted Chapel Hill Town Council
2020 Meeting Calendar

2020 Calendar

JULY

S	M	T	W	T	F	S
			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	

AUGUST

S	M	T	W	T	F	S
						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					

SEPTEMBER

S	M	T	W	T	F	S
		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			

OCTOBER

S	M	T	W	T	F	S
				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

NOVEMBER

S	M	T	W	T	F	S
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					

DECEMBER

S	M	T	W	T	F	S
		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		

2021 Meeting Calendar

JANUARY

S	M	T	W	T	F	S
					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						

FEBRUARY

S	M	T	W	T	F	S
	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						

MARCH

S	M	T	W	T	F	S
	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**			

APRIL

S	M	T	W	T	F	S
				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	

MAY

S	M	T	W	T	F	S
						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**					

JUNE

S	M	T	W	T	F	S
		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			

20	Regular Meetings 7 pm @ Town Hall	**7**	Council Work Sessions 6:30 pm @ Library	**12**	Other Meetings *Check web calendar for time/location
39	Total Number of Meetings	**12**	**Town Holidays**	**10**	CCES Meetings*

List of Meetings by Date

July 2020
- 29-W-Special Meeting, 7 PM, Virtual Meeting

August 2020[1]
- 19-W-Special Meeting, 7 PM, Virtual Meeting
- 26-W-Special Meeting[2], 7 PM, Virtual Meeting

September 2020
- 9-W-Regular Meeting, Virtual Meeting
- 16-W-Work Session
- 30-W-Regular Meeting

October 2020
- 7-W-Regular Meeting
- 21-W-Work Session
- 28-W-Regular Meeting

November 2020
- 4-W-Regular Meeting
- 18-W-Regular Meeting

December 2020
- 2-W-Work Session
- 9-W-Regular Meeting

January 2021
- 6-W-Work Session
- 13-W-Regular Meeting
- 20-W-Special Meeting[2], 7 PM
- 25-M-Legislative Breakfast,8:30 AM
- 27-W-Regular Meeting

February 2021
- 5-F-Council Retreat, 4PM
- 6-Sa-Council Retreat, 9 AM
- 8-M-Council Retreat, 6 PM
- 17-W-Work Session
- 24-W-Regular Meeting

March 2021
- 10-W-Regular Meeting
- 17-W-Work Session
- 24-W-Regular Meeting
- 31-W-Work Session

April 2021
- 7-W-Regular Meeting
- 14-W-Work Session
- 21-W-Regular Meeting

May 2021
- 3-M-Special Meeting
- 5-W-Regular Meeting
- 12-W- Regular Meeting/Budget Work Session topics, 6:30 PM
- 19-W- Regular Meeting
- 26-W- Regular Meeting

June 2021
- 2-W-Budget Work Session *(Tentative)*
- 9-Regular Meeting
- 16-Regular Meeting *(Tentative)*
- 23-Regular Meeting

Proposed Amendments for April 21, 2021.

***Council Committee on Economic Sustainability**

Meets monthly on the first Friday at 8 AM, unless otherwise indicated. These are held virtually, see web calendar (https://www.townofchapelhill.org/government/newsroom/calendar) for details. When the Committee returns to physical meetings the Council Committee on Economic Sustainabilty meetings are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514) For more Committee information, see https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee

1 Unless otherwise noted, Council Regular meetings start at 7:00 p.m. and Council Work Sessions start at 6:30 p.m. both are held virtually, see web calendar (https://www.townofchapelhill.org/government/newsroom/calendar) for details. When Council returns to physical meetings Council Regular meetings are held in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions are held at the Chapel Hill Public Library, Meeting Room B, (100 Library Drive, Chapel Hill, NC 27514)
2 It is anticipated that the Council will go into closed session, as authorized by North Carolina General Statute Section 143-318.11(a)(6) to discuss a personnel matter.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., **File #:** [21-0334], **Version:** 1 **Meeting Date:** 4/21/2021

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.

April 21

- Consider 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
- Consider a Special Use Permit Modification, Signature Health, 1602 E. Franklin Street (Project 21-003)
- Open a Public Hearing: Conditional Zoning Application, 2200 Homestead Road (Project 20-081)
- Open a Public Hearing to Consider Amendments to the Town Code that Establish Compliance with Chapter 160D of the North Carolina General Statutes
- *Rescheduling to May,* Open a Public Hearing: Conditional Zoning Application, Aura Development, 1000 Martin Luther King Jr. Blvd. (Project 20-074)

May 5

- Consider Conditional Zoning Modification Application, 1751 Dobbins Drive Office Building (Project 21-023)
- Continued Public Hearing: Special Use Permit Modification, University Place, 201 S. Estes Drive (Project 19-130)
- Open a Public Hearing to Consider Closing a Portion of Public Right-of-Way of Maxwell Road within the Glen Lennox Development

May 19

- Open a Public Hearing: Recommended FY2021-22 Budget
- Open a Public Hearing for a Land Use Management Ordinance Text Amendment Regarding Short Term Rental Regulations Related to Articles 3, 4, and 6 of Appendix A
- Concept Plan: Jay Street Affordable Housing (Project #20-027)

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
04/07/2021	Paul Snow and others	Request Regarding Traffic Model in the Area of Estes and MLK.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	
03/24/2021	Council Member Anderson	Request Regarding Manufactured Home Parks	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Staff will coordinate with Orange County and Carrboro to respond to this request.
03/24/2021	Mayor Hemminger	Request Regarding Self Storage	Planning & Development Services Judy Johnson, Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
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	At their 03/10/21 meeting, the Council adopted resolutions limiting the scope of the application review and reducing the application fee.
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	Staff is preparing information to respond to this request.

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	This request will be evaluated during the upcoming two-thirds bond issuance and the FY22 budget development process.
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.
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 spoke with petitioner. The Town prepared an educational campaign to explain leaf composting and has posted this information on its website. Public Works will continue to monitor quantity of leaf collection and assess impact.
10/28/2020	Residents of Dixie Drive	Request to Rename Dixie Drive.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff has provided petitioner with guidance on how to pursue this request using existing Town processes. Petitioner has indicated they are working on gathering the necessary information to move forward.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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.
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.
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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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 thoroughly researched the concerns raised in the petition . This request requires a public process per Town ordinances. Petitioner was advised on how to request further 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.
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 reviewed concerns raised in the petition and responded to petitioner. Additional information on Urban Archery safety was added to the Town website, as well as how to report violations of the program. Further changes require Council action.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/08/2020	Renuka Soll	Request for an Improved Petition Process.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Additional effort is being made to track and update petition status on this website so that the public has access. Petitioners can contact the Mgr.'s office or responding department if they have questions after reviewing updates.
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	This information is readily available via a public records request in order to assure accuracy and maintain the security of personally identifiable information.
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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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.
02/13/2019	Citizens	Request Regarding Coal Use and Coal Ash.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Remediation work is almost complete along the Bolin Creek Trail near the Police Department. UNC is expected to release their Climate Action Plan in 2021, which is expected to address UNC coal use in the future.
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	On 6/12/2019, Council received a presentation on the Town's Stormwater program. On 12/9/2020 Council adopted the use of FEMA Flood Resiliency Maps. In 2/2021,Council received more info on Stormwater programs LUMO update will consider other ideas.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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	The Town is currently in the process of updating its Land Use Management Ordinance. These ideas are under consideration as a part of this process.
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.
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	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.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
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 4/16/2021 3:15:04 AM

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., **File #:** [21-0335], **Version:** 1 **Meeting Date:** 4/21/2021

Town of Chapel Hill Poet Laureate Program Update.

Staff:
Susan Brown, Executive Director
Melissa Bartoletta, Marketing & Communications Coordinator

Department:
Community Arts & Culture

Overview: Staff will update Council on the status of the Town's inaugural Poet Laureate program and propose a process for administering the Poet Laureate program in subsequent years.

Recommendation(s):

That the Council adopt proposed Guidelines for the Town of Chapel Hill's Poet Laureate program and extend C.J. Suitt's current term as Poet Laureate to December 31, 2022.

Fiscal Impact/Resources: Council approved a single $2,000 payment to the individual appointed to the two-year position of Town of Chapel Hill Poet Laureate. The proposed Guidelines would increase that payment to $3,000 for a two-year appointment.

Attachments:

- Resolution
- Draft Staff Presentation
- Draft Chapel Hill Poet Laureate Program Guidelines
- Resolution appointing first Poet Laureate (2019-11-20/R-3.1)

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A RESOLUTION ADOPTING GUIDELINES FOR THE TOWN OF CHAPEL HILL'S POET LAUREATE PROGRAM AND EXTENDING THE INITIAL POET LAUREATE'S TERM (2021-04-21/R-6)

WHEREAS, the Town appointed C.J. Suitt to the position of Chapel Hill's first Poet Laureate on November 20, 2019; and

WHEREAS, the term of this two-year appointment is January 1, 2020 through December 31, 2021; and

WHEREAS, the Town has no policies or procedures guiding its Poet Laureate program; and

WHEREAS, the Town wishes to continue the Poet Laureate program after the first Poet's term expires; and

WHEREAS, C.J. Suitt and town staff have collaborated to draft *the Town of Chapel Hill's Poet Laureate Program Guidelines* outlining its application and selection processes, appointment term, duties, and compensation; and

WHEREAS, these draft *Guidelines* have been reviewed and approved by the Cultural Arts Commission; and

WHEREAS, the COVID-19 pandemic has diminished the first Poet Laureate's opportunity to perform duties for the Town during his tenure in the position.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopt the proposed the Town's Chapel Hill Poet Laureate Program Guidelines as described in the April 21, 2021 meeting materials.

BE IT FURTHER RESOLVED that the Town extend C.J. Suitt's current term as Poet Laureate to December 31, 2022.

BE IT FURTHER RESOLVED that the Town compensate C.J. Suitt $1,000 for this extension of his duties as Poet Laureate to December 31, 2022.

This the 21st day of April, 2021.

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

PRESENTER: Susan Brown, Executive Director, Community Arts & Culture

RECOMMENDATION: That the Council adopt proposed Guidelines for the Town of Chapel Hill's Poet Laureate program and extend C.J. Suitt's current term as Poet Laureate to December 31, 2022 with an additional compensation of $1,000.

Chapel Hill Poet Laureate

Program Development and Update

Susan Brown, Executive Director

Community Arts & Culture

DRAFT

BACKGROUND & UPDATE

- Established by Council in 2019
- Community Arts & Culture is liaison with Poet Laureate
- Met with current Poet Laureate early on to establish interests and vision
- Regular meetings to identify opportunities and develop program framework
- COVID has presented challenges, limited opportunities
- Been able to build program from ground up with joint design from current Poet Laureate

DRAFT

PROGRAM OVERVIEW

- Application and selection process
- Poet Laureate appointed for two years
- Stipend is $1,500 per year ($3,000 total)
- Jointly design public appearances, engagements, workshops, etc based on interests/strengths of Poet Laureate
- Be intentional about monitoring official appearances and compensating for work outside scope of program
- Continue to learn and iterate program with each Laureate

DRAFT

FUTURE OF PROGRAM

- Formal application/selection process, beginning in 2022
- Collaboration with Carrboro, Hillsborough, other NC poets laureate
- Develop Youth Poet Laureate program, part of national network
- Continue to raise profile and impact of CH Poet Laureate

DRAFT

RECOMMENDATION

- That Council approve the Poet Laureate Framework and extend the current poet laureate's tenure.

DRAFT

CHAPEL HILL POET LAUREATE
Program Guidelines

Overview
The mission of the Chapel Hill Poet Laureate is to inspire creativity and celebrate community through poetry, public programs, and shared poetry experiences.

The Poet Laureate carries out this mission by being an ambassador for poetry, by fostering connections to the poetry community, and by enhancing the social and civic life of the Chapel Hill community at large.

Term: Two-year appointment, beginning in January of odd-numbered years (e.g. Jan 2023 – Dec 2024)

Compensation: $3,000 total, paid in two annual distributions

Managing Department: Community Arts & Culture

Responsibilities

The Poet Laureate will work with Town staff and stakeholders to jointly design a timeline of deliverables during his/her tenure. Deliverables may include but are not limited to:

- Commissions for poems on special community occasions.
- Performances at key community moments like festivals, events, and council meetings.
- Experiences for poetry to be shared in the community.
- Workshops or training opportunities.
- Regularly schedule meetings.

Community Arts & Culture will solicit, receive, and manage requests for the Poet Laureate's time on behalf of the Town of Chapel Hill.

The Town may provide the office holder additional opportunities for contracted work outside of their official duties as Poet Laureate.

Selection Process
Community Arts & Culture will issue an open call for Poet Laureate in August of even-numbered years. Selection will be made through a juried review process.

Applicants will share general information, a poetry resume, a portfolio, and respond to interest questions:

- In less than 200 words, explain why you want to be Chapel Hill's next Poet Laureate.
- What are your ideas for carrying out the Poet Laureate duties?

The selection committee will consist of the past Chapel Hill Poet Laureate, a Community Arts & Culture staff member, a Chapel Hill Public Library staff member, an Arts Commission member, a Council member, and may include others.

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 (2019-11-20/R-3.1) adopted by the Chapel Hill Town Council on November 20, 2019.

This the 21st day of November, 2019.

Amy T. Harvey

Amy T. Harvey
Deputy Town Clerk

A RESOLUTION APPOINTING THE TOWN OF CHAPEL HILL'S FIRST POET LAUREATE (2019-11-20/R-3.1)

WHEREAS, vibrant, diverse communities embrace, promote and appreciate the value of the cultural arts; and

WHEREAS, the Town of Chapel Hill has demonstrated a strong commitment to supporting the cultural arts through the funding of arts organizations and by installing a variety of public art throughout the community; and

WHEREAS, poetry is an art form that has been used throughout human history to chronicle the times, give voice to the voiceless and inspire generations to create and to love and to cry out for change; and

WHEREAS, the position of poet laureate for municipalities has become a popular way to show support for the arts; and

WHEREAS, our regional partners in the Towns of Carrboro and Hillsborough have both created this position in the last 20 years; and

WHEREAS, Town resident C.J. Suitt is a renowned poet in North Carolina and across the country; and

WHEREAS, Mr. Suitt has been published in several collective works of poetry including Sacrificial Poets Presents: The Classics; and

WHEREAS, Mr. Suitt received the 2009 Metamorphosis Champion Award for ongoing efforts to promote poetry with the youth in our community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby approves the creation of the honorary position of Poet Laureate to be initially housed in the Town Manager's Office; and

BE IT FURTHER RESOLVED that the Poet Laureate will receive an honorarium of $2,000 for a two-year term; and

BE IT FURTHER RESOLVED that the Town Council agrees to appoint Mr. C.J. Suitt as the Town's first Poet Laureate, effective January 1, 2020.

This the 20th day of November, 2019.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., **File #:** [21-0336], **Version:** 1 **Meeting Date:** 4/21/2021

Consider an Application for Special Use Permit Limited Scope Modification for Signature Healthcare of Chapel Hill, 1602 E. Franklin Street.

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: Anya Grahn, Senior Planner

Swearing of all persons wishing to present evidence

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. Comments and questions from the Mayor and Town Council
d. Applicant's statement regarding proposed conditions
e. Motion to adopt a resolution approving the Special Use Permit Modification.

RECOMMENDATION: That the Council adopt Resolution A, approving the application.

CONSIDER AN APPLICATION FOR SPECIAL USE PERMIT LIMITED SCOPE MODIFICATION FOR SIGNATURE HEALTHCARE OF CHAPEL HILL, 1602 E. FRANKLIN STREET (PROJECT #21-003)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING
Judy Johnson, Assistant Director
Anya Grahn, Senior Planner

PROPERTY ADDRESS	**MEETING DATE**	**APPLICANT**
1602 E. Franklin Street	April 21, 2021	Chuck Trimble, on behalf of CCP Chapel Hill 0806 LP, Owner

TOWN MANAGER'S RECOMMENDATION

After reviewing and discussing key issues with Town staff and based on the evidence in the record to date, I believe that the Council could make the findings required to approve the requested Special Use Permit limited scope modification.

Therefore, the Town Manager recommends that the Council adopt Resolution A, approving the application.

UPDATES SINCE THE MARCH 24, 2021 PUBLIC HEARING

Town Council deferred the vote to tonight's meeting. No changes have been made to the proposal.

PROCESS

The application is before the Council for approval of a Special Use Permit Modification. The Council must consider the ***four findings*** for approval of a Special Use Permit, which indicate that the use or development:

1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. would comply with all required regulations and standards of the Land Use Management Ordinance;
3. is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and
4. conforms to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan.

DECISION POINTS

The proposed project received a Special Use Permit on October 25, 2017 and because of COVID-19 conditions, the applicant was unable to begin the project. The applicant is requesting change to the SUP.

At the January 13, 2021 Council meeting, the Council approved a limited review of the modification of the Special Use Permit to adjust the construction start and end dates.

Since the January Council meeting, the applicant has refined the plans and is proposing a 200 sq. ft. increase in the impervious surface totals from 113,336 sq. ft. to 113,533 sq. ft. The increased impervious surface is associated with compliance with stipulations in the original Special Use Permit.

Existing Special Use Permit

Size Permitted: 9,600 sq. ft. addition for a total of 49,646 sq, ft. of floor area.

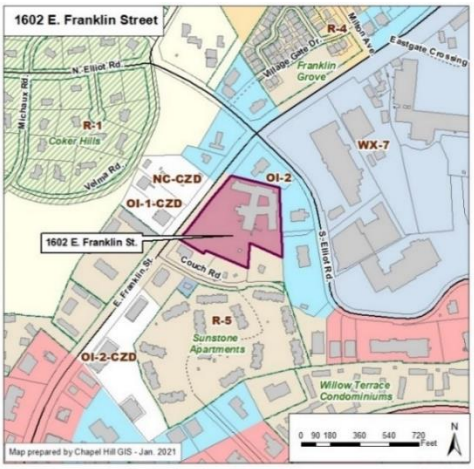
Land Area: 244,251 sq. ft. (5.6) acres

Current Zoning: Residential-5 (R-5)

Permitted Uses: Group Care Facility

On March 2, 2021, the Planning Commission forwarded a recommendation to Town Council to approve the application with a 6 to 3 vote. Those voting in opposition were interested in the development complying with the Town's draft Climate Action Plan and ensuring that the project met the latest energy efficiency standards.

PROJECT LOCATION



ATTACHMENTS

1. Draft Staff Presentation
2. Resolution A (Approving the Application)
3. Resolution B (Denying the Application)
4. Planning Commission Recommendation
5. Applicant Materials

Signature Healthcare at 1602 E. Franklin Street Special Use Permit Modification

Town Council
April 21, 2021

DRAFT

Process

Town Evaluation of Application → *Report Presented to Planning Commission 3.2.2021* → *Open Public Hearing:* Report and Recommendation Presented to Town Council 3.24.2021 → *Public Hearing Closed on 3/24.2021* Council Action 4.21.2021

DRAFT

Adopt Resolution A – Approving Special Use Permit Modification

DRAFT

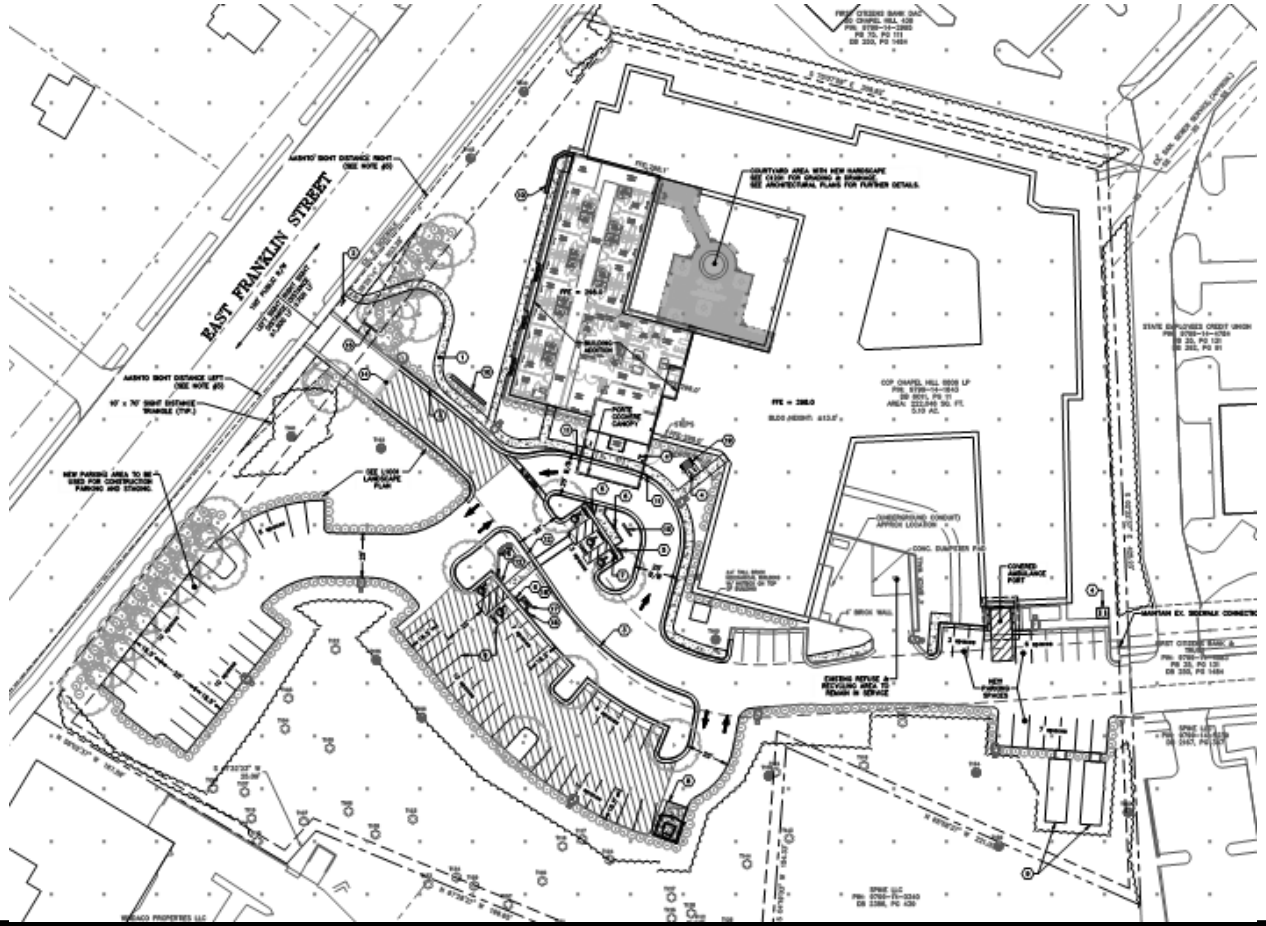
Signature Healthcare– Project Summary

On January 13, 2021, Council approved a limited scope of review for the Special Use Permit Modification to adjust the construction start and end dates:

- 2017 SUP Required: October 25, 2019 and October 25, 2021
- Proposed: April 21, 2023 to April 21, 2025.

DRAFT

Signature Healthcare–Proposed Changes



Increase impervious surface from 113,336 sq. ft. to 113,533 sq. ft.

(+197 SF)

DRAFT

Adopt Resolution A – Approving Special Use Permit Modification

DRAFT

RESOLUTION A
(Approving the Request)

A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR SIGNATURE HEALTHCARE OF CHAPEL HILL, 1602 E. FRANKLIN STREET (2021-04-21/R-7)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Chuck Trimble, on behalf of CCP Chapel Hill 0806 LP, located at 1602 E. Franklin Street on property identified as Orange County Property Identifier Number 9799-14-1643, if developed according to the plans dated March 11, 2020 and the conditions below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. Comply with all required regulations and standards of the Land Use Management Ordinance;

3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and

4. Conform to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

STIPULATIONS SPECIFIC TO SIGNATURE HEALTHCARE

1. Construction Deadlines: Construction shall begin by April 21, 2023 (two years from date of approval) and be completed by April 21, 2025 (four years from date of approval).

2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Group Care Facility	
Gross Land Area	244,251 square feet
Total Floor Area Allowed	49,646 square feet
Maximum Vehicular Parking Spaces	82 spaces
Minimum Bicycle Parking Spaces	11 spaces: 20% Class I and 80% Class II
Total Impervious Surface Area Allowed	113,533 square feet
Total Number Beds	108 beds
Land Disturbance	85,000 square feet

3. Stormwater: The stormwater design shall be revised at Final Plans if needed to meet stormwater requirements, based on new layout and impervious areas.

4. Existing Permit: The existing Special Use Permit Modification dated October 25, 2017 on file at the Town of Chapel Hill Planning Department which was recorded in the Orange

County Registry of Deeds (Deed Book 6473, Page 256) remains in effect except as modified by these stipulations.

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

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

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council approves the application for a Special Use Permit Modification for Signature Healthcare of Chapel Hill at 1602 E. Franklin Street.

This the 21st day of April, 2021.

RESOLUTION B
(Denying the Request)

A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR SIGNATURE HEALTHCARE OF CHAPEL HILL, 1602 E. FRANKLIN STREET (2021-04-21/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Chuck Trimble, on behalf of Signature Healthcare, LLC, located at 1602 E. Franklin Street on property identified as Orange County Property Identifier Number 9799-14-1643, if developed according to the plans submitted would not:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. Comply with all required regulations and standards of the Land Use Management Ordinance;

3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and

4. Conform to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

BE IT FURTHER RESOLVED that the Council hereby denies the request for Signature Healthcare, 1602 E. Franklin Street, for the Special Use Permit Modification.

This the 21st day of April, 2021.

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION
FOR LIMITED SCOPE SPECIAL USE PERMIT MODIFICATION FOR SIGNATURE HEALTH CARE AT 1602 E. FRANKLIN STREET –

March 2, 2021

Recommendation: **Approval ☑** **Approval with Conditions ☐** **Denial ☐**

Motion: Neal Bench moved and Melissa McCullough seconded a motion to recommend that the Council approve the Special Use Permit Modification.

Vote: 6 – 3

Yeas: Michael Everhart (Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Stephen Whitlow

Nays: James Baxter (Vice-Chair), Louie Rivers, Elizabeth Webber

Prepared by: Anya Grahn, Senior Planner

SPECIAL USE PERMIT MINOR CHANGE APPLICATION

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd
phone (919) 968-2728 *fax* (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799-14-1643 Date: 2021-0121

Section A: Project Information

Project Name: Signature Heathcare Addition / Renovatio

Property Address: 1602 East Franklin Street Zip Code: 27514

Use Groups (A, B, and/or C): I-2 Existing Zoning District: R-5

Project Description: Project consist of a new 9,600 sf additi

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

Applicant Information (to whom correspondence will be mailed)

Name: Chuck Trimble

Address: 501 Darby Creek Road, Suite 62

City: Lexington State: Kentucky Zip Code: 40509

Phone: 859-806-4751 Email: chuck@thewaymakergroup.com

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

Signature: Date: 1/25/2021

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: CCP Chapel Hill 0806 LP

Address: 12201 Bluegrass Parkway

City: Louisville State: Kentucky Zip Code: 40299

Phone: 561-762-9816 Email: bhealey@sabrahealth.com

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

Signature: Date: MARCH 26, 2021

By: CCP Holdngs GP1, LLC, general partner of CCP Chappel Hill 0806 LP

SPECIAL USE PERMIT MINOR CHANGE APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department

This application is for minor change to an existing Special Use Permit as defined by Subsection 4.5.4(b)(1-7) of the Land Use Management Ordinance. 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 at (919)968-2728 or at planning@townofchapelhill.org. For detailed information, please refer to the Description of Detailed Information handout.

x	**Application fee** (refer to fee schedule)	Amount Paid $ 12,689.50
	Digital Files - provide digital files of all plans and documents	
	Written Narrative describing the proposal	
	Statement of Justification	
	Copy of recorded Special Use Permit	
	Approved plans and proposed changes to approved plans	
	Reduced Site Plan Set (reduced to 8.5"x11")	

Revised 10.22.2019

Parcel Identifier Number (PIN):_____

CCP CHAPEL HILL 0806 LP
c/o Sabra Health Care REIT, Inc.
18500 Von Karman Avenue, Suite 550
Irvine, CA 92612

March 26, 2021

VIA ELECTRONIC MAIL

Signature HealthCare, LLC
12201 Bluegrass Parkway
Louisville, Kentucky 40299
Attention: Melody Shannon

Re: Amended and Restated Master Lease dated as of May 7, 2018, as amended from time to time (as amended, the "Lease"), by and between, among others, CCP Chapel Hill 0806 LP ("Landlord"), as landlord, and LP Chapel Hill, LLC ("Tenant"), as tenant, regarding the facility commonly known as Signature Healthcare of Chapel Hill, located at 1602 E Franklin Street, Chapel Hill, NC 27514 (the "Property")

Dear Melody:

Reference is hereby made to the Lease. Initially-capitalized terms used but not otherwise defined in this letter shall have the meanings given to such terms in the Lease.

As you are aware, we have been asked to review and execute the enclosed Special Use Permit Change Application (the "*Application*") concerning your submissions to the Town of Chapel Hill, North Carolina with respect to the Property. Landlord is prepared to execute the Application as requested.

Prior to executing the Application, however, we hereby request that Tenant execute this letter to (i) evidence that Tenant consents to and shall fulfill the terms and conditions of the Application; (ii) acknowledge that the Tenant shall be responsible for any future Impositions and other charges related thereto; and (iii) agree that Tenant shall indemnify, defend, protect, save, hold harmless and reimburse Landlord for, from and against any and all Losses (whether or not arising out of third-party claims and regardless of whether liability without fault is imposed, or sought to be imposed, on Landlord) incurred in connection with, arising out of, resulting from or incident to, directly or indirectly, before or during (but not after) the Term, the Application, including any inaccuracies therein.

CCP CHAPEL HILL 0806 LP
a Delaware limited liability company

By: CCP Holdings GP1 LLC
a Delaware limited liability company
its general partner

By: _____
Name: Michael L Costa
Title: EVP, Finance

Acknowledged and Agreed:

LP CHAPEL HILL, LLC,
a Delaware limited liability company

DocuSigned by:
By: David Beck
C2820AA8E27848E...
Name: David Beck
Title: General Counsel

THE WAY MAKER GROUP
"FIND A WAY AND MAKE IT HAPPEN"

January 27, 2021

Anya Grahn
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514

Re: Limited Scope Modification Request for Signature Healthcare SUP

Dear Ms Grahn,

On behalf of Signature Healthcare, we would like to request a Limited Scope Modification Request for the start date of the project. The project which consist of a 9,600 square foot addition and renovation to Signature Healthcare Property at 1602 East Franklin Street. As a result of the COVID Conditions for Healthcare we were not able to start the project within the timeframe that had been approved. We have resubmitted the drawings to Building Inspection for approval and are ready to start as soon as approval has been granted.

Thank you for your consideration of this petition and we would be happy to answer any questions you may have.

Thank You,

Chuck Trimble
President

501 Darby Creek Road
Suite 62
Lexington, Kentucky 40509
Phone: 859.554.5570

PROJECT NARRATIVE

AND

STATEMENT OF JUSTIFICATION

Special Use Permit Modification Application

For:

Signature HealthCARE of Chapel Hill

Facility Expansion
1602 East Franklin Street
Chapel Hill, NC

PIN #9799-14-1643

Applicant:

SHC Construction Services, LLC
12201 Bluegrass Parkway
Jeffersontown, Kentucky 40299
(502) 568-7951

Civil Engineer:

Ballentine Associates, P.A.
221 Providence Road
Chapel Hill, NC 27514
(919) 929-0481

Issue Dates	Description
23 Nov 2016	SUP Modification Submittal
14 Mar 2017	SUP Mod. Submittal #2
3 May 2017	SUP Mod. Submittal #3

PROJECT NARRATIVE

Signature HealthCARE of Chapel Hill plans to expand the existing group home facility located at 1602 East Franklin Street. The existing development was approved under a Special Use Permit (SUP) issued in 1979. The property is 5.10 acres and the existing building is 40,046 square feet. Expansion plans will add 9,600 square feet of floor area, bringing the finished building to 49,646 square feet, and because the expansion will add more than 5% to the overall floor area, approval of this SUP modification will be required. The project will also feature an enhanced occupant drop-off and pick-up area at the front, southwest corner of the building. The existing parking lot contains 79 parking spaces. A portion of the existing parking will be removed in order to provide space for the building expansion, while remaining existing parking will be reconfigured and expanded in order to meet current town standards. The new parking area has been designed with the goal of maximizing the preservation of existing specimen and rare trees. To meet Town stormwater requirements, an underground stormwater management facility will be constructed underneath the existing parking lot island to the south of the new building entrance. Existing landscaping will be preserved to the extents practicable and supplemental new landscaping will be provided in order to meet Town requirements.

There are two vehicular access points to the site; with primary access off East Franklin Street, and a connection to a common drive to the east, which terminates at South Elliott Road. These connection points will be maintained, and pedestrian walkway connectivity on the site will be improved to provide for enhanced circulation through and around the site. Existing refuse and recycling will remain in its current location within a bay on the southern side of the building. A dumpster enclosure meeting Town standards will be provided around the existing concrete dumpster pad at the southeast corner of the existing parking area.

Utilities on site, including site lighting will be updated to suit the project needs. No public water or sanitary sewer improvements are anticipated.

Public Art Proposal – During the development review process, Signature HealthCARE will consult with the Town of Chapel Hill Public Arts Office for guidance in determining the right project and artist for our site.

STATEMENT OF JUSTIFICATION

As required by the Land Use Management Ordinance Section *4.5.2 Standards and Findings of Fact*, in order to receive recommendation of SUP modification approval by the town manager, the following findings shall be made concerning the Signature HealthCARE facility expansion:

1. The proposed Signature HealthCARE facility expansion will be ***designed and operated so as to maintain and promote public health, safety, and general welfare.*** Currently at its Chapel Hill facility, Signature provides health maintenance and recovery services to those in need. In recent years, they have recognized the need for additional space, where short term recovery patients can take advantage of new therapy opportunities on site. Signature HealthCARE is well known for providing exemplary care, and by evolving and expanding their existing building, they can continue to provide a highly functional group care facility in a safe environment for employees, patients and visitors.

2. Proposed modifications to the existing SUP will be designed to ***comply with all required regulations and standards of the Land Use Management Ordinance, including all applicable provisions of articles 3 and 5, and applicable specific standards contained in the supplemental use regulations (article 6), and all other applicable regulations.*** Several examples of compliance are as follows, with one exception to current parking standards:

   Compliance with Article 3:
   - The existing *group care facility* use is a permitted use within the existing R-5 zoning district.
   - The proposed building expansion will be in compliance with required building setbacks.
   - Existing landscape buffers will be maintained or improved so as to meet Town approval.
   - The combined expansion & existing building square footage will add up to be less than the allowable floor area for this site under the existing R-5 zoning.
   - The existing & proposed parking totals are in compliance with the existing SUP, however these numbers exceed the maximum allowed per the LUMO. The existing SUP states that 104 parking spaces are allowed, while the current LUMO allows for 54 spaces (max. 1 per 2 beds under Group Care Facility). We are asking for an exception to section 5.9 of the LUMO, given that the existing parking count has been found to be sufficient for the existing building's needs for many years. And, given that we are expanding rehabilitation services, we are proposing to increase the parking total by 3 spaces (from 79 to 82).

   Compliance with Article 5:
   - Existing landscape buffers will be maintained or improved so as to meet Town approval.
   - Stormwater management will be designed to be in compliance with Section 5.4 of the LUMO.
   - Bicycle parking will be added to bring the site up to Town standards.

- A noted in the narrative, the new parking area has been designed with the goal of maximizing the preservation of existing specimen and rare trees. There are 50 existing specimen trees, 33 of which will be preserved…and there are 12 rare trees, 11 of which will remain. The one rare tree to be removed is a 26" sweet gum located in the parking island south of the new entrance. Eleven rare willow oaks ranging in size from 30 inches to 54 inches at breast height will remain. Several of these are located along the Franklin Street frontage, with the 54 inch being located to the south of the driveway.
- Tree canopy coverage requirements will be met by a combination of existing trees to remain and proposed new trees.

Compliance with Article 6:

- Signature HealthCARE has been in operation (though in the past under different title and management) since the late 1970s. Per GIS research, The Signature HealthCARE facility is currently not located within 500 feet of a zoning lot containing another existing group care facility.

3. The existing facility is ***located*** where it helps to ***enhance the value of contiguous property***, as it is surrounded by businesses on 3 sides, and therefore our employees, patients and visitors help to boost patronage in the area. Likewise, the proposed improvements to the site are ***designed to maintain and enhance the value of contiguous property***, because we will be improving upon our appearance. In support of this finding, it should also be stated that our ***use & development is a public necessity,*** because Signature HealthCARE provides a very valuable service to our community.

4. The development modifications ***conform with the general plans for the physical development of the town as embodied in*** the LUMO, Town Design Guidelines, ***and in the comprehensive plan:***

Compliance with Town Design Guidelines:

The existing facility is located near the intersection of Elliott Road & East Franklin Street. The building addition has been designed to be congruous with the existing architectural elements as well as to enhance the appearance of the structure from street and neighboring views.

As noted in the narrative, the project will include an underground stormwater facility, which will be designed to meet the Town Guidelines.

Also as noted in the narrative, the new parking layout has been designed with the goal of preserving many of the large, rare and specimen trees on site. Landscaping will be bolstered to comply with stipulations in the original SUP as well as in accordance with the Town's design manual.

Vehicular and pedestrian access and circulation will be improved to accommodate the needs of the expanded building. Existing and new parking areas will be designed to meet current Town standards, while walkways will be enhanced to create continuous routes from the building to each site access point (East Franklin Street and the common drive to Elliott Road). In addition, bicycle parking will be provided in compliance with the current design manual, including addition of required enclosed bicycle parking (locations will be finalized with Special Use Permit Modification plans). And, inside the building, shower and locker facilities will be made available to cyclists.

As noted in the Project Narrative, improvements to public water and sewer are not anticipated as part of this project. However, site lighting will be designed to accommodate proposed site amenities.

Compliance with the Comprehensive Plan:

Below is a brief outline expressing several ways in which Signature Healthcare (SHC) of Chapel Hill does and will continue to embrace & conform to the ideas and themes driving the Comprehensive Plan:

A Place for Everyone

- The existing facility provides much needed services for everyone, including long-term care and short-term rehabilitation for both residents and local patients.
- The facility expansion will provide additional space, which will bolster SHC's ability to provide essential services to residents and patients, whether local or from out of Town.

Community Prosperity and Engagement

- Care facilities like SHC of Chapel Hill are crucial to any community's prosperity.
- Community involvement has been and will continue to be a goal of SHC of Chapel Hill.

Facilitate Getting Around

- Planned improvements to the site will enhance the walkability & bike-ability within the site as well as to and from the site.

Good Places, New Spaces

- SHC of Chapel Hill is located close to local businesses, including restaurants, Whole Foods, etc.

Nurturing Our Community

- SHC provides an exemplary working environments; SHC was named as one of Modern Healthcare's 2015 "Best Places to Work in Healthcare."
- The facility's in town location with nearby living opportunities and restaurants helps to reduce vehicular traffic and thus improve air quality.
- To control runoff, stormwater best management practices will be designed for this project.

Town and Gown Collaboration

- SHC of Chapel Hill provides internship and job opportunities for UNC students and graduates. SHC of Chapel Hill collaborates with UNC hospital.

23 Nov 2016

Ballentine Associates, P.A.

221 Providence Road
Eastowne Office Park
Chapel Hill, NC 27514

919/929-0481 Chapel Hill
919/489-4789 Durham
919/489-2803 Fax

Ms. Kay Pearlstein
Town of Chapel Hill Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

Subject: Signature HealthCARE of Chapel Hill
SUP Modification
Responses to Town Council & CDC Comments

Dear Kay,

Thank you for assisting us with the review process for the Signature HealthCARE facility expansion. This letter is written to provide responses to both the Town Council and Community Design commission comments. Below please find comments followed by our responses:

Community Design Commission – 28 June 2016

1. The majority of the commissioners were in favor of our plans to enhance the existing building and site. A number of members noted that the existing building sits down below the elevation of the adjacent Franklin Street and they were very pleased with the new presence that we are looking to create by enhancing the entrance to the building.

   Response: Acknowledged

2. Several commissioners pointed out that the rendering we showed at the meeting indicated a much lighter brick than what's currently on the existing building exterior. They asked if we would be changing exterior materials.

   Response: Although exterior materials will not be presented for formal review until the ZCP phase, the intent for the expansion is to match existing exterior materials.

3. The board asked that we consider revising our plans to show a more interesting building elevation as seen from the Franklin Street perspective.

   Response: We refined building elevation renderings since the 28 June CDC meeting, and as noted below, the updated elevations were well received at our Town Council Public Hearing on 19 Sep 2016. We will present our building elevations to the CDC during the ZCP phase.

4. We received mixed reviews about our parking layout. The majority of the CDC spoke in favor our plan based on the intent to minimize impacts to existing rare and specimen trees, while several members asked that we consider shifting our new parking area further east back into our site.

   Response: New parking is configured with the goal to minimize impacts to existing rare and specimen trees, many of which are located further into our site. The area bordering Franklin Street – where we are showing new parking – largely contains vines & kudzu…and smaller trees being choked by the former. New landscaping will be installed to screen the new parking as required by the Town

Design Manual. In addition to the parking lot screening, the landscape buffer will be enhanced to include new buffer plantings in place of the vines/kudzu.

5. The board was in favor of our proposal to provide enhance pedestrian connectivity on site. Chairman Gualtieri asked that we consider limiting what we do to change existing pedestrian and vehicular travel patterns so as not to encourage excessive public traffic through our site.

   Response: We are providing minimal changes to pedestrian connectivity; shifting our existing walkway out to Franklin Street to the south so that it borders our existing driveway. Walkways within the site will be improved to provide enhanced connectivity between parking (existing and new) and building entrances (existing and new).

Town Council Public Hearing – 19 Sep 2016

1. Council Member Palmer mentioned that she was very familiar with the Singature HealthCARE facility, and that she was in favor of the expansion; noting that the double rooms, which Signature intends to reduce or eliminate pose concerns.

   Response: Acknowledged.

2. Council Member Palmer and others asked that we consider providing an entryway similar to the existing, with an area for patients to sit outside "and engage the public." Council members liked the enclosed courtyard but suggested that we also consider providing a space for patients to be outside and have the potential to interact with people coming and going from the facility…and/or to simply observe public activity along Franklin Street.

   Response: The new entry area will have a space under a canopy that will be similar to the existing entryway in that it will provide an area for patients and visitors to congregate. In addition, we have revised our plans to show a series of benches/seating areas along the new walkway to the west of the building to provide another space for patients to be outside.

3. Council Member Parker asked if the entire site would be subjected to new Town rules and regulations put into effect since the original SUP…or would new rules and regulations only apply to proposed improvements. Planning Director, Ben Hitchings noted that typically existing elements are grandfathered.

   Response: Acknowledged, new improvements will be designed to comply with current Town rules and regulations.

4. Several Council Members discussed an Ephesus Fordham District exhibit as presented by Ben Hitchings, which indicated the potential for a future road connection through our site, essentially from our Franklin Street driveway connection, through our main parking drive aisle, and on to the existing driveway connection toward South Elliott Road. Council members broadly agreed that a public road through our existing site would not be practical. Council Member Gianciolo suggested that we be sure to have good site lines at our Franklin Street driveway. Mayor recommended that we focus are review with the staff on addressing Ephesus Fordham compliance issues such as the roadway shown on the exhibit noted above.

Response: **Acknowledged, we agree that a public road through our site would not be practical. We are outside of the EF Zoning District, and we are not intending to rezone to EF. If our site were to be redeveloped in the future, our SUP modification should not impact whether this site could be rezoned to EF down the road. We will provide required site triangles at our driveway with ZCP plans.**

Please let me know if you feel that I may have left anything out.

Yours very truly,
BALLENTINE ASSOCIATES, PA

Dave Ballentine

14 Mar 2017

Ballentine Associates, P.A.

221 Providence Road
Eastowne Office Park
Chapel Hill, NC 27514

919/929-0481 Chapel Hill
919/489-4789 Durham
919/489-2803 Fax

Ms. Kay Pearlstein
Town of Chapel Hill Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

Subject: Signature HealthCARE of Chapel Hill
1602 East Franklin Street
Responses to TRT Comments

Dear Kay,

This letter is written to provide responses to your comments as received on 12 Jan 2017. Below are each of your comments followed by our responses:

ENERGY MANAGEMENT PLAN

1. Although an energy management plan is not required for this development, the applicant is encouraged to submit an energy management plan that highlights efficiency and sustainability features that will provide the property owner with years of utility savings. (*Sustainability*)

   Response: A preliminary Energy Management Plan (EMP) has been provided. Although it will not be economically feasible to make significant changes to the energy systems of the existing facility, we understand and agree with the importance of conserving energy, and we are looking to provide energy saving elements that are within our means for this project.

2. The energy management plan should indicate whether or not a green building standard is being used and whether or not the applicant is pursuing a particular level of certification for that standard (e.g., LEED Gold, SB 668 for State Buildings, EarthCraft House). (*Sustainability*)

   Response: A green building standard/certification is not being used/pursued for this project, however elements that fall under green standards are being used in the design.

3. The energy management plan should describe the expected savings (as a percentage) from both building and site related water conservation measures (e.g., WasterSense fixtures and toilets, xeriscaping, cisterns, graywater reuse, constructed wetland, rain garden, soil and moisture irrigation sensors) (*Sustainability*)

   Response: There are no building or site related water conservation measures proposed for this project.

4. The energy management plan should indicate how the project will meet the Council policy expectation of an energy performance that is 20% better than ASHRAE 90.1 (e.g., pre and post construction energy models will be used to verify performance). (*Sustainability*)

   Response: It will not be feasible (and it is not a requirement) for this project to meet an energy performance that is 20% better than the most recent version of ASHRAE 90.1

5. The energy management plan should indicate what forms of sustainable energy are being utilized in this project (e.g., solar hot water, geothermal, solar photovoltaics, radiant heating/cooling, thermal energy storage). *(Sustainability)*

   Response: Signature HealthCARE intends to make use of LED lighting on this project wherever there is an opportunity. In addition, heat recovery HVAC units will be used as noted in the attached EMP.

6. The energy management plan should indicate what types of carbon offsets or credits are being utilized in this project (e.g., project will purchase carbon offsets from NC GreenPower for common area lighting). *(Sustainability)*

   Response: Carbon offsets or credits are not being utilized for this project.

7. The energy management plan should describe how the project aims to lower transportation-related energy consumption (e.g., project will build a bus shelter with solar-powered LED lighting). *(Sustainability)*

   Response: Increased bicycle parking options on site should help to reduce transportation related energy consumption.

8. The energy management plan should describe how the design aims to mitigate the urban heat-island effect (e.g., project will include a vegetative roof). *(Sustainability)*

   Response: The reconfigured parking areas have been designed to minimize impacts to existing trees. Existing and new landscaping will combine to provide parking lot shading and therefore help to mitigate the urban heat-island effect.

9. The energy management plan should indicate how the site design will enhance water and/or energy conservation (e.g., xeriscaping, tree shading, solar orientation). *(Sustainability)*

   Response: As noted in response to comment #8, existing tree canopies will be preserved to extents practicable…and shading will be supplemented by new plantings.

10. The energy management plan should indicate if the site is reducing life-cycle and transportation related energy consumption based on its location and previous condition (e.g., brownfield redevelopment, grayfield redevelopment, urban infill). *(Sustainability)*

Response: This is not a redevelopment project, however the site is a highly central location that is walkable and bikeable to many nearby neighborhoods and businesses, which should help to mitigate transportation related energy consumption.

11. The energy management plan should describe how the design of the project demonstrates a commitment to long term energy efficiency and reduced greenhouse gas emissions (e.g., durable materials, high-efficiency equipment, xeriscaping). (*Sustainability*)

Response: The existing building was constructed with a brick façade and the same durable materials will be used on the exterior of the new addition.

12. The energy management plan should describe how the lighting design will reduce energy consumption (e.g., high efficiency interior/exterior lighting, clerestory, passive solar, photocells, occupancy sensors, automated shades). (*Sustainability*)

Response: The new clerestory windows at the top of the lobby will provide daylighting, and the cantilevered portecochere roof provides solar protection for all the lobby front glass.

13. The energy management plan should indicate what percentage of the occupied rooms/office will have direct access to a reasonable amount of natural light. (Sustainability)

Response: The configuration of the existing building and proposed addition will allows for all patient rooms to have window(s) providing natural light. Note that the finished product will have multiple courtyard areas

14. The energy management plan should describe how the building envelope will reduce energy consumption (e.g., low-e glazing, R-38 insulation in the attic, north-south glazing orientation, thermal massing). (Sustainability)

Response: The new lobby will feature a clerestory window with south facing windows.

15. The energy management plan should describe how the building materials reduce life-cycle energy costs by their sourcing location/condition (e.g., recycled, locally sourced, certified sustainable, low VOC paints) (Sustainability)

Response: Further consideration will be given to this comment with Zoning Compliance Permit drawings.

16. The energy management plan should indicate how the mechanical equipment will offer better energy performance than the minimum allowed by code (e.g., SEER 15 HVAC unit, enthalpy wheel). (Sustainability)

Response: Further consideration will be given to this comment with Zoning Compliance Permit drawings.

17. The energy management plan should describe the various health and safety features that complement the energy efficient design (e.g., carbon dioxide monitors, frequency of air exchanges, access to natural light, low VOC building materials). (Sustainability)

    Response: Further consideration will be given to this comment with Zoning Compliance Permit drawings.

18. The energy management plan should describe what construction-phase steps will be taken to assure the building will perform as specified (e.g., envelope/duct air leakage test at dried in but unfinished phase, commissioning, etc.) (Sustainability)

    Response: Further consideration will be given to this comment with Zoning Compliance Permit drawings.

RECREATION:

19. No comments from Parks and Recreation (Parks and Recreation)

    Response: Acknowledged.

FIRE PROTECTION:

20. AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED: Town Ordinance 7 - 56. An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 is required to be installed in non-residential construction, as follows. (1) In new non-residential structures if: a. The building has more than 6,000 square feet of floor area; b. Twenty (20) per cent or more of the total floor area is more than two hundred (200) feet of travel distance from the nearest access point for a fire truck; or c. The building exceeds two (2) stories or twenty-four (24) feet in height from the average grade of the lot to the windows on the topmost occupied floor. (2) In a structural addition to a non-residential building of more than six thousand (6,000) square feet where the cost of the addition exceeds fifty (50) per cent of the value of the building. Fire sprinklers are required in the addition. (3) In a non-residential building of more than six thousand (6,000) square feet which is either renovated at a cost greater than fifty (50) per cent of value or which is damaged and rebuilt at a cost greater than fifty (50) per cent of value. In addition, all connections shall be located on the street side of each building, and activation of the sprinkler system shall activate both a local building alarm and a supervisory alarm at a twenty-four (24) hour certified and licensed alarm monitoring service. (Fire)

    Response: The building addition will have an automatic sprinkler system meeting NFPA Standard #13. Connections and alarms will be provided as required.

21. FIRE HYDRANT LOCATIONS; Indicate the locations of existing and proposed fire hydrants. (Fire)

    Response: Existing fire hydrants are shown on the Area Map. It will be determined at ZCP whether or not new fire hydrants will be required.

22. FIRE HYDRANTS; The addition of any required hydrants to serve the submitted building must flow a minimum of 2500 gpm per Town Engineering Standards unless approved by the fire code official. The farthest hydrant serving a proposed structure must be no more than 500' distant. A maximum distance of 500' spacing between hydrants must be maintained unless otherwise approved by the fire code official. Lesser spacing distances may be required. A minimum working space of 3' must be maintained around all hydrants. Where hydrants are subject to physical impact, physical protection may be required, NC FPC 2012, 507.5.6. The minimum number of required hydrants and their spacing must meet NC FPC 2012, Appendix C, table C 105.1 (Fire)

    Response: Acknowledged, it will determined at ZCP if new hydrants will be required.

23. FIRE DEPARTMENT CONNECTIONS, LOCATIONS; Any required FDC's 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 2012 and Town Ordinances; 7-38 for location. FDC's shall be installed on the street/ address side of 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. FDC's shall be equipped with NST. (Fire)

    Response: Acknowledged, it will determined at ZCP if FDC improvements are required.

<u>CONSTRUCTION/DEMOLITION</u>:

24. 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. NC FPC 2012 Section 1404 (Fire)

    Response: Acknowledged.

25. CONSTRUCTION/DEMOLITION; All Construction and demolition conducted shall be in compliance of the current edition of Chapter 14 of the NC FPC. (Fire)

    Response: Acknowledged.

[NO CATEGORY]:

26. Additional ADA parking spaces are required on this site according to Chapter 11 of the NC Building Code. 20% of the spaces shall meet these standards for rehab facilities. (Inspections)

    Response: The renovated facility (like the existing facility) will have a combination of uses including rehab. (approx. 10% of the facility) and primarily group care (approx. 90%). We have calculated ADA parking needs based on the mixture of these uses. We are proposing ADA parking as follows:

    We applied NC Building Code – Chapter 11 – Table 1106.1 to 75% of the renovated facility's 82 total parking spaces; 90% of 82 = 74+/- parking spaces; 3 ADA spaces required.

    We applied Section 1106.4 to the remaining 10% of the renovated facility's parking spaces: 20% of 8 spaces = 2 ADA spaces.

    Total required ADA spaces = 5 (incl. 2 van accessible)

    Note: The existing facility currently has 2 ADA spaces on site, therefore we are increasing the total by 3 spaces.

27. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant shall provide the minimum required handicapped parking spaces and design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans with Disabilities Act standards, North Carolina Building Code, American National Standards Institute (ANSI) Code, and Town standard. 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. Curb cuts and accessible routes Per ICC A117.1 2009 Ed. Cross slope limited to 2%, call for inspection before placement of concrete. Slope greater than 5% requires construction as a ramp. (Inspections)

    Response: Acknowledged.

28. Canopy near front entrance must be at least 13 feet 6 inches clear height (Inspections)

    Response: Acknowledged, we are showing 14 feet 6 inches clear height (refer to exterior elevation 1/A-9).

29. A single electrical service shall be provided to serve the structure with the exception of the fire pump. Article 230.2 (A) 2014 edition of North Carolina Electric Code. (Inspections)

    Response: Acknowledged.

30. A zone for fire department ladders and firefighting operations must be provided. This will require all lines to be buried around the structure. Article 225.19 (E) 2014 edition of North Carolina Electric Code (Inspections)

    Response: Acknowledged.

31. Address numbers must be a minimum of 4 inches high and of contrasting color to their background. Reflective numbers are preferred on front and rear doors. When the distance from the street or fire department access lane to the front or address side of the building exceeds 25 feet, larger numbers are required. 26 feet to 50 feet shall have 8 inch numbers, 51-75 feet shall have 12 inch numbers and over 75 feet shall have 18 inch numbers. Where access is by private means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. (Inspections)

    Response: Acknowledged.

32. Fire sprinklers will be required in the new addition per local ordinance. OWASA requires a lead-free RPZ backflow preventor to protect the potable water. (Inspections)

    Response: Acknowledged.

33. What is the size of the fuel cell (gallons) on the on-site generator? Will it be expected to pick up emergency circuits in the new 9,000 sf addition? (Inspections)

    Response: The existing generator will be used to power the addition, and it has a new above ground 450 gallon fuel tank.

34. The Landscape Protection Plan is incomplete. Critical root zones for all trees surveyed must be shown on the plan. (Urban Forestry)

    Response: The Landscape Protection Plan has been revised to show critical root zones for all surveyed trees.

35. Canopy coverage calculations should be revised to eliminate canopy that does not exist over the Franklin Street right-of-way due to the maintenance of adjacent overhead utility lines. Proposed shade trees can be counted to make up any canopy deficit. (Urban Forestry)

    Response: Upon further review by MDG, the Canopy Coverage Calculations presented on Sheet L-1001 (Landscape Plan), which show 68,220 SF of canopy to remain, did NOT include any of the tree canopy located with the Franklin Street R.O.W. There was an oversight in the drawing-production process by MDG – the shaded area shown on the submitted, revised plan is the area that was used to calculate the SF of 68,220. The previously submitted L-1001 Landscape Plan did not transfer the shading/graphic of the area used to complete the calculations from the draft document to the

final Landscape Plan Drawing. The revised PDF shows the canopy area that was used to make these SF calculations, as requested.

36. We recommend that the applicant submit information on the projected increase in solid waste generated by the proposed increase in floor area. Current service provided by the Town is for 2 dumpsters emptied 3 times per week. (Urban Forestry)

    Response: There will be no or very minimal projected increase in solid waste generated by the proposed increase in floor area, as the bed count will not be increased as a result of the renovations.

37. We recommend that an area for construction parking, staging and storage be designated on the plan. (Urban Forestry)

    Response: The new parking area will be used for construction parking, staging and storage. A detailed Construction Management Plan will be provided with ZCP.

38. We recommend that information be submitted regarding the second site for existing dumpsters on the property near the eastern lot line. This location appears to be nonconforming with regard to screening and enclosure. We would also recommend that it be relocated to allow the 6 adjacent proposed parking spaces to be installed outside of the critical root zone for the rare 44 inch Willow Oak which includes slopes 10-15 percent according to the existing conditions plan. (Urban Forestry)

    Response: The existing dumpster pad located near the eastern access will be removed. As recommended, the proposed parking spaces to the south of the eastern access have been shifted toward the property line in order to minimize impacts to existing trees. An existing concrete dumpster pad at the eastern edge of the existing parking area will be improved with a refuse/recycling enclosure per Town standards.

39. We recommend that non-invasive plant species be substituted for Nandina and Chinese ligustrum. (Urban Forestry)

    Response: As requested, 'Nandina' has been replaced with 'Indian Hawthorne' in the revised plans and plant list. As requested, 'Chinese Ligustrum' has been replaced with 'Diana Camellia'.

40. In Appendix B "Stormwater Design Calculations, Water Quality Design Volume Calculations, at the end there is a WQV adj calculation (does not pertain to proposed design) and a WQV-provided that do not match the plans and other calculations. Please revise. (Stormwater)

    Response: Per the new NCDEQ Stormwater Design Manual, Section D-1 StormFilter by Contech, minimum design criteria (MDC 1) – sizing for the StormFilter

system is in conjunction with upstream closed detention based on designing the system to provide capture and treatment of 75% of the first 1.0" rainfall.

41. Appendix B Stormwater Design Calculations, 2-year Delta Volume and Bioretention Drawdown Calculations - H0 does not reflect sizing of proposed detention pipes on plan set (plans show 54"; calcs show H0 as 2.5 ft). Please clarify or revise. (Stormwater)

    Response: The 2 year Delta Volume and Drawdown Calculations have been revised:
    - **Corrected title from Bioretention to simply 2-year Delta Draw Down**
    - **The 2 yr drawdown volume is at a depth of 30" deep inside the 54" detention (see attached detention pipe incremental area table), and therefore our drawdown calc. has been revised to show Ho as 2.5'.**

42. Appendix B Stormwater Design Calculations, 2-year Delta Volume and Bioretention Drawdown Calculations - Per the BMP manual, H0/2 is recommended to reflect falling head conditions during drawdown. Please revise calculations. (Stormwater)

    Response: Per section 3.5.2 of the 2009-2016 BMP manual, the orifice equation implies that Ho/3 should be used to compute drawdown through an orifice to reflect that head is decreasing as drawdown occurs.

43. For final plans, please provide means of preventing clogging of the small diameter orifice outlet. (Stormwater)

    Response: Acknowledged.

44. What is stored in the trailers? Can the storage take place in the main building and trailers removed? (Current Development)

    Response: The Conex trailers are used for storage purposes. These trailers will be removed from the site, and the storage capacity will be replaced inside a shed / accessory structure, which is shown on the Site Plan. Landscape screening for the shed will be provided as required.

45. Pedestrian crosswalk at south end of property to access existing sidewalk in front of State Employees Credit Union. (Current Development)

    Response: N/A – we are not proposing a walkway along the south side of our driveway in this vicinity and therefore there is no need for a crosswalk.

46. Ways to create a brighter building along E. Franklin Street? (Current Development)

    Response: We have made efforts to enhance & brighten the building appearance with our new entrance (which adds height), with new landscaping, and with other site improvements. Changes to the existing building design &

materials other than what is proposed with this submittal would make the project economically not feasible.

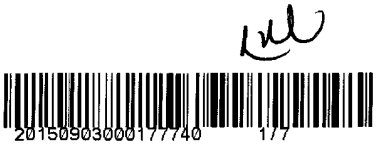
Please don't hesitate to call me should you have any questions or if you require additional information.

Yours very truly,
BALLENTINE ASSOCIATES, PA

George J. Retschle, PE, LEED AP
President

EX
MB

EX
NA



20150903000177740 DEED
Bk:RB6011 Pg:11
09/03/2015 10:47:14 AM 1/7

FILED Mark Chilton
Register of Deeds, Orange Co,NC
Recording Fee: $26.00
NC Real Estate TX: $.00

GENERAL WARRANTY DEED

Excise Tax: $0.00; Exempt per NCGS 105.228.29(6)

Tax Parcel ID No. 9799-14-1643 DB Verified by_____ County

on the ____ day of_____, 20____ By:_____

~~Mail/Box to: Ryan Smith, Mayer Brown LLP, 71 S. Wacker, Chicago, IL 60606~~

This instrument was prepared by: Ryan Smith, Mayer Brown LLP, 71 S. Wacker, Chicago, IL 60606

Brief description for the Index: 1602 E Franklin Street, Chapel Hill, NC

THIS DEED (the "Deed"), made this the 1 day of August, 2015, by and between

GRANTOR: VENTAS REALTY, LIMITED PARTNERSHIP, whose address is: 10350 Ormsby Park Place, Suite 300, Louisville, KY 40223 (herein referred to as **Grantor**) and

GRANTEE: CCP CHAPEL HILL 0806 LP, whose address is: 353 N. Clark, Suite 2900, Chicago, IL 60654 (herein referred to as **Grantee**)

WITNESSETH:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby gives, grants, bargains, sells and conveys unto Grantee in fee simple, subject to the Exceptions and Reservations hereinafter provided, if any, the following described property, located in the City of Chapel Hill, County of Orange, State of North Carolina, more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference (the "Property").

RETURN TO: LAND SERVICES USA, INC.
1 SOUTH CHURCH STREET
SUITE 300
WEST CHESTER, PA 19382

Said property having been previously conveyed to Grantor by instrument(s) recorded in Book 1831, Page 578 in the Orange County Public Registry.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple, subject to the Exceptions and Reservations hereinafter and hereinabove provided, if any.

And Grantor hereby warrants that Grantor is seized of the Property in fee and has the right to convey same in fee simple, that title is marketable and is free and clear of encumbrances other than as set forth herein, and that Grantor will forever warrant and defend the title against the lawful claims of all persons or entities whomsoever, subject to the exceptions herein stated.

All or a portion of the Property herein conveyed does not include the primary residence of Grantor.

THIS DEED and CONVEYANCE is expressly made subject to: (1) taxes not yet due and payable, (2) all matters shown on Schedule B of the existing owner's title insurance policy described on **Exhibit B** attached hereto, (3) all encumbrances and defects of title arising after the date of the existing owner's title insurance policy that (x) were not created, caused or permitted by the named Grantor, or (y) do not have a material adverse effect on the operation of the Property for its current use on the date this Deed is executed and delivered (including, without limitation, the facility lease, if any), and (4) those matters set forth on the schedules to the assignments of leases related to the Property that are being executed and delivered on or about the date of this Deed.

GRANTOR WARRANTS to Grantee that there are no matters affecting the Property that would cause a loss to, or result in a claim against, Grantee as to which matters Grantor has received insurance against such loss or claims by endorsement to its owner's title insurance policy or which Grantor otherwise has received insurance against loss or claims under the terms of its owner's title insurance policy.

THE WARRANTIES and covenants contained herein shall be solely for the benefit of and enforceable by Grantee hereunder and for no other party including heirs, successors and assigns of Grantee and under no circumstances shall such warranties and covenants be deemed to run with the Property conveyed by this Deed. Any claim against Grantor by Grantee shall be limited to the extent of any amounts recovered by Grantor under its title insurance policy on account of such claim.

IN WITNESS WHEREOF, Grantor has executed this Deed as of the day and year first above written.

Ventas Realty, Limited Partnership,
a Delaware limited partnership

By: Ventas, Inc., its general partner

By: _____

Name: Brian K. Wood
Title: Sr. Vice President & Chief Tax Officer

Return to:
Land Services USA, Inc.
1 South Church Street, Suite 300
West Chester, PA 19382

Land Services USA, Inc.
Accommodation Recording
File No. NCFA15-2647
THIS DOCUMENT NOT INSURED

717120459 15481052

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RB6011 13 3/7

STATE OF Illinois)
) SS.
COUNTY OF Cook)

I, Theresa A. Tucci, the undersigned Notary Public of the County and State aforesaid, do hereby certify that BRIAN K WOOD, being personally known to me, personally appeared before me this day and acknowledged that he/she is the SVP 3 CHIEF TAX OFFICER of VENTAS REALTY, LIMITED PARTNERSHIP a Delaware LIMITED PARTNERSHIP, and that he/she, as SVP 3, CHIEF TAX OFFICER, being authorized to do so, voluntarily executed the foregoing instrument for the purposes therein expressed on behalf of VENTAS REALTY, LIMITED PARTNERSHIP. Witness my hand and official stamp or seal this 7th day of August, 2015.

Notary Public: Theresa A Tucci

Print Name: Theresa A. Tucci

My Commission Expires: May 13, 2018

Seal/Stamp:

THERESA A TUCCI
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
May 13, 2018

The foregoing Certificate(s) of _____
Is/are certified to be correct. This instrument and certificate are duly registered at the date and time and in the Book and page shown on the first page hereof.

_____Register of Deeds for _____ County

By:_____ Deputy/Assistant – Register of Deeds

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RB6011 14 4/7

Exhibit A

Lying and being in Orange County, North Carolina and being more particularly described as follows:

Beginning at an iron pipe situated on the South side of US 15-501A in the Town of Chapel Hill, corner with the property of Jr. W. Thompson, which said pipe is also located 168 feet from the intersection of the center line of Couch Lane with the southern right of way line of said Highway; running thence from said beginning point with Thompson's line South 53°45' East 167.61 feet to an iron pipe in the line of J.N. Couch; running thence North 46°50' East 25.09 feet to an iron pipe; running thence South 62°12' East 277.39 feet to an iron pipe in the line of the property of Graham R. Creal; running thence North 9°34' East 154.32 feet to an iron pipe; running thence South 60°41' East 221.14 feet to an iron pipe in the line of O.R. Yeager; running thence with the Yeager and Proctor property line North 2°45' East 425.23 feet to an iron pipe; running thence North 69°51' West 308.66 feet to an iron pipe in the southern right of way line of US 15-501A; running thence along and with the southern right of way line of said Highway South 43°44' West 503.31 feet to an iron pipe to the point and place of Beginning, and containing approximately 5.096 acres, more or less.

Chapel Hill Rehab & Healthcare Center
1602 E Franklin St, Chapel Hill, NC
Site No. 806

201509030001777740
RB6011 15 5/7

Exhibit B

Policy Date: April 30, 2002
Issuer: First American Title Insurance Company
Policy No: FA-32-110815

1. Discrepancies, conflicts in boundary lines, shortage of area, encroachments, and any facts that a current survey or inspection of the land would disclose, which are not shown by the public record

2. Rights of parties in possession, as tenants only, under prior unrecorded written leases

3. Liens for materials and labor used for improvements to the land commenced prior to the effective date hereof

4. Covenants, Reservations, Easements and Restrictions appearing of record in Book 307, Page 553 NOTE: Any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such covenants, conditions or restrictions violate 42 USC 3604 (c)

5. Special Use Permit recorded in Book 307, Page 553

6. Easement(s) in favor of the Orange Water and Sewer Authority recorded in Book 364, Page 424

7. Right of way in favor of Duke Power Company recorded in Book 411, Page 467

8. Rights of Vencor Operating, Inc., pursuant to an unrecorded lease, a Memorandum evidencing same being recorded in Book 1730, Page 93, as supplemented and amended by unrecorded Amended and Restated Lease in favor of Vencor Operating, Inc., evidenced by the Memorandum recorded in Book 2257, Page 146

9. Deed of Trust in favor of Bank of America, N.A., as Administrative Agent, recorded in Book 2052, Page 1, in the Orange County Registry as amended and restated by Amended and Restated Deed of Trust and Security Agreement in favor of Bank of America, N.A., dated April 17, 2002, recorded in Book 2574, Page 220, Orange County Registry

10. Assignment of Leases and Rents in favor of Bank of America, N.A., as Administrative Agent, recorded in Book 2052, Page 38 in the Orange County Registry as amended and restated by that certain Amended and Restated Assignment of Leases and Rents among Ventas Realty Limited Partnership and Bank of America, N.A., as administrative agent recorded in Book 2574, page 248

11. UCC Financing Statement in favor of Bank of America, N.A., as Administrative Agent, recorded at UCC File No 2000-292 in the Orange County Registry

12. Subordination, Non-Disturbance and Attornment Agreement between Vencor, Inc , Vencor Operating. Inc and Ventas Realty Limited Partnership and Bank of America, N.A., recorded in Book 2257, Page 156

13. Senior leasehold deed of trust from Vencor Operating, Inc in favor of Morgan Guaranty Trust Company of New York recorded in Book 2257, Page 168 (Affects Leasehold Only)

14. Second priority leasehold deed of trust from Vencor Operating, Inc in favor of Morgan Guaranty Trust Company of New York recorded in Book 2257, Page 220 (Affects Leasehold Only)

15. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-520 (Affects Leasehold Only)

16. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-521 (Affects Leasehold Only)

17. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-519 (Affects Leasehold Only)

18. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-527 (Affects Leasehold Only)

19. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-518 (Affects Leasehold Only)

20. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-525 (Affects Leasehold Only)

21. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-524 (Affects Leasehold Only)

22. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-523 (Affects Leasehold Only)

23. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-528 (Affects Leasehold Only)

24. UCC Financing Statement in favor of Morgan Guaranty Trust Company of New York recorded at UCC File No 2001-522 (Affects Leasehold Only)

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TOWN OF CHAPEL HILL

ORANGE COUNTY NORTH CAROLINA

SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) Hillhaven, Incorporated having applied to the Town of Chapel Hill for a Special Use Permit for the use and development of the property hereinafter described, the same was granted by the Town of Chapel Hill on November 13, 1978, the terms of which are as follows:

NAME OF PROJECT: Hillhaven Nursing Home

TYPE OF SPECIAL USE: Nursing Home

NAME OF DEVELOPER: Hillhaven, Inc.

DESCRIPTION OF PREMISES

LOCATION: 1602 East Franklin Street

TAX MAP REFERENCE: Chapel Hill Township Tax Map 46, Block B, Lot 4

AREA OF PROPERTY: approximately 5.1 acres

DESCRIPTION OF DEVELOPMENT

NUMBER OF BUILDINGS: 2 NUMBER OF DWELLING UNITS: 56

FLOOR AREA: NA NUMBER OF PARKING SPACES. 104

SPECIAL TERMS AND CONDITIONS

Refer to plans dated August 11, 1978 and approved by the Board of Aldermen on November 13, 1978 subject to the following:

Traffic and Safety

1. That a paved sidewalk be constructed between 1) the nursing facility and Elliott Road, 2) the residential structure and Elliott Road, and 3) the nursing facility and the proposed sidewalk along Franklin St.

2. That all sidewalks be constructed in compliance with the North Carolina Handicapped Code for wheelchair access.

3. That markings and/or warning signals be provided where paved sidewalks cross internal streets. Such markings or devices shall be approved by the Town Manager.

4. That a paved access drive from Elliott Road be provided.

5. That the access drive at Elliott Road be appropriately signed to indicate its restricted use for nursing home residents and their guests.

6. That one parking space for each residential unit be provided.

7. That the proposed sidewalk along Franklin Street be paved to Town standards.

Appearance

8. That detailed architectural elevations, and a site plan showing the location of landscaped areas, signs, lighting and other site elements be submitted to and approved by the Appearance Commission prior to issuance of a building permit.

9. That a detailed landscape/planting plan including detailed sign and lighting plans be submitted to and approved by the Appearance Commission prior to issuance of a certificate of occupancy.

(continued)

Hillhaven Special Use Permit Stipulations (continued)

10. That the bulk trash containers be screened and that this screening be shown on the detailed landscape/planting plan.

11. That any and all planting which dies during the life of the special use permit be replaced with planting of the same species and approximately the same size by the end of the next planting season.

12. That the off-street parking area be screened from the abutting properties to the north, west and south by a solid six-foot high screen consisting of vegetation and/or fencing. The detailed design of such screen shall be shown on the landscape plan.

13. That as much significant planting as possible be retained and that such planting be shown on the landscape plan. Existing planting shall be protected during construction by appropriate fencing or barriers. Provisions for such protection shall be shown on the landscape plan.

14. That paved areas be set back as far as possible from trees to be retained.

15. That the applicant identify on the landscape plan those trees which require a tree feeder system to ensure the continued provision of proper tree nourishment, including adequate water, air, and nutrients to the root system of said trees. The design specifications for such a tree feeder system and the proposed specifications for its installation shall be shown on the landscape plan, and shall be reviewed and approved as part of the landscape plan.

Other Stipulations

16. That a drainage plan be submitted to and approved by the Town Manager prior to issuance of a grading permit or building permit. Improvements included in the drainage plan shall be completed prior to issuance of a certificate of occupancy.

17. That provision for garbage collection be approved by the Town Manager.

18. That construction begin by December 1, 1980 and be completed by December 1, 1982.

19. That fire hydrants as required by the Town Manager be provided within the proposed development. The number, location, and installation of such hydrants shall be approved by the Town Manager.

20. That the applicant provide open space for the residential units, as required by ordinance, of not less than 1,200 square feet per dwelling unit.

21. That there be no left-turn access onto Franklin Street.

22. And that the residential structure contain not more than 56 units.

* * * END * * *

NORTH CAROLINA
ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as a covenant running with the land.

ATTEST

David B. Roberts
Town Clerk

The Town of Chapel Hill
BY Raymond E. Hyman

ACCEPTED

_____ (Seal)
Owner

_____ (Seal)
Owner

ATTEST

Neal Ecott
Secretary

David R. Baty
Corporate Name
BY President
Title

NORTH CAROLINA
ORANGE COUNTY

I, Maria Langford, a Notary Public in and for said County and State do hereby certify that Raymond E. Hyman, Town Manager of the Town of Chapel Hill, and David B. Roberts, Town Clerk, duly sworn says each for himself that he knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, that Raymond E. Hyman, Town Manager of said Town of Chapel Hill, and David B. Roberts, Town Clerk for the Town of Chapel Hill, subscribed their names thereto; that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 5th day of January, 1979.

Maria Langford
Notary Public
My commission expires: 9-14-80

NORTH CAROLINA
ORANGE COUNTY

I, _____, a Notary Public in and for said State and County do hereby certify that _____ owners, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Notarial Seal, this the _____ day of _____, 19__.

_____
Notary Public
My commission expires: _____

Washington
~~NORTH CAROLINA~~
ORANGE COUNTY

THIS 23rd day of January, 1979, personally came before me, Mary K. Kirk, a Notary Public of ~~Orange~~ County, ~~North Carolina~~ Washington who being by me duly sworn, says that he knows the common seal of the Washington Corporation, and is acquainted with David R. Baty, who is President of said corporation and he, Neal Ecott, who is Secretary of said corporation, and saw the President sign the foregoing instrument and he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

WITNESS my Hand and Notarial Seal, this the 23rd day of January, 1979.

Mary K. Kirk
Notary Public
My commission expires: 2/11/82

(Not valid until fully executed and recorded)

Orange County
Solid Waste Management Plan

All development applications must provide a detailed solid waste management plan, including a recycling plan and a plan for management of construction debris. The following form must be completed to fulfill this requirement. This form must be completed and approved to satisfy the requirement of a plan for management of construction debris. Please complete all information in its entirety. Assistance in completing this form is available from the Orange County Solid Waste Staff at (919) 968-2788 x107 or x109.

COMPLETE ALL INFORMATION BELOW

(Incomplete contact information will delay plan review and approval.)

Project Name: Signature HealthCARE of Chapel Hill facility expansion

Property ID #: 9799-14-1643 Permit: TBD

Project Location: 1602 East Franklin Street
Chapel Hill, NC 27514

Project Owner: LP Chapel Hill, LLC (leasehold)

Contact Person: Tony Waldron

Address: 12201 Bluegrass Parkway
Jeffersontown, Kentucky 40299

Telephone: (502) 568-7951

Fax/Mobile: (561) 596-8162 / (_____) _____-_____

Design Firm: Ballentine Associates, P.A.

Contact Person: Dave Ballentine

Address: 221 Providence Road
Chapel Hill, NC 27514

Telephone: (919) 929-0481

Fax/Mobile: (_____) _____-_____ / (_____) _____-_____

Date: 23 Nov 2016

Provide a brief description of the work to be performed under this application:

(For example: construct a new commercial building [include use/sq. ft.], apartment complex [# units], place of worship, horizontal improvements for subdivision, etc.)

Expansion of existing 40,046 sq. ft. one-story group care facility (add 9,600 sq. ft.)

Demo existing parking & add new parking.

1. Site Preparation Wastes (landclearing, demolition, deconstruction)

During site preparation for a project the amount of waste destined for a construction waste landfill or an inert debris landfill should be minimized or diverted for reuse or recycling. Many materials can be reused, recycled, or salvaged, provided that materials are kept separate. This approach may also reduce overall project waste disposal costs. **Regulated Recyclable Materials (clean wood waste, scrap metal and corrugated cardboard) generated in Orange County must be recycled**. During demolition activities, metal and wood are often not "reasonably possible to separate" or doing so may present health and safety concerns (asbestos, lead paint, etc.). In these cases only, are regulated materials not required to be separated for recycling. Consider whether the following materials will be generated on this project, *in any quantity*, and indicate the management method(s).

☒	**1. Trees and Plant Materials:**
	No tree/plant wastes will be produced (proceed to # 2)
X	Tree waste will be salvaged as timber, mulch, or boiler fuel
	Valuable plants will be removed for replanting
X	Landclearing and inert debris landfill (LCID)
	Construction and demolition debris landfill (C&D)
	Other (specify):

☒	**2. Dirt, Rock, Clean Fill, Inert materials to be removed from site:**
	No inert materials will be removed from the site (proceed to # 3)
	Site Needs Fill
X	Will be hauled to site needing fill.
	Construction and demolition debris landfill (C&D)
	Landclearing and inert debris landfill (LCID)
	Other (specify):

☒	**3. Asphalt Paving:**
	No asphalt wastes will be produced (proceed to # 4)

	Recycled at asphalt-paving producer
	Used on or off site. Describe use:
X	Disposed in an approved landfill (Orange County Landfill charges no tipfee if clean)
	Other (specify):

☒	**4. Concrete, Brick, Block, other Aggregate materials:**
	No aggregate materials will be removed from the site (proceed to # 5)

	Recycled as scrap at an aggregate producer
	Used on or off site: Describe use:
X	Construction and demolition debris landfill (C&D)
	Landclearing and inert debris landfill (LCID)
	Other (specify):

☒	**5. Metal Scrap** **(metal wastes are required by ordinance to be recycled)**
	No metal waste will be produced (proceed to # 6)
	Segregated for on-site recycling collection
X	Recycle at Orange County Landfill (no tip fee charged)
	Segregated for hauling to scrap dealer by general contractor
	Segregated for hauling to scrap dealer by sub-contractor
	Certified Commingled Recycling Facility
	Other (specify):

☒	**6. Clean Wood Wastes** **(clean wood wastes are required to be recycled)**
	No clean wood wastes will be produced (proceed to # 7)
	Segregated for on-site recycling collection
X	Recycle at Orange County Landfill (reduced tip fee charged)
	Saved and used on future jobs
	Separated for private salvage or charity
	Certified Commingled Recycling Facility
	Other (specify):

☒	**7. Demolition/Salvage of Buildings or Structures on the Site:**
	No structure(s) will be removed (proceed to Construction Waste section)
X	Structure(s) must be removed. Please describe (include square footage for each structure): Several entry canopies & portions of the building soffit to be demolished.

If any structure described above is greater than 500 ft^2, it must be assessed for deconstruction possibilities. Please call Solid Waste Staff at (919) 968-2788 x107 or x109 to arrange an assessment.

Could the structure(s) be moved from the site? YES (NO) Don't Know

Has the sale or donation of the structures been considered? YES (NO)
Please explain:
Yes, but no feasible sale or donation has been identified.

How will the structure be removed otherwise? Demolition.

What is the timetable on removal of the structure(s)?
Immediately upon approval of required permits.

Are there salvageable materials (hardwood floors, fixtures, molding, that can be removed for reuse prior to demolition? YES (NO) Don't Know
If Yes, Please list (use a separate sheet if necessary):

Have, or will, these materials been offered for sale or donation? YES (NO)

2. Construction Wastes

During the construction phase there are multiple options for recycling building materials. **Regulated Recyclable Materials (clean wood waste, scrap metal and corrugated cardboard) generated in Orange County must be recycled.** Although other materials are not required to be recycled, you are highly encouraged to do so. One of the best methods of recycling is to separate the materials on the jobsite. You may also combine materials for delivery to a certified recycling facility. Specifying waste reduction/recycling practices on a project will assure better performance.

☒	**1. Clean Wood Wastes (clean wood wastes are required by ordinance to be recycled)**
	No clean wood wastes will be produced (proceed to # 2)
	Segregated for on-site recycling collection
X	Recycle at Orange County Landfill (reduced tip fee charged)
X	Saved and used on future jobs
	Separated for private salvage or charity
	Certified Commingled Recycling Facility
	Other (specify):

☒	**2. Metal Scrap (metal wastes are required by ordinance to be recycled)**
	No metal waste will be produced (proceed to # 3)
	Segregated for on-site recycling collection
X	Recycle at Orange County Landfill (no tip fee charged)
	Segregated for hauling to scrap dealer by general contractor
	Segregated for hauling to scrap dealer by sub-contractor
	Certified Commingled Recycling Facility
	Other (specify):

☒	**3. Concrete, Brick, Block, other Aggregate materials:**
	No aggregate materials will be removed from the site (proceed to # 4)

	Recycled as scrap at an aggregate producer
	Used on or off site: Describe use:
X	Construction and demolition debris landfill (C&D)
	Landclearing and inert debris landfill (LCID)
	Other (specify):

☒	**4. Corrugated Cardboard (cardboard wastes are required to be recycled)**
	No cardboard waste will be produced (proceed to # 5)
	Segregated for on-site recycling collection
X	Recycle at Orange County Landfill (no tip fee charged)
	Segregated for hauling to paper dealer by general contractor
	Segregated for hauling to paper dealer by sub-contractor
	Certified Commingled Recycling Facility
	Other (specify):

☒	**5. Drywall**
	No drywall waste will be produced (proceed to # 6)

	Segregated for on-site recycling collection
	Used on site as agricultural supplement
X	Disposed in an approved landfill
	Certified Commingled Recycling Facility
	Other (specify):

☒	**6. Other Materials**
	No other wastes will be produced (proceed to # 7)

Please specify other wastes that will be produced and how they will be managed:

Plastics (including vinyl and shrink-wrap):
Carpet and padding:
Shingles:
Fixtures (sinks, tubs, lighting, etc):
Other (specify): All materials generated by demo shall be disposed of in an approved landfill, or recycled if appropriate.
Other (specify):
Other (specify):

7. Bulk Containers (Dumpsters)

County ordinance requires that any bulk waste container be labeled to define what materials are intended or prohibited from being deposited in them and be serially numbered. Hauling Licenses are required for vehicles greater than 9000 GVW in Orange County. Ensure that your waste haulers is licensed. You may contact Orange County Solid Waste for a list of licensees at (919) 968-2788 x107 or x109.

X	There will be one or more bulk containers at the site for construction wastes.
	Contractors will be required to remove own wastes without the use of bulk containers.
	Corral or similar system will be used.

3. Recycling After Occupancy

Depending on the eventual use of the structure, different waste materials will be produced and available for recycling. Recyclable materials must be separated into categories based on collection methods.

PLANNING REQUIREMENTS:

- **Indicate location of all bulk waste containers for refuse and recycling. Plan must show location of all containers, even if using existing refuse/recycling enclosures. Standard details/notes for any of the following are available from Orange County Solid Waste Management (919-968-2788 x107 or x109).**
- **All refuse/recycling containers are required to be on concrete pads.**
- **Provide a detailed and scaled plan of all bulk waste containers areas that show: each container labeled, required screening, lighting, overhead clearances, bollards, and concrete pad.**
- **Indicate whether refuse/recycling area will be gated. Any doors/gates will need retainers to be latched open for refuse/recycling collection.**
- **Ensure adequate collection vehicle access to all containers for deposit and collection. Access templates are available from Orange County Solid Waste Management.**
- **Sharing of exterior recycling locations is acceptable if a joint access/shared-use agreement is filed and the deeds of all properties amended.**

☒	**Check materials that will be generated once the structure is ready for occupancy:**
X	Standard: glass bottles, metal cans, newspaper, glossy magazines, #1 plastics, #2 plastics
X	Corrugated Cardboard (not including waxed or single layer cardboard)
X	Mixed Paper: junk mail, cereal boxes
X	Office Paper: white or colored copy paper, confidential papers
X	Restaurant: food wastes, cooking oil, disposable dining ware
X	Other Plastics: #5, #7
	Business specific wastes (please describe): Note: No anticipated change in generated materials from existing occupancy & conditions

Cardboard Recycling Requirement

Orange County Ordinance requires recyclable corrugated cardboard to be kept separate from all other refuse. All developments must provide for cardboard recycling. If the facility's garbage will be collected from a bulk container (dumpster), a second waste container is likely to be required for cardboard. Public recycling drop-off sites can accommodate a very limited amount of commercial use (no > 50 boxes per week).

	Site Plan includes space for cardboard recycling container on Sheet # C0101 Ex. Conditions
	Corrugated Cardboard will be handled in an alternate manner. Description Required:

☒ **Collection Type: This project will be served by the following collection methods. Check all that apply.**

	Exterior individual or cooperative-use bulk waste container site. May be suitable for apartment complexes, restaurants, places of worship, educational facility, office building, retail/office/restaurant combinations
X	Garbage dumpster Existing
	Garbage compactor
X	Cardboard dumpster Existing
	Cardboard compactor
X	Recycling carts for glass, cans, plastic bottles, newspaper, magazines, office paper (co-mingled) Existing
	Cooking grease rendering container (required for any commercial kitchen facility)
	Food waste collection container (If qualify based on volume; contact OCSW staff for details of program)

	Standard "curbside" recycling collection. May be suitable for single-family developments and subdivisions, including some duplex, triples, and townhome developments.

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Eastowne Office Park
Chapel Hill, NC 27514

919/929-0481 Chapel Hill
919/489-4789 Durham
919/489-2803 Fax

23 Nov 2016

SIGNATURE HEALTHCARE FACILITY EXPANSION
Preliminary TRANSPORTATION MANAGEMENT PLAN (TMP)

BACKGROUND: *Signature HealthCARE of Chapel Hill is an existing 1-story, 40,646 sf group care facility. Current plans to expand the facility include an additional 9,600 of building and square footage, and reconfigured parking and pedestrian routes.*

OBJECTIVES OF TMP: This preliminary program is designed to decrease the amount of traffic generated by the Signature HealthCARE facility expansion by promoting policies that will result in the reduced use of automobiles, particularly single occupant vehicles, and support the Town's efforts to reduce carbon emissions, while promoting wellness through use of transit, bicycle and pedestrian movement. This TMP is primarily oriented toward employees, however it will also provide options for patients and visitors to the facility.

ADMINISTRATION AND REPORTING

1.1 Go Chapel Hill Transportation Management Plan Coordinator: A Go Chapel Hill Transportation Management Site Coordinator will be designated by the leaseholder LP, Chapel Hill, LLC and the Coordinator will be responsible for administering, communicating, and reporting the plan and surveys to the individual Go Chapel Hill business and agency coordinators located in the building.

1.2 Responsibilities of Coordinator:

1. Promote participation in the Go Chapel Hill Transportation Management Plan Program;
2. Provide individual business/agency name, coordinators name and contact information including email, address and phone number to the Town's TDM Coordinator;
3. Forward information sent by the Town to those located at the Signature HealthCARE site.
4. Conduct biannual Go Chapel Hill Mobility Business and Employee surveys. This survey form, provided by the Town of Chapel Hill, will show travel behavior of employees;
5. Prepare and submit an annual report on the status and implementation of the Transportation Management Plan;
6. Attend Town Go Chapel Hill Transportation Demand Management Active Business annual training workshop.

1.3 Reporting Dates:

1. The coordinator will need to submit an Occupancy Survey (provided by the Town of Chapel Hill) within 90 days of issuance of the Certificate of Occupancy.
2. The Transportation Coordinator will also be responsible for submitting the annual report and employee surveys to the Town of Chapel Hill by September 30th of each survey year.

1.4 Plan Goals:

1. Quantifiably reduce the use of Single Occupancy Vehicles (SOVs).
2. Promote the use of the available local transportation alternatives.
3. Educate employees on alternatives available to traveling by SOV.
4. Encourage pedestrian and bike traffic around Chapel Hill.

1.5 Plan Components:

The Transportation Management Plan will include a variety of incentives designed to encourage the use of alternative modes of transportation and reduce total vehicle trips by use of the following components**:**

1. **A Transportation Coordinator will communicate and promote alternate modes of transportation including:**

    - Transit
        - Patients & employees will be given the nearest Bus Shelters locations
        - Schedules, maps, etc. will be made available to patients, visitors & employees for Chapel Hill Transit, Triangle Transit and PART
    - Pedestrian Movement
        - Sidewalk construction – new sidewalks will be added to improve pedestrian flow throughout the site and to maintain connections to walkways inside the public right-of-way.
        - Tenant/employee awareness on nearby housing, business, dining facilities, etc.
    - Bicycle Use - Bicycle racks will be provided for employees and patrons
        - 80% Class I spaces
        - 20% Class II spaces
    - Car Pooling and Rideshare programs
        - Tenants/employees will be encouraged to car pool with others to minimize the use of SOV's as they travel to and from work.
        - Information on TTA RideShare Programs will be made available to tenants & employees and the use of these programs will be encouraged.
    - Tenant/Employee Wellness and Transportation
        - Wellness information packets will be available for employees
        - Information packets will be updated annually

2. **Occupancy Survey –** The Coordinator will submit an Occupancy Survey to the Town within 90 days after issuance of Certificate of Occupancy;

3. **Annual Report –** The Coordinator will submit an updated Transportation Management Plan Report annually.

4. **Surveys –** The Coordinator will submit Go Chapel Hill Mobility Business and Employee Surveys during survey years.

5. **Trip Reduction Measures –** Trip reduction measures will be implemented to gradually attain the goals of the program.

6. **Incentives Programs:** The following additional measures and incentives will be included in the Signature HealthCARE TMP to assist in achieving the TMP's Goals:

    - Promote transit use, distribute transit service schedule and other information.
    - The facility will contain shower facilities to encourage employees & visitors to bike or walk to work and to exercise during meal break hours;
    - The Coordinator will work with employees to set up ride sharing match-up programs;
    - A transit information display will be installed and maintained at a central location near the building lobby.
    - Other measures:
        - The Coordinator will work with merchants in the nearby Village Plaza, Eastgate Crossing, University Place, and other nearby areas to promote local businesses (restaurants, hotels, etc.); in an effort to encourage employees, patients & visitors to walk or bike (when able) to these facilities for meals and other services, including nearby hotel accommodations for out of town visitors;
        - Join air quality coalition;
        - The Coordinator will encourage direct deposit of paychecks in tenant communications;
        - The Coordinator will encourage employee use of mailroom facilities.

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Associates, P.A.

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919/929-0481 Chapel Hill
919/489-4789 Durham
919/489-2803 Fax

14 March 2017

SIGNATURE HEALTHCARE FACILITY EXPANSION
Preliminary ENERGY MANAGEMENT PLAN (EMP)

BACKGROUND: *Signature HealthCARE of Chapel Hill is an existing 1-story, 40,646 sf group care facility. Current plans to expand the facility include an additional 9,600 of building and square footage, and reconfigured parking and pedestrian routes.*

OBJECTIVES OF THE EMP: This preliminary program is designed to reduce/conserve energy to the extents practicable in association with this expansion project. Below is an outline and description of site design elements and strategies being implemented and/or considered:

Note:

- It will not be feasible (and it is not a requirement) for this project to meet an energy performance that is 20% better than the most recent version of ASHRAE 90.1.
- A green building standard/certification is not being used/pursued for this project, however elements that fall under green standards are included in the design and/or are under consideration.

