

# SPECIAL USE PERMIT APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
405 Martin Luther King Jr. Blvd  
Chapel Hill, NC 27514  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799782879 & 9799781484 Date: 9/10/19

## Section A: Project Information


Project Name: Wegmans Food Market Street Improvements  
Property Address: 1810 Fordham Boulevard - Chapel Hill, NC Zip Code: 27514  
Use Groups (A, B, and/or C): C Existing Zoning District: OI-2 / CC-C  
Project Description: Development of a street section to provide access to SECU and Wegmans Development

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

### Applicant Information (to whom correspondence will be mailed)

Name: Pennoni - Justin Brown, PE  
Address: 5430 Wade Park Blvd, Suite 106  
City: Raleigh State: NC Zip Code: 27607  
Phone: 919-230-9211 Email: jjbrown@pennoni.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: 9/13/19

### Owner/Contract Purchaser Information:

**Owner**  **Contract Purchaser**

Name: LG1810 Fordham Blvd, LLC. c/o Will Tolliver  
Address: 3500 Maple Avenue, Suite 1600  
City: Dallas State: TX Zip Code: 75219  
Phone: 214-865-8090 Email: wtolliver@leoncapitalgroup.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: 9/13/19



# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section A: Project Information

Application type: Special Use Permit Modification Date: 9/10/19

Project Name: Wegmans - Driveway Modification

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

Office/Institutional  Residential  Mixed-Use  Other: Grocery Store

**Overlay District:** (check all those that apply)

Historic District  Neighborhood Conservation District  Airport Hazard Zone

## Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	582,567	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=	58,257	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	0	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	640,824	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, all grading, including off-site clearing)	256,377
Area of Land Disturbance within RCD	N/A
Area of Land Disturbance within Jordan Buffer	N/A

Impervious Areas	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Impervious Surface Area (ISA)	464,546	464,546	462,657	462,657
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	76.9%	76.9%	72.2%	72.2%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	N/A	N/A	N/A	N/A



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## Section D: Dimensions

Dimensional Unit (sq ft)	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Number of Buildings	N/A		N/A	
Number of Floors	N/A		N/A	
Recreational Space	N/A		N/A	

### 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)				
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units				
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

### Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	103,733	102,010			
Restaurant	N/A	N/A	# of Seats		
Government	N/A	N/A			
Institutional	N/A	N/A			
Medical	N/A	N/A			
Office	N/A	N/A			
Hotel	N/A	N/A	# of Rooms		
Industrial	N/A	N/A			
Place of Worship	N/A	N/A	# of Seats		
Other	N/A	N/A			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22 ft and 20 ft	40.98 ft.	31.26 ft.
	Interior (neighboring property lines)	8 ft.	74.80 ft.	65.46 ft.
	Solar (northern property line)			
Height (maximum)	Primary	34 ft.	N/A	28.67 ft.
	Secondary	60 ft.	N/A	80.00 ft.
Streets	Frontages			
	Widths			



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## 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
Fordham Blvd - Service Rd.	Variable	24'	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Old Durham Chapel Hill Blvd.	Variable	48'	3	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

## Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	332	741	711
Handicap Spaces	X	9	25
Total Spaces	340	750	736
Loading Spaces	2	N/A	5
Bicycle Spaces	13	N/A	14
Surface Type	Asphalt and concrete		

## Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Service Road	20'	8.48'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
Old Durham Road	20'	6.00'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
East	10'	20.12'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
West	10'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Overflow Lot				
North (Old Durham)	20 ft	5.05 ft	X Yes	X Yes
West	10 ft	4.38 ft	X Yes	X Yes
South	20 ft	20.23 ft	Yes	Yes
East (Cooper)	20 ft	12 ft	X Yes	X Yes



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## Section I: Land Use Intensity

Existing Zoning District:

Proposed Zoning Change (if any):

Note: Refer to Table 3.8-1 (Dimensional Matrix) in the Land Use Management Ordinance for help completing this table.

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
CC	0.429						
<b>TOTAL</b>	0.429					274,913	N/A
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

## Section J: Utility Service

Check all that apply

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Telephone</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



**SPECIAL USE PERMIT 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](mailto:planning@townofchapelhill.org).

X	<b>Application fee</b> (including <a href="#">Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$ <input type="text" value="8,175.00"/>
X	<b>Pre-application meeting</b> – with appropriate staff	
X	<b>Digital Files</b> - provide digital files of all plans and documents	
X	<b>Recorded Plat or Deed of Property</b>	
X	<b>Project Fact Sheet</b>	
	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)	
N/A	<b>Description of Public Art Proposal</b>	
X	<b>Statement of Justification</b>	
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b>	
N/A	<b>Affordable Housing Proposal, if applicable</b>	
X	<b>Provide existing Special Use Permit, if Modification</b>	
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )	
X	<b>Mailing fee for above mailing list (mailing fee is double due to 2 mailings)</b>	Amount Paid \$ <input type="text" value="139.00"/>
X	<b>Written Narrative describing the proposal</b>	
X	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> - necessary for all submittals	
N/A	<b>Jurisdictional Wetland Determination – if applicable</b>	
N/A	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>	
N/A	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>	
X	<b>Reduced Site Plan Set (reduced to 8.5"x11")</b>	

