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 Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh
Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, January 25, 2023 7:00 PM **RM 110 | Council Chamber**

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

如需口头或书面翻译服务，请拨打 919-969-5105.

Para servicios de interpretación o traducción, llame al 919-969-5105.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံအတၢ်မၤစ်ၤအဂီ ၢ် ကိးဘဉ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

View the Meeting
- *View and participate in the Council Chamber.*
- *Live stream the meeting - https://chapelhill.legistar.com/Calendar.aspx*
- *View on cable television channel at Chapel Hill Gov-TV (townofchapelhill.org/GovTV)*
- *The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.*
- *Participate in a voluntary demographic survey before viewing online or in person - https://www.townofchapelhill.org/demosurvey*

Parking
- *Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.*
- *See http://www.parkonthehill.com for other public lots on Rosemary Street*
- *Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.*

Entry and COVID-19 Protocols
• Entrance on the ground floor.
• Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain
• Attendees are encouraged to wear masks in the building.
• Hand sanitizer is located near the main doors.

ROLL CALL

OPENING

1. A Resolution to Urge the North Carolina General Assembly to Pass Medicaid Expansion. **[23-0061]**

ANNOUNCEMENTS BY COUNCIL MEMBERS

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.

2. Will Raymond Reiterated Request for Ethics Guidelines. **[23-0062]**

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. **[23-0063]**

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

4. Authorize the Issuance of $1,980,000 of Two-Thirds **[23-0064]**

Bonds, $5,245,000 of Affordable Housing Referendum Bonds and $7,700,000 of Streets & Sidewalks Referendum Bonds.

By adopting the resolution, the Council provides for the issuance of $5,245,000 of referendum bonds for affordable housing, $7,700,000 of referendum bonds for streets and sidewalks, and $1,980,000 of two-thirds general obligation bonds for public safety, and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

5. Authorize the Town Manager to Enter into a Bus Financing Agreement with the Transit Partners and Issue a RFP for Debt Financing the Purchase Of New Buses. **[23-0065]**

By adopting the resolution, the Council authorizes the Town Manager to enter into an additional agreement for financing of new buses for public transportation services between the Town of Chapel Hill and the Town of Carrboro and The University of North Carolina at Chapel Hill and issue a RFP for debt financing the purchase of new buses.

6. Authorize the Town Manager to Negotiate and Execute a Sole Source Contract to Purchase Critical Conducted Energy Equipment and Supplies for Police Officers. **[23-0066]**

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a sole source contract to purchase critical conducted energy equipment and supplies for police officers.

7. Amend Article I, Chapter 2, Code of Ordinances Related to Filing Fees for Election. **[23-0067]**

By enacting the ordinance, the Council amends the Town Code of Ordinances to set the filing fees for election.

8. Support a Safe Routes to School Non-Infrastructure Grant Application to the North Carolina Department of Transportation. **[23-0068]**

By adopting the resolution, the Council supports a Safe Routes to School Non-Infrastructure grant application to the North Carolina Department of Transportation.

9. Call a Legislative Hearing to Consider Incorporating the Complete Community Framework as a Component of the Town's Comprehensive Plan on April 19, 2023. **[23-0069]**

By adopting the resolution, the Council calls a legislative hearing to amend the Town's Comprehensive Plan on April 19, 2023.

10. Amend the 2022-23 Council Calendar. **[23-0070]**

By adopting the resolution, the Council amends the 2022-23 Council calendar to incorporate the time and location of the Council Retreat on February 3 and 4, 2023.

11. Adopt Minutes from October 12, and 19, 2022 and November 2, and 14, 2022 Meetings. **[23-0071]**

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.

INFORMATION

12. Receive Upcoming Public Hearing Items and Petition Status List. **[23-0072]**

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

DISCUSSION

LAND USE MANAGEMENT TEXT AMENDMENT(S)

13. Open the Legislative Hearing for a Land Use Management Ordinance Text Amendment - Proposed Changes to Articles 1, 3, 4, 5, 6, and 7 and Appendix A Regarding Housing Choices for a Complete Community **[23-0073]**

PRESENTER: Anya Grahn-Federmack, Principal Planner

a. Introduction and preliminary recommendation
b. Recommendation of the Planning Commission
c. Comments from the public
d. Comments and questions from the Mayor and Town Council
e. Motion to recess the Legislative Hearing to February 22, 2023

RECOMMENDATION: That the Council open the legislative hearing, provide feedback on the draft text amendment, and continue the hearing to February 22, 2023.

ZONING ATLAS AMENDMENT(S)

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including

opinions, when making Legislative decisions.

14. Consider a Conditional Zoning Application for Aspen Chapel Hill at 701 Martin Luther King Jr Blvd. from Neighborhood Commercial (NC) and Residential-3 (R-3) to Residential-6-Conditional Zoning District (R-6-CZD). **[23-0074]**

PRESENTER: Corey Liles, Planning Manager

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. Presentation by the applicant
d. Comments from the public
e. Comments and questions from the Mayor and Town Council
f. Motion to adjourn the Legislative Hearing
g. Motion to adopt the Resolution of Reasonableness and Consistency with the Comprehensive Plan
h. Motion to enact an Ordinance to rezone the property

RECOMMENDATION: That the Council adopt Resolution A and enact Ordinance A, approving the Conditional Zoning Application.

15. Open the Legislative Hearing: Conditional Zoning Application for 2217 Homestead Road. **[23-0075]**

PRESENTER: Tas Lagoo, 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 continue the Hearing to February 22, 2023.

RECOMMENDATION: That the Council open the legislative hearing and receive comments on the proposed Conditional Zoning. That the Council then move to schedule action on the proposed Conditional Zoning application for February 22, 2023.

CONCEPT PLAN REVIEW(S)

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

16. Concept Plan Review: Chapel Hill Transit and Public Facilities Expansion, 6830-6900 Millhouse Road. **[23-0076]**

PRESENTER: Corey Liles, Planning Manager

a. Review of process
b. Presentation by the applicant
c. Comments from the Community Design Commission and Stormwater Management Utility Advisory Board
d. Comments from the public
e. Comments and questions from the Mayor and Town Council
f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

APPOINTMENTS

17. Appointments to the Housing Advisory Board. **[23-0077]**

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 #:** [23-0061], **Version:** 1 **Meeting Date:** 1/25/2023

A Resolution to Urge the North Carolina General Assembly to Pass Medicaid Expansion.

Recommendation(s):

That the Council adopt a resolution to urge the North Carolina General Assembly to pass Medicaid Expansion.

Attachments:

- Resolution

powered by Legistar™

A RESOLUTION TO URGE THE NORTH CAROLINA GENERAL ASSEMBLY TO CLOSE THE HEALTH INSURANCE COVERAGE GAP IN NORTH CAROLINA BY PASSING MEDICAID EXPANSION (2023-01-25/R-0.1)

WHEREAS, healthy citizens and access to affordable health care are key to our local and state economy Orange County and Chapel Hill economy; and

WHEREAS, closing the health insurance coverage gap with Medicaid Expansion would extend insurance to approximately 7,254 uninsured individuals in Orange County and close the gap for more than 600,000 across the state; and

WHEREAS, closing the health insurance coverage gap would drive $141,300,000 in new business and healthcare activity in Orange County, generate $3,724,200 in new county revenue, and create 629 new jobs; and

WHEREAS, closing the health insurance coverage gap would provide access to behavioral health care to address the opioid epidemic which, in 2019, resulted in 13 deaths and 47 emergency department visits related to opioid overdose in Orange County; and

WHEREAS, federal funding from taxes that North Carolinians have already paid will cover 90% of costs for states closing the health insurance coverage gap to citizens who need access to affordable health insurance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council urges the North Carolina General Assembly to close the health insurance coverage gap in North Carolina by passing Medicaid Expansion.

This the 25th day of January, 2023.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 2., **File #:** [23-0062], **Version:** 1 **Meeting Date:** 1/25/2023

Will Raymond Reiterated Request for Ethics Guidelines.

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:

- Will Raymond Request

powered by Legistar™

Amy Harvey

From: Jeanette Coffin
Sent: Wednesday, January 18, 2023 3:31 PM
To: campaign@willraymond.org
Cc: Lance Norris; Adam Searing; Amy Ryan; Camille Berry; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Paris Miller-Foushee; Tai Huynh; Amy Harvey; Ann Anderson; Atuya Cornwell; Carolyn Worsley; CHRIS BLUE; James Baker; Loryn Clark; Mary Jane Nirdlinger; Ran Northam; Ross Tompkins; Sabrina Oliver
Subject: RE: FORMAL PETITION: Ethics guidelines, Mayor Hemminger's promise of a review and Kumar Neppakli

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin

Jeanette Coffin
Office Assistant
Town of Chapel Hill Manager's Office
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
(o) 919-968-2743 | (f) 919-969-2063

-----Original Message-----
From: campaign@willraymond.org <campaign@willraymond.org>
Sent: Tuesday, January 17, 2023 8:54 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>; All Agenda Materials <allclerk@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>
Subject: Re: FORMAL PETITION: Ethics guidelines, Mayor Hemminger's promise of a review and Kumar Neppakli

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

Dear Mayor and Council,

It has been one year since we requested the following reviews, information and Council action on improving ethics with zero movement.

In light of the FBI's and, apparently, Town investigation into former developer/traffic engineer Mr. Neppalli, please consider this a renewed request of the original petition.

Further, under relevant NC Open Records statutes, we demand the full release of the Town's report, any additional investigatory notes, staff communications, emails and other materials explaining what exactly clears Mr. Neppalli OR ANY OTHER STAFF MEMBER of using their "position to unduly influence development projects".

Thank you,

Will Raymond

On 2021-11-10 17:59, WillR wrote:
> Mayor and Council,
>
> I sent the following several day's ago. In case it wasn't obvious, I
> want Council to consider this as a formal petition for action.
>
> It is clear that appointing developers and developers' agents to key
> land-use advisory positions has set a bad example. By many local
> residents standards, including mine, it not only creates an
> appearance of a conflict of interest but is a conflict of interest.
>
> With Mr. Neppalli's example before you it should be clear those days
> should be over.
>
> We are calling on an open and public review of Mr. Neppalli's conduct
> to make sure that his assessments didn't conflict with the public
> interest and principles of good government.
>
> We are seeking full and detailed answers to the following questions:
> Which local developers did he partner with? Did he make any
> assessments related to past, current or future projects involving
> those developers? How significant were those assessments in making the
> final determinations about those projects? Were any of those
> determinations or assessments used to justify exceptions for other
> similar projects not related to these developers?
>
> In terms of staff and advisory boards: How is Council going to
> determine if other members of staff or members of advisory boards are
> trading on their connections with Town Hall? What steps will Council
> take to remediate any lapses?
>
> We are calling upon Council to tighten up ethical rules guiding
> Council, staff and advisory board conduct. The new rules should have
> clear examples of inappropriate conduct and specific remedies that do
> not rely exclusively on the Council to implement or enforce.

>
> We ask that these rules bar the appearance of conflict of interest and
> prohibit even the smallest chance of self-serving decision-making.
>
> We are calling on Council to remove all current advisory board members
> with these type of inherent conflicts of interest and to modify the
> rules so that future advisory board members have a clear choice -
> either fully relinquish their conflicting interests or serve the
> community.
>
> One path or the other. No confusion as to where their allegiances
> lie. Period. Stop.
>
> We are calling on a review of all other key staff to make sure that
> other folks have not been tempted by the poor examples set over the
> last decade to trade on their connections to Town Hall.
>
> We are demanding these reforms to the rules of ethical conduct to draw
> the brightest of lines between serving the wider community and serving
> oneself.
>
> We ask that there be a mechanism for the public to initiate
> independent reviews of apparent conflicts that cannot be barred by
> staff or Council.
>
> We ask that these new rules will be evaluated by an independent
> organization that is universally recognized as a standard bearer for
> ethics in government.
>
> And, as much as we like and respect UNC's School of Government, we ask
> that the body so charged with the review have no local entanglements.
>
> Finally, we ask that the Council provide two or more opportunities for
> direct public feedback on the new proposed rules.
>
>
> Thank you for taking this on in an expedited manner,
>
> Will Raymond on behalf of himself and other concerned residents.
>
>
>
> On 11/9/21 1:02 PM, WillR wrote:
>> Dear Mayor and Council,
>>
>> It is unfortunate that one of the Town's longest serving staff
>> members appears to have traded on his inside connections to raise
>> investment money.
>>
>> As quoted from the N&O, "The investors said Neppalli touted his
>> connections to developers through his work with the town when he
>> talked with them about investing in his pending real estate deal with

>> a local builder on an apartment or townhouse project."
>>
>> We expect more of our staff, the Council AND those who serve on
>> various advisory boards.
>>
>> But should we be surprised that a staff member who sees the Chair or
>> important members of key advisory boards working on their own behalf
>> or as agents of developers might not think "what's good for the
>> goose, is good for the gander"?
>>
>> There is no disputing now that letting residents serve on boards who
>> have direct connections to the outcomes of their decisions not only
>> is unethical but sets an example that will tempt others, possibly Mr.
>> Neppalli, to profit from their own sphere of influence.
>>
>> In the 15 years I physically attended many many Council meetings, it
>> was a rare night that Mr. Neppalli was called upon or referenced.
>>
>> Mr. Neppalli played a key role in determining whether development
>> projects could move forward. The Mayor and Council often would lean
>> very heavily on his analysis in selling projects to the wider
>> community especially those the community had pushed back strenuously
>> because of pedestrian, cyclist and traffic issues.
>>
>> In other words, a lot of what has happened in our Town were decided
>> based on Kumar's assessments.
>>
>> Mayor Hemminger, on behalf of myself and other concerned residents, I
>> am not asking but demanding a full review of Mr. Neppalli's decisions
>> made over the last 3 or 4 years he was self-reportedly involved in
>> raising money for development he says he was doing in conjunction
>> with at least one local developer.
>>
>> You need to let residents know, objectively, did Mr. Neppalli put his
>> thumb on the scale to benefit himself or his partners? Who were his
>> partners and did they have projects that were approved in the last 3
>> to 4 years that Mr. Neppalli participated on?
>>
>> Finally, it's way past time to draw the brightest of lines between
>> serving the wider community and serving oneself.
>>
>> Reform your weak ethics guidelines. Remove all members of advisory
>> boards who have an interest in the outcome of their decisions. Set
>> an example that everyone, including the staff, will understand and abide.
>>
>> Thank you,
>>
>> Will Raymond
>>
>>

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 3., **File #:** [23-0063], **Version:** 1 **Meeting Date:** 1/25/2023

Approve all Consent Agenda Items.

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

powered by Legistar™

A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES (2023-01-25/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:

3. Authorize the Issuance of $1,980,000 of Two-Thirds Bonds, $5,245,000 of Affordable Housing Referendum Bonds and $7,700,000 of Streets & Sidewalks Referendum Bonds. (R-2)
4. Authorize the Town Manager to Enter into a Bus Financing Agreement with the Transit Partners and Issue a RFP for Debt Financing the Purchase Of New Buses. (R-3)
5. Authorize the Town Manager to Negotiate and Execute a Sole Source Contract to Purchase Critical Conducted Energy Equipment and Supplies for Police Officers. (R-4)
6. Amend Article I, Chapter 2, Code of Ordinances Related to Filing Fees for Election. (O-1)
7. Support a Safe Routes to School Non-Infrastructure Grant Application to the North Carolina Department of Transportation. (R-5)
8. Call a Legislative Hearing to Consider Incorporating the Complete Community Framework as a Component of the Town's Comprehensive Plan on April 19, 2023. (R-6)
9. Amend the 2022-23 Council Calendar. (R-7)
10. Adopt Minutes from October 12, and 19, 2022 and November 2, and 14, 2022 Meetings. (R-8)

This the 25th day of January, 2023.