SITE EMP FEATURES:

1. A Stormwater Control Measure (SCM) designed to meet the latest NCDWQ Minimum Design Criteria, will be used to treat & remove total suspended solids for the first 1" of precipitation from the project's net increase of impervious areas.
2. Increased bicycle parking options on site should help to reduce transportation related energy consumption.
3. The reconfigured parking areas have been designed to minimize impacts to existing trees. Existing and new landscaping will combine to provide parking lot shading and therefore help to mitigate the urban heat-island effect.
4. New LED powered site lighting shall be provided.
5. Energy efficient heating and air conditioning units will be used on the addition (HVAC units recover energy from exhaust air).
6. Energy efficient natural lighting will be provided in the lobby through a new clerestory window above the new entrance.
7. The new cantilevered porte-cochere roof will provide solar protection for the south facing lobby glass.

Ballentine Associates, P.A.

Storm Water Impact Analysis

For

Signature HealthCARE of Chapel Hill
Facility Expansion

1602 East Franklin Street
Chapel Hill, North Carolina

(PIN: 9799-14-1643)

Prepared by:

Ballentine Associates, P.A.
Consulting Engineers
221 Providence Road
Chapel Hill, NC 27514
(919) 929-0481

BA Project # 116009.00

Issue Dates	Description
23 Nov 2016	SUP Mod. Submittal
3 Mar 2017	SUP Mod. Submittal #2

Project Overview:

Signature HealthCARE of Chapel Hill is an existing group home facility with plans to expand their existing building in order to accommodate the evolving needs of their patients. The existing development was approved under a Special Use Permit (SUP) issued in 1978, and because the expansion will add more than 5% to the overall floor area, Town of approval of an SUP modification is required. In addition to the increase in square footage, the expansion will include an enhanced occupant drop-off and pick-up area at the front, southwest corner of the building. The building will be expanded toward Franklin Street in an area where there is currently a paved parking lot. In order to maintain the parking space count necessary to accommodate the facility, a new parking area will be constructed near the western corner of the site.

Existing Site Description:

The site is located at 1602 East Franklin Street on an irregular shaped parcel that generally slopes from the Franklin Street frontage on the northwest side of the property down to the southeast. The existing one-story group home building, parking areas and walkways make up a total of 96,689 square feet (2.220 acres) of impervious surface.

No streams or water bodies exist on site. The site lies in the Upper New Hope basin, as depicted in NCDENR's Jordan Lake Nutrient Strategy Nonpoint Source Delivery Factors Map (see appendix A).

A copy of FIRM map 3710979900K is included in Appendix A and confirms that no portion of the site lies within a special flood hazard area.

The NRCS Soils Survey map included in Appendix A shows that 99% of the soils on site are WwC, White Store-Urban land complex (2 to 8% slopes), which belongs to hydrologic soils group "D", while 1% are AuC, Appling-Urban land complex (2 to 10% slopes), which belongs to hydrologic soils group "B".

Proposed Project Description:

The expansion will add 9,600 square feet of floor area, bringing the finished building to 49,646 square feet. The project will also feature an enhanced occupant drop-off and pick-up area at the front, southwest corner of the building. A portion of the existing parking will be removed in order to provide space for the building expansion, while remaining existing parking will be reconfigured and expanded in order to meet current town standards. The site currently includes 97,381 square feet (2.236 AC) of impervious cover. Approximately 18,484 square feet (0.424 AC) of existing impervious parking and walkways will be demolished, while the proposed improvements will ultimately result in a post-developed impervious cover of 113,336 SF (2.602 AC) within the site's Net Land Area, which represents a net increase of 15,955 SF (0.366 AC) over existing conditions.

Stormwater Management Requirements:

This project must meet the town of Chapel Hill's current stormwater requirements, which include:

Water Quality Requirements:

- Net increase of impervious surfaces shall be treated for 85% total suspended solids (TSS) removal for first 1" of precipitation from net increase in impervious areas.

Detention Requirements:

- Post-developed peak flows cannot exceed pre-developed peak flows during the 1, 2, and 25-year storms.
- The increase in runoff volume ("Delta") for the 2-year, 24-hour storm (3.6" depth) must be managed. (i.e. released over a 2-5 day period).

Proposed Stormwater Management:

Water Quality Treatment:

The project as proposed includes one Stormwater Control Measure (SCM) to provide the required water quality treatment. The proposed SCM is a Storm Filter system (including underground WQV Detention) which is designed according to the new NCDWQ Stormwater Design Manual. The manner in which the Storm Filter provides the required water quality treatment is described below:

- 85% TSS Removal – The proposed Storm Filter system (including the WQV Detention) has been designed to treat 18,109 SF (0.416 AC) of impervious cover, which exceeds the net added impervious areas. Refer to Appendix B for SCM sizing calculations and to Appendix A for drainage area mapping.

Detention:

- 2-Year Storm Volume Management – The proposed Storm Filter (including the WQV Detention) and the main underground detention have been designed to manage a combined volume of 2,728 CF, which exceeds the "2-Year Delta" Volume of 2,469 CF resulting from the development of this site. The main detention will feature a 1-inch orifice, which will draw down the 2-Year Delta Volume in just under 18 ¾ hours. Although drawdown time over a period of 2-5 days is preferred, the Town of Chapel Hill limits stormwater SCM orifice sizing to a minimum of 1" dia. and with this exception, we have satisfied the 2-year storm volume management requirement. The calculations included in Appendix B support this conclusion.

Summary of Results:

The following table compares the pre-developed and post-developed peak flows and the required 2-yr, increased runoff volume "Delta" to be managed from the site's drainage area:

	1-Year (cfs)			2-Year (cfs)			25-Year (cfs)		
	Pre	Post Un-detained	Post Detained	Pre	Post Un-detained	Post Detained	Pre	Post Un-detained	Post Detained
Study Point A	13.41	14.43	12.64	17.50	18.55	16.36	36.96	40.99	36.87

2-Year Vol. (CF)			
Pre	Post	2-yr Volume Required	2-yr Volume Managed
42,215	44,601	2,469	2,728

Conclusion:

This project as proposed, will comply with the Town of Chapel Hill's current stormwater management regulations.

List of Appendices:

- Appendix A - Maps
    - DA-1 Pre-Developed Site Area Map
    - DA-2 Post-Developed Site Area Map
    - DA-3 Post-Developed Drainage Area Map
    - NRCS Soils Map
    - NRCS Hydrologic Soil Group Map
    - NRCS Hardbound Soil Map
    - USGS Topographic Map
    - FIRM Panel
- Appendix B – Stormwater Design Calculations
    - Water Quality Design Volume Calculations (WQV)
    - Storm Filter WQV Storage Pipe Incremental Area for Round Pipe – 54”
    - 2-yr Delta Volume Calculations
        - Pre Developed 2-yr Volume Calculation
        - Post Developed & 2-yr Delta Volume Calculation
        - 2-Year Delta Volume Draw Down Calculations
    - Detention Storage Pipe Incremental Area for Round Pipe – 54”
- Appendix C – 1, 2, 25 & 100-yr Stormwater Management Calculations (PondPack)
    - Stormwater Management Schematic Map
    - Table of Contents
    - Master Network Summary
    - Supporting Calculation
- Appendix D – Environmental
    - RCD, Floodplain, Jordan Buffer Determination

- **Appendix A - Maps**

  - DA-1 Pre-Developed Site Area Map
  - DA-2 Post-Developed Site Area Map
  - DA- 3 Post-Developed Drainage Area Map
  - NRCS Soils Map
  - NRCS Hydrologic Soil Group Map
  - NRCS Hardbound Soil Map
  - USGS Topographic Map
  - FIRM Panel

POST–DEVELOPED SITE AREA

IMPERVIOUS (ROOF)	47,104 SF (1.081 AC)
IMPERVIOUS (PAVEMENT)	44,413 SF (1.020 AC)
IMPERVIOUS (WALKWAY)	5,864 SF (0.135 AC)
TOTAL IMPERVIOUS:	97,381 SF (2.236 AC)
WOODS	58,639 SF (1.346 AC)
GRASS	66,026 SF (1.516 AC)
GRAND TOTAL	222,046 SF (5.097 AC)

DRAWING LEGEND

- SITE BOUNDARY
- WOODS
- ON–SITE IMPERVIOUS

WwC

EAST FRANKLIN STREET
100' PUBLIC R/W

FIRST CITIZENS BANK DAC
30 CHAPEL HILL 436
PIN: 9799–14–2995
PB 75, PG 111
DB 250, PG 1484

VARIABLE WIDTH JOINT ENTRANSE EASEMENT (PB 35, PG 131)

30' SANITARY SEWER EASEMENT (PB 35, PG 131)

STATE EMPLOYEES CREDIT UNION
PIN: 9799–14–4784
PB 35, PG 131
DB 392, PG 91

CCP CHAPEL HILL 0806 LP
PIN: 9799–14–1643
DB 6011, PG 11
AREA: 222,046 SQ. FT.
5.10 AC.

SIGN

GAZEBO

2' BRICK WALL

GRAVEL

CONEX TRAILER

CONEX TRAILER

CONC.

CM
1.73' NW OF CORNER

WINDACO PROPERTIES LLC
PIN: 9799–04–8307
DB 5582, PG 490

EIP
1.56' EAST OF CORNER

SPIKE LLC
PIN: 9799–14–0340
DB 2386, PG 439

FIRST CITIZENS BANK & TRUST
PIN: 9799–14–4583
PB 35, PG 131
DB 250, PG 1484

SPIKE LLC
PIN: 9799–14–5239
2167, PG 347

WwC

AuC

NC GRID NAD 83

0 30 60

GRAPHIC SCALE (IN FEET)

SIGNATURE HEALTHCARE
PRE-DEVELOPED SITE AREA MAP
CHAPEL HILL, NC

NUM	REVISION	DATE
	ISSUED	DATE
	SUP MODIFICATION	23 NOV 16
	SUP MODIFICATION	3 MAR 17

BALLENTINE ASSOCIATES, P.A
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 – 0481 (919) 489 – 4789

SCALE:	AS NOTED
DATE:	23 NOV 16
JOB NUMBER:	116009.00
DRAWN BY:	DBB
REVIEWED BY:	GJR

DA 1

N:\Projects\116009.00 Signature Health Care\1__Dwg\BA-Model Files\Water_Storm Design CAD Files\DA Site Areas-Signature HC.dwg, 3/8/2017 3:54:49 PM, DavidB

POST-DEVELOPED SITE AREA

IMPERVIOUS (ROOF)	57,795 SF (1.327 AC)
IMPERVIOUS (PAVEMENT)	48,755 SF (1.119 AC)
IMPERVIOUS (WALKWAY)	6,786 SF (0.156 AC)
TOTAL IMPERVIOUS:	113,336 SF (2.602 AC)
WOODS	42,513 SF (0.976 AC)
GRASS	66,197 SF (1.520 AC)
GRAND TOTAL	222,046 SF (5.097 AC)

DRAWING LEGEND

- SITE BOUNDARY
- WOODS
- ON-SITE IMPERVIOUS

EAST FRANKLIN STREET
100' PUBLIC R/W

FIRST CITIZENS BANK DAC
150 CHAPEL HILL 436
PIN: 9799-14-2995
PB 75, PG 111
DB 250, PG 1484

VARIABLE WIDTH JOINT ENTRANCE EASEMENT (PB 35, PG 131)

30' SANITARY SEWER EASEMENT (PB 35, PG 131)

STATE EMPLOYEES CREDIT UNION
PIN: 9799-14-4784
PB 35, PG 131
DB 392, PG 91

COP CHAPEL HILL CBDB LP
PIN: 9799-14-1643
DB 6011, PG 11
AREA: 222,046 SQ. FT.
5.10 AC.

FIRST CITIZENS BANK & TRUST
PIN: 9799-14-4583
PB 35, PG 131
DB 250, PG 1484

SPIKE LLC
PIN: 9799-14-5239
2167, PG 347

SPIKE LLC
PIN: 9799-14-0340
DB 2386, PG 439

WADACO PROPERTIES LLC
PIN: 9799-04-8307
DB 5582, PG 490

CM
1.73' NW OF CORNER

EIP
1.56' EAST OF CORNER

WwC

WwC

AuC

NC GRID NAD 83

0 30 60
GRAPHIC SCALE
(IN FEET)

N:\Projects\116009.00 Signature Health Care\1__Dwg\BA-Model Files\Water_Storm Design CAD Files\DA Site Areas-Signature HC.dwg, 3/8/2017 3:56:22 PM, DavidB

SIGNATURE HEALTHCARE
POST-DEVELOPED SITE AREA MAP
CHAPEL HILL, NC

NUM	REVISION	DATE
	ISSUED	DATE
	SUP MODIFICATION	23 NOV 16
	SUP MODIFICATION #2	3 MAR 17

BALLENTINE ASSOCIATES, P.A
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481 (919) 489 - 4789

SCALE:	AS NOTED
DATE:	23 NOV 16
JOB NUMBER:	116009.00
DRAWN BY:	DBB
REVIEWED BY:	GJR

DA
2

POST-DEVELOPED SITE AREA
BY-PASS:

IMPERVIOUS (ROOF)	57,795 SF (1.322 AC)
IMPERVIOUS (PAVEMENT)	31,099 SF (0.714 AC)
IMPERVIOUS (WALKWAY)	6,333 SF (0.145 AC)
TOTAL IMPERVIOUS	95,227 SF (2.186 AC)
WOODS	42,513 SF (0.987 AC)
GRASS	62,066 SF (1.425 AC)
TOTAL	199,806 SF (4.587 AC)

DRAWING LEGEND

- SITE BOUNDARY
- BMP DRAINAGE AREA
- WOODS
- ON-SITE IMPERVIOUS

WwC

EAST FRANKLIN STREET
100' PUBLIC R/W

FIRST CITIZENS BANK DAC
150 CHAPEL HILL 436
PIN: 9799-14-2995
PB 75, PG 111
DB 250, PG 1484

VARIABLE WIDTH JOINT ENTRANSE EASEMENT (PB 35, PG 131)

30' SANITARY SEWER EASEMENT (PB 35, PG 131)

STATE EMPLOYEES CREDIT UNION
PIN: 9799-14-4784
PB 35, PG 131
DB 392, PG 91

COP CHAPEL HILL CROE LP
PIN: 9799-14-1643
DB 6011, PG 11
AREA: 222,045 SQ. FT.
5.10 AC.

FIRST CITIZENS BANK & TRUST
PIN: 9799-14-4583
PB 35, PG 131
DB 250, PG 1484

SPIKE LLC
PIN: 9799-14-0340
DB 2386, PG 439

CM
1.73' NW OF
CORNER

POST-DEVELOPED SITE AREA
STORM FILTER:

IMPERVIOUS (ROOF)	0 SF (0.000 AC)
IMPERVIOUS (PAVEMENT)	17,656 SF (0.405 AC)
IMPERVIOUS (WALKWAY)	453 SF (0.010 AC)
TOTAL IMPERVIOUS	18,109 SF (0.416 AC)
WOODS	0 SF (0.000 AC)
GRASS	4,131 SF (0.095 AC)
TOTAL	22,240 SF (0.511 AC)

WwC

AuC

NC GRID
NAD 83

0 30 60
GRAPHIC SCALE
(IN FEET)

SIGNATURE HEALTHCARE
POST-DEVELOPED DRAINAGE AREA MAP
CHAPEL HILL, NC

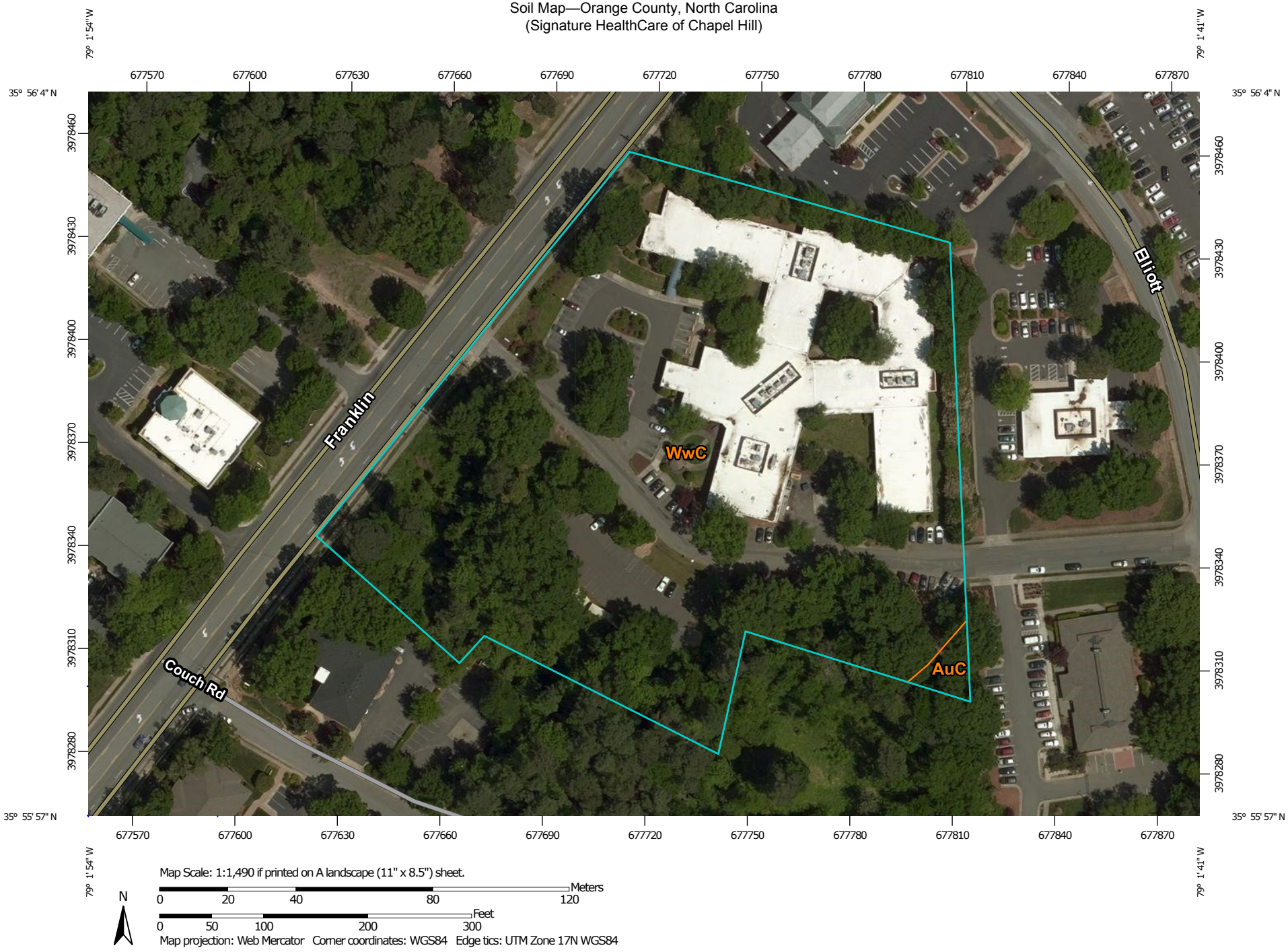
NUM	REVISION	DATE
	ISSUED	DATE
	SUP MODIFICATION	23 NOV 16
	SUP MOD. SUBMITTAL #2	3 MAR 17

BALLENTINE ASSOCIATES, P.A
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 929 - 0481 (919) 489 - 4789

SCALE:	AS NOTED
DATE:	23 NOV 16
JOB NUMBER:	116009.00
DRAWN BY:	DBB
REVIEWED BY:	GJR

DA
3

Soil Map—Orange County, North Carolina
(Signature HealthCare of Chapel Hill)



Map Scale: 1:1,490 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 20 40 80 120

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, North Carolina
Survey Area Data: Version 15, Sep 16, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 27, 2014—May 6, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Orange County, North Carolina (NC135)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
AuC	Appling-Urban land complex, 2 to 10 percent slopes	0.1	1.0%
WwC	White Store-Urban land complex, 2 to 8 percent slopes	5.3	99.0%
Totals for Area of Interest		**5.3**	**100.0%**

Hydrologic Soil Group—Orange County, North Carolina
(Signature HealthCare of Chapel Hill)

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Orange County, North Carolina
Survey Area Data: Version 15, Sep 16, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 27, 2014—May 6, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Orange County, North Carolina (NC135)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
AuC	Appling-Urban land complex, 2 to 10 percent slopes	B	0.1	1.0%
WwC	White Store-Urban land complex, 2 to 8 percent slopes	D	5.3	99.0%
Totals for Area of Interest			**5.3**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

26

N

1 Mile 5000 Feet

Scale 1:20000

1 990 000 FEET

(Joins sheet 23)

(Joins sheet 25)

(Joins sheet 27)

(Joins sheet 30)

1 970 000 FEET

795 000 FEET

805 400 FEET

SITE

HORACE WILLIAMS AIRPORT

Meadow Flats

Hogan Lake

Stony Hill

Nunn Mountain

Eastwood Lake

Old Courthouse Creek

Cubbuks

Cedar Creek

Rocky Creek

Hollins Creek

Hooker Creek

Bailey Creek

Fork Creek

Branch

Ch Branch

Soil Interpretations

ApB ApC AuC Ch CfB CfC Cp CrB EnB EnC GeB GeC GlD GlF HeB HrB HrC HwB HwC IrB IuB Lg TaD TaE Ur WmD WmE WsB WtC2 Ww WxF

TOPO! map printed on 10/10/16 from "Untitled.tpo"

79°03.000' W 79°02.000' W 79°01.000' W WGS84 79°00.000' W

35°58.000' N 35°57.000' N 35°56.000' N 35°55.000' N

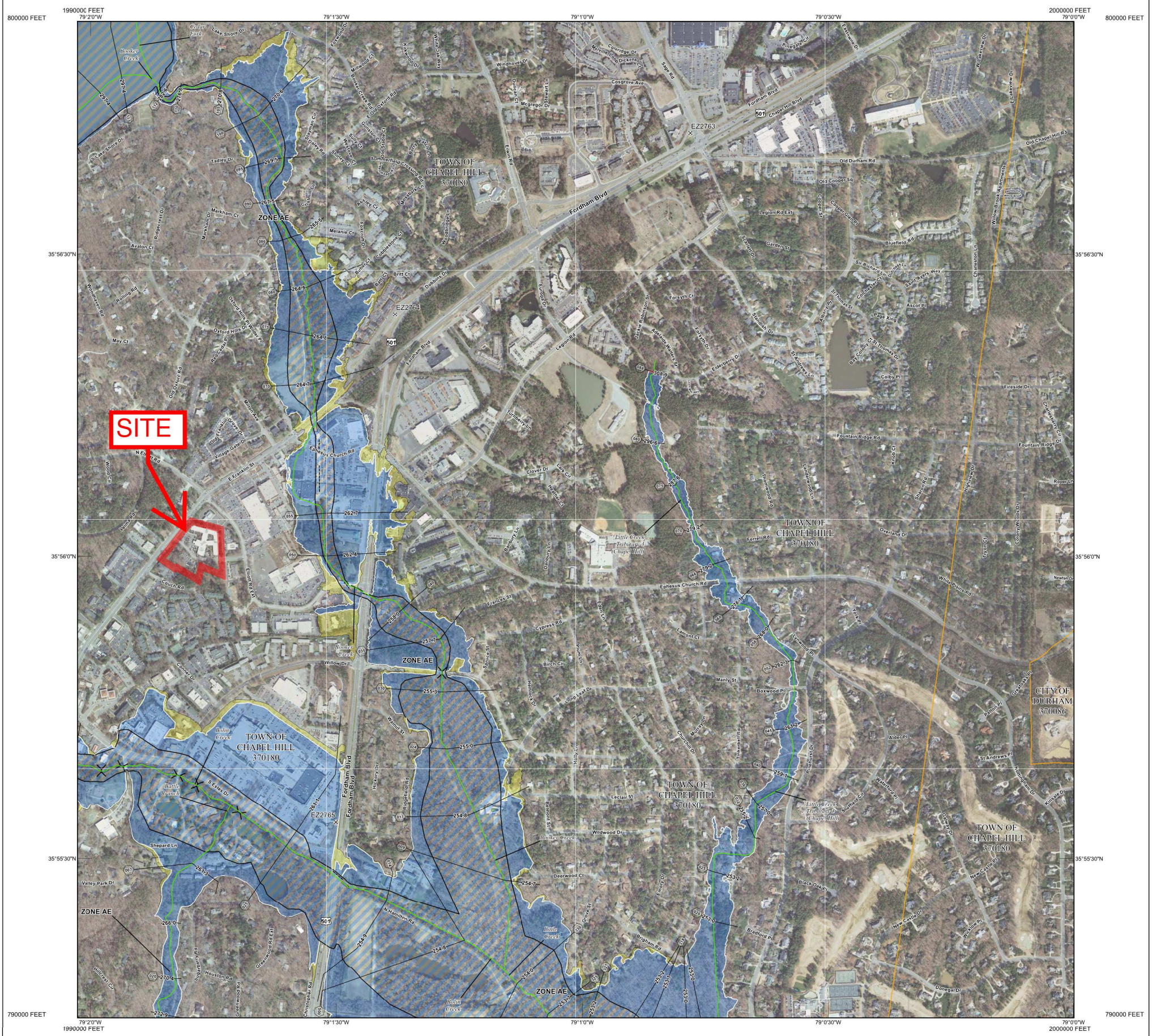
SITE

Nunn Mtn
Cedar Fork
Eastwood Lake
Booker Creek
Little Creek
Briarcliff
Chapel Hill
Glen Lennox
Davie Circle
Tenney Circle
Cedar Terrace
Nursery
Ramsey
Radio Towers (WCHL)
Phillips Jr High Sch
Fates Hills Sch
Ephesus Road Sch
Ephesus Ch
Walnut
Partin Cem
Chapel Hill Main Cem
Cem
Golf Course
Goff Course
Falconer
Moore
Tower
Kenan Stadium
Stadium
Hospital
St Thomas More Sch
Glenwood Sch
UNIVERSITY OF NORTH CAROLINA
CHAPEL HILL
FOUNTAIN RIDGE
ORANGE CO
DURHAM CO
INTERCHANGE 270
BEAVERDAM LAKE
PIPELINE
ROAD
BM 512

MN TN
9½°

0 .5 1 MILE
0 1000 FEET 0 500 1000 METERS

Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)



This digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of North Carolina and the Federal Emergency Management Agency (FEMA). The State of North Carolina has implemented a long term approach to floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map flood hazard areas at the local level. *As a part of this effort, the State of* North Carolina has joined in a Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

FLOOD HAZARD INFORMATION

HTTP://FRIS.NC.GOV/FRIS

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A,V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with Average Depth Less Than One Foot or With Drainage Areas of Less Than One Square Mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee See Notes *Zone X*

OTHER AREAS
- Areas Determined to be Outside the 0.2% Annual Chance Floodplain *Zone X*
- Channel, Culvert, or Storm Sewer

GENERAL STRUCTURES
- Non-accredited Levee, Dike, or Floodwall
- BM5510 North Carolina Geodetic Survey bench mark
- BM5510 National Geodetic Survey bench mark
- BM5510 Contractor Est. NCFMP Survey bench mark
- 012 18.2
- 8

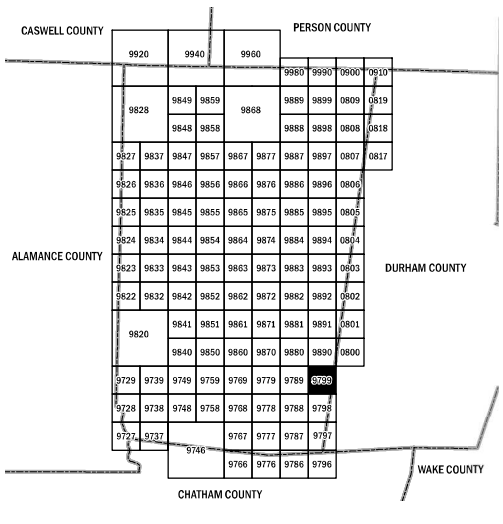
CBRS Area

Otherwise Protected Area

1:6,000

0 250 500 1,000 Feet

0 75 150 300 Meters



NATIONAL FLOOD INSURANCE PROGRAM

FEMA National Flood Insurance Program

9799

Panel Contains:

COMMUNITY	CID	PANEL	SUFFIX
CHAPEL HILL, TOWN OF	370180	9799	K
DURHAM, CITY OF	370086	9799	K

3710979900K

02/02/07

- **Appendix B – Stormwater Design Calculations**

  - Water Quality Design Volume Calculations (WQV)
  - Storm Filter WQV Storage Pipe Incremental Area for Round Pipe – 54”
  - 2-yr Delta Volume Calculations
    - Pre Developed 2-yr Volume Calculation
    - Post Developed & 2-yr Delta Volume Calculation
    - 2-Year Delta Volume Draw Down Calculations
  - Detention Storage Pipe Incremental Area for Round Pipe – 54”

Water Quality Design Volume Calculations (WQV)

PROJECT: **Signature HealthCARE**
PROJECT NO.: **116009.00**
DATE: **2-Nov-16**
LATEST PRINT DATE: **3-Mar-08**

Ballentine Associates, P.A.

Storm Filter

The following calculations are based on the new NCDEQ Stormwater Design Manual.

1) Calculate Ia, the impervious fraction of area draining to SCM:

Drainage Area = 0.51 acres 22240 sf

Impervious Area = 0.42 acres 18109 sf

Ia = 0.81

2) Find the volume of the 1" storm using the "Simple Method" (Shueler 1987):

Rv = 0.05 + 0.9 (Ia)

Rv = runoff coefficient (ratio of runoff to rainfall in inches)
Ia = percent impervious

Rv = 0.05 + 0.9(0.81) = 0.782828 in/in

Volume of 1" storm:

volume = Rv x design rainfall x drainage area
= 0.78282824 x 1" x 1/12 ft/in x 0.51 = 0.033 acre feet
= 1450.8 cubic feet

The following calculations are based on Section D-1 of the new NCDEQ Stormwater Design Manual.

1) Water Quality Volume (See separate WQV Calcs):

WQV = 1450.8 cubic ft.

WQV_{adj} = 0.75 x WQV = 0.75 x 1450.8 = **1088** cubic ft. (Required)

1113 cubic ft. (*Provided)
(*see attached Storm Filter WQV Storage Pipe - Incremental Area for Round Pipe - 54")

Storm Filter WQV Storage Pipe

Incremental Area for Round Pipe - 54"

Enter Pipe I.D.=	54	in.	Total Volume/LF	Total	Invert
Enter Desired Increment =	1	in.	**15.90**	Feet	
				70	287.5

Inc Num	*Water Level (in.)*	*Inc Area (sq. ft.)*	*Hyd Rad (ft.)*	*Top Width (ft.)*	*Staged Volume (Cu ft)*	*Elevation*	
1	1	0.07	0.06	1.21	4.74	287.5833	
2	2	0.19	0.11	1.70	13.32	287.6667	
3	3	0.35	0.16	2.06	24.33	287.75	
4	4	0.53	0.21	2.36	37.24	287.8333	
5	5	0.74	0.27	2.61	51.75	287.9167	
6	6	0.97	0.32	2.83	67.62	288	
7	7	1.21	0.37	3.02	84.70	288.0833	
8	8	1.47	0.41	3.20	102.85	288.1667	
9	9	1.74	0.46	3.35	121.96	288.25	
10	10	2.03	0.51	3.50	141.95	288.3333	
11	11	2.32	0.55	3.62	162.72	288.4167	
12	12	2.63	0.60	3.74	184.21	288.5	
13	13	2.95	0.64	3.85	206.36	288.5833	
14	14	3.27	0.68	3.94	229.09	288.6667	
15	15	3.61	0.72	4.03	252.35	288.75	
16	16	3.94	0.76	4.11	276.10	288.8333	
17	17	4.29	0.80	4.18	300.28	288.9167	
18	18	4.64	0.84	4.24	324.85	289	
19	19	5.00	0.87	4.30	349.76	289.0833	
20	20	5.36	0.91	4.35	374.98	289.1667	
21	21	5.72	0.94	4.39	400.46	289.25	
22	22	6.09	0.98	4.42	426.15	289.3333	
23	23	6.46	1.01	4.45	452.04	289.4167	
24	24	6.83	1.04	4.47	478.06	289.5	
25	25	7.20	1.07	4.49	504.20	289.5833	
26	26	7.58	1.10	4.50	530.41	289.6667	
27	27	7.95	1.12	4.50	556.65	289.75	
28	28	8.33	1.15	4.50	582.90	289.8333	
29	29	8.70	1.18	4.49	609.10	289.9167	
30	30	9.07	1.20	4.47	635.24	290	
31	31	9.45	1.22	4.45	661.27	290.0833	
32	32	9.82	1.24	4.42	687.15	290.1667	
33	33	10.18	1.26	4.39	712.85	290.25	
34	34	10.55	1.28	4.35	738.32	290.3333	
35	35	10.91	1.30	4.30	763.54	290.4167	
36	36	11.26	1.31	4.24	788.45	290.5	
37	37	11.61	1.32	4.18	813.02	290.5833	
38	38	11.96	1.34	4.11	837.20	290.6667	
39	39	12.30	1.35	4.03	860.95	290.75	
40	40	12.63	1.35	3.94	884.22	290.8333	
41	41	12.96	1.36	3.85	906.95	290.9167	
42	42	13.27	1.37	3.74	929.09	291	
43	43	13.58	1.37	3.62	950.58	291.0833	
44	44	13.88	1.37	3.50	971.35	291.1667	
45	45	14.16	1.37	3.35	991.34	291.25	
46	46	14.44	1.36	3.20	1010.45	291.3333	
47	47	14.69	1.36	3.02	1028.61	291.4167	
48	48	14.94	1.35	2.83	1045.68	291.5	
49	49	15.17	1.34	2.61	1061.56	291.5833	
50	50	15.37	1.32	2.36	1076.06	291.6667	
51	51	15.56	1.30	2.06	1088.97	291.75	
52	52	15.71	1.27	1.70	1099.98	291.8333	
53	53	15.84	1.23	1.21	1108.57	291.9167	
54	54	15.90	1.13	0.00	1113.30	292	**>1,088 cf, OK**

2-Year Delta Volume Calculations

PROJECT: Signature HealthCARE
PROJECT NO.: 116009.00
DATE: 7-Oct-16
LATEST PRINT DATE: 3-Mar-17

Ballentine Associates, P.A.

Pre-Development Volume:

1) Find the volume of the pre-developed 2-yr storm:

$$Q = \frac{(P - 0.2S)^2}{(P+0.8S)}$$

$$S = \frac{1000}{CN} - 10$$

Where: Q = run off, in inches
P = Rainfall, in inches (P = 3.6 inches for 2-yr storm)
S = potential max. retention after rainfall begins, inches
CN = SCS Curve Number for water shed area

CN for Existing Site

Area (AC)	Area (SF)
5.10	222,046

Pre-Developed Site, CN = 87.102

S = 1.481 inches
Q = 2.281 inches

CF (Impervious portion)

Volume of 2-yr storm = 42,213

Total Drainage Area Existing Site = 5.10 AC

Total Vol. 2-yr, Pre-dev. storm = 42,213 CF

Area			CN
Impervious	97,381	sq ft	98
Grass D	66,026	sq ft	80
Woods D	58,639	sq ft	77

Composite CN Value 87.10186628

2-Year Delta Volume Calculations

PROJECT: **Signature HealthCARE**
PROJECT NO.: **116009.00**
DATE: **7-Oct-16**
LATEST PRINT DATE: **3-Mar-17**

Ballentine Associates, P.A.

Post-Development Volume & Delta

2) Find the volume of the post-developed 2-yr storm:

$$Q = \frac{(P - 0.2S)^2}{(P+0.8S)}$$

$$S = \frac{1000}{CN} - 10$$

Where: Q = run off, in inches
P = Rainfall, in inches (P = 3.6 inches for 2-yr storm)
S = potential max. retention after rainfall begins, inches
CN = SCS Curve Number for water shed area

CN for Proposed Site Development

		Area (AC)	Area (SF)
Post-Developed Site, CN =	88.613	5.10	222,046

S = 1.285 inches
Q = 2.415 inches

Volume of 2-yr storm = 44,683 CF (Impervious portion)

Total Site Area = 5.10 AC

Total Vol. 2-yr, post-dev. storm = 44,683 CF

3) **The 2-yr Delta:**

(Post)		(Pre)		
44,683	-	42,213	=	**2,469 CF**

Area			CN
Impervious	113336	sq ft	98
Grass D	66197	sq ft	80
Woods D	42,513	sq ft	77

Composite CN Value 88.6131207

2-year Delta Volume Draw Down Calculations

PROJECT: Signature HealthCARE
PROJECT NO.: 116009.00
DATE: 24-Oct-16
LATEST PRINT DATE: 3-Mar-17

Ballentine Associates, P.A.

2-year Delta Volume

2-Year Delta Volume Required:		**2,469**	**cf**	
*WQV Volume Provided:	Storm Filter	**1,113**	**cf**	*See Storm Filter WQV Storage Pipe...54"
Additional 2-Year Volume Required:		**1,356**	**cf**	
**Additional 2-Year Volume Provided:	UG Detention	**1,615**	**cf**	**See Detention Storage Pipe…54"

2-Year Delta Volume Draw Down Calculations:

$Q = C_d A \times \sqrt{(2_g H_o)}$, where:

	Discharge (cfs)
Q =	Coefficient of discharge (0.60 is common for stormwater orifices)
C_d =	Cross-sectional area of flow at orifice entrance (sq. ft.)
A =	Acceleration from gravity (32.2 ft/sec^2)
g =	Driving Head (ft) - measured from centroid of orifice area to water surface
H_o =	[Use H_o/3 to reflect that head is falling as drawndown occurs]

Desired Drain Time =	**72**	**hrs.**	**& 120 hrs, max.**
2-Year Delta Volume Provided =	**1,615**	**cu. ft.**	**(UG Detention portion of 2-yr volume)**
Therefore, required Q =	**0.006**	**cfs (max)**	
H_o, Total Draw Down Depth =	**2.500**	**ft.**	**(Per Detention pipe incremental area table)**

H_o/3 =	**0.833**	**ft.**	
C_d =	**0.60**		
A =	$\frac{Q}{C_d\sqrt{(2_g H_o)}}$		
Recommended A =	**0.001418**	**s.f.**	
Recomended Orifice Diameter =	**0.042494**	**in.**	
=	**0.51**	**inches**	
Diameter Chosen =	**1.000**	**inches**	**A = 0.00545** Calculated Area
Actual Average Flow =	**0.024**	**cfs**	
Drain Time =	**18.72**	**hrs.**	**(Based on 1" minimum orifice size)**

Detention Storage Pipe

Incremental Area for Round Pipe - 54"

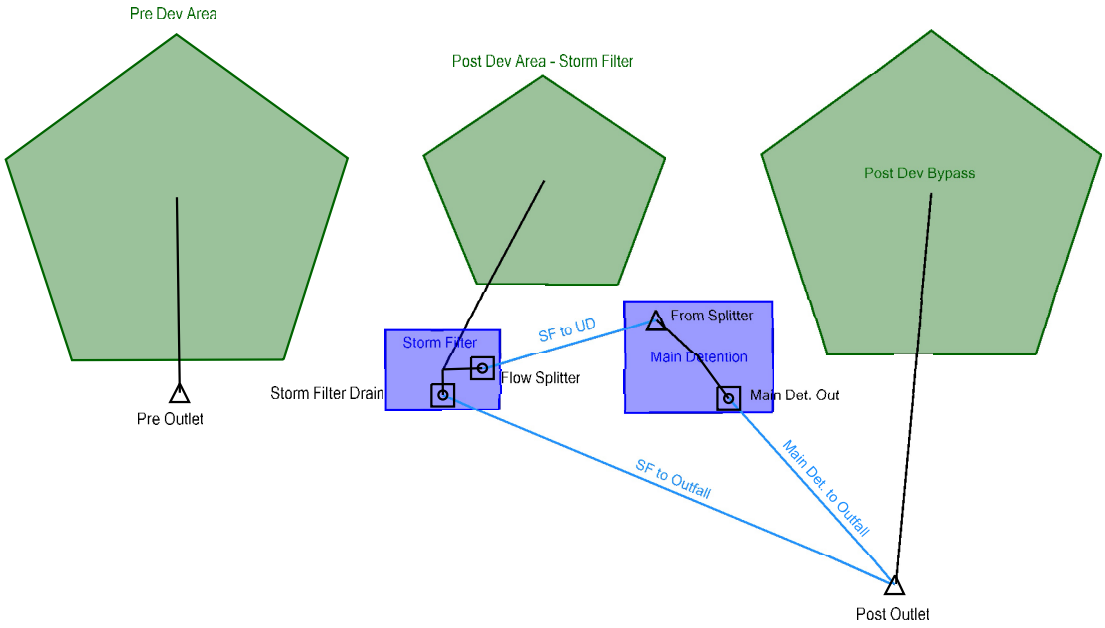
Enter Pipe I.D.=	54	in.	Total Volume/LF	Total	Invert
Enter Desired Increment =	1	in.	**15.90**	Feet	
				178	287.5

Inc Num	*Water Level (in.)*	*Inc Area (sq. ft.)*	*Hyd Rad (ft.)*	*Top Width (ft.)*	*Staged Volume (Cu ft)*	*Elevation*	
1	1	0.07	0.06	1.21	12.04	287.5833	
2	2	0.19	0.11	1.70	33.87	287.6667	
3	3	0.35	0.16	2.06	61.87	287.75	
4	4	0.53	0.21	2.36	94.71	287.8333	
5	5	0.74	0.27	2.61	131.58	287.9167	
6	6	0.97	0.32	2.83	171.94	288	
7	7	1.21	0.37	3.02	215.37	288.0833	
8	8	1.47	0.41	3.20	261.52	288.1667	
9	9	1.74	0.46	3.35	310.13	288.25	
10	10	2.03	0.51	3.50	360.96	288.3333	
11	11	2.32	0.55	3.62	413.78	288.4167	
12	12	2.63	0.60	3.74	468.43	288.5	
13	13	2.95	0.64	3.85	524.73	288.5833	
14	14	3.27	0.68	3.94	582.53	288.6667	
15	15	3.61	0.72	4.03	641.69	288.75	
16	16	3.94	0.76	4.11	702.08	288.8333	
17	17	4.29	0.80	4.18	763.57	288.9167	
18	18	4.64	0.84	4.24	826.05	289	
19	19	5.00	0.87	4.30	889.40	289.0833	
20	20	5.36	0.91	4.35	953.52	289.1667	
21	21	5.72	0.94	4.39	1018.30	289.25	
22	22	6.09	0.98	4.42	1083.65	289.3333	
23	23	6.46	1.01	4.45	1149.46	289.4167	
24	24	6.83	1.04	4.47	1215.64	289.5	
25	25	7.20	1.07	4.49	1282.10	289.5833	
26	26	7.58	1.10	4.50	1348.75	289.6667	
27	27	7.95	1.12	4.50	1415.48	289.75	
28	28	8.33	1.15	4.50	1482.22	289.8333	
29	29	8.70	1.18	4.49	1548.86	289.9167	
30	30	9.07	1.20	4.47	1615.32	290	**>1,356 cf, OK**
31	31	9.45	1.22	4.45	1681.51	290.0833	
32	32	9.82	1.24	4.42	1747.32	290.1667	
33	33	10.18	1.26	4.39	1812.67	290.25	
34	34	10.55	1.28	4.35	1877.45	290.3333	
35	35	10.91	1.30	4.30	1941.57	290.4167	
36	36	11.26	1.31	4.24	2004.92	290.5	
37	37	11.61	1.32	4.18	2067.40	290.5833	
38	38	11.96	1.34	4.11	2128.89	290.6667	
39	39	12.30	1.35	4.03	2189.27	290.75	
40	40	12.63	1.35	3.94	2248.43	290.8333	
41	41	12.96	1.36	3.85	2306.23	290.9167	
42	42	13.27	1.37	3.74	2362.54	291	
43	43	13.58	1.37	3.62	2417.18	291.0833	
44	44	13.88	1.37	3.50	2470.01	291.1667	
45	45	14.16	1.37	3.35	2520.83	291.25	
46	46	14.44	1.36	3.20	2569.44	291.3333	
47	47	14.69	1.36	3.02	2615.60	291.4167	
48	48	14.94	1.35	2.83	2659.03	291.5	
49	49	15.17	1.34	2.61	2699.39	291.5833	
50	50	15.37	1.32	2.36	2736.26	291.6667	
51	51	15.56	1.30	2.06	2769.10	291.75	
52	52	15.71	1.27	1.70	2797.10	291.8333	
53	53	15.84	1.23	1.21	2818.92	291.9167	
54	54	15.90	1.13	0.00	2830.97	292	

- **Appendix C – 1, 2, 25 and 100-yr Stormwater Management Calculations (PondPack)**

    - Stormwater Management Schematic Map
    - Table of Contents
    - Master Network Summary
    - Supporting Calculation

Scenario: Town of Chapel Hill Design Scenarios



Project Summary	
Title	Signature HealthCARE of Chapel Hill Facility Expansion
Engineer	George J. Retschle, PE
Company	Ballentine Associates
Date	11/23/2016

Notes	Revised: 3 Mar 2017

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Subsection: Master Network Summary

Catchments Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (hours)	Peak Flow (ft³/s)
Pre Dev Area	Chapel Hill - 1 yr	1	0.738	11.900	13.41
Pre Dev Area	Chapel Hill - 2 yr	2	0.964	11.900	17.50
Pre Dev Area	Chapel Hill - 25 yr	25	2.084	11.900	36.96
Pre Dev Area	Chapel Hill - 100 yr	100	2.737	11.900	47.91
Post Dev Area - Storm Filter	Chapel Hill - 1 yr	1	0.104	11.900	1.82
Post Dev Area - Storm Filter	Chapel Hill - 2 yr	2	0.129	11.900	2.23
Post Dev Area - Storm Filter	Chapel Hill - 25 yr	25	0.247	11.900	4.12
Post Dev Area - Storm Filter	Chapel Hill - 100 yr	100	0.315	11.900	5.18
Post Dev Bypass	Chapel Hill - 1 yr	1	0.694	11.900	12.61
Post Dev Bypass	Chapel Hill - 2 yr	2	0.901	11.900	16.32
Post Dev Bypass	Chapel Hill - 25 yr	25	1.918	11.900	33.83
Post Dev Bypass	Chapel Hill - 100 yr	100	2.508	11.900	43.66

Node Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (hours)	Peak Flow (ft³/s)
Pre Outlet	Chapel Hill - 1 yr	1	0.738	11.900	13.41
Pre Outlet	Chapel Hill - 2 yr	2	0.964	11.900	17.50
Pre Outlet	Chapel Hill - 25 yr	25	2.084	11.900	36.96
Pre Outlet	Chapel Hill - 100 yr	100	2.737	11.900	47.91
Post Outlet	Chapel Hill - 1 yr	1	0.751	11.900	12.64
Post Outlet	Chapel Hill - 2 yr	2	0.980	11.900	16.36
Post Outlet	Chapel Hill - 25 yr	25	2.104	11.900	36.87
Post Outlet	Chapel Hill - 100 yr	100	2.759	11.900	47.33

Pond Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (hours)	Peak Flow (ft³/s)	Maximum Water Surface Elevation (ft)	Maximum Pond Storage (ac-ft)
Storm Filter (IN)	Chapel Hill - 1 yr	1	0.104	11.900	1.82	(N/A)	(N/A)
Storm Filter (OUT)	Chapel Hill - 1 yr	1	0.075	11.900	1.91	292.22	0.031
Storm Filter (IN)	Chapel Hill - 2 yr	2	0.129	11.900	2.23	(N/A)	(N/A)
Storm Filter (OUT)	Chapel Hill - 2 yr	2	0.100	11.950	2.17	292.25	0.031

Subsection: Master Network Summary

Pond Summary

Label	Scenario	Return Event (years)	Hydrograph Volume (ac-ft)	Time to Peak (hours)	Peak Flow (ft^3/s)	Maximum Water Surface Elevation (ft)	Maximum Pond Storage (ac-ft)
Storm Filter (IN)	Chapel Hill - 25 yr	25	0.247	11.900	4.12	(N/A)	(N/A)
Storm Filter (OUT)	Chapel Hill - 25 yr	25	0.218	11.950	4.02	292.47	0.033
Storm Filter (IN)	Chapel Hill - 100 yr	100	0.315	11.900	5.18	(N/A)	(N/A)
Storm Filter (OUT)	Chapel Hill - 100 yr	100	0.285	11.900	5.19	292.56	0.034
Main Detention (IN)	Chapel Hill - 1 yr	1	0.058	11.900	1.89	(N/A)	(N/A)
Main Detention (OUT)	Chapel Hill - 1 yr	1	0.040	12.550	0.13	290.02	0.036
Main Detention (IN)	Chapel Hill - 2 yr	2	0.083	11.950	2.16	(N/A)	(N/A)
Main Detention (OUT)	Chapel Hill - 2 yr	2	0.062	12.050	1.09	290.20	0.039
Main Detention (IN)	Chapel Hill - 25 yr	25	0.198	11.950	4.01	(N/A)	(N/A)
Main Detention (OUT)	Chapel Hill - 25 yr	25	0.167	12.000	3.58	290.89	0.049
Main Detention (IN)	Chapel Hill - 100 yr	100	0.265	11.900	5.17	(N/A)	(N/A)
Main Detention (OUT)	Chapel Hill - 100 yr	100	0.230	12.000	4.33	291.30	0.054

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 1 years
Storm Event: TypeII 24hr (3.0 in)

Time-Depth Curve: TypeII 24hr (3.0 in)	
Label	TypeII 24hr (3.0 in)
Start Time	0.000 hours
Increment	0.100 hours
End Time	24.000 hours
Return Event	1 years

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
0.000	0.0	0.0	0.0	0.0	0.0
0.500	0.0	0.0	0.0	0.0	0.0
1.000	0.0	0.0	0.0	0.0	0.0
1.500	0.0	0.1	0.1	0.1	0.1
2.000	0.1	0.1	0.1	0.1	0.1
2.500	0.1	0.1	0.1	0.1	0.1
3.000	0.1	0.1	0.1	0.1	0.1
3.500	0.1	0.1	0.1	0.1	0.1
4.000	0.1	0.1	0.2	0.2	0.2
4.500	0.2	0.2	0.2	0.2	0.2
5.000	0.2	0.2	0.2	0.2	0.2
5.500	0.2	0.2	0.2	0.2	0.2
6.000	0.2	0.2	0.3	0.3	0.3
6.500	0.3	0.3	0.3	0.3	0.3
7.000	0.3	0.3	0.3	0.3	0.3
7.500	0.3	0.3	0.3	0.3	0.4
8.000	0.4	0.4	0.4	0.4	0.4
8.500	0.4	0.4	0.4	0.4	0.4
9.000	0.4	0.5	0.5	0.5	0.5
9.500	0.5	0.5	0.5	0.5	0.5
10.000	0.5	0.6	0.6	0.6	0.6
10.500	0.6	0.6	0.6	0.7	0.7
11.000	0.7	0.7	0.8	0.8	0.8
11.500	0.8	0.9	1.1	1.3	1.7
12.000	2.0	2.0	2.1	2.1	2.2
12.500	2.2	2.2	2.3	2.3	2.3
13.000	2.3	2.3	2.4	2.4	2.4
13.500	2.4	2.4	2.4	2.4	2.4
14.000	2.5	2.5	2.5	2.5	2.5
14.500	2.5	2.5	2.5	2.5	2.6
15.000	2.6	2.6	2.6	2.6	2.6
15.500	2.6	2.6	2.6	2.6	2.6
16.000	2.6	2.6	2.7	2.7	2.7
16.500	2.7	2.7	2.7	2.7	2.7
17.000	2.7	2.7	2.7	2.7	2.7

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 1 years
Storm Event: TypeII 24hr (3.0 in)

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
17.500	2.7	2.7	2.7	2.8	2.8
18.000	2.8	2.8	2.8	2.8	2.8
18.500	2.8	2.8	2.8	2.8	2.8
19.000	2.8	2.8	2.8	2.8	2.8
19.500	2.8	2.8	2.8	2.8	2.9
20.000	2.9	2.9	2.9	2.9	2.9
20.500	2.9	2.9	2.9	2.9	2.9
21.000	2.9	2.9	2.9	2.9	2.9
21.500	2.9	2.9	2.9	2.9	2.9
22.000	2.9	2.9	2.9	2.9	2.9
22.500	2.9	3.0	3.0	3.0	3.0
23.000	3.0	3.0	3.0	3.0	3.0
23.500	3.0	3.0	3.0	3.0	3.0
24.000	3.0	(N/A)	(N/A)	(N/A)	(N/A)

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 2 years
Storm Event: TypeII 24hr (3.6 in)

Time-Depth Curve: TypeII 24hr (3.6 in)	
Label	TypeII 24hr (3.6 in)
Start Time	0.000 hours
Increment	0.100 hours
End Time	24.000 hours
Return Event	2 years

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
0.000	0.0	0.0	0.0	0.0	0.0
0.500	0.0	0.0	0.0	0.0	0.0
1.000	0.0	0.0	0.0	0.0	0.1
1.500	0.1	0.1	0.1	0.1	0.1
2.000	0.1	0.1	0.1	0.1	0.1
2.500	0.1	0.1	0.1	0.1	0.1
3.000	0.1	0.1	0.1	0.1	0.1
3.500	0.1	0.2	0.2	0.2	0.2
4.000	0.2	0.2	0.2	0.2	0.2
4.500	0.2	0.2	0.2	0.2	0.2
5.000	0.2	0.2	0.2	0.2	0.3
5.500	0.3	0.3	0.3	0.3	0.3
6.000	0.3	0.3	0.3	0.3	0.3
6.500	0.3	0.3	0.3	0.3	0.3
7.000	0.4	0.4	0.4	0.4	0.4
7.500	0.4	0.4	0.4	0.4	0.4
8.000	0.4	0.4	0.4	0.5	0.5
8.500	0.5	0.5	0.5	0.5	0.5
9.000	0.5	0.5	0.6	0.6	0.6
9.500	0.6	0.6	0.6	0.6	0.6
10.000	0.7	0.7	0.7	0.7	0.7
10.500	0.7	0.8	0.8	0.8	0.8
11.000	0.8	0.9	0.9	0.9	1.0
11.500	1.0	1.1	1.3	1.6	2.0
12.000	2.4	2.5	2.5	2.6	2.6
12.500	2.6	2.7	2.7	2.7	2.8
13.000	2.8	2.8	2.8	2.8	2.9
13.500	2.9	2.9	2.9	2.9	2.9
14.000	3.0	3.0	3.0	3.0	3.0
14.500	3.0	3.0	3.0	3.1	3.1
15.000	3.1	3.1	3.1	3.1	3.1
15.500	3.1	3.1	3.1	3.2	3.2
16.000	3.2	3.2	3.2	3.2	3.2
16.500	3.2	3.2	3.2	3.2	3.2
17.000	3.2	3.3	3.3	3.3	3.3

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 2 years
Storm Event: TypeII 24hr (3.6 in)

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
17.500	3.3	3.3	3.3	3.3	3.3
18.000	3.3	3.3	3.3	3.3	3.3
18.500	3.3	3.4	3.4	3.4	3.4
19.000	3.4	3.4	3.4	3.4	3.4
19.500	3.4	3.4	3.4	3.4	3.4
20.000	3.4	3.4	3.4	3.4	3.4
20.500	3.5	3.5	3.5	3.5	3.5
21.000	3.5	3.5	3.5	3.5	3.5
21.500	3.5	3.5	3.5	3.5	3.5
22.000	3.5	3.5	3.5	3.5	3.5
22.500	3.5	3.5	3.5	3.6	3.6
23.000	3.6	3.6	3.6	3.6	3.6
23.500	3.6	3.6	3.6	3.6	3.6
24.000	3.6	(N/A)	(N/A)	(N/A)	(N/A)

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 25 years
Storm Event: TypeII 24hr (6.4 in)

Time-Depth Curve: TypeII 24hr (6.4 in)	
Label	TypeII 24hr (6.4 in)
Start Time	0.000 hours
Increment	0.100 hours
End Time	24.000 hours
Return Event	25 years

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
0.000	0.0	0.0	0.0	0.0	0.0
0.500	0.0	0.0	0.0	0.1	0.1
1.000	0.1	0.1	0.1	0.1	0.1
1.500	0.1	0.1	0.1	0.1	0.1
2.000	0.1	0.1	0.2	0.2	0.2
2.500	0.2	0.2	0.2	0.2	0.2
3.000	0.2	0.2	0.2	0.2	0.3
3.500	0.3	0.3	0.3	0.3	0.3
4.000	0.3	0.3	0.3	0.3	0.3
4.500	0.4	0.4	0.4	0.4	0.4
5.000	0.4	0.4	0.4	0.4	0.4
5.500	0.5	0.5	0.5	0.5	0.5
6.000	0.5	0.5	0.5	0.5	0.6
6.500	0.6	0.6	0.6	0.6	0.6
7.000	0.6	0.6	0.7	0.7	0.7
7.500	0.7	0.7	0.7	0.7	0.8
8.000	0.8	0.8	0.8	0.8	0.8
8.500	0.8	0.9	0.9	0.9	0.9
9.000	0.9	1.0	1.0	1.0	1.0
9.500	1.0	1.1	1.1	1.1	1.1
10.000	1.2	1.2	1.2	1.2	1.3
10.500	1.3	1.3	1.4	1.4	1.5
11.000	1.5	1.6	1.6	1.7	1.7
11.500	1.8	2.0	2.3	2.8	3.6
12.000	4.2	4.4	4.5	4.6	4.6
12.500	4.7	4.8	4.8	4.9	4.9
13.000	4.9	5.0	5.0	5.1	5.1
13.500	5.1	5.2	5.2	5.2	5.2
14.000	5.3	5.3	5.3	5.3	5.3
14.500	5.4	5.4	5.4	5.4	5.5
15.000	5.5	5.5	5.5	5.5	5.5
15.500	5.6	5.6	5.6	5.6	5.6
16.000	5.6	5.7	5.7	5.7	5.7
16.500	5.7	5.7	5.7	5.8	5.8
17.000	5.8	5.8	5.8	5.8	5.8

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 25 years
Storm Event: TypeII 24hr (6.4 in)

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
17.500	5.8	5.9	5.9	5.9	5.9
18.000	5.9	5.9	5.9	5.9	5.9
18.500	6.0	6.0	6.0	6.0	6.0
19.000	6.0	6.0	6.0	6.0	6.0
19.500	6.1	6.1	6.1	6.1	6.1
20.000	6.1	6.1	6.1	6.1	6.1
20.500	6.1	6.2	6.2	6.2	6.2
21.000	6.2	6.2	6.2	6.2	6.2
21.500	6.2	6.2	6.2	6.2	6.3
22.000	6.3	6.3	6.3	6.3	6.3
22.500	6.3	6.3	6.3	6.3	6.3
23.000	6.3	6.3	6.4	6.4	6.4
23.500	6.4	6.4	6.4	6.4	6.4
24.000	6.4	(N/A)	(N/A)	(N/A)	(N/A)

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 100 years
Storm Event: TypeII 24hr (8.0 in)

Time-Depth Curve: TypeII 24hr (8.0 in)	
Label	TypeII 24hr (8.0 in)
Start Time	0.000 hours
Increment	0.100 hours
End Time	24.000 hours
Return Event	100 years

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
0.000	0.0	0.0	0.0	0.0	0.0
0.500	0.0	0.0	0.1	0.1	0.1
1.000	0.1	0.1	0.1	0.1	0.1
1.500	0.1	0.1	0.1	0.2	0.2
2.000	0.2	0.2	0.2	0.2	0.2
2.500	0.2	0.2	0.2	0.3	0.3
3.000	0.3	0.3	0.3	0.3	0.3
3.500	0.3	0.3	0.4	0.4	0.4
4.000	0.4	0.4	0.4	0.4	0.4
4.500	0.4	0.5	0.5	0.5	0.5
5.000	0.5	0.5	0.5	0.5	0.6
5.500	0.6	0.6	0.6	0.6	0.6
6.000	0.6	0.7	0.7	0.7	0.7
6.500	0.7	0.7	0.7	0.8	0.8
7.000	0.8	0.8	0.8	0.8	0.9
7.500	0.9	0.9	0.9	0.9	0.9
8.000	1.0	1.0	1.0	1.0	1.0
8.500	1.1	1.1	1.1	1.1	1.2
9.000	1.2	1.2	1.2	1.3	1.3
9.500	1.3	1.3	1.4	1.4	1.4
10.000	1.4	1.5	1.5	1.6	1.6
10.500	1.6	1.7	1.7	1.8	1.8
11.000	1.9	1.9	2.0	2.1	2.2
11.500	2.3	2.5	2.8	3.4	4.5
12.000	5.3	5.5	5.6	5.7	5.8
12.500	5.9	5.9	6.0	6.1	6.1
13.000	6.2	6.2	6.3	6.3	6.4
13.500	6.4	6.4	6.5	6.5	6.5
14.000	6.6	6.6	6.6	6.6	6.7
14.500	6.7	6.7	6.8	6.8	6.8
15.000	6.8	6.9	6.9	6.9	6.9
15.500	6.9	7.0	7.0	7.0	7.0
16.000	7.0	7.1	7.1	7.1	7.1
16.500	7.1	7.1	7.2	7.2	7.2
17.000	7.2	7.2	7.2	7.3	7.3

Subsection: Time-Depth Curve
Label: Town of Chapel Hill Design Storms

Return Event: 100 years
Storm Event: TypeII 24hr (8.0 in)

CUMULATIVE RAINFALL (in)
Output Time Increment = 0.100 hours
Time on left represents time for first value in each row.

Time (hours)	Depth (in)	Depth (in)	Depth (in)	Depth (in)	Depth (in)
17.500	7.3	7.3	7.3	7.3	7.4
18.000	7.4	7.4	7.4	7.4	7.4
18.500	7.4	7.5	7.5	7.5	7.5
19.000	7.5	7.5	7.5	7.5	7.6
19.500	7.6	7.6	7.6	7.6	7.6
20.000	7.6	7.6	7.6	7.6	7.7
20.500	7.7	7.7	7.7	7.7	7.7
21.000	7.7	7.7	7.7	7.7	7.8
21.500	7.8	7.8	7.8	7.8	7.8
22.000	7.8	7.8	7.8	7.8	7.9
22.500	7.9	7.9	7.9	7.9	7.9
23.000	7.9	7.9	7.9	7.9	7.9
23.500	8.0	8.0	8.0	8.0	8.0
24.000	8.0	(N/A)	(N/A)	(N/A)	(N/A)

Subsection: Runoff CN-Area
Label: Post Dev Area - Storm Filter

Return Event: 1 years
Storm Event: TypeII 24hr (3.0 in)

Runoff Curve Number Data

Soil/Surface Description	CN	Area (ft²)	C (%)	UC (%)	Adjusted CN
Impervious Areas - Paved parking lots, roofs, driveways, Streets and roads - Soil D	98.000	18,109	0.0	0.0	98.000
Open space (Lawns,parks etc.) - Good condition; grass cover > 75% - Soil D	80.000	4,131	0.0	0.0	80.000
COMPOSITE AREA & WEIGHTED CN --->	(N/A)	22,240	(N/A)	(N/A)	94.657

Subsection: Runoff CN-Area
Label: Post Dev Bypass

Return Event: 1 years
Storm Event: TypeII 24hr (3.0 in)

Runoff Curve Number Data

Soil/Surface Description	CN	Area (ft²)	C (%)	UC (%)	Adjusted CN
Impervious Areas - Paved parking lots, roofs, driveways, Streets and roads - Soil D	98.000	95,227	0.0	0.0	98.000
Open space (Lawns,parks etc.) - Good condition; grass cover > 75% - Soil D	80.000	62,066	0.0	0.0	80.000
Woods - good - Soil D	77.000	42,513	0.0	0.0	77.000
COMPOSITE AREA & WEIGHTED CN --->	(N/A)	199,806	(N/A)	(N/A)	87.940

Subsection: Runoff CN-Area
Label: Pre Dev Area

Return Event: 1 years
Storm Event: TypeII 24hr (3.0 in)

Runoff Curve Number Data

Soil/Surface Description	CN	Area (ft²)	C (%)	UC (%)	Adjusted CN
Impervious Areas - Paved parking lots, roofs, driveways, Streets and roads - Soil D	98.000	97,381	0.0	0.0	98.000
Open space (Lawns,parks etc.) - Good condition; grass cover > 75% - Soil D	80.000	66,026	0.0	0.0	80.000
Woods - good - Soil D	77.000	58,639	0.0	0.0	77.000
COMPOSITE AREA & WEIGHTED CN --->	(N/A)	222,046	(N/A)	(N/A)	87.102

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- Appendix D – Environmental
    - RCD, Floodplain, Jordan Buffer Determination

PUBLIC WORKS DEPARTMENT
STORMWATER MANAGEMENT DIVISION
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514-5705
Telephone (919) 969-7246
Fax (919) 969-7276
www.townofchapelhill.org

11/23/2016

Dave Ballentine
221 Providence Road
Chapel Hill, NC, 27514

RE: Stream Determination for Parcel # 9799-14-1643

Dear Mr. Ballentine:

As requested, the Town Public Works Department has performed a stream determination on the properties identified on the attached forms. This determination indicates whether different types of streams (perennial, intermittent, and/or ephemeral) or perennial waterbodies are present on the property in question or on nearby properties. These streams and their classifications are shown on the accompanying map. Stream segments regulated by the Jordan Lake Stream Buffer ordinance are highlighted. **Locations of all features on the map are approximate and must be field surveyed for precise location.**

This stream determination information is used to determine the location and extent of the Resource Conservation District and the Jordan Lake Watershed Riparian Buffer. Specific land use regulations and restrictions apply within the boundaries of these protected areas. If you are considering any kind of work on your property, including clearing vegetation, paving, grading, or building, please consult with the Town Planning Department to determine the possible extent of the Resource Conservation District and Jordan Lake Watershed Riparian Buffer on your property and corresponding regulations.

This classification will remain in effect for five years from the date of the site visit before a request for reclassification will be considered, unless the stream channel characteristics are significantly altered as a result of watershed changes.

In accordance with the Town's procedures, you may appeal this administrative decision to the Town Manager. If you wish to do so, you must file your written appeal accompanied by any materials you believe support your appeal, within **30** days of receipt of this letter.

If you have questions regarding stream determinations, please contact me at (919) 969-5083. If you have questions regarding the Town's Resource Conservation Districts or the Jordan Watershed Riparian Buffer regulations, please contact the Planning Department at (919) 968-2728, or view information online at http://www.townofchapelhill.org/town-hall/departments-services/public-works/stormwater-management/regulations-ordinances.

Regards,

Dave Milkereit
Stormwater Specialist

PLANNING DEPARTMENT
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514-5705
Telephone (919) 968-2728
Fax (919) 969-2014
www.townofchapelhill.org

STREAM DETERMINATION RECORDS REVIEW

Property Information	
Parcel ID Number (PIN)	Address / Location Description
9799-14-1643	1602 E. Franklin St

After reviewing Town GIS information, USGS 1:24,000 Topographic maps, and County Soil Survey maps, I have determined no new stream determination will be required for the property(ies) listed above for the following reason(s):

☐ No unclassified streams or waterbodies, streams or waterbodies identified as requiring a new classification or determination, or unidentified flowlines (possible streams) are shown within 150 feet of the property in question on the Town's GIS, the USGS 1:24,000 Topographic map, or the County Soil Survey map for the area.

☐ A Resource Conservation District boundary was set on a recorded final plat for the property in question, and there are no streams or waterbodies shown on the USGS 1:24,000 Topographic map or County Soil Survey within 150 feet of the property.

☒ A stream determination has been done for this property, a property uphill or upstream, or a nearby property as of November 23, 2011 or later, and that stream determination applies to this property. A copy of the documentation for the relevant site visit(s) is available upon request.

Relevant PIN(s): 9890-12-2793,9799-14-8584, 9799-14-0340, 9799-14-2352

A map showing water features, their Town flow classifications, presence of Jordan Riparian Buffers, and their approximate locations is attached. Origins or breakpoints that have been flagged in the field are marked on the map.

Other conditions exist which may affect the location of the Resource Conservation District or Jordan Stream Buffer:

☒ FEMA floodzone is mapped in the area. Precise location of the Base Flood Elevation and associated Resource Conservation District must be determined by a field survey commissioned by the owner or a representative.

☐ Segments of perennial or intermittent stream are piped in the area. These segments do not have an associated Jordan Stream Buffer.

☐ Possible Jurisdictional Wetlands have been identified in the area. A formal review by a professional certified in Jurisdictional Wetland Delineation is recommended.

_____ 11/23/2016
Town Staff signature date

Stream Determination Area Map

- Unclassified Stream
- Ephemeral Stream
- Intermittent Stream
- Perennial Stream
- Culverts
- 2-foot Contours
- 10-foot Contours
- Parcels
- Approximate Jordan Buffer
- Site visited

- Ephemeral Breakpoint
- Intermittent Breakpoint
- Perennial Breakpoint

Address: 1602 E Franklin St

Parcel ID: 9799-14-1643

0 125 250 500 Feet

1 inch = 250 feet

Stream locations are approximate and must be verified by survey.
Buffers are measured from top of bank.

Created by Town of Chapel Hill Public Works Department - Stormwater Management Division - Date: 11/23/2016

USGS 24K Topographic / County Soil Survey Maps

Site Parcel Boundary

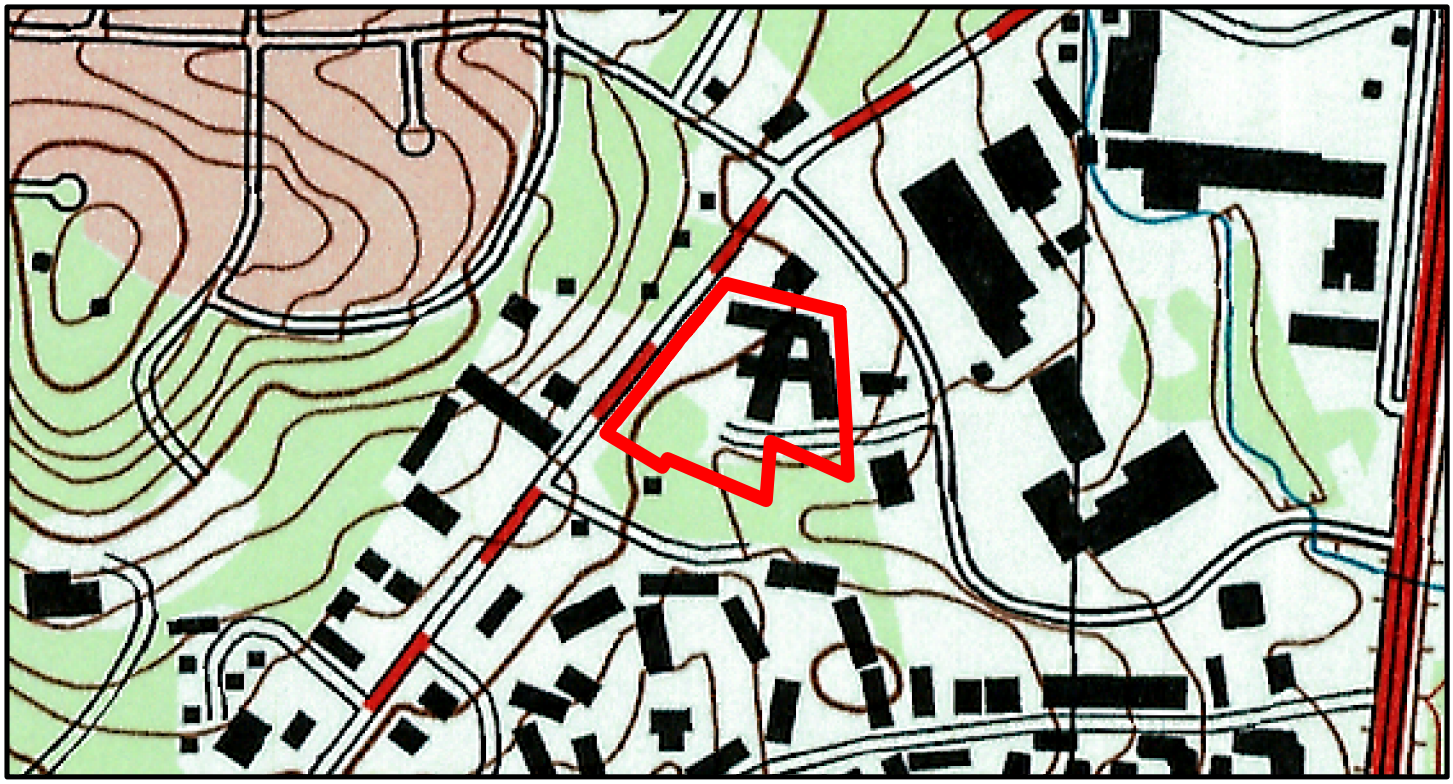
0 150 300 450 600 Feet

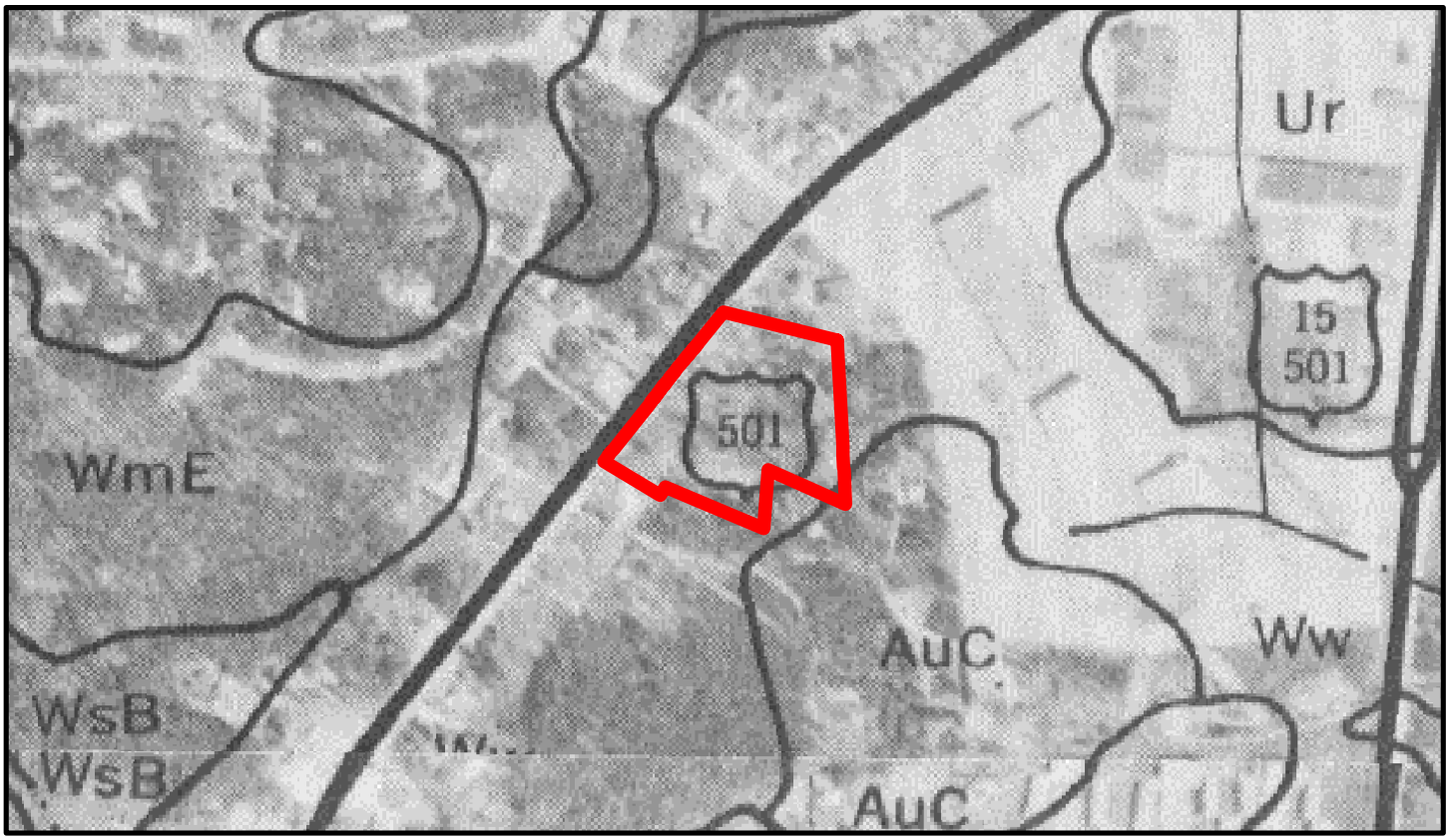
1 inch = 500 feet

Address: 1602 E Franklin St

Parcel ID: 9799-14-1643

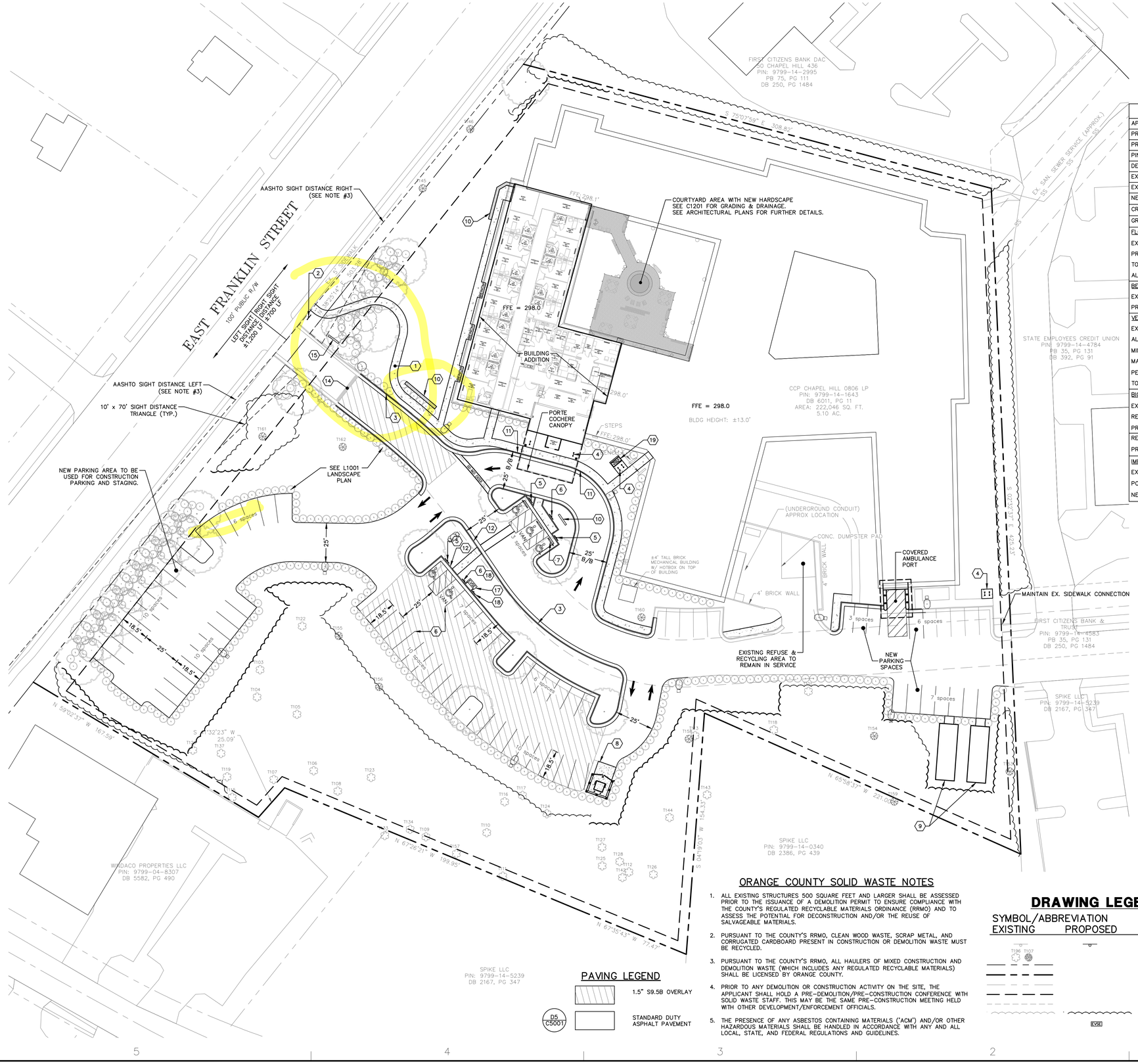
Created by Town of Chapel Hill Public Works Department - Stormwater Management Division- 11/22/2016





Signature HealthCARE of Chapel Hill

VIEW FROM FRANKLIN STREET



NOTES

1. ALL NEW DRIVE AISLES AND RECONFIGURED PARKING AREAS SHALL BE CONSTRUCTED TO TOWN OF CHAPEL HILL STANDARDS.
2. EXISTING VEGETATION WITHIN REQUIRED LANDSCAPE BUFFERS WILL BE PRESERVED AND PRIMARILY MEETS TOWN OF CHAPEL HILL BUFFER REQUIREMENTS. SUPPLEMENTAL PLANTINGS WILL BE ADDED AS NEEDED TO FULFILL BUFFER AND PARKING AREA SCREENING REQUIREMENTS.
3. AASHTO SIGHT DISTANCES SHOWN FROM THE EXISTING DRIVEWAY EXCEED NCDOT POLICY ON STREET AND DRIVEWAY ACCESS TO NORTH CAROLINA HIGHWAYS (35 MPH):
   - LEFT (CROSSING 2 LANES): 595 LF REQ. FOR WB-50 TRACTOR TRAILER
   - RIGHT (CROSSING 2 LANES): 595 LF REQ. FOR WB-50 TRACTOR TRAILER

SITE DATA

APPLICANT:	SIGNATURE HEALTHCARE OF CHAPEL HILL NC
PROPERTY OWNER:	CCP CHAPEL HILL
PROPERTY ADDRESS:	1602 EAST FRANKLIN STREET
PIN NUMBERS:	9799-14-1643
DEED REFERENCES:	DEED BOOK 6011 PAGE 11
EXISTING ZONING:	R-5
EXISTING USE:	GROUP CARE FACILITY
NET LAND AREA:	222,046 SF (5.10 AC)
CREDITED STREET AREA:	22,205 SF (0.51 AC)
GROSS LAND AREA:	244,251 SF (5.61 AC)
FLOOR AREA SUMMARY:	
EXISTING FLOOR AREA:	40,046 SF
PROPOSED FLOOR AREA TO BE ADDED:	9,600 SF
TOTAL	49,646 SF
ALLOWABLE FLOOR AREA (GLA X FAR):	74,008 SF
BED SUMMARY:	
EXISTING	108
PROPOSED	108
VEHICLE PARKING SUMMARY:	
EXISTING	79
ALLOWED WITH 1979 SUP	104
MIN. REQ. (POST RENOV.) PER LUMO	27 (1 PER 4 BEDS)
MAX. ALLOWED PER LUMO	54 (1 PER 2 BEDS)
PERMITTED WITH 2017 SUP	82
TOTAL PROPOSED	82

BICYCLE PARKING SUMMARY:	CLASS I (20%)	CLASS II (80%)	TOTAL
EXISTING	0	0	0
REQUIRED (SUP)	2	10	12
PROPOSED	2	12	14

REQUIRED ACCESSIBLE PARKING	5 (INCL. 1 VAN ACCESSIBLE)
PROPOSED ACCESSIBLE PARKING	5 (INCL. 1 VAN ACCESSIBLE)
IMPERVIOUS SUMMARY (NLA):	
EXISTING	97,381 SF (2.236 AC)
POST DEVELOPED TOTAL	113,533 SF (2.606 AC)
NET IMPERVIOUS INCREASE	16,152 SF (0.371 AC)

SUP says 113,336

PLAN KEY NOTES

DETAIL REFERENCE	#	
A3 C5001	1	CONCRETE SIDEWALK (TYP.)
C1 C5001	2	MUTCD STOP SIGN
A5 C5001	3	30" CURB & GUTTER (TYP.)
A1 C5001	4	INVERTED "U" BIKE RACK (CLASS II BIKE PARKING)
D1 C5001	5	STANDARD HANDICAP PARKING SIGN
D1 C5001	6	VAN ACCESSIBLE HANDICAP PARKING SIGN
B3 C5001	7	PARKING SPACE STRIPING (TYP.)
A4 C5001	8	CONCRETE WHEELSTOP (TYP.)
B2 C5002	9	REFUSE/RECYCLING ENCLOSURE
A5 C5002	10	(2) 12' X 36' STORAGE SHEDS
B5 C5001	11	DESIGN BUILD RETAINING WALL
	12	MONUMENT SIGN
B5 C5001	13	WIPE DOWN CURB (TYP.)
A5 C5002	14	ELECTRIC VEHICLE CHARGING STATION
C3 C5001	15	2' WIDE MILL STRIP
A5 C5002	16	SIGNATURE HEALTHCARE OF CHAPEL HILL SIGN (RELOCATE TO OUTSIDE OF 10' X 70' SITE TRIANGLE)
A2 C5003	17	DOUBLE ELECTRIC CAR CHARGING PEDESTAL
B5 C5001	18	ELECTRIC CAR CHARGING VEHICLE SIGN
C2 C5003	19	CLASS I BIKE PARKING ENCLOSURE (2 SPACES)

What's the purpose of these?

PAVING LEGEND

- 1.5" S9.5B OVERLAY
- D5 C5001 — STANDARD DUTY ASPHALT PAVEMENT

ORANGE COUNTY SOLID WASTE NOTES

1. ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER SHALL BE ASSESSED PRIOR TO THE ISSUANCE OF A DEMOLITION PERMIT TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DECONSTRUCTION AND/OR THE REUSE OF SALVAGEABLE MATERIALS.
2. PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
3. PURSUANT TO THE COUNTY'S RRMO, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE (WHICH INCLUDES ANY REGULATED RECYCLABLE MATERIALS) SHALL BE LICENSED BY ORANGE COUNTY.
4. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
5. THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS ('ACM') AND/OR OTHER HAZARDOUS MATERIALS SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.

DRAWING LEGEND

SYMBOL/ABBREVIATION EXISTING	PROPOSED	DESCRIPTION
T196 T107	T196 T107	SIGN POST
		EXISTING TREE
		RIGHT OF WAY
		SITE PROPERTY LINE
		ADJOINING PROPERTY LINE
		BUILDING SETBACK LINE
		EASEMENT LINE
		TREE LINE
EVSE	EVSE	ELECTRIC VEHICLE SUPPLY EQUIPMENT

NC GRID NAD 83

SITE PLAN

30 0 15 30 60

(GRAPHIC SCALE IN FEET)

1 inch = 30 ft.

REVIEW DRAWING NOT FOR CONSTRUCTION

BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 968-4331 FAX (919) 968-4789

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Ballentine Associates P.A. CORPORATE SEAL C328 NORTH CAROLINA Chapel Hill

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT SEAL 629127 GEORGE J. RETSCHLE 4/24/19

NUM	REVISIONS	DATE

OWNER INFORMATION
CCP CHAPEL HILL
1602 E. FRANKLIN STREET
CHAPEL HILL, NC 27514

OWNERS REPRESENTATIVE:
TONY WALDRON
PH. (502) 568-7951
FAX
EMAIL twaldron@signaturehealthcarellc.com

ISSUED	DATE
ZCP SUBMITTAL #1	24 JAN 18
CDC SUBMITTAL	24 MAY 18

SIGNATURE HEALTHCARE FACILITY EXPANSION
CHAPEL HILL, NORTH CAROLINA

ZONING COMPLIANCE PERMIT DRAWINGS

JOB NUMBER: 116009.00
DATE: 24 JAN 18
SCALE: AS SHOWN
DRAWN BY: DBB
REVIEWED BY: GJR

SHEET
C1001

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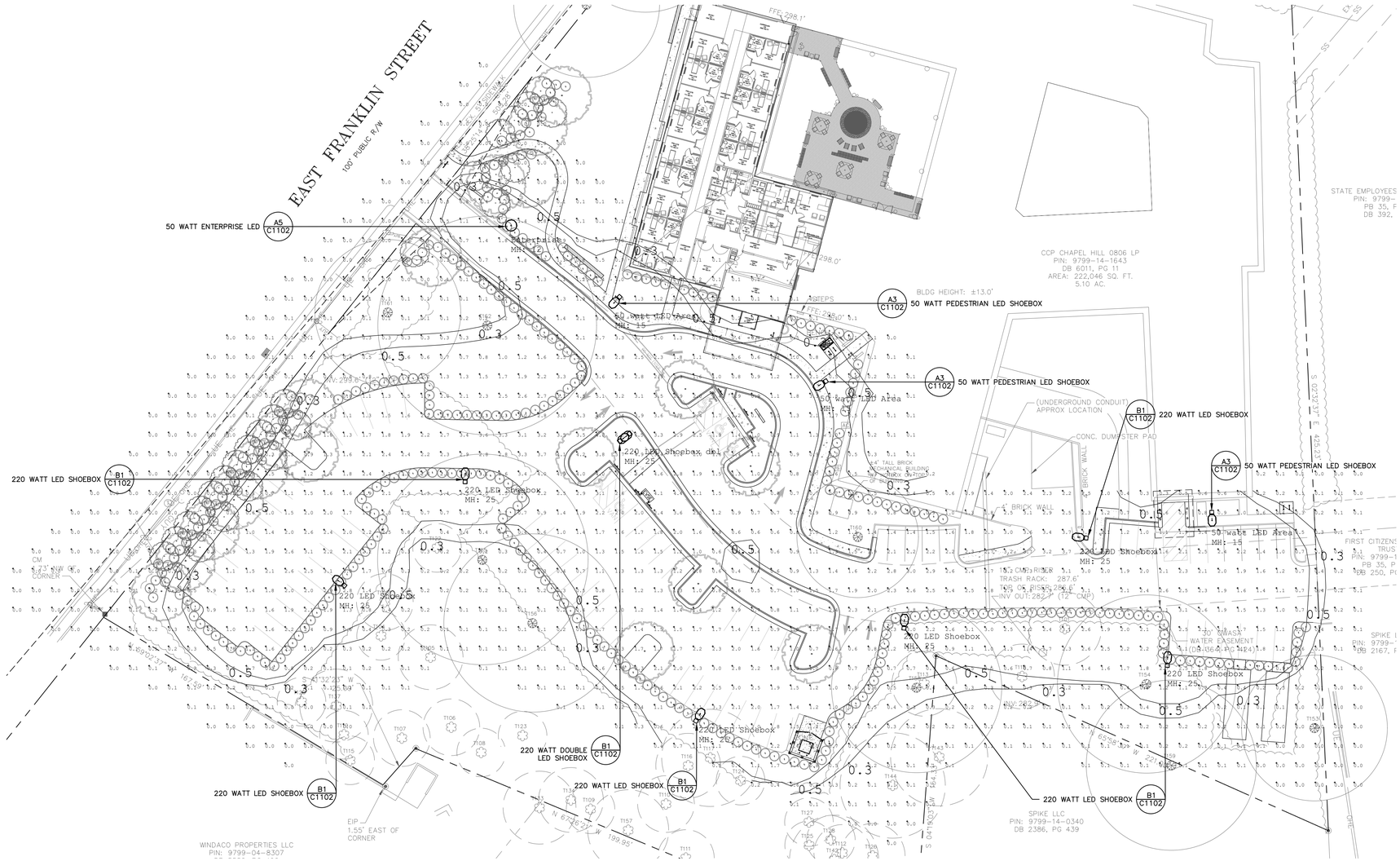


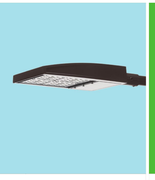
NOTES

1. PHOTOMETRIC PLAN AND DETAILS ON THIS SHEET PROVIDED BY DUKE ENERGY.

Outdoor Lighting

Shoebox LED

DUKE ENERGY.



The energy-efficient Shoebox LED is a green solution and great fit for commercial parking lots, malls, office buildings and streets providing a "white light" that will enhance the appearance of your site. The Shoebox LED delivers light where it is needed, while increasing visibility and reducing spill light to adjoining properties. Selected to be an alternative to the metal halide light fixture, this fixture provides a white light source that will enhance colors, adding to visual acuity and improving area uniformity.

LED *(light-emitting diode)*	213 | 421 watts
Mounting height	20' – 35'
Color	Dark bronze Black
Poles	Tenon top concrete Promenade concrete
Applications	Neighborhoods Roadways Shopping centers

Outdoor Lighting

Shoebox LED

Light source: LED *(white)*
Wattage: 213 | 421

Light pattern:
LED 213 | 421 | IES Type V *(circular)*
LED 213 | 421 | IES Type IV *(forward throw)*
LED 213 | IES Type III *(oval)*

IESNA cutoff classification: Full cutoff

Color temperature: 4,000K

Warm-up and restrike time: Instant on *(no warm-up or restrike time)*

light distribution pattern

Poles available:

Name	*Mounting height*	*Color*
Tenon top concrete	20' – 35'	Gray
Promenade concrete	20' – 35'	Bronze

Features	Benefits
Little or no installation cost	Frees up capital for other projects
Design services by lighting professionals included	Meets industry standards and lighting ordinances
Maintenance included	Eliminates high and unexpected repair bills
Electricity included	Less expensive than metered service
Warranty included	Worry-free
One low monthly cost on your electric bill	Convenience and savings for you
Turnkey operation	Provides hassle-free installation and service
Backed by over 40 years of experience	A name you can trust today … and tomorrow

B1 C1102 SCALE: N.T.S.