**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



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- 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 run-off
- 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"x36")**

Plans should be legible and clearly drawn. All plan sets 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, 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



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- 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 & 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
- j) Landscape protection supervisor note
- k) Existing and proposed tree canopy calculations, if applicable

### **Planting Plan**

- a) Dimensioned and labeled perimeter landscape bufferyard
- b) Off-site buffer
- 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 details



### **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

### **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).

**Proposed Wegmans Grocery Store Development**

**Town of Chapel Hill**

**Orange County, North Carolina**

**STATEMENT OF JUSTIFICATION**

**SPECIAL USE PERMIT MODIFICATION**

**Prepared By:**

**Pennoni Associates**

**5430 Wade Park Blvd., Suite 106**

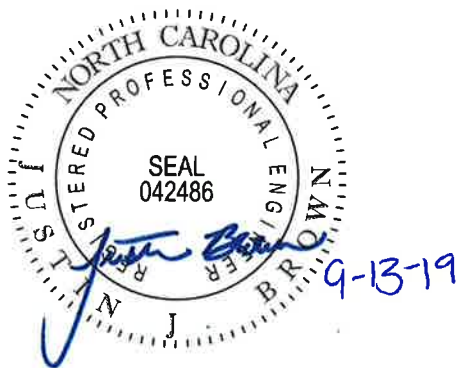
**Raleigh, NC 27607**

**(919) 929-1173**

**Firm License: F-1267**

**Project #WGMNS19001**

**Date: September 13, 2019**



Professional Engineer: Justin J. Brown, PE

NC License #042486

## **General Project Description**

The subject property is located along the Town of Chapel Hill's northeastern gateway on 15/501 (Fordham Boulevard). The site is situated to the north of the intersection of Scarlett Drive and Old Durham Chapel Hill Road. The existing site consists of a Hendrick automobile dealership, commonly known as The Performance Auto Mall. Leon Capital Group proposes to redevelop the existing Performance Auto Mall dealership (PIN: 9799782879) and the adjoining parcels across Old Durham Chapel Hill Road (PIN: 9799781484). The proposed development will consist of the demolition and removal of all existing buildings and infrastructure within the site, and the construction of a +/- 102,010 SF Wegmans grocery store development. The construction will also include the installation of landscaping, lighting, stormwater management and utilities necessary to support the development as well as providing driveway access to the adjacent State Employee Credit Union site (SECU) to the east. This driveway will provide access to 15-501 through the SECU property via a dedicated right-of-way to NCDOT. The development on the south side of Old Durham Chapel Hill Road will be the construction of a surface parking field to support the intended development.

## **Project Surroundings**

The main Hendrick automobile dealership site is currently zoned partially CC – Community Commercial (western portion of property) and CC-C – Community Commercial – Conditional (remaining property). The existing Hendrick automobile dealership employee parking lot across Old Durham Road (PIN: 9799782464) is zoned NC – Neighborhood Commercial. The property directly to the west of the employee parking lot (PIN: 9799780316) is zoned NC- Neighborhood Commercial.

The main development portion of the site is bounded to the north by the Service Road and US 15/501 (Fordham Boulevard); to the west by an existing Hardees restaurant with drive-thru; to the east by the previous Blue Cross/Blue Shield building which is now owned by State Employee Credit Union; and to the south by Old Durham Chapel Hill Road.

The overflow parking field is adjacent to Old Durham Road to the north; to the west by an existing violin shop that is currently under contract by the developer; to the east by Cooper Street; and to the south by existing residential (R-3) structures.

## **Findings of Fact**

The applicant hereby justifies the request for Special Use Permit Modification application as per the Town of Chapel Hill's Land Use Management Ordinance, Appendix A, section 4.5.2(a):

- ***Finding #1: That 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.***

General Statement – The Wegmans will promote the redevelopment of an existing auto dealership that is scheduled to be relocated to their existing South Point facility in Durham County. This redevelopment will include the cleanup of an environmentally contaminated site.

Emergency Services – The nearest fire station (Station #3) is located less than 2 miles from the proposed development site. It is anticipated that fire protection and first responder response will be provided by the Town of Chapel Hill. The Wegmans grocery store will include provisions for a sprinkler system and will be designed in accordance with applicable safety and fire codes as part of the building permit review and approval.