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.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 4., **File #:** [23-0064], **Version:** 1 **Meeting Date:** 1/25/2023

Authorize the Issuance of $1,980,000 of Two-Thirds Bonds, $5,245,000 of Affordable Housing Referendum Bonds and $7,700,000 of Streets & Sidewalks Referendum Bonds.

Staff:
Amy Oland, Director

Department:
Business Management

Overview: The Town is pursuing the issuance of $1.98 million of "two-thirds" bonds to fund public safety equipment, the second and final issuance of $5.245 million of the 2018 General Obligation (GO) referendum bonds for Affordable Housing, and the third and final issuance of $7.7 million of 2015 General Obligation (GO) referendum bonds for Streets & Sidewalks. On January 11, 2023, the Council held a public hearing on the bond order for the two-thirds bonds. The next step is for Council to adopt a resolution formally authorizing the issuance of both the two-thirds bonds and the referendum bonds.

Recommendation(s):

That the Council adopt the resolution authorizing the issuance of $1,980,000 of two-thirds bonds, $5,245,000 of Affordable Housing referendum bonds, and $7,700,000 of Streets & Sidewalks referendum bonds.

Key Issues:

Two-Thirds Bonds Background

- Under the Local Government Bond Act, the "two-thirds rule" authorizes local governments to issue general obligation bonds without a referendum under certain circumstances.
- Two-thirds bonds are restricted to two thirds of the net reduction in general obligation bond principal for the previous fiscal year. The Town's reduction in principal for FY 2022 was $2,977,000. Two-thirds of which is approximately $1,984,667. Two-thirds bonds must be issued in the fiscal year immediately following the year for which the principal reduction is calculated.
- Two-thirds bonds are also restricted to certain uses including streets, parks, public facilities, and public safety. All other allowable purposes are listed under Section 159-48 <https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_159/gs_159- of NC General Statute, Chapter 159, Article 4 (the Local Government Bond Act).

Two-Thirds Bonds Recommended Use

- The availability of two-thirds bonds and the current cost of borrowing provide an opportunity to fund the replacement of the Town's public safety radio equipment. The Town does not currently have alternate funding opportunities for this high priority need.
- Effective, July 1, 2025, all radios active on the state's Voice Interoperability Plan for Emergency Responders (VIPER) system and all future radios added to the system must be P25 Phase 2 ready (Time Division Multiple Access (TDMA) capable). The Town's current radios are not P25 Phase 2 ready. The move to P25 Phase 2 provides for greater spectrum efficiency by allowing twice as much radio traffic on the same bandwidth as the old system. As the system continues to grow and to maintain VIPER's current level of service, the NC Department of Public Safety (NCDPS) decided

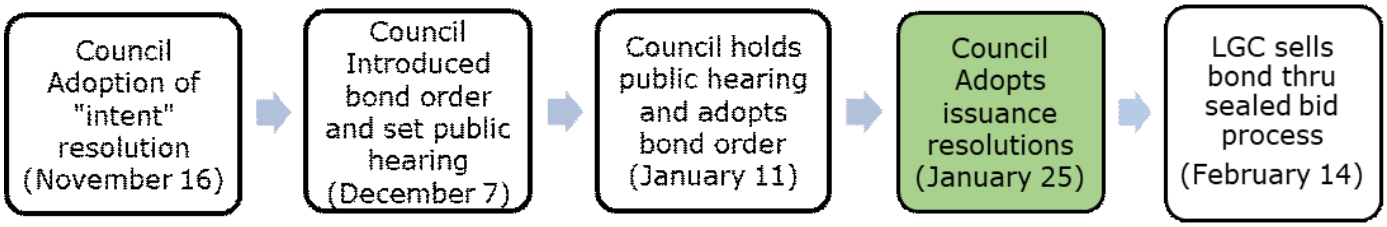
that a move to TDMA operation is the most cost-effective manner to address future growth and system health.

- The Town's current radios (140 handhelds and 83 car radios for Police and 45 handhelds, 12 car radios, and 3 repeaters for Fire) are no longer supported by Motorola. Their end-of-life was December 31, 2019, and NCDPS requires that all radios being added to VIPER after January 1, 2023, must be P25 Phase 2 ready, meaning that the Phase 2 function must be installed in the radio at purchase. The estimate to replace the radios and required accessories is $1,959,847 for police and $535,705 for fire.
- The Town would need to allocate $515,552 in additional funds to address the funding gap between the total cost of the radios and the two-thirds bonds funding. These funds could come from FY 2022 excess fund balance or pay-go capital funds in the FY 2024 budget.
- If the Town proceeds with the two-thirds bonds issuance, funds would be available in March to move forward with the purchase. It will take 12-18 months to receive the radios.

Referendum Bonds

- The sale of the two-thirds bonds will be coordinated with the second issuance of the 2018 General Obligation bonds for affordable housing, and the third issuance of the 2015 General Obligation bonds for streets & sidewalks. Coordinating these bond sales is more efficient than conducting separate bond sales and reduces the cost of issuance.
- In November 2018, Chapel Hill voters approved a general obligation bond order totaling $10 million for affordable housing. The Town issued the first round of these bonds in April 2021 for $4,755,000. Based on the progress of the projects that have been approved to be funded by the referendum bonds and the planned cash needs of those projects, staff has determined that the second sale of referendum bonds should be for the remaining amount available of $5,245,000.
- In November 2015, Chapel Hill voters approved a general obligation bond order for $40.2 million for streets and sidewalks, parks & recreation, open space & greenways, stormwater, and solid waste. The total amount allocated for streets & sidewalks was $16.2 million. The first issuance was in February 2017 for $3 million and the second issuance was in April 2018 for $5.5 million. Based on the progress of the projects that remain to be funded by the referendum bonds and the planned cash needs of those projects, staff has determined that the third sale of referendum bonds should be for the remaining amount available of $7,700,000.

Where is this item in its process?



Attachments:

- Resolution to Issue General Obligation Bonds
- Public Notice of Adoption of Bond Order - Two-Thirds Bonds
- Draft Offering Statement

A RESOLUTION TO ISSUE GENERAL OBLIGATION BONDS (2023-01-25/R-2)

WHEREAS -

The voters of the Town of Chapel Hill have previously approved the issuance of general obligation bonds to pay capital costs of providing affordable housing and providing for streets and sidewalks. The Town still has $5,245,000 of the affordable housing bonds and $7,700,000 of the streets and sidewalks bonds that have been authorized but are as yet unissued.

In addition, on January 11, 2023, the Town Council authorized the issuance of up to $1,980,000 general obligation public safety bonds (the "Public Safety Bonds"). The Public Safety Bonds do not require voter approval.

The Council has now determined that the Town should issue all of the unissued bonds for affordable housing and for streets and sidewalks as a single issue of "Public Improvement Bonds," and all the Public Safety bonds.

This resolution provides for the issuance of these bonds and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

BE IT THEREFORE RESOLVED by the Town Council of the Town of Chapel Hill, North Carolina, as follows:

1. ***Town Will Sell Public Improvement Bonds -*** The Town will issue and sell the $5,245,000 affordable housing bonds and $7,700,000 of the streets and sidewalks bonds that have been authorized but are as yet unissued, as referenced above, for their authorized purposes.

2. ***Town Will Sell Public Safety Bonds --*** The Town will also issue and sell the Public Safety Bonds for their authorized purpose. The Public Safety Bonds will be sold as a separate issue but simultaneously with the Public Improvement Bonds. The Public Safety Bonds and the Public Improvement Bonds are referred to collectively in this resolution as the "Bonds."

3. ***Pledge of Faith, Credit and Taxing Power --*** The Town's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Town will levy and collect an annual ad valorem tax, without restriction as to rate or amount, on all locally taxable property in the Town sufficient to pay the principal of and interest on the Bonds as the same become due.

4. ***Payment Provisions --*** The Bonds will bear interest at the rates determined at the time of their sale by the North Carolina Local Government Commission (the "LGC"), with interest calculated on the basis of a 360-day year consisting of twelve 30-day months. The principal of the Bonds will be payable in annual installments as the Finance Officer may determine after consultation with the LGC, except that the final maturity for the Bonds must not extend beyond December 31, 2043.

5. ***Approval of Official Statement -*** There has been made available to the Mayor and each member of the Council a draft of an official statement (the "Official Statement") relating to the Bonds, which is designed to provide appropriate information about the Town and the financing to prospective investors in the Bonds. The draft Official Statement remains subject to completion and amendment.

The Council approves the LGC's distribution of the Official Statement to prospective purchasers of the Bonds. The Official Statement as distributed must be in substantially the form presented to this meeting, which the Council approves, with changes as the Finance Officer may approve. The Council ratifies the prior actions of the Finance Officer and other Town representatives, in collaboration with the LGC staff, in preparing the text of the Official Statement.

The Council acknowledges that it is the Town's responsibility, and ultimately the Council's responsibility, to ensure that the Official Statement in its final form neither contains an untrue statement of a material fact nor omits to state a material fact required to be included therein for the purpose for which the Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading. In adopting this resolution, the Council members acknowledge and accept their own responsibility for causing the Town to fulfill these responsibilities for the Official Statement.

The Town deems the Official Statement as distributed by the LGC to be a "final official statement" within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), except for the omission of certain final Bond pricing and other information that Rule 15c2-12 allows to be omitted.

6. ***Prepayment Provisions -*** The Council directs the Finance Officer, upon advice from the LGC, to determine the terms and conditions under which the Bonds will be subject to prepayment prior to maturity, if at all. The Finance Officer shall execute a certificate prior to the initial delivery of the Bonds designating prepayment terms and conditions. This certificate will be conclusive evidence of the Finance Officer's determination of these terms and conditions.

7. ***Form of Bonds; Payment Details -*** The Public Safety Bonds will be designated "General Obligation Public Safety Bonds, Series 2023A," and the Public Improvement Bonds will be designated "General Obligation Public Improvement Bonds, Series 2023B."

The Public Improvement Bonds will be in substantially the form set out in Exhibit A. The Public Safety Bonds will be in substantially the same form, with appropriate modifications to reflect their different purpose, maturity schedule, interest rates, prepayment provisions and other series-specific details. The Bonds will be dated the date of their initial issuance, will be in fully registered form, will be in denominations of $5,000 and integral multiples thereof and will be numbered for identification from R-1 upward separately within each series or consecutively across the series, as the Finance Officer may determine.

The Bonds must be signed by the manual or facsimile signature of the Mayor or the Town Manager, and the Town's seal must be affixed to the Bonds (or a facsimile of the seal printed on the Bonds) and attested by the manual or facsimile signature of the Town Clerk or any Deputy or Assistant Clerk. No Bond

will be valid unless at least one of the signatures appearing on the Bond (which may be the signature of the LGC's representative required by law) is manually applied or until the Bond has been authenticated by the manual signature of an authorized officer or employee of a bond registrar selected by the Finance Officer.

Interest on each Bond will be payable semiannually (a) from its date, if it is authenticated prior to the first interest payment date, or (b) otherwise from the interest payment date that is, or immediately precedes, the date on which it is authenticated (unless payment of interest is in default, in which case such Bond will bear interest from the date to which interest has been paid). Principal and interest will be payable in lawful money of the United States of America.

The Council directs the Finance Officer to execute a certificate prior to the initial delivery of the Bonds designating the final aggregate principal amount of the Bonds (up to the maximum authorized amounts referenced in the Introduction), the final principal payment schedule, and the interest payment dates for the Bonds. This certificate will be conclusive evidence of the Finance Officer's approval and determination of these matters.

8. *Finance Officer as Registrar; Payments to Registered Owners --* The Council appoints the Finance Officer as Registrar for the Bonds. As Registrar, the Finance Officer shall maintain appropriate books and records of the ownership of the Bonds. The Town will treat the registered owner of each Bond as the person exclusively entitled to payment of principal and interest and the exercise of all rights and powers of the owner, except that the Town will make payments to the person shown as owner on the registration books at the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

9. *Advertising Bonds for Sale -* The Council directs the Finance Officer, in collaboration with the LGC, to take all proper steps to advertise the Bonds for sale in accordance with standard LGC procedures, including through the use of a "Notice of Sale" document in the LGC's customary form and in substantially the same form as used for prior Town bond sales. The Council directs the Finance Officer to review and approve a form of Notice of Sale as that officer may determine to be in the Town's best interest.

10. *LGC To Sell Bonds --* The Town asks the LGC to sell the Bonds, to receive and evaluate bids and to award the Bonds based on the best bid received.

11. *Completing Official Statement after Sale -* After the LGC has received bids and awarded the Bonds to the successful bidder, the Council directs the Finance Officer, in collaboration with the LGC, to prepare a final Official Statement within the meaning of Rule 15c2-12. The Council authorizes the Finance Officer to approve the final document as a final Official Statement. The Town, together with the LGC, will arrange for the delivery within seven business days of the sale date of a reasonable number of copies of the final Official Statement to the successful bidder on the Bonds for delivery to each potential investor requesting a copy of the final Official Statement and to each entity to which the bidder and members of the bidding group initially sell the Bonds.

12. *Town Officers To Complete Closing -* The Council authorizes the Town Manager, the Finance Officer and all other Town officers and employees to take all proper steps to complete the issuance of the Bonds, in cooperation with the Purchaser and in accordance with this resolution.

The Council authorizes the Finance Officer to hold the executed Bonds, and any other documents permitted by this resolution, in escrow on the Town's behalf until the conditions for the delivery of the Bonds and other documents have been completed to the Finance Officer's satisfaction. The Finance Officer may then release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Council specifically authorizes the Finance Officer to approve changes to any documents previously signed by Town officers or employees, provided that the Bonds must be in substantially the form approved by this resolution and that any changes must not conflict with this resolution nor substantially alter the intent of a document from that expressed in the form originally executed. The Finance Officer's authorization of the release of any document for delivery will constitute conclusive evidence of that officer's approval of any changes.

In addition, the Council authorizes the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the Town's on-going responsibilities with respect to the Bonds and the financed projects. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Bonds, this resolution, or otherwise with respect to the financing and the financed projects, and making appropriate payments prior to the loan closing for costs related to the financing and the financed projects.

13. ***Undertaking for Continuing Disclosure --*** The Town undertakes, for the benefit of the beneficial owners of the Bonds, to provide continuing disclosure with respect to the Bonds as described in Exhibit B.

The Council designates the Finance Officer as the Town officer to be primarily responsible for the Town's compliance with its undertakings for continuing disclosure provided for in this resolution. The Finance Officer will provide for the filings and reports (including the reports of material events) constituting the continuing disclosure provided for in this resolution.

14. ***Resolutions as to Tax Matters --*** The Town will not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the Town will comply with any Code provision that may require the Town at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Bonds, and the Town will pay any such required rebate from its general funds. For this paragraph, "Code" means the United States Internal Revenue Code of 1986, as amended, including applicable Treasury regulations.