220 WATT LED SHOEBOX 25' MOUNT HEIGHT

Outdoor Lighting

Enterprise LED

DUKE ENERGY.

Subject to variance from manufacturer. Contact us for region-specific details.

Illuminate streetscapes and pedestrian areas with the Enterprise LED. This sleek, energy-efficient fixture will add modern appeal to any neighborhood or park.

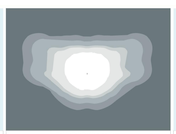
LED *(Light Emitting Diode)*	50 watts
Mounting height	12'
Color	Black
Poles	Style A, B, C, D, E, F

Light source: LED *(white)*
Wattage: 50
Lumens: 4,500

Light pattern: IESNA Type III *(oval)*

IESNA cutoff classification: Cutoff

Color temperature: 4,000K



light distribution pattern

Pole available:

Type	*Mounting height*	*Color*
Aluminum	12'	Black

Features	Benefits
No installation cost	Frees up capital for other projects
Design services by lighting professionals included	Meets industry standards and lighting ordinances
Maintenance included	Eliminates high and unexpected repair bills
Electricity included	Less expensive than metered service
Warranty included	Worry-free
One low monthly cost on your electric bill	Convenience and savings for you
Turnkey operation	Provides hassle-free installation and service
Backed by over 40 years of experience	A name you can trust today … and tomorrow

A5 C1102 SCALE: N.T.S.

50 WATT ENTERPRISE LED 12' MOUNT HEIGHT

Outdoor Lighting

Shoebox Pedestrian LED

DUKE ENERGY.

The energy-efficient Shoebox Pedestrian LED combines a decorative, contemporary style with versatility and ample lighting effect that is perfect for streets, parking lots, commercial buildings and residential communities. The Shoebox "S" Pedestrian LED provides excellent color rendition along with a controlled light pattern that reduces glare and keeps the light directed only where you want it.

LED *(light-emitting diode)*	50 watts
Mounting heights	12', 17'
Colors	Black Dark Bronze
Pole	Colonial concrete
Applications	Neighborhoods Parks Shopping centers

Outdoor Lighting

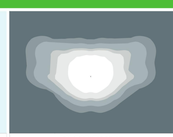
Shoebox Pedestrian LED

Light source: LED *(white)*
Wattage: 50
Lumens: 3,730

Light pattern: IESNA Type III *(oval)*

IESNA cutoff classification: Full cutoff

Color temperature: 4,000K



light distribution pattern

Pole available:

Name	*Mounting height*	*Color*
Colonial concrete	12', 17'	Black

Features	Benefits
Little or no installation cost	Frees up capital for other projects
Design services by lighting professionals included	Meets industry standards and lighting ordinances
Maintenance included	Eliminates high and unexpected repair bills
Electricity included	Less expensive than metered service
Warranty included	Worry-free
One low monthly cost on your electric bill	Convenience and savings for you
Turnkey operation	Provides hassle-free installation and service
Backed by over 40 years of experience	A name you can trust today … and tomorrow

A3 C1102 SCALE: N.T.S.

50 WATT PEDESTRIAN LED SHOEBOX 15' MOUNT HEIGHT

NC GRID NAD 83

SITE LIGHTING PHOTOMETRIC PLAN

40 0 20 40 80

(GRAPHIC SCALE IN FEET)
1 inch = 40 ft.

REVIEW DRAWING NOT FOR CONSTRUCTION

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Ballentine Associates P.A. CORPORATE SEAL C-328 NORTH CAROLINA Chapel Hill

DATE	REVISIONS	NUM

OWNER INFORMATION
CCP CHAPEL HILL
1602 E. FRANKLIN STREET
CHAPEL HILL, NC 27514

OWNERS REPRESENTATIVE:
TONY WALDRON
PH. (502) 568-7951
FAX
EMAIL twaldron@signaturehealthccnllc.com

ISSUED	DATE
ZCP SUBMITTAL #1	24 JAN 18
CDC SUBMITTAL	24 MAY 18

SIGNATURE HEALTHCARE FACILITY EXPANSION
CHAPEL HILL, NORTH CAROLINA

ZONING COMPLIANCE PERMIT DRAWINGS

JOB NUMBER: 116009.00
DATE: 24 JAN 18
SCALE: AS SHOWN
DRAWN BY: DBB
REVIEWED BY: GJR

SHEET
C1102

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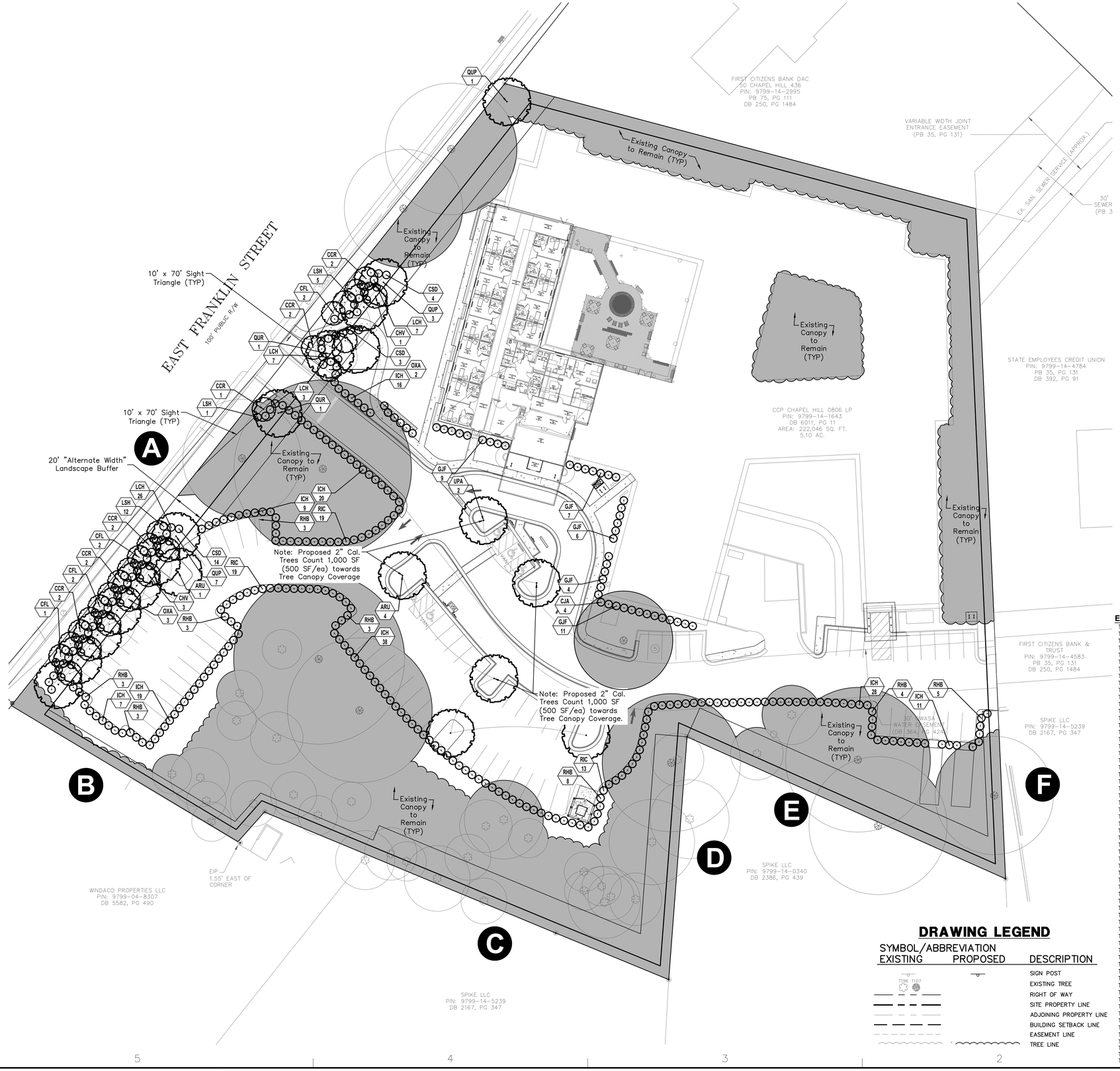

DRAWING LEGEND

SYMBOL/ABBREVIATION

EXISTING	PROPOSED	DESCRIPTION
T196 T197		SIGN POST
		EXISTING TREE
		RIGHT OF WAY
		SITE PROPERTY LINE
		ADJOINING PROPERTY LINE
		BUILDING SETBACK LINE
		EASEMENT LINE
		TREE LINE

PERIMETER LANDSCAPE BUFFER CALCULATIONS

A — 30' Type 'D' External Buffer

Total Frontage: 503'
Less Entry Driveways: 31'
Less Existing Vegetation: 256'
Total Applicable Buffer Length: 215'

Required Shade Trees: 13
Existing Shade Trees: 0
Proposed Shade Trees: 13
Calc: 6 per 100LF (215 / 100) = 2.15
2.15 x 6 = 12.9

Required Understory Trees: 26
Existing Understory Trees: 0
Proposed Understory Trees: 26
Calc: 12 per 100LF (215 / 100) = 2.15
2.15 x 12 = 25.8

Required Shrubs: 86
Existing Shrubs: 0
Proposed Shrubs: 86
Calc: 40 per 100LF (215 / 100) = 2.15
2.15 x 40 = 86

Total Shade Trees: 7
Total Understory Trees: 4
Total Shrubs: 37

Note: Buffer has an area of 20' 'Alternate Width' in southeast portion of property, in order to preserve as many existing trees as possible around the proposed parking areas.

B — 10' Type 'B' Internal Buffer

Total Frontage: 263'
Less Existing Vegetation: 263'
Total Applicable Buffer Length: 0'

Required Shade Trees: 0
Existing Shade Trees: 0
Proposed Shade Trees: 0
Calc: 4 per 100LF (0 / 100) = 0.00
0.00 x 2 = 0.00

Required Understory Trees: 0
Existing Understory Trees: 0
Proposed Understory Trees: 0
Calc: 7 per 100LF (0 / 100) = 0.00
0.00 x 1 = 0.00

Required Shrubs: 0
Existing Shrubs: 0
Proposed Shrubs: 0
Calc: 12 per 100LF (0 / 100) = 0.00
0.00 x 10 = 0.00

Total Shade Trees: 0
Total Understory Trees: 0
Total Shrubs: 0

C — 20' Type 'C' Internal Buffer

Total Frontage: 179'
Less Existing Vegetation: 179'
Total Applicable Buffer Length: 0'

Required Shade Trees: 0
Existing Shade Trees: 0
Proposed Shade Trees: 0
Calc: 4 per 100LF (0 / 100) = 0.00
0.00 x 2 = 0.00

Required Understory Trees: 0
Existing Understory Trees: 0
Proposed Understory Trees: 0
Calc: 8 per 100LF (0 / 100) = 0.00
0.00 x 1 = 0.00

Required Shrubs: 0
Existing Shrubs: 0
Proposed Shrubs: 0
Calc: 30 per 100LF (0 / 100) = 0.00
0.00 x 10 = 0.00

Total Shade Trees: 0
Total Understory Trees: 0
Total Shrubs: 0

D — 20' Type 'C' Internal Buffer

Total Frontage: 154'
Less Existing Vegetation: 154'
Total Applicable Buffer Length: 0'

Required Shade Trees: 0
Existing Shade Trees: 0
Proposed Shade Trees: 0
Calc: 4 per 100LF (0 / 100) = 0.00
0.00 x 2 = 0.00

Required Understory Trees: 0
Existing Understory Trees: 0
Proposed Understory Trees: 0
Calc: 8 per 100LF (0 / 100) = 0.00
0.00 x 1 = 0.00

Required Shrubs: 0
Existing Shrubs: 0
Proposed Shrubs: 0
Calc: 30 per 100LF (0 / 100) = 0.00
0.00 x 10 = 0.00

Total Shade Trees: 0
Total Understory Trees: 0
Total Shrubs: 0

E — 20' Type 'C' Internal Buffer

Total Frontage: 220'
Less Existing Vegetation: 220'
Total Applicable Buffer Length: 0'

Required Shade Trees: 0
Existing Shade Trees: 0
Proposed Shade Trees: 0
Calc: 4 per 100LF (0 / 100) = 0.00
0.00 x 2 = 0.00

Required Understory Trees: 0
Existing Understory Trees: 0
Proposed Understory Trees: 0
Calc: 8 per 100LF (0 / 100) = 0.00
0.00 x 1 = 0.00

Required Shrubs: 0
Existing Shrubs: 0
Proposed Shrubs: 0
Calc: 30 per 100LF (0 / 100) = 0.00
0.00 x 10 = 0.00

Total Shade Trees: 0
Total Understory Trees: 0
Total Shrubs: 0

F — 10' Type 'B' Internal Buffer

Total Frontage: 154'
Less Existing Vegetation: 154'
Total Applicable Buffer Length: 0'

Required Shade Trees: 0
Existing Shade Trees: 0
Proposed Shade Trees: 0
Calc: 4 per 100LF (0 / 100) = 0.00
0.00 x 2 = 0.00

Required Understory Trees: 0
Existing Understory Trees: 0
Proposed Understory Trees: 0
Calc: 7 per 100LF (0 / 100) = 0.00
0.00 x 1 = 0.00

Required Shrubs: 0
Existing Shrubs: 0
Proposed Shrubs: 0
Calc: 12 per 100LF (0 / 100) = 0.00
0.00 x 10 = 0.00

Total Shade Trees: 0
Total Understory Trees: 0
Total Shrubs: 0

EXISTING TREES KEY

TAG #	DBH	NAME
T101	18"	ASH
T102	12"	ASH
T103	14"	ASH
T104	12"	ASH
T105	16"	ASH
T106	14"	ASH
T107	14"	ASH
T108	12"	ASH
T109	12"	ASH
T110	14"	ASH
T111	14"	ASH
T112	14"	ASH
T113	16"	ASH
T114	16"	BIRCH
T115	12"	ELM
T116	18"	ELM
T117	24"	ELM
T118	16"	ELM
T119	12"	ELM
T120	12"	ELM
T121	14"	ELM
T122	12"	ELM
T123	12"	ELM
T124	12"	ELM
T125	12"	ELM
T126	16"	ELM
T127	12"	ELM
T128	12"	ELM
T129	26"	SWEET GUM
T130	14"	SWEET GUM
T131	18"	MAPLE
T132	18"	MAPLE
T133	18"	MAPLE
T134	16"	MAPLE
T135	16"	OAK
T136	32"	PINE
T137	18"	PINE
T138	22"	PINE
T139	22"	PINE
T140	18"	PINE
T141	18"	HARDWOOD
T142	22"	PINE
T143	24"	PINE
T144	26"	PINE
T145	36"	WILLOW OAK
T146	40"	WILLOW OAK
T147	16"	WILLOW OAK
T148	18"	WILLOW OAK
T149	16"	WILLOW OAK
T150	14"	WILLOW OAK
T151	16"	WILLOW OAK
T152	18"	WILLOW OAK
T153	36"	WILLOW OAK
T154	44"	WILLOW OAK
T155	52"	WILLOW OAK
T156	44"	WILLOW OAK
T157	20"	WILLOW OAK
T158	42"	WILLOW OAK
T159	42"	WILLOW OAK
T160	30"	WILLOW OAK
T161	36"	WILLOW OAK
T162	54"	WILLOW OAK

TREE CANOPY COVERAGE 40% REQUIREMENT

Requirement: 40% of the NET TOTAL LOT AREA to be in tree canopy

Calculations:
Total Net Site Area: 222,046 SF
*No easements or recreation areas removed
40% of Total Lot Area: 88,818 SF
222,046 x .40 = 88,818 SF

Existing Tree Canopy to Remain: 86,690 SF

Additional Canopy Required: 2,128 SF
Calculations: 88,818 SF (REQ) – 86,690 SF (RET) = 2,128 SF

Additional Canopy Provided: 2,500 SF
5 Proposed 2" Cal. Canopy Trees (see plans) = 2,500 SF
*Note: Not all proposed 2" Caliper Trees counted in this exercise, only those trees necessary to reach minimum Canopy SF.

Total Tree Canopy Required: 88,818 SF
Total Tree Canopy Retained / Proposed: 89,190 SF (86,690 + 2,500)

89,086 SF proposed earlier

Note: Any existing overlapping Tree Canopy does not count twice for these calculations.

Note: For detailed information about existing trees utilized to meet the minimum coverage standard, refer to Survey and Landscape Plans.

Note: Any Tree or Shrub to be planted within CRZ of existing tree to be hand dug. No machinery will be allowed within CRZ of existing trees.

NC GRID NAD 83

LANDSCAPE PLAN

30 0 15 30 60

(GRAPHIC SCALE IN FEET)
1 inch = 30 ft.

REVIEW DRAWING NOT FOR CONSTRUCTION

BALLENTINE ASSOCIATES, P.A.
221 PROVIDENCE ROAD, CHAPEL HILL, N.C. 27514
(919) 968-4331 FAX (919) 968-4789

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CHAPEL HILL, NC 27514

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TONY WALDRON
PH. (502) 568-7951
FAX
EMAIL twaldron@signaturehealthccenlls.com

ISSUED	DATE
ZCP SUBMITTAL #1	24 JAN 18
CDC SUBMITTAL	24 MAY 18

SIGNATURE HEALTHCARE FACILITY EXPANSION
CHAPEL HILL, NORTH CAROLINA

ZONING COMPLIANCE PERMIT DRAWINGS

JOB NUMBER: 116009.00
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SHEET
L1001

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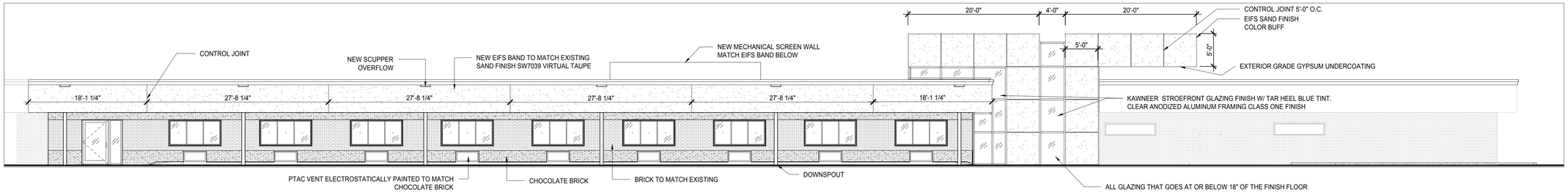
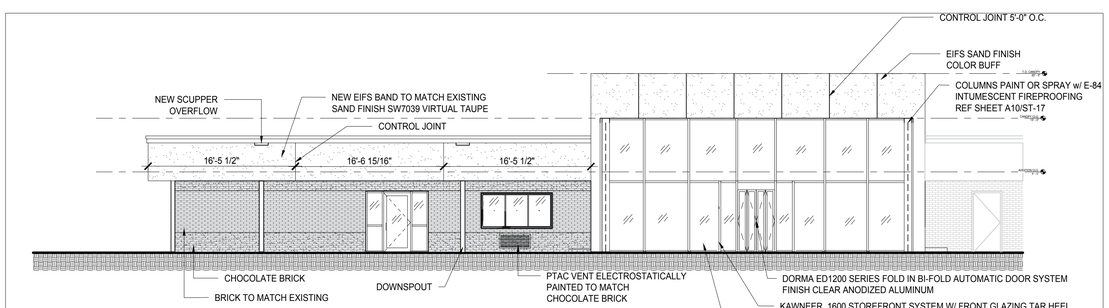


EXTERIOR ELEVATION

1/8" = 1'-0" CHAPEL HILL, NORTH CAROLINA

1 A-9



EXTERIOR ELEVATION

1/8" = 1'-0" CHAPEL HILL, NORTH CAROLINA

1 A-9

JAMES A. WALDRON
REGISTERED ARCHITECT
NC 13010
CHARLOTTE
NORTH CAROLINA

JAMES A. WALDRON, NC LICENSE # 13010

01-19-2018

Signature HealthCARE

14 BED, 9,600 SQ FT SHORT TERM REHAB ADDITION TO EXIST. SKILLED NURSING FACILITY FOR SIGNATURE HEALTHCARE OF CHAPEL HILL
1602 E. FRANKLIN STREET CHAPEL HILL, NC 27514

ADDITION & CULTURE CHANGE RENOVATION

ELEVATIONS

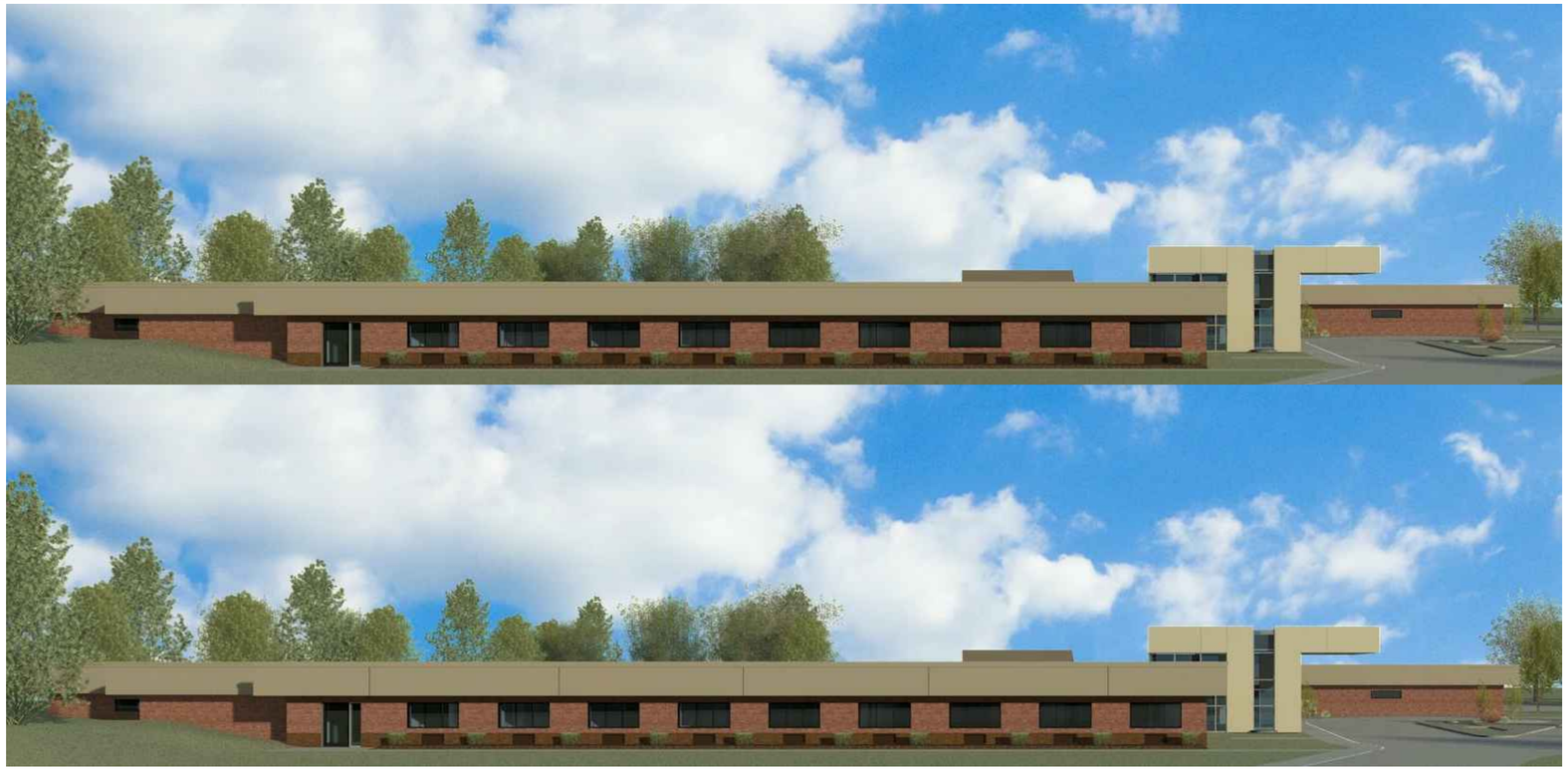
Dwn By:	Chkd By:
CH	TW

Scale: 1/8"= 1'-0"

Date:

Drawing No.

A-9



FRANKLIN STREET WEST ELEVATION w & w/o EFIS JOINTS 1 R-1

NTS CHAPEL HILL, NORTH CAROLINA

FRANKLIN STREET VIEW w & w/o EFIS JOINTS 2 R-1

NTS CHAPEL HILL, NORTH CAROLINA

JAMES A. WALDRON, NC LICENSED #13010

01-15-10

14 BED, 9,600 SQ FT SHORT TERM REHAB
ADDITION TO EXIST. SKILLED NURSING
FACILITY FOR
SIGNATURE HEALTHCARE
OF CHAPEL HILL
1602 E. FRANKLIN STREET CHAPEL HILL, NC 27514

Signature HealthCARE

ADDITION &
CULTURE CHANGE RENOVATION

RENDERINGS

Dwn By:	Chkd By:
CH	TW

Scale: N.T.S.

Date:

Drawing No.
R-1

STRUCTURE DETAILS
STYLE: SOUTHERN CLASSIC GARAGE
SIDING: PAINTED (LP SMARTSIDE)
SIDEWALL HEIGHT: 7' 5.75"
ROOF OVERHANG: STANDARD
SIZE: 12X36
TRIM: STANDARD TRIM
BASE: RUNNERS

COLORS
SIDING COLOR: NAVAJO WHITE
TRIM COLOR: EARLY AMERICAN
ROOF COLOR: DRIFTWOOD
ROOF MATERIAL: ARCHITECTURAL SHINGLES

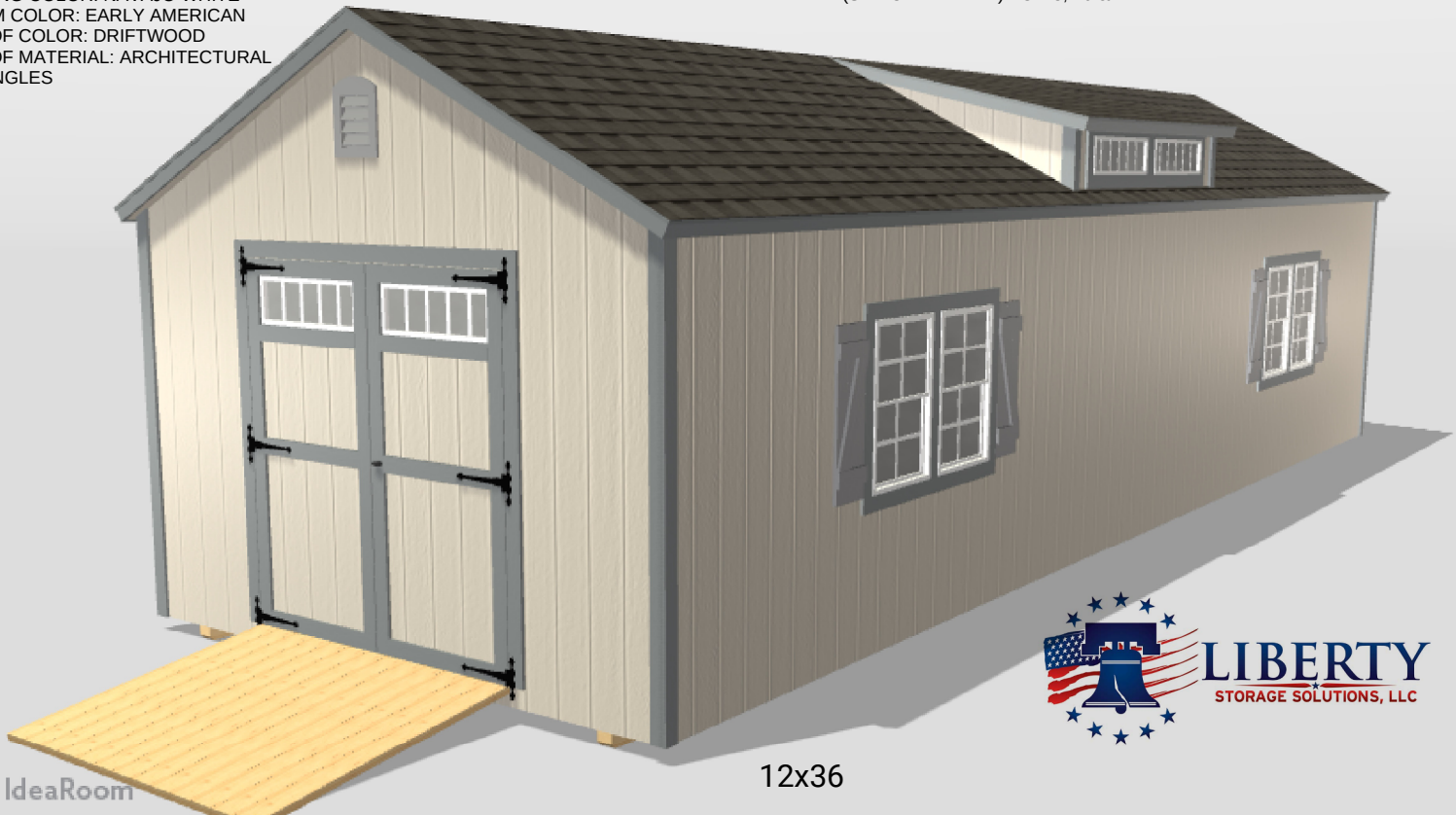
DOORS & RAMPS
76" H DOUBLE SOUTHERN CLASSIC DOOR
5' X 6' RAMP
HINGES: DELUXE HINGES
76" H SINGLE SOUTHERN CLASSIC DOOR

VENTS
(2) CLASSIC VENTS
COLOR: GAP GRAY

176

WINDOWS & ACCESSORIES
(4) 24"X36" WINDOWS
WINDOW COLOR: WHITE
SHUTTERS: 36" THREE BOARD PAINTED Z-SHUTTERS
SHUTTERS COLOR: GAP GRAY
DORMER: TRANSOM DORMER

FLOORING & INTERIOR
FLOORING: 3/4" ADVANTECH FLOORING
FLOOR JOIST: 2X6 PRESSURE TREATED FLOOR JOISTS (STD ON 14' WIDE) FOR 8, 10 & 12 W



LIBERTY
STORAGE SOLUTIONS, LLC

12x36

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FILED Mark Chilton
Register of Deeds, Orange Co,NC
Recording Fee: $26.00
NC Real Estate TX: $.00

Prepared by: Kay Pearlstein, Chapel Hill Planning Department

Return to:
Town of Chapel Hill
Planning Dept.
405 Martin Luther King Jr. Blvd
Chapel Hill, NC 27514

TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL, NC 27514
(919) 968-2728

ORANGE COUNTY NORTH CAROLINA

SPECIAL USE PERMIT MODIFICATION

KNOW ALL MEN BY THESE PRESENTS, that the undersigned applicant, Ballentine Associates for Signature Health Care of Chapel Hill, having applied to the Town of Chapel Hill for a Special Use Permit Modification of the existing Special Use Permit approved by the Chapel Hill Town Council on November 17, 1978 (recorded in Deed Book 307 Page 553 at the Orange County Register of Deeds office) said Special Use Permit Modification approval was granted by the Town of Chapel Hill on October 25, 2017; if developed according to the Site Plan dated May 17, 2017, and the terms of said approval being as follows:

NAME OF PROJECT: Signature Health Care

DESCRIPTION OF PREMISE

LOCATION: 1602 East Franklin Street

ORANGE COUNTY PARCEL IDENTIFIER NUMBER: 9799-14-1643

DESCRIPTION OF DEVELOPMENT

GROSS LAND AREA: 244,251 square feet

MAXIMUM FLOOR AREA: 49,646 square feet

NUMBER OF BEDROOMS: 108 beds

IMPERVIOUS SURFACE: 113,336 square feet

SPECIAL TERMS AND CONDITIONS

Approves the application for Signature Health Care Development according to the Site Plan dated May 17, 2017 (on file in the Chapel Hill Planning Department), with the following modification of regulations:

- Modification of Section 5.9.7 of the Land Use Management Ordinance to increase Off-Street Parking space requirements by 28 spaces to allow a maximum of 82 vehicular parking spaces.

This finding is based on the determination that not all of the 104 parking spaces allowed by the original 1978 Special Use Permit were constructed (25 spaces left unconstructed), and the proposed building addition for expanded rehabilitation services will require additional employee and visitor parking. The community will be better served with the expansion of medical services at this location. Three additional spaces are proposed with the expansion of facilities. The Land Use Management Ordinance allows a maximum of one vehicle parking space per two beds for a Group Care Home or a maximum of 54 spaces.

- Modification of Section 5.9.7 of the Land Use Management Ordinance to decrease the bicycle parking space requirement to allow a minimum of 11 bicycle spaces.

This finding is based on the determination that the facility offers recovery-care and rehabilitation services. The reduction in spaces would provide bicycle parking for approximately 25 percent of the 43 employees. Two Class I spaces would be required and nine spaces as Class II. An interior shower is available to cyclists at the facility. The LUMO allows a minimum of four bicycle parking spaces or one space per four beds.

Stipulations Specific to the Signature Health Care of Chapel Hill Expansion

1. Construction Deadline: That construction begin by October 25, 2019 (two years from the date of approval) to be completed by October 25, 2021 (four years from the date of approval).

2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Group Care Facility	
Gross Land Area	244,251 square feet
Total Floor Area Allowed	49,646 square feet
Maximum Vehicular Parking Spaces	82 spaces
Minimum Bicycle Parking Spaces	11 Spaces: 20% Class I and 80% Class II
Total Impervious Surface Area Allowed	113,336 square feet
Total number beds	108 beds
Land Disturbance	85,000 square feet

Access

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

4. Performance Bond: Prior to beginning construction, the developer shall submit a performance bond to the Town to cover 125 percent of the cost of the infrastructure improvements in the public right-of-way.

5. Driveway Sidewalk: A five-foot wide concrete sidewalk shall be constructed along the east side of the driveway and along the southern property line connecting the new sidewalk with the existing sidewalk. If space allows, the sidewalk shall be constructed around the five parking spaces adjacent to the building to prevent walking behind vehicles.

6. Driveway Permit: Prior to beginning work on the North Carolina Department of Transportation (NCDOT) right-of-way, the developer shall obtain an approved driveway permit and/or encroachment agreement(s). As a condition of the permit, the permittee shall be responsible for the design and construction of the 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.

7. Three Party Encroachment Agreement: Prior to work within the East Franklin Street right-of-way, including the sidewalk connection to the existing public sidewalk and the proposed landscaping within the East Franklin Street right-of-way, a three-party encroachment agreement will need to be submitted for approval to NCDOT. The Town of Chapel Hill will be the third party.

8. Future Pedestrian Connection: The property owner shall consider a pedestrian connection between Couch Road and through the Signature Health Care property once adjacent redevelopment begins on Couch Road.

Architecture

9. Storage Trailers: Two existing 40-foot by 8-foot trailers on the western edge of the existing parking lot shall be removed from the site prior to issuance of a Certificate of Occupancy.

10. Storage Sheds: Two storage 12-foot by 36-foot sheds shall be installed behind the six-space parking bay at the southern end of the site with sidewalks to access the sheds and subject to Community Design Commission approval.

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Solid Waste and Recycling

11. Dumpster Capacity: That the developer monitor existing solid waste facilities for adequate capacity post construction and if additional facilities are needed, that new concrete dumpster pads and refuse/recycling enclosure shall be outside the critical root zone of rare and specimen trees.

Environment

12. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide an Energy Management Plan for Town approval. The plan shall incorporate a "20 percent more energy efficient" feature to outperform the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) energy efficiency standard in place at the time of approval.

    In addition, we recommend that the Developer consider the use of the following:
    - Graywater use from stormwater retention system;
    - Existing pond for additional stormwater detention and/or increase capacity of new underground storm filter detention system to handle some of the existing stormwater runoff; and
    - Solar Power Voltaics for the addition so that it might meet the AIA 2030 Challenge carbon reduction target.

STANDARD STIPULATIONS

Transportation

13. 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 must be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

14. Street Closure Plan: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager approval, for any work requiring street, sidewalk, or lane closures.

15. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer must provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction.

16. Bicycle Parking: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for the bicycle parking spaces that comply with Town parking standards. The bicycle parking design 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.

17. Parking Lot Standards: Prior to issuance of a Certificate of Occupancy, the developer shall construct the parking lot and drive aisles to Town standards for pavement design and dimensions.

18. Vehicular Charging Stations: Prior to issuance of a Certificate of Occupancy the Developer shall dedicate two electric car charging spaces and lay the conduit for future electric car station expansion during the parking lot reconfiguration.

19. Sight Distance Triangles: The developer must provide sight distance triangles that meet AASHTO standards on the landscape plan prior to issuance of a Zoning Compliance Permit. Landscaping must be removed within the sight distance triangle for clear and unobstructed line of sight for vehicles.

Transportation Management Plan

20. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, we recommend the developer submits an updated Transportation Management Plan subject to Town Manager approval, including conducting an initial survey of employees' interest for purchasing electric vehicles.

Landscape and Architecture

21. Invasive Exotic Vegetation: Prior to the issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan, known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC)[1], and provide notes indicating removal of any identified exotic species from the landscape buffer areas, prior to planting.

22. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include which trees will be removed and which will be preserved, critical root zones of all rare and specimen trees, and clearly indicate names and species.

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[1]http://www.se-eppc.org/weeds.cfm

23. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. Tree protection fencing shall be provided around construction limits, construction parking' and materials staging/storage areas. Town standard landscaping protection notes, shall be included on the plans, subject to Town Manager approval.

24. 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. The Plan shall include canopy trees that are proposed to shade any surface parking areas.

25. Tree Canopy: That the final plans shall exhibit 40 percent canopy coverage through a combination of retained and replanted trees.

26. Demolition Plan: Prior to beginning building demolition, the developer must submit a Demolition Plan showing how materials will be recycled.

27. Steep Slopes: Prior to issuance of a Zoning Compliance Permit, the Developer shall include a map indicating how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to Town Manager review and approval.

28. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan for this site and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) off-site spillage of light.

29. Community Design Commission Approval: The Developer shall obtain Community Design Commission approval of building elevations prior to issuance of a Zoning Compliance Permit.

30. Alternative Buffer: The Developer shall obtain Community Design Commission approval of Alternative Buffers prior to issuance of a Zoning Compliance Permit.

Stormwater Management

31. Stormwater Management Plan: This project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance.

32. 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 and offsite roadways daily, make any necessary repairs or adjustments to the devices, remove deposition of wet or dry silt on adjacent roadways and maintain inspection logs documenting the daily inspections and any necessary repairs.

33. Phasing Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The phasing plan shall detail public improvements, and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases are complete, with a note to this effect on the final plans and plats.

34. Erosion Control Bond: If one 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.

35. Silt Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.

36. Curb Inlets: The developer shall 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.

37. 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.

38. On-Site/Adjacent Stormwater Features: Prior to issuance of a Zoning Compliance Permit the final plans shall locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans. 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.

39. 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.

Water, Sewer, and Other Utilities

40. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy, other local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The property owner 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.

41. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit for Town Manager review and approval site plans and 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 beneath awnings; demonstrating compliance with Town standards; and sealed by a Professional Engineer.

42. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer shall provide for the underground installation of all public utilities as specified by Section 5.12.2 in the Land Use Management Ordinance.

43. Water/Sewer Line Construction: All public water and sewer plans shall be approved by OWASA and constructed according to their 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. Final plans shall be approved by OWASA and the Town Manager prior to issuance of a Zoning Compliance Permit.

44. Recordation of Documents: Prior to issuance of a Zoning Compliance Permit, easement plats and documentation as required by OWASA and the Town Manager shall be recorded if necessary.

Fire Safety

45. Firefighting Access during Construction: As required by NC Fire Code (Section 1410.1 Required Access), 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.

46. Fire Flow Report: That 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.

47. Automatic Sprinkler System: The developer shall install automatic sprinkler systems in accordance with Town Code and NC Fire Code.

48. 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. That fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.

49. 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.

50. Fire Hydrant Accessibility: All structures must be located within 500 feet of a fire hydrant. The developer must maintain a 50-foot maximum distance between fire hydrants and Fire Department Connections, in a clearly visible and accessible location on the street side of buildings.

Solid Waste Management and Recycling

51. 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. 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.

52. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled. All haulers of construction waste must be properly licensed. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered.

53. Recycling Service: The developer shall contact Orange County Solid Waste Management to establish commercial recycling and cardboard collection services.

State and Federal Approvals

54. 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.

55. 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.

Miscellaneous

56. Temporary Construction Access Agreements: Prior to issuance of a Zoning Compliance Permit, the developer shall provide construction agreements with adjacent property owners where necessary, subject to Town Manager approval. If the abutting property is to be used as part of construction access, the developer shall provide documentation of permission from the owner of said property.

57. 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.

58. Traffic and Pedestrian Control Plan: That 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 five 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.

59. Construction Sign Required: Prior to the commencement of any land disturbing activities, 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,. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (§5.14.3(g) of Land Use Management Ordinance). The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager.

60. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.

61. Detailed Plan Review and Approval: Prior to 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. Such plans shall conform to plans approved by the Council and demonstrate compliance with all applicable regulations and standards of the Land Use Management Ordinance and Design Manual.

62. Town Manager Review and Approval: Plans, plats, and associated detailed requirements as set forth in the stipulations of this resolution and incorporated into the Special Use Permit shall be reviewed and approved by the Town Manager, or his designee, as well as outside agencies, such as NCDOT, OWASA, and Duke Energy, where indicated.

63. As-Built Plans: Prior to 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. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. The developer shall also contact the Town's Engineering and Design Services Division for address assignment of each unit.

64. Vested Right: This Special Use Modification Permit constitutes a site specific development plan establishing a vested right as provided by North Carolina General Statutes Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.

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. Relationship to Existing Special Use Permit: Except as modified herein, the provisions of the original Special Use Permit, recorded in book 307, page 553, shall remain in effect.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for Signature Health Care of Chapel Hill Expansion at 1602 East Franklin Street.

****

ORANGE COUNTY NORTH CAROLINA

IN WITNESS WHEREOF, the Town of Chapel Hill has caused this instrument to be executed in its name as evidence of the issuance of said permit, and the undersigned being all of the property owners of the property above described, have executed this instrument in evidence of their acceptance of said Special Use Permit as covenant running with the land.

ATTEST

Town Clerk

Town of Chapel Hill

BY Benjamin D. Hitchings

~~Ben~~ Hitchings, Director
Planning and Development Services
Benjamin G.

ACCEPTED BY OWNER:

CCP CHAPEL HILL 0806 LP,
a Delaware limited partnership

By: CCP Holdings GP1 LLC,
a Delaware limited liability company
its general partner

By: _____

Name: Michael L. Costa

Its: ~~Executive Vice President, Finance~~

Attest: _____
Jen Eckhardt

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

COUNTY OF ORANGE STATE OF CALIFORNIA

On 5/29/18, ~~2018~~, Michael L. Costa personally appeared before me, Notary Public, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

my hand and official seal.

Signature

MAYA M. LEWIS
COMMISSION # 2137958
Notary Public - California
ORANGE COUNTY
My Comm Expires Dec. 21, 2019

(Seal)

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS
ORANGE COUNTY NORTH CAROLINA

I, Christina M. Strauch, a Notary Public in and for said County and State do hereby certify that Benjamin G. ~~Ben~~ Hitchings, Director, Planning and Development Services, of the Town of Chapel Hill, and SABRINA M. OLIVER ~~Deputy~~/Town Clerk, duly sworn says each for herself that she knows the corporate seal of the Town of Chapel Hill and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Chapel Hill, Benjamin G. ~~Ben~~ Hitchings, Director, Planning and Development Services of said Town of Chapel Hill, and SABRINA M. OLIVER, ~~Deputy~~/Town Clerk for the Town of Chapel Hill, subscribed their names thereto, that the corporate seal of the Town of Chapel Hill was affixed thereto, all by virtue of a resolution of the Chapel Hill Town Council, and that said instrument is the act and deed of the Town of Chapel Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the 26th day of March, 2018.

Christina M. Strauch
Notary Public

My commission expires: 4/16/18

Christina M. Strauch

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TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [21-0337], **Version:** 1 **Meeting Date:** 4/21/2021

Consider 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.

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: Anya Grahn, Senior Planner

a. Introduction and revised recommendation
b. Mayor and Town Council discussion
c. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
d. Motion to enact the ordinance to approve the changes to the Land Use Management Ordinance.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Ordinance A.

CONSIDER 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.

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Anya Grahn, Senior Planner

AMENDMENT REQUEST	**DATE**	**APPLICANT**
Amend the Historic District Commission (HDC) sections of the Land Use Management Ordinance (LUMO) to improve HDC procedures and provide clarity to decisions of the HDC.	April 21, 2021	Planning Department

TOWN MANAGER'S RECOMMENDATION

I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the proposal, and therefore should adopt the Resolution of Consistency and enact Ordinance A.

Updates Since Public Hearing

Staff has not received additional comments since the Public Hearing on March 24, 2021.

Based on the feedback from the Town Council on March 24, 2021, staff has updated the text amendments to also specify that the HDC does not regulate paint color.

PROCESS

The item before the Council is approval of a Land Use Management Ordinance (LUMO) Text Amendment. The Council must consider whether one or more of the ***three findings*** for enactment of the Land Use Management Ordinance Text Amendment applies:

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.

Changes in State Law now require "Design Guidelines" to be referred to as "Design Standards". Staff is proposing to make these and other amendments to clarify the role and decision-making process of the Historic District Commission.

DECISION POINTS

- Amend LUMO 3.6.2(b)(4) to reference the "Design Principles and Standards" rather than "Design Guidelines" and clarify staff's ability to approve Certificates of Appropriateness (COA) applications and COA amendments related to minor works as delegated to staff by the HDC.
- The current A through J criteria outlined in LUMO 3.6.2(e)(4) predate the adoption of the 2001 Design Guidelines. The HDC and applicants have consistently expressed concern that the A through J criteria do not align with the Design Guidelines and should be revised or removed.
- At the February 9, 2021, HDC meeting, the Commission requested that the amendments to the LUMO utilize the language provided in the State's Model Historic Preservation Ordinance ("Model Ordinance").[1] Staff has reviewed the language and incorporated it into draft Ordinance A.
- During the Public Information Meeting on February 25, staff heard interest in specifying in the LUMO that the HDC does not have landscape review authority to review vegetation and other plantings.

Background

In 2017, the Town Council Committee on Boards and Commissions considered ways to improve the Certificate of Appropriateness (COA) process. The Committee developed a set of recommendations for Council consideration that included possible LUMO text amendments. (See Town Council Meeting Materials – October 18, 2017[2])

From 2017 through 2019, the HDC worked with the Council Committee and Planning Department staff, advocating for LUMO text amendments that would better align the LUMO with the State Historic Preservation Office's (SHPO) model ordinance[3]. On September 23, 2019, staff presented an analysis of recommendations from the HDC, Council Committee, and staff to the Council Committee, and the Council Committee made a recommendation to move forward with seven text amendments. These amendments were brought forward to

[1] https://files.nc.gov/ncdcr/historic-preservation-office/CLG/ModelPreservationCommissionOrdinance.pdf
[2] https://chapelhill.granicus.com/GeneratedAgendaViewer.php?view_id=21&clip_id=3313
[33] https://files.nc.gov/ncdcr/historic-preservation-office/CLG/ModelPreservationCommissionOrdinance.pdf

Council on October 15, 2019[4] and included staff analysis of the text amendments requested by the HDC. Council enacted the text amendments on November 20, 2019[5] with the understanding that additional changes to the LUMO would be made when the Design Guidelines Rewrite Project was completed.

In 2019, the Town received a Certified Local Government (CLG) grant from the State Historic Preservation Office (SHPO) to fund the Design Guidelines Rewrite Project. Completion of the project was anticipated to be August 2020; however, due to the COVID-19 pandemic, the Town received an extension from SHPO through February 15, 2021. The HDC adopted the Design Principles and Standards on March 18, 2021.

TEXT AMENDMENT OVERVIEW

Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall "adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition." As part of the revisions to the 2001 Design Guidelines, staff has worked to adapt the Design Guidelines that comply with the Chapter 160D changes. Staff proposes amending the LUMO to refer to the Design Guidelines as "Design Principles and Standards."

Text amendments to the A through J criteria are in response to a recommendation from the Council Committee on Boards and Commissions to improve HDC procedures and provide clarity to decisions of the HDC as well as the feedback staff has received from the HDC and community members. The text amendments would eliminate the A through J criteria and require HDC decisions to be based on the Design Standards.

The HDC recommended the text amendments reflect the language proposed in the SHPO's model ordinance regarding applications and required procedures and staff has incorporated the language into the amendments to LUMO 3.6.2(e)(4).

ATTACHMENTS	1. Text Amendment Summary 2. Draft Staff Presentation 3. Resolution of Consistency (For proposed Land Use Management Ordinance amendment) 4. Ordinance A (Enactment of Land Use Management Ordinance Text Amendment Proposal) 5. Resolution B (Deny Land Use Management Ordinance Text Amendment Proposal) 6. Historic District Commission Recommendation 7. Planning Commission Recommendation

[4] https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4151867&GUID=0B8A9AF8-5AC9-4DB1-9581-4788EF63CFD9
[5] https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4244240&GUID=7CF6001D-D816-4A87-B7D2-6F8565313B64

PROPOSED CHANGES: TEXT AMENDMENTS TO THE LAND USE MANAGEMENT ORDINANCE ARTICLES 3 AND 8

The following is a summary of the proposed text amendment to amend the LUMO to related to review criteria.

1. Section 3.6.2 Historic Districts

- Amend the text in Section 3.6.2(b) Certificates of appropriateness required to reference the Design Principles and Standards, adopted on March 18, 2021:

  (4) A certificate of appropriateness application and amendments to a certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and ~~guidelines~~ Design Principles and Standards approved by the commission when the application is determined to involve minor work. Minor works are defined as those exterior changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works shall be limited to those listed in the Commission's ~~Rules of Procedure~~ Design Principles and Standards, or a successor document. No application involving a minor work may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications."

- Amend the text in Section 3.6.2(e) Historic Districts to align with the State Historic Preservation Office's Model Preservation Ordinance, specify that the Historic District Commission (HDC) does not have landscape authority, and eliminate the A through J review criteria:

  (1) ~~In considering an application for a certificate of appropriateness, the review shall take into account the historical and/or architectural significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure, as informed by the Historic District Design Guidelines.~~ When considering the application, the Commission shall apply the Design Principles and Standards and shall, in approving, approving with conditions, disapproving, or deferring an application, make findings of fact, indicating the extent to which the application is or is not in compliance with the Design Principles and Standards, and shall cause these findings of facts to be entered into the minutes of its meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the Commission based its decision.

  (2) The review shall not consider interior arrangement or use.

  (3) The review shall not consider plantings and other vegetation.

  (4) The review shall not consider paint color.

  ~~(3) The commission, using the criteria below, shall make findings of fact indicating whether the application is or is not congruous with the historic aspects of the historic district. The commission, in its written decision, shall reference testimony or documents in the record of the hearing as appropriate and necessary in order to inform all parties of the basis of these findings of fact.~~

~~(4) The following criteria shall be considered, when relevant, by the commission in reviewing applications for a certificate of appropriateness:~~

~~A. The height of the building in relation to the average height of the nearest adjacent and opposite buildings.~~

~~B. The setback and placement on lot of the building in relation to the average setback and placement of the nearest adjacent and opposite buildings.~~

~~C. Exterior construction materials, including texture and pattern.~~

~~D. Architectural detailing, such as lintels, cornices, brick bond, and foundation materials.~~

~~E. Roof shapes, forms, and materials.~~

~~F. Proportion, shape, positioning and location, pattern, and size of any elements of fenestration.~~

~~G. General form and proportions of buildings and structures.~~

~~H. Appurtenant fixtures and other features such as lighting.~~

~~I. Structural conditions and soundness.~~

~~J. Architectural scale.~~

2. Section 8.4.6 Powers of the Commission

Amend the text in Section 8.4.6 Powers of the Commission to replace "guidelines" with "principles and standards:"

8.4.6. Powers of the Commission.

The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter ~~160A, Article 19, Part 3C~~ 160D, Article 9, Part 4 of the N.C. General Statutes, including but not limited to the following:

(a) To recommend to the planning commission and council areas for designation by ordinance as historic districts;

(b) To recommend to the planning commission and council that designation of any areas as a historic district be revoked or removed;

(c) To recommend to the planning commission, council, and the State of North Carolina structures, sites, objects, or districts worthy of local, state, or national historical recognition;

(d) To propose to the council amendments to this chapter or to any other ordinance relating to the historic district, and to propose new ordinances or laws relating to

the historic district or to a program for the development of the historical resources of the Chapel Hill community;

(e) To request the council to hold public hearings on matters within the purview of the commission;

(f) To hear and decide applications for certificates of appropriateness in accord with Article 3 of this appendix; (Ord. No. 2004-02-23/O-2)

(g) To establish ~~guidelines~~ principles and standards under which the town manager shall approve applications for certificates of appropriateness covering minor modifications on behalf of the commission;

(h) To undertake, on its own or in collaboration with any other commission, board, agency, society, or organization, any programs of information, research, or analysis relating to any matters under its purview;

(i) To cooperate with other commissions, boards, or agencies of the town or other governmental unit in offering or requesting assistance, guidance, or advice concerning matters under the commission's purview or of mutual interest;

(j) To participate in negotiations with owners and other parties in an effort to find means of preserving historic buildings scheduled for demolition;

(k) To provide advice to owners of property located within the historic district concerning the treatment of the historical and visual characteristics of their properties, such as color schemes, gardens and landscape features, and minor decorative elements;

(l) To publish information or otherwise inform owners of property located within the historic district about any matters pertinent to the commission's duties, organization, procedures, responsibilities, functions, or requirements;

(m) To contract, in accord with established town policies and procedures, for services or funds from agencies or departments of the State of North Carolina and the United States government;

(n) To accept funds granted to the commission from private or non-profit organizations;

(o) To organize itself and conduct its business by whatever legal means it deems proper;

(p) To report violations of this appendix or related ordinances to the local official responsible for the enforcement thereof;

(q) To exercise, within the historic district, all the powers and duties of the Chapel Hill Community Design Commission;

(r) To exercise such other powers and to perform such other duties as are authorized or required elsewhere by this appendix, the N.C. General Statutes, or by the council.

Land Use Management Ordinance Text Amendment

Historic District Review Criteria & Historic District Commission

April 21, 2021

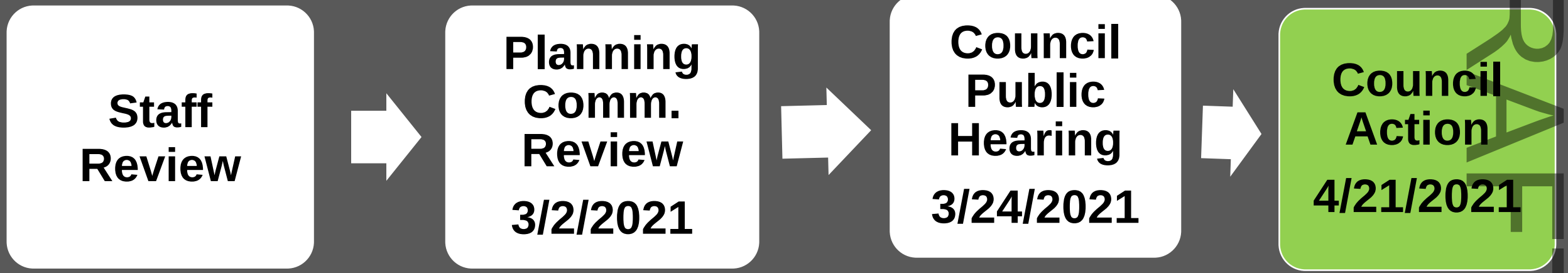
DRAFT

RECOMMENDATION

- Adopt the Resolution of Consistency
- Enact Ordinance A

DRAFT

Text Amendment Process



DRAFT

Updates Since the Public Hearing

- Updated the reference to 160D, Article 9, Part 4
- Added that the HDC shall not consider paint color

DRAFT

What's in your packet?

- Staff Report
- Resolution A, Resolution of Consistency
- Ordinance A
- Resolution B, denying the amendment
- Historic District Commission Recommendation
- Planning Commission Recommendation

DRAFT

Text Amendment Background

- Legislative updates in Chapter 160D of NC General Statutes
- A through J review criteria predate the adoption of the 2001 Design Guidelines
- In 2019, Planning Department recommended amending the LUMO following adoption of the Design Principles & Standards
- HDC adopted the Design Principles & Standards on March 18, 2021

DRAFT

HDC Review Criteria Text Amendment

- Remove A through J review criteria and rely on the Design Principles & Standards
- Amend the language to more closely reflect the State Historic Preservation Office's Model Preservation Ordinance
- Replace "Design Guidelines" with "Design Principles & Standards" reflecting legislative updates

DRAFT

Changes to the General Statutes

Part 4. Historic Preservation.

§ 160D-947. Certificate of appropriateness required.

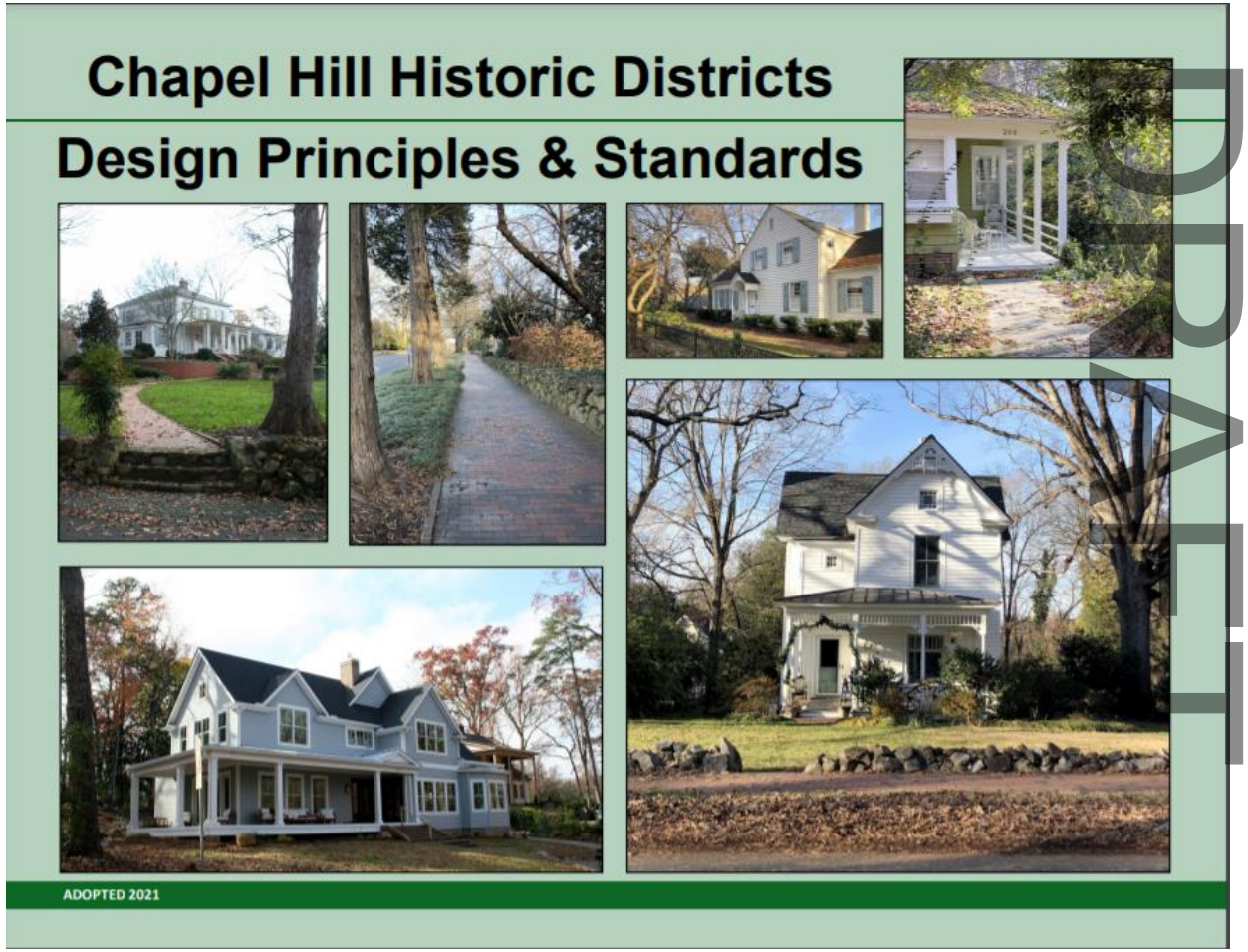
(c) Rules and Standards. - Prior to any action to enforce a landmark or historic district regulation, the commission shall (i) prepare and adopt rules of procedure and (ii) prepare and adopt principles and standards not inconsistent with this Part to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition. The landmark or historic district regulation may provide, subject to prior adoption by the preservation commission of detailed standards, for staff review and approval as an administrative decision of applications for a certificate of appropriateness for minor work or activity as defined by the regulation; provided, however, that no application for a certificate of appropriateness may be denied without formal action by the preservation commission. Other than these administrative decisions on minor works, decisions on certificates of appropriateness are quasi-judicial and shall follow the procedures of G.S. 160D-406.

https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_160d.html

DRAFT

Design Guidelines vs. Design Standards

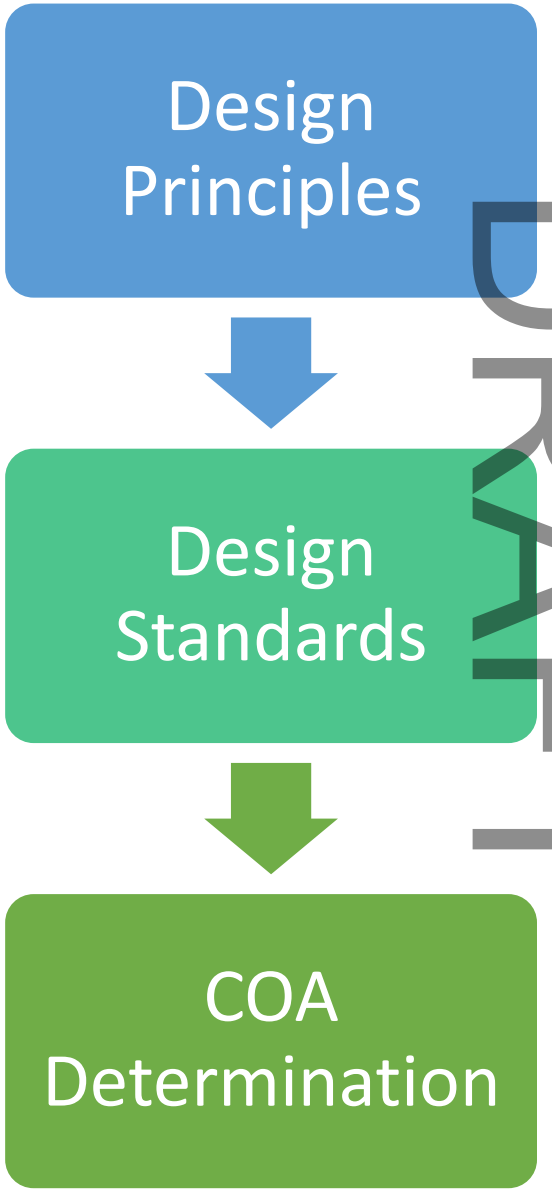
- 160D requires term “guidelines” be replaced with “standards”
  - Intent is to clarify that the design criteria outlined in local design documents are not suggestions but mandatory standards
  - COA decisions need to be based on design standards that guide the evaluation of whether changes are congruous with the special character of the historic districts



DRAFT

Role of the Design Principles & Standards

- HDC adopted the Design Principles & Standards on March 18th
- **Design Principle** – A fundamental and overarching concept that serves as a foundation for the Design Standards but is, in and of itself, not regulatory.
- **Design Standard** – A regulatory principle used by the Commission and Town Staff to evaluate COA applications and required compliance. Only standards that are applicable to a specific project will be used.



DRAFT

Proposed Changes to Section 3.6.2

Staff's Text Amendment Summary shows the edits made to the specific definitions.

3.6.2 Historic Districts.

(b) Certificate of appropriateness required

(4) A certificate of appropriateness application and amendments to a certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and ~~guidelines~~ Design Principles and Standards approved by the commission when the application is determined to involve minor work. Minor works are defined as those exterior changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works shall be limited to those listed in the Commission's ~~Rules of Procedure~~ Design Principles and Standards, or a successor document. No application involving a minor work may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications

DRAFT

Proposed Changes to Section 3.6.2

Staff's Text Amendment Summary shows the edits made to the specific definitions.

3.6.2 Historic Districts.

(e) *Review criteria.*

(1) When considering the application, the Commission shall apply the Design Principles and Standards and shall, in approving, approving with conditions, disapproving, or deferring an application, make findings of fact, indicating the extent to which the application is or is not in compliance with the Design Principles and Standards, and shall cause these findings of facts to be entered into the minutes of its meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the Commission based its decision.

(3) The review shall not consider plantings and other vegetation.

DRAFT

Proposed Changes to Section 8.4

Staff's Text Amendment Summary shows the edits made to the specific definitions.

8.4.6. Powers of the Commission.

The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter ~~160A, Article 19, Part 3C~~ 160D, Article 9, Part 5 of the N.C. General Statutes, including but not limited to the following:

(g) To establish ~~guidelines~~ principles and standards under which the town manager shall approve applications for certificates of appropriateness covering minor modifications on behalf of the commission;

DRAFT

RECOMMENDATION

- Adopt the Resolution of Consistency
- Enact Ordinance A

DRAFT

RESOLUTION A
RESOLUTION OF CONSISTENCY
(Enacting the Land Use Management Ordinance Text Amendment proposal)

A RESOLUTION REGARDING AMENDING SECTION 3.6.2 HISTORIC DISTRICTS OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE RELATED TO CERTIFICATE OF APPROPRIATENESS REQUIRED AND REVIEW CRITERIA AND SECTION 8.4 HISTORIC DISTRICT COMMISSION AND CONSISTENCY WITH THE CHAPEL HILL 2020 COMPREHENSIVE PLAN (2021-04-21/R-9)

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on February 9, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on March 3, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing on February 24, 2021 to amend Article 3, Sections 3.6.2 of the Land Use Management Ordinance as it relates to the Historic District Commission's Review Criteria applied to Certificates of Appropriateness application and Section 8.4 Historic District Commission; and

WHEREAS, the Council held that public hearing on March 24, 2021, receiving comments through 11:59 PM on March 25, 2021, and closed the public hearing at that point; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.6.2 Historic Districts regarding Certificate of Appropriateness Required and Review Criteria applied to Certificate of Appropriateness applications and Article 8, Section 8.4 Historic District Commission, 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 Chapel Hill 2020 Comprehensive Plan:

- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places, New Spaces.2)

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Good Places, New Spaces.3)

- 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 (Good Places, New Spaces.5)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed text amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the 21st day of April, 2021.

ORDINANCE A
(Enacting the Land Use Management Ordinance Text Amendment proposal)

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE SECTION 3.6.2 HISTORIC DISTRICTS RELATED TO CERTIFICATE OF APPROPRIATENESS REQUIRED AND REVIEW CRITERIA AND SECTION 8.4 HISTORIC DISTRICT COMMISSION (2021-04-21/O-3)

WHEREAS, Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall "adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition;" and

WHEREAS, the A through J review criteria outlined in Land Use Management Ordinance (LUMO) 3.6.2(e)(4) predate the adoption of the 2001 *Design Guidelines for the Chapel Hill Historic Districts ("Design Guidelines")*; and

WHEREAS, on September 23, 2019, Planning Department staff provided a recommendation to the Council Committee on Boards & Commission to amend the LUMO following the adoption of the Design Principles and Standards to provide greater clarity on the legal basis for application of the Design Principles and Standards in the Commission's review of Certificate of Appropriateness (COA) applications; and

WHEREAS, the Historic District Commission adopted the Design Principles & Standards on March 18, 2021, and the A through J criteria do not reflect the guidance provided in this document; and

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on February 9, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on March 2, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing on March 24, 2021 to amend Article 3, Sections 3.6.2 of the Land Use Management Ordinance as it relates to the Historic District Commission's Review Criteria applied to Certificates of Appropriateness application and Article 8, Section 8.4 Historic District Commission; and

WHEREAS, the Council continued and held that public hearing on March 24, 2021, receiving comments through 11:59 PM on March 25, 2021, and closed the public hearing at that point; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.6.2 related to Historic District Commission's Review Criteria applied to Certificates of Appropriateness application and Article 8 Section 8.4 Historic District Commission, 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 Chapel Hill 2020 Comprehensive Plan:

- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places, New Spaces.2)

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Good Places, New Spaces.3)

- 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 (Good Places, New Spaces.5)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Appendix A. Land Use Management Ordinance, be amended as follows:

Section 1. Section 3.6.2.(b) *Certificate of appropriateness required* is hereby revised to read as follows:

3.6.2 Historic Districts.

"(b) *Certificate of appropriateness required.*

(1) No exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), or any aboveground utility structure, or any type of outdoor advertising sign shall be erected, altered, restored, moved, or demolished within the historic district until an application for a certificate of appropriateness as to exterior architectural features has been approved. For purposes of this article, "exterior architectural features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, "exterior architectural features" shall be construed to mean the style, material, size, and location of all such signs.

(2) A certificate of appropriateness shall be issued prior to the issuance of a zoning compliance permit or any other permit granted for purposes of constructing, altering, or demolishing buildings or structures. A certificate of appropriateness shall be required whether or not a zoning compliance permit is required. Any zoning compliance permit or other permit not issued in conformity with this section shall be invalid.

(3) The town and all public utility companies shall be required to obtain a certificate of appropriateness prior to initiating any changes in the character of street paving, sidewalks, utility installations, lighting, walls, fences, structures, and buildings on property owned or franchised by the Town of Chapel Hill or public utility companies, excluding regulatory signs, other traffic control measures and devices, and utility distribution systems located in public right-of-way.

(4) A certificate of appropriateness application and amendments to a certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and ~~guidelines~~ Design Principles and Standards approved by the commission when the application is determined to involve minor work. Minor works are defined as those exterior

changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works shall be limited to those listed in the Commission's ~~Rules of Procedure~~ Design Principles and Standards, or a successor document. No application involving a minor work may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications."

Section 2. Section 3.6.2.(e) Review Criteria is hereby revised to read as follows:

"(e) *Review criteria.*

(1) ~~In considering an application for a certificate of appropriateness, the review shall take into account the historical and/or architectural significance of the structure under consideration and the exterior form and appearance of any proposed additions or modifications to that structure, as informed by the Historic District Design Guidelines.~~ When considering the application, the Commission shall apply the Design Principles and Standards and shall, in approving, approving with conditions, disapproving, or deferring an application, make findings of fact indicating the extent to which the application is or is not in compliance with the Design Principles and Standards, and shall cause these findings of facts to be entered into the minutes of its meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the Commission based its decision.

(2) The review shall not consider interior arrangement or use.

(3) The review shall not consider plantings and other vegetation.

(4) The review shall not consider paint color.

~~(3) The commission, using the criteria below, shall make findings of fact indicating whether the application is or is not congruous with the historic aspects of the historic district. The commission, in its written decision, shall reference testimony or documents in the record of the hearing as appropriate and necessary in order to inform all parties of the basis of these findings of fact.~~

~~(4) The following criteria shall be considered, when relevant, by the commission in reviewing applications for a certificate of appropriateness:~~

~~A. The height of the building in relation to the average height of the nearest adjacent and opposite buildings.~~

~~B. The setback and placement on lot of the building in relation to the average setback and placement of the nearest adjacent and opposite buildings.~~

~~C. Exterior construction materials, including texture and pattern.~~

~~D. Architectural detailing, such as lintels, cornices, brick bond, and foundation materials.~~

~~E. Roof shapes, forms, and materials.~~

~~F. Proportion, shape, positioning and location, pattern, and size of any elements of fenestration.~~

~~G. General form and proportions of buildings and structures.~~

~~H. Appurtenant fixtures and other features such as lighting.~~

~~I. Structural conditions and soundness.~~

~~J. Architectural scale.~~"

Section 3. Section 8.4. Historic District Commission is hereby revised to read as follows:

8.4.6. Powers of the Commission.

"The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter 160D, Article 9, Part 4 of the N.C. General Statutes, including but not limited to the following:

(a) To recommend to the planning commission and council areas for designation by ordinance as historic districts;

(b) To recommend to the planning commission and council that designation of any areas as a historic district be revoked or removed;

(c) To recommend to the planning commission, council, and the State of North Carolina structures, sites, objects, or districts worthy of local, state, or national historical recognition;

(d) To propose to the council amendments to this chapter or to any other ordinance relating to the historic district, and to propose new ordinances or laws relating to the historic district or to a program for the development of the historical resources of the Chapel Hill community;

(e) To request the council to hold public hearings on matters within the purview of the commission;

(f) To hear and decide applications for certificates of appropriateness in accord with article 3 of this appendix; (Ord. No. 2004-02-23/O-2)

(g) To establish ~~guidelines~~ principles and standards under which the town manager shall approve applications for certificates of appropriateness covering minor modifications on behalf of the commission;

(h) To undertake, on its own or in collaboration with any other commission, board, agency, society, or organization, any programs of information, research, or analysis relating to any matters under its purview;

(i) To cooperate with other commissions, boards, or agencies of the town or other governmental unit in offering or requesting assistance, guidance, or advice concerning matters under the commission's purview or of mutual interest;

(j) To participate in negotiations with owners and other parties in an effort to find means of preserving historic buildings scheduled for demolition;

(k) To provide advice to owners of property located within the historic district concerning the treatment of the historical and visual characteristics of their properties, such as color schemes, gardens and landscape features, and minor decorative elements;

(l) To publish information or otherwise inform owners of property located within the historic district about any matters pertinent to the commission's duties, organization, procedures, responsibilities, functions, or requirements;

(m) To contract, in accord with established town policies and procedures, for services or funds from agencies or departments of the State of North Carolina and the United States government;

(n) To accept funds granted to the commission from private or non-profit organizations;

(o) To organize itself and conduct its business by whatever legal means it deems proper;

(p) To report violations of this appendix or related ordinances to the local official responsible for the enforcement thereof;

(q) To exercise, within the historic district, all the powers and duties of the Chapel Hill Community Design Commission;

(r) To exercise such other powers and to perform such other duties as are authorized or required elsewhere by this appendix, the N.C. General Statutes, or by the council."

Section 4. This ordinance shall be effective upon enactment.

This the 21st day of April, 2021.

RESOLUTION B
(Denying the Land Use Management Ordinance Text Amendment Proposal)

A RESOLUTION DENYING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE SECTION 3.6.2 HISTORIC DISTRICTS RELATED TO CERTIFICATE OF APPROPRIATENESS REQUIRED AND REVIEW CRITERIA AND SECTION 8.4 HISTORIC DISTRICT COMMISSION (2021-04-21/R-10)

WHEREAS, Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall "adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition;" and

WHEREAS, the A through J review criteria outlined in Land Use Management Ordinance (LUMO) 3.6.2(e)(4) predate the adoption of the 2001 *Design Guidelines for the Chapel Hill Historic Districts ("Design Guidelines")*; and

WHEREAS, on September 23, 2019, Planning Department staff provided a recommendation to the Council Committee on Boards & Commission to amend the LUMO following the adoption of the Design Guidelines to provide greater clarity on the legal basis for application of the Design Guidelines in the Commission's review of Certificate of Appropriateness (COA) applications; and

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on February 9, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on March 3, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing on February 24, 2021 to amend Article 3, Sections 3.6.2 of the Land Use Management Ordinance as it relates to the Historic District Commission's Review Criteria applied to Certificates of Appropriateness application and Article 8, Section 8.4 Historic District Commission; and

WHEREAS, the Council held that public hearing on March 24, 2021, receiving comments through 11:59 PM on March 25, 2021, and closed the public hearing at that point; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Land Use Management Text Amendments to be unreasonable, not in the public interest, and inconsistent with the Town's Comprehensive Plan.

This the 21st day of April, 2021.

HISTORIC DISTRICT COMMISSION

The commission is authorized and empowered to undertake actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix and in Chapter 160A, Article 19, Part 3C of the N.C. General Statutes, including but not limited to proposing to the council amendments to this chapter or to any other ordinance relating to the historic district, and to propose new ordinances or laws relating to the historic district or to a program for the development of the historical resources of the Chapel Hill community.

RECOMMENDATION
TEXT AMENDMENTS REGARDING HISTORIC DISTRICT COMMISSION PROCEDURES
February 9, 2021

ORDINANCE A

Recommendation: Approval ☐ **Approval with Condition** ■ **Denial** ☐

Josh Gurlitz moved and David Schwartz seconded a motion to forward a positive recommendation to the Town Council for Ordinance A, with amendments.

Vote: **6-0**

Ayes: David Schwartz (Chair), Sean Murphy (Vice-Chair), Josh Gurlitz, Duncan Lascelles, Nancy McCormick, Polly Van de Velde

Nays: None

Absent: Madhu Beriwal

The Historic District Commission requested amending Land Use Management Ordinance (LUMO) 3.6.2(e)(1) and (3) to reflect the language of the State Model Ordinance prior to Council review.

Prepared by: Anya Grahn, Planning Department Staff

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION
FOR LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – PROPOSED CHANGES TO SECTION 3.6.2 AND SECTION 8.4

March 2, 2021

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Elizabeth Losos moved and John Rees seconded a motion to recommend that the Council approve the Resolution of Consistency.

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Buffie Webber, Stephen Whitlow

Nays:

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: John Rees moved and James Baxter seconded a motion to recommend that the Council approve Ordinance A amending the Chapel Hill Land Use Management Ordinance Section 3.6.2 Historic Districts related to review criteria and Section 8.4 Historic District Commission.

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Buffie Webber, Stephen Whitlow

Nays:

Prepared by: Anya Grahn, Senior Planner

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [21-0338], **Version:** 1 **Meeting Date:** 4/21/2021

Updates and Preliminary Recommendations from Re-Imagining Community Safety Task Force.

Staff:
Chris Blue, Police Chief and Executive Director of Community Safety
Loryn Clark, Executive Director
Sarah Vinas, Assistant Director

Department:
Police Department
Housing and Community

Overview: Amplify Consulting will provide Council updates on the work of the Re-Imagining Community Safety Task Force, including summaries of the Listening Sessions and Survey; and preliminary recommendations.

Recommendation(s):

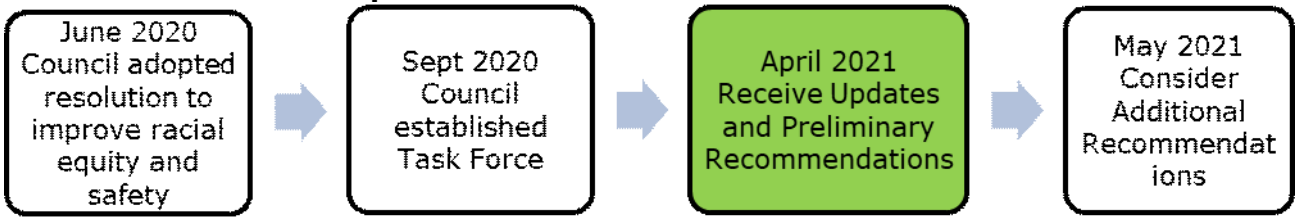
That the Council receive information on the Task Force's progress and preliminary recommendations.

Key Issues:

- Under the continued facilitation of Amplify, the Task Force has agreed to convene for three additional meetings, with the goal of providing Council with more thorough recommendations by the end of May.

Fiscal Impact/Resources: The estimated cost of implementation of the Task Force's preliminary recommendations for the Fiscal Year 2022 Budget is $132,176 total ($97,176 for Street Outreach and $35,000 for neighborhood outreach and meetings).

Where is this item in its process?



Attachments:

- Draft Presentation
- Staff Memorandum
- Community Safety Report - Re-Imagining Community Safety Task Force

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

PRESENTER: Christine Edwards, Amplify Consulting

RECOMMENDATION: That the Council receive information on the Task Force’s progress and preliminary recommendations.

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Chapel Hill Re-Imagining Community Safety Task Force Preliminary Report

DRAFT

Compiled by Amplify Consulting
April 2021

Agenda

- Background on Re-Imagining Community Safety Task Force
- Summary of Task Force Progress
- Community Engagement Findings
- Preliminary Recommendations

DRAFT

Recommendations

- Receive summary information on Community Listening Sessions and Survey results
- Receive information on Task Force's preliminary recommendations and continued work through May

DRAFT

Introduction

In the Fall of 2020, the Town Council of the Town of Chapel Hill established the Re-Imagining Community Safety Task Force, whose mission is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following:

1. Increase public safety,
2. Eliminate structural inequities in Town public safety systems; and
3. Enable all in the community to thrive.

The task force is charged with developing a community engagement plan to gather input from residents on how public safety services can better promote racial equity and economic inclusion. In this first phase of community engagement, the task force and Town of Chapel Hill opted to learn from the community with both a survey and a series of six community listening sessions.

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Project Timeline

DRAFT

Re-Imagining Community Safety Task Force

13 Member Task Force

Bi-weekly Task Force Meetings

Bi-weekly Steering Committee Meetings

Additional learning from speakers, supplemental reading and community events.

Guest Speakers and Meeting Topics

- **Community Safety 101 Presentation**
- **Criminal Justice Resource Department Presentation**
- **Housing and Community Development Presentation**
- **Orange County Street Outreach and Harm Reduction Program Presentation**
- **NC Task Force for Racial Equity in Criminal Justice Presentation**
- **Safety Concerns from local Asian Community Discussion**

DRAFT

Oversight of Community Engagement

The Amplify Consulting Team was responsible for developing community listening tools, communicating with RICS members and Steering Committee leaders during regularly scheduled meetings, and facilitating community listening sessions in both English and Spanish. The Reimagining Community Safety Task Force members, Steering Committee, and Town of Chapel Hill staff provided direct insight into survey language, outreach partners and listening session questions.

The Amplify Consulting Team

Christine Edwards, MPA
Project Manager and
Lead Facilitator

Kayla Earley
Task Force Co-Facilitator

Kelly Little, MBA, MSL
Community Meeting Co- Facilitator

Diego Anselmo, MPA
Community Meeting
Co-Facilitator

DRAFT

Community Survey

Survey period: March 10, 2021- April 8, 2021

302 total survey responses

Table 2: Electronic Survey Distribution

Audience	Distributed by whom	Method of communication
Task Force Members	Amplify Consulting	Email; Regularly scheduled Zoom meeting
Listening Session Participants	Amplify Consulting	Post-session follow-up email
Community Stakeholders	Town of Chapel Hill, Task Force members, and Amplify Consulting	Email
General Public	Town of Chapel Hill	RICS webpage; Press release

DRAFT

Survey Demographics

224

Table 1: Demographic Profile of Town of Chapel Hill compared to Community Engagement Participants

Demographics	Town of Chapel Hill (n=64051)[1]	Survey Participants (N=302)	
Race	**%**	**#**	**%**
White, not Hispanic	66.9%	31	28.4%
Black, not Hispanic	10.9%	6	5.5%
Asian / Pacific Islander	13.0%	61	55.9%
American Indian / Alaska Native	0.3%	2	1.8%
Multi-Race	2.9%	0	0%
Other / Not Specified	NR	2	1.8%
Did not respond	NR	7	6.4%
Ethnicity	**%**	**#**	**%**
Hispanic / Latinx	6.3%	0	0%
Gender	**%**	**#**	**%**
Male	47.0%	30	28.9%
Female	53.0%	64	61.55%
Third gender / Non-binary	NR	3	2.9%
Other	NR	1	0.9%
Did not respond	NR	6	5.8%

[1]Data from 2019 US Census Bureau

[2]NR = Not Reported

DRAFT

Question 1: What does community safety mean to you?

Q1 - What does community safety mean to you?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Freedom from intimidation, trepidation, or threats
2. Absence of fear, harassment, worry
3. Being able to move through a community independently and without fear or worry – from home, to work, to public spaces
4. A feeling of having everything I need – housing, food security, money
5. Equity, inclusivity, community voice is heard in decision making
6. Community is engaged and people look out for one another
7. Mental health and substance use are proactively addressed

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Question 2: How do you define your community?

Q2 - How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. All of Chapel Hill
2. The greater Chapel Hill area, including Carrboro and/or Orange County and/or UNC Chapel Hill
3. My part of town and/or my neighborhood

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Question 3: On a scale of 1 to 3, with 1 being the most safe and 3 being the least safe, how safe do you feel in Chapel Hill?

Q3. On a scale of 1 to 3, with **1 being the most safe and 3 being the least safe,** how safe do you feel in Chapel Hill?

☐ 1	**46%**
☐ 2	**43%**
☐ 3	**2%**
☐ Other response: _____	**9%**

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Question 4: What makes you feel safe in your community?

Q4 - What makes you feel safe in your community?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Socioeconomic status
2. People looking out for each other
3. The feeling of community
4. Seeing people out and about
5. Absence of violence, crime

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Question 5: What makes you feel unsafe in your community?

Q5 - What makes you feel unsafe in your community?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Seeing people who are strangers, experiencing homelessness and/or asking for money
2. Presence of drugs or of intoxicated people
3. Violence & violent crime; reports of shootings, car break-ins, and other local crime
4. Seeing heavy police presence and/or over-policing and over-criminalization
5. Racial profiling and other implicit/explicit racism
    - Including perceived increase in Asian hate
6. Lack of (or awareness of) community resources outside of police / 911

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Question 6: Which of the following services should be delivered by the Chapel Hill Police Department?

Table 4: Participant Ranking of Services Delivered by CHPD

Rank	Service	Minimum	Maximum	Mean	Standard Deviation	Variance	Count
1	Violent Crime	1	11	2.49	2.58	6.66	113
2	Death Response / Investigation	1	12	3.94	2.83	8.01	113
3	Community Engagement	1	12	5.27	3.29	10.8	113
4	Drug & Alcohol Enforcement	1	12	5.59	2.76	7.64	113
5	Property Violations	1	12	6.16	3.01	9.04	113
6	Crisis Interventions	2	12	6.58	3.32	11.04	100
7	Crowd Management	1	12	6.79	2.72	7.41	113
8	Traffic Safety/Management	1	13	7.16	3.22	10.36	113
9	Mental Health Crisis Intervention	1	13	7.17	3.03	9.17	113
10	Noise Ordinance & Nuisance Violations	3	13	8.94	2.37	5.6	113
11	Response to Unsheltered Persons	2	13	9	2.75	7.56	113
12	Youth Engagement	2	13	9.12	2.84	8.07	113

Participants ranked 12 services currently offered by the Chapel Hill Police Department (CHPD) based on the level of importance they felt it was for CHPD to be involved in each service.

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Question 7: What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD

- I don’t know/ Not sure
- Social Services/Social Workers
- Police Officers
- Local government
- None
- Churches
- UNC Police

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Question 8: Who's missing from the conversation?

Q8 - Who's missing from the conversation?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Marginalized communities / communities of color
2. College students and people affiliated with UNC Chapel Hill
3. Children, teenagers, "at-risk youth," and their parents
4. People experiencing homelessness and those working in agencies that serve this population
5. Mental health professionals
6. Non-profits, including faith-based, cultural, and civic groups
7. Immigrants and refugees
8. People with developmental/intellectual disabilities or other disabilities
9. People who are elderly and aging

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Community Listening Sessions

6 Total

Wednesday March 10, 2021

Saturday March 13, 2021

Tuesday March 16, 2021

Saturday March 20, 2021

Tuesday March 23, 2021

Monday March 29, 2021

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Community Stakeholders and Outreach Partners

Groups and organizations included in original outreach:

- Carrboro Community Health Center
- Chapel Hill – Carrboro City Schools
- Compass Center for Women and Families
- Community Empowerment Fund (CEF)
- Criminal Justice Resource Department
- El Centro Hispano
- Freedom House Recovery Center
- Habitat for Humanity
- Inter Faith Council
- Jackson Center
- Mi Pueblo
- NAACP Chapel Hill-Carrboro
- Orange County Health Department
- Orange County Rape Crisis Center
- Orange County Partnership to End Homelessness
- Oxford House
- Pathway to Change
- Refugee Support Center
- Refugee Community Partnership
- St. Thomas More Church
- The Minority Student Caucus
- UNC Refugee Wellness
- Transplanting Traditions
- Volunteers for Youth

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Listening Session Attendance and Racial Demographics

	March 10 Staff	March 13	March 16 Spanish	March 20	March 23	March 29 Task Force
Registered	61	18	9	21	42	21
Attendees	61	12	2	15	36	21
White		100%	0	83%	56%	
Black		0	0	17%	22%	
Hispanic/Latinx		0	100%	0	0	
Asian		0	0	0	22%	
Native		0	0	0	0	
Race Unknown		0	0	0	0	
Other		0	0	0	0	

Total Attendees: 147
Average Attendance: 25
Full Demographics Report Available

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Discussion Questions

Question 1

What does safety mean to you?
What makes you feel safe?
What makes you feel unsafe?

Question 2

Identify the top 3 CHPD services to prioritize:

Community Outreach
Crowd Management
Death Response/Investigation
Drug and Alcohol Enforcement
Mental Health and Addiction
Noise Ordinance
Nuisance Crimes
Property Crimes
Traffic Safety and Traffic Crimes
Violent Crime

Question 3

Who's missing from the conversation?
What other questions should we be asking?
What organizations or partnerships can help CHPD deliver community safety services?

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Major Themes

Question 1

- Feeling of safety depends on where you live in Chapel Hill
- Safety means treated fairly and equitably
- Safety means being able to express self
- Safety means Freedom not to be afraid in public
- Safety as an extension of themselves; speaking on behalf of others
- Some Asian, Black and Hispanic participants reported having different experiences in Chapel Hill than their white counterparts, in terms of police interactions, feeling safe in their own neighborhoods and in wider communities.

Question 2

- High Priority- In terms of priorities, violent crime, death response and noise ordinance and nuisance control remain top priorities
- Middle Priority- Traffic safety and management, response to unsheltered persons and Property violations were ranked in the middle
- Lower Priority- Mental Health, Youth Engagement and Drug and Alcohol Abuse were ranked as lower priorities

Question 3

- Youth, the Student population and the Faith Community are missing from the conversation
- More collaborations with UNC Campus, other health providers and community resources that can help provide mental health response services
- More collaborations with homelessness prevention and support organizations

DRAFT

Summary

- The outreach was fairly representative of the Town demographics but could have reached more diverse communities and people impacted by police interactions.
- It is clear that future outreach should be more inclusive of populations experiencing poverty, those who are differently abled, and those experiencing homelessness.
- Working with outreach partners is most effective in increasing both attendance and diversity.

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Summary

- Common Zip Codes in attendance : 27514, 27516, 27517, 27713, 27312, 27510, 27707
- Overall, participants value collaboration between the Town and service providers for services like mental health crises and substance abuse response.
- Overall, participants felt comfortable sharing their lived experiences.
- Generally, people feel safe in their neighborhoods but not always safe to express themselves in the wider community.
- There is a desire to address the criminalization of poverty in Chapel Hill.

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Community Engagement Limitations

- Demographic questions were not asked consistently across each listening session.
- Not all participants responded to demographic questions in each listening session.
- Some participants misunderstood and/or misinterpreted terms related to community safety services.
- All listening sessions were conducted online via video conference.

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Preliminary Recommendations

Based on survey data and listening session feedback

Task Force Recommendations

1. Provide additional funding to the Orange County Street Outreach, Harm Reduction and Deflection Program (SOHRAD)

1. Provide funding and capacity building to neighborhood organizations to address community safety concerns

1. Collaborate with Peoples Academy to enhance awareness of community safety services

1. Develop a plan for Chapel Hill staff to increase participation in racial equity training

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Preliminary Recommendations

Based on survey data and listening session feedback

5. Increase the staff of the CHPD Crisis Intervention Unit

5. Identify and further collaborate with existing mental health and substance abuse prevention agencies

5. Conduct additional community engagement activities to expand the diversity and reach of the community safety conversation

5. Develop Task Force Implementation Plan

DRAFT

Chapel Hill Re-Imagining Community Safety Task Force Preliminary Report

Thank you to all contributors

Reimagining Community Safety Taskforce Members
Delores Bailey
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Marcus Farrow
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Paris Miller
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Faith Brodie, Public Housing Director
Anita Badrock, Town Ombuds

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Amplify Consulting Staff
Christine Edwards, CEO
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DRAFT

Summary of Re-Imagining Community Safety Task Force Progress

April 2021

Background

On June 24, 2020 Town Council adopted a Resolution on Developing New Community Approaches to Improve Racial Equity and Public Safety in Chapel Hill (2020-06-24/R-1)[1] to improve racial equity and public safety in Chapel Hill. This resolution came after weeks of considerable nationwide concern over the killings of Black men and women by law enforcement, sparked by the murder of George Floyd, and the increasing demands from community members that Council take local action to address opportunities to reform law enforcement practices and enhance community resources in Chapel Hill.