Utilities – The existing development is served by public water and sewer services of Orange County Water & Sewer Authority (OWASA). It is anticipated that the existing water and sewer services that surround the development will be adequate to support the proposed development. The refuse will

be collected by the Town of Chapel Hill and the recycling will be collected by the Orange County Solid Waste Management. The development has been designed in accordance with the OWASA, the Town of Chapel Hill and Orange County Solid Waste regulations and requirements.

Transportation and Pedestrian Movements – The development will provide roadway improvements that will offset the traffic that the use will generate. Additionally, pedestrian connections (sidewalks and bicycle lanes) will be provided to link retail with the surrounding neighborhood areas in connection with the Old Durham Chapel Hill Road roadway improvements and the future proposed light-rail transit development. The developer has collaborated with the Town of Chapel Hill Public Works, NCDOT and the Town's traffic consultant (HNTB) to review and analyze the existing surrounding roadway networks. Additionally, a conceptual plan has been developed that mitigates the additional traffic associated with the development. The off-site roadway improvements are shown on the Special Use Permit Plans, dated 11/22/16. The applicant coordinated with the adjoining property to the east (State Employee Credit Union) for an alternative approach to mitigate the traffic at the intersection of US 15/501 and the Eastowne Drive (Service Road) intersection. (Information concerning the transportation analysis can be found in the Gateway Grocery Draft Traffic Impact Study, prepared by HNTB, dated August 2016; Technical Memo – Draft, prepared by HNTB, dated 8/24/16 and the Option "B" minimum design level of service results, dated 8/30/16). This effort has resulted in an agreement between Wegmans and SECU so that driveway access to 15-501 can be provide through SECU's property (via a dedicated NCDOT ROW), consequently Wegmans is requesting to modify the SUP currently in place.

Parking – The current development has space to accommodate approximately 790 vehicles (taken from a plan entitled, "Site Plan - Performance BMW ZCP Plan", prepared by Philip Post & Associates, dated 08/23/04, last revised 08/31/06), including the employee parking lot. The proposed development requires a minimum of 736 spaces (7.22 spaces/ 1,000 SF GFA) in accordance with the Wegmans criteria. This request is above the maximum permitted parking spaces within the LUMO that permit a maximum of 5 spaces/ 1,000 SF GFA (102,010SF x 5 spaces/1,000 SF = 510 spaces). Fourteen (14) bicycle parking spaces will be provided in connection with the development.

Stormwater – As illustrated in FEMA FIRM 3710979900, the site is located in Zone X. A Stream Determination request has been filed with the Town of Chapel Hill. It is anticipated that the site will not include a regulated stream and associated buffers and RCD. The proposed stormwater will maintain existing drainage patterns. The stormwater conveyance is proposed to be connected to the existing stormwater conveyance facilities that exist along the Service Road roadway. The development proposed a reduction in overall impervious surfaces associated with the development. Therefore, peak flow attenuation, TSS and Nutrient requirements will be met through the implementation of additional pervious surfaces associated with the development.

Public Art – The applicant is currently coordinating with Wegmans Food Markets to discuss implementing certain artistic schemes associated with the building.

- ***Finding #2: That 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.***

General – It is intended that all improvements will be coordinated to meet or exceed, to the best of the development’s capabilities, the intent of the current Town of Chapel Hill Design Manual and the Chapel Hill Land Use Management Ordinance. The proposed development will require a Special Use Permit associated with the underlying zoning district of the subject property (CC-C and NC). It is intended that the proposed development will be in accordance with the following LUMO criteria:

- Building setbacks and coverage
- Impervious surface threshold
- Tree canopy coverage
- Stormwater will be designed to mimic the existing drainage patterns
- All utilities will be underground

Modifications to Landscape Requirements – The following modification(s) to the landscape requirements for Interior planting and buffers have been previously approved (Project 16-121) on 10/25/17.

Sustainability – The new building and infrastructure improvements will be designed and implemented to enhance the existing environmental impact. The development will include the removal of several underground storage tanks that currently hold contaminants associated with the current use of the property. Furthermore, the site will require environmental cleanup associated with the under lying soils and groundwater of the site.

Demolition and Construction Waste – The development requires the demolition of the existing buildings and infrastructure in order to clear the site for environmental cleanup. Waste materials associated with the demolition will be handled in accordance with local and State requirements.

- ***Finding #3: That the use or development 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.***

The current use of the property consists of three (3) automobile dealerships and associated service departments. With the departure of the Performance Auto Mall to their South Point mall facility in Durham County, this property has the ability to remain vacant or developed into a used-car dealership.

The development will provide a retail destination for the surrounding community, in addition to patrons from other counties. The Wegmans development will attempt to partner with local, family farms near the store to provide fresh produce in addition to providing local beef, pork and cheese. Furthermore, the Marketplace Café and Pub restaurant will provide access to a wide variety of lunch and dinner options. The store’s proximity to the local office parks and residences will provide walkability to the surrounding development and neighborhoods. Lastly, the project will provide a significant increase in commercial tax base and sales revenue.