15. ***Book-Entry System for Bond Registration --*** The Town will issue the Bonds by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. The book-entry system for registration will operate as described in the Official Statement. Therefore, so long as the book-entry system of registration with DTC is in effect, (a) the Town will make Bond payments only to DTC or its nominee as registered owner of the Bonds, (b) the Town will not be responsible or liable for any transfer of payments to parties other than DTC or for maintaining, supervising or reviewing the records

maintained by DTC or any other person related to the Bonds, and (c) the Town will not send redemption notices (or any other notices related to the Bonds) to anyone other than DTC or its nominee. The Council, by resolution, may elect to discontinue the Town's book-entry system with DTC. The Council authorizes the Finance Officer to enter into any agreements such officer deems appropriate to put into place and carry out the book-entry system with DTC.

16. ***Finding as to Useful Life and Term of the Bonds -*** The Council finds and determines that the average weighted maximum useful life of the projects to be financed with the proceeds of the Bonds is at least 25 years, subject to ordinary maintenance for projects of this type, and therefore the term of the Bonds will be within such maximum useful life.

17. ***Additional Provisions -*** The Council authorizes all Town officers and employees to take all such further action as they may consider desirable in carrying out the purposes of this resolution. The Council ratifies all prior actions of the Town officers and employees in this regard. Upon the absence, unavailability or refusal to act of the Mayor, the Town Manager or the Finance Officer, any of such officers may assume any responsibility or carry out any function assigned to another officer in this resolution. In addition, upon the unavailability of the Mayor or the Clerk, respectively, any of the rights or responsibilities directed to such officers may be carried out or exercised by the Mayor Pro Tem or any Deputy or Assistant Clerk. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

EXHIBIT A - Form of Bonds

REGISTERED

REGISTERED

Number R-X

UNITED STATES OF AMERICA

STATE OF NORTH CAROLINA

TOWN OF CHAPEL HILL

General Obligation Public Improvement Bond,

Series 2023B

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	February 1, ____	March 8, 2023	159 429 XXX

REGISTERED OWNER: *****CEDE & CO.*****

PRINCIPAL AMOUNT: ** _____ THOUSAND DOLLARS**

($_____,000)***

THE TOWN OF CHAPEL HILL, NORTH CAROLINA (the "Town"), for value received, promises to pay to the registered owner of this Bond, or registered assigns or legal representative, the principal amount stated above on the maturity date stated above, subject to prior redemption as described below, and to pay interest on this Bond semiannually on each February 1 and August 1, beginning August 1, 2023, at the annual rate stated above. Interest is payable (a) from the dated date stated above, if this Bond is authenticated prior to August 1, 2023, or (b) otherwise from the February 1 or August 1 that is, or immediately precedes, the date on which this Bond is authenticated (unless payment of interest on this Bond is in default, in which case this Bond will bear interest from the date to which interest has been paid).

This Bond is one of an issue of the Town's $12,945,000 General Obligation Public Improvement Bonds, Series 2023B (the "Bonds"), of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity. The Bonds are issued pursuant to a resolution adopted by the Town's governing Town Council on January 25, 2023, and the Constitution and laws of the State of North Carolina, including the Local Government Bond Act.

The Town's full faith and credit are pledged for the payment of principal of and interest on this Bond.

The Town will make all payments in lawful money of the United States. Interest will be calculated based on a 360-day year consisting of twelve 30-day months.

The Bonds are issued by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. Transfer of beneficial ownership interests in the Bonds in the principal amount of $5,000 or any integral multiple thereof will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The Town will pay principal and interest on the Bonds only to DTC or its nominee as registered owner of the Bonds. The Town is not responsible or liable for such transfer of ownership or payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Bonds maturing prior to February 1, 2034, are not subject to redemption prior to maturity. Bonds maturing on February 1, 2034, and thereafter are redeemable, at the Town's option, from any moneys that may be made available for that purpose, in whole or in part on any date not earlier than February 1, 2033, at a redemption price of 100% of the principal amount to be redeemed, plus interest accrued to the redemption date, without prepayment penalty or premium.

If less than all of the Bonds stated to mature on different dates are called for redemption, the Town will select the Bonds to be redeemed in such manner as the Town may determine in its discretion. If less than all of the Bonds of any one maturity are called for redemption, the particular Bonds or portions of Bonds to be redeemed from that maturity will be selected by lot in such manner as the Town in its

discretion may determine; provided, however, that the portion of each Bond to be redeemed will be in the principal amount of $5,000 or some integral multiple thereof, and that, in selecting Bonds for redemption, each Bond will be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. Notwithstanding the foregoing, so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants will determine which of the Bonds within any such maturity are to be redeemed. If a portion of a Bond is called for redemption, the Town will issue a new Bond to the registered owner in a principal amount equal to the unredeemed portion, upon the registered owner's surrender of the Bond.

The Town will send notice of redemption to DTC or its nominee as the registered owner of the Bonds in such manner as may be provided for under DTC's then-current operating procedures. The Town will send this notice not more than 60 days and not less than 30 days prior to the date fixed for redemption. The Town is not responsible for sending redemption notices to anyone other than DTC or its nominee.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Town so elects, the Town will discontinue the book-entry system with DTC. If the Town does not identify another qualified securities depository to replace DTC, the Town will deliver replacement Bonds in the form of fully -registered certificates.

The Town Finance Officer has been appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records indicating ownership of the Bonds. The Town will treat the registered owner of this Bond as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that the Town will make Bond payments to the person shown as owner on the Town's registration books on the **Record Date**, which is the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

The Town intends that North Carolina law will govern this Bond and all matters of its interpretation.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together will all other indebtedness of the Town, is within every debt and other limit prescribed by the Constitution and laws of the State of North Carolina.

IN WITNESS WHEREOF, the Town of Chapel Hill, North Carolina, has caused this Bond to be signed by its Town Manager, its seal to be affixed hereto and attested by the Town Clerk, and this Bond to be dated March 8, 2023.

(SEAL)

ATTEST:	

[Sample only - do not sign] Town Clerk Town of Chapel Hill, North Carolina	*[Sample only - do not sign]* Interim Town Manager Town of Chapel Hill, North Carolina

The Bonds have been approved by
the North Carolina Local Government
Commission in accordance with the
Local Government Bond Act.

[Sample only - do not sign]
Sharon G. Edmundson
Secretary, Local Government Commission

[Town of Chapel Hill, North Carolina
$12,945,000 General Obligation Public Improvement Bonds, Series 2023B]

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

_____

(Please print or type transferee's name and address, including zip code)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OR TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____ NOTICE: Signature(s) must be guaranteed by a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program	_____ (Signature of Registered Owner) NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular without alteration or enlargement or any change whatsoever.

[Town of Chapel Hill, North Carolina

$12,945,000 General Obligation Public Improvement Bonds, Series 2023B]

Exhibit B -- Undertaking for Continuing Disclosure

The Town undertakes, for the benefit of the beneficial owners of the Bonds, to provide the following items and information to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each of the Town's fiscal years, audited Town financial statements for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements are not available by seven months from the end of any fiscal year, unaudited Town financial statements for such fiscal year, to be replaced subsequently by audited Town financial statements to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each of the Town's fiscal years, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year (which data will be prepared at least annually, will specify the date as to which such information was prepared and will be delivered with any subsequent material events notices specified in subparagraph (c) below) for the type of information included under heading "The Town - Debt Information" and "- Tax Information" in the final Official Statement (excluding any information on overlapping or underlying units), and (ii) the combined budget of the Town for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event notice of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on any credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modifications to rights of the beneficial owners of the Bonds, if material;

(8) calls for redemption of the Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar proceedings related to the Town or any other person or entity that may at any time become legally obligated to make payments on the Bonds (collectively, the "Obligated Persons");

(13) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation (as defined below) of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms or other similar

events under the terms of a financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

"Financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of an obligation described in either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

If the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking will not be an event of default and will not result in any acceleration of payment of the Bonds. All actions will be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Town shall provide the documents and other information referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Town may discharge its undertaking as set forth in this resolution by providing such information in any manner that the United States Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

The Town reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the Town's judgment, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Town or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of the bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the effect of the change in the type of operating data or financial information being provided.

This the 25th day of January, 2023.

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

By adopting the resolution, the Council provides for the issuance of $5,245,000 of referendum bonds for affordable housing, $7,700,000 of referendum bonds for streets and sidewalks, and $1,980,000 of two-thirds general obligation bonds for public safety, and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

Town of Chapel Hill Public Safety Bonds -- Notice of Bond Order Adoption

The Town Council of the Town of Chapel Hill has adopted the following bond order, providing for the issuance of general obligation public safety bonds. Further information regarding the bonds and the bond order appears at the end of this notice.

* * * * * *

BOND ORDER AUTHORIZING THE ISSUANCE OF CHAPEL HILL GENERAL OBLIGATION PUBLIC SAFETY BONDS IN THE MAXIMUM AMOUNT OF $1,980,000

Introduction --

The Town Council of the Town of Chapel Hill, North Carolina, has stated its proposal to issue general obligation bonds to pay capital costs of public safety projects.

The Town has applied to the North Carolina Local Government Commission for its approval of such bonds, and the Commission has accepted the Town's application.

BE IT ORDERED by the Town Council of the Town of Chapel Hill, North Carolina, as follows:

1. There are hereby ordered to be issued general obligation bonds of the Town to pay capital costs of public safety projects, including acquisition of equipment and more particularly costs of replacing the Town's public safety radios and related equipment.

2. The maximum aggregate principal amount of the bonds issued for such purpose will be $1,980,000.

3. Taxes will be levied in an amount sufficient to pay the principal of and interest on the bonds so issued.

4. A sworn statement of debt prepared by the Town's Finance Officer has been filed with the Town Clerk and is open to public inspection.

5. This Bond Order shall take effect 30 days after its publication following adoption, unless it its petitioned to a vote of the people, as provided in Section 159-60 of the North Carolina General Statutes, and in that event the order will take effect when approved by the voters.

* * * * * *

The foregoing order was adopted by the Town of Chapel Hill Town Council on the January 11, 2023, and is hereby published this 15th day of January, 2023. Any action or proceeding questioning the validity of the order must be begun within 30 days after the date of publication of this notice.

By order of the Town Council.

Sabrina Oliver
Town Clerk
Town of Chapel Hill, North Carolina

PRELIMINARY OFFICIAL STATEMENT DATED FEBRUARY __, 2023

Ratings:
Moody's: Aaa
S&P: AAA
(See "Ratings" herein)

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under

NEW ISSUE—Book-Entry Only

This Official Statement has been prepared by the Local Government Commission of North Carolina and the Town of Chapel Hill, North Carolina to provide information in connection with the sale and issuance of the Bonds described herein. Selected information is presented on this cover page for the convenience of the user. To make an informed decision regarding the Bonds, a prospective investor should read this Official Statement in its entirety. Unless indicated, capitalized terms used on this cover page have the meanings given in the Official Statement. The Town has deemed the Preliminary Official Statement "final" for purposes of S.E.C. Rule 15c2-12 except for information which may be omitted pursuant to Rule 15c2-12.

Town of Chapel Hill, North Carolina

$1,980,000
General Obligation Public Safety Bonds
Series 2023A

$12,945,000
General Obligation Public Improvement Bonds
Series 2023B

Dated: Date of Delivery **Due: As shown on inside cover page**

Tax Status	In the opinion of Bond Counsel and subject to the qualifications described in this Official Statement, interest on the Bonds is not includable in gross income for federal income tax purposes, and is exempt from current State of North Carolina income taxes. See "TAX TREATMENT" herein for additional information regarding tax consequences arising from ownership or receipt of interest on the Bonds, including information regarding the application of federal alternative minimum tax provisions to the Bonds and certain other federal, State and local tax consequences. The Town has not designated the Bonds as "qualified tax-exempt obligations" for federal income tax purposes.
Redemption	The 2023A Bonds are not subject to redemption prior to maturity. The 2023B Bonds are subject to optional redemption prior to maturity at the times and price set forth herein.
Security	The Bonds constitute general obligations of the Town, secured by a pledge of the faith and credit and taxing power of the Town.
Interest Payment Dates	February 1 and August 1, commencing August 1, 2023.
Denominations	$5,000 or any integral multiple thereof.
Expected Closing/Settlement	March 7, 2023 for the 2023A Bonds. March 8, 2023 for the 2023B Bonds.
Bond Counsel	Sanford Holshouser LLP
Financial Advisor	Davenport & Company LLC
Sale Date	February 14, 2023
Sale of Bonds	Pursuant to sealed bids in accordance with the Notices of Sale.

The date of this Official Statement is February ___, 2023

MATURITY SCHEDULES

$1,980,000 General Obligation Public Safety Bonds, Series 2023A

Due February 1 of the Year Indicated

Year of Maturity	Principal Amount	Interest Rate	Price or Yield[1]	CUSIP+
2024	$200,000			
2025	200,000			
2026	200,000			
2027	200,000			
2028	200,000			
2029	200,000			
2030	200,000			
2031	200,000			
2032	200,000			
2033	180,000			

[1]Information obtained from underwriters of the 2023A Bonds.

$12,945,000 General Obligation Public improvement Bonds, Series 2023B

Due February 1 of the Year Indicated

Year of Maturity	Principal Amount	Interest Rate	Price or Yield[2]	CUSIP+
2024	$550,000			
2025	550,000			
2026	550,000			
2027	550,000			
2028	550,000			
2029	550,000			
2030	550,000			
2031	550,000			
2032	550,000			
2033	570,000			
2034	750,000			
2035	750,000			
2036	750,000			
2037	750,000			
2038	750,000			
2029	750,000			
2040	750,000			
2041	725,000			
2042	725,000			
2043	725,000			

[1]Information obtained from underwriters of the 2023B Bonds.

+CUSIP® is a registered trademark of the American Bankers Association. CUSIP Global Services is managed on behalf of the American Bankers Association by FactSet Research Systems, Inc. Copyright ©2022 CUSIP Global Services. All rights reserved. The Local Government Commission, the Town and their respective agents do not take responsibility for the accuracy of such data. Also, investors should be aware that under certain circumstances the CUSIP identification number assigned to a maturity of the Bonds may be changed to a new replacement number.