Additionally, the resolution included changes to the Police Department's policies;

- authorizing deadly force only when there is clear and convincing evidence of imminent threat of death or serious physical injury,
- prohibiting the use of chokeholds and ensuring that policies and training reflect that prohibition,
- ending the use of regulatory traffic stops or low-level, non-moving violations that do not address public safety and which significant racial disparities are often found.

On September 9, 2020, Council established the Re-imagining Community Safety Task with a mission to bring forth concrete, actionable recommendations to the Town Council that will increase public safety, eliminate structural inequities in Town public safety systems, and enable all in the community to thrive. Additionally, a Council-approved Task Force Charge[2] was created.

On October 7, 2020, Council appointed 13 members and 2 alternates to the Task Force, representing segments of the population most impacted by inequities in public safety approaches.

Progress to Date

From October to December 2020, the Task Force met four times to establish the project timeline, review roles and responsibilities, elect a steering committee, learn from Town staff presentations, and review data. Additionally, a comprehensive webpage[3] was dedicated to the work of the Task Force.

In February 2021, the Town engaged Amplify Consulting[4] to facilitate the process and guide the Task Force to recommendations.

In March, Amplify Consulting conducted six virtual listening sessions, for participants to share their experiences and ideas for making Chapel Hill a safe and inclusive community.

[1] https://chapelhill.legistar.com/View.ashx?M=F&ID=8634097&GUID=DB454587-66EA-418B-85FC-77928465DB32
[2] https://www.townofchapelhill.org/home/showpublisheddocument?id=47399
[3] https://www.townofchapelhill.org/government/mayor-and-council/boards-commissions/re-imagining-public-safety-task-force
[4] https://www.amplifycharlotte.com/

Also, Amplify opened a survey asking the community for input on how public safety services can better promote racial equity and inclusion.

In addition, Task Force members learned from presentations by speakers from Orange County's Criminal Justice Resource Department,[5] Public Protection Section at NC Department of Justice,[6] and the Street Outreach, Harm Reduction and Deflection Program (SOHRAD).[7]

Proposed Next Steps

Under the continued facilitation of Amplify, the Task Force has agreed to convene for three additional meetings, with the goal of providing Council with more thorough recommendations by the end of May.

Preliminary Task Force Recommendations

- Provide funding to the Orange County Street Outreach, Harm Reduction and Deflection Program SOHRAD). The estimated funding needed to sustain the County-wide SOHRAD program through FY22 is approximately $237,000. The cost is proposed to be shared among the government partners in the County and, and the Town's portion would be $97,176.
- Provide funding to neighborhood organizations for neighborhood meetings and outreach activities to address community safety concerns and expand capacity for neighborhoods to get organized and partner in the work of identifying community needs. The estimated funding needed is $35,000 for FY22.

[5] https://www.orangecountync.gov/432/Criminal-Justice-Resource-Department
[6] https://ncdoj.gov/public-protection/
[7] https://www.ocpehnc.com/street-outreach

Community Safety Report
Re-Imagining Community Safety Task Force
Town of Chapel Hill

April 2021

Contributors

Reimagining Community Safety Taskforce Members

Delores Bailey
Jamesha Cannon-Phillips
Robert Campbell
Marcus Farrow
Emma Ferriola-Bruckenstein
Desmond Frierson
Jaclyn Gilstrap
Heather Nash
Eliazar Posada
Jeremy Roberson
Shugong Wang

Steering Committee

Mathew Sullivan
Tye Hunter
Paris Miller
Eh Mu Ra

Learn more about the Town of Chapel Hill's Reimagining Community Safety Task Force.

Town of Chapel Hill Staff

Maurice Jones, Town Manager

Flo Miller, Deputy Town Manager

Chris Blue, Police Chief

Loryn Clark, Executive Director for Housing and Community

Sarah Viñas, Assistant Director for Housing and Community, Project Manager

Celisa Lehew, Assistant Police Chief

Faith Brodie, Public Housing Director

Anita Badrock, Town Ombuds

Town Council Members

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Learn more about Amplify Charlotte

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Introduction

In the Fall of 2020, the Town Council of the Town of Chapel Hill established the Re-Imagining Community Task Force, whose mission is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following:

1. Increase public safety,
2. Eliminate structural inequities in Town public safety systems; and
3. Enable all in the community to thrive.

The task force is charged with community engagement to gather input from residents on how public safety services can better promote racial equity and economic inclusion. In this first phase of community engagement, the task force and Town of Chapel Hill opted to learn from the community with both a survey and a series of six community listening sessions.

Oversight of Community Engagement

The Amplify Consulting Team was responsible for developing community listening tools, communicating with RICS members and Steering Committee leaders during regularly scheduled meetings, and facilitating community listening sessions in both English and Spanish. The Re-Imagining Community Safety Task Force members, Steering Committee, and Town of Chapel Hill staff provided direct insight into survey language, survey translation, and listening session questions.

Demographic Profile

Table 1: Demographic Profile of Town of Chapel Hill compared to Community Engagement Participants

Demographics	**Town of Chapel Hill (n=64051)** [1]	**Survey Participants (N=302)**	
Race	**%**	**#**	**%**
White, not Hispanic	66.9%	31	28.4%
Black, not Hispanic	10.9%	6	5.5%
Asian / Pacific Islander	13.0%	61	55.9%
American Indian / Alaska Native	0.3%	2	1.8%
Multi-Race	2.9%	0	0%
Other / Not Specified	NR	2	1.8%
Did not respond	NR	7	6.4%
Ethnicity	**%**	**#**	**%**
Hispanic / Latinx	6.3%	0	0%
Gender	**%**	**#**	**%**
Male	47.0%	30	28.9%
Female	53.0%	64	61.55%
Third gender / Non-binary	NR	3	2.9%
Other	NR	1	0.9%
Did not respond	NR	6	5.8%

[1]Data from 2019 US Census Bureau [2]NR = Not Reported

Methodology

Community Survey

Survey Design

The survey drew upon questions a previously validated instrument used by Amplify Consulting in conjunction with the City of Asheville, NC. See Appendix B of this report for a copy of the English survey. The survey utilizes primarily open-ended questions and ranking questions.

The Town of Chapel Hill provided Spanish translations for the survey, community listening session slide deck, and promotional flyer.

Online Survey Administration

Amplify Consulting utilized Qualtrics, a web-based online survey tool. Qualtrics features include:

1. Immediate tabulation of participants completing the survey with real-time results available for review by the consulting team.
2. Access to an online survey permits participants to utilize accessibility and linguistics software as needed.
3. Participants can complete the survey in their own time and in a socially distanced setting.

Table 2 outlines the groups that received the surveys and by what form of communication.

Table 2: Electronic Survey Distribution

Audience	Distributed by whom	Method of communication
Task Force Members	Amplify Consulting	Email; Regularly scheduled Zoom meeting
Listening Session Participants	Amplify Consulting	Post-session follow-up email
Community Stakeholders	Town of Chapel Hill, Task Force members, and Amplify Consulting	Email
General Public	Town of Chapel Hill	RICS webpage; Press release

Paper Survey Administration

The Town of Chapel Hill also made the survey available in a paper format in both Spanish and English for distribution to community partners.

Data Analysis

Online survey collection made an immediate tabulation of community responses possible. The Consulting Team provided mid-project reports to the RICS Task Force on March 22, 2021 to provide the task force with the opportunity to recommend tactics for reaching underrepresented populations.

Amplify Consulting reviewed and cleaned the database prior to analysis. Amplify Consulting exported data from Qualtrics and manipulated into tabular and graphic results for analysis and presentation.

Listening Sessions

Amplify Consulting facilitated six listening sessions on the following dates and with the following groups:

- Monday, March 8, 2021: Task Force Pilot Session
- Wednesday, March 10, 2021: Town Staff and Leadership Session
- Saturday, March 13, 2021: General Public Session
- Tuesday, March 16, 2021: Spanish Language Session
- Saturday, March 20, 2021: General Public Session
- Tuesday, March 23, 2021: General Public Session
- Monday March 29, 2021: Task Force Session

In addition to the Spanish language session, language assistance services were available upon request for each session. All sessions were held virtually to abide by COVID-19 precautions.

Session Design

Listening session drew upon questions from a previously validated instrument used by Amplify Consulting in conjunction with the City of Asheville, NC. The RICS Task Force piloted the session questions prior to the first community session. Additionally, the Steering Committee and Town Staff had opportunity at regularly scheduled meetings to provide feedback on question wording, which was implemented into the final session presentation.

The Town of Chapel Hill provided Spanish translations of the questions to be used in the Spanish language session. Bilingual co-facilitator, Diego Anselmo (Amplify Consulting) conducted the Spanish listening session.

Data Analysis

Amplify Consulting kept detailed minutes of meetings and used data visualization tools to analyze and present qualitative data and identify themes across listening sessions. Amplify Consulting also collected demographic information of survey participants and reported demographics back to the Steering Committee to provide the committee with the opportunity to recommend tactics for reaching underrepresented populations and increasing diversity.

Findings

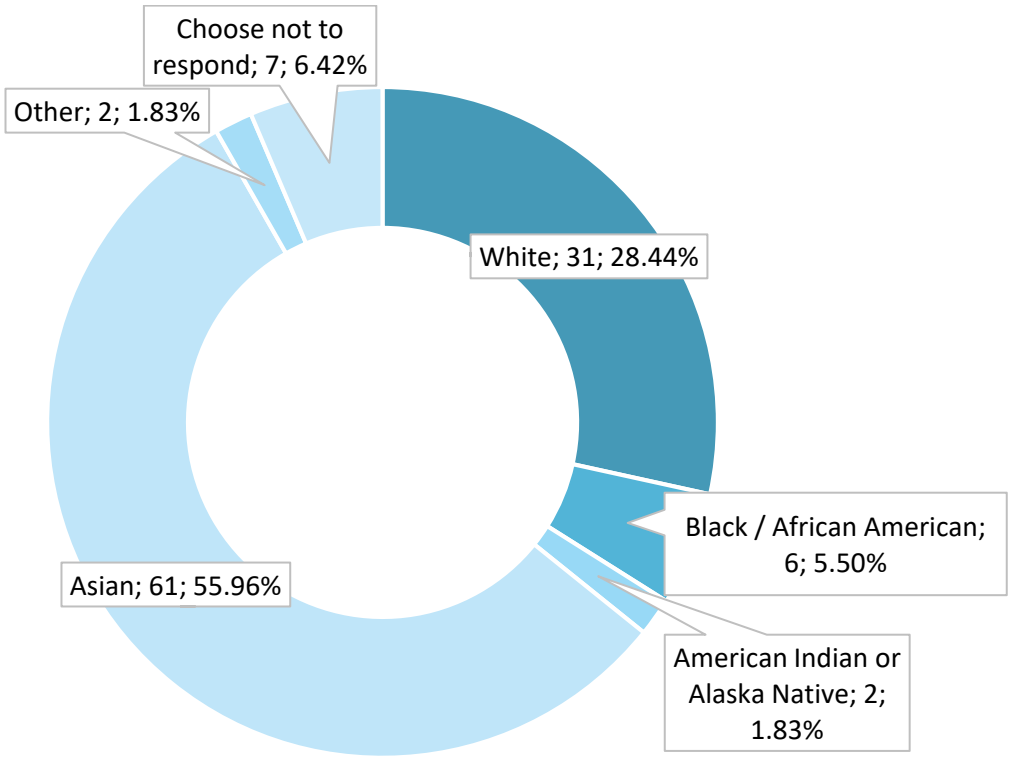
Participant Overview – Electronic Survey

Two-hundred-and-ninety (290) people participated in the survey as of Thursday, April 8, 2021. One-hundred-and-nine (109) of those individuals provided demographic information.

Fifty-six percent (n=61) of participants identified as Asian; 28% (n=31) as White; 6% (n=7) chose not to respond; 6% (n=6) as Black or African American; 2% (n=2) as American Indian or Alaskan Native; and 2%

(n=2) as Other. There were no participants identifying as Hispanic or Latino nor Native Hawaiian or Pacific Islander.

Graph 1: Survey Participant Race & Ethnicity



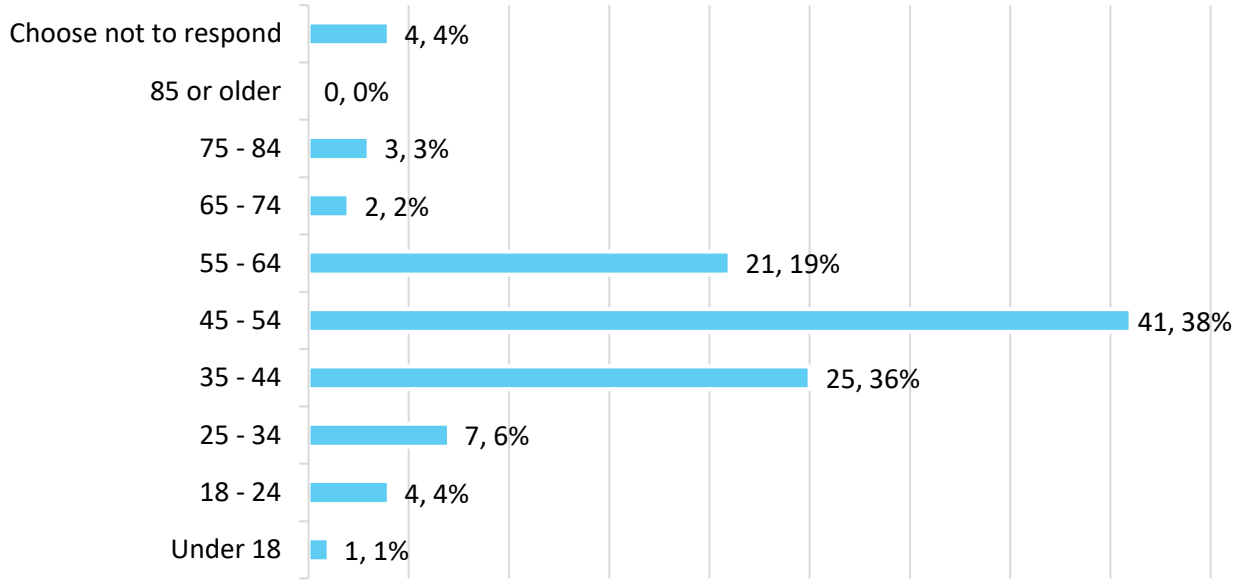
Most participants, 93.4% (n=99) reported that their disability status according to the American Disabilities Act (ADA) is “not disabled.” Two participants (1.89%) identified as Disabled, with five participants (4.72%) choosing not to respond.

Zip codes represented by participants include:

Table 3: Participant Zip Codes

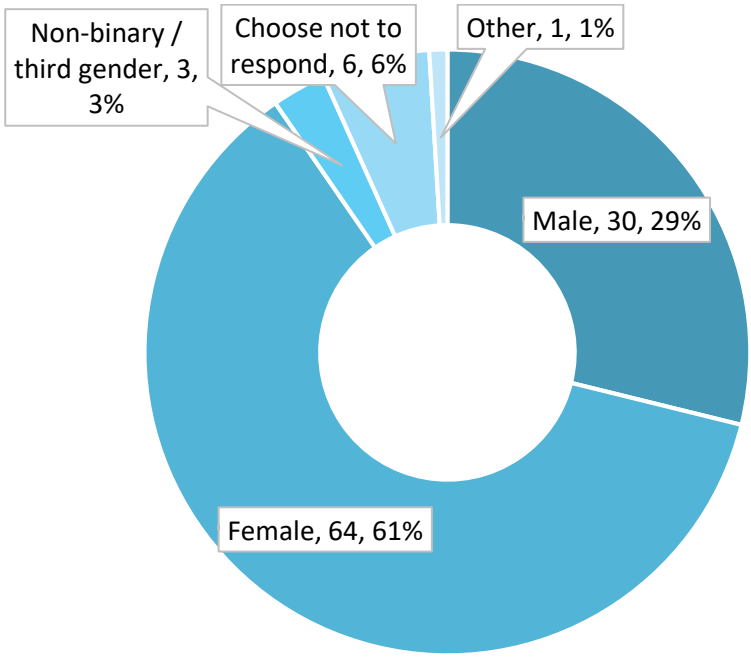
Zip Code	Number of People
27156	34
27514	22
27517	7
27510	3
27713	1

Graph 2: Survey Participant Age



About 80.55% of participants were between the ages of 35-64. There were no participants age 85 or older. Sixty-one percent (n=64) of respondents identified as female, followed by 29% (n=30) male, 6% (n=6) choosing not to respond, 3% (n=3) being non-binary or third gender, and 1% (n=1) identifying as Other.

Graph 3: Survey Participant Age



Responses Summary

Q1 - What does community safety mean to you?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Freedom from intimidation, trepidation, or threats
2. Absence of fear, harassment, worry
3. Being able to move through a community independently and without fear or worry – from home, to work, to public spaces
4. A feeling of having everything I need – housing, food security, money
5. Equity, inclusivity, community voice is heard in decision making
6. Community is engaged and people look out for one another
7. Mental health and substance use are proactively addressed

Q2 - How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. All of Chapel Hill
2. The greater Chapel Hill area, including Carrboro and/or Orange County and/or UNC Chapel Hill
3. My part of town and/or my neighborhood.

Q3 - On a scale of 1 to 3, with 1 being the most safe and 3 being the least safe, how safe do you feel in Chapel Hill?

Fourty-six percent (n=43) of respondents chose 1 most safe, followed by 43% (n=49) of respondents selecting the mid-range option. Two people (2%) selected 3 least safe, and eleven people (9%) selected Other.

Q4 - What makes you feel safe in your community?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Socioeconomic status
2. People looking out for each other
3. The feeling of community
4. Seeing people out and about
5. Absence of violence, crime

Q5 - What makes you feel unsafe in your community?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Seeing people who are strangers, experiencing homelessness and/or asking for money
2. Presence of drugs or of intoxicated people
3. Violence & violent crime; reports of shootings, car break-ins, and other local crime
4. Seeing heavy police presence and/or over-policing and over-criminalization
5. Racial profiling and other implicit/explicit racism
    - Including perceived increase in Asian hate
6. Lack of (or awareness of) community resources outside of police / 911

Q6 - Which of the following services should be delivered by the Chapel Hill Police Department?

Participants ranked 12 services currently offered by the Chapel Hill Police Department (CHPD) based on the level of importance they felt it was for CHPD to be involved in each service. Rank was determined by the average rank and the standard deviation. Results are as follows:

Table 4: Participant Ranking of Services Delivered by CHPD

Rank	Service	Minimum	Maximum	Mean	Standard Deviation	Variance	Count
1	Violent Crime	1	11	2.49	2.58	6.66	113
2	Death Response / Investigation	1	12	3.94	2.83	8.01	113
3	Community Engagement	1	12	5.27	3.29	10.8	113
4	Drug & Alcohol Enforcement	1	12	5.59	2.76	7.64	113
5	Property Violations	1	12	6.16	3.01	9.04	113
6	Crisis Interventions	2	12	6.58	3.32	11.04	100
7	Crowd Management	1	12	6.79	2.72	7.41	113
8	Traffic Safety/Management	1	13	7.16	3.22	10.36	113
9	Mental Health Crisis Intervention	1	13	7.17	3.03	9.17	113
10	Noise Ordinance & Nuisance Violations	3	13	8.94	2.37	5.6	113
11	Response to Unsheltered Persons	2	13	9	2.75	7.56	113
12	Youth Engagement	2	13	9.12	2.84	8.07	113

Q7 - What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.

See Responses In Appendix A.

Q8 - How important is it for CHPD to work within the following populations for ongoing community engagement?

Participants ranked 7 populations (including an "Other" choice) based on the level of importance they felt it was for CHPD to engage with each population. Rank was determined by the average rank and the standard deviation. Results are as follows:

Table 5: Participant Ranking of Populations to be Serviced by CHPD

Rank	Population	Minimum	Maximum	Mean	Standard Deviation	Variance	Count
1	Teens	1	6	3.13	1.23	1.51	109
2	People experiencing homelessness	1	7	3.13	1.81	3.29	109
3	People experiencing Mental Health Crises	1	7	3.43	1.99	3.97	109
4	School aged children	1	7	3.51	1.64	2.69	109
5	Elderly/Aging	1	7	4.08	1.74	3.03	109
6	Students	1	7	4.56	1.62	2.63	109
7	Other (please specify)	1	7	6.16	1.96	3.84	109

Q8 - Who's missing from the conversation?

Respondents provided open-ended answers to this question. Find full responses to this question in the Complete Responses to Open-Ended Questions section of this document. Common themes include:

1. Marginalized communities / communities of color
2. College students and people affiliated with UNC Chapel Hill
3. Children, teenagers, "at-risk youth," and their parents
4. People experiencing homelessness and those working in agencies that serve this population
5. Mental health professionals
6. Non-profits, including faith-based, cultural, and civic groups
7. Immigrants and refugees
8. People with developmental/intellectual disabilities or other disabilities
9. People who are elderly and aging

Major Themes

What is Safety

- Safety depends on where you live in Chapel Hill
- Safety means treated fairly and equitably
- Safety means being able to express self
- Safety means freedom not to be afraid in public
- Safety as an extension of themselves; speaking on behalf of others
- Education and civic awareness is a big part of feeling safe in Chapel Hill
- Some Asian, Black and Hispanic participants reported having different experiences in Chapel Hill than their white counterparts, in terms of police interactions, feeling safe in their own neighborhoods and in wider communities.

Prioritization of Services

- **High Priority-** In terms of priorities, Violent Crime, Death Response & Investigation, and Community engagement remain top priorities
- **Lower Priority-** Noise & Nuisance Ordinances, Response to People Experience Homelessness, and Youth Engagement were ranked as lower priorities
- **Middle Priority-** Property violations, Crowd Management were ranked in the middle

Who is Missing and Who can be More Involved?

- Youth, the Student population and the Faith Community are missing from the conversation
- More collaborations with UNC Campus, other health providers and community resources that can help provide mental health response services
- More collaborations with homelessness prevention and support organizations

Preliminary Recommendations

Task Force Recommendations

1. Provide additional funding to the Orange County Street Outreach and Harm Reduction Program to increase instances of staff with lived experience doing the work of homelessness response so as to address the concerns with criminalizing poverty in Chapel Hill.
2. Provide funding to neighborhood organizations to address community safety concerns and expand capacity for neighborhoods to get organized and partner in the work of identifying community needs.

Additional Recommendations

3. Collaborate with Peoples Academy to enhance awareness of community safety services to address the need for civic resources (ex: non-emergency phone number and how to file customer service complaints related to safety and other needs)
4. Develop a plan for Chapel Hill staff to increase participation in racial equity training to address the need for wider understanding of cultural differences.
5. Increase the staff of the CHPD Crisis Intervention Unit.
6. Identify and further collaborate with existing mental health and substance abuse prevention agencies to address the need for community interventions in these instances that do not involve law enforcement.
7. Conduct additional community engagement activities to expand the diversity and reach of the

community safety conversation to ensure implementation of recommendations addresses community needs.

8. Develop Task Force Implementation Plan to develop goals and objectives to guide the implementation of these recommendations. Prioritize recommendations based on community need, access to quality information and available resources in the Town's budget planning.

Limitations

Survey limitations were minimized by having the survey accessible online to allow for the use of accessibility tools and translation options. Nevertheless, potential data limitations include:

1. Misunderstanding or misinterpreting words or terms. This was minimized by previous survey validation and piloting by the task force members.
2. A variety of open-ended questions, which allow for excellent qualitative data, but are difficult to quantitatively analyze and does not have an opportunity to provide clarification on answers inputted.
3. Participants had the option to take the survey by paper, thereby increasing the possibility of data entry errors.

Suggestions for Future Assessments

Task Force members should be more engaged in future assessments and utilize their networks to ensure that the surveys and focus groups have a diverse group of people represented and that the people involved are representative of the most impacted populations.

Appendix A: Complete Responses to Open-Ended Questions

Q1 - What does community safety mean to you?

Very important (This answer was given 6 times)
What community safety means to me is quality education (with equity in mind) with equal resources afforded to all students, unbiased/prejudice community policing, economic equity (jobs that pay a living wage), adequate affordable housing, quality healthcare, reliable and easily accessible public transportation and essential retail options accessible to all (clothing, healthy nutrition that is affordable, prescription medicines, etc.)
Very very important for us to live.
Very important because It's home!
Trust, compassion, ease...not living with general trepidation, especially if one is a POC or some obviously marginalized human being
This is the most important issue.
The ability to walk around without being harmed/threatened.
Safety means a "freedom from" in terms of freedom from being intimidated or injured by other actors, as in the case of robberies, assaults, being struck with motor vehicles; in "safety" freedom from also extends to sexual harassment, racial, sexist, transphobic epithets, and the like. Safety means feeling secure and invited to be and exist in the public realm.
Safety is the most important thing in daily live
Safety is the No 1 priority.
Safety is on my top priority. This is the foundation of life。
Safety is my number one concern, and community safety mean my family, my friends, and my neighbors can join the life without worry about being hurt.
Safe and enjoyable living environment.
Residents and those who work in the Town can fully participate in life while feeling safe doing so.
Reducing all types of risk within the community, allowing community members to thrive in an environment free from feeling threatened.
Quality of life; happiness of life.
Protecting and serving the public. Connecting them with resources. Not escalating situations into punitive consequences with long term, negative impacts.
Promoting the concept of community, seeing people out and about in our neighborhoods, access to facilities, participation and understanding in our community/government.
Priority
Please define "structural inequities". How much is the "community engagement consultant" getting paid?

People live in this community without fear of robbery and thief. Kids can play outside safely without peasants watching.
Organizing a system of resources that meet the needs of ALL members or the community. To me this means breaking away from traditional methods of policing, because communities of color and other marginalized groups do not always feel safe in the presence of police, and do not always feel like calling the police will get them the help they need. Further, police are not equipped to handle things like mental health emergencies (and even with training, will not be as equipped as mental health professionals), and so resources to address those types of public safety issues should be decentralized away from the police.
Not worry about my home being broken in (whether I am at home or not), and not worry about being attacked walking outside any time of the day
Not having to be afraid for yourself and others.
Not be discriminated or attacked by other person, no broken through at home, etc.
No violence crime.
No safety, no community!
No robbery, no break ins, no discrimination and safe to go anywhere any time
No crime. No fear of crime.
No break in and stolen
Make me feel Comfortable and happy.
Low crime, no harassment of political views
Living without fear
Law and order
Knowing I can go anywhere and do anything, at my leisure, without the thought of anything bad happening to me or anyone around me.
It’s one of the most important things in our life.
It’s for basic daily life! Too important to all the community.
It's a feeling that you have everything you need, to live a productive life without worry. It also means that there is little to no crime in the community.
It should be the top priority of our society.
It means the lives of my family, my friends and my neighbors. Nothing can be more important than that.
It means quality of life
It means being able to move through my community without having to worry about my safety or wellbeing. The privilege of not having to worry about my physical safety or my properties safety. Not having to worry about my children. Being able to move through my day without thinking about anything other than what I need to accomplish.

It means a lot. When safety emerges to the top of the agenda, I believe people will start to move out, which will damage the prosperity of the town.
It means a lot to us! A community safety impacts our daily life quality.
It means a bit t to me b/c it is so important and impact my life everyday
It means a community where everyone can feel safe, not just from crime, but from discrimination, harassment, and violence based on their race, gender identity, sexual orientation, etc. Safety means having resources to HELP people rather than punish them.
It means I can enjoy freedom and not worry about my safety or wellbeing
It means I can confidently travel independently cheaply and safely anywhere in our community. With resources for assistance nearby if I should need it.
It is essential to people's everyday life.
It is essential part of our life.
It is a very important factor for us to choose living in Chapel Hill.
Individuals and families have the resources and supports they need to live free of concern about their wellbeing. To be treated well, physically, mentally, emotionally, in our homes and community. To have non-biased supportive resources when their is a transgression so that individuals can get the redress that is appropriate for the concern and can get effective redress.
I would feel safe showing up in the community anywhere any time during the day.
I will not be attacked physically and verbally anywhere I go.
I make decision whether I should live based on community safety
I don’t have to feel being discriminated against because of my race.
I don't have a personal definition
I can walk outside without worrying about being hit, pushed or shot.
Home without worries
Having a happy family and life
Freely move around without worrying about the safety.
Folks have what they need to thrive. We address basic needs like housing, food security, and poverty. Communities are connected and folks look out for each other
Folks being able to move, live, thrive, and express themselves to their fullest potential, without fear of emotional or physical harm.
Feels safe when my family takes a talk in the neighborhood and in the nearby greenways and parks, regardless of the time of the day.
Feeling safe walking down my street or on Franklin Street day or night. For my self, my non-white husband, and our teenage son.
Feeling safe at home, work and within the community. Also knowing that public safety staff has my best interests when responding to a call for help
Feeling comfortable leaving my home without fear of physical or emotional harm.

Feel safe to walk around neighborhood, on the trail, alone.
Feel safe and live safe
Extremely important!
Extremely important for a normal life.
Everything. We can feel safe walking on the streets, in the woods and trails. We can feel safe at home without worrying about breaking-ins. Our children are safe at schools.
Everyone is comfortable in pursuing their daily activities while feeling safe from harm.
Everyone having their voice heard regardless of their race,gender etc.
Everyone can walk on the road with out any concern.
Ensuring that everyone in the community feels safe, protected and treated fairly and equitably by law enforcement
Don’t need to close the garage door when I get the house, walking by myself in the sidewalk or on street or go to downtown at night, or in the parking lot
Divesting money from police budget and investing in mental health, substance abuse, domestic violence and sexual assault services, housing, education, and economic justice (could look like standard basic income for people living in poverty, increasing minimum wage)
Community safety to me is being in a community where you can be engaged with one another and feel safe knowing that law enforcement are there to protect the community and helping enforce building the connections between the officers and the individuals in that community.
Community safety means that every person in Chapel Hill, rich or poor, whatever race or ethnicity, young or old, visitor or resident, is personally secure and treated with respect.
Community safety means that ALL residents feel safe in moving around the community regardless of gender, race, how we are dressed, or time of day. In order for a community to be safe, all residents must be treated equally and fairly by any law enforcement entity.
Community safety means police abolition, mutual aid, equity, community made decisions, and restorative justice.
Community safety means everybody should feel safe physically, and should be able to express his/her opinion freely and have a place to make his/her voice heard. A safe community is a home that embraces people regardless their race, age, gender, ethnicity and social/economic status.
Community safety means a lot to me.
Community safety is our first concern when choosing a city and a neighborhood to live.
Community safety is one of the most important issues to our family.
Community safe means children will be growing up in a healthy, possibility, and friendly environment. They will learn how to help other people, how to support and keep the community safe. Community safe means when we go to work or stay at home, we don’t worry about theft, robbery or shooting for our family members.

Community members feel comfortable and at ease going about their day. They feel this comfort and ease in their homes, neighborhoods, and out and about in the town. They feel calm when their loved ones leave the house, and their anxiety about losing a loved one are low. People know what safety resources are available when they need help, and they feel confident that when they call a safety entity, that that entity will show up and help them, not cause more physical and/or emotional harm. We know that those around us have the things they need, including housing, food, work, childcare, etc.
Community Safety relates to both statistical data and individual perception as to a person's ability to live within the community without fear of harm or injury. Community safety includes an individual's ability to access foundational needs to promote wellness. I see community safety to be founded upon prevention initiatives.
Close to no fear of assault on one's person or belongings; low fear of loss of health, mobility, life, transportation vehicle, other possessions.
Being at ease and peace, not needing to worry about safety or health issues in my own community or environment. Having the content that my community will be supportive
Being and feeling safe and a part of the community without fear of harm or negative interactions.
Being able to walk around the triangle and feet safe , without people looking down on you for where you live, who you are etlll
Being able to get out and about and not be concerned about safety.
Being able to enjoy all public facilities, walk and drive around town without worrying about safety.
As an elder in good health it means that I can move about my community safely at all times, that the police are fair and treat all citizens with respect, that we look out for each other, treat each other respectfully at all times and try to make a community where everyone has a place and can thrive.
All people should feel safe and accepted, whether at home or in the street.
All community members feel safe and, if they don't, they feel comfortable calling 911 to assist them.
Acquiring community safety requires a holistic approach that is steeped in history and informed by white supremacist practices that have created many of the inequities that we see today throughout out our communities
A safe community for me means one can walk anywhere in Chapel Hill without having to worry about being attacked.
A police department that works with all communities to create a place to live that safe and informed.
A lot (This answer was given twice)
A community where people are able to live the best version of themselves and enjoy people, places and things without fear. A place where a person is experiencing barriers receives sustained help rather than punishment. A community where digital means of policing and surveillance is prohibited, too.

1, I’m not nervous to go for a walk. 2, I feel we are supporting each other. 3, we are not worried about crime violence drugs 4, kids are safe to stay in school. 5, housewives aren’t worried to open the door. 6, police are always supporting and responding quickly.
--A place where people with mental health or substance abuse issues get help and don't wind up living on the streets or putting themselves or other people in danger. --a place where people where people look out for each other. --a place where being different doesn't result in being targeted

Q2 - How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)

All of Chapel Hill (This answer was repeated 40 times)
Safe, relax
Nice (This answer was repeated twice)
Our community is full of strong cultural atmosphere, and everyone gets along in a friendly and peaceful manner。
My neighborhood
It's relatively safe but still afraid of going out alone, especially at night
All of chapel hill, especially the Chinese American community.
My neighborhood is pretty welcoming. But there are occasionally events related to safety happened, which makes people upset and worried.
Friendly
Southern part
Peaceful, pleasant
All of Chapel Hill and surrendering area.
Chapel hill north (This answer was repeated 4 times)
My neighborhood is safe and inclusive. Chapel Hill so far feels inclusive to me
So far, it was ok. But I’m very concerned for situation caused by anti-AAPI recently.
Safe, quiet, university town.
Safe in general
All of community
All of Chapel Hill and Carrboro (This answer was repeated 3 times)
I think Chapel Hill is open and friendly to everyone. It’s based on educational level.
Our community is generally safe, but I have heard a number of incidents recently, few of them happened to our family.
For now it’s safe
This is a very safe community.
All of Chapel Hill and neighboring cities.
Overall it is good, but I have saw some reckless driver on the road.
Southern Village
I walk on around the trails in Chapel hill, parks, so all of chapel hill
Generally safe. I’m a little bit scared of some areas in Chapel Hill.
Quiet, beautiful and peaceful

I have ties across the Triangle, so I would say identify my community as primarily based in Chapel Hill/Durham.
I have many communities. There is my work community which includes staff, volunteers, community partners and those who use services. The Town of Chapel Hill, the county, the triangle.
Very nice collage town
A community to me is not only a neighborhood around where we live, but also is all of Chapel Hill, the entire town where we reply on for our daily life, education, people engagement, and policy making. A community is our supporting system.
Carrboro a diverse place where people understand.
There are smaller communities within the town of CH, but because this is a survey about the entire town, I define it as the entire town including all of the smaller communities working together.
My neighborhood is relatively safe, however I moved to larkspur from Parkside because in Parkside, I didn't feel safe at all. I heard too many break in, it was scary.
All of Orange County (This answer was repeated 1 time)
Chapel Hill/Carrboro and my neighborhood
All of the town, areas of town and demographic community
Chapel Hill has so many disparate communities it's hard to think of the whole town as one community. The area closest to downtown feels like my community.
For me, as someone who lives in Orange County but works in Chapel Hill, I think it's Chapel Hill, Carrboro and the surrounding county.
All of Chapel Hill, and close parts of Durham.
I think I define community in all of these ways, depending on the context, but I think true community safety feels most achievable on a more neighborhood/region level where we as community members can personally know and be accountable to one another.
Please define "structural inequities". How much is the "community engagement consultant" getting paid?
Humanity.
My community is all of Chapel Hill as well as my place of employment (Town of Chapel Hill) and my place of faith (St Thomas More). Community is also to me about people not just space. So my friends and coworkers are part of my community.
Hard to say. Lower middle class to poor. With a mix of UNC students.
All of Chapel Hill, including my workplace.
I don't live in Chapel Hill, I work in Chapel Hill and I do feel safe. I do not believe that community safety is defined by police, it is community and all of its infrastructure. We all own it.
my neighborhood (This answer was repeated thrice)
The Triangle
Chapel Hill and Carrboro, including UNC (This answer was repeated twice)
Mostly white, predominantly composed of autonomous individuals going about their private lives with minimal interaction; traffic mostly means motor vehicles rather than roaming humans; few kids plays in the dangerous streets, and people, to the detriment of those who cannot drive and the health of the population and local ecology, privilege car parking over virtually all other and far more pressing concerns related to environmental and public health, racial justice and wealth building, safety inside and outside of homes, community level physical activity, affordances such as walkability, and so forth.
Greater Chapel Hill minus UNC which I consider its own entity
I define my community as all of Chapel Hill and Orange County. A group of people living in a common place that share social ties and mores.

Chapel Hill is my broader community. My neighborhood (Dogwood Acres) is my hyper local community, especially during the pandemic. And my friends and colleagues are my social community. My community is multi-racial, multi-class, and multi-generational. We represent different languages and religions. And we are largely artists, educators, and non-profit workers.
Any place I walk in, drive in, work in, or play in is my community. My community doesn't stop at the Carrboro or chapel hill town lines, and that is part of my concern about this project --you can't think of these two towns as so separate or different when literally an eyelash of land is all that separates them.
All of the above
Very supportive and affluent.

Q4 - What makes you feel safe in your community?

Many good and friendly people around.
Many People walk around ; police
Friendly people. Clean environment.
We need more police help
No bad news about break in or stolen
People are high educated
No crime, people are friendly and look out each other
Low crime rate, friendly people.
The quality of the people living here and police
I can walk around any time
People can go out - dining, shopping, playing, etc, without worrying about harmful impacts towards them, such as language attacks (could be hate crime related), body attacks, property lost/damages.
More patrol and nice people around
Other people like me.
Most people are not against immigrants.
The public awareness and zero tolerance of the racism in the community including the schools. No crimes in the community. Severe punishment on the crimes. More policemen.
Good neighborhood
Neighborhood with majority of Family, professional, diversity, and adequate income
Neighbors are friendly and willing to help. The police seem kind and friendly in the limited interactions.
To see the police car patrol in the community.
Nice people around
More police patrol
People greet each other on road.
Diversity and mutual respect
Clean, safe, stable, and friendly communities.
Crime rate is not high. Most of the residents are educated professional, and students.
Liberal climate
I have not experienced any threat.
People in the town are very friendly, nice and high educated.
People are kind with open mind and accept and embrace other cultures

No break in. Walk safe at night. police cars patrol around
Average education level is very high.
Positive voice in TV, media, even friendly neighbors.
Would like to see more policemen patrolling
Nice and quiet neighbors, safe walking trails, welcoming community.
Friendly neighborhood, quick response policy force.
Good neighbors
Police
clean streets, open public space, active community members, and proactive police
The education level
friendly neighbors, smiling strangers
City government promotes a community spirits of open-mindedness, racial equality and unity; Provides adequate police presence in high crime areas;
Add cameras and arrange patrol personnel in the community. Guild everyone to pay more attention to community safety through social media.
Good safety measures and system provided by police and town legislation
Most of our community connects and communicates like family, we also have alarm systems
Police response quickly to any issue. No suspected people wondering around.
No hate crime, no burglary and no shooting. Police can be available quickly if something happens
Not much big crime/ shooting
low crime rate, presence of police patrol
Regular police patrol and engagement with community activities. No drug and alcohol issue in public place. Traffic control.
I have not been attacked or threatened
More walkable, bikable space. Generally I feel safe when there are more than 3 people in sight.
Seeing police patrolling frequently in the community, no or few violence crime committed
Report the crime and make an arrest
Well educated neighbors. Most has no cash income as I know. Middle class in the Chapel Hill.
crime cases were seriously investigated
People are well educated, polite and nice.
Less break- ins and thefts comparing to other cities
Not many incidents
No reported crime
Good neighbors and people
Everyone be kind each other
Lower crime rates, feel that I can be in most parts of town without worrying about my physical safety
Seeing people out enjoying their daily lives, attending activities, being able to enjoy all the community has to offer.
As a white person with access to resources, I feel very safe, knowing that I am less likely to be targeted by oppressive policies and that I have built-in safety nets, such as financial stability and stable housing.
Being accepted for who I am.
Everyone is friendly to each other, takes care each other. There is no criminals in the town.

I could go have a walk around the neighborhood; I didn't feel uneasy when I was at an unfamiliar place; I attended some community events/activities where I felt welcomed and safe.
Knowing my neighbors, experiencing only a few incidents of racism, knowledge of few violent crimes
Not sure Depends on where I am at
In general, I see people obeying the laws and trying their best to be in community here in CH.
Knowing that the majority of people in Chapel Hill respect each other.
I am white and have a positive experience in terms of community safety.
I can move around freely and without fear. When we need the police in our neighborhood, they come quickly to help solve problems. I can walk at all times safely in my neighborhood. We have agreed that children who are on the streets can come to our house whenever they dont feel safe. I wish we had a program throughout the town of a sticker on windows where children can come if afraid and feel safe.
Our subdivision is very small, neighbors look after each other. Only one entrance
Most of my neighbors are professionals, and can watch out for each other. Chapel hill police seem willing to patrol and help communities.
Mostly the fact that I've lived here a very long time and I know people almost everywhere I go. I know that members of the community are looking out for me as much as I'm looking out for them.
Lower crime rate
My whiteness, socio-economic status and relationships to people in power and in law enforcement
Low crime rate, personally knowing police officers here, good lighting and parking
Knowing everyone has what they need to thrive, folks are not being limited by bureaucratic systems.
Availability of access to resources that are needed; low crime; fewer individuals begging for money; availability of Police if you need them
Well lit at night, nearby access to helpful resources if needed, transportation access, accessible shopping and entertainment.
Being able to go places either alone or where others are enjoying themselves, too, without fear of harm.
My whiteness and class privilege, which affords me a stable home supports I need to keep myself safe and avoid interactions with the police.
Please define “structural inequities”. How much is the “community engagement consultant” getting paid?
Every one obeying the laws of the land.
I am a white middle class female. All the systems we have in place are for me. I know when I call 911 the police will help me.
No signs of gangs or guns
The fact that I can depend on the police department to respond to any sort of danger that may occur.
Confidence in those who work to maintain safety.
The feeling of community, of people working together.
my neighbors
Neighbors
Knowing police officers, knowing business owners and community leaders.
Seeing other people out, folks who will smile or say hello in authentic ways. Low car traffic with high rates of drivers yielding to me when I cross the street or giving me space when passing as I ride a bicycle. Not witnessing cat calling or sexual harassment, being able to exist without police harassment or prolonged gaze of others.

Being harassed and fear of retribution for not voting “blue”. There is no space for differing viewpoints.
door-to-door salesmen / solicitors
I know my neighboors, I've taken time out to get to know them as well as them getting to know me and our community center (RENA) has built a relationship with law enforcement which helps allows us to feel comfortable around one another
I feel safe in my neighborhood. I am not sure how I would be treated in some parts of Chapel Hill.
I am white, upper middle class, live in a low crime town and don't worry that police will ever target me or treat me with less than complete respect.
I feel safe in Chapel Hill. This is a great town and county to work live an play and I am fortunate enough to be able to do all 3. My negative experiences have mostly been through past incidents (both provoked and unprovoked) with the Chapel Hill Police Department.
As a white woman with a decent income, I feel mostly safe. I almost always have everything I need, and I almost always feel comfortable that should something happen, I will be able to access what I need. My partner is a Black man, and I cannot say that I feel safe when it comes to thinking about his engagement in the community. It is clear to me that our experiences of safety in life and in this community are vastly different.
safe--when I am aware of my surroundings, when I see people around me, when there is hustle and bustle and life happening unsafe--when people are behaving erratically around me, when it's very dark and I can't see around me
I am fortunate to live in an area where I do not feel unsafe. There is little risk of crime in the area that I live, and as a white person I never feel like I am at risk from police violence. The only times I have felt unsafe in the Chapel Hill community have been when subject to catcalling and verbal harassment in certain parts of downtown.
The way in which white people police black and brown bodies in public spaces makes me feel unsafe. The way in which "whiteness & christianity" is propped up as the American standard at the exclusion diverse society. The "othering" that takes place within community.
A lack of fundamental fairness in our community creates diparitiies that harm individuals. We are not safe when any individual does not recieve the support that he or she needs to meet basic needs or to address underlying mental health issues. When people are deperate or unstable the risk of harm increases to both them and others. I also believe that there are members of our community to do not share common values of safety and do not respect the rights of other members.
The people and the environment.

Q5 - What makes you feel unsafe in your community?

Some violence still occurs from time to time.
Criminal cases; violence incidents; rude behavior
Violence, robberies, or other crime activities, conflict between people.
Several incidents happened in the nation and local
N/A (This answer was repeated twice)
Racialism
Stranger, crime drug
News of break-ins and other crimes in town.
More and more incidents and “Asian hate”are happening.
some defund police discussion

People are afraid of presenting themselves in public, or even staying at home, because of the worries mentioned in Q4 answer.
Crime
People who discriminate people for things they cannot control, like racists and homophobes.
Some people are against immigrants, especially, against Asian.
Crimes nearby. Racism in the schools and neighborhoods. Police is defunded.
I am not feeling unsafe
High Crime rate
Occasionally, my family and myself have been approached by strangers for money (or unknown reasons). There was another time that a person was asking for money in the parking lot of the daycare my son attends to.
To see many people wander around
Having events that threaten safety and way of life happening around or in my community
Break ins, random attacks,
Too many strangers and always hear siren.
Asian Hate
Robbery and murder
We hear too often break ins, even violet crimes. There had been a number of murders on/near UNC campus, unbelievable.
There have been an increase of shooting, car break ins, house breakins, and student partying, drinking, store lifting.
Racism. Majority against minority and minority against minority.
I have heard crimes, threats, violence.
More homeless on the streets than before
People are exclusive, no empathy, no showing of solidarity
Hate crimes, racism.
Broke-in criminals
If something happens and being ignored
Violent Crimes
Violent incidents, unsafe neighborhood to walk.
Jobless people wondering on the road.
Unfriendly, or noisy and unresponsible neighbors
The situation of asian hate now
violent crimes
People from outside
violent statements on social media, discrimination, guns, drugs
Racial divisions and hatred , unmanaged homeless population , and over-development
Recently happened shooting accident nearby Community Center and Glen apartment.
Incidents that are reported but not solved.
Knowing strangers might come and knock on your door looking to cause harm
Hate crime, burglary. Long waiting for police
Breakin to house/cars in neighborhood
racial discrimination, attack, stealing and breakinp
Violent crime, property violations, and racial discrimination

Dark street, dirty alley, and sometimes “angry” strangers.
Recent anti-Asian hate crimes really frightened me.
I am afraid to be in the wrong place at wrong time. Afraid of being yelled at.
Random people from other place.
the crime cases increasing
Some extreme behaviors.
Unfamiliar vehicles and unleashed dogs
Being an Asian
Reported crimes
Violence
No one follow the law and order
That a large percentage of community members are being harmed by violence such as sexual assault and domestic violence and are often suffering silently and are in fear for the emotional and/or physical safety.
Violence against citizens and law enforcement.
Being a woman moving through areas with less lighting/foot traffic.
Facing bias and preconceived notions about who I am. Sexism, racism, misogyny, homophobia, ableism, etc.
- Big crowds during COVID (especially at outdoor bars) - Some UNC fraternities (big parties, increased risk of underage drinking/sexual assault)
There are more homeless than before in the town, they asked money in the traffic light area and parking Lot
As so many shootings have happened in numerous places nationwide in the past few years, and especially during last year due to COVID-19, the hate crime against Asian people has spiked tremendously. What happened in Atlanta last week was horrific and terrifying. Although I haven't encountered such an attack myself, I cannot help but thinking: am I the next target? is it safe for us to take a walk in the neighborhood? Are people looking at me differently when I run into a person on the trails, in the woods? Is it safe for my daughter to go out with her friends?
Being eyed by people as I walk through my neighborhood or others in the town. Seeing too many police gathered in one spot.
Chapel hill says they are diverse community, they hide under the white privilege, don't really understand mirgenlized people They are scared of us , sit down with us, understand about people
The pandemic has really brought about more crime generally. The number of break1-ins to cars and homes locally has me concerned.
Constant cyberstalking on my computer, iPhone, landline telephone, car with electronic key, nonforced entry into my house - now into my retiree apartment - which must be via 3D printed keys (likely on area university printers), with damage and thefts of many kinds.
I am worried about residents who do not have the same experience I do in terms of community safety. I would like to see a more service and crisis oriented model for community safety. 11
Drunk college students. Need more social workers on the streets with police or not that can help with community sports, conversations with youth, general mental health support.
When I was in Parkside, strangers knocked the door many times, car was damaged at night bike was stolen. So many entrances to that neighborhood. At least we had police involved investigation. Police brought my bike back. I strongly disagree defunding police. Chapel hill police are very supportive. We definitely need them.
There has been a increase in house and car break ins, and shooting.

Lacking non-police resources for help in the community during times of crisis.
Unspoken racism
Over-policing and over-criminalization
Dark alleys, concerns that my husband might be misidentified or racially profiled
People running red lights
Safety being dependent on the government
Visibility of individuals experiencing homelessness and requesting money; presence of violent crime (Chapel Hill does not have wide prevalence of this, fortunately)
Recent shooting right here on Tinkerbell Road!
The proliferation of drugs and the unruly protests.
Seeing the police!
Please define “structural inequities”. How much is the “community engagement consultant” getting paid?
Poor street lighting. People wandering the streets in dark clothing with their back to traffic, drivers can't see them until they are within inches of them. Pedestrian education is an urgent need. With so few sidewalks one would think people would have learned how to walk safely in the street.1112 People on bikes ignoring traffic laws.
I worry about the prevalence of drugs in our schools and cover ups of this. To be clear I mean WHITE kids who are getting away with using and are causing problems that are not being addressed.
Dark dirty places
If I see or experience something threatening and don't see a way for the community to help me by dealing with that threat.
When we only listen to the loudest voices and react based on a national platform.
shots fired at night
Strangers
Being Downtown with people that are behaving erratically, follow you asking for money, etc. I also feel unsafe driving on evenings of UNC games when students are more likely to have been drinking.
Heavy police presence. Lack of people also walking.

Q7 - What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.

I don’t know / Not sure (This answer was repeated 6 times)
Social services (This answer was repeated once)
Police officers / CHPD (This answer was repeated twice)
Local government
No organization can deliver the essential service of CHPD
Doctors
No other party can deliver the above services.
Not sure. Churches? Minority organizations, e.g. Chinese American Associations?
Schools, social workers and media
Social worker, church
CHPD, school education, community involvement.
UNC Police / University (This answer is repeated once)

Town council.
Let the voice “stop Asian hate” or “stop racism” lessoned through TV / next door/ FB/ Twitter.
local community, town residents
Churches, other local government agencies (for example, senior centers),or community organizations that have positive impact on certain ethnic groups may help (for example, local Chinese school)
Hospital
Mental health crisis is better managed in conjunction with crisis intervention professionals
Some of Neighborhood safety responsibility will be taken by HOA, which need set more cameras and lights on the road. Public area may be organized some volunteers.
Town leadership, school system, local political/ethnic/social groups
Community leadership, looking after the people in the community
No
Police, police. Maybe health providers for 10 and 12
No ideas if any organizations exit.
Not sure who can deliver such services besides CHPD
News station or text
Many different ones--but with adequate funding to truly do so.
All available and appropriate
Compass Center, mental health providers, OC Rape Crisis Center, CEF, IFC, drug/alcohol treatment providers,
Department of health, trained counselors should respond to these types of situations. These are health concerns and therefore should be addressed by the department that provides health services.
OCRCC Compass Center Trained mental health providers
Chapel Hill town mayor
All parties of Chapel Hill should be involved in the services listed above, including law enforcement, school board, city council, and community organizations.
A social service organization should lead most of the efforts on the list
Club nova, ifc, cef,
For mental health, crisis intervention, and response to unsheltered persons, we can create a model where behavioral mental health professionals partner with police to respond to these types of events. Many times, behavioral health units can de-escalate situations and make referrals to support the individual.
Many which have been mentioned in recent Zoom Community Safety sessions.
Social service and crisis response organizations should handle all crisis interventions, unsheltered persons and youth engagement - do not know specific organizations. People without guns should be responding to crisis situations. In terms of crowd management, reciprocal agreements and lines of communication with outside police forces must be clear to eliminate aggressive and unacceptable police tactics that do not reflect our community values. I want to add a comment about Q8 - police should not be working with most of the groups listed.
Response to unsheltered persons, Mental Health Crisis Intervention, Youth Engagement need to be done by organizations. I don't know who, but I do know that when I was young, a couple teachers were paid to be at all playgrounds of the school system after school to do crafts, help with homework, help kids set up teams for fun sports. they were there from after school until 6pm. On some playgrounds there were high school students who were of good repute who earned community service credit for helping out. There should be a social worker with a car to drive around and figure

out what is best for the unsheltered persons. Social workers could be assigned to neighborhoods that have more problems. But I don't really know.
Police department can have different branches. Some branches should function like social workers but definitely need to be trained. We pay property tax higher than other counties, we should have better education and safer neighborhoods. However our schools are not as good as they should be, our safety is also a concern , who would want to stay in chapel Hill in the future?
Community groups
Great question! Mental health professionals, local organizations like the OCRCC, Compass Center, Freedom House, etc. But I'm hoping to be able to expand this list.
More funds should be allocated to the mobile crisis unit, freedom house and/or other substance abuse treatment facilities, trained mental health crisis providers, restorative justice practitioners
Human services should be tasked with mental health crisis intervention and unsheltered persons (with appropriate support) and they should receive CHPD as backup only as necessary. I don't think community engagement and youth engagement should be the responsibility of CHPD, but I don't know who should be in charge of that.
Behavioral health specialists and crisis response; Street Outreach, Harm Reduction and Deflection program; Pre-arrest deflection and diversion programs; community paramedics; community-based programs
Dedicated task force of mental health and EMT and perhaps a community officer who is unarmed
Social workers
Town and County programs should prioritize lifting people out of poverty, ensuring folks are paid a living wage and have dignified housing and healthcare
The above rankings did not work - I would rank as follows: 1) violent crime; 2) property violations; 3) Death response / investigation; 4) Crisis intervention; 5) Mental health crisis intervention; 6) Drug and alcohol enforcement; 7) Noise ordinance and nuisance violations; 8) Crowd management; 9) Response to unsheltered persons; 10) Traffic safety and management; 11) Community engagement; 12) Youth engagement As far as other organizations I think UNC Health could partner for the crisis intervention / mental health intervention noted; Chapel Hill Housing & Community to lead / coordinate community engagement; and Chapel Hill Parks and Recreation for more youth engagement.
Im not sure what organizations are available and trained.
NAMI, UNC-CH, Durham Tech, Orange County Sheriff, Compass Center
I do not believe the police should perform ANY of the above, so my ranking is quite useless. I want to reimagine our communities such that noise complaints and property concerns can be resolved between community members. Mental health professionals and social workers should be supported in order to support folks who use substances, have mental health concerns, are experiencing crises, or are houseless. Educators and public health professionals, especially community health workers, are trained in youth and community engagement in ways that can actually help youth and communities feel safer for all. As for violent crime and death investigations, why don't we reimagine what an investigation team would look like in a way that isn't rooted in an institution of white supremacy, slavery, and anti-Blackness? As for traffic, what if this looked more like mutual aid? Like mechanics helping to fix vehicles? Like rebuilding an improved infrastructure for transportation? For crowd control... well couldn't that be nearly anyone? Putting armed humans in the middle of a crowd makes no sense.
Please define "structural inequities". How much is the "community engagement consultant" getting paid?

Mental Health Professionals should provide crisis and mental health intervention. Social workers can provide response to unsheltered persons' A separate force for traffic enforcement and pedestrian infractions.
Crisis Units working with the Police Dept. Other Town staff or private groups can do crowd management.
PD and Bike/Ped Transportation Team and Housing
I think the CHPD should create divisions, within the department, to handle these certain things.
Police Crisis Unit, Town Ombuds Office, Building and Fire Code enforcement. Some of these services (crown management, for example) can be spearheaded by other Town Departments (Fire, Emergency Management, etc.) but there will still need to be a police presence to support adherence to laws and ordinances.
Street Outreach, Code Enforcement, Mental Health Liasons
That's a broad question, and PDs are asked to handle so much already. So, it depends on what they're trained to do. In general, starting with meeting-and-greeting and establishing *connections* with neighborhoods and people. Their jobs could be easier, if there were personal connections BEFORE a situation arises.
Mental Health Specialists, Town Inspectors
County's Street Outreach Team should be first on scene with people experiencing homelessness or mental health crises; OC Health should help respond to Drug and Alcohol calls; private contractors (ie Show Pros) could do crowd management
Social services; trained crisis deescalation personnel.

Q9 - Who's missing from the conversation?

Residents.
Asian community (This answer was repeated twice)
workers in Chapel Hill, even they are not living here.
LGBTQ+ people, especially trans people, if they were on this list they'd be first for me.
Church?
Not sure (This answer was repeated once)
Community leaders
minority rep
The media direction, the city, the school.
local residents
local residents. represents from each group.
None (This answer was repeated thrice)
Minorities & targeted as hated group
Community rep
Teachers, social workers and representatives from all different ethnic groups
Urban construction department and property management company.
Elderly that live alone
Which conversation?
Racial Minorities
The people who are not being provided enough protection, like eldly
Specific group

People with crime history
Campus Partners / UNC
Refugee, immigrant, unsheltered, poor, differently abled, and youth community members; sex workers, "gig economy" workers; trans and other LGBTQ community members; BIPOC community members; survivors of intimate partner violence
I think that some of the problems about safety are due to the fact that police focus on certain populations over others. This perpetuates the bias that makes us more unsafe in our communities. I would like to see the police engage in outreach with all populations in an intentional way that moves away from assuming teens, the homeless are more likely to commit crime and that our business professionals are not skirting the law which we know not to be the case.
People of color and people experiencing homelessness. These populations are more likely to receive punitive responses from law enforcement, instead of compassionate, informed responses.
People who do not channel to get involved; people who do not have resources or do not know how to engage with community, due to all sorts of barriers and difficulties, language for instance.
People in group homes and nursing home s
It is extremely important for representatives from communities where police activity is highest to be in the conversation. The overrepresentation of Black men in our prisons is a direct result of underinvestment in the communities and structurally racist systems.
Internet technical assistance and Internet Security oversight.
Have you asked students, teens, children, parents of these three groups, the homeless population or advocates for the mentally ill what would be more helpful than using the police to work with these populations?
The conversation of Safety, I believe you are inferring. Directors of men and women's shelters should give presentations several times a year to community groups - I am not sure how to interact with the clients when I see them walking around. Same with people at house on MLK Horizons(?) UNC students - is that who you mean when you say students in question 8? The University should pay a separate staff of police and social workers to help them grow up well.
Marginalized communities.
I think people in our county who have been most impacted by police violence should be centered in this conversation.
ALL communities of color
Justice-impacted; behavioral health professionals, criminal justice reform stakeholders, NAACP, El Futuro, CEF, Partnership to End Homelessness
Karen communities in Chapel Hill (you probably call them Burmese)
The university--they need to be a part of these conversations as they cannot be divorced from the community and what it means for their employees to be paid a living wage, get good benefits, contribute to public transit. Also they should be more involved in the lives of students who live in the community, specifically for accountability. There are many models where the university holds students accountable for their actions in the community because the university recognizes that their disciplinary processes are often more relevant for students than a court process, that their students are their responsibility, no matter where they are, and that students can have a negative impact on the community they live in (parties, noise, trash, neighborhood disrespect)
From the above: 1) People experiencing homelessness; 2) people experiencing mental health crises; 3) Students; 4) Teens; 5) School Aged Children; 6) Elderly/ Aging I also think that it is important for the Police Department to routinely interact with communities of color and the LGBTQ+ community.
Persons with disabilities, autism, etc

NAMI
Please define “structural inequities”. How much is the “community engagement consultant” getting paid?
Community leaders. At risk youth.
Historically Marginalized populations. Immigrant and asylum groups.
Minorities. They need to gain the trust of local authorities. As of now, they don't.
Civic Groups, Faith based and non-profit groups.
Police need to provide information on current services and responsibilities. You can't make decisions based on misinformation or a national climate.
The individual police officers who are being tasked (Is this something they'd actually want to do?)
Folks who have experienced encounters with the police: the homeless, folks experiencing mental health crises, folks recently released from prison
Racialized groups and those whose language is not English
Mental health professionals being with police response to “People experiencing Mental Health Crisis” to be able to give expert advice on best ways to interact with the person.
The wide swaths of people between very old, very young and "people experiencing X". Also probably cultural, religious and racial groups.
Church leaders, high school representation (teachers or students), leaders of HOA (because they create rules and regulations that are often unfavorable to black and brown residents).
Of all people listed under Q 7, only the elderly are represented on the task force. We need to hear from the others.
Young adults Older adults College students Church and community leaders Educational stakeholders Local homeless services stakeholders Affordable housing stakeholders
Which conversation? This question is unclear. If you're referring to the conversation around community safety... young people are missing. Refugees. People who don't speak English. Artists. Nonprofit organizations who are part of providing community safety. People of varying classes, especially those living at or near the poverty line. For questions 6 & 7 above, I do not believe police need to be the ones to perform most of those actions. That is part of what I'm advocating for...a much lower police presence. There are other folks we can hire to support community/youth engagement, crisis response, persons experiencing homelessness, traffic/event management, "nuisances" and others. I think police could be there for investigating and responding to deaths or incidences of violence.
I think Carrboro needs to be included since the two towns are in such close proximity. Also, UNC since a huge percentage of our residents are students who engage with our community far beyond the campus and who contribute to our town's sense of safety or lack thereof. .
People who have been convicted of crimes; formerly incarcerated individual; people who live in neighborhoods with a high police presence
Elected officials and policy makers need to weigh in and understand the roles that they play in creating safe/unsafe community

Appendix B: Survey – English

In the fall of 2020, the Town Council established the Reimagining Community Task Force, whose mission is to bring forth concrete, actionable recommendations to the Town Council that will achieve the following: increase public safety, eliminate structural inequities in Town public safety systems; and enable all in the community to thrive.

The Town has opened this survey to all members of the community to share their experiences and ideas for making Chapel Hill a safe and inclusive community and engage the community in an important conversation.

Q1. What does community safety mean to you?

Q2. How do you define your community? (All of Chapel Hill, your neighborhood or side of town?)

Q3. On a scale of 1 to 3, with **1 being the most safe and 3 being the least safe,** how safe do you feel in Chapel Hill?

- ☐ 1
- ☐ 2
- ☐ 3
- ☐ Other response: _____

Q4. What makes you feel safe in your community?

Q5. What makes you feel unsafe in your community?

Q6. Which of the following services should be delivered by the Chapel Hill Police Department? Rank by priority level **with 1 being the most important and 12 being the least important for CHPD to provide.**

- Community Engagement
- Crowd Management
- Death Response/Investigation
- Drug and Alcohol Enforcement
- Mental Health Crisis Intervention
- Noise Ordinance and Nuisance Violations
- Property Violations
- Traffic Safety and Management
- Violent Crime
- Response to Unsheltered Persons
- Youth Engagement
- Crisis Interventions

Q7. What organizations or local partnerships should deliver the services mentioned in Question 6, if not CHPD.

Q8. How important is it for CHPD to work within the following populations for ongoing community engagement? Rank by level of importance with 1 being the most important and 8 being the least important.

- People experiencing homelessness
- School aged children
- Teens
- Elderly/Aging
- People experiencing Mental Health Crises
- Students
- Other (please specify): _____

Q9. Who's missing from the conversation?

Q10-A. Which of the following best describes your race and ethnic identity? Select One (Optional)

- White
- Black or African American
- Hispanic or Latino
- American Indian or Alaska Native
- Asian
- Native Hawaiian or Pacific Islander
- Choose not to respond
- Other: _____

Q10-B. What is your age? (Optional)

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64

- 65-74
- 75-84
- 85 or older
- Choose not to respond

Q10-C. Which of the following best describes your gender identity? (Optional)

- Male
- Female
- Non-binary / Third gender
- Choose not to respond
- Other: _____

Q10-D. Which of the following best describes your disability status according to the 1990 Americans with Disabilities Act (ADA)? (Optional)

- Not Disabled
- Disabled
- Choose not to respond

Q10-E. Enter your Zip Code of residence (Optional): _____

Thank you for Taking the Survey!

Visit townofchapelhill.org/reimaginecommunitysafety to learn more about the Reimagining Community Safety Initiative and to register for upcoming Community Listening Sessions.

Return printed and paper surveys to housingandcommunity@townofchapelhill.org

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 14., **File #:** [21-0339], **Version:** 1 **Meeting Date:** 4/21/2021

Open a Public Hearing for Land Use Management Ordinance (LUMO) Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Initial Review of Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

Staff:
Alisa Duffey Rogers, LUMO Project Manager
Corey Liles, Principal Planner
Gene Poveromo, Zoning/Code Enforcement Coordinator

Department:
Town Manager's Office
Planning
Building & Development Services

Overview: Chapter 160D of NC General Statutes was established under Session Law 2019-111, which was signed into law on July 11, 2019. Before July 1, 2021, it is necessary for the Town to update the Land Use Management Ordinance (LUMO) to continue planning and zoning functions in compliance with State law.

Recommendation(s):

For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.

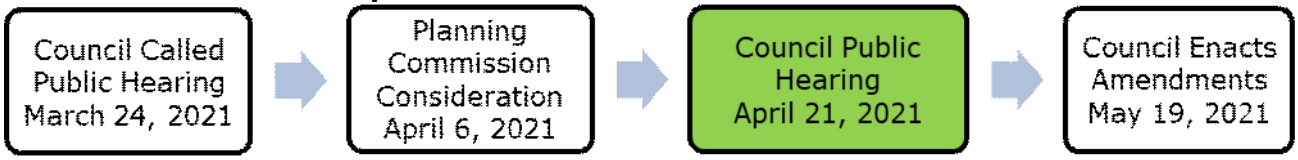
For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

Key Issues:

- Part I of Session Law 2019-111 is already in effect and impacts how the Town conducts development review procedures.
- As a vehicle for modernizing North Carolina's land use laws, Part II requires the Town to update the LUMO to comply with this newly enacted State Statute.
- At previous Work Sessions, Council provided input on eliminating Conditional Use District Zoning, determining which approvals had Vested Rights, and how to utilize advisory board/commissions when considering Special Use Permits. Staff incorporated all input received from these Work Sessions into the proposed LUMO text amendments.

Fiscal Impact/Resources: Codifying these text amendments will require funding from Communication and Public Affairs budget.

Where is this item in its process?



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Attachments:

- Staff Report and Text Amendment Overview
- Draft Staff Presentation
- Planning Commission Recommendation
- Resolution of Consistency
- Ordinance A (Enactment of Land Use Management Text Amendment Proposal)
- Resolution B (Deny Land Use Management Text Amendment Proposal)
- Ordinance B (Proposed Amendments to the Town Code)

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

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.
For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

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OPEN A PUBLIC HEARING FOR LAND USE MANAGEMENT ORDINANCE (LUMO) TEXT AMENDMENTS – PROPOSED CHANGES TO ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NORTH CAROLINA GENERAL STATUTE 160D

INITIAL REVIEW OF AMENDMENTS TO THE TOWN CODE – PROPOSED CHANGES TO CHAPTERS 5, 7, AND 9 TO UPDATE REFERENCES IN THESE CHAPTERS TO ALIGN WITH NORTH CAROLINA GENERAL STATUTE 160D

STAFF REPORT TOWN OF CHAPEL HILL MANAGER'S OFFICE, PLANNING DEPT., & BUILDING & DEVELOPMENT SERVICES
Alisa Duffey Rogers, Land Use Management Ordinance Project Manager
Corey Liles, Principal Planner
Gene Poveromo, Zoning/Code Enforcement Coordinator

AMENDMENT REQUEST	**DATE**
• Amend portions of Articles 1, 3, 4, 5, 8 and Appendix A of the Land Use Management Ordinance (LUMO) to bring the LUMO into compliance with 160D, which is the State legislation modifying the North Carolina statutes for development regulations. • Amend portions of Chapters 5, 7, and 9 of the Town Code to update references from North Carolina General Statutes (NCGS) 160A to NCGS 160D	April 21, 2021

STAFF RECOMMENDATION:
That the Council open the legislative hearing regarding the Land Use Management Ordinance text amendments, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours following the closing of the legislative hearing as required by Session Law 2020-3.

For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

LUMO PROCESS

The Council must consider the following **three factors** for enactment of the Land Use Management Ordinance Text Amendment:

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.

KEY ISSUES FOR PROPOSED LUMO AMENDMENTS

- '160D' refers to the new section of the NC General Statutes that contains the rules for how local jurisdictions can exercise land use authority in areas such as zoning and subdivisions. Chapter 160D was established under Session Law 2019-111 (with later technical corrections under Session Law 2020-25) and was signed into law in the summer of 2019. Part I of the Session Law went into effect at that time. Part II, which clarifies, consolidates, and reorganizes land-use regulatory laws, will go into effect on or before July 1, 2021 (the effective date varies based on when jurisdictions adopt amendments to implement 160D).
- Updates to the LUMO are necessary for the Town's development regulations and procedures to continue operating in compliance with State law.
- Most updates are technical in nature and will not require the Town to amend its development regulations
- There are two noteworthy amendments proposed:
  1. Elimination of Conditional Use District Zoning; and,
  2. Discontinue advisory boards recommendations on special use permits.
- Other amendments:
  1. Define major & minor modifications to approved plans and the development review process for such changes;
  2. Permit variances under the Federal Fair Housing Act for a person with a disability;
  3. Distinguish between administrative, legislative, & evidentiary hearings;
  4. Update the Master Land Use Plan provisions to permit conditional zoning;
  5. Remove the minimum square footage requirement for affordable dwelling units in the Inclusionary Zoning provisions;
  6. Add & revise definitions as required by 160D; and,
  7. Update references from 160A, the previous North Carolina code section, to 160D

CONSISTENCY WITH COMPREHENSIVE PLAN The proposed LUMO text amendments promote the following *Chapel Hill 2020* Comprehensive Plan goals: • A community that welcomes and supports change and creativity (GPNS.6) • A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)	
ATTACHMENTS	1. Text Amendment Overview 2. Draft Staff Presentation 3. Planning Commission Recommendation 4. Resolution of Consistency (for proposed Land Use Management Ordinance amendments) 5. Ordinance A (Enactment of Land Use Management Text Amendment Proposal) 6. Resolution B (Deny Land Use Management Text Amendment Proposal) 7. Ordinance B (Proposed Amendments to the Town Code)

PROPOSED CHANGES: TEXT AMENDMENTS TO THE LAND USE MANAGEMENT ORDINANCE (LUMO) ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NCGS 160D

The following is a summary of the proposed text amendments necessary to bring the LUMO into compliance with 160D.

TEXT AMENDMENT OVERVIEW

- **Elimination of Conditional Use District Zoning.** 160D does not permit conditional use district zoning, which is the process of combining a rezoning with a special use permit. It does allow conditional zoning. Existing conditional use districts were converted to conditional zoning districts in October of 2020, which you can see on the Town's Interactive Map[1]. Applicants may continue to request conditional zoning districts.
- **Discontinue advisory board recommendations on special use permits.** Instead, development review boards will hold preliminary forums where applicants present their applications and hear concerns from the board members and any public in attendance. A formal recommendation will not be transmitted to the Town Council. Currently, the LUMO only requires the Planning Commission to provide a recommendation on Special Use Permits, and other advisory boards provide a recommendation because of Town policy. As a result of 160D, LUMO text amendments are proposed that remove the requirement for a Planning Commission recommendation on special use permits and allows the Planning Commission to hold a preliminary forum. Other development review boards may also hold preliminary forums.
- **Clarifying the types of Public Hearings**. In order to distinguish between the various public hearings required by statute, 160D creates three separate types of hearings based on the required approval process. These are legislative, evidentiary, and administrative hearings. 160D requires legislative hearings when a legislative decision is being considered such as a proposed conditional zoning district. When a special use permit is requested, 160D requires an evidentiary hearing due to the required quasi-judicial process. For decisions that do not involve discretion, such as site plan review, an administrative hearing may be held.

SUMMARY OF PROPOSED ORDINANCE

1. **Section 1 – LUMO Section 1.2**
    - Clarifies references to the North Carolina General Statutes
2. **Sections 6 through 7 & 10 – LUMO Article 3 Introduction, Section 3.1.2, Section 3.4.1 (a)**
    - Eliminates Conditional Use District Zoning & retains Conditional Zoning
3. **Sections 14 through 29 - LUMO Section 3.5**
    - Defines and outlines the process for minor and major modifications in OI-4 and for approved development agreements
    - Specifies a legislative hearing, rather than a public hearing
4. **Section 32 – LUMO Section 3.6.2 (d)**
    - Clarifies that decisions on Certificates of Appropriateness are quasi-

[1] https://townofchapelhill.maps.arcgis.com/apps/webappviewer/index.html?id=7c0b17839ad142178172ac4cc82e13b6

judicial and must follow quasi-judicial procedures

- Clarifies that hearings regarding Certificates of Appropriateness are evidentiary hearings

5. Section 33 – LUMO Section 3.10.2 (f)

- Eliminates the minimum net livable square footage requirement for affordable dwelling units under the Inclusionary Zoning provisions
- Replaces this provision with a requirement that market rate and affordable units be substantially similar in livable square footage

6. Sections 37 through 40 – LUMO Section 3.11.4.7

- Defines major modifications to a Form District Permit in the Blue Hill Form District
- Clarifies that the Community Design Commission is holding administrative hearings and making administrative decisions

7. Section 45 – New LUMO Section 4.1.5

- Defines a development review process for parcels located in two jurisdictions

8. Section 45 – LUMO Section 4.2

- Clarifies the process for adopting or amending the comprehensive plan

9. Section 48 – New LUMO Section 4.4.1 (d)

- Permits down-zoning only when initiated by the Town or when agreed to by the property owner

10. Section 50 – LUMO Sections 4.4.2 (a)

- Clarifies that legislative hearings, not public hearings, are required for proposed general use and conditional zoning atlas amendments

11. Sections 51, 54, 56 & 58 – LUMO Sections 4.4.2 (d) & (g); 4.4.3 (c) (1) & 4.4.3 (f)

- Includes requirement for Planning Commission and Town Council consideration of Plan Consistency statements & Statements of Reasonableness for LUMO amendments

12. Section 60 & 63 through 64– LUMO Sections 4.4.4 & 4.4.5 (g) & (h)

- Defines and outlines the process for minor and major modifications for previously approved Light Industrial Conditional Zoning Districts and other Conditional Zoning Districts

13. Section 67 – LUMO Section 4.5.3

- Removes the requirement for Planning Commission to provide a recommendation to the Town Council for Special Use Permits
- Planning Commission holds a preliminary forum for Special Use Permits
- Specifies hearings for Special Use Permits are evidentiary hearings

14. Section 68 – LUMO Section 4.5.4

- Defines and outlines the process for minor and major modifications to previously approved Special Use Permits

15. Section 71 – New LUMO Section 4.6.1 (e)

- Exempts divisions of tracts into parcels as the result of a probated will from LUMO Subdivision Regulations

16. Section 79 – LUMO Section 4.7.5

- Defines and outlines the process for minor and major modifications for previously approved Site Plans

17. Sections 80 through 87 – LUMO Section 4.8

- Inserts conditional zoning into Master Land Use Plans
- Defines and outlines the process for minor and major modifications for previously approved Master Land Use Plans

18. Sections 93 – LUMO Section 4.12.2 (a)(2)

- Permits the granting of a variance to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability

19. Sections 98 through 103 - LUMO Section 5.16

- Inserts Conditional Zoning into the Adequate Public School Facilities provisions
- Clarifies the exception provisions
- Clarifies that associated hearings are evidentiary hearings

20. Section 112 – LUMO Section 8.2.4 (m)

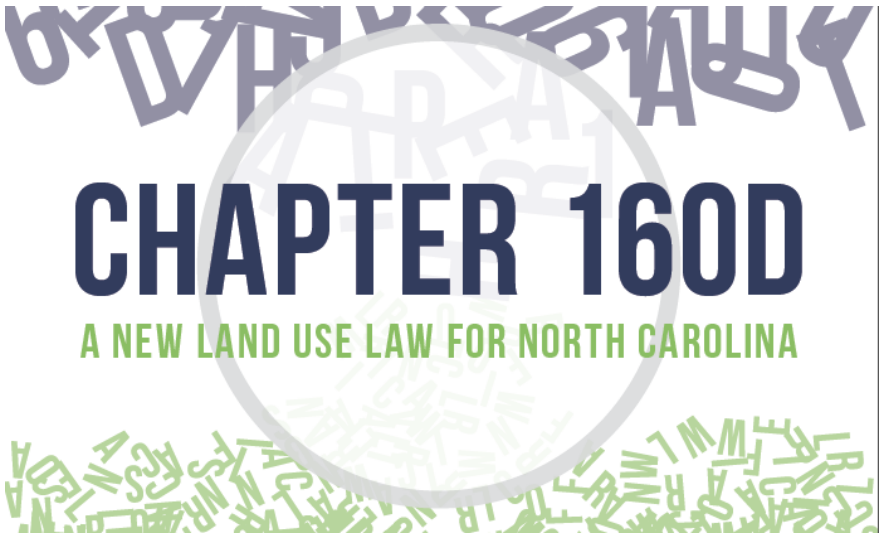
- Planning Commission will provide recommendations on proposed conditional zoning districts, but not Special Use Permits

21. Section 117 – LUMO Section 8.5.5 (r)

- Community Design Commission will provide comments and recommendations to applicants, rather than the Town Council for Special Use Permits

22. Section 118 Appendix A - Definitions

- Includes new definitions and revises existing definitions as required by 160D



TOWN COUNCIL
APRIL 21, 2021

DRAFT

Agenda:

- Process for 160D Amendments
- Background on 160D
- Overview of 160D changes
- Next Steps
- Staff Recommendation

PROCESS

DRAFT

March 24, 2021	April 6, 2021	April 21, 2021	May 19, 2021
Town Council Calls the Public Hearing	Planning Commission Consideration	Town Council Open & Close Public Hearing	Council Action

STAFF RECOMMENDATION

For LUMO Text Amendments:

That the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours at adrogers@townofchapelhill.org

DRAFT

STAFF RECOMMENDATION

For Town Code Text Amendments:

That the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

DRAFT

BACKGROUND

Chapter 160D – new section of NC General Statutes containing rules for local land use authority

- Created by Session Law 2019-111
- Revised by Session Law 2020-25

PART I

In effect now

Revisions to development review procedures –

no text amendments required

PART II

Compliance required by July 2021

Updates to LUMO and Town Code

DRAFT

CHAPTER 160D

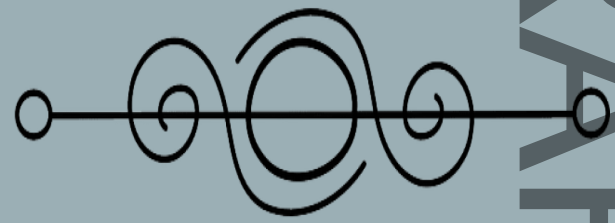
A NEW LAND USE LAW FOR NORTH CAROLINA

DRAFT

MANY LUMO CHANGES ARE TECHNICAL AMENDMENTS

SUBSTANTIVE CHANGES

- Advisory Board Review of Special Use Permits
- Elimination of Conditional Use District Zoning



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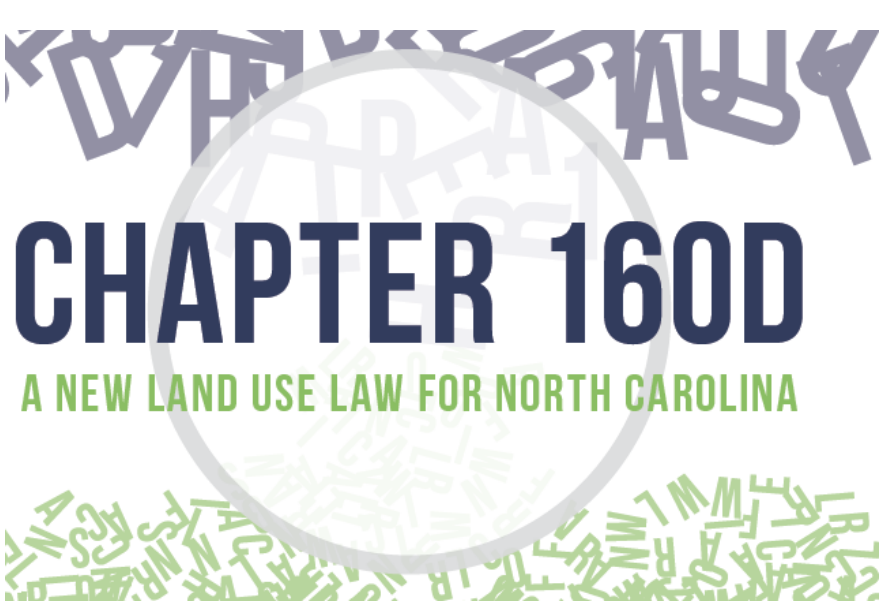
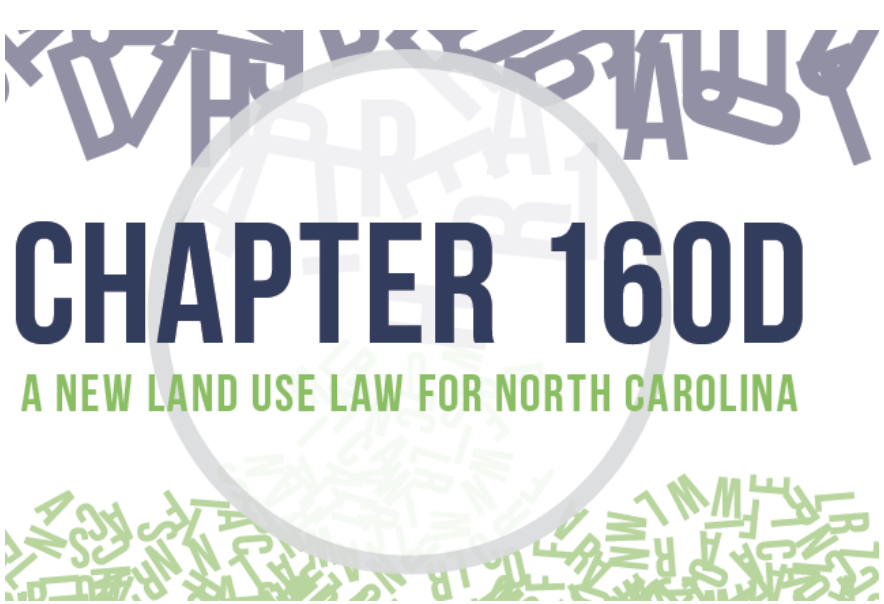
OTHER LUMO AMENDMENTS

- Define minor & modifications to approved plans and the approval process for consideration
- Permit variances for persons with a disability



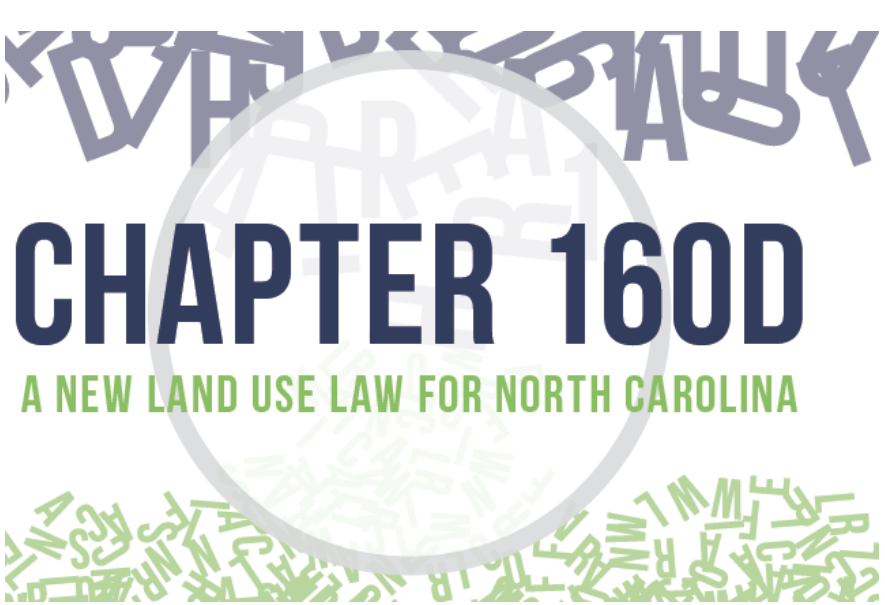
OTHER LUMO AMENDMENTS

- Update the Master Land Use Plan provisions to include conditional zoning
- Add definitions for clarity & as required by 160D



OTHER LUMO AMENDMENTS

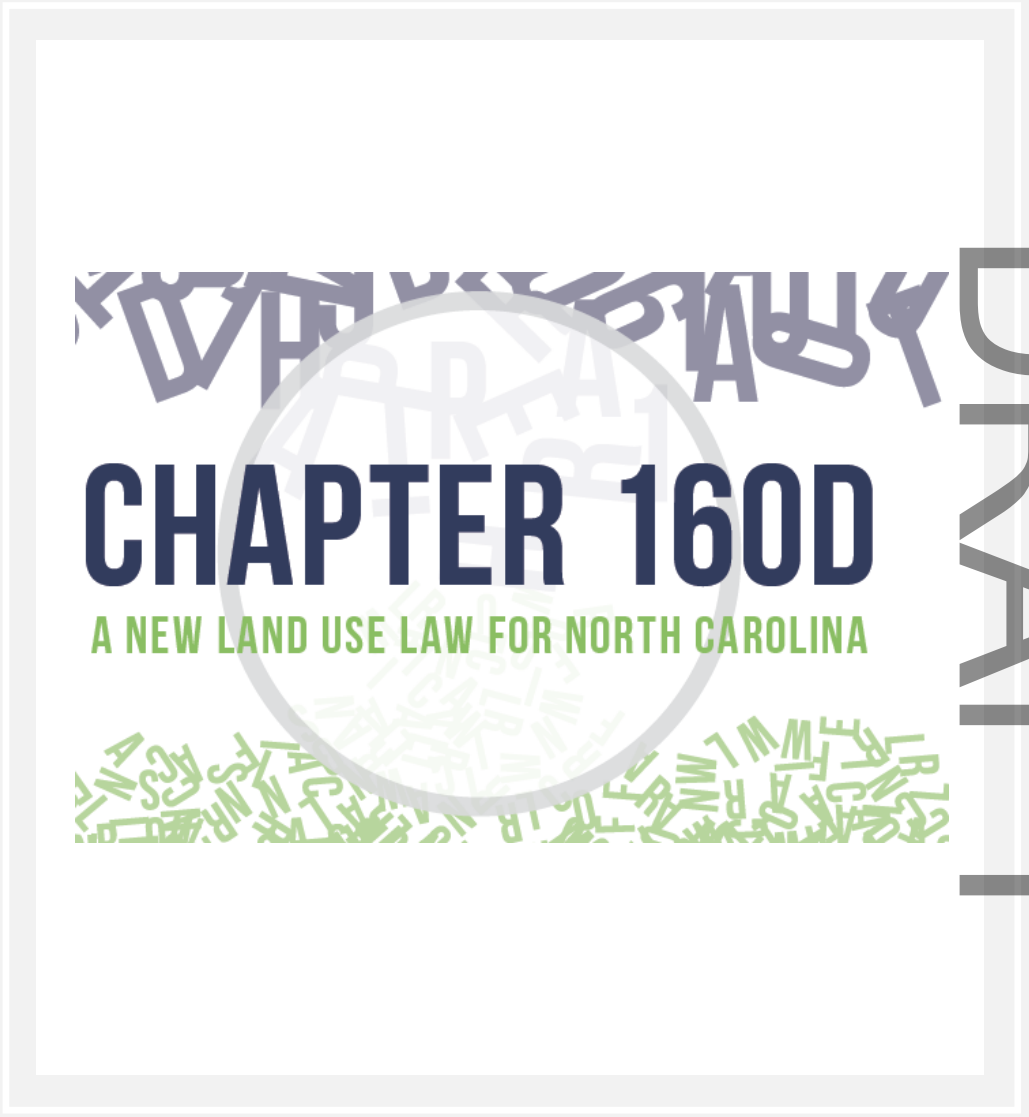
- Remove the minimum square footage requirement in the Inclusionary Zoning provisions



OTHER LUMO AMENDMENTS

- Distinguish between administrative, legislative, & evidentiary hearings

- Distinguish between administrative, legislative, & quasi-judicial decisions



CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed text amendments promote the following *Chapel Hill 2020* Comprehensive Plan goals:

- A community that welcomes and supports change and creativity (GPNS.6)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)

DRAFT

STAFF RECOMMENDATION

For LUMO Text Amendments:

That the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours at adrogers@townofchapelhill.org

DRAFT

STAFF RECOMMENDATION

For Town Code Text Amendments:

That the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

DRAFT

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR A LAND USE MANAGEMENT ORDINANCE (LUMO) TEXT AMENDMENTS –
PROPOSED CHANGES TO ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NCGS STATE STATUTE 160D

April 6, 2021

Recommendation to Council: Approval ☑ Approval with Conditions ☐ Denial ☐
Motion: Commissioner McCullough moved and Commissioner Rivers seconded to recommend Town Council adopt the Resolution of Consistency, noting the pressure of the changes being required by state law.

Vote: 9-0

Ayes: Chair Michael Everhart, Vice Chair James Baxter, Neal Bench, Melissa McCullough, John Rees, Stephen Whitlow, Elizabeth Losos, Louie Rivers, Buffie Webber

Nays:

Recommendation to Council: Approval ☑ Approval with Conditions ☐ Denial ☐
Motion: Commissioner Bench moved and Commissioner Rivers seconded to recommend Town Council adopt Ordinance A.

Vote: 9-0

Ayes: Chair Michael Everhart, Vice Chair James Baxter, Neal Bench, Melissa McCullough, John Rees, Stephen Whitlow, Elizabeth Losos, Louie Rivers, Buffie Webber

Prepared by: Michael Everhart, Chair, Planning Commission
Jake Lowman, Senior Planner, Staff Liaison to Planning Commission

RESOLUTION OF CONSISTENCY

A RESOLUTION FINDING THAT THE PROPOSED AMENDMENTS TO ARTICLES 1, 3, 4, 5, 8 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO INCORPORATE REVISIONS REQUIRED BY THE ENACTMENT OF NCGS 160D ARE CONSISTENT WITH THE COMPREHENSIVE PLAN (2021-##-##/R-#)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to incorporate the provisions of the newly enacted North Carolina General Statute 160D; and

WHEREAS, the Planning Commission reviewed the proposed 160D related amendments to the Land Use Management Ordinance and recommended that the Town Council adopt the Resolution of Consistency, noting the pressure of the changes come from the newly enacted state law; and

WHEREAS, the Planning Commission reviewed the proposed 160D related amendments to the Land Use Management Ordinance and recommended that the Town Council adopt Ordinance A; and,

WHEREAS, upon consideration the Council finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal: Good Places New Spaces.3)
- A community that welcomes and supports change and creativity (Goal: Good Places New Spaces.6)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed zoning text amendments to be reasonable and consistent with the Town Comprehensive Plan.

This the _____th day of _____, 2021.

Ordinance A

AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 8 and Appendix A OF THE LAND USE MANAGEMENT ORDINANCE TO COMPLY WITH NORTH CAROLINA STATE STATUTE 160D (2021-__-__/O-)

WHEREAS, the Council called a Public Hearing to amend provisions of the Land Use Management Ordinance (LUMO) to incorporate the provisions of the new state enabling legislation entitled, "Chapter 160D Local Planning and Development Regulation" for the Council's April 21, 2021 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to the Land Use Management Ordinance (LUMO) Articles 1, 3, 4, 5, 8 and Appendix A related to incorporating the provisions of the newly enacted North Carolina General Statute 160D and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the *Chapel Hill 2020* Comprehensive Plan:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal: Good Places New Spaces.3)
- A community that welcomes and supports change and creativity (Goal: Good Places New Spaces.6)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that Appendix A – Land Use Management, Articles 1, 3, 4, 5, 8 and Appendix A of the Code of Ordinances, Town of Chapel Hill, North Carolina are hereby amended as follows:

Section 1 – Table of Contents. Footnote (1) --- State Law References is hereby amended to read as follows:

"State Law reference— Municipal zoning power, ~~G.S.~~ **NCGS** § ~~160A-381 et seq.~~ **160D-107, 160D-109, 160D-406, 160D-702, 160D-704, 160D-705, 160D-903, 160D-908**; city may regulate subdivision of land, ~~G.S.~~ **NCGS** § ~~160A-371~~ **160D-801**"

Section 2 – Article 1 - General Provisions. Section 1.2 Authority is hereby amended to read as follows:

"This appendix is adopted pursuant to the authority contained in Chapter ~~160A~~ **160D**; Chapter 143, Article 21 (Part 6) and Article 33C; Chapter 13A, Article 4; Chapter 136, Article 34; and Chapter 63, Article 4 of the N.C. General Statutes; and Chapter 473 of the Session Laws of 1975 and Chapter 278 of the Session Laws of 1965. **This appendix cites specific provisions of the North Carolina General Statutes (NCGS), and while these provisions may change after the adoption of this appendix, the intent of these referenced sections shall remain.**"

Section 3 – Article 1 – General Provisions. Section 1.4 Applicability is hereby amended to read as follows:

"This appendix shall be effective throughout the town's planning jurisdiction. The planning jurisdiction of the town comprises the area described by Chapter 473 of the Session Laws of 1975, as modified from

time to time in accordance with Section ~~160A-360~~ **160D, Article 2** of the North Carolina General Statutes.