- ***Finding #4: That 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.***

The Chapel Hill 2020 Comprehensive Plan adopted six (6) themes. Below is a list of each theme is integrated within the proposed development:

1. **A Place for Everyone** – The Wegmans development offers up a wide array of career opportunities; inclusive of part-time, entry-level positions for high school and college students. Additionally, full-time employment opportunities will be available, including management-level positions.

Wegmans also strives to support the community through feeding the hungry, encouragement of healthy eating & activities, enrichment of neighborhoods in which they serve, helping young people succeed and supporting the United Way.

2. **Community Prosperity and Engagement** – The Wegmans development will attempt to partner with local, family farms near the store to provide fresh produce in addition to providing local beef, pork and cheese. Additionally, the project will provide a significant increase in commercial tax base and sales revenue.
3. **Getting Around** – The Wegmans development will provide pedestrian connection to link retail with the surrounding neighborhood areas to the south of the property and office to the north and east of the site. Additionally, the planned Old Durham Road roadway improvements near the Interstate 40 interchange will provide future pedestrian links to the subject development and surrounding community.
4. **Good Places, New Spaces** – The Wegmans development will replace the relocation efforts of Performance Auto Mall to their Southpoint Mall existing auto dealerships. The project will consist of the redevelopment of a currently under-utilized commercial development (Performance Auto) into a community and regional specialty grocery store development.
5. **Nurturing Our Community** – The Wegmans will promote the redevelopment of an existing auto dealership that is scheduled to be relocated with or without the development of the Wegmans store. This redevelopment will also include the cleanup of an environmentally contaminated site.
6. **Town and Gown Collaboration** – The Wegmans development is proposed to the south of the current location of UNC Healthcare Eastowne Campus. The development will provide a retail destination for the employees within the Eastowne Campus. Furthermore, the Marketplace Café and Pub restaurant will provide access to a wide variety of lunch and dinner options for employers and employees.

The project is located within the North 15/501 Focus Area. The proposed development will provide and enhance this area in accordance with the goals stated within the focus area. Specifically, the development will employ the following:

1. Redevelopment of a currently underutilized commercial development (Performance Auto) into a community and regional grocery store development
2. Provides pedestrian connection to link retail with the surrounding neighborhood areas in connection with the Old Durham Chapel Hill Road roadway improvements.

**OWNER'S CERTIFICATE**

THE UNDERSIGNED PARTY, BEING DULY SWORN, CERTIFIES THAT HE/SHE IS THE OWNER OR DULY AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE PROPERTY DESIGNATED ON THIS PLAT AS DESCRIBED BELOW, AND HE/SHE HEREBY FREELY DEDICATES ALL RIGHTS-OF-WAY, EASEMENTS, STREETS, RECREATION AREA, OPEN SPACE, COMMON AREA, UTILITIES, AND OTHER IMPROVEMENTS TO PUBLIC OR PRIVATE COMMON USE AS NOTED ON THIS PLAT, AND FURTHER ASSUMES FULL RESPONSIBILITY FOR THE MAINTENANCE AND CONTROL BY AN APPROPRIATE PUBLIC BODY OR, BY AN INCORPORATED NEIGHBORHOOD OR HOMEOWNER'S ASSOCIATION OR SIMILAR LEGAL ENTITY.