TOWN OF CHAPEL HILL, NORTH CAROLINA

Pam Hemminger..... Mayor

TOWN COUNCIL

Jessica Anderson	Camille Berry
Tai Huynh	Paris Miller-Foushee
Michael Parker	Amy Ryan
Adam Searing	Karen Stegman

TOWN STAFF

Christopher C. Blue..... Interim Town Manager

Loryn Clark..... Deputy Town Manager

Mary Jane Nirdlinger..... Deputy Town Manager

Amy Oland .....Director of Business Management

Ann Anderson ..... Town Attorney

FINANCIAL ADVISOR

Davenport & Company LLC
Charlotte, North Carolina

BOND COUNSEL

Sanford Holshouser LLP
Carrboro, North Carolina

Table of Contents

Introduction 1
The Local Government Commission of North Carolina 1
The Bonds 2
  Description 2
  Redemption Provisions 2
  Authorization and Purpose 2
  Security 2
The Town .....
  General Description .....
  Demographic Characteristics .....
  Commerce and Institutional Profile .....
  Employment .....
  Government and Major Services .....
    Government Structure .....
    Education .....
    Transportation .....
    Public Service Enterprises .....
  Debt Information .....
    Legal Debt Limit .....
    Outstanding General Obligation Debt .....
    General Obligation Debt Ratios .....
    General Obligation Debt Service Requirements and Maturity Schedule .....
    General Obligation Bonds Authorized and Unissued .....
    General Obligation Debt Information for Overlapping Unit .....
    Other Long-Term Commitments .....
    Debt Outlook .....
  Tax Information .....
    General Information .....
    Tax Collections .....
    Ten Largest Taxpayers .....
  2022-23 Budget Commentary .....
  Pension Plans .....
  Other Post-Employment Benefits .....
  Litigation .....
Continuing Disclosure .....
Cybersecurity .....
Approval of Legal Proceedings .....
Ratings .....
Tax Treatment .....
Financial Advisor .....
Underwriting .....
Miscellaneous .....
Appendices
  A — The North Carolina Local Government Commission A-1
  B — Certain Constitutional, Statutory, and Administrative Provisions Governing or Relevant to the Issuance of General Obligation Bonded Indebtedness by Units of Local Government of the State of North Carolina B-1
  C — Management Discussion and Analysis C-1
  D — Financial Information D-1
  E — Proposed Form of Legal Opinion of Bond Counsel E-1
  F — Description of Book-Entry Only System F-1

NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

LOCAL GOVERNMENT COMMISSION
STATE AND LOCAL GOVERNMENT FINANCE DIVISION
SHARON EDMUNDSON, DEPUTY TREASURER

INTRODUCTION

This Official Statement, including the cover page and the appendices hereto, is intended to furnish information in connection with the public invitation for bids for the purchase of $1,980,000 General Obligation Public Safety Bonds, Series 2023A (the "2023A Bonds") and $12,945,000 General Obligation Public Improvement Bonds, Series 2023B (the "2023B Bonds" and together with the 2023A Bonds, the "Bonds"), of the Town of Chapel Hill, North Carolina (the "Town").

The information furnished herein includes a brief description of the Town and its economic conditions, government, debt management, tax structure, financial operations, budget, pension plans and litigation. The Town has assisted the Local Government Commission of North Carolina (the "Commission") in gathering and assembling the information contained herein.

This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy any securities other than the Bonds offered hereby, nor shall there be any offer or solicitation of such offer or sale of the Bonds in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. Neither the delivery of this Official Statement nor the sale of any of the Bonds implies that the information herein is correct as of any date subsequent to the date herein. The information contained herein is subject to change after the date of this Official Statement, and this Official Statement speaks only as of its date.

This Official Statement is deemed to be a final official statement with respect to the Bonds within the meaning of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended (the "Rule"), except, when it is in preliminary form, for the omission of certain pricing and other information to be made available by the successful bidder or bidders for the Bonds to the Commission. In accordance with the requirements of the Rule, the Town has undertaken certain continuing disclosure obligations. See the caption "Continuing Disclosure" herein.

THE LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA

The Commission, a division of the Department of State Treasurer, State of North Carolina (the "State"), is a State agency that supervises the issuance of the bonded indebtedness of all units of local government and assists these units in the area of fiscal management. Appendix A to this Official Statement contains additional information concerning the Commission and its functions.

THE BONDS

Description

The Bonds will be dated as of their date of delivery and will bear interest from their date at the interest rates set forth on the inside front cover page. Interest on the Bonds will be payable semiannually on each February 1 and August 1, commencing August 1, 2023. The Bonds will mature on the dates set forth on the inside cover page of this Official Statement. The Town will make Bond payments to the person shown as owner on the Town's registration books as of the **Record Date** for the Bonds, which is the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

The Bonds will be issuable as fully registered bonds in a book-entry system under which The Depository Trust Company ("DTC"), New York, New York, will act as securities depository nominee for the Bonds. Purchases and transfers of the Bonds may be made only in authorized denominations of $5,000 and in accordance with the practices and procedures of DTC. See Appendix F hereto for a description of DTC and its book-entry system.

Redemption Provisions

The 2023A Bonds are not subject to redemption prior to maturity. The 2023B Bonds maturing on or prior to February 1, 2033 will not be subject to redemption prior to their respective maturities. The 2023B Bonds maturing on February 1, 2034 and thereafter will be subject to redemption, at the option of the Town, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than February 1, 2033, at a redemption price equal to 100% of the principal amount of the 2023B Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the 2023B Bonds of any one maturity shall be called for redemption, the particular 2023B Bonds or portions of such Bonds to be redeemed shall be selected by lot in such manner as the Town in its discretion may determine; provided, however, that the portion of any 2023B Bond to be redeemed shall be in the principal amount of $5,000 or some whole multiple thereof and that, in selecting Bonds for redemption, each such 2023B Bond shall be considered as representing that number of 2023B Bonds which is obtained by dividing the principal amount of such 2023B Bonds by $5,000. So long as a book-entry system with DTC is used for determining beneficial ownership of the 2023B Bonds, if less than all of the 2023B Bonds within a maturity are to be redeemed, DTC and its participants shall determine which of the 2023B Bonds within a maturity are to be redeemed by lot. If less than all of the 2023B Bonds stated to mature on different dates shall be called for redemption, the particular 2023B Bonds or portions of such 2023B Bonds to be redeemed shall be called in such manner as the Town may determine.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any 2023B Bonds to be redeemed, whether such redemption be in whole or in part, the Town shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each 2023B Bond to be redeemed in whole or in part to his or her address appearing upon the registration books of the Town, provided that such notice to Cede & Co. shall be given by certified or registered mail or otherwise as prescribed by DTC. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was properly given.

Any notice of redemption may state that the redemption to be effected is conditioned upon the receipt by the Town on or prior to the redemption date of moneys sufficient to pay the redemption price of and interest on the 2023B Bonds to be redeemed, and that if such moneys are not so received, such notice shall be of no force or effect and such 2023B Bond shall not be required to be redeemed. If a

notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such 2023B Bonds are not received by the Town on or prior to the redemption date, the redemption shall not be made and the Town shall within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received.

On the date fixed for redemption, notice having been given as hereinabove described, the 2023B Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the 2023B Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of the 2023B Bonds or portions thereof to be redeemed, interest on the 2023B Bonds or portions thereof called for redemption shall cease to accrue, and the registered owners of such 203B Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to such redemption date. If a portion of a 2023B Bond shall have been selected for redemption, a new Bond or Bonds of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate shall be delivered for the unredeemed portion of the principal amount of such 2023B Bond.

Authorization and Purpose

The 2023A Bonds are being issued pursuant to a bond order duly adopted by the Town Council of the Town on January 11, 2023, and a resolution also adopted by the Town Council on January 25, 2023. The Bonds are being issued for the purpose of acquiring and installing public safety equipment within the Town.

The 2023B Bonds are being issued pursuant to the provisions of The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, bond orders adopted by the Town Council of the Town on June 22, 2015 and on May 23, 2018, which bond orders were approved by the vote of a majority of qualified voters of the Town who voted thereon at a referenda duly called and held on November 3, 2015 and November 6, 2018, and a resolution adopted by said Town Council on January 25, 2023.

Security

The Bonds are general obligations of the Town. The Town is authorized by law to levy on all the real property and tangible personal property taxable by the Town such ad valorem taxes as may be necessary to pay the Bonds and the interest thereon without limitation as to rate or amount.

THE TOWN

General Description

The Town, incorporated in 1819, is in the north central portion of the State on the piedmont plateau. The Town is located southwest of the City of Durham and approximately 25 miles northwest of the City of Raleigh. The Town is the home of the University of North Carolina at Chapel Hill. Approximately 92.8 percent of the Town area is located in Orange County and the remaining 7.2 percent is located in Durham County. The Town covers an area of 21.7 square miles.

The Town conducts an ongoing planning and programming process through which it implements orderly expansion and management of the growth and development of the community. At present, the Town exercises zoning and building controls over a 27.6 square mile area that includes the corporate limits and a 5.9 square mile planning jurisdiction.

The growth of the Town has been directly related to the expansion of the University of North

Carolina at Chapel Hill (the "University" or "UNC"). Enrollment at the University has risen from 8,791 in 1960 to 31,539 in fall 2022. It is anticipated that expansion will continue to occur in University-related health facilities. To help meet growing demands for service, UNC Health Care is building a new surgical tower on campus and preparing to relocate some clinics from the UNC main campus to its Eastowne Office Park in the Town near Interstate 40. In 2019, UNC finalized a new Master Plan for all University-owned property, including the main campus, outlying parcels, and the previously entitled Carolina North campus on nearly 300 acres of land now used by Horace Williams Airport, which anticipates a world-class research park with academic buildings, residential areas, businesses, green space, and public schools.

Demographic Characteristics

The United States Department of Commerce, Bureau of the Census, has recorded the population of the Town to be as follows:

1990	2000	2010	2020
38,872	46,019	57,233	61,960

The North Carolina Office of State Budget and Management estimates the 2021 population of the Town to be 62,080.

Per capita income data for Orange County and the State are presented in the following table:

Year	Orange County [1]	State	U.S.
2017	$63,311	$44,591	$51,550
2018	62,408	46,352	53,786
2019	66,970	48,741	56,250
2020	69,593	51,900	59,765
2021	74,944	56,173	64,143

[1]Separate data for the Town are not available.

Source: U.S. Department of Commerce, Bureau of Economic Analysis. Most recent available data.

Commerce and Institutional Profile

The Town is characterized by a high degree of institutional and service-oriented activity. The University and the UNC Hospitals and their associated service, teaching and research programs have a national reputation for excellence in educational and medical fields. The Town is also the place of residence for many technical, professional and executive personnel who work in the Research Triangle Park and the neighboring communities of Durham and Raleigh.

The Triangle refers to an area located between three communities: the Town, the City of Durham and the City of Raleigh. Universities located in these communities include UNC, Duke University in Durham, and North Carolina State University in Raleigh. The proximity of these universities makes the Triangle area suited to many types of academic research and industrial activities.

The Research Triangle Park (the "Park"), organized in 1959, is situated in the center of the triangle formed by the communities of Raleigh, Durham and Chapel Hill. The Park encompasses over 7,000 acres of land set aside for research and research-oriented manufacturing. Since its founding,

the Park and its surrounding areas have developed steadily. Presently located within the Park boundaries are approximately 300 research and development related organizations, employing about 55,000 people.

The Town adopted a comprehensive plan in 2012 aimed at increasing community engagement and facilitating commercial development in targeted areas. As part of the plan the Town initiated the Ephesus Fordham (Blue Hill) Area projects that included rezoning a historical underdeveloped area and making strategic public improvements to support redevelopment. In addition, the Town has approved several major mixed-use developments including Obey Creek, Glen Lennox, and Carraway Village.

Through its participation in Launch Chapel Hill ("Launch"), a start-up accelerator located in Downtown Chapel Hill, the Town is investing in developing new and innovative businesses. Launch is a collaboration between the Town, Orange County, and the University that uses local resource partners and a network of mentors, most of whom work through the Center for Entrepreneurial Studies and UNC's Kenan-Flagler Business School. Since opening in 2013, 136 companies have participated in the program and Launch companies have raised more than $38 million. Launch companies have created more than 1,000 jobs, 350 within Orange County (as of July 2020).

Healthcare IT firm Well Dot ("Well") is setting up its $3.1 million headquarters on Chapel Hill's Franklin Street, adding 400 jobs to the local economy. The state will provide nearly $3.9 million in incentives, with the Town of Chapel Hill and Orange County adding an additional $981,000 in total beginning in spring 2022. Well moved into its newly renovated co-HQ at 419 W Franklin Street in September 2019. Well expects to expand into a second West Franklin Street location as hiring ramps up. The company's second headquarters is located in Massachusetts.

Wegman's Food Markets opened its Chapel Hill location on February 24, 2021. The 100,000 square foot supermarket employs 450 full-time and part-time employees and is the third location in the State.

The Town adopted a new Land Use Management Ordinance in January 2003, which revised development regulations. The Town experienced a drop-off in major development applications while the new regulations were being formulated and immediately after their adoption.

Application submissions returned to historic levels in 2006 with some decline in 2009 due to the economic downturn present at that time. Since 2010, the number of development applications has remained relatively constant with a slight reduction in 2019 that was remedied in 2020 with an above average number of submissions.

To improve development review processes and to facilitate redevelopment in an area of Town lacking in investment for decades, the Town adopted a form-based code in 2014, which has resulted in the approval of thirteen large-scale new construction projects as well as several smaller projects in existing commercial developments.

The Town is currently working to rewrite the Land Use Management Ordinance that was adopted in 2003 to create land use tools that are predictable, functional, and intentional. The first phase of this effort was adopted in December of 2020 and included a major update to the Town's Comprehensive Plan, which details the Town's future vision to the year 2050. Overhauling the Land Use Management Ordinance is a top priority for the Town.

Typically, there is about a one-year lag between the Town's receipt of development applications and building permit issuance. For fiscal year 2019 the number of commercial permits increased from the previous year and saw an 8% increase in total value. Fiscal year 2020 saw a decline in building permits due to the COVID-19 pandemic, from which the Town has not yet fully recovered. Building permits issued for commercial and residential construction in the Town are summarized below for the latest five fiscal years:

Fiscal Year	COMMERCIAL		RESIDENTIAL	
Ended/Ending June 30	Number	Value	Number	Value
2018	712	$217,087,193	1,700	$62,583,981
2019	829	235,996,718	1,654	61,738,881
2020	327	141,166,309	481	52,509,760
2021	304	186,768,196	560	61,877,592
2022	196	91,120,854	513	65,793,041
2023*	491	91,611,880	826	36,320,450

Source: Building & Development Services Department of the Town.

* 2023 data covers the six months from 7/1/2022 – 12/31/2022

The following table lists by corporate name, product or service and approximate number of employees the major businesses and institutional establishments in the Chapel Hill area:

Company or Institution[1]	Service or Product	Approximate Number of Employees
University of North Carolina at Chapel Hill	Education, Research	10,000+
UNC Health Care	Medical Care	10,000+
Chapel Hill-Carrboro City Schools	Education	1,000+
Town of Chapel Hill	Local Government	650+
Aramark Food and Support Services	Food Service	250+
The Chapel Hill Residential Center	Medical Care	250+
UNC Physicians Network LLC	Medical Care	250+
Harris Teeter	Trade	250+
Food Lion	Trade	250+
Hyatt Corporation	Hotel	250+

[1]Most recent available data from 2021-22.

Source: Orange County Economic Development

Total taxable sales in the County for the fiscal years ended June 30, 2018 through 2022 and for a portion of 2023 are shown in the following table:

Fiscal Year Ended June 30	Total Taxable Sales	Increase Over Previous Year
2018	$ 1,765,771,320	2.3%
2019	1,923,461,091	8.9
2020	1,955,949,743	1.7
2021	2,149,246,638	9.9
2022	2,482,070,449	15.5
2023 [1]	916,823,675	--

[1]For the four-month period ended October 31, 2022. The comparable figure for the four-month period ended October 31, 2021 was $815,435,367.

Source: North Carolina Department of Revenue, Sales and Use Tax Division. Separate data for the Town are not available.