Except as otherwise specifically provided in this appendix, no land or structure shall hereafter be used or occupied, and no excavation, removal of soil, clearing of a site, or placing of fill shall take place on lands contemplated for development, and no structure, or part thereof, shall be constructed, erected, altered, renovated, or moved, except in compliance with all of the applicable provisions of this appendix.

Notwithstanding the foregoing, regulations established in this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions for single-family and two-family structures, shall not apply to valid special use permits, development plans, and preliminary plat applications approved by the Town Council, and valid site plan review applications approved by the Planning Commission, prior to the effective date of this enacted appendix. Such developments shall be subject to regulations that were applicable immediately prior to the effective date of this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions for single-family and two-family structures.

The appendix shall apply to all public land(s) and private land(s), and use(s) thereon over which the Town has jurisdiction under the constitution(s) and law(s) of the State of North Carolina and of the United States, including any areas within the jurisdiction of the Town pursuant to North Carolina General Statutes Section ~~160A-360~~ **160D, Article 2**. The Planning Department (hereinafter known as the "Department") of the Town can be contacted for further information about the use of this Chapter.

For a parcel in two jurisdictions, the owner and the jurisdictions may agree that development regulations from one jurisdiction will apply to the entire parcel as authorized in Chapter 160D-203 and in Section 4.1.5 in this appendix."

Section 4 – Article 1 – General Provisions. Section 1.6 Interpretation is hereby amended to read as follows:

"The provisions of this appendix are the basic and minimum requirements for the protection of public health, safety, and welfare. As provided by North Carolina General Statutes Section ~~160A-4~~ **160D-110**, this appendix shall be liberally interpreted in order to further its underlying purposes. In all cases, the strictest standards will be applied. Rules of interpretation and definitions, words, terms or phrases in this chapter may be found in Appendix A [Definitions] to this appendix. This appendix contains numerous graphics, pictures, illustrations, and drawings. However, text of this appendix shall control unless otherwise provided in the specific section."

Section 5 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. The Introductory second paragraph is hereby amended to read as follows:

"First, "General Use **or Conventional**" districts (section 3.3) divide the town into various residential, commercial and industrial zones. Each district establishes uses that are permitted "as of right," and uses permitted only as "special uses." Special uses require a ~~public~~ **evidentiary** hearing in order to assess whether conditions are needed in order to make the use compatible with other uses in the district. The uses permitted in each district are listed in section 3.7."

Section 6 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. The Introductory third paragraph is hereby amended to read as follows:

“"Conditional **Zoning** " Districts (section 3.4) **in which site plans or individualized development conditions that are** ~~include district-specific conditions~~ agreed upon**, in writing,** by the town council and the property owner(s) to ensure that the use or group of uses is compatible with adjoining districts and uses. ~~There are two types of Conditional Districts, each with different application procedures and requirements for establishment by the town council: Conditional Use Districts (section 3.4.1) and Conditional Zoning Districts (sections 3.4.3-6).~~ **Such Conditional Zoning Districts are established by the town council pursuant to NCGS 160D-703.**”

Section 7 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.1.2 is hereby deleted and the following sub-sections renumbered as follows:

“~~3.1.2 Conditional use districts may be established by the town council approval of a conditional use district rezoning pursuant to the procedures established in section 4.4.2 of this appendix. Conditional use districts parallel general use districts and require an approval of an accompanying special use permit, which incorporates district-specific site plans and conditions agreed to by the owner(s) of the rezoned land. A special use permit application must be submitted within one (1) year of an approved rezoning pursuant to the procedures established in section 4.5.3 of this appendix. Such approval authorizes the development of the conditional use district-specific site plan in accordance with the standards applicable to the general use district as modified by the stipulations contained within the special use permit.~~

3.1.2 ~~3.1.3~~ The Light-Industrial Conditional Zoning District (LI-CZD), may be established by the town council approval of a conditional zoning district rezoning pursuant to the procedures established in section 4.4.3 of this Appendix. The light-industrial conditional zoning district incorporates district-specific rezoning plans and conditions agreed to by the owner(s) of the rezoned land. Such approval authorizes development of the Light-Industrial conditional zoning district-specific rezoning plan in accordance with the standards applicable to the conditional zoning district, as modified by the conditions contained with the conditional zoning district rezoning approval.

3.1.3 ~~3.1.4~~ Conditional Zoning Districts, other than the LI-CZD, may be established by the town council approval of a conditional zoning district pursuant to the procedures established in section 4.4.5 of this appendix, provided the conditional zoning district is deemed consistent with the land use plan in the comprehensive plan by locating in conformance with an adopted small area plan and/or in one of the following land use categories:”

Section 8 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.2.5 is hereby amended to read as follows:

“The planning director shall authenticate the entry of each amendment on the official zoning atlas and shall maintain a record of the nature and date of entry of each amendment. **Following each zoning atlas amendment, prior versions of the zoning atlas shall be maintained for public inspection in either paper or digital formats.** Changes to the official zoning atlas other than those authorized by duly approved amendments to this appendix shall be prohibited.”

Section 9 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.2.7 is hereby amended to read as follows:

"The town manager shall render a decision as to any dispute of the boundary or location of property within a zoning district in accordance with the procedures for ~~interpretations~~ **determinations** (section 4.11)"

Section 10 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.4.1 (a) is hereby deleted, and the subsequent subsection renumbered as follows:

~~"(a) For the TC-1, TC-2, TC-3, CC, N.C., OI-1, I, R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, HR-L, HR-M, HR-X, R-LD1, and R-LD5 districts hereinabove described, there are hereby established parallel conditional use districts designated TC-1-C, TC-2-C, TC-3C, CC-C, N.C.-C, OI-2-C. 0I-1-C, I-C, R-6-C, R-5-C, R-4-C, R-3-C, R-2-C, R-2A-C, R-1-C, R-1A-C, HR-L-C, HR-M-C, HR-X-C, R-LD1-C, and R-LD5-C pursuant to North Carolina General Statutes Section 160A-382. Under each conditional use district, all uses allowed as a permitted use or special use by section 3.7, Table 3.7-1 (Use Matrix), for the parallel general use district are permitted only upon issuance of a special use permit by the town council pursuant to section 4.5 of this appendix.~~

~~(b)~~ All conditional use districts established pursuant to North Carolina General Statutes Section 160A-382 that existed as of October 2020 are hereby converted to conditional zoning districts pursuant to North Carolina General Statutes 160D. Any conditional use district established prior to October 2020 shall be henceforth shown on the zoning atlas with a CZD suffix. Any proposed modifications to such districts established prior to October 2020 shall be considered pursuant to Section 4.4.5."

Section 11 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.5.2(b) third full paragraph is hereby amended to read as follows:

"For development proposed within an OI-4 zoning district that is not included in a town council-approved development plan, but is a minor ~~change~~ **modification** according to the provisions of subsection (i) of this section, the town manager may approve a change to the development plan and issue a site development permit. For development proposed within an OI-4 zoning district that is not included in a town council-approved development plan and that cannot be considered a minor ~~change~~ **modification** to the plan according to subsection ~~(i)~~ **(j)** of this section, such development shall be considered to be a special use, and subject to the special use permit procedural requirements of section 4.5 of this appendix. In the alternative, the applicant may apply to the town council for an amendment to the development plan."

Section 12 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.2(h) (2) Process for review is hereby amended to read as follows:

"(2) Process for review.

A. Applications for development plan approval **may** ~~shall~~ be reviewed by the planning commission**,** and **the planning commission may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant.** ~~forwarded to the town council for consideration at a public hearing. The Planning Commission shall review the application and the Town Manager's report and shall submit to the Town Council a written recommendation based on the findings required in~~

~~subsection (h)(3). The Planning Commission shall prepare its recommendation within thirty-five (35) days of the meeting at which the Town Manager's report is submitted to it or within such further time consented to in writing by the applicant or by Town Council resolution. If the Planning Commission fails to prepare its recommendation to the Town Council within this time limit, or extensions thereof, the Planning Commission shall be deemed to recommend approval of the application without conditions.~~

B. Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

C. ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

D. The applicant shall bear the burden of presenting evidence sufficient to establish persuasively that the proposed development will comply with the determinations required in subsection (h)(3).

E. A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the **evidentiary** hearing. Town council action on an application for development plan approval shall occur within one hundred twenty (120) days of the date of submittal of a complete application."

Section 13 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.2(j) Process for amending the development plan is hereby amended to read as follows:

"The town manager is authorized to approve minor ~~changes~~ **modifications** and changes in the ordering of phases in an approved development plan, as long as such changes continue to be in compliance with the approving action of the town council and all other applicable requirements, and result in a configuration of buildings that is generally consistent with the approved development plan. The town manager shall not have the authority to approve changes that constitute a **major** modification of the development plan.

Before making a determination as to whether a proposed action is a minor ~~change~~ **modification** or a **major** modification, the town manager shall review the record of the proceedings on the original application for the development plan and any subsequent applications for modifications of the development plan, and shall use the following criteria in making a determination:

(1) A change in the boundaries of the development plan approved by the town council shall constitute a **major** modification;

(2) A substantial change in the floor area or number of parking spaces approved by the town council shall constitute a **major** modification. (General rule: more than a 5% increase in overall net new floor area or parking in a development plan approved by the town council would be considered substantial.);

(3) Substantial changes in pedestrian or vehicular access or circulation approved by the town council shall constitute a **major** modification. (General rule: changes that would affect access or circulation beyond the boundaries of a development plan would be considered substantial.); and

(4) Substantial change in the amount or location of open areas approved by the town council shall constitute a **major** modification.

If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the **major** modification, following procedures outlined in this section for initial approval of a development plan."

Section 14. Article 3. – Zoning Districts, Uses and Dimensional Standards. Section 3.5.5 University-1 District (a) Purpose and Intent, is hereby amended to read as follows:

"*Purpose and intent.* The purpose and intent of the University-1 district (U-1) is to establish procedural and substantive standards for the town council's review and approval of development on large tracts of land where the predominant uses are to be public or private development for college/university, research activity, civic, hospital, clinics, cultural, and/or related or support functions with integrated supporting housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses.

The objective of the U-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment. A key feature of this district is the concurrent review of a rezoning application and an initial proposed development agreement within such district that allows the property owner, immediate neighbors, and community to understand the type and intensity of development being proposed, the timing of that development, the potential impacts of the development, the mitigation measures that will be implemented to address those impacts, and the commitments of both the developer and the town regarding public facilities and services needed to support the proposed development. A development agreement that is approved by ordinance as a legislative decision of the town council pursuant to G.S. ~~160A-400.22~~ **160D-1003** is an integral component of the U-1 zoning district."

Section 15 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (d) Long-range development plan is hereby amended to read as follows:

"Long-range development plan. When an application for a rezoning to this district is submitted, the developer shall submit a long-range development plan to provide an opportunity for the town council,

town manager and citizens to see the developer's current plans at a conceptual level for long-term development of all property within the proposed zoning district. This long-range plan is necessary to provide a context for individual development agreements for development within the district. The long-range plan shall represent a good faith depiction of the developer's intentions relative to overall development of the site. It is not, however, submitted for town approval and shall not be deemed to create a binding commitment on behalf of the developer or the town.

The long-range development plan shall be submitted to the town manager prior to or concurrently with the submission of an application to rezone property into this district. An updated long-range development plan shall also be submitted with all applications for approval of a development agreement within the district or for approval of major ~~amendments~~ **modifications** of a development agreement within the district."

Section 16 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (e) (9) is hereby amended to read as follows:

"A development schedule, including commencement dates and interim completion dates at no greater than five-year intervals, provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to ~~G.S. 160A-400.27~~ **NCGS 160D-1008** but must be judged based upon the totality of the circumstances."

Section 17 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (f)(1) Permitted uses within a development agreement is hereby amended to read as follows:

"Permitted uses within a development agreement. The predominant uses are to be public or private development for college/university, research activity, civic, hospital, clinics, cultural, and/or related or support functions with integrated supporting housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses. Uses that may be approved within a development agreement in this district include all uses allowed within the OI-4 district as permitted uses, special uses, or accessory uses. The maximum floor area, density of development, building heights and general locations, other attributes of development intensity, and design guidelines for the development permitted shall be as provided in a town council-approved development agreement. The development agreement may provide that specified uses shall require a town council-approved special ~~or conditional~~ use permit.

A large central cogeneration/utility plant may only be approved within a development agreement in this district upon approval of a ~~conditional~~ **special** use permit by the town council. For the purposes of this section, a large central cogeneration/utility plant includes any facility designed to produce steam, heat, electric power, chilled water, or cooling for other buildings and that is designed to or has the capacity to serve more than two million square feet of building space. The process established by section 4.5.3 of this appendix shall be followed in the consideration of this ~~conditional~~ **special** use permit and sections 4.5.4 and 4.5.5 of this appendix shall apply to modification, expiration, and revocation of this ~~conditional~~ **special** use permit. The town council shall not approve that permit unless each of the following findings is made:

1. That the use is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

2. That the use is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use is a public necessity;

3. That the use conforms with the general plans for the physical development of the town as embodied in the comprehensive plan; and

4. That the use conforms with the applicable terms of the development agreement."

Section 18 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (i) (3) Fiscal Impact is hereby amended to read as follows:

"Proposed development shall be accompanied by reasonable measures to mitigate any adverse fiscal impacts for the town; provided that, pursuant to **NC**GS ~~160A-400.20(b)~~ **160D-1001 (b)**, the town may not impose any tax or fee not authorized by otherwise applicable law."

Section 19 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (j) Amendments and modifications to development agreements is hereby amended to read as follows:

"(j) ~~*Amendments*~~ ***Minor*** *and* ***major*** *modifications to development agreements.* A development agreement may be ~~amended~~ **modified** or canceled by mutual consent of the parties to the agreement or by their successors in interest.

Either party may propose a major ~~amendment~~ or minor modification to any town council-approved development agreement. Upon receipt of a proposed ~~adjustment~~ **modification**, the town manager shall consider the following criteria in making the determination as to whether a proposed adjustment is a major ~~amendment~~ or a minor modification to a development agreement:

1. A substantial change in the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in the area of land subject to the development agreement approved by the town council of more than five (5) percent shall be considered substantial. A cumulative increase of fifteen (15) percent or more in the land area subject to the development agreement shall be considered substantial.

2. A substantial change in the floor area or number of parking spaces shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in new floor area or number of parking spaces of more than a five (5) percent in a development agreement approved by the town council shall be considered ~~substantial~~ **a major modification**. A cumulative increase of fifteen (15) percent or more in the floor area or number of parking spaces subject to the development agreement shall be considered ~~substantial~~ **a major modification**. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a major amendment or minor modification and such changes shall be reported by the applicant to the town manager.

3. Changes that would substantially affect pedestrian, bicycle, or vehicular access or circulation beyond the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**.

4. Substantial change in the amount or location of open space within the boundaries of a development agreement shall constitute a major ~~amendment~~ **modification**. Any single change that increases or decreases the amount of open space by more than five (5) percent shall be considered ~~substantial~~ **a major modification**. A cumulative increase or decrease in the amount of open space by fifteen (15) percent or more or a substantial change in the location of designated open space shall be considered ~~substantial~~ **a major modification**.

Notwithstanding the above, some proposed changes to a town-council approved development agreement that do not meet the threshold to constitute a major ~~amendment~~ **modification** may in the judgment of the town manager, because of size, perimeter location or transportation impacts, merit public review. In the event the manager makes such a determination he may submit the proposed minor modification at a town council meeting to allow an opportunity for council review and citizen comment. Unless the other party to the development agreement agrees otherwise, such a review shall not extend the time period allowed for a decision by the manager on the minor modification or convert the change from a minor modification into a major ~~amendment~~ **modification**.

All proposed adjustments to a town council-approved development agreement shall be publicly posted in such a manner that citizens of Chapel Hill will have the opportunity to express any concerns to the town council and/or the town manager. The town manager shall determine whether a proposed adjustment to a town council-approved development agreement is a major ~~amendment~~ or a minor modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the town council and applicant of that determination. If the proposed action is determined to be a major ~~amendment~~ **modification**, the town manager shall require the filing of an application for approval of the amendment, following procedures outlined in subsection 3.5.5(k) of this appendix.

In the event state or federal law is changed after a development agreement has been entered into and the change prevents or precludes compliance with one or more provisions of the development agreement, the town council may modify the affected provisions, upon a finding that the change in state or federal law has a fundamental effect on the development agreement. In so doing, the procedures set forth for original approval of the development agreement shall be followed.

Except for grounds specified in ~~G.S. 160A-385.1(e)~~ **NCGS 160D-108(c) or 160D-108.1(f)**, the town shall not apply subsequently adopted ordinances or development policies to the development that is subject to the approved development agreement."

Section 20 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (k) Procedure for review of development agreements, amendments, and modifications is hereby amended to read as follows:

"(k) *Procedure for review of development agreements, amendments, and modifications.*

(1) *Application submittal requirements.* Applications for approval of a development agreement, a major ~~amendment~~ **modification** to a previously approved development agreement, and a minor modification to a previously approved development agreement within a U-1 zoning district shall be submitted to the town manager. The town manager shall prescribe the form(s) of applications as well as any other material as the town manager may reasonably require to determine compliance with this section.

(2) *Process for review.*

A. *Informal consultation.* Prior to submission of a proposed development agreement or a major ~~amendment~~ **modification** to a previously approved development agreement within this district, the applicant shall consult with the town manager and town council regarding the proposed development. The applicant is encouraged to engage in active discussion and collaboration with the town staff, town council, town advisory boards, neighbors, and the community in the preparation of a proposed development agreement or amendment and plans for development.

B. *Draft agreement.* A draft development agreement and long-range development plan for the activity to be addressed in the development agreement shall be submitted to the town manager prior to the submission of a formal development agreement. The manager and applicant shall present the draft agreement to the planning commission, such other advisory boards as deemed appropriate by the town council, and the town council for review and comment. The manager and applicant shall also present the draft agreement in informal public information sessions for public review and comment. A formal application for approval of a development agreement may be submitted upon completion of the review, comment, and revision of the draft development agreement.

C. Initial development agreement. Applications for approval of an initial development agreement within this zone shall be processed concurrently with the petition for rezoning to the U-1 district. The ~~public~~ **legislative** hearing on the initial development agreement shall be noticed and held concurrently with the hearing on the proposed rezoning. Notice of the ~~public~~ **legislative** hearing before the town council on the proposed development agreement shall follow the same notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed. The town council's ~~public~~ **legislative** hearing on the proposed development agreement shall be open to the public and all interested persons shall be given the opportunity to present comments. The town council shall take action on an application for an initial development agreement within this zone concurrently with action on the application for rezoning to this district. The initial development agreement may be applicable to all or part of the land within the district.

D. *Subsequent development agreements and major ~~amendments~~ **modifications**.* Subsequent new development agreements within this zoning district and major ~~amendments~~ **modifications** of a previously approved development agreement shall be considered using the following process:

1. Upon receipt of an application for approval, the town manager shall review the proposal for completeness. The town manager shall determine within fifteen (15) working days whether the application is complete and shall promptly notify the town council and applicant of that determination. If the application is determined to be incomplete, a notice of the deficiencies in the mandatory items to be included in a proposed agreement or major amendment shall be provided to the applicant with the notice of the town manager's determination. If the application is determined to be complete, the town manager shall notify the applicant of that determination and shall prepare a report on the proposed agreement or major ~~amendment~~ **modification**.

2. The town manager shall submit a complete proposed agreement or major ~~amendment~~ **modification** and the town manager's report to the planning commission for review and comment. The planning commission shall review the application and the town manager's report and shall submit to the town council a written recommendation regarding the proposed agreement or amendment. The planning commission shall submit its recommendation within thirty-five (35) calendar days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the town council may consider the proposed agreement without a comment or recommendation from the planning commission.

3. The town council shall hold a ~~public~~ **legislative** hearing on a proposed subsequent development agreement or major ~~amendment~~ **modification** to a previously approved development agreement. Notice of the date, time, and place of the ~~public~~ **legislative** hearing before the town council shall follow the same published, mailed, and posted notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed. The town council's ~~public~~ **legislative** hearing on the proposed agreement or major ~~amendment~~ **modification** shall be open to the public and all interested persons shall be given the opportunity to present comments.

4. The town council shall issue a decision on a proposed subsequent development agreement or major ~~amendment~~ **modification** to a previously approved development agreement within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town.

E. Minor modifications to a previously approved development agreement may be approved by the town manager as long as such changes continue to be in substantial compliance with the approving action of the town council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with the town council-approved development agreement. The town manager shall not have the authority to approve changes that constitute a major ~~amendment~~ **modification** of a town council-development agreement**, which includes change in uses permitted or the density of overall development permitted.**

F. The time periods referenced in this subsection shall not run during any period in which the applications for subsequent development agreements or major ~~amendment~~ **modification** to a previously approved development agreement have been returned to the applicant for substantial modification or analysis. The time periods set forth in this subsection may also be modified by mutual consent of the applicant and the town council."

Section 21 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.5 (I) Actions after the decision on a development agreement is hereby amended to read as follows:

“

(1) *Recording approval.* If the application for approval of a development agreement or major ~~amendment~~ **modification** is approved or approved with conditions, the town manager shall execute the development agreement or ~~amendment~~ **modification** in accord with the action of the town council. The applicant shall then execute the development agreement or ~~amendment~~ **modification** and record the development agreement or ~~amendment~~ **modification** in the office of the applicable county register of deeds within fourteen (14) days after the town enters into the development agreement. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

(2) *Individual site development permits.* After an executed development agreement is recorded, the town manager may then accept applications for individual site development permits for specific buildings that the applicant proposes to build within the physical boundaries covered by the agreement. No construction work on any such building identified in the agreement may begin until a site development permit has been issued. The town manager shall prescribe the form(s) of applications as well as any other material the town manager may reasonably require to determine compliance with the agreement. The town manager shall approve or deny of the individual site development permit application within fifteen (15) working days of the manager's determination that the individual site development plan application is complete. The town manager shall approve the application upon finding it is substantially consistent with and does not violate any term of the agreement and shall deny approval upon finding the application is not substantially consistent with or violates a term of the agreement. If the application is denied, the town manager shall specify the grounds for finding that it is inconsistent or in violation and refer the applicant to the special use permit process described in section 4.5 of this appendix. Alternatively, the applicant may modify the site development permit application or apply for a major ~~amendment~~ **modification** to the development agreement. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a minor modification or major ~~amendment~~ **modification** of the development agreement nor require approval or modification of an individual site development permit; such changes shall be reported by the applicant to the town manager.

(3) *Expiration, abandonment, revocation of development agreement.* The term of any development agreement shall be set forth in the agreement. The development agreement shall also contain specific provisions relative to default or termination of the agreement.

(4) *Periodic review and amendment of the development agreement.* The town manager shall at least every twelve (12) months conduct a review of the development agreement at which time the applicant or its successors in interest must demonstrate good faith compliance with the terms of the development agreement. The town manager shall promptly report the results of this review to the town council. If, as a result of this periodic review, the town council finds and determines that the applicant or its successors in interest has committed a material breach of the terms or conditions of the agreement, the town manager shall serve notice in writing, within a reasonable time not to exceed thirty (30) working days after the periodic review, upon the applicant or its successors in interest setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the applicant or their successors in interest a reasonable time in which to cure the material breach. If the applicant or its successors in interest fail to cure the material breach within the time given,

then the town council unilaterally may terminate or modify the development agreement pursuant to ~~G.S. 160A-400.27(c)~~ **NCGS 160D-1008**; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by ~~G.S. 160A-388(b)~~ **NCGS 160D-405**. Thereafter the applicant or its successors in interest may pursue any other rights and remedies available at law or in equity. If the town council elects to unilaterally modify the agreement, the applicant or its successors in interest may elect for the development agreement to be terminated rather than accede to the development agreement with the modifications unilaterally made by the town council."

Section 22 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (a) Purpose and intent is hereby amended to read as follows:

"Purpose and intent. The purpose and intent of the Development Agreement-1 district (DA-1) is to establish procedural and substantive standards for the town council's review and approval of development where the predominant uses are to be private development that includes uses such as housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses.

The objective of the DA-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment. A key feature of this district is the concurrent review of a rezoning application and an initial proposed development agreement within such district that allows the property owner, immediate neighbors, and community to understand the type and intensity of development being proposed, the timing of that development, the potential impacts of the development, the mitigation measures that will be implemented to address those impacts, and the commitments of both the developer and the Town regarding public facilities and services needed to support the proposed development. A development agreement that is approved by ordinance as a legislative decision of the town council pursuant to NCGS ~~160A-400.22~~ **160D-1003** is an integral component of the DA-1 zoning district."

Section 23 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (c) Minimum Requirements is hereby amended to read as follows:

"(c) Minimum Requirements. Areas with contiguous acres of developable property (as defined by ~~G.S. 160A-400.23~~ **NCGS 160D-1004**) under common ownership or management may be placed in a DA-1 zoning district:

An application for rezoning to a DA-1 district must, in addition to all other requirements for this ordinance, include:

1. An ecological analysis of the entire area proposed to be included in the district.
2. A proposal to establish a development agreement of the land to be place in the district.

The requirement of an approved development agreement may include work or restrictions beyond the property zoned DA-1.

The town manager may specify forms and reasonable requirements related to these mandated materials to be submitted with a rezoning petition."

Section 24 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (d) 9. is hereby amended to read as follows:

"A development schedule, including commencement dates and interim completion dates provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to ~~G.S. 160A-400.27~~ **NCGS 160D-1008** but must be judged based upon the totality of the circumstances."

Section 25 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (e)(2) is hereby amended to read as follows:

"The maximum floor area, density of development, building heights and general locations, other attributes of development intensity, and design guidelines for the development permitted shall be as provided in a town council-approved development agreement. The development agreement may provide that specified uses shall require a town council-approved special ~~or conditional~~ use permit."

Section 26 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (h) (3) Fiscal impact is hereby amended to read as follows:

"Proposed development shall be accompanied by reasonable measures to mitigate any adverse fiscal impacts for the Town; provided that, pursuant to ~~N.C.G.S. 160A-400.20(b)~~ **NCGS 160D-1001 (b)**, the Town may not impose any tax or fee not authorized by otherwise applicable law."

Section 27 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (i) Amendments and modifications to development agreements is hereby amended to read as follows:

"~~Amendments~~ ***Minor*** *and* ***major*** *modifications to development agreements.* A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest.

Either party may propose a major ~~amendment~~ **modification** or minor modification to any town council-approved development agreement. Upon receipt of a proposed adjustment, the town manager shall consider the following criteria in making the determination as to whether a proposed adjustment is a major ~~amendment~~ **modification** or a minor modification to a development agreement:

1. A substantial change in the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in the area of land subject to the development agreement approved by the town council of more than five (5) percent shall be considered substantial. A cumulative increase of 15 percent or more in the land area subject to the development agreement shall be considered substantial.
2. A substantial change in the floor area or number of parking spaces shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in new floor area or number of parking spaces of more than a five (5) percent in a development agreement approved by the town council shall be considered ~~substantial~~ **a major modification**. A cumulative increase of fifteen (15) percent or more in the floor area or number of parking spaces subject to the

development agreement shall be considered ~~substantial~~ **a major modification**. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a major ~~amendment~~ or minor modification and such changes shall be reported by the applicant to the town manager.

3. Changes that would substantially affect pedestrian, bicycle, or vehicular access or circulation beyond the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**.

4. Substantial change in the amount or location of open space within the boundaries of a development agreement shall constitute a major ~~amendment~~ **modification**. Any single change that increases or decreases the amount of open space by more than five (5) percent shall be considered ~~substantial~~ **a major modification**. A cumulative increase or decrease in the amount of open space by fifteen (15) percent or more or a substantial change in the location of designated open space shall be considered ~~substantial~~ **a major modification**.

Notwithstanding the above, some proposed changes to a town council-approved development agreement that do not meet the threshold to constitute a major ~~amendment~~ **modification** may in the judgment of the town manager, because of size, perimeter location or transportation impacts, merit public review. In the event the manager makes such a determination he/she may submit the proposed minor modification at a town council meeting to allow an opportunity for council review and public comment. Unless the other party to the development agreement agrees otherwise, such a review shall not extend the time period allowed for a decision by the manager on the minor modification or convert the change from a minor modification into a major ~~amendment~~ **modification**.

All proposed adjustments to a town council-approved development agreement shall be publicly posted in such a manner that the public will have the opportunity to express any concerns to the town council and/or the town manager. The town manager shall determine whether a proposed adjustment to a town council-approved development agreement is a major ~~amendment~~ or a minor modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the town council and applicant of that determination. If the proposed action is determined to be a major ~~amendment~~ **modification**, the Town Manager shall require the filing of an application for approval of the amendment, following procedures outlined in section 3.5.6(k) of this appendix.

In the event state or federal law is changed after a development agreement has been entered into and the change prevents or precludes compliance with one (1) or more provisions of the development agreement, the town council may modify the affected provisions, upon a finding that the change in state or federal law has a fundamental effect on the development agreement. In so doing, the procedures set forth for original approval of the development agreement shall be followed.

Except for grounds specified in ~~N.C.G.S. 160A-385.1(e)~~ **160D-108(c) or 160D-108.1(f)**, the town shall not apply subsequently adopted ordinances or development policies to the development that is subject to the approved development agreement."

Section 28 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (j) Procedure for review of development agreements, amendments, and modifications is hereby amended to read as follows:

"(j) *Procedure for review of development agreements, ~~amendments,~~ **major** and **minor** modifications.*

(1) *Application submittal requirements.* Applications for approval of a development agreement, a major ~~amendment~~ **modification** to a previously approved development agreement, and a minor modification to a previously approved development agreement within a DA-1 zoning district shall be submitted to the town manager. The town manager shall prescribe the form(s) of applications as well as any other material as the town manager may reasonably require to determine compliance with this section.

(2) *Process for review.*

A. *Informal consultation.* Prior to submission of a proposed development agreement or a major amendment to a previously approved development agreement within this district, the applicant shall consult with the town manager and town council regarding the proposed development. The applicant is encouraged to engage in active discussion and collaboration with the town staff, town council, town advisory boards, neighbors, and the community in the preparation of a proposed development agreement or amendment and plans for development.

B. *Draft agreement.* A draft development agreement and long-range development plan for the activity to be addressed in the development agreement shall be submitted to the town manager prior to the submission of a formal development agreement. The manager and applicant shall present the draft agreement to the planning commission, such other advisory boards as deemed appropriate by the town council, and the town council for review and comment. The manager and applicant also shall present the draft agreement in informal public information sessions for public review and comment.

C. Initial development agreement: Applications for approval of an initial development agreement within this zone shall be processed concurrently with the petition for rezoning to the DA-1 district. The ~~public~~ **legislative** hearing on the initial development agreement shall be noticed and held concurrently with the hearing on the proposed rezoning. Notice of the ~~public~~ **legislative** hearing before the town council on the proposed development agreement shall follow the same notice requirements as are applicable for hearing on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement; the development uses proposed on the property, and how a copy of the proposed development agreement may be obtained or reviewed. The town council shall take action on an application for an initial development agreement within this zone concurrently with action on the application for rezoning to this district. The initial development agreement may be applicable to all or part of the land within the district.

D. *Subsequent development agreements and major ~~amendments~~ **modifications**.* Subsequent new development agreements within this zoning district and major ~~amendments~~ **modifications** of a previously approved development agreement shall be considered using the following process:

1. Upon receipt of an application for approval, the town manager shall review the proposal for completeness. The town manager shall determine within fifteen (15) working days whether the application is complete and shall promptly notify the town council and applicant of that determination. If the application is determined to be incomplete, a notice of the deficiencies in the mandatory items to be included in a proposed agreement or major ~~amendments~~ **modifications** shall be provided to the applicant with the notice of the town manager's determination. if the application is

determined to be complete, the town manager shall notify the applicant of that determination and shall prepare a report on the proposed agreement or major ~~amendments~~ **modifications**.

2. The town manager shall submit a complete proposed agreement or major ~~amendments~~ **modifications** and the town manager's report to the planning commission for review and comment. The planning commission shall review the application and the town manager's report and shall submit to the town council a written recommendation regarding the proposed agreement or amendment. The planning commission shall submit its recommendation within thirty-five (35) calendar days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the Town Council within this time limit, or extensions thereof, the town council may consider the proposed agreement without a comment or recommendation from the planning commission.

3. The town council shall hold a ~~public~~ **legislative** hearing on a proposed subsequent development agreement or major ~~amendments~~ **modifications** to a previously approved development agreement. Notice of the date, time, and place of the ~~public~~ **legislative** hearing before the town council shall follow the same published, mailed, and posted notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed.

4. The town council shall make a decision on a proposed subsequent development agreement or major ~~amendments~~ **modifications** to a previously approved development agreement within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town.

E. Minor modifications to a previously approved development agreement may be approved by the town manager as long as such changes continue to be in substantial compliance with the approving action of the town council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with the town council-approved development agreement. The town manager shall make a decision on the proposed minor amendment within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town. The town manager shall not have the authority to approve changes that constitute a major ~~amendments~~ **modifications** of a town council-development agreement.

F. The time periods referenced in this subsection shall not run during any period in which the applications for subsequent development agreements or major ~~amendments~~ **modifications** to a previously approved development agreement have been returned to the applicant for substantial modification or analysis. The time periods set forth in this subsection may also be modified by mutual consent of the applicant and the town council."

Section 29 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5.6 (k) Actions after decision on a development agreement is hereby amended to read as follows:

"(k) *Actions after decision on a development agreement.*

(1) *Recording approval.* If the application for approval of a development agreement or major ~~amendment~~ **modification** is approved or approved with conditions, the town manager shall execute the development agreement or amendment in accord with the action of the town council. The applicant shall then execute the development agreement or amendment and record the development agreement or amendment in the office of the applicable county register of deeds within fourteen (14) days after the town enters into the development agreement. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

(2) *Individual site development permits.* After an executed development agreement is recorded, the town manager may then accept applications for individual site development permits for specific buildings that the applicant proposes to build within the physical boundaries covered by the agreement. No construction work on any such building identified in the agreement may begin until a site development permit has been issued. The town manager shall prescribe the form(s) of applications as well as any other material the town manager may reasonably require to determine compliance with the agreement. The town manager shall approve or deny of the individual site development permit application within fifteen (15) working days of the manager's determination that the individual site development plan application is complete. The town manager shall approve the application upon finding it is substantially consistent with and does not violate any term of the agreement and shall deny approval upon finding the application is NOT substantially consistent with or violates a term of the agreement. If the application is denied, the Town manager shall specify the grounds for finding that it is inconsistent or in violation and refer the applicant to the special use permit process described in section 4.5 of this appendix. Alternatively, the applicant may modify the site development permit application or apply for a major ~~amendment~~ **modification** to the development agreement. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a minor ~~modification~~ or major ~~amendment~~ **modification** of the development agreement nor require approval or modification of an individual site development permit; such changes shall be reported by the applicant to the town manager.

(3) *Expiration, abandonment, revocation or development agreement.* The term of any development agreement shall be set forth in the agreement. The development agreement shall also contain specific provisions relative to default or termination of the agreement.

(4) *Periodic review and amendment of the development agreement.* The town manager shall at least every twelve (12) months conduct a review of the development agreement at which time the applicant or its successors in interest must demonstrate good faith compliance with the terms of the development agreement. The town manager shall promptly report the results of this review to the town council. If, as a result of this periodic review, the town council finds and determines that the applicant or its successors in interest has committed a material breach of the terms or conditions of the agreement, the town manager shall serve notice in writing, within a reasonable time not to exceed thirty (30) working days after the periodic review, upon the applicant or its successors in interest setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the

applicant or their successors in interest a reasonable time in which to cure the material breach. If the applicant or its successors in interest fail to cure the material breach within the time given, then the town council unilaterally may terminate or modify the development agreement pursuant to ~~N.C.G.S. 160A-400.27(c)~~ **NCGS 160D-1008**; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by ~~N.C.G.S. 160A-388(b)~~ **160D-405**. Thereafter the applicant or its successors in interest may pursue any other rights and remedies available at law or in equity. If the town council elects to unilaterally modify the agreement, the applicant or its successors in interest may elect for the development agreement to be terminated rather than accede to the development agreement with the modifications unilaterally made by the town council."

Section 30 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6.2 (a) (2) is hereby amended to read as follows:

"No new historic district or any change to the boundaries of any existing historic district shall be designated until the North Carolina Department of Cultural Resources, or its successor agency, shall have been given an opportunity, in accord with Chapter ~~160A, Article 19, Part 3C of the N.C. General Statutes~~ **NCGS 160D-944 (b)(2)**, or its successor statutes, to make recommendations with respect to the establishment of such new district or change in the boundaries of an existing district."

Section 31 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6.2 (b) (4) is hereby amended to read as follows:

"A certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and guidelines approved by the commission when the application is determined to involve minor work**s or modifications**. Minor works **or modifications** are defined as those exterior changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works **or modifications** shall be limited to those listed in the Commission's Rules of Procedure, or a successor document. No application involving a minor work **or modification** may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications."

Section 32 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6.2 (d) Procedures for approval of certificates of appropriateness is hereby amended to add a subsection and renumbered to read as follows:

"(d) *Procedures for approval of certificates of appropriateness.*

(1) Application submittal requirements.

A. Applications for certificates of appropriateness shall be filed with the town manager.

B. The town manager shall prescribe the form(s) on which applications are made, as well as any other material which may reasonably be required to determine the nature of the application.

C. The commission may specify criteria for situations in which the town manager may waive any of the application material requirements.

D. No application shall be accepted by the town manager unless it complies with such requirements. Applications which are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the application.

(2) Notification of affected property owners. Prior to approval or denial of an application for a certificate of appropriateness by the historic district commission, the commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application, and shall give the applicant and such owners an opportunity to be heard.

(3) Procedures for decisions on certificates of appropriateness. Decisions on certificates of appropriateness are quasi-judicial and shall follow the procedures in NCGS 160D-406.

~~(3)~~ **(4)** ~~Public~~ **Evidentiary** hearing. In cases where the commission deems it necessary, it may hold ~~a public~~ **an evidentiary** hearing concerning the application **provided such evidentiary hearing is held pursuant to the quasi-judicial procedures in NCGS 160D-406**.

~~(4)~~ **(5)** Action on the application. The town manager or the commission shall approve the application, approve the application with conditions, or deny the application for a certificate of appropriateness by the end of the next commission meeting following ninety days after the application is filed; provided, if timely action is not taken, and the time for taking action is not extended by the Commission and consented to by written notice from the applicant, the certificate of appropriateness shall be deemed to have been approved as submitted and shall be issued administratively.

The Commission may extend the time for consideration and deliberation for a period or for periods up to a total of one hundred eighty days from the date of acceptance of the application as complete, where it finds such action to be necessary:

a) Because of meeting cancellations or postponements, quorum shortages, or backlogs of pending applications with priority by filing date, or other practical considerations; or

b) To receive additional information requested by the Commission, or to deliberate fully on memoranda submitted by one or more parties, or to seek resolution of outstanding questions, issues, or goals.

Nothing herein shall prevent extensions by and with the consent of the Applicant. The time periods for action by the Commission shall be stayed during periods of appeal to the Board of Adjustment by any party.

Under no circumstances shall the time period for which the Commission or staff may take action on an application for a certificate of appropriateness be extended beyond 180 days from the date an application is filed. An application is considered filed when it has been submitted, deemed complete by the town manager, and the requisite application fee has been received by the Town.

The town manager or the commission may impose such reasonable conditions on the approval of an application as will ensure that the spirit and intent of this article are achieved. An application for a certificate of appropriateness authorizing the demolition of a building or structure within the historic district may not be denied. However, the effective

date of such a certificate may be delayed for up to three hundred sixty-five (365) days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the commission finds that the building has no particular significance or value toward maintaining the character of the historic district, it shall waive all or part of such period and authorize earlier demolition or removal. In every case, the record of the commission's action shall include the reasons for its action."

~~(5)~~ **(6)** Actions subsequent to decision. The town manager shall notify the applicant of a decision in writing, and shall file a copy of it with the town's planning department. If the application is denied, the notice shall include the reasons for such action.

~~(6)~~ **(7)** Appeal of decision. A decision by the commission on an application for a certificate of appropriateness may be appealed to the board of adjustment in accordance with the provisions of section 4.10. **Appeals of administrative decisions shall be made to the commission pursuant to the procedures in NCGS 160D-405.**

~~(7)~~ **(8)** Submittal of new application. If the commission denies an application for a certificate of appropriateness, a new application affecting the same property may be accepted by the town manager only if substantial change, with respect to the reasons for its denial, is made in plans for the proposed construction, reconstruction, alteration, restoration, or moving.

~~(8)~~ **(9)** A certificate of appropriateness shall be valid for three hundred sixty-five (365) calendar days from date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period, has not been extended by the commission, or has been discontinued for more than three hundred sixty-five (365) calendar days from the date of issuance, such certificate of appropriateness shall expire and the applicant shall be required to reapply and obtain a new certificate of appropriateness before commencing further work.

Section 33 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.7.1 Permitted, Special and Accessory Uses is hereby amended to read as follows:

"Uses of land or structures which are not expressly listed in section 3.7.2 as permitted principal uses, permitted accessory uses, **permitted uses in a conditional zoning district,** or permitted special uses in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development. Bona fide farms in areas outside of Chapel Hill's municipal **boundaries** ~~zoning jurisdiction~~, but within Chapel Hill's transition **and extra territorial jurisdiction area** as defined in the joint planning agreement with Orange County, are not subject to these use regulations, as provided by N.C. General Statutes **160D-903(c)**."

Section 34 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.10.2 (f) Floor area is hereby amended to read as follows and Table 3.10-2 is hereby deleted as follows:

"Floor area. Each affordable dwelling unit ~~must~~ **shall be substantially similar in livable square footage to unrestricted, market rate units** ~~have the minimum floor area established in Table 3.10-2 below. For~~

~~each unit type and category, the developers may choose to construct larger units. However, allowable sales or rental prices for the larger units may not exceed the maximum set forth in the agreements and restrictions recorded as required in section 3.10.4.~~" **Substantial similarity in livable square footage between the affordable and unrestricted market rate units shall be evaluated when considering the suitability of Affordable Housing Plan required in 3.10.4. For the purposes of this section, livable square footage is defined as the portion of the dwelling unit that is heated and/or cooled space.**

~~Table 3.10-2 Minimum Net Livable Square Footage~~

~~Unit Type~~	~~Attached Units~~	~~Detached Units~~
~~Efficiency apartment~~	~~500*~~	~~—~~
~~1 Bedroom~~	~~700*~~	~~1,000*~~
~~2 Bedroom~~	~~850*~~	~~1,100*~~
~~3 Bedroom~~	~~1100*~~	~~1,200*~~
~~4 or more bedrooms~~	~~1,200 plus 250 square feet per additional bedroom above 4*~~	~~1,300 plus 285 square feet per additional bedroom above 4*~~

~~*If unrestricted, market rate units in a building are constructed at sizes below those stated in Table 3.10.2, the minimum floor area for affordable units may be reduced to the size of such comparable unrestricted units in the building.~~

Section 35 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.10.4 (c) (5) is hereby amended to read as follows:

"The approximate square footage of each affordable **and each unrestricted, market rate** dwelling unit."

Section 36 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11.4.7 C. 2. is hereby amended to read as follows:

*"Site-specific **vesting plan** ~~development plan~~.* For the purposes of the Land Use Management Ordinance, a Form District Permit constitutes a site-specific ~~development permit~~ **vesting plan**."

Section 37 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11.4.7 C. 7. is hereby amended to read as follows:

"Modification of Form District Permits. The town manager may approve a minor modification of a Form District Permit administratively. A change from what is included in an approved Form District Permit will be considered a major modification ~~if~~ **under the following circumstances:**

a. A change of use is proposed.

b. An increase in the number of dwelling units is proposed.

c. A change in floor area is proposed, resulting in an increase of more than five (5) percent of the permitted amount or two thousand five hundred (2,500) square feet, whichever is greater.

d. The change ~~it~~ would render a building approved under a Form District Permit out of substantial conformance as defined in subsection 3.11.4.8.B.

Any other changes may be approved by the town manager or the town manager's designee and shall not constitute a major modification. The application fee for a modification to a Form District Permit is established by the council as part of the budget process."

Section 38 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11.4.7 D. 3. c. is hereby amended to read as follows:

"In cases where the commission deems it necessary, it may hold ~~a public~~ **an administrative** hearing concerning the application."

Section 39 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11.4.7 D. 4. b. is hereby amended to read as follows:

"Such action must be **an administrative decision** based upon the criteria and standards established in this Section 3.11. The Design Guidelines shall serve as a reference for the Community Design Commission's review."

Section 40 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11.4.7 D 8 Modification of certificate of appropriateness is hereby amended to read as follows:

"Modification of certificate of appropriateness. The community design commission may review and approve a **major** modification of a certificate of appropriateness. A **major** modification ~~of this kind~~ is defined as any change that exceeds "minor work" as it is defined in subsection 3.11.4.7.D.1.e. **Any change considered "minor work" shall be deemed a minor modification and may be reviewed and approved by the Town Manager.** The application fee for a modification to a certificate of appropriateness is established by the council as part of the budget process."

Section 41 – Article 4 – Procedures. Section 4.1.2 is hereby amended to add to a subsection (c) to read as follows:

"4.1.2 Completeness Review.

(a) No application shall be deemed complete unless all required information is included, and all application fees required by this appendix have been paid. An application which includes such information shall be deemed complete. Current application materials shall be made available in the planning department offices. All decisions of the town manager pertaining to completeness may be appealed to the board of adjustment pursuant to section 4.10 of this appendix.

(b) Whenever this article establishes a time period for processing of an application, such time period shall not commence until the town manager has reviewed such application for completeness in order to determine whether the application has been properly submitted and the applicant has corrected all deficiencies in such application. Review for completeness of application forms is solely for the purpose of determining whether preliminary information

required for submittal with the application is sufficient to allow further processing, and shall not constitute a decision as to whether application complies with the provisions of this appendix.

(c) Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landholder. An easement holder may also apply for development approval for such development as is authorized by the easement."

Section 42 – Article 4 – Procedures. Section 4.1 General procedural requirements is hereby amended to add a new Section 4.1.3 to read as follows:

4.1.3 Development Approvals and Legislative Decisions, Changes, Modifications and Revocations

(a) Unless otherwise provided by law, all rights, privileges, benefits, burdens, and obligations created by development approvals and legislative decisions made pursuant to this appendix, attach to and run with the land.

(b) Development approvals and legislative decisions, including major and minor modifications, shall be changed, modified, or revoked only as permitted by this appendix. Major modifications, as defined by the appendix, shall be considered utilizing the same development review and approval process, including any required notice and hearing, as required for consideration of the original approval.

Section 43 – Article 4 – Procedures. Section 4.1 General procedural requirements is hereby amended to add to Section 4.1.4 to read as follows:

"4.1.4 Duration of Development Approvals. **Unless otherwise specified in this appendix, by town council, or other statute, development approvals expire one year after issuance, unless work authorized by the development approval has substantially commenced.**"

Section 44 – Article 4 – Procedures. Section 4.1 General procedural requirements is hereby amended to add to Section 4.1.5 to read as follows:

"4.1.5 Split Jurisdiction Planning and Development Regulations. **If a parcel of land lies within the planning and development regulation jurisdiction of the town and another local government, the local governments may, by mutual agreement pursuant NCGS 160D-203 with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction for the entire parcel to either the town or the other applicable local governments. Such a mutual agreement shall only be applicable to development regulations and shall not affect taxation or other nonregulatory matters. The mutual agreement shall be evidenced by a resolution formally adopted by the town and the other governing board and recorded with the register of deeds in the county where the property is located within 14 days of the adoption of the last required resolution. A copy of a recorded resolution shall be provided to each jurisdiction's Planning Department prior to submitting the initial development application.**"

Section 45 – Article 4 – Procedures. Section 4.2 Comprehensive Plan is hereby amended to read as follows:

"Purpose statement: The purpose of this section is to prescribe uniform procedures for the establishment and amendment of the comprehensive plan.

(a) *Process.* The town council shall adopt and maintain a comprehensive plan for Chapel Hill **pursuant to NCGS 160D-501**. Amendments to the comprehensive plan, or **adoption of** a new comprehensive plan, shall **follow the procedures of a legislative decision pursuant to NCGS 160D-501(c)** and shall be prepared by the planning commission with assistance from the town manager and approved, modified, or rejected by the town council. The comprehensive plan shall be used as a guide for decision-making.

(b) Schedule for updates. The comprehensive plan may be amended at the discretion of the town council and as provided for in this section 4.2.

(c) Town council action on applications. When applications for a conditional zoning district are inconsistent with the land use plan in the comprehensive plan, the town council may consider an amendment to the land use plan pursuant to the procedures for a general **use** rezoning in subsection 4.4.2(a)—(f)(2) and 4.4.2(k)(1). When considering such an amendment to the land use plan, the town council shall review the record of the ~~public~~ **legislative** hearing, the planning commission's recommendation and the town manager's report and shall approve or deny the application based on the following:

(1) The proposed amendment is consistent with the goals and policies in the comprehensive plan;

(2) The proposed amendment addresses significantly changed conditions since the last time the land use plan was adopted and/or amended with significantly changed conditions being defined as demonstrating evidence of change such as unanticipated consequences of an adopted policy, and/or changed conditions on the subject property or its surrounding area;

(3) The subject property is suitable for development in general conformance with adjacent land use and the existing surrounding development pattern or patterns as envisioned in adopted plans; and,

(4) The proposed amendment enhances the public health, safety, and welfare of the town."

Section 46 – Article 4 – Procedures. Section 4.4.1 (a) Initiation is hereby amended to read as follows:

"(a) *A request to amend **or repeal sections** **of this** appendix**, including zoning atlas amendments,** may be initiated by:*

(1) The town council, on its own motion;

(2) The planning commission, board of adjustment, historic district commission, or community design commission, on submittal of a request to the town council;

(3) The town manager, on submittal of a request to the town council; or

(4) Any property owner or citizen, or agent thereof, on submittal of an application to the town manager."

Section 47 – Article 4 – Procedures. Section 4.4.1 (c) Initiation is hereby amended to read as follows:

"Pursuant to N.C.G.S. ~~160A-382~~ **160D-703 (b)**, a request for rezoning to a ~~conditional use district or~~ conditional zoning district ~~may~~ **shall only** be made ~~only~~ by application from **all the** owner(s) of ~~all the~~ property included in the area proposed to be rezoned. ~~An application for rezoning to a conditional use district may include a request by the property owner(s) to limit the uses allowed with approval of a special use permit. An application for rezoning to a conditional use district may be accompanied by an application for a special use permit, as provided in section 4.5 of this appendix, and may be reviewed concurrently with the special use permit application; provided, however, that the special use permit application shall be approved separately as provided in section 4.5 of this appendix.~~"

Section 48 – Article 4 – Procedures. Section 4.4.1 Initiation is hereby amended to add 4.4.1 (d) to read as follows:

"*Down-zoning*. No amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor is it enforceable without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the town council. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways:

(1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.

(2) By reducing the permitted uses of the land that are specified this appendix to fewer uses than were allowed under its previous usage."

Section 49 – Article 4 – Procedures. The title for Section 4.4.2 Procedures is hereby amended to read as follows:

"4.4.2 Procedures - general **use** rezoning ~~and conditional use district rezoning~~"

Section 50 – Article 4 – Procedures. Section 4.4.2 (a) Town Council acceptance of requests is hereby amended to read as follows:

"On receipt of an amendment request as provided in subsection 4.4.1(a), above, the town council ~~may~~ **shall** set a date for a ~~public~~ **legislative** hearing on the request. If the town council sets a date for a ~~public~~ **legislative** hearing on a proposed amendment, it shall also refer the proposed amendment to the town manager, the planning commission, and any other appropriate board or commission for their consideration."

Section 51 – Article 4 – Procedures. Section 4.4.2 (d) is hereby amended to read as follows:

"(1) The planning commission shall review the request or application and the town manager's report and recommendations, and shall submit a written recommendation to the town council. **Pursuant to NCGS 160D-604 (d), such recommendation shall include consideration of plan consistency. When conducting a review of proposed zoning text or atlas amendments, the planning commission shall advise and comment on whether the proposed action is consistent with the comprehensive plan. The planning commission shall provide a written recommendation to the town council that addresses plan consistency and other matters as deemed appropriate by the planning commission, but a comment by the planning commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the town council. If a**

zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the planning commission statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

(2) The planning commission shall prepare its recommendations within thirty (30) days of the meeting at which the town manager's report is submitted to the planning commission and shall forward its recommendations to the town council at the town council's next available ~~public hearing~~ **meeting where legislative hearings will be held** ~~scheduled for amendment applications~~ or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to complete its recommendation to the town council within this time limit, or extensions thereof, the town council may proceed in its consideration without the planning commission's recommendations."

Section 52 – Article 4 – Procedures. Section 4.4.2 (e) Public hearing is hereby amended to add subsections (3) & (4) and to read as follows:

"Legislative ~~*Public*~~ *hearing*

(1) After it receives the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.4.2.(d)(2), the town council shall hold a **legislative** hearing on the application at the next available **meeting where legislative** ~~regularly scheduled public~~ hearing**s will be held** in order to receive comments, testimony, and exhibits pertaining to the application. The town council, by resolution, shall adopt a schedule of **meetings** ~~public hearings~~.

(2) Notice of the date, time, and place of the **legislative** ~~public~~ hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) consecutive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

(3) Pursuant to NCGS 160D-602, the owners of affected parcels of land, and the owners of all parcels of land abutting a proposed zoning atlas amendment shall be mailed a notice of the legislative hearing by first class mail at the last address listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

(4) Pursuant to NCGS 160D-602(c), for zoning atlas amendments, notice of the legislative hearing shall also be posted on the site from 25 days prior to the hearing until 10 days prior to the legislative hearing."

Section 53 – Article 4 – Procedures. Section 4.4.2 (f) Town manager's report to town council is hereby amended to read as follows:

"(1) After completion of the ~~initial public~~ **legislative** hearing, the town manager and town attorney shall review the record of the ~~public~~ **legislative** hearing and the town manager shall prepare and submit to the town council a report containing findings as to conformity with the intent of this appendix and a recommendation for action.
(2) Such report shall be submitted to the town council within thirty (30) days after completion of the ~~initial public~~ **legislative** hearing, or within such further time as may be consented to by written notice

from the applicant or by town council resolution. Failure of the town manager to submit a recommendation to the town council within the prescribed time limit, or extensions thereof, shall be construed as a favorable recommendation."

Section 54 – Article 4 – Procedures. Section 4.4.2 (g) Town council action is hereby amended to add subsections and to read as follows:

"(g)Town council action. The town council shall review the application or request for amendment, the record of the ~~public~~ **legislative** hearing, the planning commission's recommendation and the town manager's report, and shall approve or deny the application or request based on its findings as to conformity with the intent of this article.

(1) Plan consistency. Pursuant to NCGS 160D-605 (a), when adopting or rejecting any text or atlas amendment, the town council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning commission's recommendations and any relevant portions of the comprehensive plan. If a zoning atlas amendment is adopted and the action was deemed inconsistent with the adopted comprehensive plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the comprehensive plan were considered in the action taken.

(2) Statement of Reasonableness for Zoning Atlas Amendments. Pursuant to NCGS 160D-605 (b), when adopting or rejecting any petition for a zoning atlas amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the town council. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement on reasonableness may address the overall rezoning."

(3) Single Statement Permissible. The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement.

(4) The town council shall review the application or request for amendment, the record of the ~~public~~ **legislative** hearing, the planning commission's recommendation and the town manager's report, and shall approve or deny the application or request based on its findings as to conformity with the intent of this article.

Section 55 – Article 4 – Procedures. Section 4.4.2 (h) Relationship of conditional use district zoning and special use permit is hereby deleted, and the following sub-sections renumbered as follows:

"~~(h) Relationship of conditional use district zoning and special use permit.~~

~~(1) If the town council approves an application for rezoning to a conditional use district, but denies the accompanying application for a special use permit, or if an application for a special use permit is not considered by the town council, the rezoning application shall be deemed to be conditionally approved, subject to submittal and town council approval of an application for a special use permit in accord with section 4.5 of this appendix.~~

~~(2) Failure to submit a special use permit application within one (1) year of the conditional approval of rezoning to a conditional use district or, if submitted, the withdrawal of such application without prior town council approval, shall void the conditional approval.~~

~~(3) If a special use permit issued for a conditional use district is abandoned, revoked, or becomes void, under the provisions of this appendix, the conditional use zoning shall be void and the property shall revert to its previous zoning classification.~~

~~(4) No use other than a use permitted by the previously-existing zoning may be made under the conditional approval of rezoning to a conditional use district.~~

~~(5) The owner(s) of a property subject to conditional approval of rezoning to a conditional use district may, upon notice to the town council, abandon the conditional approval of the rezoning before expiration of the one-year period.~~

~~(i)~~ **(h)** Effect of denial or withdrawal on subsequent applications. When the town council shall have denied an application for amendment or the application shall have been withdrawn, by written notice, after publication of the ~~first public~~ **legislative** hearing notice required in subsection 4.4.2.(e), the town manager shall not accept another application for the same or similar amendment affecting the same property or a portion thereof, until the expiration of a twelve-month period extending from the date of denial or withdrawal, as appropriate.

~~(j)~~ **(i)** Amended applications. If the applicant proposes any substantial changes to the application subsequent to acceptance of the application, an amended application shall be submitted and reviewed as an original application.

~~(k)~~ **(j)** Actions subsequent to decision.

(1) The town manager shall cause notice of the disposition of the application to be sent to the applicant and shall cause a copy of the decision to be filed in the office of the planning department.

(2) In the case of approval, any necessary changes to the official zoning atlas shall be entered in accord with the provisions of article 3."

Section 56 - Article 4 – Procedures. Section 4.4.3 (c) (1) is hereby amended to read as follows:

"The planning commission shall review the application and the town manager's report and recommendations, and shall submit a written recommendation to the town council. **Pursuant to NCGS 160D-604 (d), such recommendation shall include consideration of plan consistency. When conducting a review of proposed atlas amendments, the planning commission shall advise and comment on whether the proposed action is consistent with the comprehensive plan. The planning commission shall provide a written recommendation to the town council that addresses plan consistency and other matters as deemed appropriate by the planning commission, but a comment by the planning commission that a proposed amendment is inconsistent with the comprehensive plan**

shall not preclude consideration or approval of the proposed amendment by the town council. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the planning commission statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

Section 57 - Article 4 – Procedures. Section 4.4.3 (d) Public hearing is hereby retitled and amended to add subsections (3) and (4) to read as follows:

"Legislative ~~*Public*~~ *hearing.*

(1) After it receives the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.4.3.(c)(2), the town council shall hold a **legislative** hearing on the application at the next available **town council meeting where** ~~regularly scheduled~~ ~~public~~ **legislative** hearing**s will be held** in order to receive comments and exhibits pertaining to the application. The town council, by resolution, shall adopt a schedule of **meetings** ~~public hearings.~~

(2) Notice of the date, time, and place of the ~~public~~ **legislative** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) consecutive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

(3) Pursuant to NCGS 160D-602, the owners of affected parcels of land, and the owners of all parcels of land abutting a proposed zoning atlas amendment shall be mailed a notice of the legislative hearing by first class mail at the last address listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

(4) Pursuant to NCGS 160D-602(c), for zoning atlas amendments, notice of the legislative hearing shall also be posted on the site from 25 days prior to the hearing until 10 days prior to the legislative hearing."

Section 58 - Article 4 – Procedures. Section 4.4.3 (f) Town council action Conditions is hereby amended to add subsections, renumber subsections, and to read as follows:

"**(1) Plan consistency. Pursuant to NCGS 160D-605(a), when adopting or rejecting any text or atlas amendment, the town council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning commission's recommendations and any relevant portions of the comprehensive plan. If a zoning atlas amendment is adopted and the action was deemed inconsistent with the adopted comprehensive plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. If a zoning atlas amendment**

qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the comprehensive plan were considered in the action taken.

(2) Statement of Reasonableness for Zoning Atlas Amendments. Pursuant to NCGS 160D-605 b), when adopting or rejecting any petition for a zoning atlas amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the town council. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement on reasonableness may address the overall rezoning.

(3) Single Statement Permissible. - The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement

~~(1)~~ **(3)** The town council shall act on the application after reviewing the application, the planning commission's recommendation and the town manager's report, and the public comment thereon.

~~(2)~~ **(4)** Final action shall be based on the following:

a. The conformity of the application with the applicable provisions of this appendix 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.

f. The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints."

Section 59 - Article 4 – Procedures. Section 4.4.3 (g) Conditions is hereby amended as follows:

(g) *Conditions.* In accordance with ~~N.C.G.S. § 160A-382(b)~~ **NCGS 160D-703(b)** any conditions of approval shall be:

(1) Expressly set forth in the approval;

(2) Agreed upon by the property owner(s)**, in writing,** and **the** town council;

(3) ~~Limited to conditions deemed necessary to ensure compliance with the requirements and particular standards of this appendix, including compliance with the adopted comprehensive plan and its adopted elements~~ **Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to this appendix, plans adopted pursuant to NCGS 160D-501, or the impacts reasonably expected to be generated by the development or use of the site**; and

Section 60 - Article 4 – Procedures. Section 4.4.4 Minor changes to Approved Rezoning Plans in the Light-Industrial Conditional Zoning District is hereby amended as follows:

The town manager may approve minor ~~changes~~ **modifications** to rezoning plans attached to an approved conditional zoning district rezoning as long as such changes continue to comply with the approving action of the town council and all other applicable requirements or are required specifically by a condition of approval. The town manager shall not have the authority to approve changes to approved rezoning plans that constitute a **major** modification of the rezoning plan. If a **major** modification is proposed, the town manager shall require the filing of an application for approval of the modification. An application for modification of a rezoning plan shall be reviewed in accordance with the procedures established in subsections 4.4.1 and 4.4.3

a. All minor ~~changes~~ **modifications** must be consistent with the approved rezoning plan and comply with all applicable provisions of this appendix. Consistency means the changes would not significantly negatively alter or increase the development's impervious coverage, demand on public facilities, stormwater runoff, or other characteristic from that indicated by the approved rezoning plan. Where measurable and except where provided otherwise, a ten (10) percent change shall be considered significant whether such change is proposed at one (1) time or over an extended period of time.

b. Notwithstanding, the following shall constitute a **major** modification to a rezoning plan and require the filing of an application for approval of the **major** modification.

1. An increase of twenty (20) percent or more in the floor area approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.

2. An increase of twenty (20) percent or more in the number of parking spaces approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.

3. Substantial changes in the location of the development envelope on the site. Development envelope means the two-dimensional area, as designated on the approved rezoning plan, containing building footprints, parking areas, loading areas, and other appurtenant impervious features. Not included in the term development envelope are below ground utility lines, stormwater management areas, landscape and natural areas, and other non-impervious features. Substantial changes to the development envelope include but are not limited to:

A. An increase in size of the development envelope greater than ten (10) percent, whether such change is proposed at one (1) time or over an extended period of time.

B. A change in location that decreases the distance between the development envelope and a lot line that abuts existing residential development, approved residential development, or land that is within a residential ("R-") zoning district.

C. A change in location that decreases the width of a landscape buffer below the minimum applicable buffer width standard.

4. Substantial changes in pedestrian and bicycle or vehicular access approved by the town council.

5. A change in a condition of town council approval.

6. A change in the permitted use(s).

Section 61 - Article 4 – Procedures. Amend the title of 4.4.5—All Other Conditional Zoning District Rezonings as follows:

"4.4.5 Procedures—All Other Conditional Zoning District**s** ~~Rezonings~~ "

Section 62 - Article 4 – Procedures. Section 4.4.5 (f) Expiration of conditional zoning district rezoning approval is hereby amended to add a subsection and to read as follows:

"Expiration of conditional zoning district rezoning approval.

(1) Starting time limit. If a final plans zoning compliance permit application is not filed with the town manager within twenty-four (24) months of the date of approval, or within such further time stipulated in the approval, the approval shall expire**,** and the conditional zoning district shall be void and the property shall revert to its previous zoning classification. The town manager may grant a single extension of the starting time limit for up to twelve (12) months, unless he/she determines that paramount considerations of health, the general welfare, or public safety require town council re-approval. In such instances or in the instance the town manager has already granted a single extension of the time limit, the town manager shall require the application to be reviewed in accordance with the procedures set forth in subsections 4.4.1 and 4.4.5.

(2) Completion time limit. If all construction and actions authorized or required by the approval of the conditional zoning district and accompanying district-specific plans are not completed by the completion date stated in the approval or modification, the zoning compliance permit holder may request an extension of the completion time limit from the town manager. The town manager may grant a single extension of the time limit for up to twelve (12) months if he/she determines that:

A. The zoning compliance permit holder submitted the request within sixty (60) days of the completion date;
B. The zoning compliance permit holder has proceeded with due diligence and good faith; and
C. Conditions have not changed so substantially as to warrant town council reconsideration of the approved development.

If all of the construction and actions authorized or required are still not completed by the extended completion date granted by the town manager, the permit holder may, within sixty (60) days of the revised completion date, request additional extensions of the completion time

limit from the town council. The town council may grant extensions of the time limit if it makes the determinations required by (f)(2)(A) through (f)(2)(C), above.

Section 63 - Article 4 – Procedures. Section 4.4.5 (g) Minor changes to approved district-specific plans is hereby amended as follows:

"Minor ~~changes~~ ***modifications*** *to approved* district-*specific plans.* The town manager may approve minor ~~changes~~ **modifications** to district-specific plans attached to an approved conditional zoning district ~~rezoning~~ as long as such changes continue to comply with the approving action of the town council and all other applicable requirements or are required specifically by a condition of approval. The town manager shall not have the authority to approve changes to approved district-specific plans that constitute a **major** modification of the district-specific plan. If a **major** modification is proposed, the town manager shall require the filing of an application for approval of the modification. An application for modification of a district-specific plan shall be reviewed in accordance with the procedures established in subsections 4.4.1 and 4.4.5."

Section 64 - Article 4 – Procedures. Section 4.4.5 (h) is hereby amended add subsection (1), renumber the subsections and to read as follows:

Notwithstanding, the following shall constitute a **major** modification to a district-specific plan **and/or the approved conditional zoning district** and **will** require the filing of an application for approval of the **major** modification.

(1) A change in the uses permitted or the density of overall development.

(~~1~~)(**2**) An increase of ten (10) percent or more in the floor area approved by the town council, **unless the proposed addition is two thousand, five hundred (2,500) square feet or less,** whether such addition is proposed at one (1) time or over an extended period of time.

(~~2~~)(**3**) An increase of ten (10) percent or more in the number of parking spaces approved by the town council, unless ten (10) or fewer parking spaces are proposed, whether such addition is proposed at one (1) time or over an extended period of time.

(~~3~~)(**4**) A change in location that decreases the width of a landscape buffer below the minimum applicable buffer width standard.

(~~4~~)(**5**) Substantial changes in pedestrian and bicycle or vehicular access approved by the town council.

(~~5~~)(**6**) A change in a condition of town council approval.

Section 65 – Article 4 –Procedures. Section 4.5 c) is hereby deleted as follows:

"~~c) All uses established in conditional use districts.~~"

Section 66 – Article 4 – Procedures. Section 4.5.1 (e) is hereby deleted as follows:

"~~(c) Any uses in conditional use districts, as described in section 3.4 shall be established only after issuance and recordation of a special use permit.~~"

Section 67 - Article 4 – Procedures. Section 4.5.3 Procedures for Approval of Special Use Permits is hereby amended to read as follows:

"(a) *Application submittal requirements.*

(1) Applications for special use permits shall be filed with the town manager.

(2) The town manager shall prescribe the form(s) on which applications are made. Applications shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner is an entity other than an individual, the application shall also include detailed information regarding the principals of the entity. The town manager shall prescribe any other material that may reasonably be required to determine compliance with this appendix, with sufficient copies for necessary referrals and records.

(3) Special use permit and special use permit modification applications shall identify all proposed utilities providing service to the proposed development, whether on- and off-site, increases in utility capacity or modification of utility service facilities that are requested, the type of utility, and whether service lines are provided above the ground surface or underground.

(4) No application shall be accepted by the town manager unless it complies with such requirements. Applications that are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the application.

(b) *Town manager's analysis.* When he/she accepts an application, the town manager shall cause representatives of the town, and such other agencies or officials as may be appropriate, to determine if it conforms to the comprehensive plan, the provisions of this chapter, and other regulations applicable in the case. In the case of planned developments, such representatives, agencies or officials shall define specifically the modifications of regulations which seem justified in view of the standards set out in section 6.18.

(c) *Preliminary conferences with applicant.*

(1) The town manager shall notify the applicant, in writing, of the proposal's deficiencies. The town manager shall also notify the applicant of his/her willingness to discuss alternatives to correct those deficiencies.

(2) If the applicant joins in such discussions, the application may be modified, further discussions may be held, or additional information may be requested by the town manager.

(d) *Town manager's report to planning commission.*

(1) The town manager shall submit to the planning commission a written analysis of the application ~~and his/her recommendation~~ based on the findings required in section 4.5.2.

(2) If the applicant does not join in preliminary conferences with the town manager, the town manager shall complete his/her report within twenty-five (25) working days after he/she accepts the application or within such further time consented to in writing by the applicant or established by town council resolution. If the town manager fails to prepare his/her report to

the planning commission within this time limit, or extensions thereof, the application shall be **submitted to the Planning Commission without the town manager's written analysis of the application** ~~deemed to be recommended without conditions~~.

(3) If the applicant participates in preliminary conferences with the town manager, the town manager shall prepare his/her report to the planning commission when further conferences appear unnecessary. No time limits shall apply to the town manager's review when the applicant joins in preliminary conferences. However, the applicant may require the town manager to submit the application and his/her report to the planning commission whenever the applicant wishes to end discussions.

(4) The town manager shall forward his/her report to the planning commission at its next available regularly scheduled meeting.

(e) *Planning commission review.*

~~(1)~~ The planning commission shall review the application and the town manager's report and **may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant** ~~shall submit to the town council a written recommendation~~ based on the findings required in subsection 4.5.2.

~~(2) The planning commission shall prepare its recommendations within thirty-five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the planning commission shall be deemed to recommend approval of the application without conditions.~~

~~(3) The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the next available public hearing scheduled for special use permit applications.~~

(f) ~~*Public*~~ ***Evidentiary*** *hearing.*

(1) After receiving the town manager's report ~~and the planning commission's recommendation~~ or, if applicable, the expiration of the time limit prescribed in subsection 4.5.3.(e)(2), the town council shall hold ~~a~~ **an evidentiary** hearing on the application at the next available ~~regularly scheduled~~ ~~public hearing~~ **council meeting where evidentiary hearings will be held**. ~~The town council shall adopt a schedule of public hearings by resolution. Once the schedule is adopted, any amendment which reduces the number of hearings shall not become effective for at least six (6) months after adoption of the amendment.~~

(2) Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

(3) ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(4) The applicant shall bear the burden of presenting evidence sufficient to establish that the proposed development will comply with the determinations required in subsection 4.5.2.

(5) A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the hearing.

(g) *Town manager's report to town council.*

(1) After completion of the ~~initial public~~ **evidentiary** hearing, the town manager and town attorney shall review the record of the ~~public~~ **evidentiary** hearing and the town manager shall submit to the town council an analysis and his/her recommendation for action.

(2) The town manager shall submit his/her report to the town council within thirty (30) days after completion of the ~~public~~ **evidentiary** hearing, or within such further time consented to by written notice from the applicant or by town council resolution.

(3) If the town manager fails to submit a recommendation to the town council within this time limit, or extensions thereof, his/her recommendation shall be the same as his/her preliminary recommendation.

(h) *Town council action.*

(1) The town council shall review the record of the ~~public~~ **evidentiary** hearing~~, the planning commission's recommendation,~~ and the town manager's report and shall act on the application based on the findings required in subsection 4.5.2. All findings shall be based on competent material and substantial evidence presented at the ~~public~~ **evidentiary** hearing.

(2) Action on the application shall be one of the following: (a) Approval; (b) Approval subject to conditions; or (c) Denial.

(i) *Effect of denial or withdrawal on subsequent applications.* When the town council has denied an application or the applicant has withdrawn his/her application by written notice after publication of the ~~first public~~ **evidentiary** hearing notice required in subsection 4.5.3.(f), the town manager shall not accept another application for approval of the same or similar special use or planned development, affecting the same property or a portion thereof, until twelve (12) months have elapsed from the date of denial or withdrawal, as appropriate.

(j) *Amended applications.* The applicant shall submit an amended application for review as an original application if he/she proposes, in the town manager's opinion, to substantially amend or modify his/her application after the town manager's review; but no modification(s) agreed to by the

applicant as a result of requests or suggestions by the town manager, the planning commission, or the town council shall require an amended or original application.

(k) *Notice of decision and issuance of special use permit.*

(1) The town manager shall notify the applicant of the town council's decision in writing and shall file a copy of it with the town's planning department.

(2) If the application is approved or approved with conditions, the town manager shall issue the necessary special use permit in accord with the action of the town council. The applicant shall **consent in writing to any conditions placed on the Special Use Permit and** record such permit in the office of the appropriate county register of deeds.

(3) The special use permit, including all conditions attached thereto, shall run with the land and shall be binding on the original applicant as well as all successors, assigns, and heirs."

Section 68 - Article 4 – Procedures. Section 4.5.4 Modifications of Special Use Permits is hereby amended and renumbered as follows:

(a) The town manager is authorized to approve minor ~~changes~~ **modifications** in the approved final plans as long as such changes continue to comply with the approving action of the town council and all other applicable requirements**, or as authorized by Section 4.5.4(b) below,** but shall not have the authority to approve changes that constitute a **major** modification of the special use permit.

(b) Any change requiring evidentiary support in addition to that presented at a ~~public~~ **evidentiary** hearing on applications for the original special use permit or subsequent modifications of special use permit shall constitute a **major** modification of the special use permit. Before making a determination as to whether a proposed action is a minor ~~change~~ **modification** or a **major** modification, the town manager shall review the record of the proceedings on the original application for the special use permit and subsequent applications for modifications of the special use permit. The following shall constitute a **major** modification of the special use permit:

(1) A change in the boundaries of the site approved by the town council.

(2) A change from the use approved by the town council.

(3) A change in the density of the overall development.

(~~3~~)(**4**) An increase of five (5) percent or more in the floor area approved by the town council, unless proposed addition is two thousand, five hundred (2,500) square feet of floor area or less, whether such addition is proposed at one (1) time or over an extended period of time.

(~~4~~)(**5**) An increase of five (5) percent or more in the number of parking spaces approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.

(~~5~~)(**6**) Substantial changes in the location of principal and/or accessory structures approved by the town council.

(~~6~~)(**7**) Structural alterations significantly affecting the basic size, form, style, ornamentation, and appearance of principal and/or accessory structures as shown on the plans approved by the town council.

(~~7~~)(**8**) Substantial changes in pedestrian and bicycle or vehicular access or circulation approved by the town council. Examples of substantial changes include, but are not limited to:

A. A change in trip distribution occurs that involves more than five (5) percent of all projected trips; or

B. The change results in a reduction in the level of service (LOS) of a street link or intersection within one-quarter (¼) of a mile from the boundaries of the proposed development.

(~~8~~)(**9**) Substantial change in the amount or location of landscape screens approved by the town council shall constitute a **major** modification.

The following shall constitute a **minor** modification of the special use permit:

(~~9~~)(**10**)

(a) Changes to a site that constitute a modification of the special use permit under the above subsections 1~~-8~~ **9**, and are necessary to address an imminent and substantial threat to public health or safety, as determined by the town manager, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures from the floodplain, shall be considered minor ~~changes~~ **modifications**, provided the changes do not:

(i) Increase the intensity **or density** of the **overall** development, including increases to floor area or impervious surface, or allowing ~~more intense~~ **a change to the** uses **permitted**, or

(ii) Make nonconforming or increase a nonconformity with the development's existing special use permit or other standards of this Appendix.

(b) Prior to the issuance of a Zoning Compliance Permit for a minor ~~change~~ **modification** under this subsection ~~9~~ **10**, the following shall occur:

(i) A public information meeting followed by a courtesy review by the Community Design Commission on the same day, and

(ii) Notice of such meetings shall be mailed to owners of property within five hundred (500) feet at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the meetings, and

(iii) The Community Design Commission shall forward comments to the town manager within fifteen (15) days from the date of the meeting at which it first considers the proposed change, after which the manager shall make a determination regarding a project's eligibility under this subsection 9, and

(iv) The manager shall inform the council of each manager's determination made pursuant to this subsection.

(c) If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the modification.

(d) The town manager shall prescribe the form(s) of applications as well as any other material he/she may reasonably require to determine compliance with this article.

(e) An application for **major** modification of a special use permit shall be reviewed in accord with the procedures established in subsection 4.5.3.

(f) ~~No modification shall be allowed to a special use permit issued in a conditional use zoning district unless the applicant accepts all of the requirements and conditions the town council proposes to impose on the modification. Acceptance of conditions by the applicant may be indicated at the town council hearing on the special use permit modification or by affidavit submitted prior to the town council taking action on the modification application.~~"

Section 69 - Article 4 – Procedures. Section 4.5.5 (a) Special use permit binding on land is hereby amended to delete subsection (2), and renumbered as follows:

"(a) Special use permit binding on land. ~~(1)~~ A special use permit or modification of special use permit shall run with the land covered by the permit or modification. Once construction authorized by a special use permit or modification of special use permit is started, no development other than that authorized by the permit or modification shall be approved on that land unless the permit or modification is first modified in accord with subsection 4.5.4, or voided or revoked in accord with the provisions of this section."

~~(2) No special use permit authorizing development of property within a conditional use district may be abandoned or revoked unless the property is first rezoned to a general use zoning district.~~

Section 70 - Article 4 – Procedures. Section 4.5.5 (f) Revocation of special use permit is hereby amended to read as follows:

"(f) *Revocation of special use permit.* If any conditions of a special use permit or modification of special use permit, including completion time limits, or requirements of this appendix applicable to the permit or modification are violated, the town council may revoke or refuse to extend the permit or modification. **Consideration of revocation of a special use permit or a special use permit major modification shall follow the procedures in 4.5.3.** The town council may reinstate a revoked special use permit or modification of special use permit if it determines that: a) the holder of the revoked permit or modification submitted a request for reinstatement to the town manager within ninety (90) days of the revocation; b) the violations that were the cause of the revocation have been corrected; and c) the development fully complies with all conditions of the permit or modification and all applicable requirements of this appendix. On request by the holder of a special use permit or modification of special use permit, the town council may revoke the permit or modification if it determines that:

(1) Construction authorized by the permit or modification has been started and the completion time limit has not yet expired; and

(2) The request is made in conjunction with an application for approval of a development other than that authorized by the permit or modification; and

(3) The proposed development as approved by town council incorporates adequate consideration of the site's already disturbed land area in its design and previous commitments made under the special use process."

Section 71 - Article 4 – Procedures. Section 4.6.1 Applicability and Definition of "Subdivision" is hereby amended to add a new section (e) to read as follows:

“(e) The division of a tract into parcels in accordance with the terms of a probated will or in accordance within interstate succession under Chapter 29 of the General Statutes.”

Section 72 - Article 4 – Procedures. Section 4.6.4.2 (b)(1) is hereby amended to read as follows:

“(b) Action on application.

(1) When he/she accepts an application, the town manager shall evaluate the plat for compliance with all applicable regulations, including any applicable conditions of an approved zoning compliance permit, special use permit, or conditional zoning. The town manager shall forward his/her report to the planning commission with a recommendation.
If the subdivision proposal property is located in an historic district, the town manager shall submit to the historic district commission a written analysis of the application and his/her recommendation, prior to the planning commission meeting. The town manager shall forward his/her report to the historic district commission at its next available regularly scheduled meeting. The historic district commission shall review the application and the town manager's report and shall submit a written recommendation to the planning commission. The historic district commission shall prepare its recommendations within thirty-five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to by the applicant or by town council resolution. If the historic district commission fails to prepare its recommendation to the planning commission within this time limit, or extensions thereof, the historic district commission shall be deemed to recommend approval of the application without conditions.

The planning commission shall **make an administrative decision** ~~take action~~ on an application based solely on its findings as to compliance with applicable regulations and conditions. The planning commission shall:

A. Approve, or
B. Approve subject to conditions, or
C. Deny, or
D. Refer to the major subdivision approval process, if it finds it to be a major subdivision proposal or if requested by the applicant.”

Section 73 - Article 4 – Procedures. Section 4.6.5 (a) (5) C. is hereby amended to read as follows:

“If the planning commission recommends approval of the application with conditions, the applicant may amend his/her application to conform to all or some of the conditions, provided the town manager reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the planning commission recommendation. In such cases, the town manager may amend his/her report to conform to any or all of the planning commission's recommendations. The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the town council's next available ~~regularly scheduled public hearing~~ **meeting to consider such administrative decisions**.”

Section 74 - Article 4 – Procedures. Section 4.6.5 (a) (6) A. is hereby amended to read as follows:

“After receiving the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.6.5(a)(5), the town council shall

consider the application at its next **available meeting to hear to consider administrative decisions** ~~regularly scheduled public hearing~~."

Section 75 - Article 4 – Procedures. Section 4.6.9 Reserved is hereby retitled and amended to read as follows:

"~~Reserved~~. Performance Guarantees. **When permitted pursuant to this appendix, performance guarantees posted in lieu of completion of improvements shall conform to the NCGS 160D-804.1.**"

Section 76 - Article 4 – Procedures. Section 4.7.1 (d) is hereby amended to read as follows:

"Any development pursuant to an approved certificate of appropriateness, conditional zoning, or special use permit including special use permits that are no longer necessary and have therefore been abandoned, provided the town manager finds that no **major** modifications are proposed to the plans and conditions in the area have not changed significantly;"

Section 77 - Article 4 – Procedures. Section 4.7.2 (b) (1) is hereby amended to read as follows:

"(1) On receipt of a complete application, the town manager shall cause an analysis to be made by qualified representatives of the town and such other agencies or officials as appropriate to determine compliance with applicable provisions of this chapter and any applicable conditions of an approved certificate of appropriateness. The town manager shall submit to the planning commission a report of his or her analysis of the application. The planning commission shall **administratively** review the application and the town manager's report and shall take final action on the application."

Section 78 - Article 4 – Procedures. Section 4.7.2 (b) (2) is hereby amended to read as follows:

"(2) Final action on an application shall be **an administrative decision** based solely on findings as to compliance with all applicable provisions of this chapter, including all applicable conditions of an approved certificate or appropriateness, and shall include one of the following:

A. Approval of application; or

B. Approval of application subject to reasonable conditions necessary to ensure compliance with applicable regulations and conditions; or

C. Denial of application."

Section 79 - Article 4 – Procedures. Section 4.7.5 Minor changes to Approved Site Plans is hereby amended to read as follows:

"*Minor ~~changes~~ **modifications** to Approved Site Plans.* The town manager may approve minor ~~changes~~ **modifications** to plans approved under site plan review as long as such changes continue to comply with the approving action of the planning commission and all other applicable requirements. The town manager shall not have the authority to approve any ~~substantial changes~~ **major modifications** to plans approved under site plan review unless such changes are specifically required by a condition of approval. If a ~~substantial change~~ **major modification** is proposed, the town manager shall require the filing of an application for approval of the **major** modification. An application for **a major** modification of ~~a zoning compliance permit~~ **an approved site plan** shall be reviewed in accord with the procedures established in

subsections 4.7.1 and 4.7.2. **The following shall constitute a major modification of an approved site plan:**

(a) A change in the boundaries of the site approved by the planning commission.

(b) A change from the use(s) approved by the planning commission.

(c) A change in the density of the overall development.

(d) An increase of five (5) percent or more in the floor area approved by the planning commission, unless proposed addition is two thousand, five hundred (2,500) square feet of floor area or less, whether such addition is proposed at one (1) time or over an extended period of time.

(e) An increase of five (5) percent or more in the number of parking spaces approved by the planning commission, whether such addition is proposed at one (1) time or over an extended period of time.

(f) Substantial changes in the location of principal and/or accessory structures approved by the planning commission.

(g) Structural alterations significantly affecting the basic size, form, style, ornamentation, and appearance of principal and/or accessory structures as shown on the plans approved by the planning commission.

(h) Substantial changes in pedestrian and bicycle or vehicular access or circulation approved by the planning commission. Examples of substantial changes include, but are not limited to:

(1) A change in trip distribution occurs that involves more than five (5) percent of all projected trips; or

(2) The change results in a reduction in the level of service (LOS) of a street link or intersection within one-quarter (¼) of a mile from the boundaries of the proposed development.

(i) Substantial change in the amount or location of landscape screens approved by the planning commission shall constitute a major modification."

Section 80 - Article 4 – Procedures. Section 4.8. Purpose statement is hereby amended to read as follows:

"Purpose statement: It is the intent that the development and approval of a master land use plan would permit greater flexibility in the design and development of tracts of land twenty (20) acres or greater in size; and therefore promote and encourage more creative and imaginative design while conserving the value of land. This process is intended to provide a procedure which can relate to type, design and layout of residential, commercial and office development to a particular site in a general way, providing the basis for subsequent, more detailed development plans and applications through the town's special use permit **and/or conditional zoning district** process.

It is the intent of this chapter that all master land use plans shall demonstrate a high quality of overall site and building design. The criteria and procedures established in this section ensure that the design and construction of site elements include appropriate consideration of the relationship and balance among site elements, the relationship of the development to natural features, neighboring

developments, and access and circulation systems, retention of natural vegetation, minimal alteration of natural topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts."

Section 81 - Article 4 – Procedures. Section 4.8.3 (b) Action on the application is hereby amended to read as follows:

"On receipt of a complete application, the town manager shall cause an analysis to be made by qualified representatives of the town and such other agencies or officials as appear appropriate in the circumstances of the case, to determine compliance with applicable provisions of this chapter and any applicable conditions of any approved special use permit**, conditional zoning district and associated district-specific plans,** or certificate of appropriateness."

Section 82 - Article 4 – Procedures. Section 4.8.3 (e) Planning commission review is hereby amended to read as follows:

"The planning commission ~~shall review the application and the town manager's report and~~ **may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant** ~~shall submit a written recommendation to the town council. The planning commission shall base its recommendation on its determination of whether or not the application conforms to all applicable provisions of this chapter, and whether or not the application is consistent with the comprehensive plan. The planning commission shall prepare its recommendations within thirty-five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the planning commission shall be deemed to recommend approval of the application without conditions. If the planning commission recommends approval of the application with conditions, the applicant may amend his/her application to conform to all or some of the conditions, provided the town manager reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the planning commission recommendation. In such cases, the town manager may amend his/her report to conform to any or all of the planning commission's recommendations. The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the next available public hearing scheduled for master land use plan applications.~~"

Section 83 - Article 4 – Procedures. Section 4.8.3 (f) Public hearing is hereby retitled and amended to read as follows:

"(f) ~~Public~~ **Evidentiary** hearing.
After receiving the town manager's report ~~and planning commission's recommendation~~ or, if applicable, the expiration of the time limit prescribed in subsection (e), above, the town council shall hold ~~a~~ **an evidentiary** hearing on the application at the next available ~~regularly scheduled public hearing~~ council **meeting where evidentiary hearings will be held**. Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor

more than twenty-five (25) days prior to the date of the hearing. ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

The applicant shall bear the burden of presenting evidence sufficient to establish persuasively that the proposed development will comply with the criteria established in subsection 4.8.2 and this chapter. A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the hearing."

Section 84 - Article 4 – Procedures. Section 4.8.3 (i) Actions after decision is hereby amended to read as follows:

"The town manager shall notify the applicant of the town council's decision in writing and shall file a copy with the town's planning department. If the application is approved or approved with conditions, the town manager shall issue the necessary master plan approval in accord with the action of the town council. The applicant shall record such approval in the office of the appropriate county register of deeds. The master land use plan, including all conditions attached thereto, shall run with the land and shall be binding on the original applicant as well as all successors, assigns, and heirs. If the master land use plan is approved, or approved with conditions, the town manager may then accept applications for development under a special use permit **or a conditional zoning district**."

Section 85 - Article 4 – Procedures. Section 4.8.3 (k) Minor changes and modifications of master land use plan is hereby amended to read as follows:

"(k) *Minor ~~changes~~ and **major** modifications of master land use plan.*

(1) The town manager is authorized to approve minor ~~changes~~ **modifications** ~~and~~ **including** changes in the ordering of phases in the approved master plan as long as such ~~changes~~ **minor modifications** continue to be in compliance with the approving action of the town council and all other applicable requirements, but shall not have the authority to approve changes that constitute a **major** modification of the master plan. Before making a determination as to whether a proposed action is a minor ~~change~~ or a **major** modification, the town manager shall

review the record of the proceedings on the original application for the master land use plan and subsequent applications for modifications of master land use plan. The following shall constitute a **major** modification of the master land use plan:

A. A change in the boundaries of the site approved by the town council;

B. A change from the use(s) approved by the town council;

C. A change in the floor area or number of parking spaces approved by the town council by at least five (5) percent;

D. Changes in pedestrian and bicycle or vehicular access or circulation approved by the town council which:

1. Change trip distribution involving more than five (5) percent of all projected trips; or

2. Reduce the level of service (LOS) of a street link or intersection within one-quarter (¼) of a mile from the boundaries of the proposed development.

E. Substantial change in the amount or location of landscaped and open areas approved by the town council.

F. A change in the density of the overall development permitted by the town council.

(2) If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the **major** modification.

(3) The town manager shall prescribe the form(s) of applications as well as any other material he/she may reasonably require to determine compliance with this ~~article~~ **appendix**.

(4) An application for **a major** modification of a master land use plan shall be reviewed in accord with the procedures established in subsections (a) through (h), above."

Section 86 - Article 4 – Procedures. Section 4.8.3 (l) Relation to special use permit is hereby retitled and amended to add subsection (3) to read as follows:

"(l) *Relation to special use permit **and conditional zoning districts**.*

(1) Once a master land use plan or a modification of a master land use plan has been approved for a tract of land, no further development approval shall be granted unless it is consistent with the master plan.

(2) If a master land use plan is approved for a tract of land, and an application for a special use permit is subsequently received, then the special use permit application must be consistent with the master plan. If it is consistent with the master plan, a rebuttable presumption shall thereby be established that the proposed development would:

A. Maintain or promote the public health, safety, and general welfare;

B. Maintain or enhance the value of contiguous property, or be a public necessity; and

C. Conform to the comprehensive plan.

(3) If a master land use plan is approved for a tract of land and an application for a conditional zoning district is subsequently received, then the conditional zoning district shall be consistent with the approved master land use plan. The proposed

conditional zoning district and any associated district-specific plan shall be considered pursuant to 4.4.5.

Section 87 - Article 4 – Procedures. Section 4.8.3 (m) Abandon or revocation of an approved master land use plan is hereby amended to read as follows:

"On request by the holder of an approved master land use plan, the town council shall approve the abandonment of the plan if it determines that no subsequent development approvals have been granted and no construction activity has taken place pursuant to the master plan.

On request by the holder of an approved Master Land Use Plan, the town council may revoke the plan and any special use permits **and/or conditional zoning districts** approved pursuant to the Master Land Use Plan if it determines that:

(1) Construction pursuant to the plan has started; and

(2) The request is made in conjunction with an application for approval of a development other than that authorized by the plan; and

(3) The proposed development as approved by the town council would incorporate adequate consideration of the site's already disturbed land area in its design; and

(4) The proposed use or development conforms with the general plans for the physical development of the town as embodied in this chapter and in the comprehensive plan; and

(5) Public purposes are satisfied to an equivalent or greater degree by the proposed change."

Section 88 - Article 4 – Procedures. Section 4.10.1 Applicability is hereby amended to read as follows:

"(a) Any decision of the town manager, **including a determination of vested rights,** made in the administration of the provisions of this appendix, may be appealed to the board of adjustment by any person aggrieved by such decision. Any decision of the planning commission in granting or denying site plan approval may be appealed to the board of adjustment as a new case. Any decision of the historic district commission in granting or denying a certificate of appropriateness may be appealed to the board of adjustment and shall be reviewed on the record. Any decision of the community design commission may be appealed to the board of adjustment as a new case.