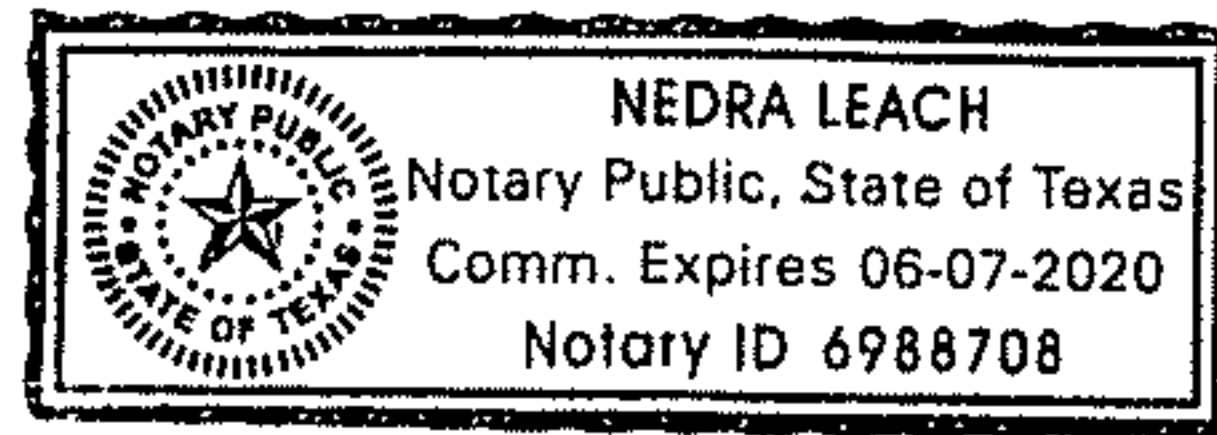
PIN: 9799-78-2879

*Will Toliver* 12/12/18  
 LG 1810 FORDHAM BLVD. LLC DATE

**NOTARY CERTIFICATE**

Texas STATE  
 Dallas COUNTY  
 I, Nedra Leach, A NOTARY PUBLIC OF SAID COUNTY, DO HEREBY CERTIFY THAT Will Toliver DID PERSONALLY APPEAR BEFORE ME THIS THE 7th DAY OF December, 2018.

Nedra Leach  
 NOTARY PUBLIC (SIGNATURE)  
 MY COMMISSION EXPIRES: 6/17/2020



STATE OF NORTH CAROLINA  
 COUNTY OF ORANGE

I, \_\_\_\_\_ REVIEW OFFICER OF ORANGE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING FOR WHICH THE REVIEW OFFICER HAS RESPONSIBILITY AS PROVIDED BY LAW.

REVIEW OFFICER  
 ORANGE COUNTY LAND RECORDS/GIS

DATE OF CERTIFICATION: \_\_\_\_\_

RECORDING OF THIS DOCUMENT DOES NOT REQUIRE SUBDIVISION APPROVAL OF THE TOWN OF CHAPEL HILL, AS PROVIDED IN SECTION 4.6.1 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE.

*[Signature]*  
 12/12/2018 DATE

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS RECORDED IN DEED BOOK AND PAGE 6253-243 & PLAT BOOK AND PAGE 100-37; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM SOURCES NOTED HEREON; THAT THE RATIO OF PRECISION IS MAXIMUM OF 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