Employment

The North Carolina Employment Security Commission has estimated the percentage of unemployment in the Town to be as follows:

Year	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
2017	4.9%	4.6%	4.7%	4.0%	4.6%	5.1%	5.3%	5.4%	4.0%	3.9%	4.1%	3.9%
2018	4.1	4.1	3.8	3.4	3.7	4.6	4.3	4.3	3.2	3.4	3.5	3.6
2019	4.2	3.9	4.0	3.3	4.1	4.4	4.5	4.4	3.4	3.5	3.3	3.1
2020	3.4	3.3	4.1*	8.0*	7.8	7.4	6.8	4.8	4.2	3.7	4.0	4.3
2021	4.4	4.1	3.6	3.6	4.0	4.4	4.7	4.2	3.2	3.2	2.9	2.5
2022	2.9	2.7	2.6	2.9	3.4	3.9	3.8	3.7	3.0	3.4	N/A	N/A

* Onset of the COVID-19 Pandemic.

Source: North Carolina Department of Commerce, Labor and Economic Analysis Division.

For comparison, the average unemployment rate for 2021 was 3.7% for Chapel Hill, 3.5% for Orange County, 4.8% for North Carolina and 5.4% for the United States.

Government and Major Services

GOVERNMENT STRUCTURE

The Town has a Council-Manager form of government. The Town Council is comprised of a Mayor and an eight-member Council. All Council Members serve four-year terms. The Mayor and four Council Members are elected every two years. All elections are on a non-partisan basis. The Council appoints the Town Manager and Town Attorney. The Mayor presides over the Council meetings and has full voting privileges. The Town Manager is the chief administrative officer of the Town. Town departments are responsible to the Town Manager for the provision of public services.

EDUCATION

Public education is provided in the Town primarily by the Chapel Hill - Carrboro City School System which serves southeastern Orange County and, to a minor extent, by the Durham County School System for the small portion of the Town located in Durham County. The Chapel Hill-Carrboro City School System is governed by a non-partisan Board consisting of seven members elected to four-year staggered terms. The Town has no financial responsibility for the schools. Revenue is derived from the Federal, State and County governments for school operations and capital facilities.

The table below shows the number of schools by level and average daily membership in the Chapel Hill-Carrboro City School System for the five-year period beginning with the 2018-19 school year.

	Elementary Grades K-5		Intermediate Grades 6-8		Secondary Grades 9-12		Totals
School Year	No.	ADM*	No.	ADM*	No.	ADM*	ADM*
2018-19	11	5,483	4	3,003	3	3,988	12,474
2019-20	11	5,324	4	3,024	3	3,900	12,248
2020-21	11	4,912	4	2,910	3	3,880	11,702
2021-22	11	4,742	4	2,805	3	3,787	11,334
2022-23	11	4,622	4	2,762	3	3,885	11,269

*Average Daily Membership (determined by actual records at the schools) is computed by the North Carolina Department of Public Instruction on a uniform basis for all public school units in the State. The average daily membership computations are used as a basis for teacher allotments and for distribution of local funds if there is more than one school unit within a County.

Source: Chapel Hill/Carrboro City Schools, Communication Department and NC Department of Public Instruction/Division of School Business Services.

Note: Excludes UNC Hospital, Phoenix Academy, and Virtual Academy enrollment.

TRANSPORTATION

Major expansion, maintenance and betterment of primary and secondary highways in the Federal and State highway systems within the Town limits are chiefly the State's responsibility, although the Town does participate on a limited basis in expansion projects. The Town also is responsible for a portion of the acquisition of rights-of-way for such expansion or betterment related sidewalk improvements and street lighting. On June 30, 2022, approximately 67 miles of Town streets were on the State highway system.

Major expansion, maintenance and betterment of the local street system are the sole responsibility of the Town. Major expansions and betterments are financed with long-term bonds

and current revenues. As of June 30, 2022, the Town maintained approximately 167 linear miles of streets.

The Town is served by U. S. Highway 15-501, which connects the Town with the City of Durham, and by Interstate 40 which connects the Town with the Research Triangle Park and the Raleigh- Durham International Airport. Interstate 40 connects to Interstate 85 just northwest of the Town limits, within Orange County. Interstate 85 connects the region west through Greensboro to Charlotte and Atlanta, and connects to Interstate 95 just south of Richmond, Virginia.

The Town operates a bus system that provides public transportation services to the Town and adjacent areas, including services to the Town of Carrboro and the University on a contractual basis. Effective January 1, 2002, the Town instituted the State's first fare free transportation system for customers on all regular routes and services. Six park-ride lots were established on the perimeter of the Town to facilitate transportation in and out of the University and downtown area. The system operates 93 fixed-route buses and a demand response program for seniors and persons with disabilities.

During the 2018-19 fiscal year, the bus system carried over 7.02 million passengers and had the highest per capita ridership in the State, which places Chapel Hill in the top 10 for urban areas in the United States. Like most public transportation systems, we saw a decrease in ridership from fiscal years 2020-2022 due to the COVID-19 pandemic and service reductions in response to the pandemic-, but there were no direct financial impacts due to the fare free nature of the system. In the current fiscal year, we have returned to pre-COVID service levels and ridership is expected to track with our service. The bus system, $31M annual budget, is financed primarily with a special ad valorem tax levy, Federal and State operating and capital assistance, and contractual contributions from the Town of Carrboro and the University. The Town receives Federal operating assistance from the Federal Transit Administration and State operating assistance, which combined, equals about 20% of eligible operating costs for the system.

The Raleigh-Durham International Airport ("RDU") is a major regional airport serviced by eleven major airlines and three foreign flag carriers. Approximately 14.2 million passengers enplaned or deplaned in calendar year 2019 as compared to 12.8 million passengers in 2018. For calendar year 2021, 8.8 million passengers traveled through RDU as the airline industry continues to recover from the COVID-19 pandemic. The Town has no financial responsibility for RDU.is

PUBLIC SERVICE ENTERPRISES

Water and Sewer Services — Water and sewer services are provided by the Orange Water and Sewer Authority ("OWASA" or "Authority"). The Authority was created in 1975 by the Board of Commissioners of Orange County and the governing bodies of the towns of Chapel Hill and Carrboro for the purpose of acquiring, consolidating, improving and operating the existing water and sewer systems in the southern portion of the County. Prior to the formation of the Authority, water service was provided by the University and sewer service was provided by the towns in conjunction with the University. (See Notes to Financial Statements for further information regarding OWASA).

OWASA's existing raw water supplies include the Cane Creek Reservoir, University Lake, the Stone Quarry Reservoir and a water supply storage allocation from B. Everett Jordan Lake. The Cane Creek/University Lake/Stone Quarry Reservoir system can provide 10.5 million gallons of water per day ("MGD") while maintaining a 20% storage reserve and can reliably meet OWASA's water supply needs when streamflow and reservoir levels are significantly lower than "normal." OWASA's yield estimate includes a 20% storage reserve (700 million gallons) that is believed to provide adequate time to implement emergency supply measures during an extreme drought. The Stone Quarry Reservoir expansion that is planned to be completed in the early 2030s will provide between

2.1 and 2.9 MGD of additional yield (above the current 10.5 MGD).

Improvements to increase the filtration capacity of the OWASA's water treatment plant from 15 million gallons per day (MGD) to 20 MGD were completed in 2003. While peak-day demands have not exceeded present capacity, the trend of rising peak demand necessitated the expansion. Construction has been completed on the Mason Farm Water transmission lines with Jones Ferry Road expansion to 20 MGD. n 2009, the University and OWASA completed initial construction and testing of a new reclaimed water system that is used by the University for cooling towers at chiller plants. The new reclaimed water system is expected to eventually serve 15% of system needs, deferring the need for expansion of water supply and treatment capacity. The capacity of both treatment plants is, therefore, adequate to meet current needs, and additional system improvements including future plant expansions are planned through OWASA's 15-year capital program.

The wastewater collection system includes approximately 349 miles of sewer mains, 11,008 manhole access points and 21 pumping stations conveying waste from OWASA's approximately 22,000 customer sewer accounts to the Mason Farm Wastewater Treatment Plant ("WWTP"). The Mason Farm WWTP was originally constructed in 1948 with an initial capacity of 2.25 MGD. Treatment capacity was increased to 4.5 MGD in 1968. After acquiring the plant in 1977, OWASA expanded the plant capacity to 5.5 MGD. The WWTP was upgraded and expanded to a capacity of 14.5 MGD as part of a multi-year, $55 million construction project completed in 2007. The average day wastewater flow for the fiscal year ended June 30, 2022 was approximately 7.8 MGD. During this same fiscal year, a maximum day flow of 18.3 MGD was recorded. Highly treated wastewater is recycled to the natural environment at Morgan Creek on the southeast side of Chapel Hill or provided as reclaimed water to the University. Morgan Creek is a tributary of Jordan Lake, a water source for several communities in the region. A recent Wastewater Treatment Plan Hydraulic and Treatment Capacity Study showed that no capacity increase is required at the wastewater treatment plant in the foreseeable future.

Parking Facilities — The Town owns and operates several off-street parking lots in the central business district including a parking facility with 309 spaces which was completed in 1993 and a parking facility underground of a mixed-use development with 154 public spaces which was completed in 2013. In total, the parking enterprise manages 1,222 on-street and off-street parking spaces in the Downtown area. The parking facilities operations are accounted for in separate enterprise funds and are self-supporting.

The Town began construction on an 1,100-space parking deck in the summer of 2021. There will be 100 spaces reserved solely for the support of the University's building a new Admissions building downtown and the balance of 1,000 will be for public use. The deck is scheduled to open in September 2023 with at least 40 electric charging stations and will have gated controlled parking. It will replace the 308 spaces at the current Wallace Deck and the 278 spaces at the previous CVS parking deck. It is expected that this new deck will allow for the construction of a 200,000+ square foot office building and other developments by supporting the parking needs.

Sanitary Landfill — The Town collects solid waste from residential and commercial customers in the Town. The Town delivers this waste to a transfer station in the City of Durham, operated by GFL Environmental for eventual disposal. The Town contracted with GFL Environmental for municipal solid waste disposal beginning October 1, 2022, and extending through June 30, 2023. The Town continues to review its options for future solid waste disposal with its local partners through the Solid Waste Advisory Group, including the development of a Solid Waste Master Plan by Orange County with a goal of reaching zero waste by 2045.

Debt Information

LEGAL DEBT LIMIT

In accordance with the provisions of the State Constitution and The Local Government Bond Act, as amended, allowing for the issuance of all presently authorized bonds, including those being offered by this Official Statement, the Town has the statutory capacity to incur additional net general obligation debt in the approximate amount of $697,296,829 as of June 30, 2022. For a summary of certain constitutional, statutory and administrative provisions governing or relating to the incurrence of debt by units of local government of the State, see Appendix B.

OUTSTANDING GENERAL OBLIGATION DEBT

	Principal Outstanding as of			
General Obligation Bonds	**June 30, 2019**	**June 30, 2020**	**June 30, 2021**	**June 30, 2022**
Streets	$ 8,575,000	$8,100,000	$ 9,125,000	$8,575,120
Parks and Recreational Facilities	5,440,000	5,140,000	5,995,000	5,637,340
Refunding	3,603,000	12,346,000	10,969,000	9,692,000
Other	20,475,000	7,695,000	12,470,000	11,677,540
Total Outstanding Debt	$ 38,093,000	$33,281,000	$38,559,000	$35,582,000

Most Recent Bonds Issued:

2018-19 $9,505,000 General Obligation Refunding Bonds, Series 2019, 6.47 years average maturity, 1.4712% true interest cost.

2020-21 $3,205,000 General Obligation Public Improvement Bonds, Series 2021A, 10.39 years average maturity, 1.4186% true interest cost.

$7,755,000 General Obligation Affordable Housing Bonds, Series 2021B, 10.34 years average maturity, 1.4141% true interest cost.

GENERAL OBLIGATION DEBT RATIOS

At June 30	**Total GO Debt**	**Assessed Valuation**	**Total GO Debt to Assessed Valuation**	**Population[1]**	**Total GO Debt Per Capita**
2018	$41,470,000	$8,034,649,409	0.52 %	61,749	$671.59
2019	38,093,000	8,223,292,265	0.46	61,802	616.37
2020	33,281,000	8,283,264,338	0.40	61,960[2]	537.14
2021	38,559,000	8,465,215,257	0.46	61,789	624.04
2022	35,582,000	9,461,547,860	0.38	61,789	575.86
After the Bonds now offered are issued	$49,912,000[4]	$9,658,870,013	0.52%[4]	61,789[3]	$807.78[4]

[1]Estimates of North Carolina Office of State Budget and Management.
[2]2020 Census count, U.S. Census Bureau.

[3]For purposes of this schedule, the 2021 population is being used.
[4]Preliminary; subject to change.

GENERAL OBLIGATION DEBT SERVICE REQUIREMENTS AND MATURITY SCHEDULE

Fiscal Year Ending June 30th	Existing Debt		Bonds Now Offered [1]	
	Principal	Principal & Interest	G.O. Public Safety, 2023A	G.O. Public Improvement, 2023B
2023	$ 2,991,000.00	$ 6,562,780.30		
2024	2,990,000.00	6,163,129.10	$ 200,000.00	$ 550,000.00
2025	2,995,000.00	5,789,713.70	200,000.00	550,000.00
2026	2,819,000.00	4,318,013.10	200,000.00	550,000.00
2027	2,772,000.00	4,141,928.30	200,000.00	550,000.00
2028	2,450,000.00	4,047,297.70	200,000.00	550,000.00
2029	2,465,000.00	3,955,166.70	200,000.00	550,000.00
2030	2,480,000.00	3,857,619.50	200,000.00	550,000.00
2031	2,495,000.00	3,764,745.90	200,000.00	550,000.00
2032	1,565,000.00	2,993,915.30	200,000.00	550,000.00
2033	1,475,000.00	2,513,179.90	180,000.00	570,000.00
2034	1,470,000.00	2,442,880.70		750,000.00
2035	1,470,000.00	2,372,581.50		750,000.00
2036	1,470,000.00	2,310,207.30		750,000.00
2037	1,470,000.00	2,265,664.35		750,000.00
2038	1,020,000.00	2,216,196.40		750,000.00
2039	395,000.00	2,161,897.20		750,000.00
2040	395,000.00	2,107,598.00		750,000.00
2041	395,000.00	2,053,298.80		725,000.00
2041		1,994,074.60		725,000.00
2042				725,000.00
Totals	$ 35,582,000.00	$ 68,031,888.35	$ 1,980,000.00	$ 12,945,000.00

[1]Principal only.

GENERAL OBLIGATION BONDS AUTHORIZED AND UNISSUED

Purpose	Approved	Bonds Authorized and Unissued	Bonds Now Offered[1]	Balance[1]
Streets and Sidewalks	11/03/2015[2]	$7,700,000	$7,700,000	$ --
Parks and Recreation	11/03/2015[2]	2,700,000	--	2,700,000
Stormwater	11/03/2015[2]	3,200,000	--	3,200,000
Solid Waste	11/03/2015[2]	5,200,000	--	5,200,000
Affordable Housing	11/06/2018	5,245,000	5,245,000	--
Refunding	09/05/2019	2,745,000	--	2,745,000[3]
Public Safety	01/11/2023	1,980,000	1,980,000	-
Totals		$28,770,000	$14,925,000	$ 13,485,000

[1]Preliminary, subject to change.

