

RESOLUTION A

(Approving the Special Use Permit Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT FOR CHRIST COMMUNITY CHURCH AT 141 ERWIN ROAD (####-##-##/R-#)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit application, proposed by Byron Peters on behalf of Christ Community Church, located on the southwest corner of Old Oxford Road and Erwin Road at 141 Erwin Road on property identified as Orange County Property Identifier Numbers 9799-39-9116 and 9799-49-0235, if developed according to the Site Plan last revised February 26, 2020 and the conditions listed 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.

MODIFICATIONS TO REGULATIONS

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that it finds, in this particular case, that the proposed development with the following requested modifications to regulations satisfies public purposes to an equivalent or greater degree:

Section 4.5.5(b)1 to allow a change in the Special Use Permit boundary to be approved by the Town Manager as a minor change if a property line adjustment is made after Special Use Permit approval provided there is no decrease in total lot area.

Section 5.6.5 to allow a shared buffer with the adjacent property to the south (PIN 9799-48-1814). In the interim condition half of the landscape buffer will be provided on the Christ Community Church site and the remaining portion is to be satisfied with the existing vegetation on the adjacent site. At such time that the adjacent property develops, the full width and required plantings of the required buffer will be required.

Section 5.6.6 to allow a modification to the 30 foot Type C required buffer along the western property line to be reduced to 23.2 feet in one portion. Modified buffer in this area is to be comprised of existing mature trees and 8 foot solid fence.

Section 3.8.3.(b).(1) to allow a 9.75 inch increase for a portion of the cupola that exceeds the permitted 15 percent increase in height.

These findings are based on a determination that the public purposes are satisfied as an equivalent or greater degree as all of the proposed modifications will not negatively impact the environment or aesthetics.

STIPULATIONS SPECIFIC TO CHRIST COMMUNITY CHURCH

1. Construction Deadline: That construction begin by _____ (five years from the date of approval) to be completed by _____ (eight years from the date of approval). [LUMO 4.5.5]
2. Land Use Intensity: This Special Use Permit authorizes the following:

Use: Place of Worship	
Gross Land Area	122,810 square feet (2.8 acres)
Total Impervious Surface	51,949 SF (42.3%)
Maximum Floor Area	11,420 square feet
Maximum Parking Spaces	117
Minimum Bicycle Parking Spaces	8 spaces
Land Disturbance	76,445 square feet

Utilities

3. OWASA: Prior to issuance of a Zoning Compliance Permit, written OWASA approval is required for any installations of: backflow preventers, grease traps, oil/water separators, water meters, and elevator sump pumps.

Transportation & Access

4. Road Improvements: Prior to issuance of a Certificate of Occupancy, the developer shall widen Old Oxford Road and Erwin Road and install sidewalk along the length of site frontage and provide bike lane on Erwin Road in accordance with plans. Design details and plans shall be approved by the Town Manager prior to the issuance of Zoning Compliance Permit.
5. Electric Vehicle Spaces: The applicant shall provide a minimum of three electric vehicle parking spaces and charging stations prior to issuance of a Certificate of Occupancy.

Landscaping

6. Trees and Sight Distance Conflicts: All trees to be pruned in a uniform manner on all sides, in order to comply with sight distance triangle requirements.

Stormwater

7. SCM Outfall: An outfall for the proposed underground detention will be required on this property outside of the setback if the following condition is not met. The legal property owner at 137 Erwin Road has submitted a binding agreement and plan to accept stormwater from this site, 141 Erwin Road. If the plans have not been received by the Town of Chapel Hill at the time that this property, 141 Erwin Road, files for the ZCP approval, then an outfall outside the setback must be designed and shown on the plan set.

Fire

8. Future Access: Future access to Marriott shall be 26' wide with a clear height of 13'6". Shall not be emergency access only.

9. FDC: Ensure that FDC location is as per sheet C-011 in Special Use Permit Site Plan Set.

TOWN OF CHAPEL HILL – SPECIAL USE PERMIT STANDARD STIPULATIONS

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

Access

1. 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

2. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, it will be necessary to submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]
3. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 4.5.2]
4. 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]
5. Parking Lot Landscape and Screening: That the parking lot landscape design shall adhere to the standards of Ordinance. [LUMO 5.9.6]
6. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and N.C. Department of Transportation. Installation of street lighting is required prior to Certificate of Occupancy.
7. Driveway Permit: It will be necessary to 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.
8. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.