FURTHER CERTIFY: THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

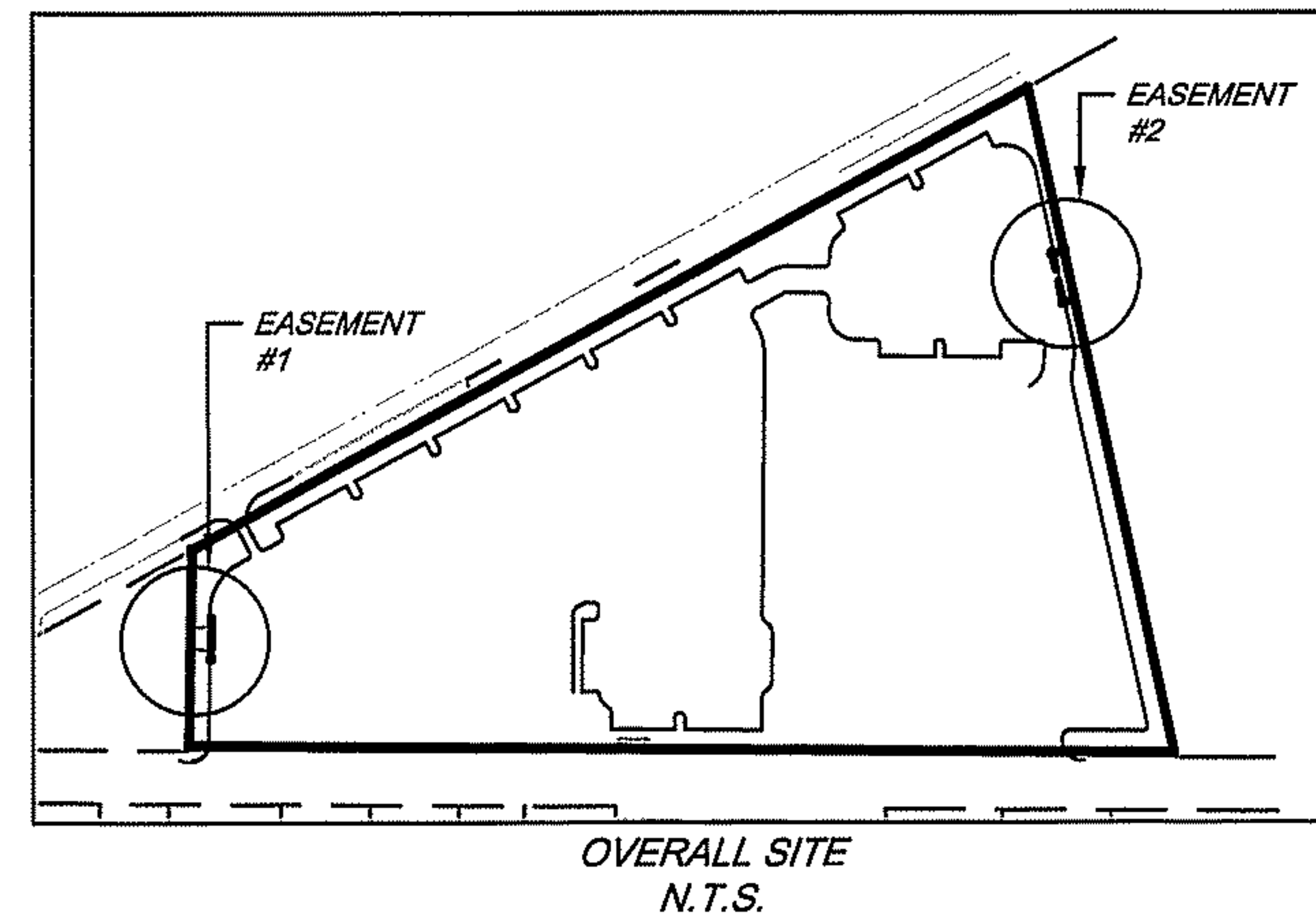
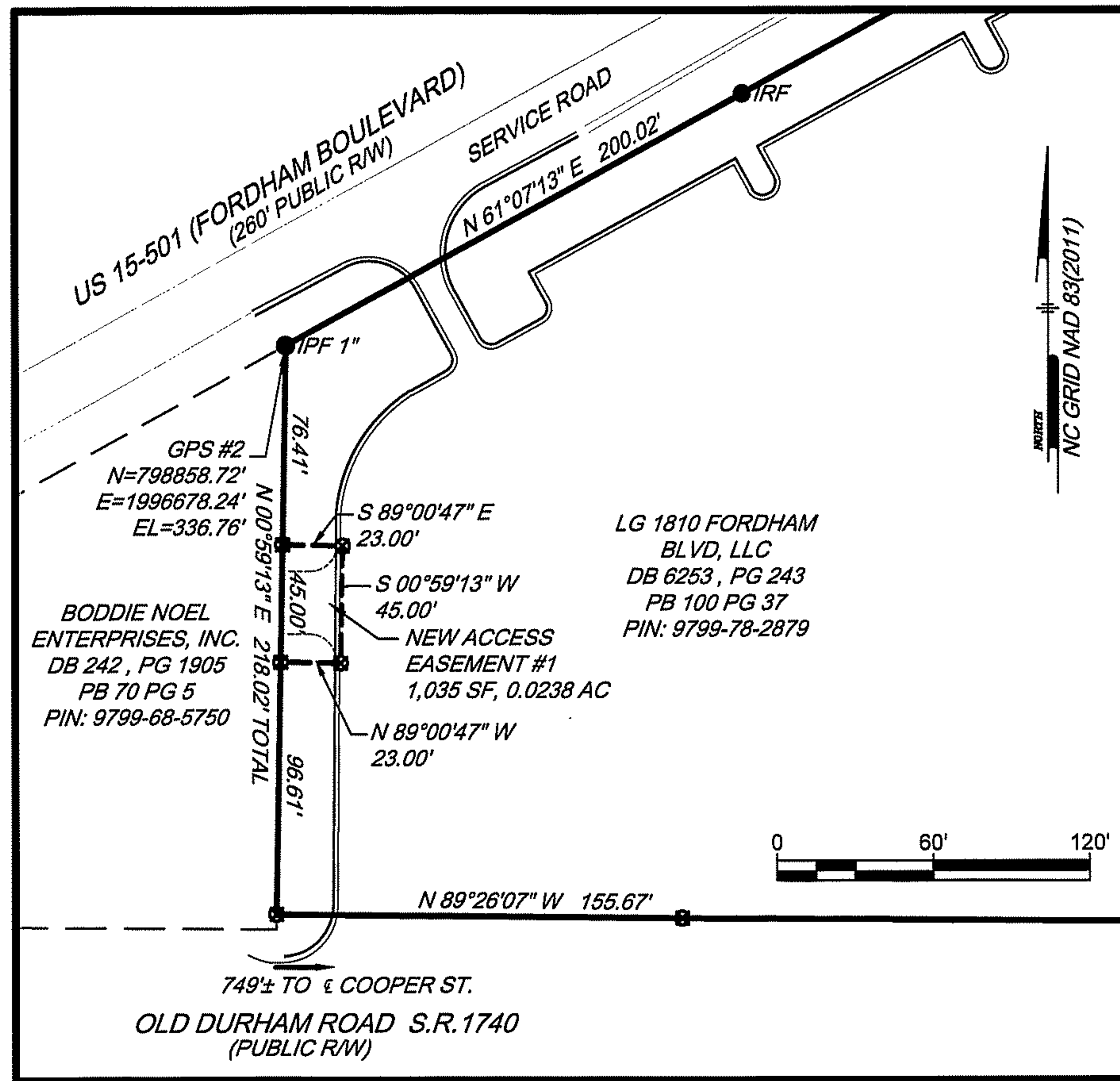
WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 8TH DAY OF NOVEMBER, 2018.