[2]The authorization for these bonds has been extended to November 3, 2025.

[3]The Town does not plan to issue the remaining bonds under this authorization.

GENERAL OBLIGATION DEBT INFORMATION FOR OVERLAPPING UNIT AS OF JUNE 30, 2022

Unit	2021 Population[1]	Assessed Valuation	Tax Rate Per $100	Debt Authorized and Unissued		Total GO Debt[2]		Total GO Debt Per Capita[2]
				Utility	Other	Utility	Other	
Orange County	148,197	$21,944,533,529	$.8187[3]	$ --	$ --	$ --	$128,250,000	$865

[1]Estimate of North Carolina Office of State Budget and Management.
[2]Does not include non-general obligation debt.
[3]An additional tax rate of $0.2018 is levied in the Chapel Hill-Carrboro School District.

OTHER LONG-TERM COMMITMENTS

In August 2021, the Town issued $12,047,000 in advanced refunding limited obligation bonds and defeased the 2012 series limited obligation bonds and a 2015 installment purchase contract by placing the proceeds of the new bonds in an irrevocable trust to provide for all future debt on the old bonds and installment purchase contract. Accordingly, the trust assets and the liability for the defeased debt are not included in the Town's financial statements. The reacquisition price exceeded the net carrying amount of the old debt by $481,044. This amount is amortized over the life of the refunded debt. The refinancing was undertaken as part of a larger borrowing to reduce total debt payments over the next 20 years and resulted in a savings of approximately $1.07 million. On June 30, 2022, $11,760,000 of limited obligation bonds and installment purchase contract is considered defeased.

Fiscal Year	Principal	Interest	Total
2023	$ 4,325,000	$ 1,574,980	$ 5,899,980
2024	4,060,000	1,446,111	5,506,111
Thereafter	40,840,000	10,416,099	51,256,099
	$ 49,225,000	$ 13,437,190	$ 62,662,190

The Town entered into a fifteen-year installment purchase contract with Raymond James in March 2016 for $7,984,000 to renovate various facilities and for Ephesus Fordham road reconstruction. Maturities of the installment contracts payable are as follows:

Fiscal Year	Principal	Interest	Total
2023	$ 551,000	$ 111,801	$ 662,801
2024	558,000	99,018	657,018
Thereafter	3,710,000	339,880	4,049,880
	$ 4,819,000	$ 550,699	$ 5,369,699

The Town entered into an installment purchase contract with Bank of North Carolina in February 2017 for $6,408,000 to purchase 14 replacement buses. Maturities of the installment contracts payable are as follows:

Fiscal Year	Principal	Interest	Total
2023	$ 649,000	$ 67,308	$ 716,308
2024	662,000	53,682	715,682
Thereafter	2,072,000	76,390	2,148,390
	$ 3,383,000	$ 197,380	$ 3,580,380

For the year ended June 30, 2022, the financial statements include the adoption of GASB Statement No. 87, Leases. The primary objective of this statement is to enhance the relevance and consistency of information about governments' leasing activities. This statement establishes a single model for lease accounting based on the principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources.

The Town had one governmental lease outstanding at June 30, 2022 with a net present value of $12,000. The Town had two enterprise leases outstanding at June 30, 2022 with a combined net present value of $43,536.

DEBT OUTLOOK

The Town reviews its capital needs, and potential funding sources, on an on-going basis. The Town is developing a replacement schedule for the financing and purchase of buses for the Chapel Hill Transit System. With the reduction in federal funding available for bus purchases, the Town and its funding partners (the University and the Town of Carrboro) are working together to maintain a bus replacement schedule that will support the system's annual ridership of about 7 million passengers.

The Town is in the planning process to replace its police headquarters. The Town is also looking to address space needs by combining public safety with other uses in one "multi-agency" facility. Preliminary estimates suggest that the total cost of a multi-agency facility will be about $34 million, depending on the final scope and location of the project. It is expected that the project will be financed in 2024.

The Town is in the process of getting Council approval to purchase eight new buses (5 clean diesel articulated 60' buses and 3 electric 40' buses) totaling approximately $8 million under a bank installment financing agreement. If approved, the Town anticipates closing on the loan in spring 2023.

Tax Information

GENERAL INFORMATION

	Fiscal Year Ended/Ending June 30			
	2020	**2021**	**2022**	**2023***
Assessed Valuation:	100%	100%	100%	100%
Assessment Ratio[1]				
Real Property	$7,601,209,365	$7,782,831,638	$8,754,178,419	$8,938,767,922
Personal Property	598,051,765	576,246,878	618,604,665	629,739,549
Public Service Companies[2]	84,003,208	83,305,619	88,764,776	90,362,542
Total Assessed Valuation	$8,283,264,338	$8,465,215,257	$9,461,547,860	$9,658,870,013
Rate per $100[3]	.544	.544	.514	.522
Levy	$ 45,060,958	$ 46,050,771	$ 48,632,356	$ 50,419,301

*Unaudited estimates for 2022-23 budget year.

[1]Percentage of appraised value has been established by statute.

[2]Valuation of railroads, telephone companies and other utilities as determined by North Carolina Property Tax Commission.

[3]Rate includes an amount which goes to the Transit Fund to finance a portion of the operating expense of the Town's bus system, and a portion is dedicated to debt service, as follows:

NOTE: Revaluation of real property was effective for the 2022 fiscal year.

Fiscal Year	General Fund Rate (cents per $100)	Transit Rate (cents per $100)	Debt Rate (cents per $100)	Total Rate (cents per $100)
2018-19	38.6	6.0	8.2	52.8¢
2019-20	38.6	6.0	9.8	54.4¢
2020-21	38.6	6.0	9.8	54.4¢
2021-22	37.2	5.4	8.8	51.4¢
2022-23	37.2	6.2	8.8	52.2¢

Note 1: The Town created a Municipal Service District effective July 1, 1989 which has a current tax rate of $0.070 for improvements and services in the downtown area.

Note 2: Revaluation of real property was effective with the fiscal year 2022 tax levy.

The Town is authorized by statute to levy ad valorem taxes on the assessed value of real property within its corporate limits. Taxation for operating purposes may not exceed $1.50 per $100 assessed valuation unless the voters approve a higher rate except for the following applicable purposes; debt service, deficits, and joint undertakings with any other town, city or political subdivision in providing any of the above functions, services or activities, for which unlimited taxes may be levied.

TAX COLLECTIONS

Year Ended June 30	Prior Years' Levy Collected	Current Year's Levy Collected	Current Year's Levy Collected
2018	$ 84,679	$39,886,495	99.66%
2019	154,265	43,206,984	99.51
2020	176,549	44,871,448	99.58
2021	168,217	45,882,304	99.63
2022	173,422	48,492,226	99.71

TEN LARGEST TAXPAYERS FOR FISCAL YEAR 2021-22

Name	Type of Business	Assessed Valuation	Tax Levy	Percentage of Total Valuation
Chapel Hill Foundation Real Estate Holdings Inc.	Shopping Center	$ 110,904,200	$ 570,048	1.17%
BIR Chapel Hill LLC	Apartments/Retail	80,124,700	411,841	0.85
NR Edge Apartments Property Owner LLC	Apartments/Retail	78,192,635	401,910	0.83
Northwestern Mutual Life (Chapel Watch Apartments)	Apartment Rental	68,735,670	353,301	0.73
Townhouse Apartments LLC	Apartment Rental	65,295,200	335,617	0.69
LG Chapel Hill Apartments LLC	Apartment Rental	58,524,700	300,817	0.62
Duke Energy Carolinas LLC	Public Utility	50,575,396	259,958	0.53
State Employees Credit Union	Bank	49,176,513	252,767	0.52
Health Systems Properties LLC	Medical	47,940,440	246,414	0.51
East 54 Office Retail LLC	Office/Retail	45,114,901	231,891	0.48
		$ 654,584,355	$ 3,364,564	6.93%

Budget Commentary for 2022-23

The Town has experienced significant recovery from the effects of the COVID-19 pandemic. Revenues that had been significantly impacted over the last couple years (sales tax, occupancy tax, and department fees) have rebounded and the Town anticipates continued growth in these areas. The one area that still affects the Town is the continuation of slow property tax base growth that has not kept pace with the increase in expenditures. Increases to the costs of doing business associated with the economic impacts of inflation have exacerbated the increase in expenditures, as well as the need to raise employee salaries due to inflation. Delays in the construction of major approved development projects and the diminishing supply of developable land have exacerbated these problems. State and Federal budget decisions also have a major effect on the Town's budget, particularly in the areas of transportation and housing.

The Town was awarded $10,668,497 in American Rescue Plan Act (ARPA) funds to assist with recovery from the pandemic. With these funds, which have federal limitations on eligible uses, the Town expects to be able to backstop some of the budget shortfalls and to invest in recovery efforts, such as ReVive, a downtown economic recovery program, so the community can bridge the gap from where it has been and where the Town plans to go as a community. To date, the Town has allocated about $8.3 million on community partner funding, affordable housing projects, parks and facility infrastructure projects, and downtown economic recovery, and spent about $610,000.

Pension Plans

The Town participates in the North Carolina Local Governmental Employees' Retirement System and three other pension plans.

North Carolina Local Governmental Employees' Retirement System — The North Carolina Local Governmental Employees' Retirement System (the "System") is a service agency administered through a board of trustees by the State for public employees of counties, cities, boards, commissions and other similar governmental entities. While the State Treasurer is the custodian of System funds, administrative costs are borne by the participating employer governmental entities. The State makes no contributions to the System.

The System provides, on a uniform System-wide basis, retirement and, at each employer's option, death benefits from contributions made by employers and employees. Employee members contribute six percent of their individual compensation. Each new employer makes a normal contribution plus, where applicable, a contribution to fund any accrued liability over a 24-year period. The normal contribution rate was 11.35% of eligible payroll for general employees and 12.10% of eligible payroll for law enforcement officers for the year ended June 30, 2022. The contribution rates for the fiscal year ending June 30, 2023 have been set at 12.10% for general employees and at 13.10% for law enforcement officers. The accrued liability contribution rate is determined separately for each employer and covers the liability of the employer for benefits based on employees' service rendered prior to the date the employer joins the system.

Members qualify for a vested deferred benefit at age 50 with at least 20 years of service or at age 60 after at least five years of creditable service to the unit of local government. Unreduced benefits are available: at age 65, with at least five years of creditable service; at age 60, with at least 25 years of creditable service; or after 30 years of creditable service, regardless of age. Benefit payments are computed by taking an average of the annual compensation for the four consecutive years of membership service yielding the highest average. This average is then adjusted by a percentage formula, by a total years of service factor, and by an age service factor if the individual is not eligible for unreduced benefits.

Contributions to the system are determined on an actuarial basis.

For additional information concerning the Town's participation in the North Carolina Local Governmental Employees' Retirement System see the Notes to the Basic Financial Statements of the Town in Appendix D.

Financial statements and required supplementary information for the North Carolina Local Governmental Employees' Retirement System are included in the Comprehensive Annual Financial Report ("CAFR") for the State. Please refer to the State's ACFR for additional information.

Other Pension Plans — The Town also participates in the (1) Law Enforcement Officers' Special Separation Allowance, (2) Supplemental Retirement Income Plan for Law Enforcement Officers and (3) Supplemental Retirement Income Plan for all Other Employees. For information

concerning the Town's participation in such plans see the Notes to the Basic Financial Statements of the Town in Appendix D.

Other Post-Employment Benefits

For employees hired on or before June 30, 2010, the Town contributes to employee health insurance and allows employees to participate in a dental insurance program. Pursuant to a Town resolution, the Town provides postretirement health and dental benefits to retirees and Town Council members of the Town, provided they participate in the North Carolina Local Governmental Employees' Retirement System and have at least five years of creditable service with the Town. The Town pays the full cost of coverage for employees who retire with 20 years of creditable service; 75% of the cost of coverage for retirees with 15 years of creditable service; 50% of the cost of coverage for retirees with 10 years of creditable service, and 25% of the cost for retirees with 5 years of creditable service. When they reach the age of 65, Town retirees are eligible for the Medicare supplement reimbursement. The retiree must have been covered under the Town's health plan immediately before reaching age 65.

In an effort to manage the future liability for retiree health benefits, the Council adopted a change to retiree health benefits for employees who are hired after June 30, 2010. Those employees will take part in a defined contribution plan, wherein the Town will contribute $35 per biweekly payroll and the employees will contribute 1% of pre-tax earnings to a retiree health savings plan for the employees. Participation is mandatory and the employee's portion is portable if the employee leaves the Town before retirement. The employer's portion vests according to the following schedule.

25%	After 5 years
50%	After 10 years
75%	After 15 years
100%	After 20 years

Over the last 12 years, this change has significantly reduced the Town's OPEB liability as membership in the old plan decreased and membership in the new plan increased. In addition to this change, the Town moved our post-65 retirees to Medicare as their primary insurer and a newly created plan with comparable benefits to active employees as their secondary insurer. This created a significant amount of cost savings and also helped significantly decrease the Town's OPEB liability.

The Town contracted with an actuarial firm to conduct an actuarial study on the other post-employment benefits (OPEB) through June 30, 2022 and in accordance with GASB 68, the Town's financial statements for fiscal year 2022 report the annual required contribution (ARC) to fund the future liability for employee health insurance. The actuarial study determined that the Town's net OPEB liability at June 30, 2022 was $32,856,852. The Town has historically funded health benefits for retirees on a pay as you go basis. For the year ended June 30, 2022, the Town paid $2,114,394 for retiree health benefits.

In June of 2016 the Town created an irrevocable trust exclusively for pre-funding assets of the Town's defined benefit retiree healthcare plan. Funds held in the irrevocable trust can only be used for OPEB related costs. The Town contributed $454,700 to the trust in both FY 2022 & FY 2021. The total balance in the trust as of June 30, 2022 was $7,029,969. In July 2021, Session Law 2021-65 was passed which provided expanded investment authority for the Town's OPEB Trust.

Litigation

The Town is not a party to any litigation, the outcome of which, the Town believes, would materially adversely affect the Town's ability to meet its financial obligations.

CONTINUING DISCLOSURE

In a resolution adopted by the Town, the Town has undertaken, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"), the following:

(a) by not later than seven months from the end of each fiscal year of the Town, audited financial statements of the Town for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Town are not available by seven months from the end of such fiscal year, unaudited financial statements of the Town for such fiscal year to be replaced subsequently by audited financial statements of the Town to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Town, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The Town - Debt Information and Tax Information" in this Official Statement (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Town for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modification to rights of the beneficial owners of the Bonds; if material;

(8) Bond calls other than mandatory sinking fund redemptions, if material, and tender offers;

(9) defeasance of any of the Bonds;

(10) release, substitution or sale of any property securing repayment of the Bonds;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar proceedings related to the Town or

any other person or entity that may at any time become legally obligated to make payments on the Bonds (collectively, the "Obligated Persons");

(13) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of an Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) incurrence of a financial obligation (as defined below) of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect beneficial owners of the bonds, if material; and

(16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, to the MSRB, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Town shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Town may discharge its undertaking described above in any manner that the U.S. Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

For purposes of sections 15 and 16 above, "financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of either clause (a) or (b) above. The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12 issued under the Securities Exchange Act of 1934 (the Rule).