(b) An application for appeal shall be filed, with the town clerk, within thirty (30) days of the filing of the decision being appealed or the delivery of any required written notice of the decision, whichever is later by the owner or other party. Any other person with standing to appeal shall have thirty (30) days from receipt from any source of actual or constructive notice of the decision within which to file an appeal. **In the absence to the contrary, notice given by first class mail is deemed received on the third business day following deposit of the notice for mailing with the United State Postal Service. Delivery by electronic mail shall be deemed received on the date sent."**

Section 89 - Article 4 – Procedures. Section 4.11 Interpretations is hereby retitled to read as follows:

"4.11. ~~Interpretations~~ **Determinations**."

Section 90 - Article 4 – Procedures. The introductory paragraph for Section 4.11.1 Interpretations is hereby amended to read as follows:

"I~~nterpretations.~~ ***Determinations.*** Where there is any uncertainty as to the intent or actual meaning of any provision of this appendix, or as to the intended location of any zoning district boundary shown on the zoning atlas, the town manager shall make an interpretation of said provision or boundary on request of any person. In making an interpretation of any zoning district boundary, the town manager shall apply the following standards:"

Section 91 - Article 4 – Procedures. Section 4.12.1 (b) Public hearing is hereby amended to retitle the subsection, add subsection (4), renumber subsections to read as follows:

"(b) ~~Public~~ **Evidentiary** hearing.

(1) After its receipt of an application for appeal or for a variance, the board of adjustment shall hold ~~a public~~ **an evidentiary** hearing on the application at its next available regularly scheduled meeting.
(2) Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

Notice of **evidentiary** hearings shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by this ordinance. The notice must be deposited in the mail at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the hearing. Within that same time period, the manager shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. **For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.**

(3) ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The board may place reasonable and equitable time limitations on the presentation of evidence and arguments and the cross examination of witnesses so that the application may be heard without undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's

rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(4) Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections, and the chair's ruling may be appealed to the full board.

(~~4~~)(**5**) In the case of applications for a dimensional variance, the applicant shall bear the burden of presenting evidence sufficient to establish conclusively that the requested variance will comply with each of the determinations required in subsection 4.12.2."

Section 92 - Article 4 – Procedures. Section 4.12.1 (c) (1) is hereby amended to read as follows:

"After completion of the ~~public~~ **evidentiary** hearing, the board of adjustment shall take action on the application."

Section 93 - Article 4 – Procedures. Section 4.12.2 (a) (2) is hereby amended to read as follows:

"The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. **A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.**"

Section 94 - Article 4 – Procedures. Section 4.12.3 Variances within the Airport Hazard District is hereby amended to read as follows:

"4.12.3 ~~Variances within the Airport Hazard District~~ ***Reserved***. ~~See section 3.6.1~~."

Section 95 - Article 4 – Procedures. Section 4.13.3 Procedures Upon Discovery of Violations is hereby amended to retitle the subsection, add subsection (a), renumber subsections to read as follows:

"*4.13.3.* ***Inspections and*** *Procedures Upon Discovery of Violations.*

"**(a) Pursuant to NCGS 160D 403(e), staff are authorized to enter any premises at all reasonable hours for the purposes of an inspection or other enforcement action, upon the presentation of proper credentials; provided however that the appropriate consent has been given for inspection of areas not open to the public, or that an appropriate inspection warrant has been secured.**

~~(a)~~ **(b)** Upon the determination that any provision of this appendix is being violated, the town manager shall send a written notice by personal ~~service~~ **delivery, electronic delivery, first class mail,** or by certified mail, return receipt requested, **to the holder of the development approval and to the landowner of the property involved, and may be delivered by similar means to the occupant of the property, and** to the person(s) responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent **and/or the posting of**

the subject property at the town manager's discretion. **The person providing the notice of violation shall certify that the notice was provided, and the certificate shall be deemed conclusive in the absence of fraud.**

~~(b)~~ **(c)** The final written notice, which may also be the initial notice, shall state the action the town manager intends to take if the violation is not corrected, and shall advise that the town manager's order may be appealed to the board of adjustment as provided in section 4.10 of this appendix.

~~(c)~~ **(d)** In cases when delay would seriously threaten the effective enforcement of this appendix, or pose a danger to the public health, safety, or general welfare, the town manager may seek enforcement without prior written notice by invoking any of the penalties or remedies contained in subsection 4.13.4."

Section 96 – Article 5 – Design and Development Standards. Section 5.7.7 (c) Appeals is hereby amended to read as follows:

"Appeals. Unless otherwise specified in this ~~article~~ **appendix**, ~~interpretations~~ **determinations**, appeals, and variances of or from provisions of this article shall be pursuant to the provisions of article 4 of this ~~chapter~~ **appendix**."

Section 97 – Article 5 – Design and Development Standards. Section 5.12.2 Other Utilities is hereby amended to read and renumbered as follows:

(a) All utility lines**, except as provided in (b),** other than lines used only to transmit electricity between generating stations or substations shall be placed underground, and all surface disruptions required for installation shall be rehabilitated to the original or an improved condition. Three-phase electric power distribution lines are not required to be placed underground except as provided in subsection ~~(b)~~ **(c)**, below.

(b) Utility lines shall not be required to be buried if the existing power lines meet all of the following criteria:

(1) The power lines existed above ground at the time of first approval of a plat or development plan by the local government, whether or not the power lines are subsequently relocated during construction of the subdivision or development plan.

(2) The power lines are located outside the boundaries of the parcel of land that contains the subdivision or the property covered by the development approval and/or the legislative decision.

~~(b)~~ **(c)** Three-phase electric power distribution lines.

(1) Three-phase electric power distribution lines shall be placed underground if:

A. Duke Energy agrees in a written statement to provide utilities underground; and

B. Three-phase lines shall be placed underground by the applicant where:

1. There is a rational nexus between the impact of the proposed development and the proposed utility requirement; and

2. The costs of placing the utilities underground are roughly proportionate to the impacts of the development on adjoining properties or the town; and

3. Placing the utility underground does not violate any provision of the electrical code or other relevant safety standard; and

4. ~~The applicant has the legal right to place the lines underground where they are located off-site.~~

(2) Three-phase lines are not required to be placed underground if the applicant or Duke Energy demonstrates **the applicability of the criteria in subsection (b) above and** that the burial would create economic hardship or a danger to public health or safety as it relates to the size, nature, timing, and scope of the proposed development.

~~(c)~~ **(d)** A letter or letters certifying the availability of immediate service from each of the other utilities (electric, gas, telephone, cable television) serving a structure shall be submitted to the town manager prior to issuance of a zoning compliance permit for such structure.

~~(d)~~ **(e)** No certificate of occupancy for a structure shall be issued until the following documents or certifications from the appropriate utilities that all facilities necessary to provide electric, gas, telephone, and/or CATV service to such structure have been completed to the standards of the appropriate utilities have been submitted to the town manager."

Section 98 – Article 5 – Design and Development Standards. Section 5.16.3 is hereby amended to read as follows:

"(a) No application for approval of a subdivision preliminary plat zoning compliance permit, minor subdivision final plat, zoning compliance permit for site plan review, zoning compliance permit for special use permit**,** ~~or~~ zoning compliance permit for special use permit modification for a project containing a residential use**, or for a zoning compliance permit for a conditional zoning district containing residential uses** may be approved unless on the date of such approval there exists a valid and current certificate of adequacy of public school facilities applicable to the project for which such approval is sought.

(b) A certificate of adequacy of public school facilities shall not be required for a general use ~~or conditional use~~ rezoning**, a conditional zoning district** or for approval of a master land use plan. However, if a rezoning or master plan is approved, a certificate of adequacy of public school facilities ~~will~~ **shall** be required before any residential development of the property is authorized pursuant to any of the approvals specified in subsection (a) of the section, and the rezoning of the property or approval of a master plan provides no indication as to whether the certificate of adequacy of public school facilities will be issued. The application for rezoning or master plan approval shall contain a statement to this effect.

(c) A certificate of adequacy of public school facilities must be obtained from the school district. The school district will issue or deny a certificate of adequacy of public school facilities in accordance with the provisions of a memorandum of understanding between Chapel Hill, Carrboro, Orange County, and the Chapel Hill/Carrboro School District.

(d) An applicant shall seek from the school district a certificate of adequacy of public school facilities for a proposed residential development before an application for approval of a zoning

compliance permit for a subdivision preliminary plat application, minor subdivision final plat, zoning compliance permit for a site plan review application, zoning compliance permit for a special use permit**,** ~~or~~ zoning compliance permit for a special use permit modification**, or for a zoning compliance permit for a conditional zoning district containing residential uses** is submitted to the town. The certificate of adequacy of public school facilities, if issued, shall expire as provided in section 16.5.

(e) A certificate of adequacy of public school facilities attaches to the land in the same way that development permission attaches to the land. A certificate of adequacy of public school facilities may be transferred along with other interests in the property with respect to which such certificate of adequacy of public school facilities is issued, but may not be severed or transferred separately."

Section 99 – Article 5 – Design and Development Standards. Section 5.16.5 is hereby amended to read as follows:

"5.16.5. Expirations of Certificates of Adequacy of Public School Facilities.

(a) A certificate of adequacy of public school facilities that has been obtained pursuant to subsection 16.3(d) before an application for approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit**,** ~~or~~ special use permit modification**, or for a conditional zoning district containing residential uses** has been submitted shall expire unless the developer submits and the town accepts as complete an application for approval of that subdivision preliminary plat, minor subdivision final plat, site plan, special use permit**,** ~~or~~ special use permit modification**, or for a conditional zoning district containing residential uses** within ninety (90) days of the date of the certificate of adequacy of public school facilities and receives the requested approval within two (2) years of the date of the certificate of adequacy of public school facilities.

(b) A certificate of adequacy of public school facilities issued in connection with approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit**,** ~~or~~ special use permit modification**, or for a conditional zoning district containing residential uses** shall expire automatically upon the expiration or such ~~plat, plan, or permit~~ approval."

Section 100 – Article 5 – Design and Development Standards. Section 5.16.7 (c) is hereby amended to read as follows:

"The provisions of this article shall not apply to minor ~~changes~~ **modifications** to subdivision preliminary plat, site plan, special use permit, or special use permit modification approvals issued prior to the effective date of this article so long as the approvals have not expired and the proposed minor ~~changes~~ **modifications** do not increase the number of dwelling units authorized within the development by more than five (5) percent or five (5) dwelling units, whichever is less."

Section 101 – Article 5 – Design and Development Standards. Section 5.16.7 (d) is hereby amended to read as follows:

"(d) The town council shall issue ~~a special~~ **an** exception to the certificate of adequacy of public school facilities requirement to an applicant whose application for approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit or special use permit modification

covering property within a planned development or master plan project that was approved prior to the effective date of this article, if the town council finds, after an evidentiary hearing, that the applicant has (1) applied to the school district for a certificate of adequacy of public school facilities and the application has been denied, (2) in good faith made substantial expenditures or incurred substantial binding obligations in reasonable reliance on the previously obtained preliminary plat approval, planned development or master plan approval, and (3) would be unreasonably prejudiced if development in accordance with the previously approved development or plan is delayed due to the provisions of this ordinance. In deciding whether these findings can be made, the town council shall consider the following, among other relevant factors:

(1) Whether the developer has installed streets, utilities, or other facilities or expended substantial sums in the planning and preparation for installation of such facilities which were designed to serve or to be paid for in part by the development of portions of the preliminary plat, planned development or master planned project that have not yet been approved for construction;

(2) Whether the developer has installed streets, utilities, or other facilities or expended substantial sums in the planning and preparation for installation of such facilities that directly benefit other properties outside the development in question or the general public;

(3) Whether the developer has donated land to the School District for the construction of school facilities or otherwise dedicated land or made improvements deemed to benefit the School District and its public school system;

(4) Whether the developer has had development approval for a substantial amount of time and has in good faith worked to timely implement the plan in reasonable reliance on the previously obtained approval;

(5) The duration of the delay that will occur until public school facilities are improved or exist to such an extent that a Certificate of Adequacy of Public School Facilities can be issued for the project, and the effect of such delay on the development and the developer.

The decision of the town council is subject to review by the Orange County Superior Court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the clerk of superior court within thirty (30) days after a written copy of the decision of the town council is delivered to every aggrieved party who has filed a written request for such copy with the clerk to the town council at the time of its **evidentiary** hearing on the application for ~~a special~~ **an** exception. The written copy of the decision of the town council may be delivered to the aggrieved party either by personal service or by certified mail, return receipt requested.

The mayor of the town or any member temporarily acting as mayor may, in his or her official capacity, administer oaths to witnesses in any **evidentiary** hearing before the town council concerning ~~a special~~ **an** exception. "

Section 102 – Article 5 – Design and Development Standards. Section 5.16.8 Appeal of School District Denial of a Certificate of Adequacy of Public School Facilities is hereby amended to read as follows:

"The applicant for a certificate of adequacy of public school facilities which is denied by the school district may, within thirty (30) days of the date of the denial, appeal the denial to the town council of Chapel Hill. Any such appeal shall be heard by the town council at an evidentiary hearing before it. At this **evidentiary** hearing the school district will present its reasons for the denial of the certificate of adequacy of public school facilities and the evidence it relied on in denying the certificate of adequacy of public school facilities. The applicant appealing the denial may present its reasons why the certificate of

adequacy of public school facilities application should have, in its view, been approved and the evidentiary basis it contends supports approval. The town council may (1) affirm the decision of the school district, (2) remand to the school district for further proceedings in the event evidence is presented at the **evidentiary** hearing before the town council not brought before the school district, or (3) issue a certificate of adequacy of public school facilities. The town council will only issue a certificate of adequacy of public school facilities if it finds that the certificate of adequacy of public school facilities certificate of adequacy of public school facilities should have been issued by the school district as prescribed in the memorandum of understanding among the school district, Orange County and Chapel Hill. A decision of the town council affirming the school district may be appealed by the applicant for a certificate of adequacy of public school facilities by proceedings in the nature of certiorari and as prescribed for an appeal under section 16.7(d) of this article."

Section 103 – Article 5 – Design and Development Standards. Section 5.16.9 Information Required From Applicants is hereby amended to read as follows:

"The applicant for a certificate of adequacy of public school facilities shall submit to the school district all information reasonably deemed necessary by the school district to determine whether a certificate of adequacy of public school facilities should be issued under the provisions of the memorandum of understanding between Chapel Hill, Orange County, and the school district. An applicant for a certificate of adequacy of public school facilities ~~special~~ exception or an applicant appealing a certificate of adequacy of public school facilities denial by the school district shall submit to the town council all information reasonably deemed necessary by the town manager to determine whether ~~a special~~ **an** exception should be granted as provided in section 16.7(d) of this article or for the **evidentiary** hearing of an appeal of a school district denial of a certificate of adequacy of public school facilities as provided in section 16.8 of this article. A copy of a request for a certificate of adequacy of public school facilities ~~special~~ exception or of an appeal of a school district denial of a certificate of adequacy of public school facilities shall be served on the superintendent of the school district. Service may be made by personal delivery or certified mail, return receipt requested."

Section 104 – Article 5 – Design and Development Standards. Section 5.18.8 (c) (3) C. is hereby amended to read as follows:

"The final decision is to be made pursuant to ~~a public~~ **an evidentiary** hearing; or"

Section 105 – Article 5 – Design and Development Standards. Section 5.18.8 (d) (2) Minor variances is hereby amended to read as follows:

"A minor variance request pertains to uses and activities that will impact only Zone Two of the riparian buffer. Minor variance requests shall be reviewed and approved by the town board of adjustment based on the criteria in subsections 5.18.8(d)(1)A through 5.18.8(d)(1)C and in accordance with section 4.12 and as provided by **NCGS 160D** ~~North Carolina General Statute Chapter 160A, Article 19~~. The board may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Request for appeals to decisions made by the town board of adjustment shall be made in writing to the director of the division. Appeals from a decision by the director on a minor variance request are subject to review as provided in North Carolina General Statute Chapter **160D** ~~150B, Articles, 3 and 4~~."

Section 106 – Article 5 – Design and Development Standards. Section 5.18.8 (d) (3) Major variances is hereby amended to read as follows:

"A major variance request pertains to uses and activities that will impact any portion of Zone One or any portion of both Zones One and Two of the riparian buffer. If the town board of adjustment has determined that a major variance request meets the requirements in subsections 5.18.8(d)(1)A through 5.18.8(d)(1)C and as provided by **NCGS 160D** ~~N.C.G.S. Chapter 160A, Article 19~~, then it shall prepare a preliminary finding and submit it to the North Carolina Environmental Management Commission in care of the director of the division. Within ninety (90) days after receipt, the environmental management commission is required to review preliminary findings on major variance requests and take one of the following actions: approve, approve with conditions and stipulations, or deny the request. Appeals from a commission decision on a major variance request are subject to review as provided in N.C.G.S. Chapter **160D** ~~150B, Articles 3 and 4~~."

Section 107 – Article 5 – Design and Development Standards. Sections 5.18.9 (b) (2) and (3) are hereby amended to read as follows:

"(2) *Notice of civil penalty assessment.* The town manager shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under N.C.G.S. 1A-1, Rule 4 including personal service or by certified mail, return receipt requested, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for ~~a~~ **an evidentiary** hearing.

(3) ***Evidentiary*** *Hearing.* Any decision imposing a civil penalty may be appealed to the town board of adjustment. The board shall hold ~~a~~ **an evidentiary** hearing in accordance with sections 4.10 thorough 4.13."

Section 108 – Article 5 – Design and Development Standards. Sections 5.19.11 (d) (2) and (3) are hereby amended to read as follows:

"(2) *Notice of civil penalty assessment.* The town manager shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under G.S. 1A-1, Rule 4 including personal service or by certified mail, return receipt requested, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for ~~a~~ **an evidentiary** hearing.

(3) ***Evidentiary*** *Hearing.* Any decision imposing a civil penalty may be appealed to the town board of adjustment. The board shall hold ~~a~~ **an evidentiary** hearing in accordance with sections 4.10 thorough 4.13."

Section 109 – Article 5 – Design and Development Standards. Section 5.20.1 Authority is hereby amended to read as follows:

"This section is adopted pursuant to the authority vested in the Town of Chapel Hill by the General Assembly of the State of North Carolina with particular reference to Article **9** ~~19~~ Part **3** ~~3E~~ of Chapter ~~160A~~ **160D** of the North Carolina General Statutes~~, and Session Law 2017-159 (HB 310)~~."

Section 110 – Article 5 – Design and Development Standards. Section 5.20.3 Definitions is hereby amended to read as follows:

"Substantial modification pursuant to ~~NC §160A-400.51~~ **NCGS 160D-931(19)** means a modification or collocation involving the mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below. The burden is on the town to demonstrate that a mounting that does not meet the listed criteria below still constitutes a substantial change to the physical dimensions of the wireless support structure.

(1) Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet.
(2) Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure the greater of (i) more than twenty (20) feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.
(3) Increasing the square footage of the existing equipment compound by more than 2,500 square feet."

Section 111 - Article 8 – Administrative Mechanisms. The introductory paragraph is hereby amended to read as follows:

"This article formally establishes the agencies and officials involved in processing applications for development approval. **Such agencies and officials shall comply with the Conflict-of-Interest provisions of NCGS 160D-109.**"

Section 112 - Article 8 – Administrative Mechanisms. Section 8.2.4. (m) is hereby amended to read as follows:

"To review and make recommendations to the council on proposed plats of land subdivision, applications for ~~special use permits~~ **conditional zoning districts**, and proposed amendments to Land Use Management Ordinance~~s~~;"

Section 113 - Article 8 – Administrative Mechanisms. Section 8.3.4. (d) is hereby amended to read as follows:

"To make ~~interpretations~~ **determinations** of the zoning atlas, including disputed questions about zoning district boundary lines or lot lines, and similar questions **as required by the appendix, and** as they arise in the administration of this appendix;"

Section 114 - Article 8 – Administrative Mechanisms. Section 8.3.5. Meetings is hereby amended to read as follows:

"The board shall establish a regular meeting schedule and shall meet frequently enough so that it may take action as expeditiously as reasonably possible.

All meetings of the board shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public in accord with Chapter 143, Article 33C of the N.C. General Statutes.

The board shall adopt rules of procedure and regulations for the conduct of its affairs.

In considering appeals, variance requests, and ~~interpretations~~ **determinations**, the board shall observe the quasi-judicial procedural requirements set forth in sections 4.11 and 4.12 of this appendix.

The board shall keep a record of its meetings, including attendance of its members, the vote of each member on every question, a complete summary of the evidence submitted to it, documents submitted to it, and all official actions."

Section 115 - Article 8 – Administrative Mechanisms. Section 8.4.2 Qualifications is hereby amended to read as follows:

"All members of the commission shall reside within the planning jurisdiction of Chapel Hill, and a majority of the members shall have demonstrated special interest, experience, or education in history ~~or~~, architecture**, historic preservation, archaeology, or related fields**. Members shall serve without compensation."

Section 116 - Article 8 – Administrative Mechanisms. Introductory paragraph of Section 8.5.5. Powers of the Commission is hereby amended to read as follows:

"The commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix, in Chapter ~~160A~~ **160D**, Article ~~19~~ **9**, Part ~~7~~ **5** of the N.C. General Statutes, and in Chapter 278 of the N.C. Session Laws of 1965, including but not limited to the following:"

Section 117 - Article 8 – Administrative Mechanisms. Section 8.5.5. (r) is hereby amended to read as follows:

"To review all schematic building designs for special use permits or special use permit modifications, and forward comments and recommendations for consideration **by the applicant** ~~at council public hearings~~;"

Section 118 - Appendix A. Definitions are hereby amended to read as follows:

Administrative decision: Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this appendix. These are sometimes referred to as ministerial decisions or administrative determinations.

Administrative hearing: A proceeding to gather facts needed to make an administrative decision.

Bona fide farm: Agricultural activities as defined in NCGS 160D-903(a).

Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, ~~chattels,~~ or property.

Conditional use district: A zoning district requested by the property owner in which all uses are considered a special use. ~~See section 4.4 of this appendix.~~ **As of July 1, 2021, conditional use districts are no longer permissible pursuant to NCGS 160D-703.**

Construction commences: Means that construction has commenced in accordance with the terms of a building permit, as set forth in ~~N.C.G.S. 160A-418~~ **NCGS 160D-1111**.

Determination: A written, final, and binding order, requirement, or determination regarding an administrative decision.

Developer: A person**, including a governmental agency** who undertakes **any** development ~~activities~~ **and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property**.

Development approval: An administrative or quasi-judicial approval made pursuant to this appendix that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning compliance permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations pursuant to this appendix including but not limited to plat approvals.

General use districts: The zoning districts which govern usual and typical development situations, which are established by section 3.3 of this appendix **and are sometimes referred to as Conventional Districts.**

Evidentiary hearing. - A hearing where sworn testimony is heard to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by this appendix.

Extraterritorial jurisdictions or "ETJ": The territory, outside of the town limits within which the town may exercise the powers conferred by ~~Article 19 of Chapter 160A~~ **160D** of the North Carolina General Statutes, as set forth in ~~N.C.G.S. 160A-360~~ **NCGS 160D-202**.

Legislative decision. - The adoption, amendment, or repeal of a regulation under this appendix. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of this appendix as well as zoning atlas amendments.

Legislative hearing. - A hearing to solicit public comment on a proposed legislative decision.

Performance guarantee: A letter of credit or cash escrow posted as security for the completion of ~~subdivision~~ improvements **required by this appendix**.

Quasi-judicial decision: A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on other development approvals are quasi-judicial in nature if this appendix authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

Site-specific ~~development~~ ***vesting*** *plan:* A**n approved** special use permit**, conditional zoning district that includes a district-specific plan, Form District Permit** ~~issued by the council~~ authorizing the development of a zoning lot **as provided for in this appendix**. **Such site-specific vesting plans have vested rights for a period of two years.**

***Sleeping room*: A room designated as sleeping or bedroom on the plans and permit application.**

Special use permit: A permit issued by the council ~~authorizing the development of a zoning lot for a special use or a planned development~~ **authorizing development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits**.

Substantially commenced: For the purposes of determining whether sufficient progress has been made on an approved plan, one or more of the following construction activities toward the completion of an approved plan shall occur: obtaining a grading permit and conducting grading activity on a continuous basis and not discontinued for more than thirty days; or installation and approval of on-site infrastructure; or obtaining a building permit for the construction and approval of a building foundation. "Substantially commenced" for purposes of determining whether an approved plan is null and void is not necessarily the same as "substantial expenditures" used for determining vested rights pursuant to applicable law.

Transportation facilities: Includes: (1) Streets, including street links and intersections within the jurisdiction of the Town of Chapel Hill, or arterial streets and collector streets within the jurisdiction of or the North Carolina Department of Transportation, or its successor agency, that are located within the incorporated boundaries of the Town of Chapel Hill and any extraterritorial jurisdictions granted pursuant to ~~N.C.G.S. 160A-360~~ **NCGS 160D-202**, and (2) buses owned and operated by Chapel Hill Transit."

Section 119. This ordinance shall be effective on June 28, 2021.

This the _____ day of _____, 2021.

RESOLUTION B
(Denying the Land Use Management Ordinance Text Amendment)

A RESOLUTION DENYING A PROPOSAL TO AMEND ARTICLES 1, 3, 4, 5, 8 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO INCORPORATE REVISIONS REQUIRED BY THE ENACTMENT OF NCGS 160D (2021-##-##/R-#)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to incorporate the provisions of the newly enacted North Carolina General Statute 160D, and fails to find that the amendments:

a) correct a manifest error in the chapter, or
b) are justified because of changed or changing conditions in the community in general, or
c) achieve the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposal to amend the Land Use Management Ordinance to incorporate the revisions necessitated by the enactment of North Carolina General Statutes 160D.

This the _____th day of _____, 2021.

ORDINANCE B
(Changes to Town Code of Ordinances)

AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES PERTAINING TO CHANGING 160A STATE STATUE REFERENCES TO 160D (2021-XX-XXO-#)

WHEREAS, the General Assembly enacted Session Law 2019-111 in 2019 with Technical Corrections enacted in 2020 with Session Law 2020-25. The enactment of these Session Laws requires the Town to change North Carolina Statute references from 160A to 160D.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Chapter 5 Buildings & Building Regulations; Chapter 7 Fire Prevention & Protection; and Chapter 9 Housing Code be amended as follows:

Section 1 – Chapter 5 **-** Article I - In General. Section 5-1 Fire limits designated by reference is hereby amended to read as follows:

"Pursuant to the laws of this state, in particular N.C.G.S. § ~~160A-435~~ **160D-1128 (b)**, the fire limits of the town shall be established as a primary and a secondary fire district with the location and boundaries thereof shown on the map attached as Exhibit 1 to the ordinance from which this section derives. Copies of said map shall be maintained by the town's building inspections division and the town's fire marshal. Boundaries of said fire limits shall also be maintained as a feature in the town's geographic information system (GIS) and available for reference."

Section 2 – Chapter 5 **-** Article 1 - In General. Section 5-2 Construction within fire limits is hereby amended to read as follows:

"The area lying within the primary and secondary fire limits of the town shall be subject to all of the provisions of the General Statutes of North Carolina, including specifically, but not limited to, N.C.G.S. §§ ~~160A-436 and 160A437~~ **160D-1128 (b)**, which ~~are~~ is incorporated herein by reference and made a part hereof. Construction within the fire limits will comply with the provisions set forth by the North Carolina State Building Code, Appendix D which has been adopted by the town under section 5-15 of this Code."

Section 3 – Chapter 5 **-** Article IV – Flood Damage Prevention Ordinance. Section 5-50 Statutory authority is hereby amended to read as follows:

"The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; ~~Parts 3, 5, and 8 of Article 19~~ Chapter ~~160A~~ **160D**; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry including the regulations set out in this article."

Section 4 – Chapter 5 **-** Article IV – Flood Damage Prevention Ordinance. Footnote(s) --- (3) --- State Law Reference- is hereby amended to read as follows:

"State Law reference— Local government authority to regulate uses in flood hazard areas and grant permits, G.S. 143-215.54(a); minimum standards for ordinances, G.S. § 143-215.54A; local government to delineate flood hazard area, G.S. § 143-215.56(c); city may enact floodway regulation ordinances authorized under Chapter 143 of state statutes, G.S. §~~160A-458.1~~ **160D-923**; procedure in issuing permits, G.S. § 143-215.57."

Section 5 – Chapter 5 **-** Article V – Soil Erosion and Sediment Control. Division 2, Soil Erosion and Sedimentation Control, Footnote(s) --- (4) --- State Law Reference- is hereby amended to read as follows:

"State Law reference— Local erosion and sedimentation control programs, G.S. § 113A-60; city may enact and enforce erosion and sedimentation control ordinances, G.S. §~~160A-458~~ **160D-922**; submission and approval of proposed local erosion and sediment control ordinances, 15A N.C. Admin. Code 04D.0101 et seq."

Section 6 - Chapter 5 - Article V – Soil Erosion and Sediment Control. Division 2, Soil Erosion and Sedimentation Control Section. Section 5-97 (f) is hereby amended to read as follows:

"Pursuant to ~~G.S. Section 160A-417~~ **NCGS 160D-1110**, no building permit shall be issued unless an erosion control plan has been approved, where such approval is required, for the site of the activity or a tract including the site of the activity."

Section 7 – Chapter 7 **-** Article II - Fire Prevention Code. Section 7-44 (b) is hereby amended to read as follows:

"*Civil enforcement.* This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. Sec.~~ 160A-432~~ **160D-1125** and G.S. Sec. 143-139."

Section 8 – Chapter 7 **-** Article II - Fire Prevention Code. Section 7-52 (b) Civil enforcement is hereby amended to read as follows:

"*Civil enforcement.* This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. Sec. ~~160A-432~~ **160D-1125** and G.S. Sec. 143-139."

Section 9. – Chapter 7 – Article II Fire Prevention Code. Section 7-58 (b) Civil enforcement is hereby revised to read as follows:

"*Civil enforcement.* This ordinance may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. Sec. ~~160A-432~~ **160D-1125** and G.S. Sec. 143-139."

Section 10 – Chapter 7 – Article II Fire Prevention Code. Section 7-66 (b) Civil enforcement is hereby amended to read as follows:

"*Civil enforcement.* This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. Sec. ~~160A-432~~ **160D-1125** and G.S. Sec. 143-139."

Section 11 - Chapter 9 - Housing Code Footnote(s) ---1--- State Law reference is hereby amended to read as follows:

"State Law reference— Exercise of municipal power authorized to provide for repair, closing or demolition of unsafe buildings, G.S. § ~~160A-441~~ **160D-1201**; ordinance authorized concerning repair, closing and demolition upon order of public officer, G.S. § ~~160A-443~~ **160D-1203**."

Section 12 - Chapter 9 **-** Article I - In General. Section 9-1 Finding; purpose is hereby amended to read as follows:

"Pursuant to N.C.G.S. ~~160A-441~~ **160D-1201**, et. seq. it is hereby found and declared that there exists in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents, and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering such dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.

In order to protect the health, safety and welfare of the residents of the town as authorized by Article ~~19, Part 6~~ **12**, Chapter ~~160A~~ **160D**, of the General Statutes, it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by N.C.G.S. ~~160A-443~~ **160D-1203**."

Section 13 – Chapter 9 **-** Article II – Administration and Enforcement. Section 9-24 (e) is hereby amended to read as follows:

"Notwithstanding any other provision of law, if the condition of the dwelling would require removal or demolition under subsection (2) and the dwelling is located in a historic district of the town and the historic district commission determines, after a public hearing as provided by the ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with N.C.G.S. ~~160A-400.14(a)~~ **160D-949**."

Section 14 – Chapter 9 - Article II – Administration and Enforcement. Section 9-30 Review of proceedings of board of adjustment is hereby amended to read as follows:

"Every decision of the board of adjustment shall be subject to review by proceedings in the nature of certiorari as provided by N.C.G.S. ~~160A-446(e)~~ **160D-305 and N.C.G.S 160D-1208**, and may be stayed as provided by N.C.G.S. ~~160A-446(f)~~ **160D-305 and N.C.G.S. 160D-1208**."

Section 15 - Chapter 9 - Article II – Administration and Enforcement. Section 9-32 Methods of service of complaints or orders is hereby amended to read as follows:

"Service of complaints and orders shall be made in the manner required by N.C.G.S. ~~160a-445~~ **160D-1206** and shall be deemed sufficient when one of the methods allowed by that statute has been followed."

Section 16 – Chapter 9 - Article IV – Minimum Standards for Basic Equipment and Facilities. Section 9-67 Heating system, State Law Reference, is hereby amended to read as follows:

"State Law reference— Heat source required for rental dwelling units, G.S. § ~~160A-443.1~~ **160D-1204**."

Section 17. This ordinance is effective on June 28, 2021.

This the ____ day of _____, 2021.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 15., **File #:** [21-0340], **Version:** 1 **Meeting Date:** 4/21/2021

Open the Public Hearing: Application for Conditional Zoning - 2200 Homestead Road (Project 20-081).

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: Anya Grahn, Senior Planner

a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
b. Introduction and preliminary recommendation
c. Presentation by the applicant
d. Recommendation of the Planning Commission
e. Recommendations of other boards and commissions
f. Comments from the public
g. Comments and questions from the Mayor and Town Council
h. Referral to the Manager and Attorney
i. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing.
j. Consider enacting the ordinance to approve the Conditional Zoning application at the May 19, 2021 Council meeting

RECOMMENDATION: That the Council open the public hearing, and receive comment on the proposed Conditional Rezoning. That the Council then make a motion to close the public hearing and schedule the proposed Conditional Rezoning application review for May 19, 2021.

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OPEN THE PUBLIC HEARING: APPLICATION FOR CONDITIONAL ZONING - 2200 HOMESTEAD ROAD (PROJECT 20-081)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Anya Grahn, Senior Planner

PROPERTY ADDRESS	**DATE**	**APPLICANT**
2200 Homestead Road	April 21, 2021	Coulter Jewell Thames, PA on behalf of the Town of Chapel Hill

STAFF RECOMMENDATION

That the Council open the public hearing and receive comment on the proposed Conditional Rezoning. (Under the enacted legislation authorizing public hearings at remote meetings, public comment may continue to be submitted in the hearing record for 24 hours after the April 21, 2021 public hearing.)

That the Council then make a motion to schedule action on the proposed Conditional Rezoning application on May 19, 2021.

STAFF ANALYSIS

The applicant is asking for modifications to regulations. See attached Technical Report for additional information.

PROCESS

Town Council approved a Special Use Permit (SUP) at this site on June 25, 2001 as part of the Vineyard Square development. The applicant is requesting to replace that entitlement with this Conditional Zoning application.

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.

The Town will enter into a Development Contract with the four local affordable housing partners that outlines their roles and the Town's expectations before construction of the project begins. The Town is also working with the Hope Gardens Board to draft an agreement for the use of a portion of the Town land to relocated Hope Gardens.

PROJECT OVERVIEW

In 2001, the Town Council approved an SUP for Vineyard Square, authorizing the construction of a 191-unit multi-family residential development on a 48-acre site. As part of the SUP, the applicant deeded this portion of land on the western and southwestern portions of the site to the town for municipal purposes.

The site currently consists of a single parcel with an existing gym building and Hope Gardens, a community garden. The Town is proposing to redevelop this area to include construction of 115 to 129 affordable housing units. Hope Gardens will be relocated to the northern portion of the property, adjacent to Weaver Dairy Road Extension. Primary access to the development is proposed from Homestead Road. A secondary access is proposed to Weaver Dairy Extension through the approved Bridgepoint development at 2214-2312 Homestead Road, located to the east of the site.

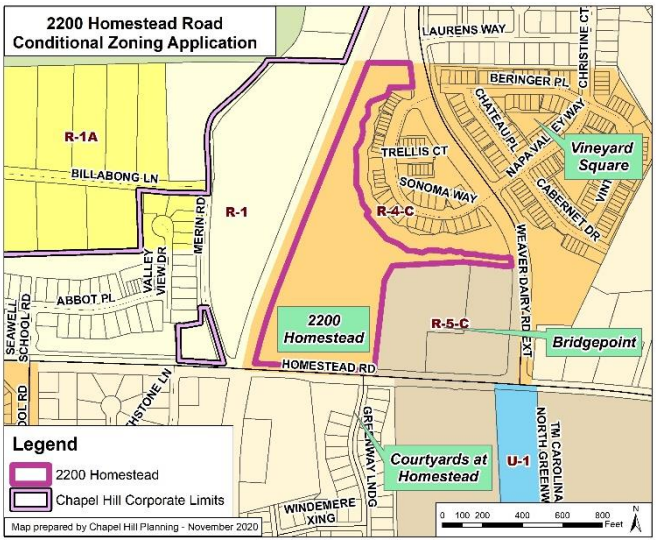
- Existing Zoning: Residential–4–Conditional Zoning District (R-4-CZD)
- Proposed Zoning: Residential–Special Standards–Conditional Zoning District (R-SS-CZD)
- Lot size: 570,066 sq. ft. (13.1 acres)

DECISION POINTS

The proposed development requests a Modification to Regulations for the following:

- Land Disturbance in the Resource Conservation District (RCD)
- Steep Slopes
- Stormwater Management
- Recreation Space

PROJECT LOCATION



ATTACHMENTS	1. Technical Report and Project Fact Sheet 2. Draft Staff Presentation 3. Resolution A, Resolution of Consistency 4. Ordinance A (Approving the Application) 5. Resolution B (Denying the Application) 6. Advisory Board Recommendations 7. Town's Urban Designer Recommendations 8. Application Materials 9. Submitted Plans, dated March 4, 2021

TECHNICAL REPORT

PROJECT OVERVIEW

June 25, 2001	Town Council approved a Special Use Permit (SUP) for the Vineyard Square multi-family development containing 191-units on a 48.11-acre site. As part of the SUP, the property owner dedicated a portion of the site to the Town of Chapel Hill for municipal purposes.
June 20, 2018	Town Council reviewed a concept plan for a mixed-income development containing micro-homes, townhomes, apartments, shared housing, and other amenities.
October 29, 2020	Applicant submitted a Conditional Zoning District Permit for 115 to 126 mixed-income housing development containing duplexes, townhomes, apartments, and other amenities.

The application proposes a Residential–Special Standards–Conditional Zoning District (R-SS-CZD) for the site to accommodate 115 to 126 dwelling units. The site currently consists of a single parcel with an existing gym building and community garden. More details about the proposed development can be found in the applicant's narrative and statement of justification in the Application Materials.

Information about the site and proposed zoning districts can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project's consistency with the Comprehensive Plan and relevant Findings of Fact.

Developing an Affordable Housing Project

The Town will be entering into a Development Contract with four affordable housing partners to develop 2200 Homestead. The contract will outline their roles and expectations before construction of the project begins. The following outlines the roles of each of these partners and the households they serve:

Partner	Role	Affordability Requirements
Self Help	Project coordination and land development	NA
CASA	Construction of 72 apartments	<30-80% AMI, subject to 30-year affordability restriction
Community Home Trust	17 townhomes	13 units at <80% AMI and 4 units at <115% AMI, subject to a 99-year ground lease
Habitat for Humanity	18 duplexes	<30-80% AMI, subject to 99-year affordability and Habitat maintaining first right of refusal on any units sold

The Town decided early on to lead the project through approval of all necessary entitlements, at which point the Town would sign a development contract with its proposed

development partners. The Town Attorney's Office and Housing and Community staff are currently negotiating the terms of an initial development contract that outlines the roles and expectations of all parties (Town plus four development partners) and maps out the future agreements required for land conveyance and construction.

The Town intends to enter into two agreements with Hope Gardens that outline the terms for relocating and operating the gardens on Town Land. The development team anticipates future subdivision of the property to create a separate lot for the community garden on the northern end of the site with access to Weaver Dairy Road Extension. This has been included as a condition of Ordinance A.

For more information, please see the Housing Department's 2200 Homestead Road Site Plan Update from May 20, 2020[1].

KEY CONSIDERATIONS

1. Planning Commission: At the April 6, 2021 meeting, the Planning Commission recommended approval of the conditional zoning application.

2. Housing Advisory Board (HAB): At the April 8, 2021 meeting, HAB recommended approval of the conditional zoning application.

3. Community Design Commission (CDC): At the March 23, 2021 meeting, CDC recommended approval with the following modifications to Ordinance A:

   - The applicant develop a set of design guidelines that would include options for fencing along Homestead Road.

     Staff Response: Staff has included the following condition in Ordinance A:

     #15. Design Guidelines: The developer shall develop a set of design guidelines for the development that includes options for fencing along Homestead Road.

   - That Council add 'and approve' to the standard conditions regarding CDC review of building elevations and site lighting plans.

     Staff Response: The CDC has the authority to review schematic building designs as part of the Final Plan process. Townhouses are considered single-family development when each unit is on an individual lot, and single-family and two-family (duplex) developments do not require CDC review of building elevations and lighting. The applicant does not consent to requiring that the CDC approve their building elevations for multi-family dwelling units.

     Staff has included the following conditions in Ordinance A:

     #16. Community Design Commission Review of Duplex and Townhouses: The proposed duplex and townhouse developments do not require Community Design Commission review of building elevations and lighting.

[1] https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4538870&GUID=DE7FF8CF-3D5C-4E64-A5BC-BC4B72FD1B82

#17. Community Design Commission Review of Multi-family Dwelling Units: The Community Design Commission shall review the building elevations of multi-family dwelling units, 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]

4. Transportation and Connectivity Advisory Board (TCAB): At the March 23, 2021 meeting, TCAB recommended approval with the following modifications to Ordinance A:
   - Developer coordinate with Chapel Hill Transit on placement of the bus stop(s), ensuring safe and convenient access to bus stops on both sides of Homestead Road, and forecast future demand and capacity of the HS-Route to handle frequency and service hours.

     Staff Response: Chapel Hill Transit bases its plans for expanding bus routes, as necessary, based on forecasted future demand and capacity. They will take into consideration existing routes, usage, and new development in this area. Staff has included the following condition in Ordinance A:

     #18. Bus Stop: The developer shall coordinate with Chapel Hill Transit and the North Carolina Department of Transportation (NCDOT) on the placement of the bus stop on the north side of Homestead Road.

   - Developer ensure retention of connectivity between 2200 Homestead and newly relocated Hope Gardens.

     Staff Response: Staff has included the following condition in Ordinance A:

     #19. Connections to Hope Gardens: The developer shall ensure pedestrian connectivity between the development at 2200 Homestead and Hope Gardens, following the relocation of the community garden to the northwest corner of the site.

5. Environmental Stewardship Advisory Board (ESAB): At the March 18, 2021 meeting, ESAB recommended approval with the following special considerations:

   - Use permeable surfaces for trails and parking lots

     Staff Response: The nature trail inside the property will be a mulch trail. Staff has confirmed with the Parks and Recreation Department that the public Greenway needs to be concrete as it is in a flood prone area.

   - Add solar photovoltaic systems to reduce operating costs for occupants and to help achieve the AIA 2030 standards

     Staff Response: The architect is considering solar panels and determining the possibility of making some of the roofs solar-ready. Staff has included the following standard stipulation in Ordinance A addressing this:

     #34. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 efficienct than the latest version of ASHRAE 90.1 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]

- Given RCD disturbance, special attention should be paid to native plantings and a wetland area with native plants.

  Staff Response: Staff has included the following standard conditions in Ordinance A:

  #48. 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]

  #52. 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 4.4]

  Standard Condition #48 requires the removal of invasive plants, and the Town's Design Manual encourages the use of diverse plantings of native as well as adapted non-native species in all landscape projects. Staff reviews the final planting list as part of the final plan application.

SITE CONTEXT

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

- A portion of the site is currently used for a community garden, which the applicant proposes to relocate to the northern end of the site.
- Properties to the east and southeast are zoned Residential-5 (R-5) and include future multi-family and residential townhouse developments. To the south and southwest are single-family dwelling units zoned Residential-2 (R-2). To the north is the Vineyard Square townhouse development, zoned Residential-4-Conditional Zoning District (R-4-CZD). To the west, across the railroad tracks, is a church with on-site housing zoned Residential-1 (R-1).
- The site fronts on Homestead Road, an NCDOT arterial corridor for Chapel Hill with moderate amounts of existing vehicular traffic. Homestead Road is also served by a weekday bus route. The site is close to the intersection of Weaver Dairy Extension, a Town arterial, and Homestead Road.
- Railroad tracks are located along the western edge of the site. This freight rail line is used infrequently, but the presence of tracks inhibits opportunities for connections to the west.
- The Town has designed a bicycle and pedestrian improvements project for Homestead Road that will include multiuse paths and bike lanes. Construction is anticipated in the near future.
- The application states that the site is generally wooded with some open areas, and that there are short sections of jurisdictional streams near the perimeter of the site – one perennial stream to the east, and two intermittent streams.

- There is also a wetlands area near the middle of the site, which remains after a farm pond was drained. Steeper topography can be found along what used to be the pond banks and dam. The application states that "the soil and topography are conducive to the scale of the proposed housing development."

PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. 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 has proposed a Conditional Zoning district for the site, as shown on the site plan: Residential–Special Standards–Conditional Zoning District (R-SS-CZD).

The Residential–Special Standards-Conditional Zoning District (R-SS-CZD) is appropriate for "residential development and the recreational, open space, and other urban amenities associated with such development", provided that any rezoning to this district shall demonstrate either:

- Provision of 100 percent affordable housing
- Achievement of a combination of special standards that meet community interests

The Statement of Justification states that 100 percent of the housing proposed will be affordable. The Town considers affordable housing as housing that is affordable (costs no more than 30 percent of the household's income) for low to moderate income households. Moderate income households are defined as households earning between 80 percent and 115 percent of the AMI. The four (4) Community Home Trust units will serve households earning less than 115 percent AMI. In the Interlocal Agreement for the Community Home Trust, the County and Towns of Chapel Hill, Carrboro, and Hillsborough agree that the Home Trust can sell homes to households up to 115 percent AMI.

The proposed uses meet the intent statement of Residential–Special Standards-Conditional Zoning District (R-SS-CZD).

PROPOSED MODIFICATIONS TO REGULATIONS

1) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):

The North Carolina Department of Environmental Quality, Division of Water Resources ("the Division") implements the Jordan Riparian Buffer Protection rules for activities conducted under the authority of local units of government. As such following the draining of the pond, the Town required the Division to conduct a stream determination on the project site in August 2020 to identify streams and waterbodies subject to Jordan Riparian Buffer Rules. The stream determination identified an intermittent stream segment on the west side of the project site and a perennial stream segment on the east side. At the time, a connecting wetland was identified between the stream segments, but no identifiable flow path was observed through the wetland. Per

the Town of Chapel Hill "Field Procedures for Classification of Streams," this connecting wetland is considered a "Natural Variant Stream" segment which shall be classified the same as the stream segment immediately upslope, which is intermittent. Consequently a 50-foot RCD buffer applies to both sides of the Natural Variant Stream segment. During a January 2021 site visit, Town Stormwater Staff observed that a flow path has formed along the Natural Variant Stream segment.

The applicant is proposing land disturbance and impervious surface in the RCD along this segment and will provide final encroachment calculations at the Final Plans stage.

The applicant is proposing to exceed the allowable Land Disturbance and Impervious Surface Areas in the RCD, including the wetland connecting the stream segments, for the uses described below:

		Allowable	Proposed	Land Uses
Upland Zone	Land Disturbance	40%	84.7% (22,992 sq. ft.)	Dumpster Pads, Nature Trail, Residential Dwelling, and associated Retaining Wall
	Impervious Area	20%	30.35% (6,743 sq. ft.)	
Managed Use	Land Disturbance	40%	39.5% (8,860 sq. ft.)	Grading for access route, storm pond
	Impervious Area	20%	0.4% (84 sq. ft.)	
Streamside	Land Disturbance	20%	26.2% (22,551 sq. ft.)	Greenway, playground
	Impervious Area	10%	9.7% (8,345 sq. ft.)	

Because the RCD covers almost 24 percent of the site and bisects the site completely, the applicant has located much of the proposed recreational space and other improvements in the RCD areas. The applicant is disturbing a portion of the Upland Zone to maximize protection of the wetland area to the west of the stream.

The applicant proposes the following land uses within the RCD that are permitted only upon Town Council approval

- Trails, greenways, open space, parks, and other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences, or walls
- Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the Resource Conservation District.
- Public utility and storm drainage facilities where there is a practical necessity to their location within the Resource Conservation District.
- Sidewalks
- Detention/retention basin and associated infrastructure

The applicant proposes 4,435 square feet of recreation space, including the greenway, an unpaved nature trail, and a playground within the RCD as permitted by the LUMO.

Staff Comment: Staff believes that the Council could find a public purpose for the increased land disturbance and impervious surface, as the land disturbance and

impervious surface is for the construction of stormwater control measures, parking spaces for the affordable housing units, and recreational amenities to meet Ordinance standards.

2) **Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. A majority of these disturbed slopes are associated with the manmade farm pond located in the center of the property. The pond has been drained. The total area of slopes exceeding 25 percent slope is 13,894 square feet and the applicant proposes to disturb 6,058 square feet or 43.6 percent of this area.

   Staff Comment: Staff believes the Council could find a public purpose for exceeding the steep slopes, as a majority of the disturbed slope is associated with the farm pond. The pond was drained to accommodate a site layout that yields the greatest number of affordable housing units.

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 and other considerations on timing and flexibility, please refer to the applicant's attached materials.

OTHER CONSIDERATIONS

- **Homestead Road Improvements Project:** The Town will construct improvements associated with the Town's multi-model transportation improvement project along the Homestead Road frontage of this site.

- **Easement for shared access with Bridgepoint at 2214 and 2312 Homestead Road**. The applicants for the 2200 Homestead and Bridgepoint developments continue to collaborate on an encroachment agreement to share access. The 2200 Homestead development driveway will connect to Street 'C' of the Bridgepoint development to the east and Bridgepoint will access Homestead Road through the 2200 Homestead development. These additional connections will provide a second point of access for each development, as required by Fire Codes. The details of this easement will be worked out in an agreement following approval of this conditional zoning.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the 2020 Comprehensive Plan[2], the standards of the Land Use Management Ordinance[3], and the Town

[2] http://www.townofchapelhill.org/home/showdocument?id=15001
[3] https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

of Chapel Hill, NC : Design Manual and Standard Details[4] and believes the Weaver's Grove proposal complies with several themes of the 2020 Comprehensive Plan:

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

Land Use Plan: The 2020 Land Use Plan[5], a component of the 2020 Comprehensive Plan, designates this site as a "Development Opportunity Area".

Future Land Use Map: The Future Land Use Map (FLUM) envisions the North Martin Luther King Jr. Blvd. Focus Area as a gateway to the town, with mixed use nodes, inviting streetscapes that blend the built environment with tree canopies, and improved east-west connectivity to link development to the future Bus Rapid Transit (BRT) corridor. The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located, including multifamily residential and townhouses.

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 proposed rezoning is also consistent in intensity with the Land Use Plan. The proposed Residential-Special Standards-Conditional Zoning District (R-SS-CZD) zoning is compatible with the other residential zoning districts adjacent to the site. Existing and planned housing that immediately surrounds the site exhibits a variety of densities, including townhomes and multifamily dwellings, that would be compatible in scale with the housing shown in the associated Conditional Zoning application.

- The Mobility and Connectivity Plan shows a multi-use side path and bike lane for the site's frontage on Homestead Road. The Mobility and Connectivity Plan also shows an off-road multiuse trail running north-south through the site near the western boundary. A more robust multimodal network in this area would support growth and development. Homestead Road facilities are included in the Town's multi-model transportation improvement project along Homestead Road that the Town expects to construct in the near future. Zoning conditions would be useful to ensure that the

[4] http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details
[5] http://www.townofchapelhill.org/home/showdocument?id=1215

off-road multiuse trail is provided, along with any contribution (easement, payment, or construction) deemed appropriate for the Homestead Road facilities.

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.

All information submitted at the public hearing will be included in the record of the hearing.

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: Staff finds that recent approval and construction of multiple residential communities along Homestead Road represents changing conditions that could support rezoning the site to a district compatible with its surroundings. Staff also notes that Council has identified a growing need for affordable housing in Chapel Hill based on changes in housing costs. In addition, ongoing development has resulted in limited land availability for new affordable housing.

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 because of changing conditions in the North Martin Luther King, Jr. Blvd. Future Focus Area.

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 application would contribute to the following elements of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)

- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)
- Maintain and improve air quality and water quality and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

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	2200 Homestead Road
Address	2200 Homestead Road
Property Size	570,066 sf (13.09 acres)
Existing	Existing one-story gymnasium building and Hope Gardens
Orange County Parcel Identifier Number	9870-91-2947
Existing Zoning	Residential-4-Conditional Zoning District (R-4-CZD)
Proposed Zoning	Residential-Special Standards-Conditional Zoning District (R-SS-CZD)

Site Design

Topic	Comment	Status
Use/Density (Sec 3.7)	115-126 units of townhouse, apartment, and duplex development	✓
Dimensional Standards (Sec. 3.8)	Comply with LUMO Section 3.8; Dimensional standards (setbacks) only apply to exterior property lines	✓
Floor area (Sec. 3.8)	*Maximum:* 580,127 sq. ft. *Proposed:* 181,575 sq. ft.	✓
Inclusionary Zoning (Sec. 3.10)	*Required:* 17-19 units (15%) *Proposed:* 115-126 units (100%)	✓
Landscape		
Buffer – North (Sec. 5.6.2)	*Required:* 10' Type "B", *Proposed:* 10' Type "B"	✓
Buffer – Northeast (Sec. 5.6.2)	*Required:* 10' Type "B", *Proposed:* 10' Type "B"	✓
Buffer – East (Sec. 5.6.2)	*Required:* 10' Type "B" *Proposed:* 15' Type "B" Alternative	**M**
Buffer – Southeast (Sec. 5.6.2)	*Required:* 10' Type "C" *Proposed: 0*-20' Type "C" Alternative	**M**
Buffer – South (Sec. 5.6.2)	*Required:* 10' Type "C" *Proposed:* 15' Type "C"	✓
Buffer - West (Sec. 5.6.2)	*Required:* 30' Type "B" *Proposed: 30'* Type "B" Alternative	**M**
Tree Canopy (Sec. 5.7)	*Required:* 30% *Proposed:* 30% with additional plantings	✓
Landscape Standards (Sec. 5.9.6)	Application must comply	✓

Environment		
Resource Conservation District (Sec. 3.6)	*Required:* maximum 40% land disturbance in Upland Zones *Proposed:* Exceeding 40% in the Upland Zone (84.7% proposed) and Streamside Zone (26.2%)	**M**
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:* 43.6% (6,058 sq. ft. total)	**M**
Stormwater Management (Sec. 5.4)	One wet detention pond designed to meet the standards of LUMO Section 5.4	✓
Land Disturbance	464,882 sq. ft. (10.67 acres)	✓
Impervious Surface (Sec. 3.8)	222,603 sq. ft. (39% of gross land area)	✓
Solid Waste & Recycling	Individual public refuse pickup	✓
Jordan Riparian Buffer (Sec. 5.18)	No disturbance proposed	✓
Access and Circulation		
Road Improvements (Sec. 5.8)	No road improvements proposed	**NA**
Vehicular Access (Sec. 5.8)	Primary access from Homestead Road; secondary access to Weaver Dairy Extension through the Bridgepoint Development directly to the west	✓
Bicycle Improvements (Sec. 5.8)	The Town's greenway will provide additional bicycle pathways and the applicant has proposed bicycle storage onsite.	✓
Pedestrian Improvements (Sec. 5.8)	Pedestrian links throughout the site will help connect this site with adjacent parcels, the Town's greenway trail system, and public street sidewalks and transit.	✓
Traffic Impact Analysis (Sec. 5.9)	TIA Executive Summary attached	✓
Transit (Sec. 5.8)	NA	**NA**
Bicycle Parking (Sec. 5.9)	*Required:* 32 spaces *Proposed:* 50 spaces	✓
Parking Lot Standards (Sec. 5.9)	Application must comply	✓
Technical		
Fire	Meet Town Standards	✓
Site Improvements	115-126 units of townhouse, apartment, and duplex development	✓
Recreation Area (Sec. 5.5)	*Required:* 28,503 sq. ft. with 25% payment-in-lieu *Proposed:* 29,400 sq. ft.	✓

Lighting Plan (Sec. 5.11)	Maximum of 0.3 foot-candles at property line	
Homeowners Association (Sec. 4.6)	Yes	
Adequate Public Schools (Sec. 5.16)	Application must comply	

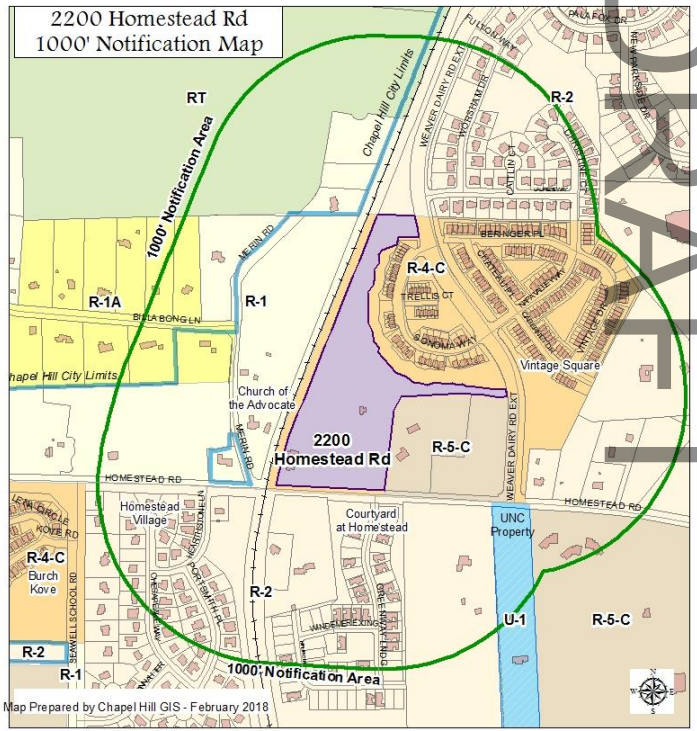
Project Summary Legend

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

2200 Homestead Road Conditional Rezoning

Town Council
Public Hearing

April 21, 2021



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2200 Homestead Rd – Recommendation

- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at planning@townofchapelhill.org
- Enact the ordinance on May 19, 2021

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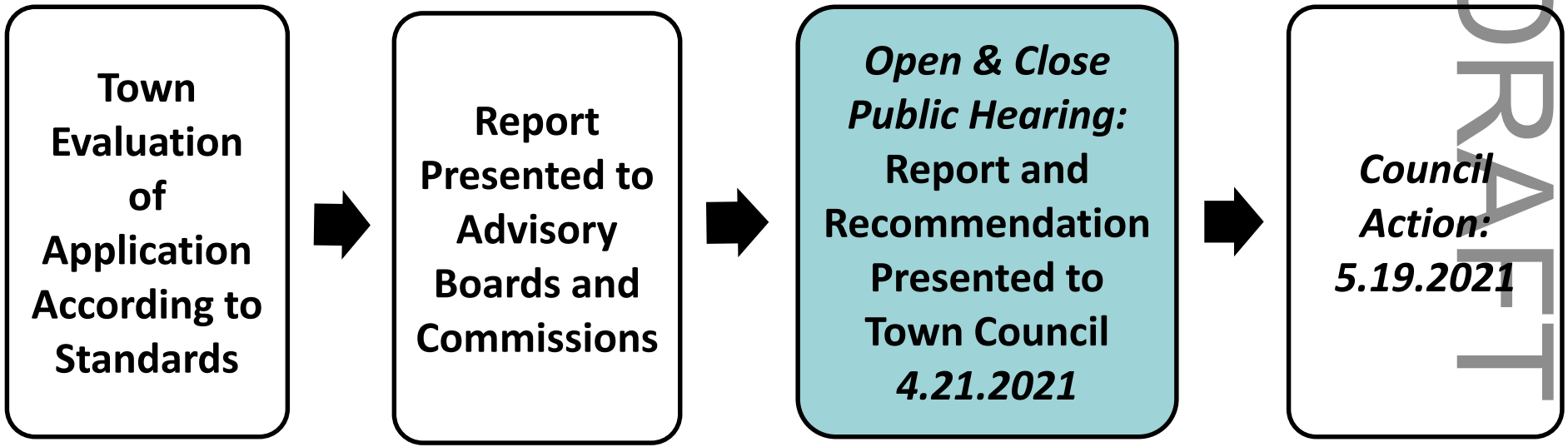
2200 Homestead Road– Process



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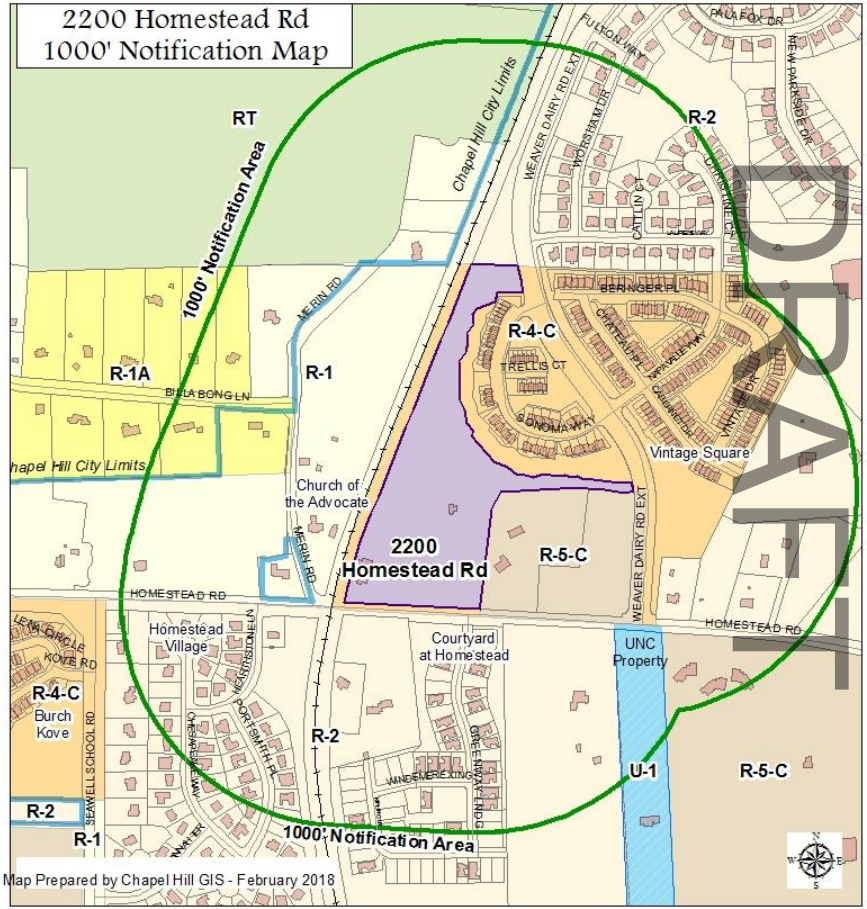
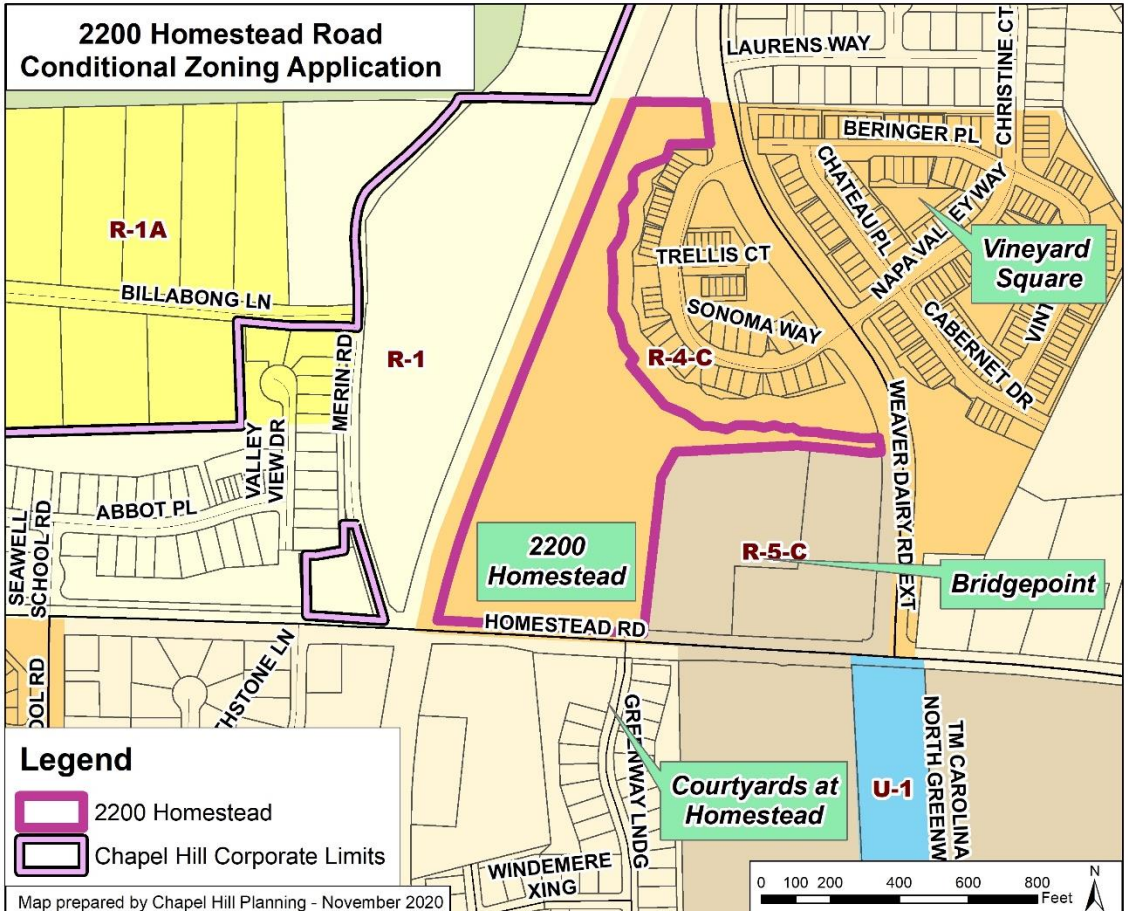
2200 Homestead Rd – Project Summary

- 13.09 acre site
- Conditional Zoning
  - Currently R-4-CZD
  - Proposing R-SS-CZD
- Demolish an existing gym building
- 115-126 affordable housing units (duplex, townhouse, and apartments



2200 Homestead Rd – Location



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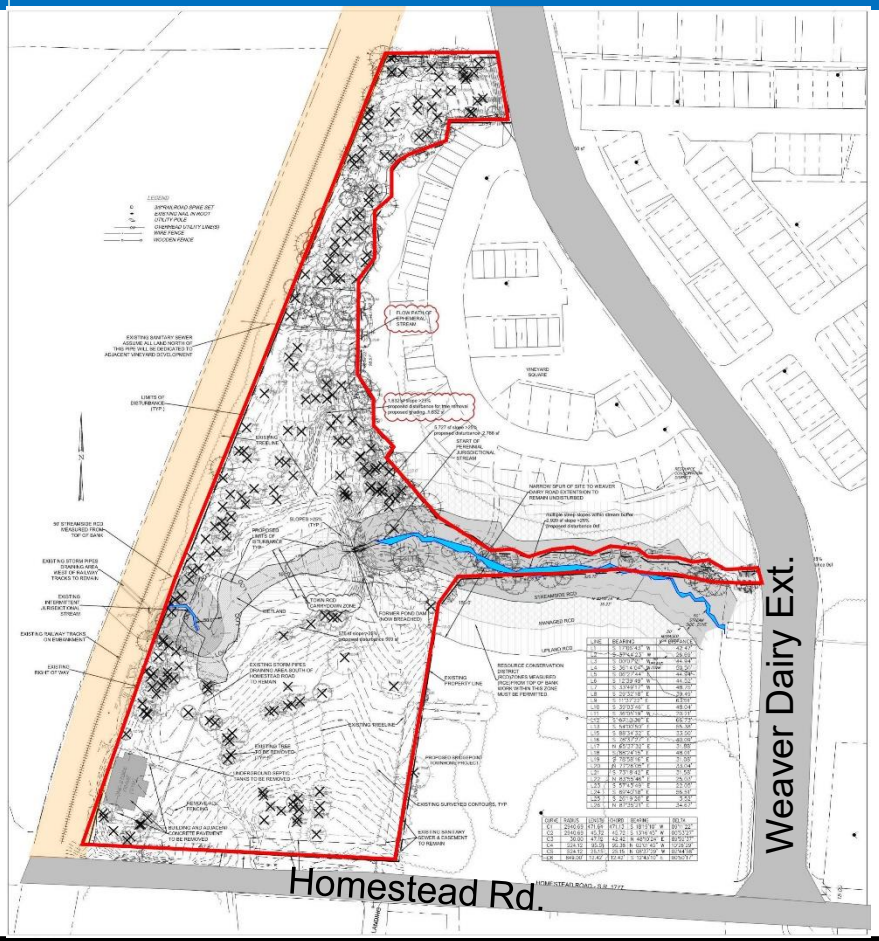
2200 Homestead Rd – Existing Conditions



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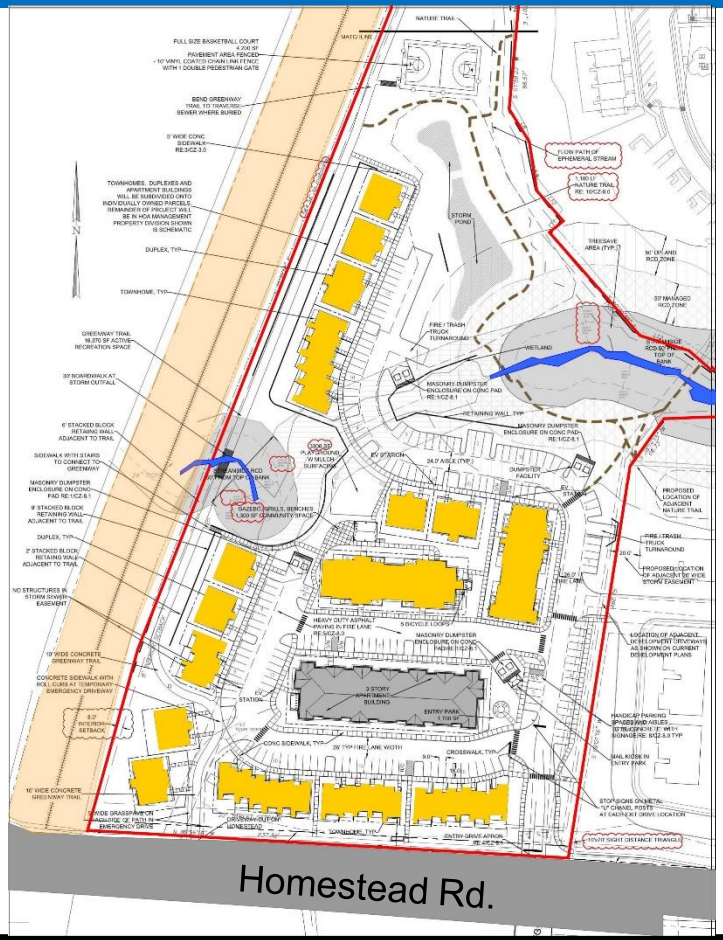
2200 Homestead Rd – Site Plan



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2200 Homestead Rd – Modifications to Regulations

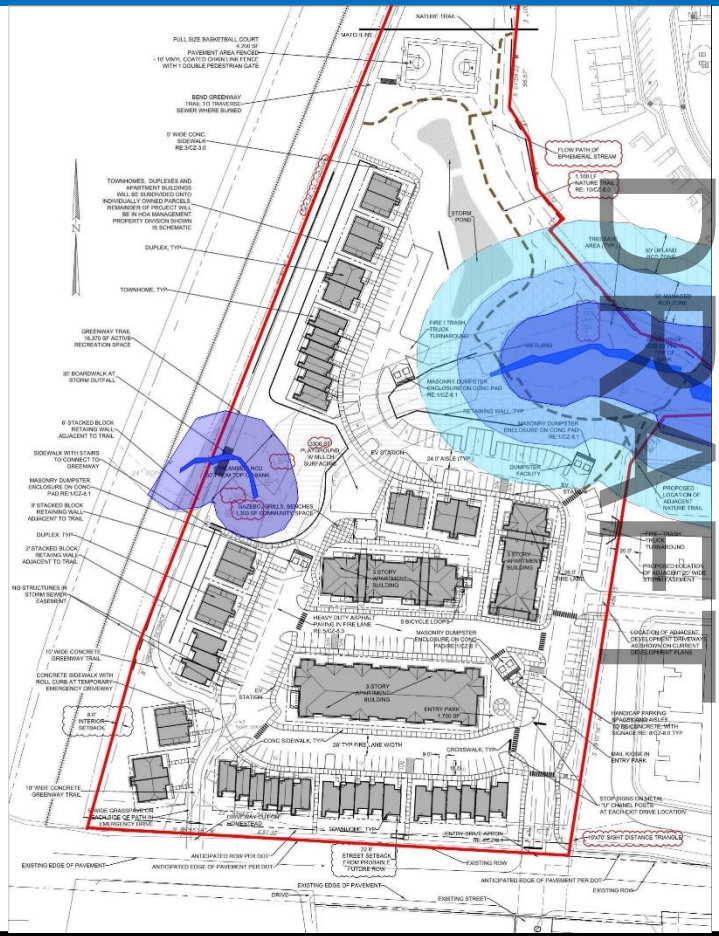
1. **Section 3.6.3 Land Disturbance in the Resource Conservation District**

- Disturbing upland zone to minimize wetland area
- “Carry Down Rule” requires applicant to connect the stream segments within the wetland area and apply 50 ft. RCD buffer.
- Proposed land disturbance within this segment
- Applicant will provide final encroachment calculations at Final Plans Stage

2200 Homestead Rd – Modifications to Regulations

1. **Section 3.6.3 Land Disturbance in the Resource Conservation District**

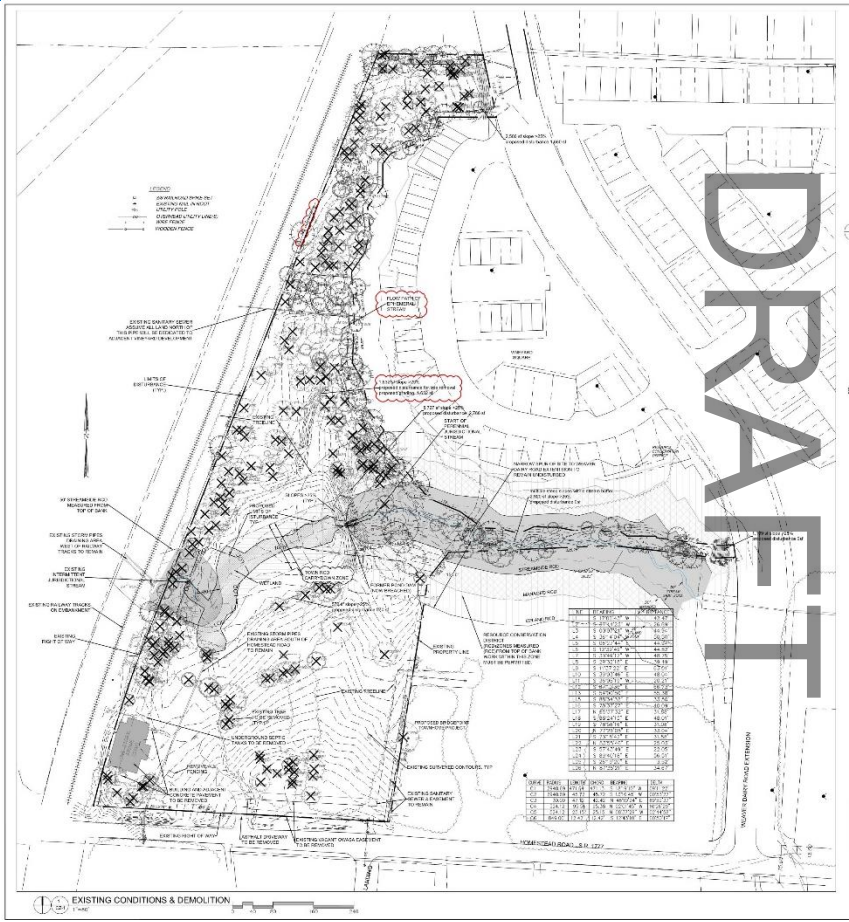
- Upland Zone limited to 40%
- Streamside Zone limited to 20%
- Proposing 84.7% Upland Zone
- Proposing 26.2% Streamside Zone
- Disturbing upland zone to minimize wetland area



2200 Homestead Rd – Modifications to Regulations

2. Section 5.3.2 Steep Slopes

- Proposing to exceed 25% of area containing 25% or greater slopes.
- Total disturbed natural slopes 25% or greater is 13,894 sq. ft.
- Applicant proposing to disturb 6,058 sq. ft. or 43.6%



2200 Homestead Rd – Advisory Boards

Advisory Boards/Commissions	Meeting Date	Conditions
Planning Commission	April 6	No comments
Housing Advisory Board (HAB)	April 8	No Comments
Community Design Commission (CDC)	March 23	• Community Design Guidelines • CDC approval of plans

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2200 Homestead Rd – Advisory Boards

Advisory Boards/Commissions	Meeting Date	Conditions
Transportation & Connectivity Advisory Board (TCAB)	March 23	• Coordination on bus stops • Forecasted future demand and capacity of HS-bus route • Connectivity between 2200 Homestead and Hope Gardens
Housing Advisory Board (HAB)	April 8	• Permeable surfaces for trails and parking lots • Solar panels • Native plantings, especially in wetland areas

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2200 Homestead Rd – Recommendation

- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at planning@townofchapelhill.org
- Enact the ordinance on May 19, 2021

DRAFT

RESOLUTION A
Resolution of Consistency

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS–CONDITIONAL ZONING DISTRICT (R-SS-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-X-X/R-X)

WHEREAS, Coulter Jewel Thames, PA has filed an application for Conditional Zoning Atlas Amendment to rezone a 13.1-acre parcel located at 2200 Homestead Road and identified as Orange County Parcel Identifier Numbers 9870-91-2947 to Residential–Special Standards–Conditional Zoning (R-SS-CZD) to allow a multi-family dwelling unit community; 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 6, 2021 and recommended that the Council enact the Conditional 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 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:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

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 ___ day of _____, 2021.

ORDINANCE A
(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS–CONDITIONAL ZONING DISTRICT (R-SS-CZD) (PROJECT #20-081) (2021-X-X/O-X)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by CJT, PA, on behalf of owner Town of Chapel Hill to rezone a 13.1-acre parcel located at 2200 Homestead Road and identified as Orange County Parcel Identifier Number 9870-91-2947 to Residential–Special Standards–Conditional Zoning District (R-SS-CZD) to allow a multi-family dwelling unit community 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:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
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- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without

encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

WHEREAS, the application, if rezoned to Residential–Special Standards–Conditional Zoning District (R-SS-CZD) according to the district-specific plan last revised dated March 4, 2021, would address the impacts reasonably expected to be generated by the development or use of the site 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:

1. **Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):**
   a. The developer is proposing the following approximated percentage land disturbance and impervious surface areas within the RCD, and the developer shall provide final RCD encroachment calculations for land disturbance and Final Plan stage.

		Proposed	Land Uses
Upland Zone	Land Disturbance	84.7% (22,992 sq. ft.)	Dumpster Pads, Nature Trail, Residential Dwelling, and associated Retaining Wall
	Impervious Area	30.35% (6,743 sq. ft.)	
Managed Use	Land Disturbance	39.5% (8,860 sq. ft.)	Grading for access route, storm pond
	Impervious Area	0.4% (84 sq. ft.)	
Streamside	Land Disturbance	26.2% (22,551 sq. ft.)	Greenway, playground
	Impervious Area	9.7% (8,345 sq. ft.)	

b. The following land uses are permitted within the RCD:
   i. Trails, greenways, open space, parks, and other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences, or walls
   ii. Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the Resource Conservation District.
   iii. Public utility and storm drainage facilities where there is a practical necessity to their location within the Resource Conservation District.
   iv. Sidewalks
   v. Detention/retention basin and associated infrastructure

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the land disturbance and impervious surface is for the construction of stormwater control measures, parking spaces for the affordable housing units, and recreational amenities to meet Ordinance standards.

2. **Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. A majority of these disturbed slopes are associated with the manmade farm pond located in the center of the property. The pond has been drained. The total area of slopes exceeding 25 percent slope is 13,894 square feet and the applicant proposes to disturb 6,058 square feet or 43.6 percent of this area.

   This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because as a majority of the disturbed slope is associated with the farm pond. The pond was drained in order to provide additional space for affordable housing units.

CONDITIONAL ZONING DISTRICT

BE IT ORDAINED by the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Residential–Special Standards–Conditional Zoning District (R-SS-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 Numbers (PIN) 9870-91-2947, described below, shall be rezoned to Residential–Special Standards–Conditional Zoning District (R-SS-CZD):

Commencing at N.C.G.S. Monument "Well" having grid coordinates N = 805, 798.62, E = 1,982,656.94 (NAD 1927) C.F. 0.99991070; thence from said point of commencement South 35 degrees 57' 33" West 3930.51 feet; thence North 89 degrees 15' 46"West 1037.54 feet to the **POINT OF BEGINNING**; thence from said beginning point South 12 degrees 18' 01" East 113.20 feet; thence along the curve of an arc to the left having a radius of 849.00 (chord bearing and length South 12 degrees 43' 10" East 12.42 feet) and an arc length of 12.42 feet to an existing iron pipe; thence South 89 degrees 59' 14" West 115.47 feet; thence South 17 degrees 06' 43" West 42.47 feet; thence South 69 degrees 00' 45" West 86.59 feet; thence South 37 degrees 44' 23" West 26.69 feet; thence South 00 degrees 07' 21" West 44.94 feet; thence South 36 degrees 14' 04" West 50.50 feet; thence South 06 degrees 27' 44" East 44.94 feet; thence South 12 degrees 39' 49" West 44.52 feet; thence South 33 degrees 49' 17" West 48.75 feet; thence South 03 degrees 51' 01" East 80.94 feet; thence South 01 degrees 59' 22" West 98.57 feet; thence South 29 degrees 32' 18" East 39.49 feet; thence South 11 degrees 37' 22" East 63.01 feet; thence South 39 degrees 03' 46" East 48.04 feet; thence South 36 degrees 05'19" West 20.21 feet; thence South 40 degrees 20' 39" East 155.40 feet; thence South 67 degrees 10' 30"East 66.73 feet; thence South 54 degrees 00' 50" East 55.38; thence South 88 degrees 34' 32" East 33.50 feet; thence South 75 degrees 37' 27" East 40.09 feet; thence North 65 degrees 37' 32" East 31.88 feet; thence South 88 degrees 24' 15" East 48.01 feet; thence South 78 degrees 58' 16" East 31.08 feet; thence North 77 degrees 26' 05" East 33.04 feet; thence South 73 degrees 18' 42" East 31.58 feet; thence North 83 degrees 55' 46" East 25.03 feet; thence South 57 degrees 43' 49" East 22.05 feet; South 89 degrees 40' 18" East 56.51; thence South 26 degrees 19' 20" East 3.52 feet; thence South 82 degrees 44' 39" East 118.74 feet; thence North 87 degrees 35' 21" East 34.67 feet; thence following the curve of an arc to the right having a radius of 524.12 feet (chord bearing and distance North 08 degrees 37' 29" West 25.15 feet) and an arc length of 25.15 feet; thence along the northern line of property owned by Aldon Management Group the courses and distances:

> South 87 degrees 35' 21" West 39.61 feet; thence North 82 degrees 14' 57" West 87.95 feet; thence North 84 degrees 03' 03" West 79.53 feet; thence North 82 degrees 38' 28" West 36.23 feet; thence South 87 degrees 36' 57" West 325.75 feet to a point;

thence along the western line of said Aldon Management Group Property South 38 degrees 19' IS" West 66.73 feet to an existing iron pipe set in concrete; thence South 09 degrees 01' 16" West 486.75 feet to a point in the northern right of way of Homestead Road (variable width right of way); thence along and with the northern right of way of Homestead Road North 86 degrees 55' 18" West 637.32 feet to a point in the centerline of a Southern Railway 100' right of way; thence along the centerline of said Southern railway right of way following the curve of an arc to the right having a radius of 2940.69 feet (chord bearing and distance North 18 degrees 19' 10" East 471. 13 feet) and an arc length of 471.64 feet; thence continuing along the centerline of said Southern Railway right of way North 21 degrees 38' 16" East 1117.54 feet to a point; thence leaving the centerline of the Southern Railway right of way South 89 degrees 15' 46" last 53.35 feet to a point; thence along the southern line of property owned by the Town of Chapel Hill South 89 degrees 15' 46" East

208.41 feet to the POINT AND PLACE OF BEGINNING; and being identified as Tract 2, containing 14.251 acres, more or less, as shown on a plat entitled "Division Survey with Right-of-Way and Pedestrian Easement Dedication, Property of Centex Homes," prepared by Riley Surveying, P.A., dated August 06, 2002 (revised December, 2002) and recorded in Plat Book 91, Page 121, Orange County Registry, to which plat reference is hereby made for a more particular description of same plus one-half of the abutting Homestead Road and Weaver Dairy Road Extension rights-of-way.

SECTION II

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

1. Expiration of Conditional Zoning Atlas Amendment: An application for Zoning Compliance Permit must be filed by _____ (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]

2. Consent to Conditions: This approval is not effective until the property owner provides written consent to the approval. Written consent must be provided within ten (10) days of enactment by the Town Council.

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

Land Use Intensity Multi-Family/Townhouse Development	
Gross Land Area	570,066 sf
Maximum Floor Area	181,575 sf
Maximum Dwelling Units	126
Minimum Affordable Units	100%
Total Impervious Surface	222,603 sf
Maximum Land Disturbance	470,000 sf
Minimum Tree Canopy Coverage	135,660 sf (30%)
Minimum Recreation Area	29,570 sf
Resource Conservation District Upland Zone land disturbance	22,992 sf (84.7%)*
Resource Conservation District Managed Use Zone land disturbance	8,860 sf (39.5%)*
Resource Conservation District Streamside Zone land disturbance	22,551 sf (26.2%)*

*The areas shown above are approximate. The developer shall provide final RCD encroachment calculations at the Final Plans stage.

4. Bicycle Facility: Prior to issuance of a Zoning Compliance Permit, the developer shall consider providing a bicycle fix-it station. The developer shall include the dimensions and design details of the bicycle fix-it station on the site details sheets.

5. Greenway Easement: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing a dedicated easement for the ten (10) foot wide greenway trail. Final design and construction details must be approved by the Town Manager.

6. Pedestrian Improvements: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing installation of ADA ramps at all internal crosswalk

markings. Final design and construction details must be approved by the Town Manager.

7. Homestead Road Improvements: Prior to issuance of Final Zoning Inspection, the developer must submit plans showing the improvements and dedicated right-of-way along the site frontage in relation to the Town's multi-model transportation improvement project, the Homestead Road Improvements project, to ensure no conflicts. Final design and construction details must be approved by the Town Manager and N.C. Department of Transportation as approved by a phasing plans.

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

Location	**Required Buffer**
North	10' Type "B"
Northeast	10' Type "B"
East	10' Type "B"
Southeast	0' – 20' Type "C" Modified
South	15' Type "C" Modified
West	30' Type "B"

9. Geotechnical Engineer Certification: As part of all building permit applications, the project geotechnical engineer will include a statement addressing the pre-development perched water table(s), that it/they has/have been properly removed in the area of development, that the permanent water table is at a depth in the ground that will not cause problems for the proposed dwellings/buildings and that this property is now suitable for construction of dwellings/buildings. The developer shall amend the plans, as necessary, to come into compliance.

10. Ephemeral Stream: The developer shall show the surveyed location of the ephemeral stream as identified by the 2016 Stream Determination as part of the Final Plans for Zoning Compliance Permit. Land disturbance within the stream channel of any ephemeral stream shall be minimized, and prohibited unless explicitly authorized by issuance of a zoning compliance permit after demonstration of the necessity for the disturbance.

11. Natural Variant Stream: Prior to application for Zoning Compliance Permit, the developer shall survey the location of the Natural Variant Stream channel top of bank. The developer shall request verification from Town Stormwater Staff if the location of the top of bank is unclear at that time. The developer shall show the location of the Natural Variant Stream channel top of bank and associated Resource Conservation District (RCD) along that segment on the Final Plans submitted for the Zoning Compliance Permit. The developer shall identify proposed land uses and quantify land disturbance and impervious area located in the RCD on the Final Plans.

12. Land Disturbance in the Resource Conservation District (RCD): The developer will provide final encroachment calculations for the land disturbance in the RCD at the Final Plans stage. Land disturbance shall not exceed 20% of the amount shown in this ordinance.

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

14. Recreation Area: Prior to issuance of a Zoning Compliance Permit, 29,570 square feet of active space, which includes the greenway trail, playground, and basketball court shall be shown on the plans. The developer has also provided 29,400 square feet of other recreation space including a community garden, nature trail, entry park, as well as a common space with a shelter, seating, and grills. Though only 1,000 linear feet within the project site, the nature trail connects off-site trails to the proposed greenway, thereby becoming a trial much longer than 3,000 linear feet. The Town Council may allow up to thirty (30) percent of the recreation space to consist of passive recreation elements if those elements are located adjacent to and support the more active recreation elements. For example, some picnic facilities, seating, and lawn games could be counted if they are adjacent to a children's play area and support the mission of the play area.

15. Design Guidelines: The developer shall develop a set of design guidelines for the development that includes options for fencing along Homestead Road.

16. Community Design Commission Review of Duplex and Townhouses: The proposed duplex and townhouse developments do not require Community Design Commission review of building elevations and lighting.

17. Community Design Commission Review of Multi-family Dwelling Units: The Community Design Commission shall review the building elevations of multi-family dwelling units, 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]

18. Bus Stop: The developer shall coordinate with Chapel Hill Transit and the North Carolina Department of Transportation (NCDOT) on the placement of the bus stop on the north side of Homestead Road.

19. Connections to Hope Gardens: The developer shall ensure pedestrian connectivity between the development at 2200 Homestead and Hope Gardens, following the relocation of the community garden to the northwest corner of the site.

20. Single-Family Zoning Compliance Permit: Prior to construction of each single-family/two-family structure, a Single-Family/Two-Family Zoning Compliance Permit shall be obtained for each newly created lot.

21. Hope Gardens subdivision: An administrative minor subdivision application shall be reviewed and approved by the Town Manager to create a separate lot for the Hope Garden site. The subdivision plat shall be recorded prior to zoning final inspection.

22. Subdivision of Property: The townhome portion of the development, if proposed to be subdivided, must be subdivided in accordance with the Town's townhouse development provisions. Private parking, private drive aisles, open space, landscape bufferyards, and stormwater infrastructure shall all be common land area that is owned and maintained by a Homeowner's Association or in easements controlled by the HOA.

23. North Carolina Department of Transportation (NC DOT) Approvals: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans to NCDOT for any improvements to State-maintained roads or in associated rights-of-way and plans shall be approved by NCDOT prior to zoning final inspection.

Fire

24. Fire Access to Homestead Road: The developer shall have a signed encroachment agreement with the Town prior to issuance of a Zoning Compliance Permit for the construction of a driveway and utility connection to Bridgepoint at Public Street 'C' or a secondary fire access shall be provided.

25. Homestead Road Entrance: The developer shall improve the Homestead Road entrance with a westbound right lane and eastbound left turn lanes on Homestead Road should the turn lanes not be constructed as part of adjacent development.

26. Private Fire Service Mains (Fire Sprinkler Laterals): The developer shall install private fire service mains and appurtenances in accordance with NFPA 24. 2018 NCFC Section 507.

27. Fire Sprinklers: Any buildings on site required to comply with Fire Code and/or Town Code Sec. 7-56, as applicable, shall have a sprinkler system.

28. 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.

29. Water Supply for Fire Protection: When required, an approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site.

30. Address Identification: New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Affordable Housing

31. Affordable Housing Plan/Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, the developer must submit an Affordable Housing Plan to be incorporated into an Affordable Housing Performance Agreement to be executed by the developer, the Town Manager (or designee), and the non-profit agency that will administer the affordable dwelling units that will contain the following information:

    General information about the nature and scope of the covered development, including:
    a. 100% of all units
    b. The Plan will include information on:
        i. The total number of Affordable Dwelling Units in the development.

ii. The number of bedrooms and bathrooms in each Affordable Dwelling Unit.
iii. The approximate square footage of each Affordable Dwelling Unit.
iv. The pricing for each Affordable Dwelling Unit. The pricing of each unit or lot shall be determined prior to issuing a Zoning Compliance Permit. At the time of sale, this price may be adjusted if there has been a change in the median income or a change in the formulas used in this ordinance.
v. Documentation and plans regarding the exterior appearance, materials and finishes of the development for each of the Affordable Dwelling Units.

c. Any and all other information that the Town Manager may require that is needed to demonstrate compliance with the Council's Affordable Housing Policies.