*Bruce J. Frederick*  
 BRUCE J. FREDERICK PROFESSIONAL LAND SURVEYOR  
 L-4246

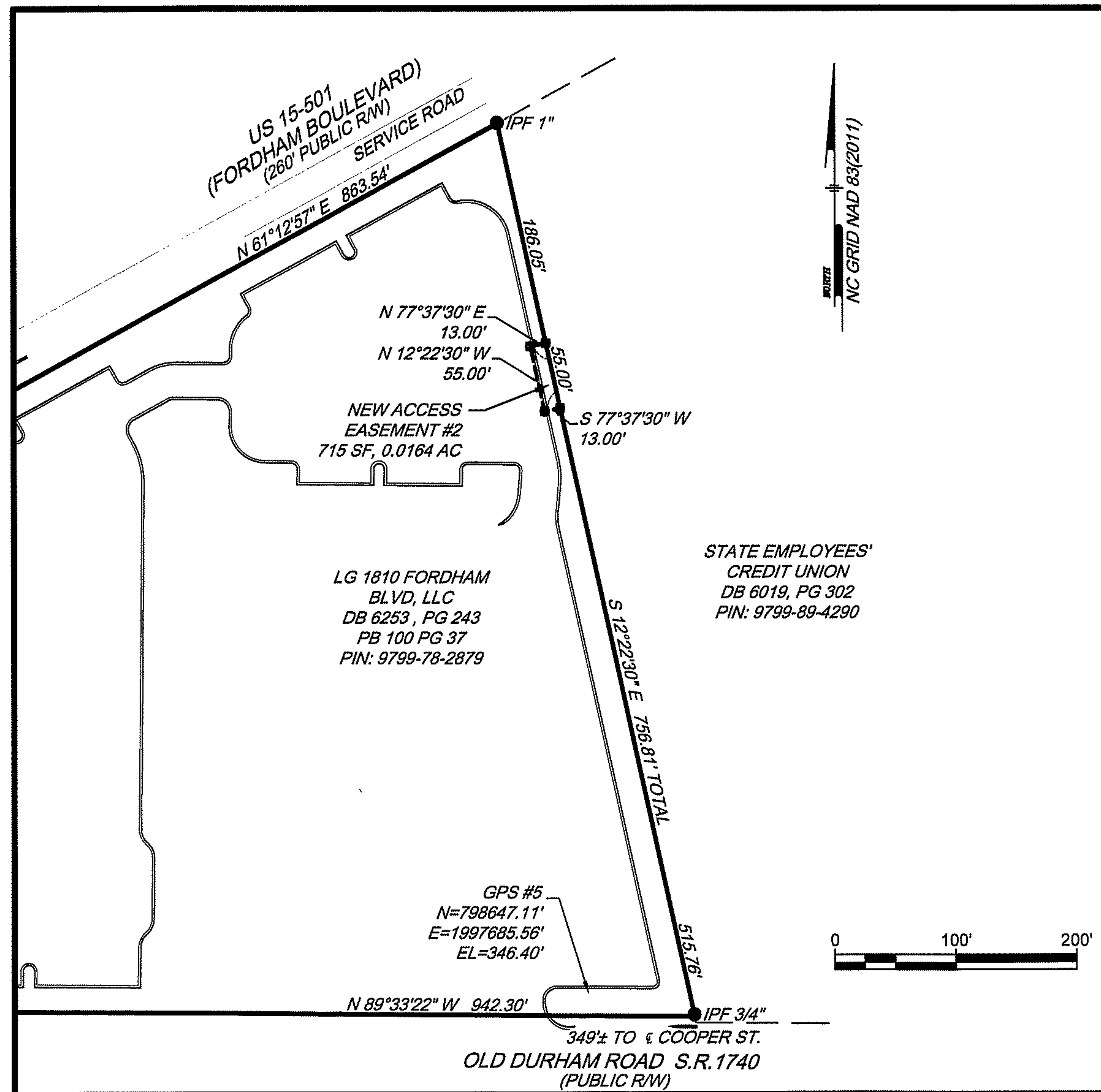
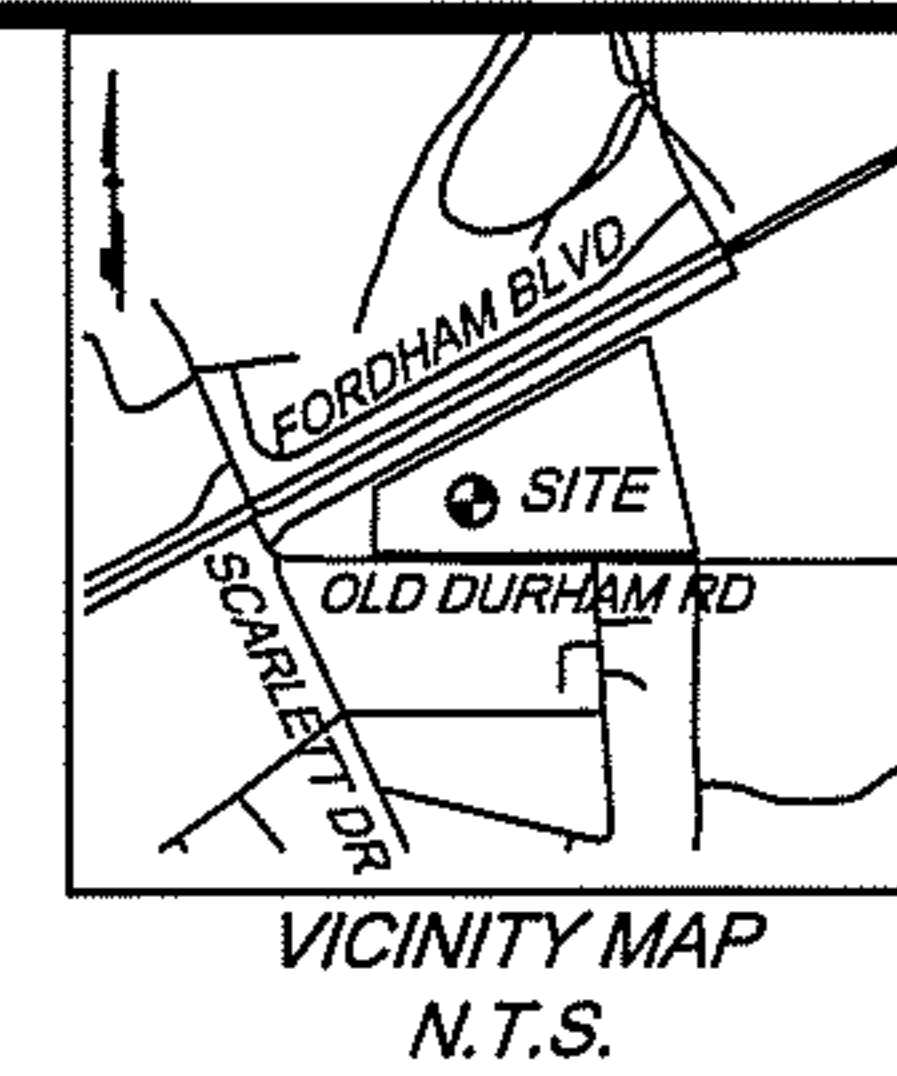