9. Off-Site Construction Easements: Prior to any land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
10. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]
11. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
12. 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 6.10]
13. 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. [Town Code 21.7.1]
14. 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 Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]
15. North Carolina Department of Transportation Approvals: Plans for improvements to State-maintained roads shall be approved by NCDOT prior to issuance of a Zoning Compliance Permit for the development.
16. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, it will be necessary to submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]

Landscaping and Building Elevations

17. Invasive Exotic Vegetation: That 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 from the landscape buffer areas prior to planting. [Town Design Manual]
18. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval from the Community Design Commission shall be required for any proposed alternate buffer. [LUMO 5.6.8]
19. 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, and indicate which trees will be removed and

which will remain. The plan shall include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]

20. 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. Continuous tree protection fencing shall be provided 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]
21. 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 approvals. [LUMO 4.5.3]
22. Tree Canopy: That a minimum of tree canopy coverage be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with LUMO Section 5.7.2 shall be included. [LUMO 5.7.2]
23. 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.
24. Demolition Plan: Prior to beginning any proposed demolition activity, it will be necessary to obtain demolition permits from both Planning and Inspections. 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 may be acquired from Planning prior to proceeding with a demolition permit application to Inspections. Further, for all existing structures 500 square feet or larger a deconstruction assessment shall be conducted by Orange County Solid Waste staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).
25. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan 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. [LUMO 8.5.5]
26. Community Design Commission Approval: That the developer obtain Community Design Commission approval of building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.4.6] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission.

Environment

27. Stormwater Management Plan: Development projects must comply with the *Section 5.4 Stormwater Management* of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of Zoning Compliance Permit. [LUMO 5.4]
28. Phasing Plan: If phasing of the project is proposed, that prior to issuance of a Zoning Compliance Permit, the property owner 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 which 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. [LUMO 4.9.2]

29. 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. [LUMO 4.5.2]
30. Silt Control: That the developer take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent roadways. [LUMO 4.5.2, Town Code Chapter 5]
31. Erosion Control Inspections: That, 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. [LUMO 4.5.2]
32. 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. [LUMO 4.5.2]
33. As-Built Plans: That 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. [LUMO 4.9.2]
34. On-Site/Adjacent Stormwater Features: That the final plans locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans 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. [LUMO 4.9.2]
35. 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. [LUMO 4.9.2]
36. Impervious Surface Limit and Notification: The final plans and final plat shall identify the total impervious surface limit to each Stormwater Control Measure. The applicant shall submit to all purchasers of property and residential units a statement that discloses the impervious surface limits associated with the development.
37. Applicant Responsibilities: The applicant shall be responsible for the maintenance, repair and operation of the Stormwater Control Measure, ditches and storm sewer conveyances located outside public right-of-way.

38. P.E Certification: The developer shall provide shall provide a certification, signed and sealed by North Carolina –licensed Professional Engineer, that the Stormwater Control Measure are constructed in accordance with the approved plans and specifications.
39. Energy Efficiency: That the Final Plans incorporate a “20 percent more energy efficient” feature relative to the energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of building 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.
40. Energy Management Plan: If applicable, that the final plan application include an Energy Management Plan. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, biofuels, and hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; d) include ongoing energy management practices, and e) that the property owner reports to the Town of Chapel Hill both the expected energy consumption as part of a model prior to issuance of a Zoning Compliance Permit and the actual energy consumption as par to sealed engineering calculations at the time construction is completed.

Water, Sewer, and Other Utilities

41. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, and 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. [LUMO 4.5.3]
42. 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]
43. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, the developer will install underground all public utilities that are currently located overhead on the site except for 3 phase or greater electric lines. [LUMO 5.12.2]
44. Water/Sewer Line Construction: That all public water and sewer plans 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. Prior to issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager. [LUMO 5.12.1]

45. OWASA Approval: That 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 5.12.1]
46. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

Fire Safety

47. Fire Sprinklers: Any building with more than 6000 sf of floor space is required to have a sprinkler system. The developer shall install sprinklers under the North Carolina Fire Code 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]
48. Gates and Barricades: 03.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways; not including public streets, alleys, or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200. 2018 NCFC Section 503 and Appendix D103
49. Grade and Approach: 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

D 103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent as approved by the fire chief. 2018 NCFC Section 503 and Appendix D.
50. Fire Protection and Utility Plan: Shall include the fire flow report: for a hydrant within 500' of each building, provide the calculated gallons per minute of with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of NC and accompanied by a water supply flow test conducted within one year of the submittal. Reference Town Design Manual for required gallons per minute.
51. 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' 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 2012 Section 1413]
52. 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 2012.