The Affordable Housing Plan and Affordable Housing Performance Agreement shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

32. Housing Plan: The developer shall provide the following:
    a. 100 percent of all units (Up to 126 proposed)
    b. The affordable duplex and townhouse units to be placed within an organization ensuring their continued affordability for at least ninety-nine years.
    c. The affordable multi-family units to be placed within an organization ensuring their continued affordability for at least thirty years.

Energy Efficiency:

33. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 Zoning Compliance 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. The developer shall demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]

34. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 than the latest version of ASHRAE 90.1 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]

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS

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

Access

35. 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

36. 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 and located in well-lit and visible areas. 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 5.9.7 and Town of Chapel Hill Design Manual]

37. 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 and Town of Chapel Hill Design Manual]

38. 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]

39. Lighting: Prior to zoning final inspection, 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).

40. 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.

41. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic and conform to the standards of the Manual on Uniform Traffic Controls Devises (MUTCD). Pavement markings shall be installed if they previously existed on the roadways. [Town of Chapel Hill Design Manual]

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

43. 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 of Chapel Hill Design Manual]

44. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.

45. 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]

46. 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]

47. 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 and include appropriate accommodations for bicycles and pedestrians. 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

48. 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]

49. 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]

50. 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, tree protection fencing details, and location of tree protection fencing. [LUMO 5.7.3]

51. 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]

52. 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 4.4]

53. 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]

54. 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.

55. 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).

56. 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]

Environment

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

58. Phasing Plan: If phasing of the project is proposed, then the applicant 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 4.4]

59. 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]

60. 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]

61. 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]

62. 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]

63. 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]

64. 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]

65. 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]

66. 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]

67. 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 related stormwater 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 stormwater control measures and conveyance to determine that they are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control measures(s) and conveyances are performing as required by this Ordinance, and after any repairs to the storm water infrastructures are made by the owner, shall release the remaining maintenance bond.

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the stormwater infrastructure as required by the Town's Land Use Management Ordinance.

68. Sediment Control: Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance. [Town Code 5-98]

69. 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]

70. 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]

71. 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]

72. 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]

Water, Sewer, and Other Utilities

73. 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 5.12]

74. 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]

75. 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]

76. 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]

77. 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.

Homeowner Association

78. Homeowners' Association: A Homeowners' Association shall be created that has the capacity to place a lien on the property of a member who does not pay the annual charges for maintenance of all common areas, however designated. The Homeowners' Association documents shall be approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and shall be cross-referenced on the final plat. The Homeowners' Association documents shall comply with Section 4.6.7 of the Land Use Management Ordinance. That the Homeowners' Association covenants shall not exclude home occupation businesses as regulated by the Town of Chapel Hill.

79. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open space, recreation areas, paths, and shared stormwater management facilities.

80. Dedication and Maintenance of Common Area to Homeowners' Association: The applicant shall provide for Town Manager review and approval, a deed conveying to the Homeowners' Association all common areas, however designated, including the recreation space, open space and common areas, the bufferyards, and stormwater management facilities. The Homeowners' Association shall be responsible for the maintenance of the proposed internal subdivision roads until the NCDOT or the Town assumes ownership of the internal streets. These documents shall be reviewed and approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and cross-referenced on the final plat.

81. Solar Collection Devices: The Homeowners' Association, or similar entity, shall not include covenants or other conditions of sale that restrict or prohibit the use, installation, or maintenance of solar collection devices, including clotheslines.

Fire Safety

82. 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]

83. 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]

84. 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]

85. 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.

86. 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]

87. 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.

88. 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]

89. 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]

90. 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.

91. 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]

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

93. 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]

94. 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]

95. 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]

96. 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]

97. 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]

98. 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]

99. 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.

100. 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.

101. 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]

102. 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.

103. 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 of Chapel Hill Design Manual]

104. 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]

105. 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

106. 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]

107. 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]

108. 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

109. 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.

Miscellaneous

110. 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]

111. 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 of Chapel Hill Design Manual]

112. 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. 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]

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

114. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited without a permit from the Town's Fire Marshal. [Town Code 7-7]

115. 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 4.4]

116. 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.

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

118. 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.

119. 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 of Chapel Hill Design Manual]

120. 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.

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

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

123. Non-Comprehensive: The listing of these standard stipulations and the specific stipulations applicable to this Permit, are not intended to be comprehensive and do 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 2200 Homestead Development.

This the _____ day of _____, 2021.

RESOLUTION B
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS–CONDITIONAL ZONING DISTRICT (R-SS-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (PROJECT #20-081)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Coulter Jewel Thames, PA, on behalf of owner Town of Chapel Hill, to rezone 2200 Homestead Road and identified as Orange County Parcel Identifier Number 9870-91-2947, if rezoned to Residential–Special Standards–Conditional Zoning District (R-SS-CZD) according to the rezoning plan dated February 5, 2021, 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 rezone the property located at 2200 Homestead Road to Residential–Special Standards–Conditional Zoning District (R-SS-CZD).

This the ___ day of _____, 2021.

ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.

RECOMMENDATION FOR CONDITIONAL ZONING LOCATED AT 2200 HOMESTEAD ROAD

March 18, 2021

Recommendation to Council: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Noel Myers moved and Julie McClintock seconded a motion to recommend that the Council approve the conditional zoning for 115-129 affordable housing units located at 2200 Homestead Road, with the following special considerations.

Vote: 10-0

Aye: Chair Maripat Metcalf, Vice-Chair Adrienne Tucker, Grace Elliott, Julie Gras-Najjar, E. Thomas Henkel, Julie McClintock, Marirosa Molina, Noel Myers, Bruce Sinclair, and Lucy Vanderkamp

Nays:

Special Considerations:

- Use permeable surfaces for trails and parking lots
- Add solar photovoltaic systems to reduce operating costs for occupants and to help achieve the AIA 2030 standards
- Given RCD disturbance, special attention should be paid to native plantings and a wetland area with native plants

Prepared by: Maripat Metcalf, Chair, Environmental Stewardship Advisory Board
John Richardson, Community Resilience Officer, Staff Liaison to ESAB

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity

RECOMMENDATION
2200 Homestead Mixed-Income Development
(Project #20-081)
March 23, 2021

Recommendation: Approved ☐ **Approval with Conditions** ■ **Denied** ☐

Motion: Brian Hageman moved, and Rudy Juliano seconded, to recommend approval of the conditional zoning permit with the following conditions:

a) Developer coordinate with Chapel Hill Transit on placement of bus stop(s), ensuring safe and convenient access to bus stops on both sides of Homestead Road, and forecast future demand and capacity of the HS-Route to handle frequency and service hours.
b) Developer ensure retention of connectivity between 2200 Homestead and the newly relocated Hope Gardens.

Vote: 8-0

Ayes: Heather Brutz (Chair), Susanne Kjemtrup-Lovelace (Vice-Chair), Eric Allman, Brian Hageman, Nikki Abija, Denise Matthews and Katie Huge, and Rudy Juliano

Nays:

Prepared by: Heather Brutz, Chair, Transportation and Connectivity Advisory Board
Jomar Pastorelle, Transportation Planner I

COMMUNITY DESIGN COMMISSION

The charge of the Community Design Commission is to assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR CONDITIONAL ZONING PERMIT AT 2200 HOMESTEAD ROAD

March 23, 2021

Recommendation: **Approval** ☐ **Approval with Conditions** ☑ **Denial** ☐

Motion: Chris Berndt moved and Susan Lyons seconded a motion to recommend approval of the project presented by the applicant, with the following conditions:

1. The applicant develop a set of design guidelines that would include options for fencing along Homestead Road.
2. That Council add 'and approve' to the standard stipulations regarding CDC review of building elevations and site lighting plans.

Vote: 6-0

Yeas: Christine Berndt
Susana Dancy
Susan Lyons
Ted Hoskins
Megan Patnaik
John Weis

Nays: none

Prepared by: Adam Nicholson, Senior Planner

PLANNING COMMISSION

The charge of the Planning Commission is to assist the Council in achieving the Town's Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.

RECOMMENDATION FOR CONDITIONAL ZONING APPLICATION FOR 2200 HOMESTEAD ROAD

April 6, 2021

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Neal Bench moved and John Reess seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency).

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, Stephen Whitlow

Nays:

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Jamex Baxter moved and Elizabeth Losos seconded a motion to recommend that the Council approve the Conditional Rezoning, as proposed.

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, Stephen Whitlow

Nays:

Special Considerations:

- That the Council consider prioritizing the extension of the greenway to make a longer and more connected path.

Prepared by: Anya Grahn, Senior Planner

HOUSING ADVISORY BOARD
April 8, 2021

The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION
2200 HOMESTEAD RD CONDITIONAL ZONING APPLICATION

Recommendation: Approval ■ Approval with Conditions □ Denial □

Motion: A motion was made by Dawna Jones, seconded by Anne Hoole, that the 2200 Homestead Road Conditional Zoning Application be recommended for approval by the Town Council. The motion carried by a unanimous vote.

Vote: 6-0

Ayes: Sue Hunter (Chair), Dawna Jones, Mark Shelburne, Anne Hoole, Laura Cowan, Letitia Davison

Nays:

Recused: Mary Jean Seyda

Prepared by: Sue Hunter, Housing Advisory Board Chair
Nate Broman-Fulks, Staff

Anya Grahn

From: Brian Peterson
Sent: Thursday, February 4, 2021 11:46 AM
To: Anya Grahn
Cc: Colleen Willger; Judy Johnson
Subject: 2200 Homestead Housing-Design Review
Attachments: 2200 Homestead_BP design comments 02-02-21.pdf

Hi Anya,

Attached are sketches I discussed while meeting with the design team this week for the 2200 Homestead project.

Their latest site plan had several positive changes:

1. More and improved access points between the greenway trail running along the west side of the site, and other sidewalks and pedestrian areas within the development
2. Inclusion of a small entry plaza with seating area near the entrance drive adjacent to mail center
3. More bumpouts for trees in the parking areas
4. Larger play area
5. Inclusion of a shelter (accommodates 4 picnic tables) plus fire pit and seating area
6. Greenways modified to integrate with future Bridgepoint greenway tie-ins

I had several suggestions and did some sketches, I've attached them, 1-3 below correspond with the pages in the attachment:

1. Pedestrian connections: suggested adding a few sidewalk and crosswalk connections (shown red on sketch) I thought having a sidewalk on the east side of the entrance drive provided a better pedestrian character and could link up to the future greenway trail on the Bridgepoint property and offer another way to walk through the sites. I also thought it worth exploring another east/west sidewalk connection to Bridgepoint near the entrance drive. We'll have to check with Eric and Cameron to see if this is something they would desire as well.
2. Townhouses along Homestead: they have a similar issue as Bridgepoint did-having the rear of townhouses along Homestead. Suggested they rotate the two units near the ends to face the mews in between (the footprint of those two units is a square so rotating does not change the spacing or yield along the entire row). This allows the units to present a long "front" elevation to either the parking side or along Homestead. It offers the potential for a better quality building façade given proper architectural articulation and allows more daylight inside for 4 additional units than before
3. Reorganize the central park space: suggested swapping the duplex and play area to create a larger integrated area combining the playground and the shelter/family gathering plaza. Also suggested providing a second smaller entry plaza to the east, near the front of the apartment building and linking the two plaza spaces with a tree-lined walkway with benches.

These suggestions were well-received and the team will look into implementing them. The rotating of the units would need some study by the architect and input from the housing partners. Some of these changes likely would not be picked up on the latest submittal but could be included in the next one.

Let me know if you have any thoughts or questions.

Brian

Brian Peterson, AIA
Urban Designer
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705
Phone: (919) 969-5003

Future greenway & connections

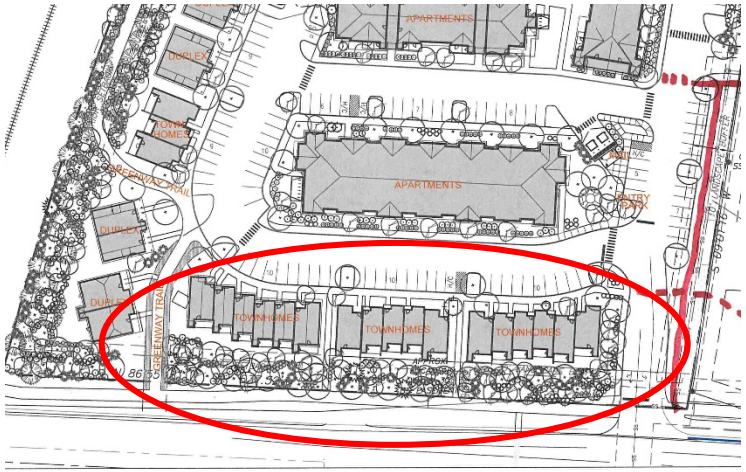
Provide crosswalks and connect to Bridgepoint sidewalks

Provide sidewalk along entry street

Provide crosswalk and sidewalk tie-in to Bridgepoint

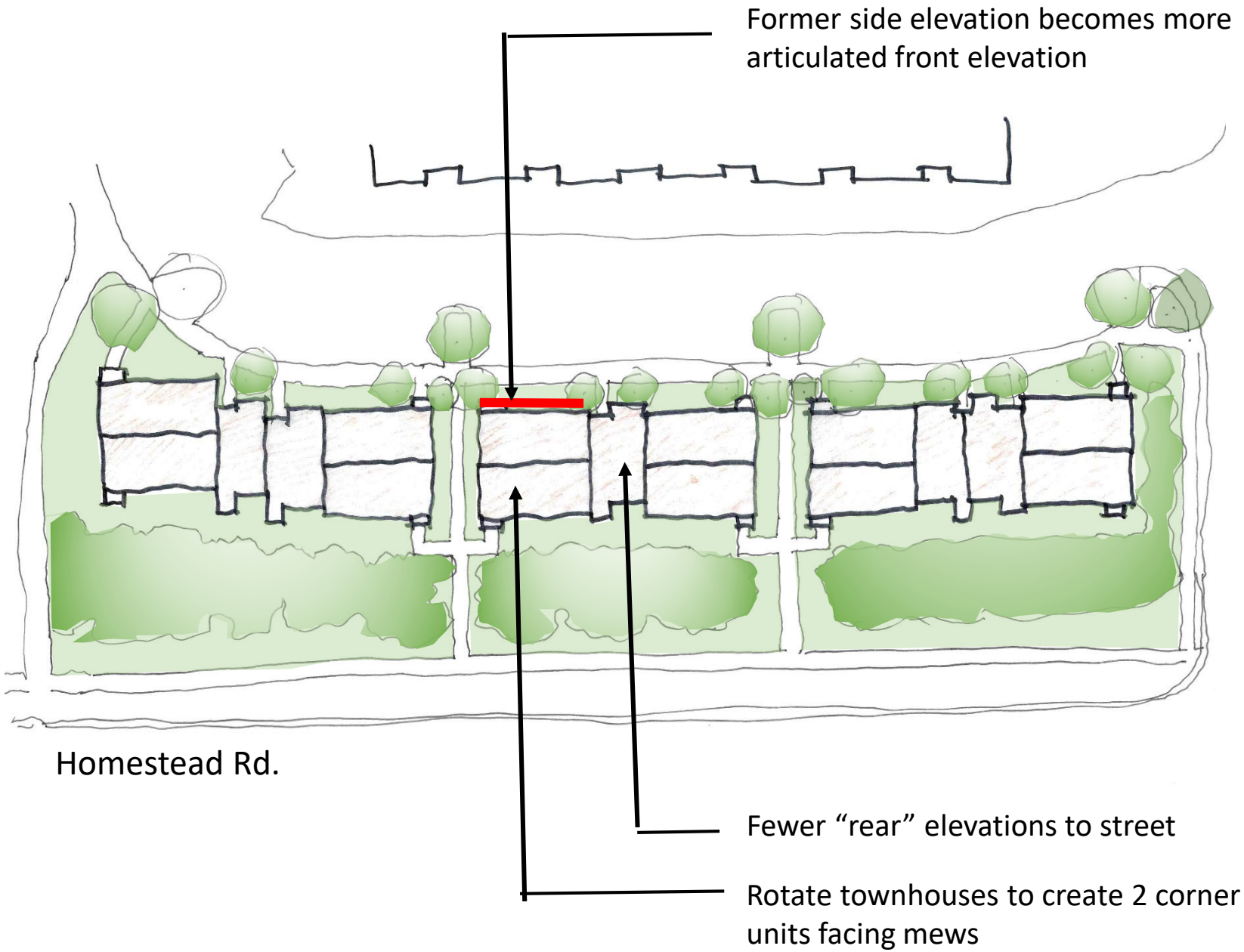
Design Review Comments
2200 Homestead

Brian Peterson 02-02-21



Design Review Comments
2200 Homestead

Brian Peterson 02-02-21



Design Review Comments
2200 Homestead

Brian Peterson 02-02-21

CONDITIONAL ZONING APPLICATION

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
(919) 968-2728 *fax* (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9870-91-2947 Date: REV 4 Mar 2021

Section A: Project Information

Project Name: 2200 Homestead Road

Property Address: 2200 Homestead Road Zip Code: 27514

Use Groups (A, B, and/or C): A Existing Zoning District: R-4-C

Project Description: Development of duplex, town home, and apartment residential with surface parking, landscaping,

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

Applicant Information (to whom correspondence will be mailed):

Name: CJT PA, Attn Wendi Ramsden

Address: 111 West Main Street

City: Durham State: NC Zip Code: 25501

Phone: 919-682-0368 Email: wramsden@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: signature on file Date:

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name: Town of Chapel Hill

Address: 405 Martin Luther King Jr Blvd

City: Chapel Hill State: NC Zip Code: 27514

Phone: Email:

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

Signature: signature on file Date:

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 Department

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=	541,157.56	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=	28,908.63	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=	570,066	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)	464,900 sf
Area of Land Disturbance within RCD	52,012 sf
Area of Land Disturbance within Jordan Buffer	4,200 sf

Impervious Areas	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Impervious Surface Area (ISA)	18,698 sf	18,698 sf	222,603 sf	222,603 sf
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	3.3%	3.3%	39.1%	39.1%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1 (5928 sf)	1 (5928 sf)	181,575 sf	181,575 sf
Number of Floors	1	1	2-3	2-3
Recreational Space	0		29,570 sf	29,570 sf

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)	0			
Total Square Footage of All Units			181,575 sf	181,575 sf
Total Square Footage of Affordable Units			181,575 sf	181,575 sf
Total Residential Density			12 UNITS/AC	12 units/ac
Number of Dwelling Units			115-130	115-130
Number of Affordable Dwelling Units			115-130	115-130
Number of Single Bedroom Units			24-40	
Number of Two Bedroom Units			55	
Number of Three Bedroom Units			26-44	

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	5,928	0			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	10'	71'	15' from future row
	Interior (neighboring property lines)	0'	5.65'	46'
	Solar (northern property line)	N/A	67'	159'
Height (maximum)	Primary	39'	UNK	39'
	Secondary	60'	UNK	50'
Streets	Frontages	N/A	637.32'	574.47'
	Widths	N/A	532'	532'

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
Homestead Road	70'	var	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**
Homestead Road	10' planned DOT work	concrete	☒ Yes ☐ No ☐ N/A
			☐ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	169	220	169
Handicap Spaces	6	7	6
Total Spaces	175	227	175
Loading Spaces	n/a	n/a	0
Bicycle Spaces	36	n/a	36
Surface Type	concrete and asphalt		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
South (Homestead Road)	30'	min 15'	☐ Yes	☒ Yes
West (Railroad)	30'	30'	☒ Yes	☐ Yes
North	10'	10'	☐ Yes	☐ Yes
Northeast (against Vineyard Square) Southeast (against Bridgepoint)	10' 10'	10' 0-20'	☒ Yes	☐ Yes

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

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**
R-SS-CZD	1.10	.05					
TOTAL							
RCD Streamside	86,014 sf	0.01					
RCD Managed	18,239 sf	0.019					
RCD Upland	22,215 sf						

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 Department

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) 968-2728 or at planning@townofchapelhill.org.

n/a	**Application fee** (including Engineering Review fee) (refer to fee schedule)	Amount Paid $
X	**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)	
X	**Description of Public Art Proposal,** if applicable	
X	**Statement of Justification**	
X	**Response to Community Design Commission and Town Council Concept Plan comments, if applicable**	
X	**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)	
n/a	**Mailing fee for above mailing list (mailing fee is double due to 2 mailings)**	Amount Paid $
X	**Written Narrative describing the proposal, including proposed land uses and proposed conditions**	
n/a	**Resource Conservation District, Floodplain, & Jordan Buffers Determination** – necessary for all submittals	
X	**Jurisdictional Wetland Determination – if applicable**	
	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)	
n/a	**Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)**	
n/a	**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)

2200 HOMESTEAD

Conditional Zoning Application rev 4 March 2021

Project Narrative

This is a submittal for a Conditional Zoning application for the 2200 Homestead Residential project. Current zoning on the parcel is R-4-C and this permit will change that to R-SS-C.

The Town of Chapel Hill is working to create a mutually supportive, self-sustaining mixed income community, providing housing opportunities for some of the Town's most at-risk and underserved populations. The design team was engaged in two public input meetings, and after that took the concept plan through the Community Design Commission and the Council in spring of 2018. At this point, the development team has been assembled and have had extensive work sessions with the design team to maximize what can be put on this ± 13-acre site. The application being submitted includes a combination of duplex, townhome, and apartment residences and offers both rental and home ownership options.

The project site is located on the north side of Homestead Road east of Weaver Dairy Road Extension, with the railway tracks running along the western property line. The parcel is irregularly shaped with the majority of the street frontage on Homestead road. But there are two small extensions, a narrow strip to the east with frontage on Weaver Dairy Road Extension south of Vineyard Square, and a wider longer extension north out to Weaver Dairy Extension north of Vineyard Square. The main regularly shaped portion of the lot totals about 8.5 acres and will be the central part of the community. The project will provide between 115 and 126 residential units. Total square footage for the buildings will not exceed 181,575 square feet. The project will also include amenities such as a greenway trail, nature trails, playground, basketball court, and community open space. The plan also accommodates an expanded Hope Gardens, relocating the community garden to the northern portion of the site.

Building layout and circulation

The proposed development is laid out on a generally S-shaped interior driveway. There are townhomes backing onto Homestead Road, with townhomes and duplexes intermingled along the western property line and backing onto their own yards and then the greenway trail. The apartment buildings are more centrally located and adjacent to community green space that will contain elements such as a playground, picnic tables and a shelter and grill space. Sidewalks throughout the development will connect the residences to the central green space, the greenway trail, and a community nature trail that will link the wetland areas, the pond, and

forested areas, as well as adjacent neighborhoods. One of the apartment buildings will include a community room that can be reserved for meetings, celebrations, and community gatherings.

The main entry drive off Homestead Road will provide access to all the residential units. The entry drive will provide access to a second internal private street, and will also provide secondary access to the proposed adjacent townhome development to the east. There will be 175 parking spaces - sufficient surface parking on site to accommodate all residents and their guests. Though all parking is intended to be for the whole community, the spaces have been spread throughout the site to serve the various residences.

A 10' wide multimodal trail will run along the Homestead frontage and will turn north near the railway tracks and run along the entire western project boundary. This will provide access to the basketball court and to the community garden, and will be part of a larger Town-maintained greenway trail system which will extend north in the future. There are several footpaths within the site currently. The new paved greenway and natural surface trail system within the site will make connections to adjacent properties so that the neighbors may continue to utilize trails here for active recreation, and to access other trails beyond this site.

Natural Vegetation and Landscaping

The existing site contains open areas, high canopy woods, and more dense younger woods. The project will retain much of the woods in the RCD zones, and some vegetation along property lines. New vegetation will be installed to meet landscape buffers and to enhance the developed space within the project. New plantings will be incorporated into existing natural features and vegetation to enhance the resident experience within the community.

There is a requirement for 30% tree coverage on site. This project proposes to retain over 10% of the site in existing trees, and new plantings will be installed to meet and exceed the requirement.

Utilities and Services

Utilities are available to the site. Water is located in Homestead Road and a main will be extended into the site to serve the multiple buildings proposed. Sanitary sewer is available in multiple places within the site. Given the inverts on existing available lines, sewer service will be extended to connect to the existing sewer main along the eastern property line.

Four dumpster facilities will be located on site to serve all residents. Each facility will include a trash dumpster, a cardboard dumpster, and multiple mixed recycling bins. These facilities will be centrally located and will include handicap parking and access.

Electric vehicle charging stations will be provided on site. There will also be facilities for bicycle storage. A bus stop pad will be constructed in the Homestead frontage of our site, and there are multiple sidewalks to access that bus stop.

A traffic impact study has been completed for this project was submitted with the original application.

Requested Modifications

The applicant is requesting five modifications. The first is a modification to the eastern landscape buffer so that it is shared between the 2200 Homestead project and the adjacent Bridgepoint Townhome project. The final combined plantings will exceed the minimum buffer requirements.

The second modification request is for a reduction of the Homestead Road streetside landscape buffer. The full buffer is accommodated in the current plan, but it is expected that planned DOT improvements to Homestead Road will shift the right of way into the site and reduce the parcel area. If the project development is pushed north it will further intrude into RCD zones. The current layout is an effort to provide adequate buffer along Homestead while minimizing the intrusion into the RCD.

The third modification request is for intrusion into the RCD on site. The intrusion includes grading and impervious surface in the upland RCD zone to provide vehicular access to 16 residential units and recreations amenities in the portion of the site north of the RCD. The parking and dumpster surfaces will be graded so that stormwater is captured and sent to the mitigation / treatment pond prior to being discharged into the stream. The same access route involves grading in the managed RCD zone. There is currently a lot of non-native vegetation in this area which was a previous farm pond and the dam that held it back. The project will remove the bamboo and other invasive vegetation and replant with mostly native material. A small amount of impervious and disturbance in the streamside RCD zone is associated with the construction of the Town's greenway trail connecting the site and points north to the existing system south of Homestead Road. A larger intrusion into the RCD is planned due to the Town's carry down policy of joining separate jurisdictional streams along the same drainage course. This disturbance and the impervious planned for that zone are included in the RCD Encroachment Exemption application.

The fourth modification request is for disturbance of over 25% of the steep slopes on site. Many of the steep slopes being disturbed are associated with the former man-made farm pond which has been drained.

The final modification request is for inclusion of nature trails and some shelter/picnic space on site to count toward required active recreation space, and for all recreation space to count whether it is located in upland areas or in the RCD zones. The nature trail though only 1000 feet on the project site, connects off-site trails to the proposed greenway thereby becoming a trail much longer than 3,000 linear feet. And the shelter and seating are located to complement the adjacent playground space. Both these facilities meet the intent of the recreation requirement. The RCD zones cover almost 29% of the site and bisect the site completely. Given that a large part of the recreation on site is trails and greenways which connect the south and north parcels, as well as off-site developments, the space being constructed in RCD zones solidly contributes to the recreational opportunities in the project and should be included in the required provision of recreation space.

The project has gone through the Town's Concept review process. A concept plan was presented to the Housing Advisory Board, and then to the Community Design Commission in April 2018. There is a separate document responding to the board members' comments. The project also was reviewed by Town Council in June 2018, with an update in May 2020. A separate document addresses and responds to their comments and concerns.

2200 HOMESTEAD

Conditional Zoning Application rev 5 February 2021

Statement of Justification

The proposed 2200 Homestead Residential project is located on the north side of Homestead Road between Weaver Dairy Road Extension and the railroad. Vehicular access will be off Homestead Road across from the Greenway Landing intersection. There will be a secondary access through the development directly to the east, which will allow access directly onto Weaver Dairy Road Extension. The project parcel is oddly shaped with the most developable square portion right on the Homestead frontage. There are stream and wetland intrusions through the center of the site, from west to east. This project proposes to develop the site north and south of those stream intrusions, with a connector road over the wetland area. That wetland space will be culverted where the road crosses allowing both water and wildlife to cross under the road. The full build out being requested in this application is for a mixed residential development of 115 to 126 units in for-sale duplexes and townhomes, and rentals in low rise apartment buildings. This development is intended to be 100% affordable, with rents and carrying costs aimed at 30%-115% AMI.

The specific findings and justification are provided below.

Required Findings of Fact (LUMO 4.5.2 (a))

- **The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare**

The proposed project is located with access from a public street and will include interior circulation providing full access for emergency vehicles. The new buildings will be constructed in compliance with current health and safety codes to protect employees and the general public.

The project will be served by OWASA water and sanitary sewer services. This project will include water and sewer main extensions but both services and capacity are available to this site.

No FEMA regulated floodplain is located on the site as shown on FEMA Firm panel 9870. There is however a jurisdictional perennial stream in the eastern leg of the site, and a short section of intermittent streams at the west side. The development will comply with LUMO regulations for the associated resource conservation districts (RCD).

The 2200 Homestead project will provide Town residents with a large number of affordable housing choices within a mixed housing type community. The project is well located within Town limits, close to public schools, and handy to public transit. There will be outdoor recreational

amenities on site for the residents, and the project will include the construction of a greenway trail street sidewalks.

The use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations

The project will comply with all required regulations in the LUMO, as well as applicable State or Federal requirements.

Article 6.18 defines special regulations for planned developments, and the proposed 2200 Homestead project meets these special conditions:

- The development will be located and designed to provide direct access to pedestrian networks and public transportation facilities.
- Utility main extensions will be required but enlargement will not be required to a higher degree than development generally permitted under existing zoning and development policies.
- The development will have access to public facilities such as schools, parks and playgrounds to the same degree as would development permitted under existing zoning.
- The development will also be providing some of these facilities: utility main extension, public greenway trails, on-site playground and recreation facilities.
- The scale and location of the development is not creating a hazard to persons or property on or off the tract. The soil and topography are conducive to the scale of the proposed housing development.
- The project will be developed to promote energy conservation and efficient use of energy and will include at the very least, electric vehicle charging stations and promotion of the use of public transportation.
- The project will not require a reduction or increase of land area. It is possible that a portion of the site will be subdivided for future administration of the project, but it would not be a requirement of the project's success.

- **The use or development is located, designed, and proposed to be operated so as to maintain or enhance the value to contiguous property, or that the use of development is a public necessity**

The 2200 Homestead project will be a residential development among other residential developments, and in that way will be compatible with contiguous properties. The residential uses across Homestead Road to the south are single family residences. The use to the northeast and the proposed use to the east area townhomes. In offering duplexes, townhomes, and low rise apartment residences, the 2200 Homestead project will complement the other residential offerings nearby. In addition, the multiple pedestrian links throughout the site help to connect the

adjacent parcels to each other, the Town greenway trail system, and public street sidewalks and transit.

- **The use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.**

This property conforms to the general plans for the physical development of the Town and supports many of the Comprehensive Plan's themes and goals. We believe the development will meet all of the 6 goals identified.

- *A Place for Everyone*

The 2200 Homestead project will provide a mixed-use community of diverse affordable housing options for people who live and work in town. (PFE.3) The mix of housing types and price points, along with family-friendly community spaces and amenities (PFE.1) will offer housing opportunities individuals and families with a range of ages, abilities, and household sizes.

- *Community Prosperity and Engagement*

The 2200 Homestead community will be a project utilizing existing transportation and utility systems to provide an infill residential development connected to the larger community. (CPE.3)

- *Getting Around*

The 2200 Homestead project will be built with onsite parking spaces, but expects the resident population to use public transit and alternate transportation more than the average Chapel Hill community. (GA.1, GA.8) The project is on public bus routes and expects to build a bus shelter on the project's Homestead Road frontage. Additionally, the project will include a greenway trail and nature trails as well as sidewalks to create a comprehensive pedestrian system connection to adjacent neighborhoods and the greater Chapel Hill community. (GA.2)

- *Good Places, New Spaces*

The 2200 Homestead project addresses residential needs not being met in market rate developments (GPNS.5) The development partners are working with a variety of groups, including UNC, to provide a stable housing situation for people with specialized housing needs, (GPNS.4 and GPNS.5) The partners also help families reach financial stability through having stable housing. In addition, the community will include open and accessible common spaces. Sidewalks, a nature trail, and the greenway will connect this development to adjacent developments and encourage neighbors to come through the development for active recreation. The development relocates Hope Gardens to another area on the site where their community gardens and orchard can be easily accessed from both 2200 Homestead and neighborhoods to the south, as well as Vineyard Square to the east. (GPNS.7)

- *Nurturing Our Community*

The 2200 Homestead project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the owners. These will include, but not be limited to the building materials, HVAC systems, lighting, preservation of tree coverage, relocation of an existing community garden on site (NOC.6), and construction of paved and natural surface trails for residents and the community. The project will install a stormwater mitigation pond to treat runoff from impervious surfaces and will also protect the State regulated buffer adjacent to the jurisdictional stream on site. (NOC.2, NOC.8) The project proposes to encroach into the resource conservation district zones and there is a concurrent application for RCD Encroachment along with this Conditional Zoning application. In building the portion of the greenway trail along the long western property boundary, the project will support the Parks and Recreation Master Plan and the Greenways Master Plan to create safe pedestrian and bicycle facilities. (NOC.4)

- *Town and Gown Collaboration*

The 2200 Homestead project will provide affordable housing for a variety of people, potentially including some who work at UNC. (TGC.4) One of the apartment buildings on site is expected to be master leased by a UNC maternal health care program to providing affordable rental housing and to support to participants and graduates of that program. (TGC.6)

- *North MLK Focus Area 2*

The 2200 Homestead parcel is located in one of 6 focus areas identified in the 2020 Plan. This is the North MLK Focus area which includes the area between the Town's western boundary, east to Martin Luther King Jr Blvd, and Homestead Road north to I-40. The proposed 2200 Homestead project will provide additional public and alternative transportation facilities which will enhance connectivity. It will also provide one more development link toward the Greene Tract in a balanced walkable scale community.

2200 HOMESTEAD

Conditional Zoning Application rev 5 February 2021

Statement of Consistency with Comprehensive Plan

2020 PLAN

The 2200 Homestead project will be a residential development which conforms to the general plans for the physical development of the Town and supports many of the Comprehensive Plan's themes and goals. We believe the development will meet all of the 6 goals identified.

- **A Place for Everyone**

The 2200 Homestead project will provide a mixed-income community of diverse affordable housing options for people who live and work in town. (PFE.3) The mix of housing types and price points, along with family friendly community spaces and amenities, (PFE.1) will offer housing opportunities individuals and families with a range of ages, abilities, and household sizes.

- **Community Prosperity and Engagement**

The 2200 Homestead community will be a project utilizing existing transportation and utility systems to provide an infill residential development connected to the larger community. (CPE.3)

- **Getting Around**

The 2200 Homestead project will be built with onsite parking spaces, but expects the resident population to use public transit and alternate transportation more than the average Chapel Hill community. (GA.1, GA.8) The project is on public bus routes and expects to build a bus shelter on the project's Homestead Road frontage. Additionally, the project will include a greenway trail and nature trails as well as sidewalks to create a comprehensive pedestrian system connection to adjacent neighborhoods and the greater Chapel Hill community. (GA.2)

- **Good Places, New Spaces**

The 2200 Homestead project addresses residential needs not being met in market rate developments (GPNS.5) The development partners are working with a variety of groups, including UNC, to provide a stable housing situation for people with specialized housing needs, (GPNS.4 and

GPNS.5) The partners also help families reach financial stability through having stable housing. In addition, the community will include open and accessible common spaces. Sidewalks, a natural surface trail, and the greenway will connect this development to adjacent developments and encourage neighbors to come through the development for active recreation. The development relocates Hope Gardens to another area on the site where their community gardens and orchard can be easily accessed both from the 2200 Homestead community and the neighborhoods to the south, as well as Vineyard Square to the east. (GPNS.7)

- **Nurturing Our Community**

The 2200 Homestead project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the owners. These will include, but not be limited to the building materials, HVAC systems, lighting, preservation of tree coverage, re-location of an existing community garden within the site (NOC.6), and construction of paved and natural surface trails for residents and the community. The project will install a stormwater mitigation pond to treat runoff from impervious surfaces and will also protect the stream buffer adjacent to the jurisdictional stream on site. (NOC.2, NOC.8) The project is requesting approval to disturb and construct impervious surface in the managed and upland RCD zones. There is a slight amount of building in the streamside buffer associated with the greenway trail construction which will be a project serving the whole Town. In an effort to reduce the total impervious constructed, there is an intention to construct some boardwalk sections so that natural hydrologic flow will continue in an uninterrupted fashion. The majority of the wetlands on site will be preserved. In building the portion of the greenway trail along the long western property boundary, the project will support the Parks and Recreation Master Plan and the Greenways Master Plan to create safe pedestrian and bicycle facilities. (NOC.4)

- **Town and Gown Collaboration**

The 2200 Homestead project will provide affordable housing for a variety of people, potentially including some who work at UNC. (TGC.4) One of the specially designed apartment buildings on site is expected to be master-leased by a UNC maternal health care program to provide affordable rental housing and support to participants and graduates of that program. (TGC.6)

- **North MLK Focus Area 2**

The 2200 Homestead parcel is located in one of 6 focus areas identified in the 2020 Plan. This is the North MLK Focus area which includes the area between the Town's western boundary, east to Martin Luther King Jr Blvd, and Homestead Road north to I-40. The proposed 2200 Homestead project will provide additional public and alternative transportation facilities which will enhance connectivity. It will also provide one more development link toward the Greene Tract in a balanced walkable scale community.

wramsden@cjtpa.com

From: Craig Scheffler <CScheffler@HNTB.com>
Sent: Friday, January 29, 2021 11:04 AM
To: wramsden@cjtpa.com
Cc: 'Kumar Neppalli'; 'Emily Holt'; 'Nate Broman-Fulks'; 'Jared Martinson'
Subject: RE: 2200 Homestead / Bridgepoint TIA

Wendi,

In looking at the changes in both plans and redoing some quick trip distribution estimates, I'd offer the following points:

1) The single linear connecting street between the two developments may provide more convenient access to the Weaver Dairy Extension. I went and redid trip distribution scenarios to "pull" more traffic from both developments to this access point – particularly left-turns exiting the sites at the combined driveway and moving those to the Weaver Dairy Extension southbound left-turn at the current signal. Without going through a detailed capacity analysis, this should improve operations at the unsignalized combined driveway access and not impair the signal operations too much, as there aren't a lot of current southbound left-turns at the signal, this redistribution does not add a significant amount of left-turns, and one of the TIA recommendations was to retime the signal to account for traffic flow changes due to the projects.
2) Additional traffic on the internal street through Bridgepoint would not likely necessitate any improvements at its connection with Weaver Dairy Road Extension.
3) The design of the combined driveway meets the southbound left-turn storage requirement recommendation and has adequate throat length before the internal parking lot driveway aisles.
4) If development densities for the two projects have not substantially changed, again, the impact differences would not likely change much at all.

We can go through a revised capacity analysis, if the Town desires, and produce a short results memo if needed, but based on the points above, I feel that the original TIA recommendations are still valid and would not likely change due to the internal connectivity changes.

If you have any questions, please let me know.

Thanks!
Craig

From: wramsden@cjtpa.com <wramsden@cjtpa.com>
Sent: Thursday, January 28, 2021 5:21 PM
To: Craig Scheffler <CScheffler@HNTB.com>
Cc: 'Kumar Neppalli' <kneppalli@townofchapelhill.org>; 'Emily Holt' <eholt@townofchapelhill.org>; 'Nate Broman-Fulks' <nbfulks@townofchapelhill.org>; 'Jared Martinson' <jmartinson@Mhaworks.com>
Subject: 2200 Homestead / Bridgepoint TIA

Craig

The layout of roads within the Bridgepoint project has changed and been reduced to one connection point between the two projects. Fortunately it is the more northerly street which reduces conflict near the main driveway access onto Homestead.

The long range Planner who reviewed the project noted:

The preliminary site plan in the recent traffic impact analysis (TIA) study for Bridgepoint & 2200 Homestead does not match the submitted site plan roadway alignment for vehicles enter the site from Homestead Road. Will staff be receiving a revised TIA? (Long Range/Transportation)

I have attached a pdf of the main portion of our current plan. The community garden is now intended to have its own small driveway and parking lot well north on the site, to accommodate 7 cars and the occasional delivery of mulch, so there is a second attachment showing the whole site with a matchline. I have also attached a pdf of the Bridgepoint plan which was submitted to Council in the fall, but cannot honestly say if this is the most accurate plan for their project as I am not working on it, simply coordinating with their design team. This was the plan submitted to the Town which is currently public record and the adjacent developer has confirmed with me that there will be only one direct vehicular connection between our two projects.

Would these circulation changes have any effect on the recommendations of the TIA you submitted? Would there be a need to revise or reissue the TIA?
Please let me know if you need any additional information to answer this.

Thank you.

Wendi

Wendi Ramsden, RLA
Coulter Jewell Thames PA
111 W Main Street, Durham NC 27701
Ph: 919-682-0368 Email: wramsden@cjtpa.com

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

2200 HOMESTEAD PLAN

1”=50’

0 25 50 100 200

1–28–2021

N

MATCHLINE

BASKETBALL

GREENWAY TRAIL

POND

DUPLEX

DUPLEX

DUPLEX

TOWN HOMES

WETLAND

RCD

RCD

NATURE TRAIL

NATURE TRAIL

RET WALL

DUPLEX

DUPLEX

SHELTER

PLAY GROUND

APARTMENTS

APARTMENTS

DUPLEX

DUPLEX

TOWN HOMES

GREENWAY TRAIL

DUPLEX

APARTMENTS

MAIL

ENTRY PARK

TOWNHOMES

TOWNHOMES

TOWNHOMES

GREENWAY TRAIL

N 03°51’01” E 80.94’

L10

S 40°20’39” E 5.40’

L12

N 38°35’34” E 104.62’

S 09°01’16” W 20.0’

N 86°55’37” W 637.32’

24” RCP

15”OAK

19”PINE

28”PINE

32”OAK

24”OAK

18”PINE

15”OAK

18”OAK

30”OAK

3 S.GUM

22”PINE

21”PINE

24”OAK

19”GUM

19”OAK

19”PINE

29”PINE

36”PINE

37”PINE

24”PINE

12”POI

26”PINE

24” S.GUM

29”PINE

EX. CON FLUVE/E STREAM

FORE

20.0’

APPROX. LOCATION OWASA 30’ SS EASEMENT

PROPOSED BRIDGEPOI TOWNHOME PROJEC

PUBLIC ALLEY

10’ LANDSCAPE BUFFER

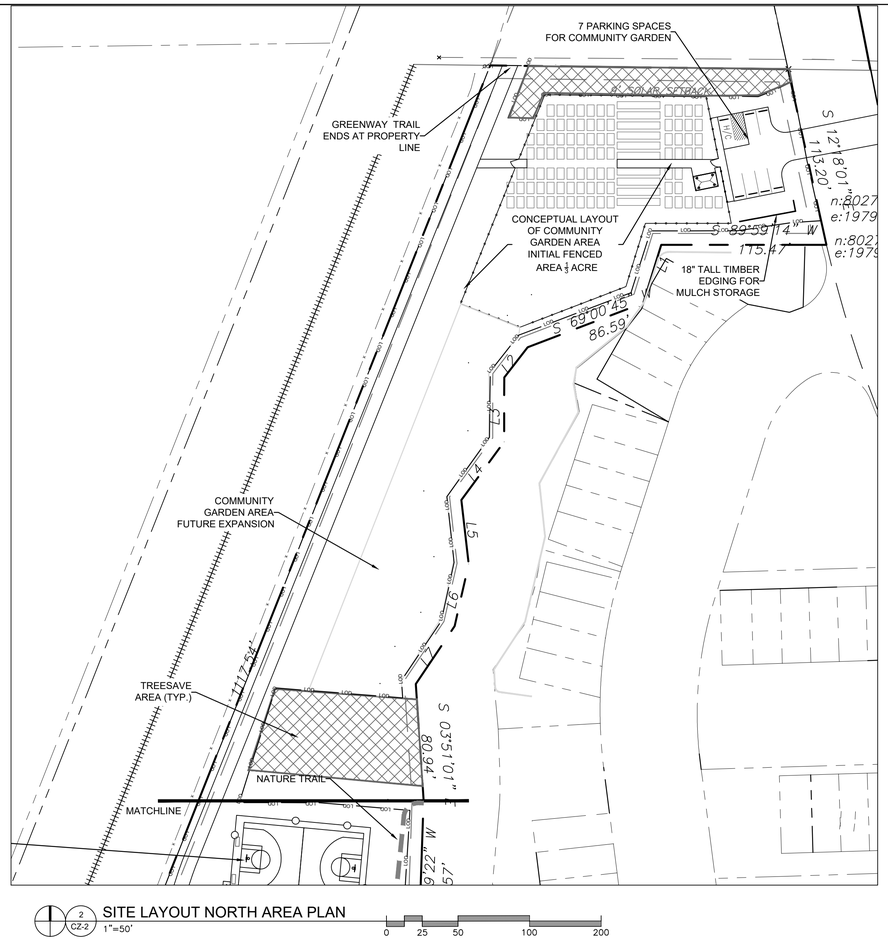
8’ INTERIOR SETBACK

PROP. STORM EASEMENT

APPROX. LOCATION OF 30’ OWASA SS EASEMENT

W

W



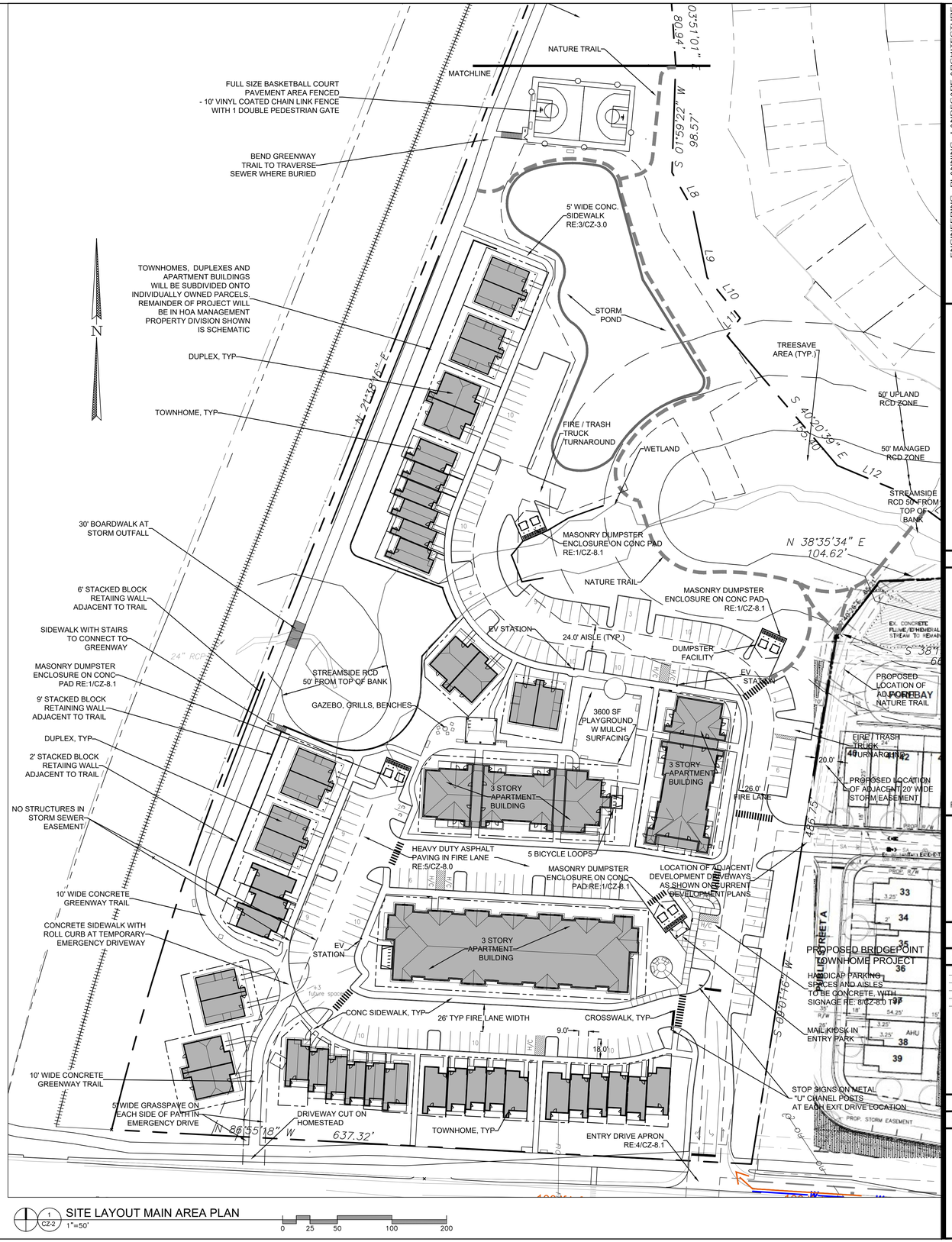
2 CZ-2 SITE LAYOUT NORTH AREA PLAN

1"=50'

0 25 50 100 200

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 CZ-1.0 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 CZ-2 SITE LAYOUT NOTES



1 CZ-2 SITE LAYOUT MAIN AREA PLAN

1"=50'

0 25 50 100 200

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

MHAworks INTERIORS
PLANNING ARCHITECTURE
-DURHAM
-GREENSBORO
-PITTSBORO

501 WASHINGTON STREET, SUITE G
DURHAM, NORTH CAROLINA 27701
p 919.682.2870
f 919.682.2360
www.mhaworks.com

Project:

2200 Homestead Road

Chapel Hill
North Carolina

PIN: 9870912947

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L. RAMSDEN

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	

REVISED PROGRESS DRAWING 1-26-2021

Conditional Zoning Plan

Sheet Title:

SITE LAYOUT PLAN

Sheet Number

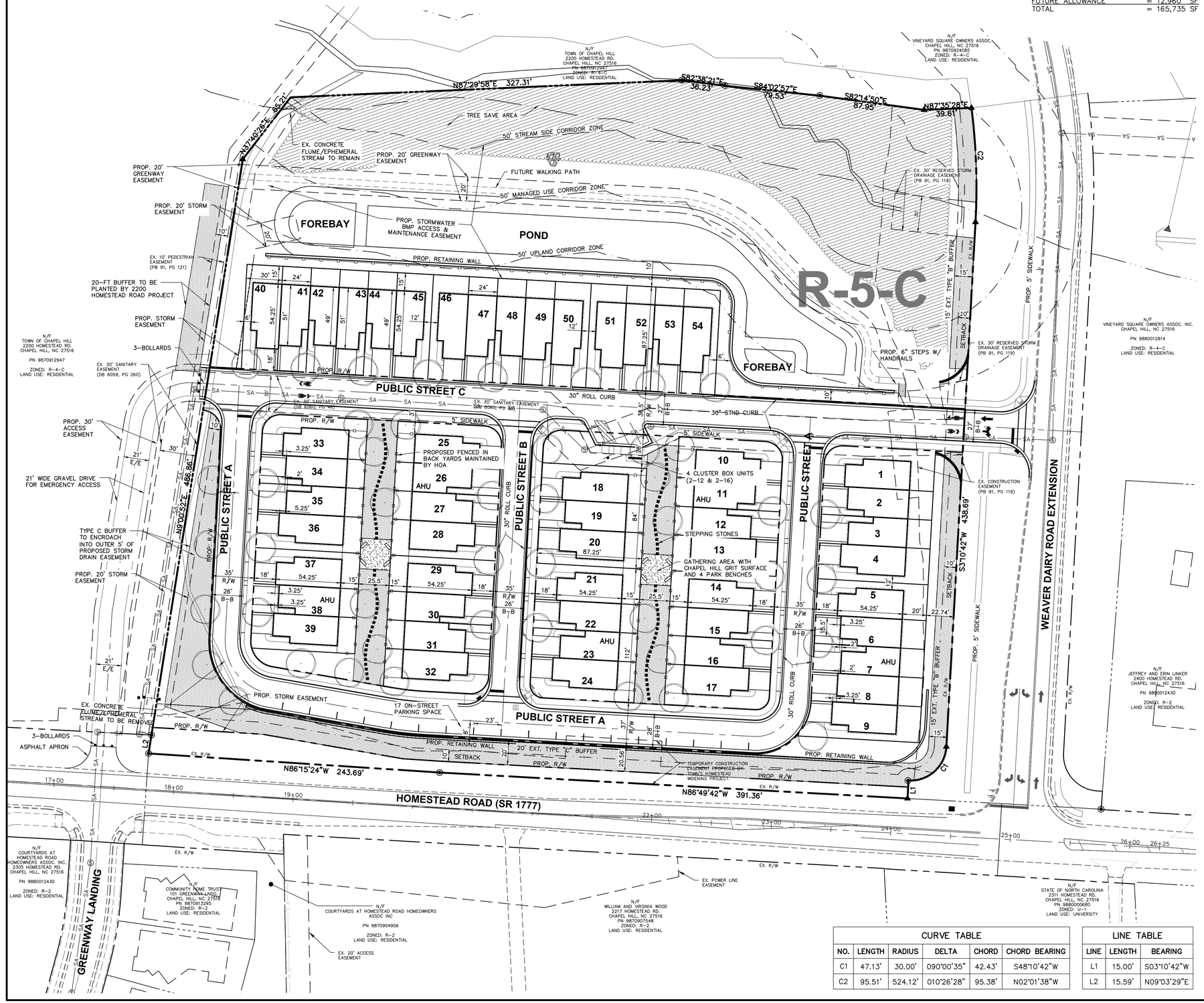
CZ-2.0

EXISTING IMPERVIOUS SURFACES

BUILDINGS	= 8,510 SF
DRIVES	= 9,803 SF
WALLS	= 138 SF
FLUME	= 1,710 SF
BOULDERS	= 118 SF
TOTAL	= 20,279 SF

PROPOSED IMPERVIOUS SURFACES

ROADWAY	= 49,526 SF
DRIVEWAYS	= 19,177 SF
PARKING LOT	= 998 SF
BUILDINGS	= 67800 SF
SIDEWALK	= 11,798 SF
MISC (WALLS, HVAC, STEPS)	= 3,476 SF
FUTURE ALLOWANCE	= 12,960 SF
TOTAL	= 165,735 SF



CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	47.13'	30.00'	090°00'35"	42.43'	S48°10'42"W
C2	95.51'	524.12'	010°26'28"	95.38'	N02°01'38"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.00'	S03°10'42"W
L2	15.59'	N09°03'29"E

SITE DATA TABLE

PROJECT NAME:	BRIDGEPOINT
APPLICANT:	ADVANCED CIVIL DESIGN, INC. 51 KILMAYNE DRIVE, SUITE 105 CARY, NC 27511
PARCEL ID NUMBERS:	9870914489, 9870919528
LAND AREA CALCULATIONS NET LAND AREA: CREDITED STREET AREA: CREDITED STREET AREA: TOTAL GROSS LAND AREA (GLA):	 8.348 ACRES 0.51 ACRES (1/2 HOMESTEAD R/W) 0.68 ACRES (1/2 WEAVER DAIRY RD R/W) 9.182 ACRES (USED FOR DENSITY CALCULATION)
CURRENT ZONING:	R-5-C
OUTSIDE CORPORATE LIMITS:	NO
OUTSIDE WATERSHED PROTECTION DISTRICT:	YES
OUTSIDE FLOODPLAIN:	YES
OVERLAY DISTRICTS:	NONE
EXISTING LAND USE:	SINGLE FAMILY
PROPOSED LAND USE:	MULTI-FAMILY WITH CONDITIONAL ZONING
ALLOWABLE DENSITY R-5:	15 UNITS/AC GROSS LAND AREA = 9.182 AC # UNITS ALLOWED = 137
PROPOSED SINGLE FAMILY UNITS:	49
PROPOSED AFFORDABLE UNITS:	5 (LABELED "AHU" ON THIS SHEET)
PROPOSED TOTAL # OF UNITS:	54
PROPOSED MINIMUM LOT SIZE:	2,094 SF
RECREATION SPACE REQUIRED:	GROSS LAND AREA x RECREATION SPACE RATIO (399,975 SF) x (0.05) = 19,999 SF
RECREATION SPACE PROVIDED:	17,330 SF GREENWAY EASEMENT (86 %) $33,600 FEE IN LIEU (14%)
PROPOSED INTERIOR LOT SETBACKS: FRONT: SIDE: SIDE CORNER: REAR:	 0' 0' 0' 0'
REQUIRED PERIMETER SETBACKS INTERIOR: STREET: SOLAR:	 6' 10' 8'
PROPOSED BUILDING SEPARATION:	12'
MAXIMUM BUILDING HEIGHT (PRIMARY):	39'
MAXIMUM BUILDING HEIGHT (SECONDARY):	60'
MAXIMUM FLOOR AREA RATIO:	0.303
PROPOSED FLOOR AREA RATIO:	0.303
MAXIMUM IMPERVIOUS SURFACE RATIO:	0.50
PROPOSED IMPERVIOUS SURFACE RATIO:	0.414

TREE CANOPY COVERAGE CALCULATIONS

TREE CANOPY COVERAGE REQUIRED:	30%
NET LAND AREA:	8.348 AC
AREAS NOT COUNTING TOWARD TREE CANOPY CALCULATIONS:	
RECREATION AREAS (GREENWAY):	0.299 AC
EASEMENTS (EXCLUDING PAVEMENT):	0.237 AC
RIGHT OF WAY:	1.657 AC
TOTAL LAND AREA NOT COUNTED:	3.244 AC
APPLICABLE LAND AREA:	6.155 AC
TREE CANOPY REQUIRED:	6.155 AC X 30% = 1.846 AC
EXISTING TREE CANOPY TO REMAIN:	1.087 AC
SUPPLEMENTAL TREE CANOPY REQUIRED:	0.759 AC
SUPPLEMENTAL TREES REQUIRED:	(0.759*43560)/500 = 67 TREES
SUPPLEMENTAL TREES PROVIDED:	39 STREET TREES 66 BUFFER TREES 8 OTHER SITE TREES 113 TREES TOTAL

TOWN OF CHAPEL HILL FIRE DEPARTMENT NOTES:

1. A NOTE SHALL BE REQUIRED ON THE FINAL PLAT THAT STATES "ALL LOCAL STREETS WITHIN THE BRIDGEPOINT SUBDIVISION SHALL NOT ALLOW ON-STREET PARKING IN ACCORDANCE WITH SECTION D103 OF THE 2018 NORTH CAROLINA FIRE PREVENTION CODE."

GENERAL NOTES

1. A DESCRIPTION AND ANALYSIS OF ADJACENT LAND USES, ROADS, TOPOGRAPHY, SOILS, DRAINAGE PATTERNS, ENVIRONMENTAL CONSTRAINTS, FEATURES, EXISTING VEGETATION, AND VISTAS CAN BE FOUND ON SHEET 3 - EXISTING CONDITIONS PLAN.
2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. THE REQUIRED RECREATION SPACE HAS BEEN MET AND EXCEEDED. SEE SITE DATA TABLE ON THIS SHEET.
4. ALL TRASH FOR TOWNHOMES WILL BE COLLECTED BY ROLL-OUT CURBSIDE PICK UP AND SERVICE SHALL BE PROVIDED BY TOWN OF CHAPEL HILL.
5. OVERFLOW PARKING SHOWN ARE 90 DEGREE BAYS AND SPACE MARKINGS PER TOWN OF CHAPEL HILL CODE FOR PARKING LOTS.
6. EACH SINGLE FAMILY TOWNHOME LOT WILL HAVE A MAXIMUM ALLOWABLE IMPERVIOUS SURFACE AREA OF 1,900 SF. THIS AMOUNT IS SUBJECT TO CHANGE AND WILL BE FINALIZED WITH THE FINAL ZONING COMPLIANCE PLANS.
7. SEE SHEET 16 FOR STREET CROSS SECTION DETAILS.
8. ALL PROPOSED STREETS ARE PUBLIC.

LEGEND

30" Curb and Gutter
Property Line
Prop. R/W
Prop Detention Basin
Setback
Tree Replacement Area
Tree Save Area

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

PLAN PREPARED BY:
ADVANCED CIVIL DESIGN ENGINEERS SURVEYORS
51 Kilmayne Drive, Suite 105
Cary, North Carolina 27511
ph 919.481.6290
fax 919.336.5127

PLAN PREPARED FOR:
KB HOME CAROLINAS
4506 SOUTH MIAMI BLVD, SUITE 100A
DURHAM, NC 27703
PHONE: 919.768.7960

HOMESTEAD ROAD, CHAPEL HILL, NC - ORANGE COUNTY
BRIDGEPOINT
CONDITIONAL ZONING PLANS
FOR
KB HOME CAROLINAS
SITE PLAN

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049024 CAMERON M. RICE
PRELIMINARY
11/10/2020

Issue Dates:
01/02/2020 - Initial Submittal to Town
02/06/2020 - Response to 1st Review SUP Comments
07/22/2020 - Response to 2nd Review SUP Comments
10/16/2020 - Town Council Set
11/10/2020 - Urban Planner Comments

Date: 11/10/2020
Scale: 1" = 40'

Drawn By: JRR
Checked By: CMR

Project Number: 18-0001-978

Drawing Number: 5 / 16

O:\18-0001-978NC\DWG\Production Drawings\DEVELOPMENT PLAN\0001-978-C205.dwg SITE PLAN Nov 12, 2020 - 3:53:29pm crice

BRIDGEPOINT - 2200 HOMESTEAD ROAD

RESIDENTIAL DEVELOPMENTS

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 2020

HNTB

BRIDGEPOINT - 2200 HOMESTEAD ROAD

RESIDENTIAL DEVELOPMENTS

TRAFFIC IMPACT STUDY

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June 2020

NORTH CAROLINA PROFESSIONAL SEAL 020970 ENGINEER CRAIG R SCHEFFLER
6-10-2020

EXECUTIVE SUMMARY

Project Overviews

Two new residential communities, known for this study as Bridgepoint and 2200 Homestead Road Residential, are being proposed in Chapel Hill along Homestead Road near its intersection with the Weaver Dairy Road Extension. The Bridgepoint project proposes to construct 53 individual residential townhome units and the 2200 Homestead Road development proposes 138 residential units in a mixture of one to three story apartments, duplexes, and townhomes. **Figure ES-1** shows the general location of the two sites. The 2200 Homestead Road project is anticipated to be fully complete and occupied by 2023 and the Bridgepoint project is anticipated to be fully complete and occupied by 2024. This report analyzes the following scenarios:

- 2020 existing year traffic conditions,
- 2024 No-build scenario for 2200 Homestead Road (which includes the assumption that Bridgepoint is complete),
- 2024 Full build-out scenario for 2200 Homestead Road (one year after anticipated completion),
- 2025 No-build scenario for Bridgepoint (which includes the assumption that the 2200 Homestead Road site is complete)
- 2025 Full build-out scenario for Bridgepoint (one year after anticipated completion)
- 2025 Full build-out scenario for Bridgepoint (2200 Homestead Road site is not built and primary access to Bridgepoint is from Weaver Dairy Road Extension)

A proposed combined site plan shows a provision for a full movement access driveway serving both sites that connects to Homestead Road forming a fourth leg with its existing intersection with Greenway Landing and a provision for a full movement access street connection to the Weaver Dairy Road Extension from the Bridgepoint site. No other vehicular access connections are proposed. The main site driveway is proposed to have an internal stop-controlled intersection with local driveway/street connections that will serve on-site parking areas. **Figure ES-2** displays the overall site plan of the Bridgepoint and 2200 Homestead Road Residential developments and nearby land uses and roadways.

This report analyzes and presents the transportation impacts that the 2200 Homestead Road and Bridgepoint developments will have on the following intersections in the project study area:

- Homestead Road and Seawell School Road
- Homestead Road and Greenway Landing / Proposed Combined Main Site Driveway
- Homestead Road and Homestead Road Active Adult Housing Access Driveway (Future)
- Homestead Road and Weaver Dairy Road Extension
- Homestead Road and NC 86 (Martin Luther King, Jr. Boulevard)
- Weaver Dairy Road Extension and Bridgepoint North Access Street

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 sites are located in north Chapel Hill along Homestead Road. The study area contains three signalized intersections along Homestead Road at NC 86 (Martin Luther King, Jr. Boulevard), Weaver Dairy Road Extension, and Seawell School Road. All future site traffic is expected use the proposed combined main site driveway at the Homestead Road / Greenway Landing intersection and a North

Access Street driveway that connects to Weaver Dairy Road Extension. Internal driveways shown on the preliminary site plans will circulate site traffic to designated parking areas and residential buildings. NC 86 (Martin Luther King, Jr. Boulevard) is a major north-south arterial providing connectivity between downtown Chapel Hill, north and south Chapel Hill, the I-40 corridor and Hillsborough. Homestead Road is a minor east-west arterial providing connectivity through northern Chapel Hill. Remaining study area network roadways are either suburban collector streets or local neighborhood/commercial access streets.

Site Traffic Generation

With the addition of new trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to study area intersections. **Table ES-1** shows the site trip generation details, with rates taken from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 10*.

Table ES-1. Weekday Vehicle Trip Generation Summary

Description	Density	Daily			AM Peak			Noon Peak			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Bridgepoint	53 Units	180	180	360	6	20	26	14	17	31	21	13	34
2200 Homestead Road	138 Units	501	501	1,002	15	50	65	33	40	73	50	29	79

Background Traffic

Background traffic growth for the 2024 and 2025 analysis years are expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Three Town-approved sites near the project study area were considered for specific development related growth. All remaining estimated traffic volume increases are assumed to occur due to overall region-wide ambient growth (assumed 0.5 percent per year based on NCDOT/Town historic growth data and consistent with recent study area traffic impact studies).

Impact Analysis

Peak Hour Intersection Level of Service

Existing traffic operations at all study area intersections are acceptable during all three peak hours analyzed. The projected ambient and background development traffic growth will increase impacts by 2024 and 2025. Even with the addition of peak hour site-generated trips to the projected 2020 background traffic volumes, only one study area intersection (Homestead Road and Main Site Driveway / Greenway Landing) is expected to experience deficient traffic operations in any peak hour and projected side street queues at this location are not expected to be excessive. No additional mitigation improvements to this intersection were considered necessary. 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**.

Access Analysis

Vehicular site access to the two projects is to be accommodated at a proposed full movement local street access connecting to Homestead Road immediately opposite Greenway Landing about 750 feet to the west of Homestead Road's signalized intersection with the Weaver Dairy Road Extension. The proposed driveway has a single inbound lane and two outbound (left-turn and shared through/right-turn) lanes. A second local street access connection is also proposed along Weaver Dairy Road Extension that would primarily serve the Bridgepoint project but would have internal connectivity through Bridgepoint to the 2200 Homestead Road development. It is proposed to be located 300 feet north of the Weaver Dairy Road Extension intersection with Homestead Road.

Table ES-2. Peak Hour Intersection Capacity Analysis Summary

Intersections	Peak Hour	2020 Existing		2025 No-Build Bridgepoint (Build 2200 Homestead)		2025 Build Both Developments		2025 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Homestead Road & Seawell School Road	AM	C	34.0	D	37.9	D	38.3	N/A	N/A
	NOON	B	11.0	B	11.9	B	11.9	N/A	N/A
	PM	B	15.8	B	16.8	B	16.9	N/A	N/A
Homestead Road & Greenway Landing / Combined Main Site Driveway#	AM	C	17.0	***F***	***62.5***	***F***	***70.3***	N/A	N/A
	NOON	B	11.8	C	19.9	C	20.5	N/A	N/A
	PM	B	12.6	E	38.1	E	40.5	N/A	N/A
Homestead Road & Active Adult Housing Site Driveway#	AM	N/A	N/A	C	20.6	C	20.8	N/A	N/A
	NOON	N/A	N/A	B	12.1	B	12.2	N/A	N/A
	PM	N/A	N/A	B	14.2	B	14.4	N/A	N/A
Homestead Road & Weaver Dairy Rd Extension	AM	A	8.1	A	8.6	A	8.7	N/A	N/A
	NOON	A	7.1	A	7.9	A	8.0	N/A	N/A
	PM	B	12.2	B	14.3	B	15.3	N/A	N/A
Homestead Road & NC 86 (MLK Jr, Boulevard)	AM	C	24.6	C	27.9	C	28.6	N/A	N/A
	NOON	C	27.8	D	36.0	D	37.2	N/A	N/A
	PM	C	25.1	C	30.2	C	31.0	N/A	N/A
Weaver Dairy Road Extension & Bridgepoint North Site Driveway#	AM	N/A	N/A	N/A	N/A	B	13.2	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	B	10.0	N/A	N/A
	PM	N/A	N/A	N/A	N/A	B	12.2	N/A	N/A

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

Driveway throat lengths, and intersection/driveway separation minimum criteria, as set forth in the 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and the 2017 Town of Chapel Hill Design Manual are acceptable for current site plans for both projects.

Access for pedestrians is adequate in the project study area and will be improved with the construction of the Town's Homestead Road Improvements project. Crosswalk exists across the NC 86, Seawell School Road, and Weaver Dairy Extension intersections with Homestead Road signalized intersections and across Homestead Road at Northern Park Drive to the east of the Bridgepoint - 2200 Homestead Road Residential sites. No specific bicycle amenities are present along Homestead Road, but bicycle lanes are present on one side of Seawell School Road and the Weaver Dairy Road Extension and along NC 86 north of Homestead Road. These bike facilities will be connected by bicycle lanes/off-road paved paths along Homestead Road at the completion of the Town's improvement project.

Signal Warrant Analysis
Based on projected 2025 traffic volumes and proposed access plans, the unsignalized Combined Main Driveway / Greenway Landing intersection with Homestead Road would not warrant the installation of a traffic signal, based on the Peak Hour warrant methodology found in the *2009 Manual on Uniform Traffic Control Devices (MUTCD).*

Crash Analysis

Data from the NCDOT Traffic Safety Unit was provided for the five-year period 2/1/2015 to 1/31/2020 for the segment Homestead Road in the vicinity of the proposed site. There were 36 crashes reported along Homestead Road study area corridor between Seawell School Road and NC 86 over the five year period. The primary crash type was rear end crashes and crashes were primarily clustered near the NC 86 intersection. Overall, the number and severity of crashes along Homestead Road in the project study area is lower than state-wide averages for similar facilities. There was one pedestrian fatality recorded near the Seymour Senior Center to the east of the project sites.

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 HCS 95th percentile (max) queue length estimates for the 2024 and 2025 Build Scenarios. At the intersection of Homestead Road and Weaver Dairy Extension, the southbound right-turn lane queue may exceed its existing storage regardless of site traffic impacts. Adjustments to signal timing may be necessary to mitigate this issue. At the intersection of Homestead Road and NC 86 (Martin Luther King, Jr. Blvd), projected 95th percentile queue lengths may exceed the northbound and eastbound existing delineated storage bay lengths if existing signal timings are not adjusted to reflect expected increases in traffic volumes related to those movements.
Appropriateness of Acceleration/ Deceleration Lanes	The site concept plans show an eastbound left-turn lane and westbound right-turn lane at the Combined Main Site Driveway intersection with Homestead Road, both will improve intersection capacity and safety. No other specific acceleration/deceleration lane issues were analyzed in the project study area.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is adequate along the Homestead Road corridor adjacent to the sites, though some gaps exist on both sides of the road in certain areas. Bicycle lanes extend along NC 86 north of Homestead Road and along the Weaver Dairy Road Extension and Seawell School Road, but no bicycle facilities exist along Homestead Road within the project study area. The Town's Homestead Road Improvements project will considerably improve pedestrian and bicycle facilities along Homestead Road in the project study area.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is adequate, with bus stops and multiple local and regional bus routes on both NC 86 and Homestead Road proximate to the site

Mitigation Measures/Recommendations

Planned Improvements

The Town of Chapel Hill has two transportation improvement projects currently slated for construction prior to the 2024 and 2025 site build-out years. The Homestead Road Improvements project (U-4726 IK) will create a consistent three-lane roadway cross-section along the site frontages to Weaver Dairy Road Extension, as well as construct pedestrian and bicycle facility improvements between Seawell School Road and Weaver Dairy Road Extension. Improvements related to this project are shown schematically

on **Figure ES-3**. The Town also has the North-South Bus Rapid Transit Project, which will provide dedicated lanes for transit along the NC 86 corridor, along with other transit amenity improvements scheduled for construction in 2022. As final design details are not complete as of the submittal of this TIS, no specific lane usage changes were analyzed as part of this study.

Background Committed Improvements

There is one specific geometric improvement to the study area roadway intersections related to background private development projects that are expected to be completed between 2020 and 2025. A full access driveway and widening of Homestead Road to a consistent three-lane cross-section was proposed in the Overture (Active Adult Housing) TIS. Several traffic impact studies for development projects in and near the study area recommended signal timing reoptimization for signalized intersections along the NC 86 (Martin Luther King, Jr. Blvd) corridor by their respective build-out years. It is assumed that signal timing reoptimization will occur for the NC 86 corridor by the year 2025, whether or not specifically needed by any of the background traffic generating developments included in this study.

Applicant Committed Improvements

There are several specific transportation-related improvements proposed external to the Bridgepoint - 2200 Homestead Road Residential sites. Site plans, though developed independently, have had and currently have on-going coordination to provide reasonable cross-access and external access opportunities for both sites. External improvements (shown schematically in **Figure ES-3**) include:

- Provision of a combined main access driveway along Homestead Road immediately opposite Greenway Landing with internal connectivity from this driveway to both sites. The driveway location is on 2200 Homestead Road property. It would be constructed regardless of which site actually began development first, but if the Bridgepoint site were constructed first, this location would only serve as a temporary secondary restricted access point. If 2200 Homestead Road were developed first, it would function as a primary full access driveway. The driveway exit would have a left-turn lane with 75 feet of storage and a shared through/right-turn lane when fully developed, as shown in **Figure ES-2**.
- Construction of a full access minor street connection to Weaver Dairy Road Extension with stop-control for the Bridgepoint access eastbound approach. This access would only be built as part of the Bridgepoint project. If the 2200 Homestead Road Residential project is developed first, a temporary secondary gravel/grass restricted-access connection for its use will be established on Homestead Road.
- Construction of continuous sidewalk along west side of Weaver Dairy Road Extension across Bridgepoint site frontage

Necessary Improvements

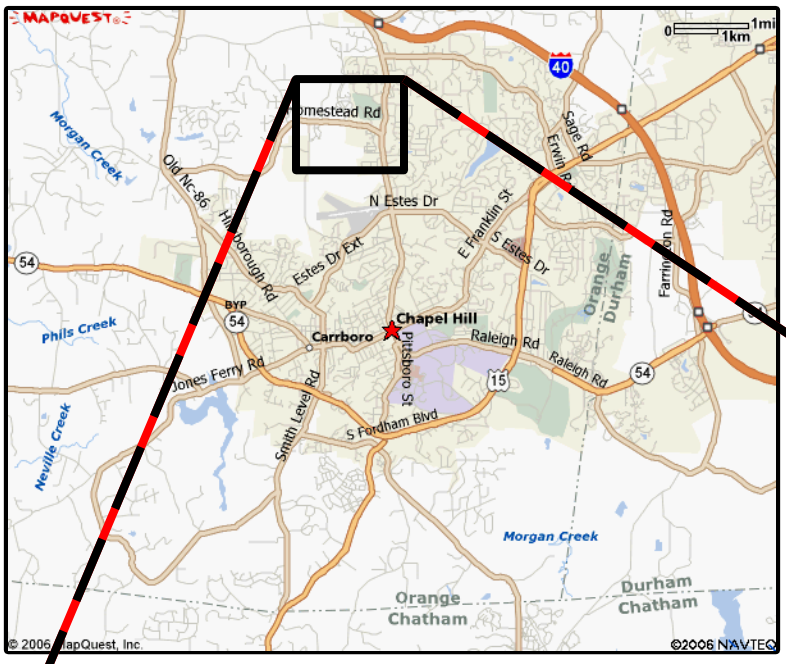
Based on traffic capacity analyses for the 2025 design year (with the most conservative estimates of background and combined traffic from both sites), and analyses of existing study area turning bay storage lengths and site access, the following improvements are recommended as being necessary for adequate transportation network operations (see **Figure ES-3**).

1) Retime the Homestead Road and Weaver Dairy Road intersection traffic signal to ensure that the southbound right-turn lane has adequate green time to avoid excessive queue spillback. <u>This improvement is recommended whether or not if the Bridgepoint and 2200 Homestead Road Residential sites are developed.</u>

2) Provide pavement markings to delineate at least 175 feet of eastbound left-turn bay storage at the Homestead Road and Weaver Dairy Road intersection. The cross-section at this location features a continuous left-turn center lane, so actual storage for vehicles at the intersection can feasibly be longer. 175 feet is recommended as a minimum if the Active Adult Housing project is constructed with its site driveway located as analyzed in the 2017 Traffic Impact Study for this project (then known as Overture). That site driveway, and its 100 foot recommended westbound left-turn lane storage would leave approximately 175 feet of full storage for eastbound left-turning vehicles at the Weaver Dairy Extension intersection. This improvement is recommended whether or not if the Bridgepoint and 2200 Homestead Road Residential sites are developed and can be incorporated in the Town's Homestead Road Improvements project.

3) Provide 100 feet of full eastbound left-turn storage on Homestead Road at its intersection with the proposed Combined Main Site Driveway/Greenway Landing. This improvement will necessitate a small amount of cross-section widening on Homestead Road along the 2200 Homestead Road Residential parcel site frontage and would require minor adjustments to the current Town of Chapel Hill Homestead Road Improvements roadway design plans. This improvement is recommended for the Bridgepoint - 2200 Homestead Road Residential projects and would be necessary once the 2200 Homestead Road Residential project is built and the Combined Main Site Driveway is opened to access both sites.

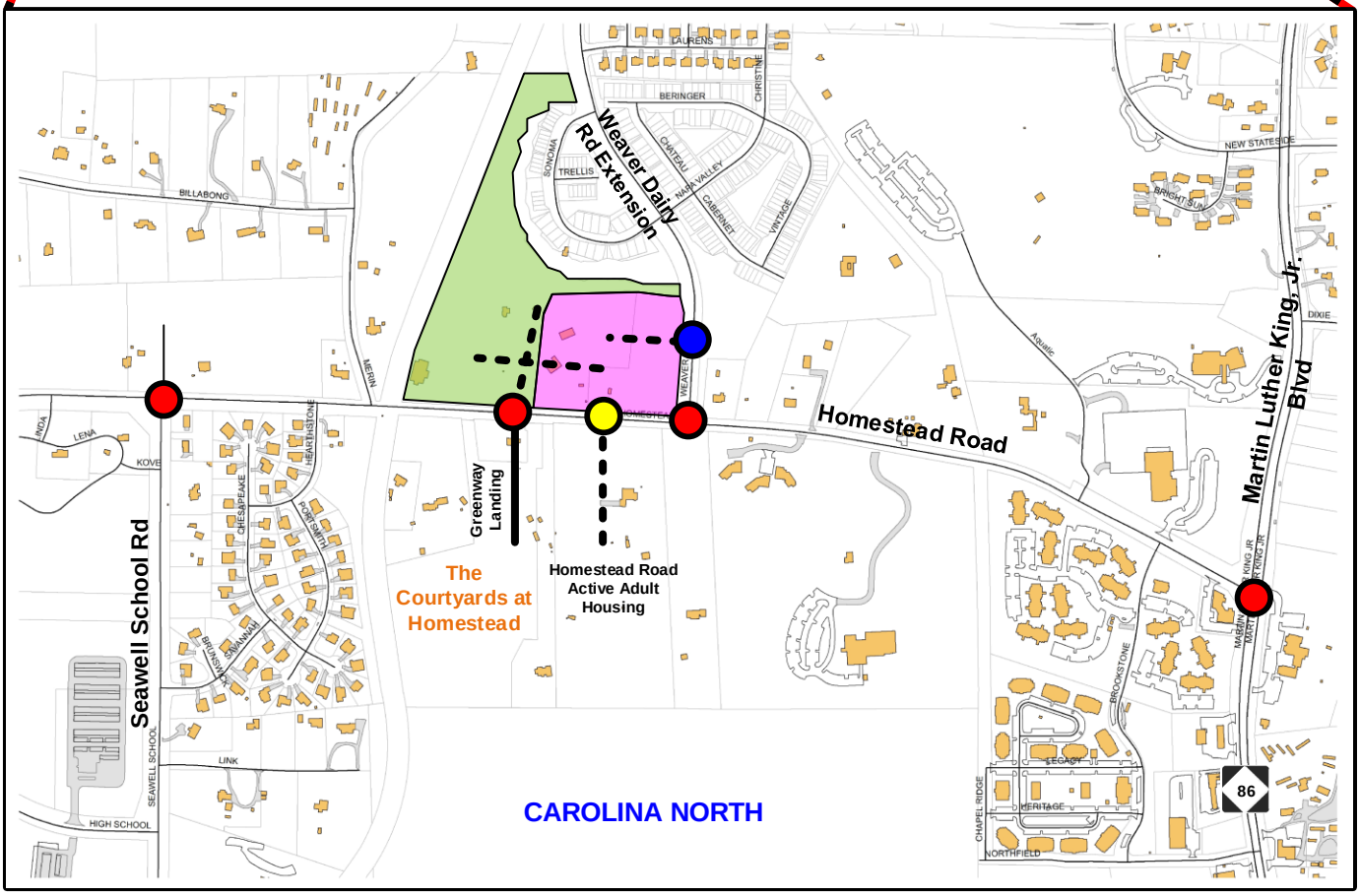
4) Provide a right-turn lane westbound on Homestead Road at the Combined Main Site Driveway with 100 feet of queue storage. The construction of this lane will need coordination with Homestead Road Improvements project plans. This improvement is recommended for the Bridgepoint - 2200 Homestead Road Residential projects and would be necessary once the 2200 Homestead Road Residential project is built and the Combined Main Site Driveway is opened to access both sites.



LEGEND

- = Existing Building Footprint
- = Existing Study Area Intersection
- = Proposed Site Driveway
- = Future Development Driveway
- = Proposed Bridgepoint Site
- = Proposed 2200 Homestead Site

NOT TO SCALE



Source: Town of Chapel Hill GIS Files

HNTB

Bridgepoint - 2200 Homestead Road Residential

Traffic Impact Study

DATE: June 2020

PROJECT STUDY AREA

FIGURE ES-1

LEGEND

= PROPOSED SITE ACCESS

2200 HOMESTEAD ROAD SITE

BRIDGEPOINT SITE

IF BRIDGEPOINT IS CONSTRUCTED FIRST – A TEMPORARY PUBLIC STREET CONNECTION WILL BE PROVIDED HERE (SEE FIGURE 2A)

FULL ACCESS TO WEAVER DAIRY RD EXTENSION

FULL ACCESS TO HOMESTEAD RD VIA COMBINED SITE DRIVEWAY WITH 2200 HOMESTEAD RD RESIDENTIAL SITE CONSTRUCTION

alternate access

S 82°44'39" E 118.74'

N 86°55'18" W 586.43'

N86°15'24"W 243.69'

N86°49'42"W 391.36'

HOMESTEAD ROAD - S.R. 1777

WEAVER DAIRY ROAD EXTENSION

WEAVER DAIRY ROAD (SR 1736)

GATEWAY LANDING

TEMPORARY EMERGENCY DRIVE

FULL ACCESS DRIVE

10 SPACES
11 SPACES
18 SPACES
19 SPACES
40 SPACES
64 SPACES

APARTMENT (12) 3 STORIES
APARTMENT (12) 3 STORIES
APARTMENT (12) 3 STORIES
APARTMENT (12) 3 STORIES
APARTMENT (12 UNTIS) 3 STORIES

DUPLEX 2 STORIES
DUPLEX 2 STORIES
DUPLEX 2 STORIES

PLAYGROUND

TOWNHOME (9) 2 STORIES
TOWNHOME (5) 2 STORIES
TOWNHOME (5) 2 STORIES
TOWNHOME (5) 2 STORIES
TOWNHOME (5) 2 STORIES

COMMUNITY BUILDING 2 STORIES

H/C
H/C

STREET A
STREET B
STREET C
PARK
FOREBAY

HNTB	TOWN OF CHAPEL HILL	NOT TO SCALE	**Bridgepoint - 2200 Homestead Road Residential** **Traffic Impact Study** **PRELIMINARY SITE PLAN – COMBINED SITES**	**DATE:** June 2020 **FIGURE ES-2**

LEGEND

= TOWN/DEVELOPER BACKGROUND COMMITTED IMPROVEMENT

= APPLICANT COMMITTED IMPROVEMENT

= NECESSARY IMPROVEMENT

= NEW CROSS-WALK / PEDESTRIAN SIGNAL

= PEDESTRIAN / BICYCLE IMPROVEMENTS

Weaver Dairy Road Extension

Proposed Sidewalk

Bridgepoint North Access Street

Main Combined Site Driveway

Cross-Access Connection

2200 HOMESTEAD ROAD SITE

BRIDGEPOINT SITE

86

Martin Luther King, Jr. Blvd

Seawell School Road

Homestead Road

Greenway Landing

Active Adult Housing Main Driveway

Re-time Traffic Signal

Re-Time Traffic Signal

Church Driveway

HNTB	TOWN OF CHAPEL HILL	NOT TO SCALE	**Bridgepoint - 2200 Homestead Road Residential** **Traffic Impact Study** **COMMITTED AND RECOMMENDED IMPROVEMENTS**	**DATE:** June 2020 **FIGURE ES-3**

2200 HOMESTEAD

Conditional Zoning Application 29 October 2020

Affordable Housing Proposal

In 2017, the Town of Chapel Hill Council adopted a resolution designating 2200 Homestead Road as a mixed-income affordable housing site, a designation that followed evaluation of the site by Town staff and a Council-led housing task force. After adoption of that resolution, potential beneficiaries and other stakeholders were involved in the creation of the concept plan for this site in 2017 and 2018 through a Town-led public participation process. The concept plan was further refined through input from two of the Town's advisory boards, the Community Design Commission and the Housing Advisory Board. The concept plan developed through that process forms the basis of the proposed project.

The homes at 2200 Homestead will be developed by CASA, Community Home Trust, and Habitat for Humanity, all nonprofit agencies with strong track records in Orange County. In total, the partners propose to develop 115-130 affordable rental and homeownership units serving households earning from below 30% to 115% AMI. The homes will be a mix of apartments, duplexes, and townhomes, ranging from 1-bedroom units to 4-bedroom units.

The homes will be available to low- and moderate-income households that meet the respective development partners' eligibility requirements. In addition, the range of unit sizes and types will provide opportunities to serve several target populations, including persons with disabilities, individuals or families transitioning out of homelessness, holders of housing vouchers, survivors of domestic violence, and veterans, among others.

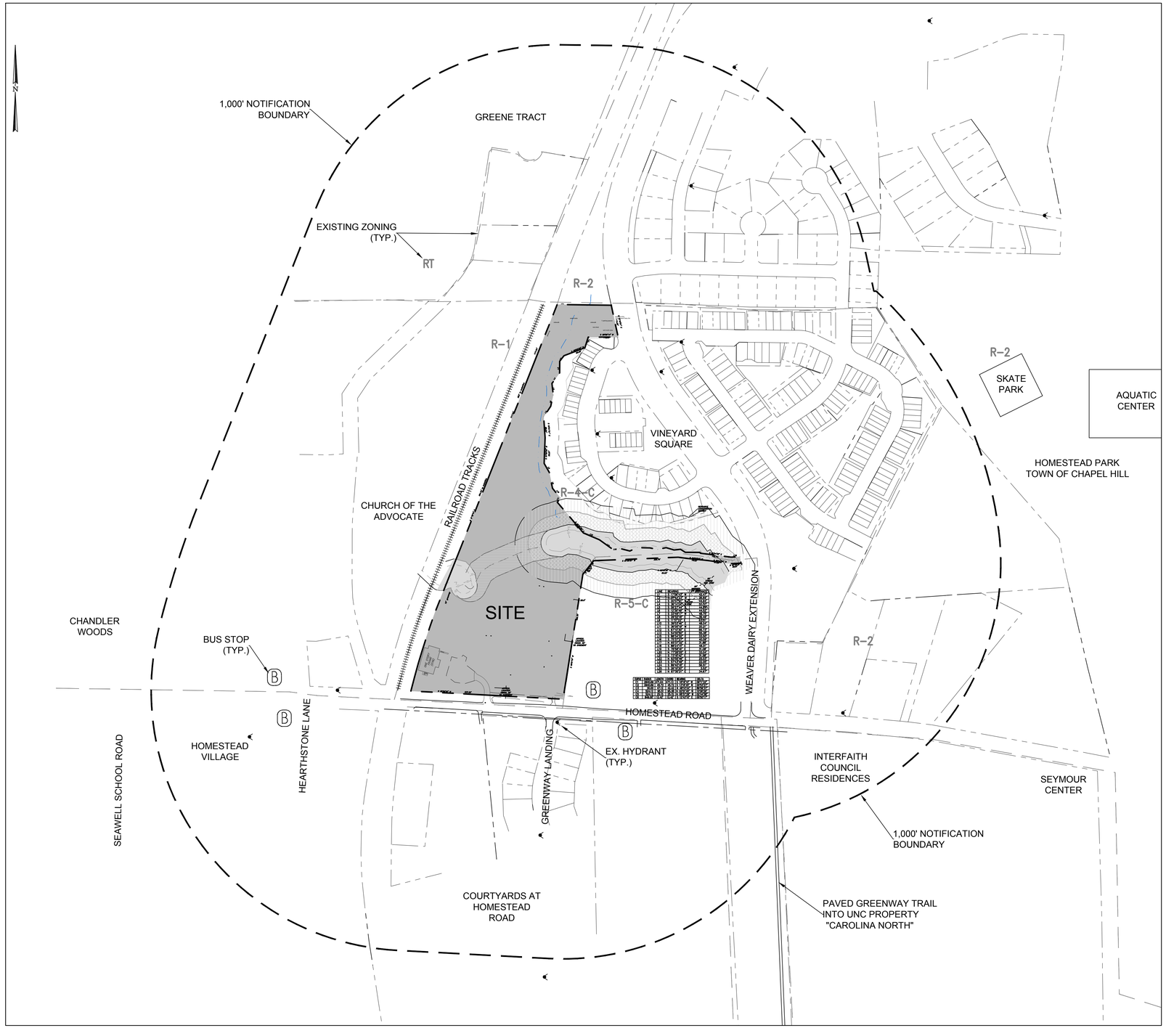
All of the units developed at 2200 Homestead road will be subject to restrictions ensuring long-term affordability. Community Home Trust's townhomes will be sold subject to a 99-year ground lease, giving the Home Trust the ability to limit the appreciation realized by homeowners and keep the homes affordable to future buyers. Community Home Trust homes typically sell for 30-50% below market value.

The Habitat for Humanity homes will be sold using deeds of restrictive covenants requiring 99-year affordability to buyers who earn 80% or less of the AMI. In addition, Habitat retains a right of first refusal on all of its homes. A shared equity agreement allows Habitat buyers to share a percentage of the appreciation of their property based on the ratio of their first mortgage, which is provided by Habitat, and the original sales price of the home, which is determined by a market appraisal at the time of sale, while ensuring that Habitat's homes remain affordable.

CASA has committed to a 30-year affordability restriction for the three apartment buildings, which is standard for affordable multifamily new construction projects.