**NOTES:**

- THIS PLAT IS INTENDED TO REPRESENT A NEW ACCESS EASEMENT ON THE PROPERTY OF LG 1810 FORDHAM BLVD, LLC AND IS NOT INTENDED TO BE A BOUNDARY SURVEY.
- HORIZONTAL DATUM - NC NAD 83 (2011) BASED ON GPS OBSERVATIONS USING THE NORTH CAROLINA GNSS REAL TIME NETWORK.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET UNLESS SHOWN OTHERWISE.
- AREA BY COORDINATE METHOD.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY IS SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, BUFFERS AND RESTRICTIONS SHOWN HEREON AND ALL OTHERS OF RECORD NOT SHOWN HEREON.



**LEGEND**  
 ——— PROPERTY LINE SURVEYED  
 - - - PROPERTY LINE NOT SURVEYED  
 - - - EASEMENT LINE  
 ● IRF IRON ROD FOUND  
 ● IPF IRON PIPE FOUND  
 ⊠ COMPUTED POINT



20181212000232080  
 20181212000232080 PLAT  
 Bk: PL 119 Pg: 119  
 12/12/2018 02:53:27 PM 1/1

FILED Mark Chilton  
 Register of Deeds, Orange Co., NC  
 Recording Fee: \$21.00  
 NC Real Estate TX: \$.00



**PENNONI ASSOCIATES INC.**  
 5430 WADE PARK BOULEVARD  
 SUITE 106  
 RALEIGH, NC 27607  
 T 919.828.1173 F 919.493.6548

ACCESS EASEMENT PLAT  
 FOR  
 LG 1810 FORDHAM BLVD, LLC  
 DB 6253, PG 243  
 PIN 9799782879  
 Chapel Hill Township  
 125 OLD DURHAM RD & 1820 FORDHAM BLVD  
 CHAPEL HILL, ORANGE COUNTY, NC

NO.	DATE	REVISIONS	BY

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES; AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	LCGR1601
DATE	2018-08-28
DRAWING SCALE	AS SHOWN
DRAWN BY	RWP
APPROVED BY	RWP
LCGR-VF-EASE-PLAT	
SHEET	1 OF 1