53. Fire Lanes: Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. 2018 NCFC Section 503.3 and Appendix D D 103.6, D 1036.1, D 103.6.2

54. Developments: D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 nr) shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet (11520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. 2018 NCFC Appendix D104

55. Aerial Fire Apparatus Access Roads: D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 ft (4572 mm) and a maximum of 30 feet (9144) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned or shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official. 2018 NCFC Appendix D105

Aerial Access roads are measured 26' edge of pavement to edge of pavement. Curb gutters are not designed to support the weight of the truck.

56. Obstruction of Fire Apparatus Access Roads: Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times. 2018 NCFC 503.4

57. Traffic Calming Devices: Traffic calming devices shall be prohibited unless approved by the fire code official. 2018 NCFC 503.4.1
58. 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. 2018 NCFC 3312
59. Fire Apparatus Access Road: 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3
503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building, or portion for a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45720 mm) where any of the following conditions occur:

1.1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 the dimension shall increase to a minimum of 200 feet (60960 mm).

1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

2. The fire code official is authorized to modify or exempt fire apparatus access roads for solar photovoltaic power generation facilities. 2018 NCFC Section 503

60. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150' shall have a designated turn around required. The turnaround shall meet one of the design standards of [NC FPC 2012, Appendix D table D 103.4]
61. 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 2012, D104.1, D104.3 DEPENDENT UPON DOT APPROVAL]
62. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
63. Fire Apparatus Access Road Authority: 503.2. Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. 2018 NCFC Section 503
64. 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 Code, and National Fire Protection Association 13. [NC Fire Protection Code Section 507.5.6]

65. 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 Fire Protection Code Section 507.5.6]
66. Fire Department Access: All turns, radii, bridges, and depressions within roadways shall be designed and constructed to be accessible by the largest fire apparatus operated by the Town of Chapel Hill. Technical information on this equipment is available from the Towns Fire Marshal. 2018 NCFC Section 503, Appendix D.
67. Fire Department Access/Construction: Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted. Emergency access designation for apparatus shall be provided. 2018 NCFC Section 503, Appendix D.
68. Fire Department Access/Construction: During construction, vehicle access for firefighting shall be provided. Temporary street signs shall be installed at each street intersection when construction allows the passage of vehicles. Signs shall be of an approved size, weather resistant, and maintained until replaced by permanent signs. 2018 NCFC Section 505.2
69. Address Identification: 505.1 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 front the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (153 mm) high with a minimum stroke width of 3/4 inch (20 mm). 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. 2018 NCFC 505.1
70. Key Boxes: 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. 2018 NCFC 506.1
71. 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.

- 72. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NCFC and Town Ordinances; 7-38 for location. FDCs shall be installed on the street/address side 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.
- 73. Fire Department Connections, Installation: A working space of not less than 36" in width and depth and a working space of 78" 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 by an approved barrier from impacts. 2018 NCFC Section 912
- 74. Fire Apparatus Access for CHFP: 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.
- 75. Fire Flow Report: The Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]
- 76. Heavy-Duty Paving: Prior to issuance of a Certificate of Occupancy, the developer shall, in designated areas, provide heavy duty paving designed and built to withstand fire apparatus weighing at least 80,000 pounds. [Town Design Manual]
- 77. 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 Fire Code, Sections 503.3, D103.6, D103.6.1, D103.2]

78. Emergency Responder Radio Coverage: NCFPC Section 510. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
79. Construction/Demolition; All Construction and demolition conducted shall be in compliance of the current edition of the NC Fire Code. 2018 NCFC Chapter 33

Solid Waste Management and Recycling

80. 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]
81. 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]
82. Deconstruction Assessment: 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.

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.

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.

State and Federal Approvals

83. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit. [NC State; Federal Permits]
84. North Carolina Department of Transportation Approvals: That prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or

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

Miscellaneous

85. Offsite Construction Easements: That prior to any land disturbance on abutting properties the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
86. 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. [LUMO 4.5.2, TOWN CODE 17-42]
87. 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. [LUMO 4.5.2, TOWN CODE 17-42]
88. 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. (§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. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.3]
89. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public Schools or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]
90. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [TOWN CODE, Article 9]
91. Detailed Plans: That 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 Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]

92. Certificates of Occupancy: That no Certificates of Occupancy shall be issued until all required public improvements are complete; and that 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; and that a note to this effect shall be placed on the final plats.

93. Traffic Signs: That the property owners shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
94. New Street Names and Numbers: That the name of the development and its streets and house/building numbers be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
95. As-Built Plans: That 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. [LUMO 4.9.2]
96. Vested Right: This Special Use Permit Modification constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.
97. Continued Validity: That continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
98. Non-Severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit for Christ Community Church at 141 Erwin Road.

This the ____ day of _____, 2020.