HOMESTEAD ROAD HOUSING DEVELOPMENT

2200 HOMESTEAD ROAD, CHAPEL HILL, NC



1 CZ-0.0 AREA MAP
1"=200'
0 100 200 400 600

SITE DATA

PIN:	9870-91-2947
OWNER:	TOWN OF CHAPEL HILL
ENVIRONMENTAL CONSTRAINTS:	JORDAN BUFFER RESOURCE CONSERVATION DISTRICT
TOTAL PARCEL LAND AREA:	541,157.56 SF / 12.42 AC (NET)
HOMESTEAD FRONTAGE: 586.43 LF, RIGHT OF WAY WIDTH 75'	586.43 x 37.5 = 21,991.125
WEAVER DAIRY EXT FRONTAGE:	113.20 LF (NORTH) + 25.15 LF (SOUTH), RIGHT OF WAY WIDTH: 100' 138.35 X 50' = 6,917.5
GROSS LAND AREA:	570,066 SF / 13..09 AC
EXISTING ZONING:	R-4-C
PROPOSED ZONING:	R-SS-CZD
PROPOSED LAND DISTURBANCE:	464,882 sf / 10.26 AC
EXISTING IMPERVIOUS ON-SITE:	18,442 SF / 0.34 AC
PROPOSED IMPERVIOUS ON-SITE:	222,603 SF 5.11 AC
PROPOSED USE	
TOWNHOMES:	0-10 UNITS X 3 BEDROOM 16 UNITS X 2 BEDROOM 0-20 X 1 BEDROOM
APARTMENTS:	54 X 1 BEDROOM 18 X 2 BEDROOM
DUPLEXES:	12 UNITS X 3 BEDROOM 6 UNITS X 4 BEDROOM 115 - 126 UNITS
TOTAL SQUARE FOOTAGE PROPOSED:	181,575 sf

FLOOR AREA RATIO

DISTRICT AREA FAR: 1.10 X 443,592 SF = 487,951 SF
RCD STREAMSIDE: 0.01 X x86,014 ON THIS SITE = 860 SF
RCD MANAGED: 0.019 X 18,239 SF ON THIS SITE = 346 SF
RCD UPLAND: 1.10 X 22,215 SF IN THIS AREA = 24,436 SF

TOTAL ALLOWED FLOOR AREA: 513,593 SF
TOTAL PROPOSED FLOOR AREA: 181,575 SF

PARKING

MINIMUM REQUIRED:	1 SPACE PER 1 BDRM = 54x1 = 54 1.4 / 2 BDRM = 34x1.4 = 48 1.75 / 3 BDRM = 22x1.75 = 39 2 / 4 BDRM = 6x2 = 12 MINIMUM 153 SPACES
MAXIMUM ALLOWED:	1.25 / 1 BDRM = 74x1.25 = 93 1.75 / 2 BDRM = 34x1.75 = 60 2.25 / 3 BDRM = 22x2.25 = 50 2.5 / 4 BDRM = 6x2.5 = 15 MAXIMUM 227 SPACES
PROVIDED:	164 STANDARD SPACES 2 COMPACT SPACES 3 VAN SPACES + 6 ADA SPACES 175 SPACES TOTAL

SPACES SERVED BY EV CHARGING STATIONS:
REQUIRED: 3% = 5.25 SPACES
PROVIDED: 3.4% = 6 SPACES
NOTE: 35 SPACES MUST BE EV-STATION- READY WITH CONDUIT INSTALLED DURING SITE CONSTRUCTION

BICYCLE PARKING

MAX. 126 UNITS
REQUIRED: 1 SPACE PER 4 UNITS = 32 SPACES
Residential: 10% short term = 3-4 (OUTSIDE)
90% long term = 28-29 (PROTECTED)

PROVIDED: 4 SPACES (2 LOOPS) OUTSIDE -
1 loop at basketball court
1 loop at middle apartment area
50 PROTECTED SPACES IN OUTDOOR PROTECTED AREAS AND WITHIN BUILDINGS
9 loops / 18 spaces in locked facilities adjacent to apartment buildings
3 loops / 6 spaces at common shelter
26 4'x6' lockable porch closets at townhomes

LIST OF SHEETS

CZ-0.0	COVER & AREA MAP
CZ-1.0	EXISTING CONDITIONS
CZ-1.1	CONSTRUCTION MANAGEMENT PLAN
CZ-2.0	SITE LAYOUT PLAN
CZ-3.0	GRADING AND STORMWATER PLAN
CZ-4.0	reserved for erosion control
CZ-5.0	UTILITY PLAN
CZ-6.0	PRELIMINARY LIGHTING PLAN
CZ-7.0	LANDSCAPE PLAN
CZ-7.1	LANDSCAPE CALCS AND TREESAVE PLAN
CZ-8.0	SITE DETAILS
CZ-8.1	SITE DETAILS
PD-001	TYPICAL TOWNHOME ELEVATIONS
PD-002	4-BEDROOM DUPLEX ELEVATIONS
PD-003	3-BEDROOM DUPLEX ELEVATIONS
PD-004	CASA BUILDING A ELEVATIONS
PD-005	CASA BUILDING B ELEVATIONS
PD-006	CASA BUILDING C ELEVATIONS

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-DURHAM
-GREENSBORO
-PITTSBORO

Project:

2200 Homestead Road

Chapel Hill
North Carolina

PIN: 9870912947

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L. RAMSTEIN
3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

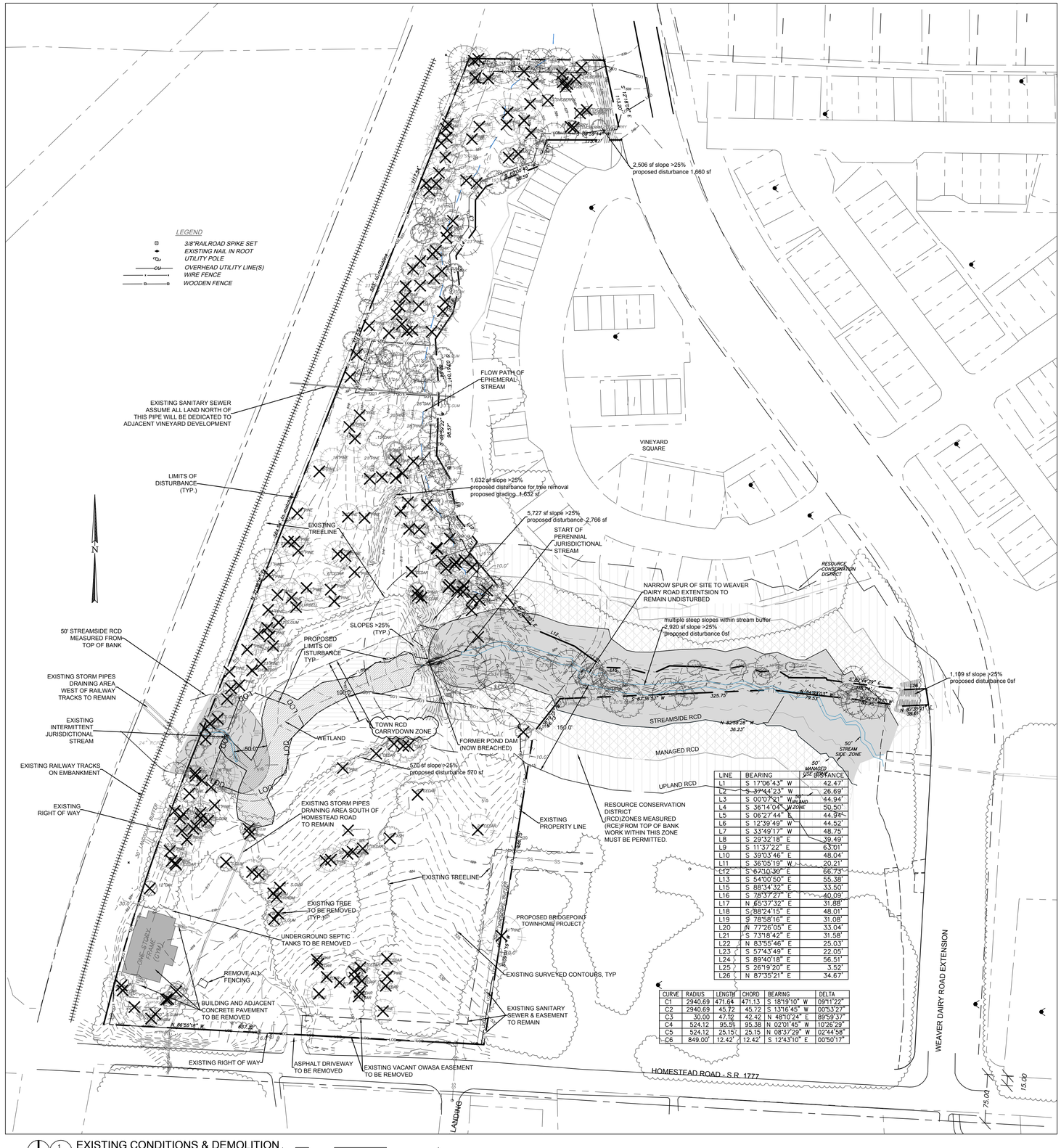
Conditional Zoning Plan

Sheet Title:

COVER & AREA MAP

Sheet Number

CZ-0.0



LINE	BEARING	DISTANCE
L1	S 17°06'43" W	42.47'
L2	S 37°44'23" W	26.69'
L3	S 00°07'21" W	44.94'
L4	S 36°14'04" W	50.50'
L5	S 06°27'44" E	44.94'
L6	S 12°39'49" W	44.52'
L7	S 33°49'17" W	48.75'
L8	S 29°32'18" E	39.49'
L9	S 11°37'22" E	63.01'
L10	S 39°03'46" E	48.04'
L11	S 36°05'19" W	20.21'
L12	S 62°10'39" E	66.73'
L13	S 54°00'50" E	55.38'
L15	S 88°34'32" E	33.50'
L16	S 75°37'27" E	40.09'
L17	N 65°37'32" E	31.88'
L18	S 88°24'15" E	48.01'
L19	S 78°58'16" E	31.08'
L20	N 77°26'05" E	33.04'
L21	S 73°18'42" E	31.58'
L22	N 83°55'46" E	25.03'
L23	S 57°43'49" E	22.05'
L24	S 89°40'18" E	56.51'
L25	S 26°19'20" E	3.52'
L26	N 87°35'21" E	34.67'

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	2940.69	471.64	471.13	S 18°19'10" W	09°11'22"
C2	2940.69	45.72	45.72	S 13°16'45" W	00°53'27"
C3	30.00	47.12	42.42	N 48°10'24" E	89°59'37"
C4	524.12	95.51	95.38	N 02°01'45" W	10°26'29"
C5	524.12	25.15	25.15	N 08°37'29" W	02°44'58"
C6	849.00'	12.42'	12.42'	S 12°43'10" E	00°50'17"

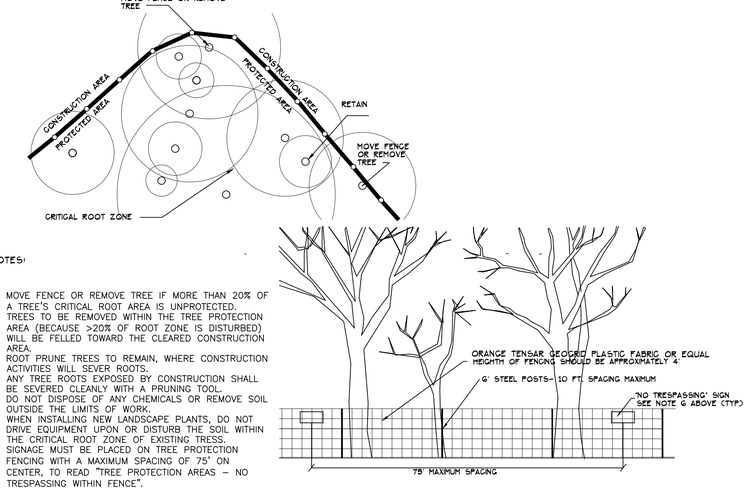
1 CZ-1 EXISTING CONDITIONS & DEMOLITION
1"=80'
0 40 80 160 240

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 CZ-5.0. 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. ASBESTOS ABATEMENT REPORT MAY BE REQUIRED BEFORE DEMOLITION PERMIT MAY BE ISSUED.
18. 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.
19. 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.
20. TREE PROTECTION SEMINAR TO BE COMPLETED BY CONTRACTOR PRIOR TO TREE PROTECTION FENCE INSTALLATION. PLEASE CALL ADAM NICHOLSON AT 919-969-5006

2 CZ-1 DEMOLITION 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.

3 CZ-1 EROSION CONTROL NOTES



NOTES:

1. MOVE FENCE OR REMOVE TREE IF MORE THAN 20% OF A TREE'S CRITICAL ROOT AREA IS UNPROTECTED.
2. TREES TO BE REMOVED WITHIN THE TREE PROTECTION AREA (BECAUSE >20% OF ROOT ZONE IS DISTURBED) WILL BE FELLED TOWARD THE CLEARED CONSTRUCTION AREA.
3. ROOT PRUNE TREES TO REMAIN, WHERE CONSTRUCTION ACTIVITIES WILL SEVER ROOTS.
4. ANY TREE ROOTS EXPOSED BY CONSTRUCTION SHALL BE SEVERED CLEANLY WITH A PRUNING TOOL.
5. DO NOT DISPOSE OF ANY CHEMICALS OR REMOVE SOIL OUTSIDE THE LIMITS OF WORK.
6. WHEN INSTALLING NEW LANDSCAPE PLANTS, DO NOT DRIVE EQUIPMENT UPON OR DISTURB THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TRESS.
7. SIGNAGE MUST BE PLACED ON TREE PROTECTION FENCING WITH A MAXIMUM SPACING OF 75' ON CENTER, TO READ "TREE PROTECTION AREAS - NO TRESPASSING WITHIN FENCE".

4 CZ-1 TREE PROTECTION FENCING
NTS

slope >25%
total area on site of slope >25% = 13,894 sf
total proposed disturbance = 6,058 sf (43.6%)

4 CZ-1 STEEP SLOPES ANALYSIS
NTS

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-DURHAM
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Project:

2200 Homestead Road

Chapel Hill North Carolina

PIN: 9870912947

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L RAMSDEN
3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
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Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

Conditional Zoning Plan

Sheet Title:

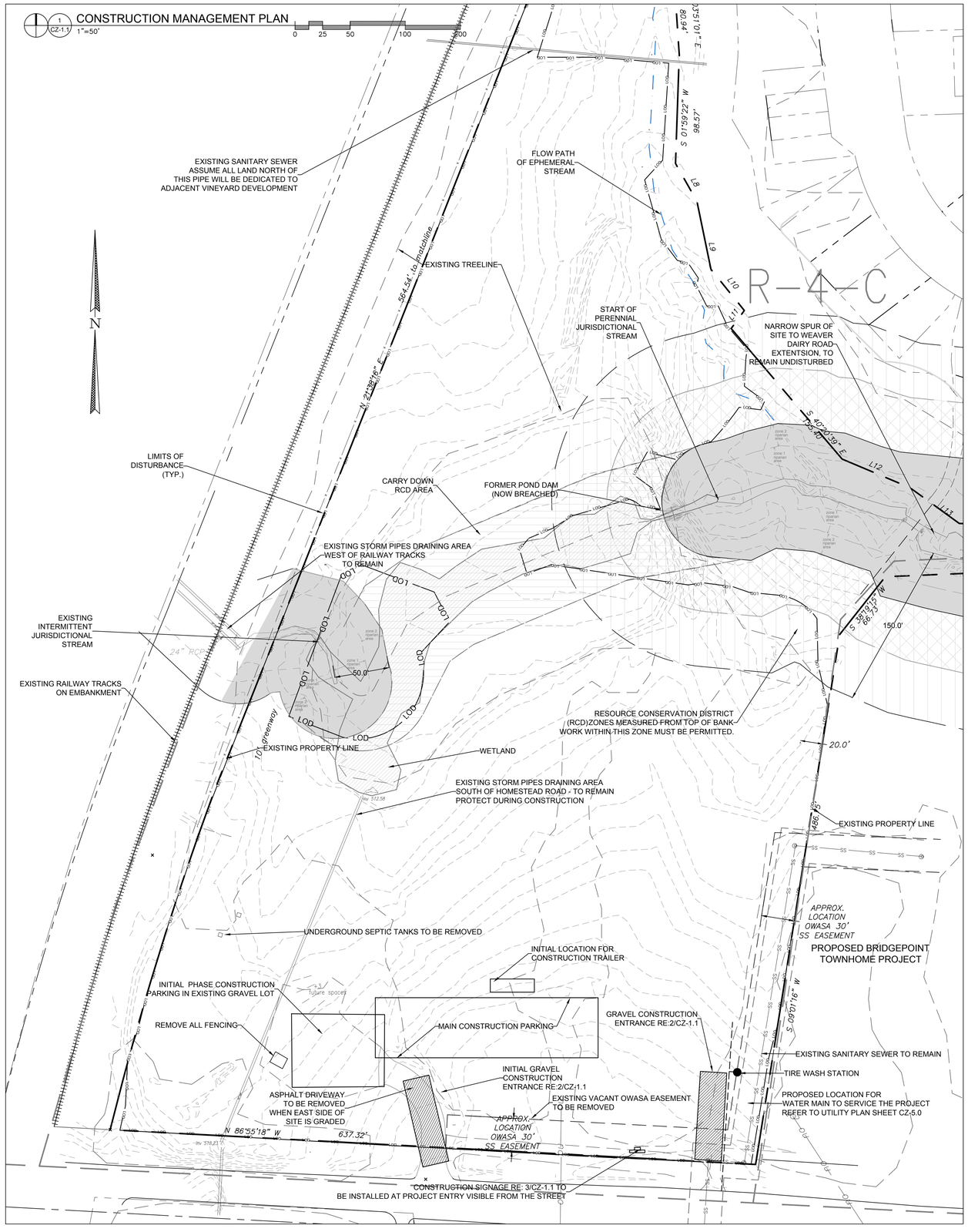
EXISTING CONDITIONS & DEMOLITION

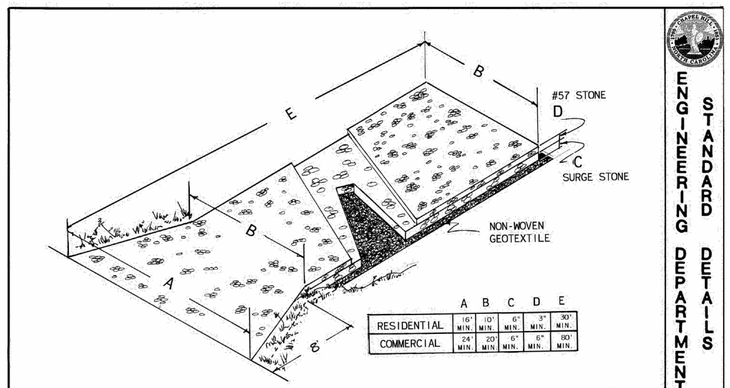
Sheet Number

CZ-1.0

1 CZ-1.1 CONSTRUCTION MANAGEMENT PLAN

1"=50'





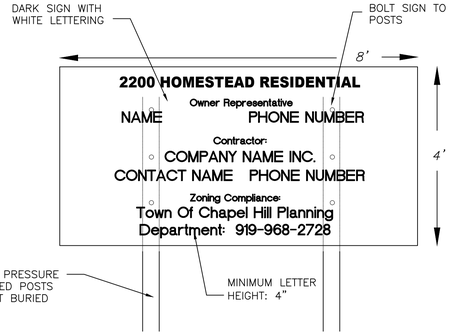
2 CZ-1.1 GRAVEL CONSTRUCTION ENTRANCE

ENGINEERING DEPARTMENT STANDARD DETAILS

TITLE GRAVEL CONSTRUCTION ENTRANCE

REVISIONS NO	DATE	BY

DET.NO. E-1



NOTES:
1. AT A MINIMUM, THE SIGN IS TO INCLUDE THE FOLLOWING INFORMATION: PROJECT NAME, OWNER CONTACT, CONTRACTOR CONTACT, ZONING COMPLIANCE CONTACT.
2. SIGN IS TO BE A MAXIMUM OF 4' X 8'
3. SIGN IS TO BE REMOVED AT PROJECT COMPLETION
4. THE SIGN WILL NEED A SEPARATE PERMIT THROUGH TOWN OF CHAPEL HILL PLANNING DEPARTMENT

3 CZ-1.1 CONSTRUCTION SIGNAGE

CONSTRUCTION STAGING NOTES

1. *EXISTING GRAVEL PARKING IS TO BE LEFT INTACT FOR CONSTRUCTION WORKERS UNTIL WORK IS DONE IN EACH AREA AND GRAVEL NEEDS TO BE REMOVED.*
2. *NO CONSTRUCTION PARKING WILL BE ALLOWED ON ADJACENT RESIDENTIAL STREETS.*
3. *CURB AND GUTTER AND AT LEAST THE FIRST LIFT OF ASPHALT MUST BE LAID DOWN AHEAD OF BUILDING CONSTRUCTION.*
4. *ON-SITE PARKING FOR INSPECTORS WILL BE PROVIDED AT EACH BUILDING FOR THE DURATION OF EACH PHASE OF BUILDING CONSTRUCTION.*
5. *THE TOWN OF CHAPEL HILL NOISE ORDINANCE MUST BE COMPLIED WITH. THE TOWN ORDINANCE SPECIFIES CONSTRUCTION OPERATIONS ARE LIMITED TO 7 AM TO 9 PM WEEKDAYS, AND 8 AM TO 9 PM WEEKENDS.*
6. *MATERIAL STORAGE, PARKING, CONSTRUCTION TRAIL, AND TOILET FACILITIES MUST BE LOCATED OUTSIDE OF RCD ZONES, AND LOCATED SO THAT DRAINAGE FROM THESE SPACES DO NOT DIRECTLY DRAIN INTO THE RCD.*

TRAFFIC/PEDESTRIAN CONTROL NOTES

1. ANY CONSTRUCTION REQUIRING TEMPORARY LANE CLOSURES ON PUBLIC STREETS NEED TOWN APPROVAL. TEMPORARY LANE CLOSURES ARE ONLY ALLOWED DURING DAYLIGHT HOURS.
2. ALL WORK ZONE SIGNAGE SHALL COMPLY WITH APPLICABLE M.U.T.C.D. STANDARDS AND DETAILS.
3. PRIOR TO ANY TRAFFIC LANE CLOSURES, IT WILL BE NECESSARY TO CONTACT ERNIE ROGERS AT 919-968-2833, OF THE CHAPEL HILL ENGINEERING DIVISION, AT LEAST 5 WORKING DAYS BEFORE THE PROPOSED WORK TO APPLY FOR A LANE CLOSURE PERMIT.

FIRE PROTECTION NOTES

1. *CONTRACTOR SHALL MAINTAIN A FIRE WATCH DURING THE CONSTRUCTION OR DEMOLITION OF "HOT WORK" THAT MAY SUBJECT MATERIALS TO SPONTANEOUS COMBUSTION. 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.*
2. *ALL CONSTRUCTION AND DEMOLITION SHALL COMPLY WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC (FIRE CODE).*
3. *ANY PERMANENT OR TEMPORARY GATES ACROSS FIRE ACCESS DRIVES SHALL BE A MINIMUM WIDTH OF 20', EITHER SWINGING OR SLIDING TYPE, HAVE AN EMERGENCY MEANS OF OPERATION, AND SHALL BE OPERABLE 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 2012.*

4 CZ-1.1 CONSTRUCTION MANAGEMENT NOTES

1. *PROJECT CONSTRUCTION WILL BE PHASED. THE MAJORITY OF THE SITE WORK WILL BE COMPLETED FIRST IN ORDER TO PROVIDE BUILDING PADS FOR VERTICAL CONSTRUCTION.*
2. *BUILDING CONSTRUCTION WILL NOT BEGIN UNTIL THE UTILITY MAINS ARE INSTALLED AND THE FIRST LAYER OF PAVEMENT IS COMPLETE.*
3. *A CONSTRUCTION TRAILER WILL BE INSTALLED AT THE SITE AND LOCATED APPROXIMATELY IN THE AREA OF THE PROPOSED APARTMENT BUILDINGS. THE CONSTRUCTION TRAILER MAY BE RELOCATED WITHIN THE SITE AS BUILDING CONSTRUCTION IS PERMITTED AND STARTED.*
4. *CONSTRUCTION PARKING WILL BE ALLOWED ON SITE INITIALLY IN GRAVEL AREAS AND LATER IN PROPOSED FUTURE PARKING AREAS. AS BUILDING CONSTRUCTION BEGINS, THERE WILL BE A PARKING SPACE ALLOCATED FOR AN INSPECTOR AT EACH BUILDING.*
5. *CONSTRUCTION TOILETS MAY NOT BE LOCATED IN RCD AREAS.*
6. *CONSTRUCTION MATERIALS MAY BE STORED IN MULTIPLE AREAS ON SITE. CONSTRUCTION MATERIAL STORAGE WILL NOT BE ALLOWED IN RCD ZONES.*

5 CZ-1.1 CONSTRUCTION PHASING NOTES

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Project:

2200 Homestead Road

Chapel Hill North Carolina

PIN: 9870912947

JOSEPH CARROLL TAYLOR JR. NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L RAMSDEN
3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

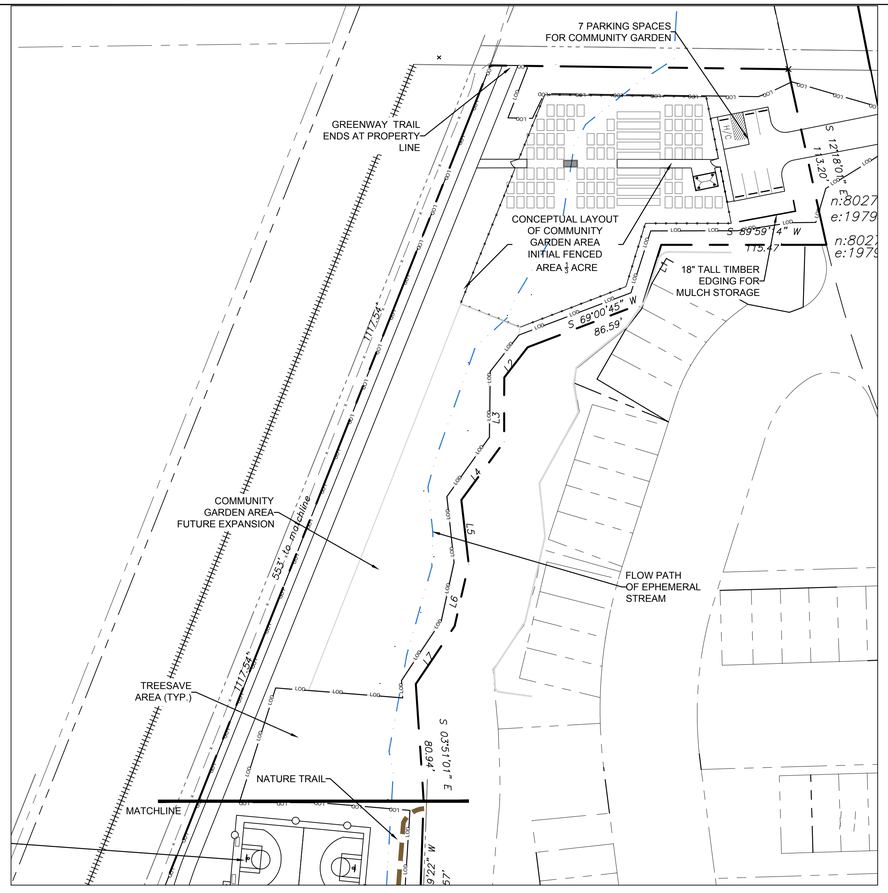
Conditional Zoning Plan

Sheet Title:

CONSTRUCTION MANAGEMENT PLAN

Sheet Number

CZ-1.1



2 CZ-2 SITE LAYOUT NORTH AREA PLAN

1"=50'

0 25 50 100 200

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 CZ-1.0 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 CZ-2 SITE LAYOUT NOTES

TOTAL SITE AREA: 570,066 SF
MULTIFAMILY RESIDENTIAL RECREATION RATIO = .050
TOTAL REQUIRED RECREATION SPACE = 28,503 SF

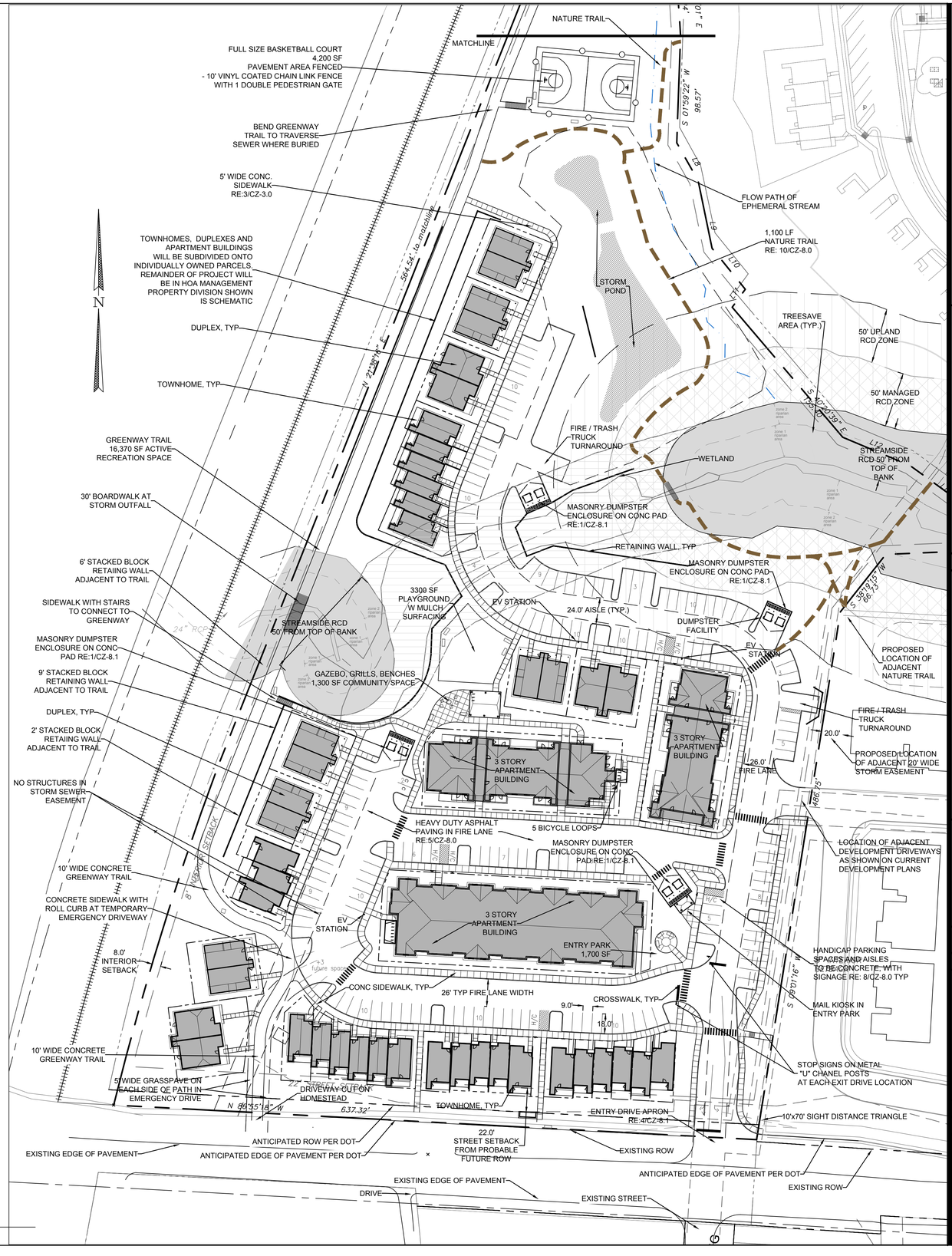
ACTIVE RECREATION SPACE PROVIDED:

GREENWAY TRAIL	16,370 SF
PLAYGROUND	3,300 SF
BASKETBALL COURT	4,200 SF
NATURE TRAIL	4,400 SF
PICNIC SHELTER	1,300 SF (supports playground use)
TOTAL:	29,570 SF

OTHER RECREATION SPACE PROVIDED:

COMMUNITY GARDEN	11,000 SF
SIDEWALKS - 2/3 MILE	
ALL INTERCONNECTED	16,700 SF
ENTRY PARK	1,700 SF
TOTAL:	29,400 SF

4 CZ-2 RECREATION SPACE CALCULATIONS



0 25 50 100 200

1 CZ-2 SITE LAYOUT MAIN AREA PLAN

1"=50'

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Chapel Hill North Carolina

PIN: 9870912947

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT WENDI L. RAMSDEN 1302

3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

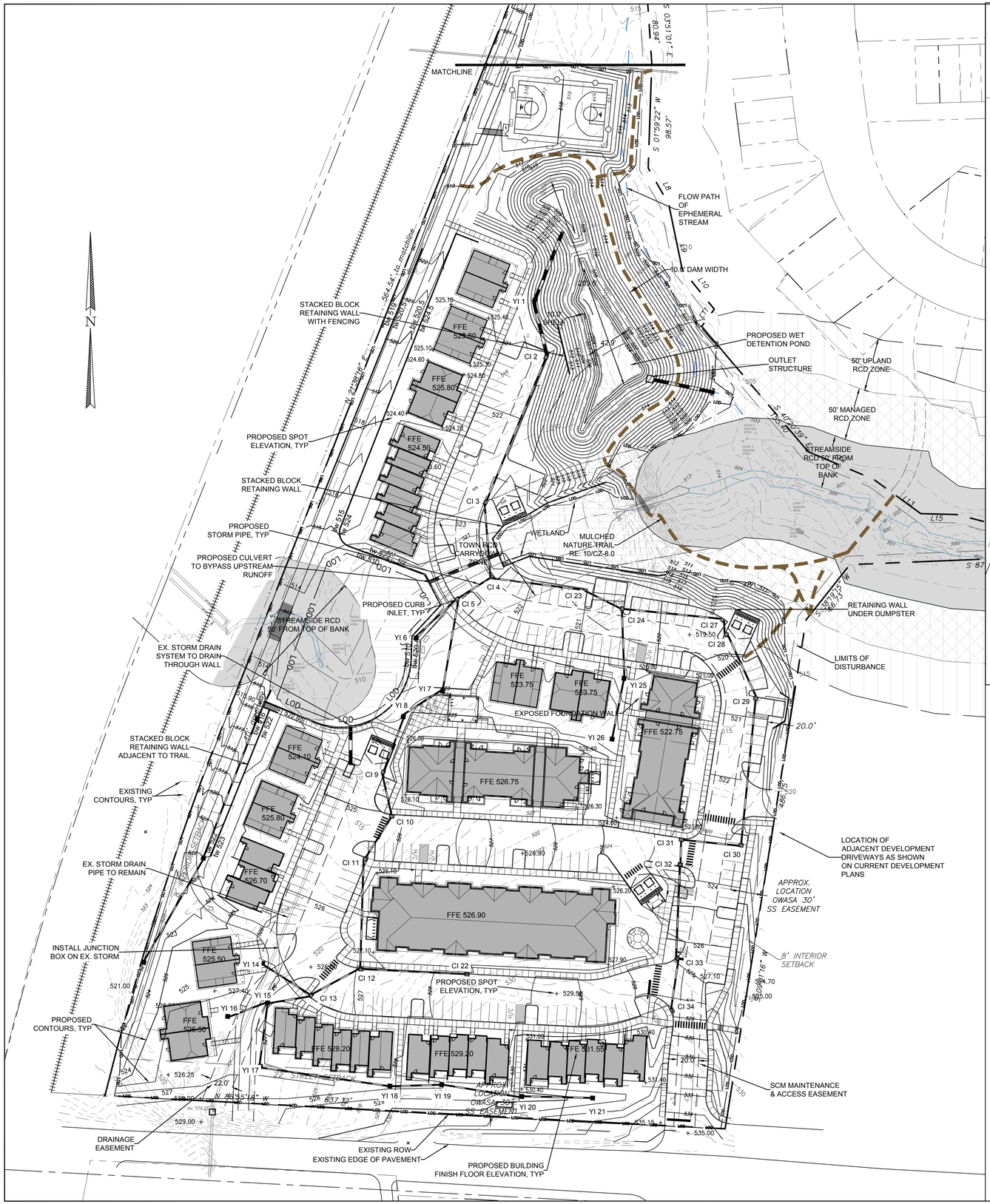
Conditional Zoning Plan

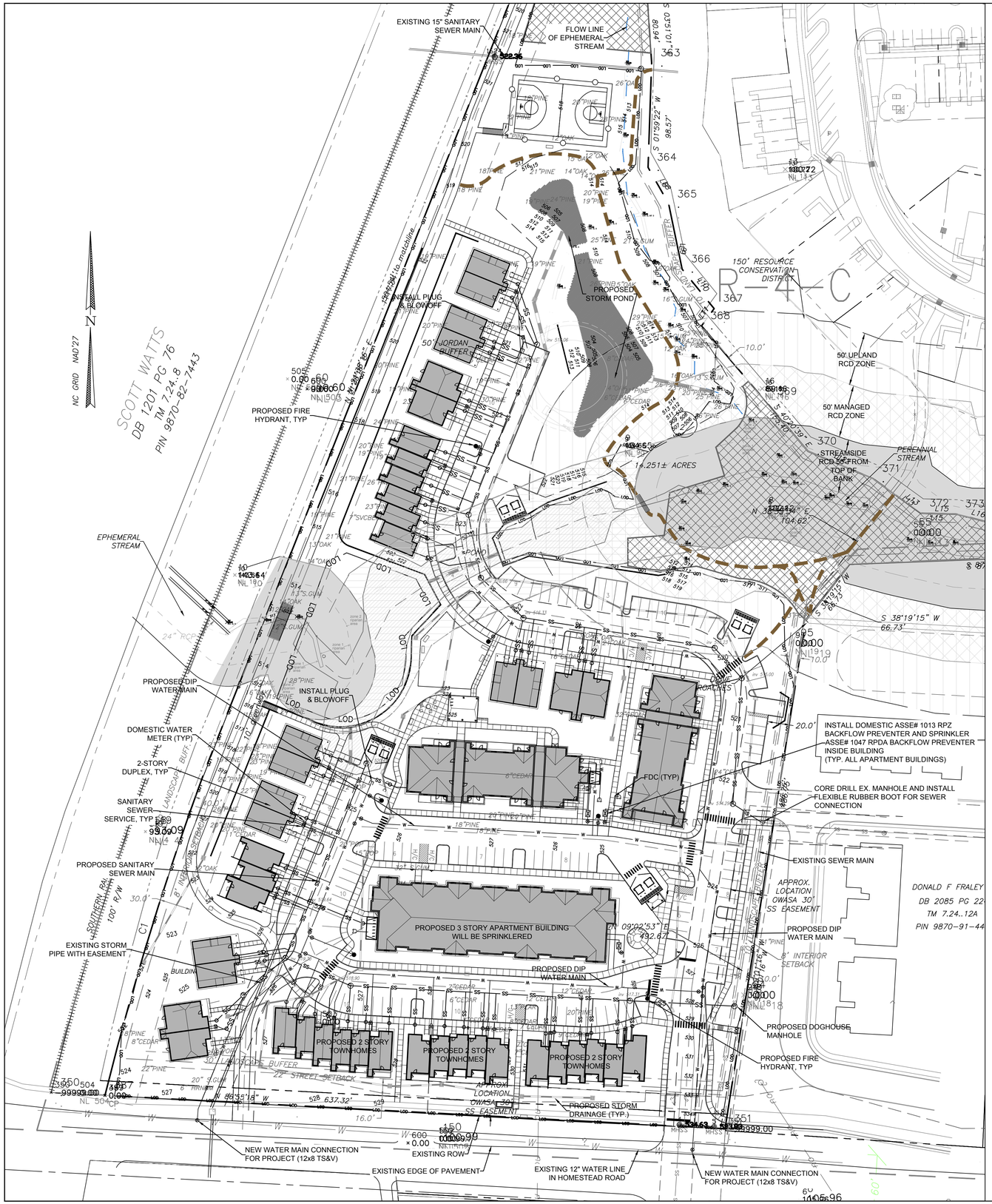
Sheet Title:

SITE LAYOUT PLAN

Sheet Number

CZ-2.0


MATCHLINE
S 05°15'01" E 80.64'
S 01°59'22" W 98.57'
564.54' to motoline
FLOW PATH OF EPHEMERAL STREAM
10.0' DAM WIDTH
STACKED BLOCK RETAINING WALL WITH FENCING
PROPOSED WET DETENTION POND
OUTLET STRUCTURE
50' UPLAND RCD ZONE
50' MANAGED RCD ZONE
STREAMSIDE RCD 50' FROM TOP OF BANK
PROPOSED SPOT ELEVATION, TYP
STACKED BLOCK RETAINING WALL
PROPOSED STORM PIPE, TYP
PROPOSED CULVERT TO BYPASS UPSTREAM RUNOFF
WETLAND
MULCHED NATURE TRAIL RE: 10/CZ-8.0
TOWN RCD/ FLOODWAY ZONE
PROPOSED CURB INLET, TYP
STREAMSIDE RCD 50' FROM TOP OF BANK
EX. STORM DRAIN SYSTEM TO DRAIN THROUGH WALL
RETAINING WALL UNDER DUMPSTER
LIMITS OF DISTURBANCE
EXPOSED FOUNDATION WALL
STACKED BLOCK RETAINING WALL ADJACENT TO TRAIL
EXISTING CONTOURS, TYP
EX. STORM DRAIN PIPE TO REMAIN
LOCATION OF ADJACENT DEVELOPMENT DRIVEWAYS AS SHOWN ON CURRENT DEVELOPMENT PLANS
APPROX. LOCATION OWASA 30' SS EASEMENT
'B' INTERIOR SETBACK
INSTALL JUNCTION BOX ON EX. STORM
PROPOSED SPOT ELEVATION, TYP
PROPOSED CONTOURS, TYP
22' STREET SETBACK
SCM MAINTENANCE & ACCESS EASEMENT
APPROX. LOCATION OWASA 30' SS EASEMENT
DRAINAGE EASEMENT
EXISTING ROW
EXISTING EDGE OF PAVEMENT
PROPOSED BUILDING FINISH FLOOR ELEVATION, TYP
FFE 525.80
FFE 525.80
FFE 524.50
FFE 523.75
FFE 523.75
FFE 524.10
FFE 526.75
FFE 525.80
FFE 526.70
FFE 526.90
FFE 525.50
FFE 526.50
FFE 528.20
FFE 529.20
FFE 531.55
FFE 522.75
CI 2
CI 3
CI 4
CI 5
CI 23
CI 24
CI 27
CI 28
CI 29
CI 9
CI 10
CI 11
CI 31
CI 30
CI 32
CI 33
CI 12
CI 22
CI 13
CI 34
YI 1
YI 6
YI 7
YI 8
YI 25
YI 26
YI 14
YI 15
YI 16
YI 17
YI 18
YI 19
YI 20
YI 21
S 87°40'39" E 42.9'
S 87°40'39" E 115.16'
N 87°40'39" W 115.16



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 OWASA.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE OWASA 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. BACKWATER VALVES 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. 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.
2. 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.
3. 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.
4. 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.
5. ALL FDC(S) AND HYDRANT(S) SHALL BE SIAMESE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
6. A FIRE HYDRANT IS REQUIRED WITHIN 100' OF THE FIRE DEPARTMENT CONNECTION (FDC).
7. WATER LINES WILL CONNECT TO THE WATER MAIN ON THE NORTH SIDE OF HOMESTEAD ROAD. CONSTRUCTION METHOD WILL BE OPEN CUT THE SHORT DISTANCE TO THE MAIN. ANY UTILITY CONNECTIONS REQUIRED TO THE SOUTH SIDE OF HOMESTEAD WILL BE BORED.

2 CZ-5 UTILITY NOTES

1 CZ-5 UTILITY PLAN
1"=50'
0 25 50 100 200

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PIN: 9870912947

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 35003 ENGINEER PRESTON B. ROYSTER
7/14/21

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

Conditional Zoning Plan

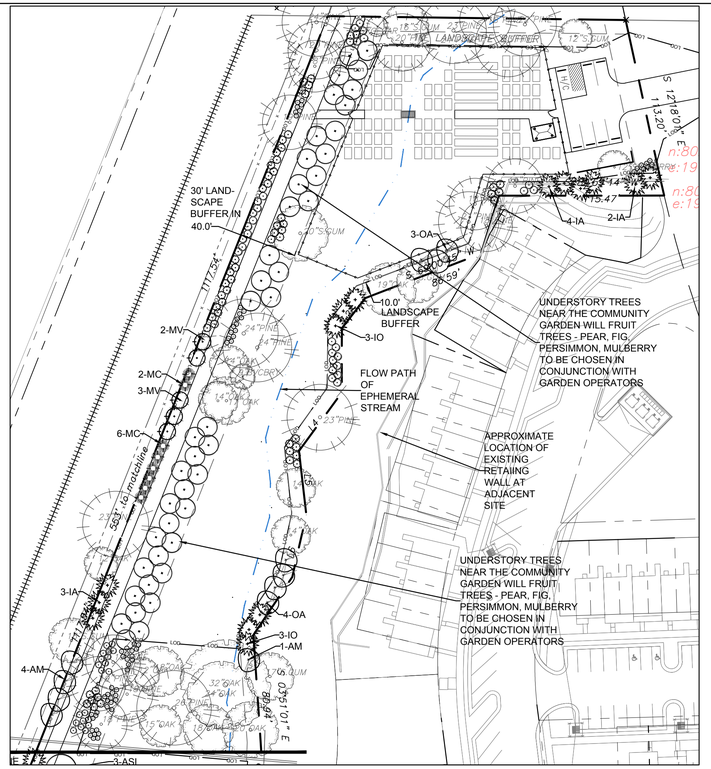
Sheet Title:

UTILITY PLAN

Sheet Number
CZ-5.0

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/COMPOST SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING. IN LANDSCAPE BEDS, 3" TOPSOIL/COMPOST SHALL BE TILLED INTO THE TOP 6" OF GROUND PRIOR TO PLANT INSTALLATION.
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, TRESS LARGER THAN 1" CAL SHALL BE LIMBED UP TO 7' ABOVE EXISTING GRADE TO IMPROVE VISIBILITY.

3 CZ-7 PLANTING NOTES



2 CZ-7 LANDSCAPE PLAN - NORTH SITE

1"=50' 0 25 50 100

1 CZ-7 LANDSCAPE PLAN

1"=50' 0 25 50 100 200

3 CZ-7 PLANT LIST

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE		SPACING	REMARKS
CANOPY TREES							
14	AF	Acer freemanii	Freeman Maple	2.5" CAL.	14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
5	AR	Acer rubrum 'Autumn Glory'	Autumn Glory Maple	2.5" CAL.			SINGLE TRUNK & LEADER
23	ASL	Acer saccharum 'Legacy'	Legacy Sugar Maple	2.5" CAL.			SINGLE TRUNK & LEADER
15	BN	Betula nigra 'heritage'	Heritage River Birch	3" CAL total	14' ht.	AS SHOWN	3 TRUNK MINIMUM
6	MG	Magnolia grandifolia	Southern Magnolia	2.5" CAL.			
16	NS	Nyssa sylvatica	Black gum	2.5" CAL.	14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
33	PV	Pinus virginiana	Virginia Pine	2" cal.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
8	PS	Prunus sargentii	Sargent Cherry	2" cal.		AS SHOWN	SINGLE TRUNK & LEADER
8	QS	Quercus shumardii	Shumard Oak	2.5" CAL.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
3	QV	Quercus virginiana	Live Oak	2.5" CAL.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
5	TD	Taxodium distichum	Bald Cypress	2.5" CAL.	12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
10	UP	Ulmus americana 'Princeton'	Princeton American Elm	2.5" CAL.	14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
146							
UNDERSTORY TREES							
26	AM	Amerlanchier arborea	Serviceberry	1" cal.	8' HT.	AS SHOWN	MULTI-TRUNK
15	CC	Cercis canadensis 'Hears of Go	Hearts of Gold Redbud	1" cal.	8' HT.	AS SHOWN	SINGLE TRUNK & LEADER
28	CF	Cornus florida	Dogwood	1" cal.	8' HT.	AS SHOWN	
10	CV	Chionanthus virginiana	Fringetree	1" cal.	8' HT.	AS SHOWN	
30	IA	Ilex x atenuata 'Fosteri'	Foster Holly		8' HT.	AS SHOWN	
18	INS	Ilex Nellie Stevens	Nellie Stevens Holly		8' ht.	AS SHOWN	
16	IO	Ilex opaca	American Holly	1" cal.	6' HT.	8' O.C.	SINGLE TRUNK & LEADER
28	JV	Juniperus virginiana	Eastern Redcedar		8' HT.	AS SHOWN	FULL AND MATCHING
7	LI	Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle		8-10' HT.	AS SHOWN	MULTI-TRUNK
57	MC	Myrica cerifera	Eastern Waxmyrtle		8' HT.	AS SHOWN	FULL
6	MLG	Magnolia grandiflora 'Little Ge	Little Gem Magnolia	1.5" cal.	8' ht.	10' O.C.	FULL AND MATCHING
22	MV	Magnolia virginiana	Sweetbay Magnolia	1.5" cal.	8' ht.	AS SHOWN	FULL
18	OA	Oxydendron arboreum	Sourwood	1.5" cal.	8' HT.	AS SHOWN	FULL
27	TGG	Thuja x Green Giant	Green Giant Arborvitae	1.5" cal.	8' HT.	AS SHOWN	FULL
42		Fig, pear, persimmon, mulberry trees for planting near community garden			8' ht.	12' O.C.	FULL
350							
SHRUBS							
	CJ	Camellia japonica	Camellia	24" ht.		5' o.c.	FULL AND MATCHING
	CHF	Cephalotaxus harringtonia 'Fas	Upright Plum Yew	24" ht		5' o.c.	FULL AND MATCHING
	DG	Deutzia gracilis	Slender Deutzia	24" ht		4'o.c.	FULL
	GJ	Gardenia jasminoides	Gardenia	24" ht		5' o.c.	FULL AND MATCHING
	HQ	Hydrangea quercifolia	Oakleaf Hydrangea	24" ht		5' o.c.	FULL AND MATCHING
	ICC	Ilex cornuta 'carissa'	Carissa Holly	15" HT.		30" O.C.	FULL AND MATCHING
	IG	Ilex glabra	Inkberry Holly	15" HT.		36" O.C.	FULL AND MATCHING
	IL	Illicium parvifolia	Anise	24" ht		4' o.c.	FULL AND MATCHING
	IVN	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	24" ht			
	JC	Juniperus chinensis 'Sea Green	Sea Green Juniper	18" HT.		36" O.C.	FULL AND MATCHING
	LE	Loropetalum chinense 'Emera	Emerald Loropetalum	15" HT.		36" O.C.	FULL AND MATCHING
	LOR	Loropetalum chinense	Loropetalum	24" ht		42" O.C.	FULL AND MATCHING
	PEN	Pennesetum	Fountain Grass	1 gal		36" O.C.	FULL AND MATCHING
	PC	Prunus caroliniana 'Otto Luyke	Otto Luyken	18" HT.		36" O.C.	FULL AND MATCHING
	SR	Sarcococca rustica	Sweetbox	18" HT.		36" O.C.	FULL AND MATCHING
	WS	Weigeala 'Florida Variegata'	Variegated Weigela	18" HT.		36" O.C.	FULL AND MATCHING
0							
GROUNDCOVER							
AR	LAWN	Fescue	3 var improved seed mix				SEED

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Chapel Hill North Carolina

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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L. RAMSDEN
3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

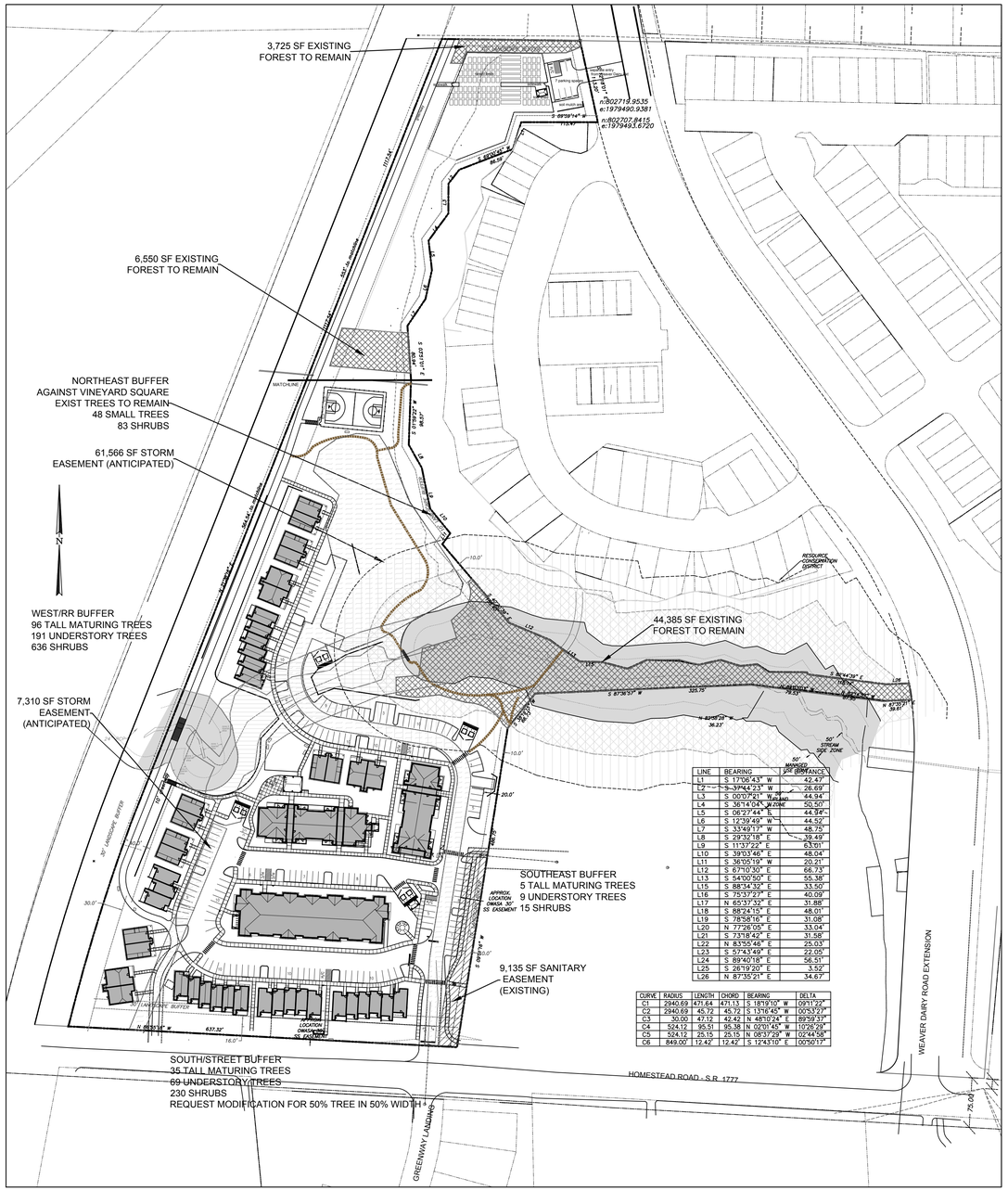
Conditional Zoning Plan

Sheet Title:

LANDSCAPE PLAN

Sheet Number

CZ-7.0

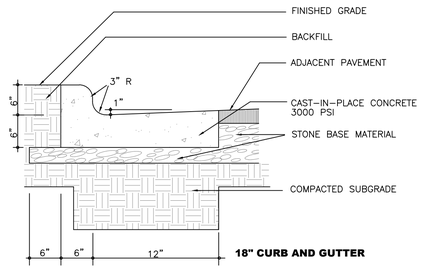


LINE	BEARING	DISTANCE
L1	S 17°06'43" W	42.47'
L2	S 39°44'23" W	26.69'
L3	S 00°07'21" W	44.94'
L4	S 36°14'04" W	50.50'
L5	S 06°27'44" E	44.94'
L6	S 12°39'49" W	44.52'
L7	S 33°49'17" W	48.75'
L8	S 29°32'18" E	39.49'
L9	S 11°37'22" E	63.01'
L10	S 39°03'46" E	48.04'
L11	S 36°05'19" W	20.21'
L12	S 67°10'30" E	66.73'
L13	S 54°00'50" E	55.38'
L15	S 88°34'32" E	33.50'
L16	S 75°57'27" E	40.09'
L17	N 65°37'32" E	31.88'
L18	S 88°24'15" E	48.01'
L19	S 78°58'16" E	31.08'
L20	N 77°26'05" E	33.04'
L21	S 73°18'42" E	31.58'
L22	N 83°55'46" E	25.03'
L23	S 57°43'49" E	22.05'
L24	S 89°40'18" E	56.51'
L25	S 26°19'20" E	3.52'
L26	N 87°35'21" E	34.67'

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	2940.69	471.64	471.13	S 18°19'10" W	09°11'22"
C2	2940.69	45.72	45.72	S 13°16'45" W	00°53'27"
C3	30.00	47.12	42.42	N 48°10'24" E	89°59'31"
C4	524.12	95.51	95.38	N 02°01'45" W	10°26'29"
C5	524.12	25.15	25.15	N 08°37'29" W	02°44'56"
C6	849.00	12.42	12.42	S 12°43'10" E	00°50'17"

1 CZ-7.1 LANDSCAPECALCULATION KEY 1"=100'

–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.
–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.



18" CURB AND GUTTER

NOTE THAT THIS DETAIL DOES NOT MEET NC DOT REQUIREMENTS.
ANY CURB AND GUTTER TO BE CONSTRUCTED IN THE OLD MASON FARM ROAD RIGHT OF WAY IS TO FOLLOW NC DOT STANDARDS RE: 2/C700

1 CZ-8.0 ON SITE CURB & GUTTER

no scale

–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.
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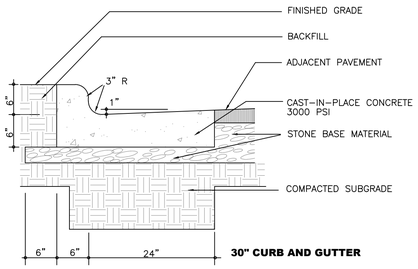
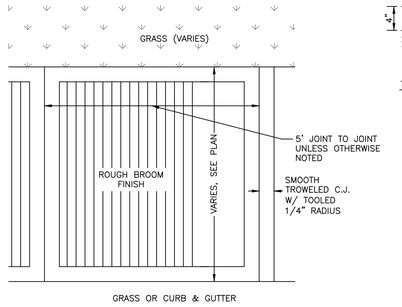


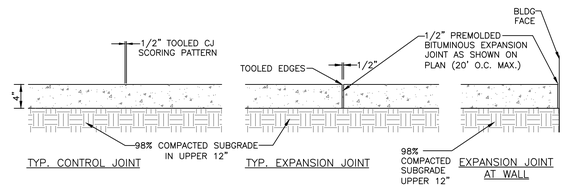
30" CURB AND GUTTER

2 CZ-8.0 OFF SITE CURB & GUTTER

no scale



PLAN VIEW



NOTES:

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

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

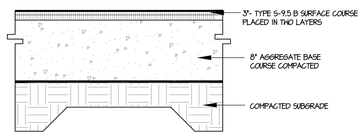
3) USE 1/2" BITUMINOUS EXPANSION JOINT A MAX. OF 20' O.C. AND WHENEVER CONCRETE WALK MEETS FIXED OBJECTS (IE. CURBS, BLDG. ETC.). EXPANSION JOINTS THAT ABUT BUILDINGS WALL SHALL BE SEALED WITH A FOAM BACKER ROD AND ELASTOMERIC SEALANT.

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.

3 CZ-8.0 CONCRETE SIDEWALK

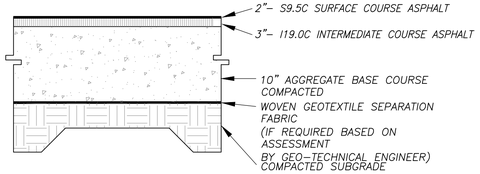
no scale



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

4 CZ-8.0 STANDARD ASPHALT PAVING

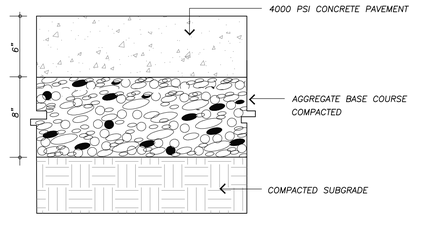
no scale



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

5 CZ-8.0 HEAVY DUTY ASPHALT PAVING

no scale

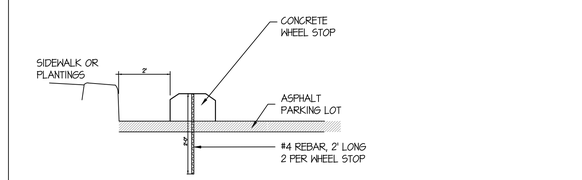


NOTES:

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.

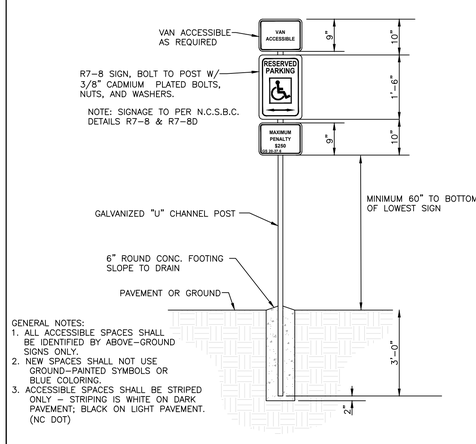
6 CZ-8.0 HEAVY DUTY CONCRETE PAVING

no scale

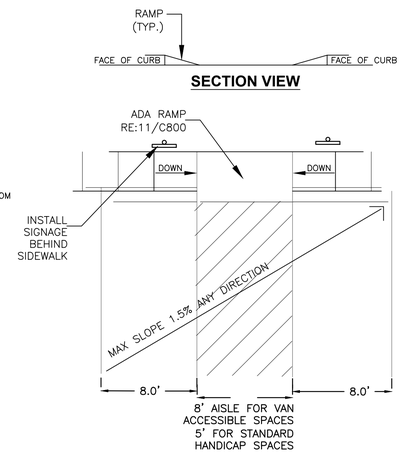


7 CZ-8.0 WHEELSTOP

no scale



GENERAL NOTES:
1. ALL ACCESSIBLE SPACES SHALL BE IDENTIFIED BY ABOVE–GROUND SIGNS ONLY.
2. NEW SPACES SHALL NOT USE GROUND–PAINTED SYMBOLS OR BLUE COLORING.
3. ACCESSIBLE SPACES SHALL BE STRIPED ONLY – STRIPING IS WHITE ON DARK PAVEMENT; BLACK ON LIGHT PAVEMENT. (NC DOT)

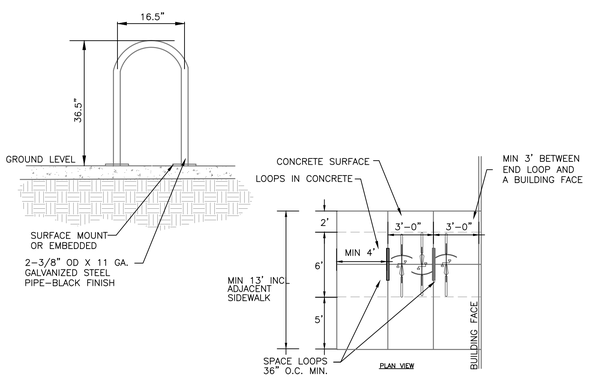


PLAN VIEW

8 CZ-8.0 ADA PARKING LAYOUT AND SIGNAGE

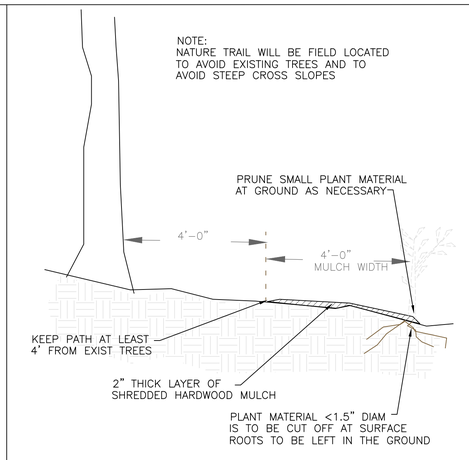
no scale

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



9 CZ-8.0 EXTERIOR BICYCLE PARKING

no scale



10 CZ-8.0 NATURE TRAIL PROFILE

no scale

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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1302 WENDI L RAMSEUR
3.4.2021

PRELIMINARY-DO NOT USE FOR CONSTRUCTION

CJT Job Number: 1748

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Revisions	CZ RESUBMITTAL 2-5-21
	CZ RESUBMITTAL 3-4-21

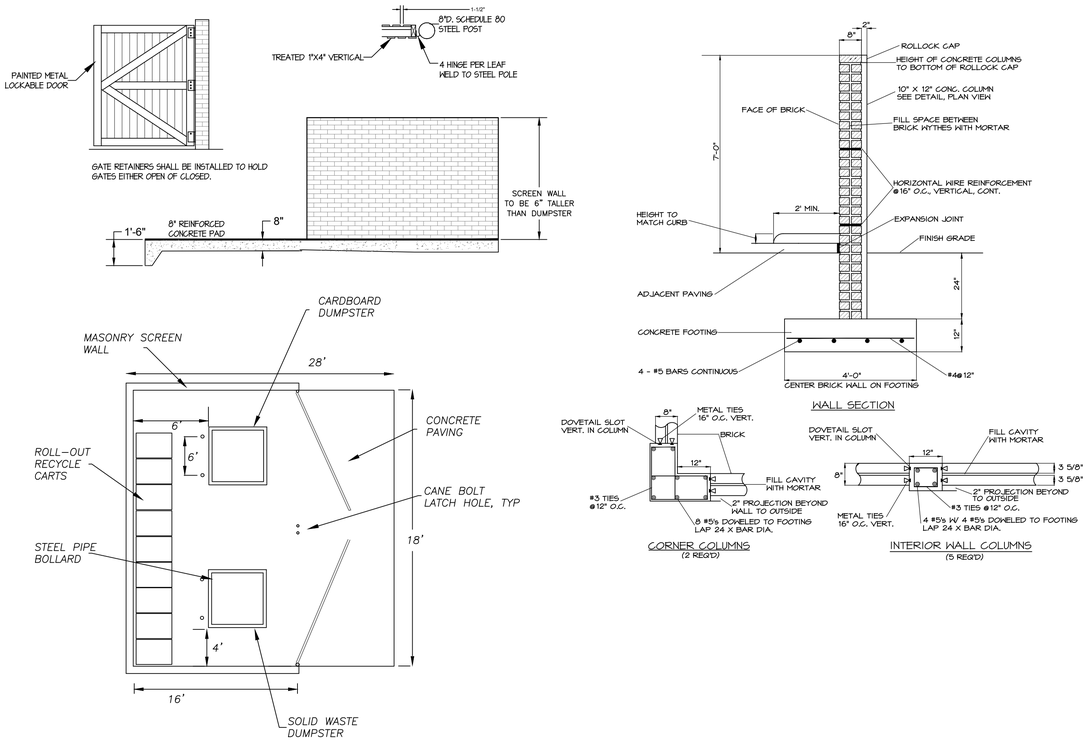
Conditional Zoning Plan

Sheet Title:

SITE DETAILS

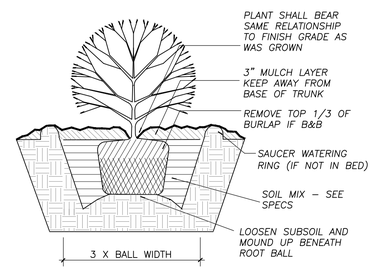
Sheet Number

CZ-8.0



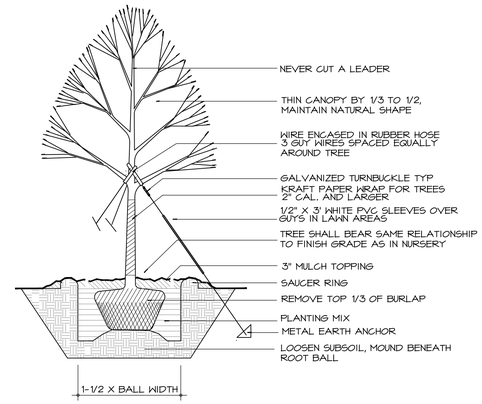
1 CZ-8.1 DUMPSTER W/ MASONRY SCREEN ENCLOSURE

SCALE: 1" = 10'



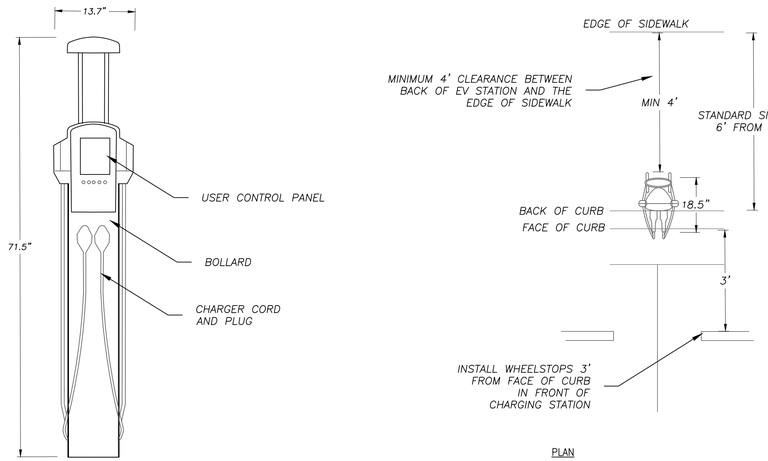
2 CZ-8.1 SHRUB DETAIL

NO SCALE



3 CZ-8.1 TREE PLANTING DETAIL

NO SCALE

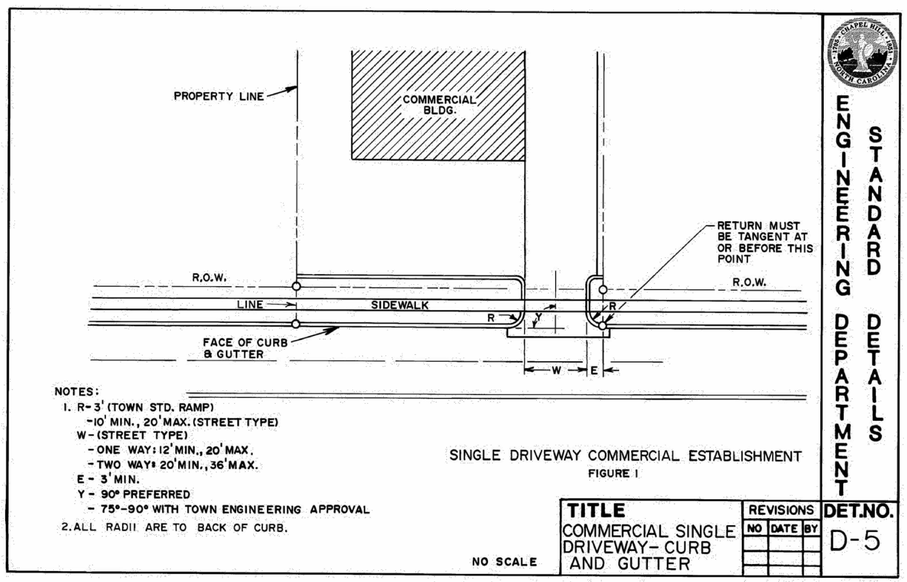


NOTES:

-BASIS OF DESIGN: CHARGEPOINT MODEL CT4021
-BOLLARD TYPE CHARGING STATION
-2-VEHICLE SIMULTANEOUS CHARGE CAPACITY

5 CZ-8.1 EV CHARGING STATION AND ADJACENT SIDEWALK

no scale



4 CZ-8.1 DRIVEWAY APRON

no scale

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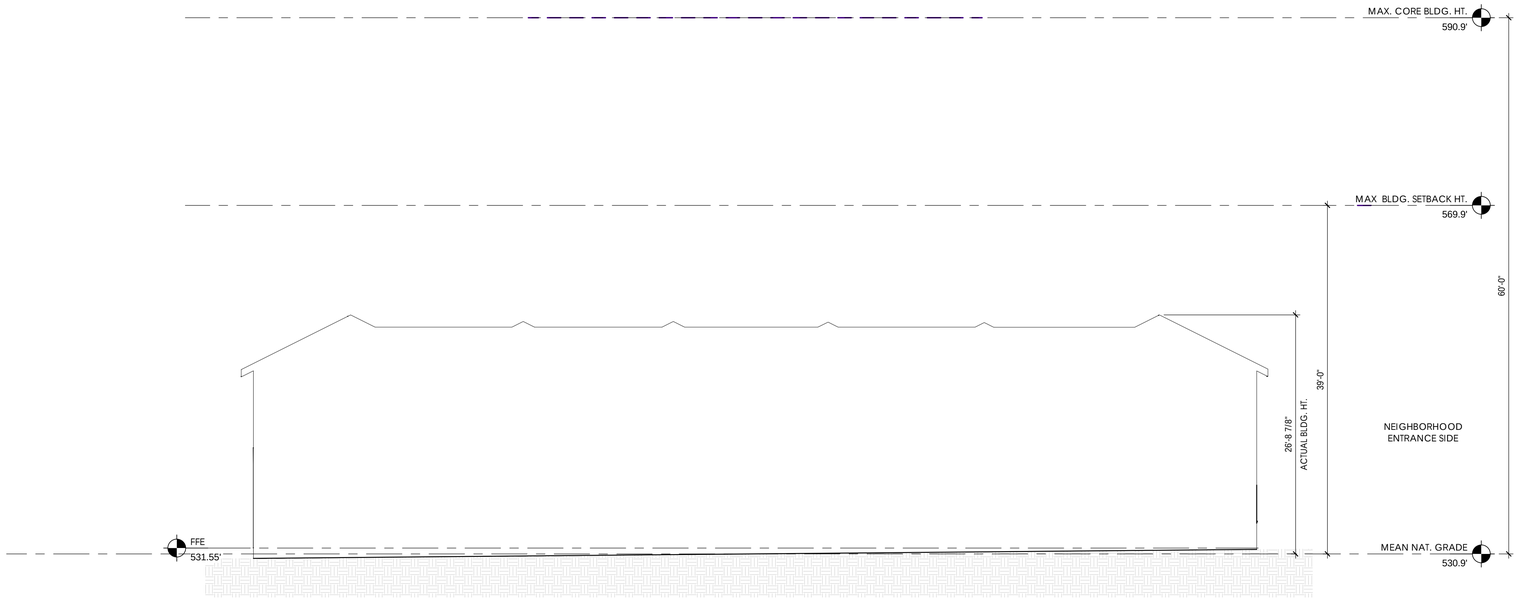
Conditional Zoning Plan

Sheet Title:

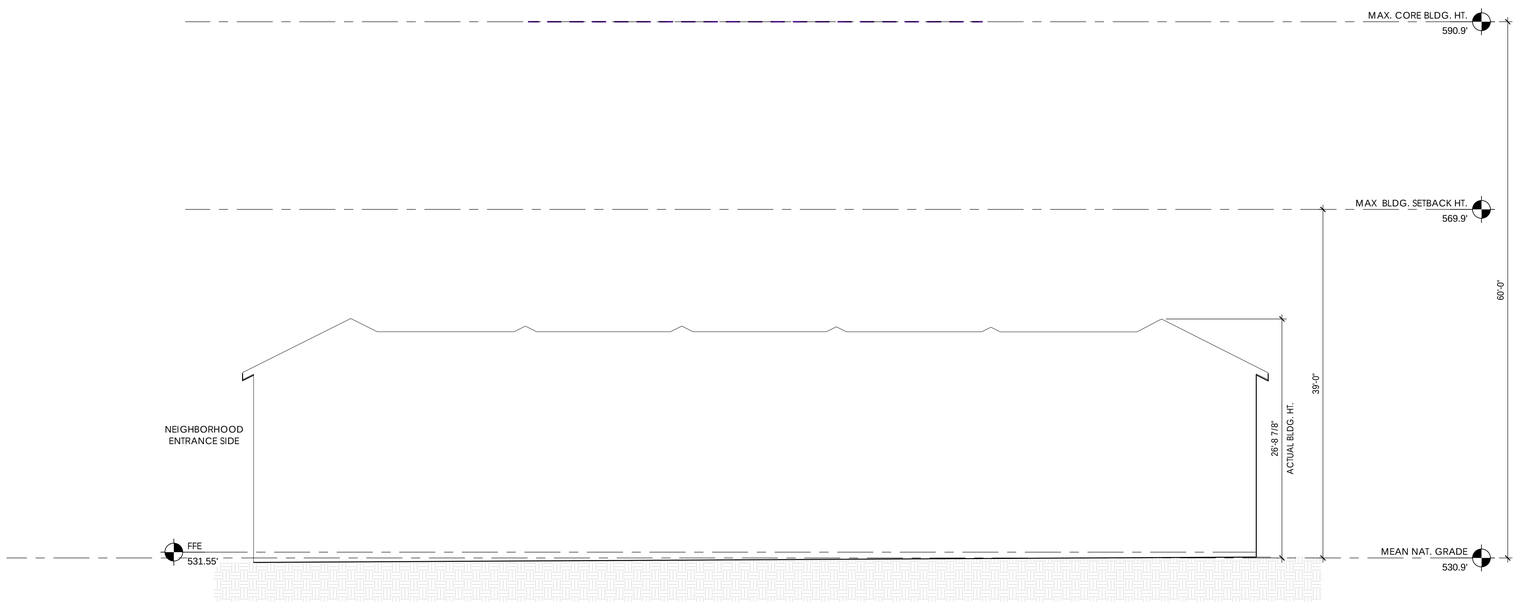
SITE DETAILS

Sheet Number

CZ-8.1



2 **TOWNHOME Elevation - South - Homestead Rd. side**
1/8" = 1'-0"



1 **TOWNHOME - Elevation - North - Neighborhood side**
1/8" = 1'-0"

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HOMESTEAD RD. NEIGHBORHOOD

TOWN OF CHAPEL HILL
2200 HOMESTEAD RD.

REVISIONS:

#	DESCRIPTION:	DATE

SHEET NAME:
TYPICAL TOWNHOME ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/28/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

SHEET NUMBER
PD 001

10/28/2020 10:10:36 PM
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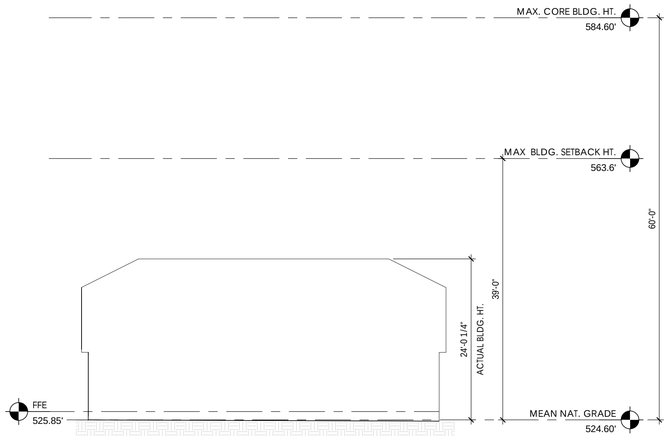
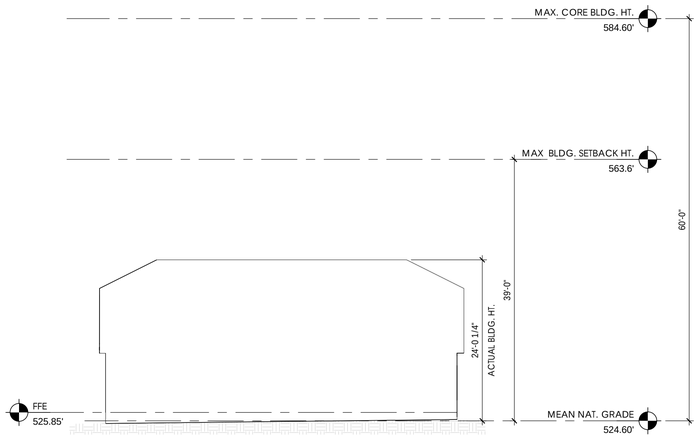


2 4 BD DUPLEX - West- Greenway Side
3/32" = 1'-0"



1 4 BD DUPLEX - East - Neighborhood Side
3/32" = 1'-0"

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HOMESTEAD RD. HOUSING

TOWN OF CHAPEL HILL
2200 HOMESTEAD RD.

REVISIONS:

#	DESCRIPTION:	DATE

SHEET NAME:
TYPICAL 4 BED DUPLEX ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/28/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

SHEET NUMBER
PD 002

10/28/2020 10:09:38 PM
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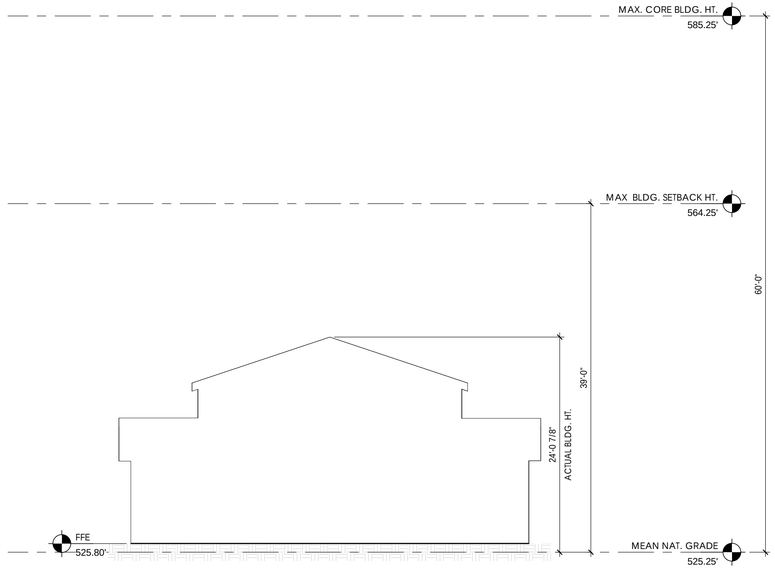
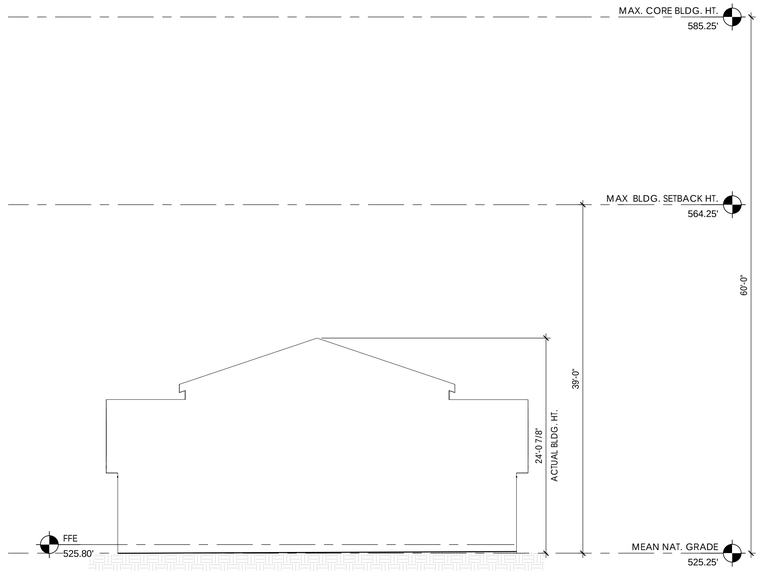


1 **3 BD DUPLEX - West - Greenway Side**
1/8" = 1'-0"



2 **3 BD DUPLEX - East - Neighborhood Side**
1/8" = 1'-0"

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REVISIONS:

#	DESCRIPTION:	DATE

SHEET NAME:
TYPICAL 3 BD DUPLEX ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/28/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

SHEET NUMBER
PD 003

10/28/2020 10:13:58 PM
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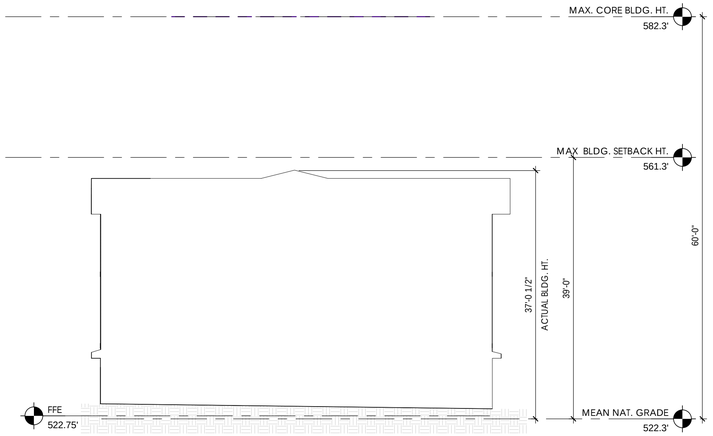
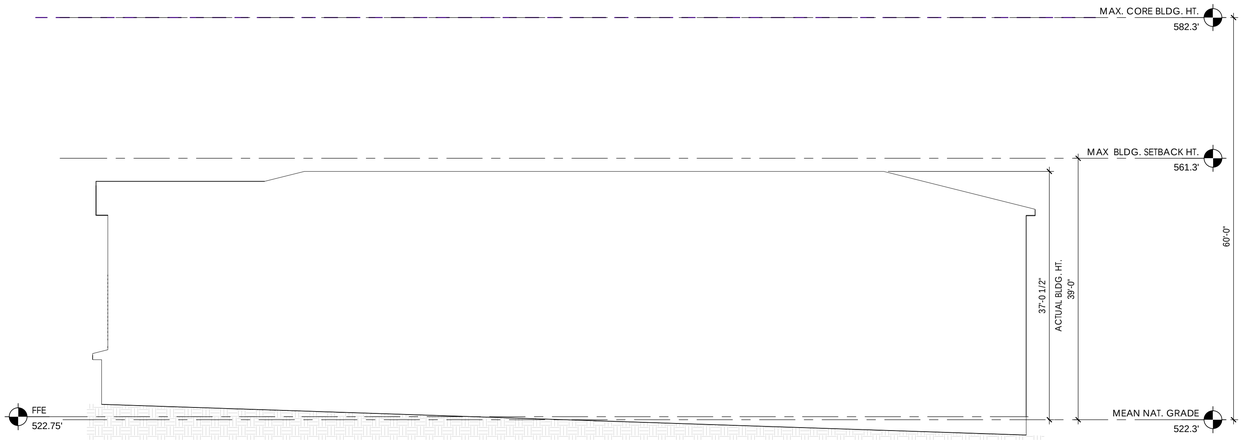


3 CASA WF BLDG B - South Side
3/32" = 1'-0"

2 CASA WF BLDG B - West Side
3/32" = 1'-0"



1 CASA WF BLDG B - East Side
3/32" = 1'-0"

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REVISIONS:

#	DESCRIPTION:	DATE

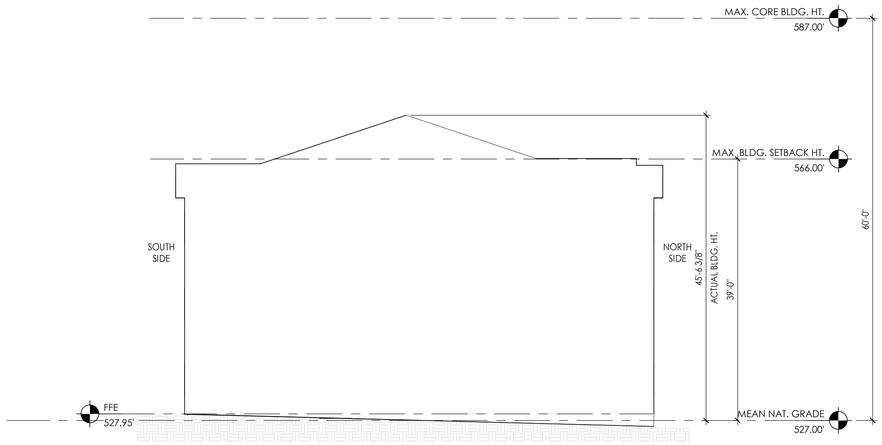
SHEET NAME:
CASA WF APARTMENT BLDG. B ELEVATION OUTLINES

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/28/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

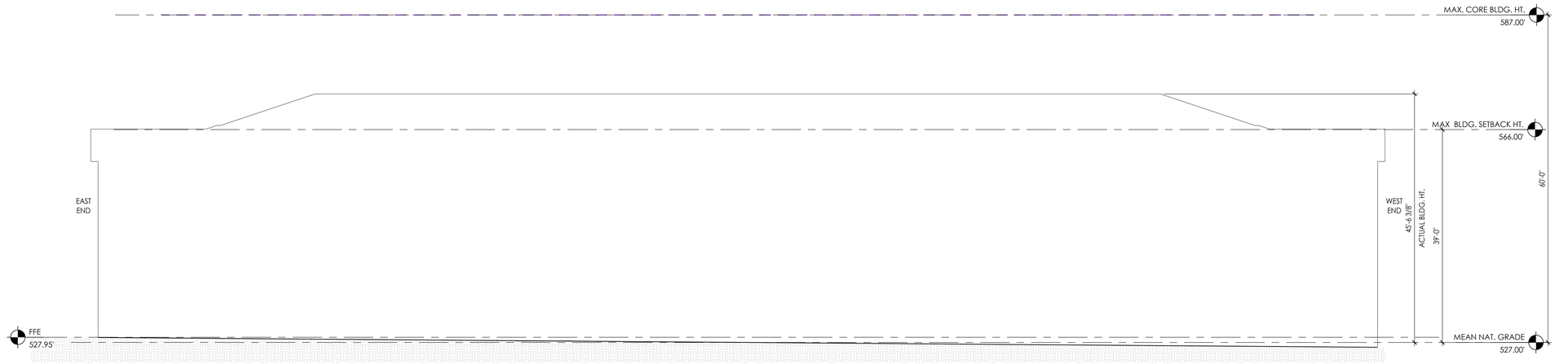
SHEET NUMBER
PD 005

10/28/2020 10:27:53 PM
BIM 360://17147_Homestead Rd/17147_CH HS_CASA WF Apts_azipperXASHM.rvt



3 CASA - BLDG. C - East Side - Neighborhood Entrance Side
3/32" = 1'-0"

2 CASA - BLDG. C - South Side - Homestead Rd. Side
3/32" = 1'-0"



1 CASA - BLDG. C - North Side - Front
3/32" = 1'-0"

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REVISIONS:

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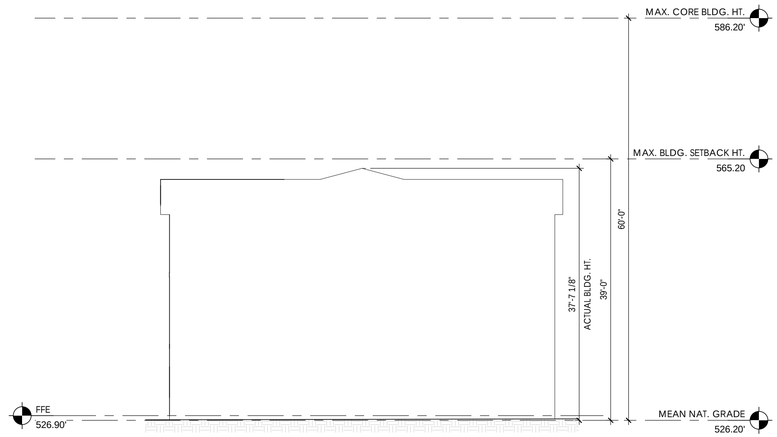
SHEET NAME:
CASA - BLDG. C ELEVATION OUTLINES

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/29/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

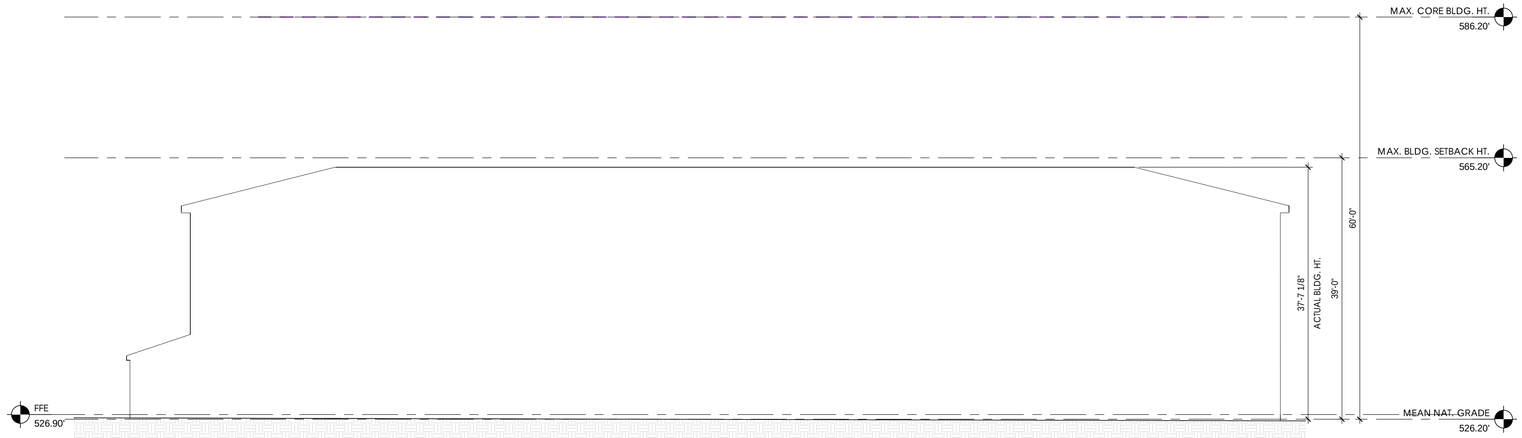
SHEET NUMBER
PD 006

10/29/2020 9:11:47 AM
BIM 360://17147_Homestead Rd/17147_CH HS_CASA HORIZONS_azipperXASHM.rvt



3 **CASA WF BLDG A - EAST ELEVATION**
3/32" = 1'-0"

2 **CASA WF BLDG A- SOUTH ELEVATION**
3/32" = 1'-0"



1 **CASA WF BLDG A - NORTH ELEVATION**
3/32" = 1'-0"

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CASA WF APARTMENT BLDG. A ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/29/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

SHEET NUMBER
PD 004

10/28/2020 10:29:38 PM
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