At present, Section 159-34 of the General Statutes of North Carolina requires the Town's financial statements to be prepared in accordance with generally accepted accounting principles and to be audited in accordance with generally accepted auditing standards.

The resolution also provides that if the Town fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

Pursuant to such resolution, the Town will reserve the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Town, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Town;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (the Rule) as of the date of this Official Statement, after taking into account any amendments or interpretations of the Rule, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Town (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds then outstanding pursuant to the terms of such resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information is required to explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The undertaking described above will terminate upon payment, or provision having been made for payment in a manner consistent with the Rule, in full of the principal of and interest on all of the Bonds.

Town's History of Continuing Disclosure

The Town is not aware of any occasions in which it was in material noncompliance with any of its continuing disclosure undertakings.

The Town has adopted a procedure with respect to the posting of continuing disclosure material. Now, one staff member will have primary responsibility to carry out the posting of the prepared material, and a separate staff member will later verify that the material has properly posted on EMMA with reference to all relevant securities. The Town believes this new process will significantly reduce the chance of a failed or incomplete posting.

CYBERSECURITY

The Town, like many other large public and private entities, relies on a large and complex technology environment to conduct its operations and faces multiple cybersecurity threats involving, but not limited to, hacking, phishing viruses, malware and other attacks on its computing and other digital networks and systems (collectively, "*Systems Technology*"). As a recipient and provider of personal, private, or sensitive information, the Town may be the target of cybersecurity incidents that could result in adverse consequences to the Town and its Systems Technology, requiring a response action to mitigate the consequences.

The Town evaluates cybersecurity on a continuous basis. The Chief Information Officer ("CIO") is responsible for all digital services including cybersecurity. The Chief Information Security Officer ("CISO") is responsible for planning and operating the cybersecurity systems. The CIO and CISO communicate regularly with the Network and Operations Teams to discuss threats and vulnerabilities identified by the State, Microsoft, FBI and Homeland Security, operational status and reporting of the multiple layers that make up cybersecurity systems, and information security strategy and initiatives.

The Town operates an Information Security Awareness Training including reinforcement with messaging. The Town uses a multilayered cybersecurity approach to prevent, trap and mitigate threats. Layers include: firewalls blocking unapproved connections, Virtual Private Networks encrypted connections, automated and monitoring and response for network activity, spam filtering (blocking and quarantine), multi-factor authentication, external email warning messages for malicious email, multiple data centers and cloud based offline back to limit exposure to encryption based attacks.

APPROVAL OF LEGAL PROCEEDINGS

Certain legal matters related to the authorization and issuance of the Bonds are subject to the approving legal opinion of Sanford Holshouser LLP, Carrboro, North Carolina, Bond Counsel for the Town ("Bond Counsel"). Bond Counsel's approving legal opinion will be provided at the Town's expense and will be available at the time of the delivery of the Bonds.

The proposed form of Bond Counsel's approving opinion is attached as Appendix E.

Bond Counsel's approving legal opinion expresses Bond Counsel's professional judgment as to the legal issues explicitly addressed in the opinion. By rendering a legal opinion, an opinion giver does not become an insurer or guarantor of that expression of professional judgment, of the transaction opined upon, or of the future performance of parties to the transaction. Additionally, the rendering of an opinion does not guarantee the outcome of any legal dispute that may arise out of the transaction and a bond opinion is not a statement (either expressly or by implication) concerning the marketability, value or likelihood of payment of the Bonds.

Bond Counsel has not been engaged to investigate the Town's operations or condition or the Town's ability to provide for payments on the Bonds. Bond Counsel will express no opinion (1) as to the Town's ability to provide for payments on the Bonds, or (2) as to the accuracy, completeness or fairness of any information that may have been relied on by anyone in making a decision to purchase Bonds, including this Official Statement. In this transaction, Bond Counsel will serve only as bond counsel to the Town, and will not represent any bidder or the purchaser of the Bonds.

RATINGS

Moody's Investors Service and Standard & Poor's Ratings Services have given the Bonds ratings of ___ and ___, respectively. Those ratings reflect only the respective views of such organizations, and an explanation of the significance of such ratings may be obtained only from the respective organization providing such rating. Certain information and materials not included in the Official Statement were furnished to such organizations. There is no assurance that such ratings will remain in effect for any given period of time or that any or all will not be revised downward or withdrawn entirely. Any downward revision or withdrawal of a rating may have an adverse effect on the market prices of the Bonds.

TAX TREATMENT

Opinion of Bond Counsel. In the opinion of Sanford Holshouser LLP, Carrboro, North Carolina, Bond Counsel for the Town ("Bond Counsel"), under existing law, interest on the Bonds (1) will not be included in gross income for federal income tax purposes, (2) will not be a specific item of tax preference for purposes of the federal alternative minimum income tax and (3) will be exempt from existing State of North Carolina income taxation. Bond Counsel will express no other opinion regarding the federal or North Carolina tax consequences of the ownership of or the receipt or accrual of interest on the Bonds.

The Town has not designated the Bonds as "qualified tax-exempt obligations" for federal income tax purposes.

Bond Counsel will give its opinion in reliance upon certification by Town representatives and others as to certain facts relevant to the opinion and to the requirements of the Unities States Internal Revenue Code of 1986, as amended (the "Code"). The Town has covenanted to comply with the provisions of the Code regarding, among other matters, the use, expenditure and investment of the proceeds derived from the sale of the Bonds and the timely payment to the United States of any arbitrage profit with respect to the Bonds. The Town's failure to comply with such covenants could cause interest on the Bonds to be included in gross income for federal income tax purposes retroactively to the date of issuance of the Bonds.

Discount Bonds and Premium Bonds. _____, as lead underwriter, has advised the Local Government Commission of North Carolina that the initial public offering prices of the Bonds maturing on April 1, _____to _____, inclusive, (the "Discount Bonds"), are less than the respective amounts payable at maturity. An amount not less than the difference between the initial public offering prices of the Discount Bonds and the amounts payable at maturity constitutes original issue discount ("OID"). Owners of Discount Bonds should consult their own tax advisors as to the determination for federal tax purposes of the amount of OID properly accruing each year with respect to the Discount Bonds and as to federal tax consequences and the treatment of OID for State of North Carolina and local tax purposes.

_____, as lead underwriter, has also advised the Local Government Commission of North Carolina that the initial public offering prices of the Bonds maturing on April 1, _____to _____ , inclusive, (the "Premium Bonds"), are greater than the amounts payable at maturity. The difference between the amount payable at maturity of the Premium Bonds and the tax basis of the Premium Bonds to a purchaser (other than a purchaser who holds Premium Bonds as inventory, stock in trade or for sale to customers in the ordinary course of business) who purchases the Premium Bonds at the initial offering price is "Bond Premium." Bond Premium is amortized over the term of the Premium Bonds for federal income tax purposes. Owners of the Premium Bonds are required to decrease their adjusted basis in the Premium Bonds by the amount of amortizable Bond Premium attributable to each taxable year the Premium Bonds are held. Owners of the Premium Bonds should consult their tax advisors with respect to the precise determination for federal income tax purposes of the treatment of Bond Premium upon the sale or other disposition of the Premium Bonds and with respect to State of North Carolina and local tax consequences of owning and disposing of the Premium Bonds.

Bond Counsel's opinion will not specifically address the tax treatment of OID or Bond Premium, or the status of any particular receipt or payment as the receipt or payment of OID or Bond Premium.

Other Tax Consequences. In addition to the matters addressed above, prospective purchasers of the Bonds should be aware that the ownership of tax-exempt obligations may result in collateral federal income tax consequences to certain taxpayers, including without limitation, financial

institutions, property and casualty insurance companies, certain S corporations, certain foreign corporations subject to the branch profits tax, corporations subject to the environmental tax, recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations. Prospective purchasers of the Bonds should consult their tax advisors as to the applicability and impact of such consequences.

Interest on the Bonds may or may not be subject to state or local taxation in jurisdictions other than North Carolina. Prospective purchasers of the Bonds should consult their own tax advisors as to the status of interest on the Bonds under the tax laws of any such jurisdiction other than North Carolina.

FINANCIAL ADVISOR

Davenport & Company LLC has acted as financial advisor to the Town in connection with the issuance of the Bonds and has assisted in structuring the Bonds.

UNDERWRITING

The underwriters for the 2023A Bonds are _____.[1]

The underwriters have jointly and severally agreed, subject to certain conditions, to purchase all but not less than all of the Bonds. If all of the Bonds are sold at the public offering yields set forth on the inside cover page of this Official Statement, the underwriters anticipate total underwriters' discount of_____.* The public offering prices or yields of the Bonds may be changed from time to time by the underwriters.

The underwriters for the 2023B Bonds are _____.[2]

The underwriters have jointly and severally agreed, subject to certain conditions, to purchase all but not less than all of the Bonds. If all of the Bonds are sold at the public offering yields set forth on the inside cover page of this Official Statement, the underwriters anticipate total underwriters' discount of

_____.

* The public offering prices or yields of the Bonds may be changed from time to time by the underwriters.

[1]Information provided by the underwriters of the 2023A Bonds.

[2]Information provided by the underwriters of the 2023B Bonds.

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact.

References herein to the State Constitution and legislative enactments are only brief outlines of certain provisions thereof and do not purport to summarize or describe all provisions thereof.

The execution of this Official Statement has been duly authorized by the Local Government Commission of North Carolina and the Town Council of the Town.

LOCAL GOVERNMENT COMMISSION OF NORTH CAROLINA

By

Sharon G. Edmundson
Secretary of the Commission

TOWN OF CHAPEL HILL, NORTH CAROLINA

By

Pam Hemminger
Mayor

By

Christopher C. Blue
Interim Town Manager

By

Amy Oland
Director of Business Management

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 5., **File #:** [23-0065], **Version:** 1 **Meeting Date:** 1/25/2023

Authorize the Town Manager to Enter into a Bus Financing Agreement with the Transit Partners and Issue a RFP for Debt Financing the Purchase Of New Buses.

Staff:
Amy Oland, Director
Brian Litchfield, Director

Department:
Business Management
Transit

Overview: The adopted Chapel Hill Transit Capital Plan identifies the need to purchase at least seven (7) replacement buses each fiscal year to maintain a reliable and efficient transit fleet. While a significant amount of grant funding has been used for these purchases over the past five (5) years, 49 buses, including 11 electric buses, the department has not been able to keep pace with just grant funding and now needs to replace 12 buses (number grows to 19 in FY 2024), including 60' articulated buses. The Transit Funding Partners are committed to maintaining the Transit Capital Plan and have committed funding to debt-finance replacement buses within the adopted Transit budget. The Funding Partners also recognize that the Town of Chapel Hill has the fiduciary responsibility for the operation of the public transit system, including, but not limited to, issuing any debt necessary to finance the purchase of the new buses as well as repayment of that debt.

Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager to enter into an agreement for the financing of the new buses among the Town of Chapel Hill, Town of Carrboro and The University of North Carolina at Chapel Hill and to issue a Request for Proposals (RFP) to debt-finance the purchase of new buses for public transportation services and

Decision Points:

- The Chapel Hill Transit Funding Partners have achieved consensus on debt-financing of 7-10 replacement buses. This financing will allow for the replacement of up to five (5) 60' clean diesel buses and three (3) 40' electric buses. The final purchase numbers and costs will depend on the costs of buses, rates and costs related to borrowing.
- If approved by Council, the Town will finalize an agreement between the Funding Partners that reflects the sharing of risk of the new debt amongst the Partners. This is the same process that the Town used to debt-finance new buses in 2017. The payments for the 2017 agreement will be completed on May 1, 2027.
- The estimated annual payment of $900,000 for debt-financed buses is included in the current fiscal year budget for Chapel Hill Transit and the Funding Partners have agreed to maintain the funding for the new buses over the term of the debt-financing.
- If approved by Council, the Town will issue a RFP for debt-financing the purchase of new buses. Staff will return to Council once a review of received proposals has been completed to request approval to execute the debt agreement and authorize Town Officers to take the steps necessary to complete the financing. We anticipate returning to Council in early Spring. This is the same process the Town has previously used to finance vehicles.
- Any future bus financing beyond this Agreement would require approval of a new Agreement, or a revision to the terms of the Agreement currently before Council.

Key Issues:

- Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill have worked together to provide public transportation services since the 1970s and desire to continue to work together to provide these services through Chapel Hill Transit.
- The Town of Chapel Hill, in order to fulfill the expectations of its funding partners, the University of North Carolina and the Town of Carrboro, must acquire and maintain a modern fleet of buses so to provide the best and most reliable transit services to its customers.
- The Chapel Hill Transit bus fleet continues to age and requires replacements consistent with the adopted Transit Capital Plan. Since 2016, Chapel Hill Transit has been able to replace 49 buses, 16 using debt-financing and fund balance and 33 using grant funds, Orange County Transit Plan funds and fund balance. Staff will continue to pursue grant funding for the replacement of buses and other capital needs; however, Funding Partner contributions and debt-financing is necessary for buses not covered by grant funding.
- The Funding Partners and Staff considered several options related to debt-financing and bus types and believe the proposed mix best meets our needs, consistent with available funding and existing infrastructure at the Transit Facility.
- Since the Town has the fiduciary responsibility for operation of the public transit system, including, but not limited to, issuing any debt necessary to finance the purchase of the new buses as well as repayment of that debt, an agreement between the Town, Town of Carrboro and University of North Carolina at Chapel Hill is needed to provide assurance of long-term financial support prior to the issuance of any debt. If the debt-financing is approved by Council, the Funding Partner will enter into an agreement, similar to the 2016 agreement, for the debt-financing.
- Delivery of new buses is estimated at 18-24 months from the date of order.

Fiscal Impact/Resources: The estimated annual cost of the debt-financed buses will be around $900,000.

Attachments:

- Resolution
- 2017 Agreement for Acquisition of New Buses Between the Town of Chapel Hill and Town of Carrboro and University of North Carolina at Chapel Hill.

powered by Legistar™

Item #: 5., **File #:** [23-0065], **Version:** 1 **Meeting Date:** 1/25/2023

A RESOLUTION AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR FINANCING OF NEW BUSES FOR PUBLIC TRANSPORT SERVICES BETWEEN THE TOWN OF CHAPEL HILL, TOWN OF CARRBORO AND THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL AND ISSUE A RFP FOR DEBT FINANCING THE PURCHASE OF NEW BUSES. (2023-01-25/R-3)

WHEREAS, the Town of Chapel Hill is responsible for providing quality public transportation services for the Town, the Town of Carrboro, and The University of North Carolina at Chapel Hill; and

WHEREAS, the Town of Chapel Hill has operated the public transit system, Chapel Hill Transit, serving the Town of Carrboro, the Town of Chapel Hill and The University of North Carolina at Chapel Hill since 1974 and has shared the costs with the Town of Carrboro and The University of North Carolina at Chapel Hill; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill have adopted a Transit Capital Plan with the goal of maintaining a reliable and efficient transit fleet and acknowledge that local funding is needed to complement federal and state funding sources to update and grow the existing fleet of buses, including the use of debt-financing; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill have previously entered into an agreement in 2017 to successfully debt-finance 14 buses; and

WHEREAS, the Town of Chapel Hill has asked The University of North Carolina at Chapel Hill and the Town of Carrboro to provide some assurances of long-term financial support prior to making additional future capital expenditures needed to update the existing fleet of buses operated by Chapel Hill Transit; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill will participate in a funding agreement for the acquisition of new buses and acknowledge that The Town of Chapel Hill has the fiduciary responsibility for operation of the public transit system, including, but not limited to, issuing any debt necessary to finance the purchase of the new buses as well as repayment of that debt; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill desire to establish an agreement to provide such assurances concerning the acquisition of new buses for public transportation services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town Manager is authorized to enter into an agreement for financing of new buses for public transportation services between the Town of Chapel Hill and the Town of Carrboro and The University of North Carolina at Chapel Hill and issue a RFP for debt financing the purchase of new buses.

