

Resolution A

(Approving the Preliminary Plat for Minor Subdivision)

A RESOLUTION APPROVING AN APPLICATION FOR A MINOR SUBDIVISION FOR 331 ERWIN ROAD (PROJECT #SUB-24-2)

WHEREAS the Planning Commission of the Town of Chapel Hill finds that the 331 Erwin Road Subdivision, proposed by Golden Trail Investments, LLC, property owner, on the property identified as Orange County Property Identification Number 9890-52-3718, if subdivided per the preliminary plat dated October 1, 2024, and the conditions listed below, would comply with the provisions of the Land Use Management Ordinance.

These findings are based on the following supplemental conditions:

Conditions Specific to Minor Subdivision

1. Expiration of Preliminary Plat: The applicant must file a Final Plat application within one year of the date of this approval, otherwise this preliminary plat is subject to reapproval by the Planning Commission.
2. Number of Lots: This approval shall authorize the creation of no more than three (3) lots.
3. Street Improvements: With the Final Plat application, the applicant must demonstrate compliance with LUMO Section 5.2.4 and Section 5.8.1(a) by making all necessary improvements to Erwin Road so all new lots front a street that meets Town standards.
 - a. Any necessary improvements shall be placed either in the public right-of-way or within a public access easement recorded with the Final Plat.
4. Engineering Construction Permits: Prior to submittal of a Final Plat application, the developer shall submit to the Town for review and approval all final engineering construction permits for necessary improvements, including earthwork (cut or fill), grading, paving (including subgrade preparation, base and surface), sidewalks, curbs and gutters, street signs, storm drainage, water distribution and sewage collection systems.
5. Demolition of Existing Structures: Prior to submittal of a Final Plat application demolition of the existing structures as indicated on the approved preliminary plat must be complete.
6. Final Plat: The applicant shall submit a reproducible mylar original of the Final Plat, with the necessary owner(s) signatures, notarized, for the Town Manager to endorse approval.
 - a. The Final Plat shall include all applicable components pursuant to LUMO 4.6.10(c).
 - b. The Final Plat shall include all required certificates pursuant to LUMO 4.6.11.
 - c. The applicant shall record such Final Plat in the Orange County Register of Deeds. Approval of this Minor Subdivision is void if it is not properly recorded

within thirty (30) days after the Town Manager's endorsement of approval. The Town Manager may extend this deadline provided the applicant has demonstrated a good faith effort to comply with the deadline, but for reasons beyond their control, fails to meet the requirements of the Register of Deeds for recordation within that period.

- d. The applicant shall submit a duplicate mylar copy of the approved Final Plat and a paper print of the recorded Final Plat to the Chapel Hill Planning Department within five (5) working days after the Final Plat is recorded.
7. Work in State Right-of-Way: Prior to performing work in North Carolina Department of Transportation (NCDOT) right-of-way (ROW), the applicant shall obtain:
 - a. An approved NCDOT Encroachment Agreement for any sidewalk, curb and gutter installation along Erwin Road.
 - b. An approved NCDOT Encroachment Agreement for any proposed utility installations.
 8. Jordan Riparian Buffer Authorization: Prior to issuance of a Zoning Compliance Permit for Lot 3, the applicant shall receive an approved Jordan Buffer Authorization for the necessary street improvements (see Condition 3) within the Jordan Buffer.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the Town of Chapel Hill hereby approves the application for a Minor Subdivision for 331 Erwin Road in accordance with the plans and conditions listed above.

This the 18th day of March 2025.