This the 25th day of January, 2023.

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

By adopting the resolution, the Council authorizes the Town Manager to enter into an additional agreement for financing of new buses for public transportation services between the Town of Chapel Hill and the Town of Carrboro and The University of North Carolina at Chapel Hill and issue a RFP for debt financing the purchase of new buses.

AGREEMENT FOR ACQUISITION OF NEW BUSES FOR PUBLIC TRANSPORTATION SERVICES
AMONG
THE TOWN OF CHAPEL HILL AND THE TOWN OF CARRBORO AND
THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

WITNESSETH:

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill have worked together to provide public transportation services since the 1970s and desire to continue to work together to provide these services; and

WHEREAS, the Town of Chapel Hill has operated the public transit system, Chapel Hill Transit, serving the Town of Carrboro, the Town of Chapel Hill and The University of North Carolina at Chapel Hill the since 1974 and has shared the costs with the Town of Carrboro and The University of North Carolina at Chapel Hill; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill acknowledge that funding for public transportation systems from federal and state sources has continued to decline and that there is a growing need to use local revenue sources to update the existing fleet of buses; and

WHEREAS, the Town of Chapel Hill has asked The University of North Carolina at Chapel Hill and the Town of Carrboro to provide some assurances of long term financial support prior to making future capital expenditures needed to update the existing fleet of buses operated by Chapel Hill Transit; and

WHEREAS, the Town of Chapel Hill, the Town of Carrboro and The University of North Carolina at Chapel Hill desire to establish this agreement ("Agreement") to provide such assurances concerning the acquisition of new buses for public transportation services;

NOW THEREFORE, the following Agreement is hereby entered into by the Town of Chapel Hill, the Town of Carrboro, and The University of North Carolina at Chapel Hill concerning the acquisition of new buses.

Section I. It is hereby agreed that the Town of Chapel Hill, hereinafter referred to as "Chapel Hill", and the Town of Carrboro, hereinafter referred to as "Carrboro", and The University of North Carolina at Chapel Hill, hereinafter referred to as the "University", will participate in the following funding agreement for the acquisition of new buses. Collectively all parties to this Agreement will be referred to as the "Local Partners". The Local Partners acknowledge that Chapel Hill has the fiduciary responsibility for operation of the public transit system, including, but not limited to, issuing any debt necessary to finance the purchase of the new buses as well as repayment of that debt.

Section II. During the fiscal year ending June 30, 2017, Chapel Hill will acquire new buses by the following methods;

a. Approximately 5 buses will be purchased outright using Orange County Bus and Rail funds, contingent on approval by Go Triangle;
b. Approximately 4 buses will be purchased outright using around $2.0 million of Chapel Hill unallocated fund balance;
c. Approximately 3 buses will be purchased outright using STP-DA funding; and
d. Fourteen (14) buses (the "Debt-Financed Buses") will be purchased using Chapel Hill debt financing requiring a maximum of $760,000 in annual debt service over no more than 10 years (note: final term set by lender).

Section III. In addition to the University's annual support of its share of the operating costs of the transit system, the University agrees to assist with acquiring the Debt-Financed Buses by making the following payments to Chapel Hill: 58% of debt service payment shown in Exhibit A, annually on July 1 beginning July 1, 2017 until the expiration of the financing contracts for the Debt-Financed Buses but in any event no later than June 30, 2027. This amount will not increase without prior written consent of the University which shall be obtained at least 180 days before the effective date of any proposed increase.

Section IV. In addition to Carrboro's annual support of its share of the operating costs of the transit system, Carrboro agrees to assist with acquiring the Debt-Financed Buses by making the following payments to Chapel Hill: 11% of debt service payment shown in Exhibit A, annually on July 1 beginning July 1, 2017 until the expiration of the financing contracts for the buses described in Section II d. but in any event no later than June 30, 2027. This amount will not increase without prior written consent of Carrboro which shall be obtained at least 180 days before the effective date of any proposed increase.

Section V. The buses acquired pursuant to this Agreement shall be used solely in the operation of the Chapel Hill Transit system. Chapel Hill agrees to keep the buses in good running order and to comply with any requirements of the financing contracts. In addition to Chapel Hill's annual support of its share of the operating costs of the transit system, Chapel Hill agrees to assist with acquiring the Debt-Financed Buses by making the following payments: 31% of debt service payment shown in Exhibit A, annually on July 1 beginning July 1, 2017 until the expiration of the financing contracts for the buses described in Section II d.

Section VI. The University may terminate its participation in this Agreement upon the occurrence of any of the following events:

a. Failure of Chapel Hill to remain current on debt service payments for the Debt-Financed Buses:
b. Chapel Hill's violation of any terms of the financing contracts for the Debt-Financed Buses;
c. By giving 180 days written notice to Chapel Hill;

Section VII. In the event of termination of its participation in this Agreement pursuant to Section VI.a. or VI.b., the University, at its option and subject to obtaining any necessary approvals, may elect to assume or pay off the debt on the number of the Debt-Financed Buses equal to eight (8) buses (the "University Buses"). If the financing contracts for the University Buses do not permit assumption by the University, the University and Chapel Hill agree to negotiate in good faith to enter into an arrangement pursuant to which: (i) the University pays an amount equal to the debt service for the University Buses into an account managed by a third-party custodian that, in turn, will apply those funds to the related debt; (ii) the University gains the sole right to operate the University Buses during the remainder of the term of the

related debt; and (iii) title for the University Buses transfers to the University upon repayment of the related debt.

The Parties acknowledge that commitments by the University to continue to make the payments called for by this agreement are necessary in order for Chapel Hill to meet its obligation to the lender and/or vendor from whom these Debt-Financed Buses have been acquired. Accordingly, the University accepts and agrees that, notwithstanding the provisions of the annual Agreement for Public Transportation Services between the University and Chapel Hill, in the event of termination of this Agreement pursuant to Section VI. c. or Section X (due to the University's non-payment), Chapel Hill may at its option reduce or eliminate those routes solely or primarily serving the University in order to reduce the demands on its rolling stock and compensate for loss of revenue to support said equipment.

Section VIII. Carrboro may terminate its participation in this Agreement upon the occurrence of any of the following events:

a. Failure of Chapel Hill to remain current on debt service payments for the Debt-Financed Buses:
b. Chapel Hill's violation of any terms of the financing contracts for the Debt-Financed Buses;
c. By giving 180 days written notice to Chapel Hill;

Section IX. In the event of termination of its participation in this Agreement pursuant to Section VIII.a .or VIII.b., Carrboro, at its option and subject to obtaining any necessary approvals, may elect to assume or pay off the debt on the number of the Debt-Financed Buses equal to one (1) bus (the "Carrboro Buses"). If the financing contracts for the Carrboro Buses do not permit assumption by Carrboro, Carrboro and Chapel Hill agree to negotiate in good faith to enter into an arrangement pursuant to which: (i) Carrboro pays an amount equal to the debt service for the Carrboro Buses into an account managed by a third-party custodian that, in turn, will apply those funds to the related debt; (ii) Carrboro gains the sole right to operate the Carrboro Buses during the remainder of the term of the related debt; and (iii) title for the Carrboro Buses transfers to Carrboro upon repayment of the related debt.

The Parties acknowledge that commitments by Carrboro to continue to make the payments called for by this agreement are necessary in order for Chapel Hill to meet its obligation to the lender and/or vendor from whom these Debt-Financed Buses have been acquired. Accordingly, Carrboro accepts and agrees that, notwithstanding the provisions of the annual Agreement for Public Transportation Services between Carrboro and Chapel Hill, in the event of termination of this Agreement pursuant to Section VIII. c. or Section X (due to Carrboro's non-payment), Chapel Hill may at its option reduce or eliminate those routes through Carrboro in order to reduce the demands on its rolling stock and compensate for loss of revenue to support said equipment.

Section X. Chapel Hill may terminate this Agreement with respect to the University in the event the University fails to make the payments required by Section III. Chapel Hill may terminate this Agreement with respect to Carrboro in the event Carrboro fails to make the payments required by Section IV.

The termination of this Agreement as between Chapel Hill and either the University or Carrboro shall not impact the status of this Agreement with respect to the remaining parties; the benefits to and obligations of the University and Carrboro shall not be affected by such partial termination of the Agreement.

Section XII. Any future federal, state or other non-local assistance received by the Local Partners for the transit system which may be used for repayment of the debt incurred to purchase the Debt-Financed Buses

described in Section II d shall be provided to Chapel Hill and shall be used to first offset the cost of acquiring these Debt-Financed Buses, subject to the necessary approvals.

Section XIII. The Parties further agree to negotiate in good faith to have a Memorandum of Understanding (MOU) concerning the general operation of Chapel Hill Transit by June 30, 2018.

Section XIV. Payments specified in this Agreement beyond the current fiscal year, and any continuation or renewal of this Agreement, are dependent upon and subject to the availability of funds to each of the Local Partners for the purpose set forth in this Agreement.

Section XV. This Agreement may not be amended orally or by performance. Any amendment, in order to be effective, must be made in written form and signed by duly authorized representatives of the Local Partners.

Section XVI. The North Carolina State Auditor and the University's internal auditor shall have access to persons and records as a result of all contracts or grants entered into by the University in accordance with N.C. Gen. Stat. §147-64.7 and Session Law 2010-194, Section 21.

Section XVII. This Agreement is made under and shall be governed and construed in accordance with the laws of the State of North Carolina. In the event the parties are unable to resolve any dispute relating to this Agreement, the exclusive venue for any judicial action or proceeding arising out of or relating to this Agreement shall be the state or federal courts located in the State of North Carolina.

Section XVIII. This Agreement and any amendments may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute one and the same document, and binding on all parties notwithstanding that each of the parties may have signed different counterparts. Facsimiles or scanned copies of signatures or electronic images of signatures shall be considered original signatures unless prohibited by applicable law.

Section XIX. This Agreement constitutes the entire agreement of the parties on the specific subject matter hereof and supersedes all prior representations, understandings and agreements between the parties with respect to such subject matter. Any invalidity, in whole or in part, of any provision of this Agreement shall not affect the validity of any other of its provisions. No term or provision hereof shall be deemed waived and no breach excused unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented.

TOWN OF CARRBORO

David Andrews

ASSISTANT/DEPUTY/TOWN MANAGER

ATTEST BY TOWN CLERK:

Julie Eckenrode

Acting
TOWN CLERK

TOWN OF CARRBORO INCORPORATED 1911 NORTH CAROLINA

TOWN SEAL

Town Clerk attests date this 11 day of December, 2017.

Approved as to Form and Authorization

TOWN ATTORNEY

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

12/8/2017

FINANCE OFFICER, Town of Carrboro DATE

IN WITNESS WHEREOF, the parties to this Agreement have been authorized to sign the same, Chapel Hill and Carrboro by their Town Managers, and The University of North Carolina at Chapel Hill by its Vice Chancellor for Finance and Administration.

This the 20th day of November, 2017.

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

SIGNATURE

Matthew M. Fajack
Vice Chancellor for Finance and Administration

PRINTED NAME & TITLE

ATTEST

Trevaughn Eubanks

PRINTED NAME & TITLE Exec Asst

TOWN OF CHAPEL HILL

Florentine Miller, Deputy

~~DEPARTMENT HEAD OR~~ DEPUTY/TOWN MANAGER

Florentine Miller Town Manager's Office

PRINTED NAME & DEPARTMENT

ATTEST BY TOWN CLERK:

TOWN CLERK

TOWN SEAL

Town Clerk attests date this the 2ND day of JAN., 2018.

Approved as to Form and Authorization

Ralph D. Karpinos

TOWN LEGAL STAFF

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

FINANCE OFFICER

12/21/17

DATE

DAVENPORT & COMPANY

EXHIBIT A

Davenport Public Finance

Independence Center
101 N. Tryon Street
Suite 1220
Charlotte, NC 28246

To:	Working Group	
	Town of Chapel Hill, NC	Ken Pennoyer Amy Oland Ralph Karpinos
	Sanford Holshouser LLP	Bob Jessup
	Bank of North Carolina	Doug Ford Kristen Vest Bridget Gwaltney
	McGuireWoods LLP	Mary Nash Rusher Kristen Kirby
From:	Davenport & Company LLC ("Davenport")	Ted Cole, Mitch Brigulio, Chazzo Habliston, Andrew Pope
Date:	February 23, 2017	
Subject:	Closing Memo – Installment Financing Contract, Series 2017	
Acknowledged and Agreed to By:	_____	Date: 2/21/17
Name:	Mr. Kenneth C. Pennoyer	
Title:	Business Management Director, Town of Chapel Hill, NC	

1. Closing

Sanford Holshouser LLP has prepared Closing Documents to be delivered in connection with the Installment Financing Contract, Series 2017 (the "2017 Contract"). Closing will occur on the morning of Thursday, February 23, 2017.

2. Sources and Uses of Funds

Sources of Funds	
Par Amount	$ 6,408,000.00
Total Sources of Funds	**$ 6,408,000.00**

Uses of Funds	
14 Buses at $454,851	$ 6,367,914.00
Cost of Issuance / Rounding	40,086.00
Total Uses of Funds	**$ 6,408,000.00**

3. **Prepayment Provisions**

The Town may prepay the outstanding principal component of the Amount Advanced, in whole or in part at any time, at the Town's option without penalty or premium. Any partial prepayment, however, must be for at least $5,000, and the Town may not make a prepayment more than once in a calendar month.

All amounts prepaid will be applied (a) first to all Additional Payments then due and payable to the Lender, (b) then to all interest accrued and unpaid to the prepayment date, and (c) then to the outstanding principal installments of the Amount Advanced, in the inverse order of the due dates.

In any event, the unpaid principal components of the Installment Payments will continue to be payable on the dates and in the amounts shown.

4. **Security**

The 2017 Contract is secured by the buses purchased as part of the financing.

5. **Transfer of Funds**

On Thursday, February 23, 2017, the following deposit will occur to facilitate the closing of the 2017 Contract.

A. Bank of North Carolina will deposit $6,408,000.00 into an account established at Bank of North Carolina in the name of the Town designated to be applied to pay the Closing Costs and costs of the Projects. The funds will be invested for the benefit of the Town of Chapel Hill. Bank of North Carolina will notify the working group when the funds have been deposited into the Town's account.

B. The Town will requisition funds from Bank of North Carolina as necessary to pay issuance costs associated with this transaction and to pay the purchase price for the buses. Professionals should submit invoices to the Town for approval and payment.

6. 2017 Contract Debt Service

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Year Debt Service
11/1/2017	$ 279,000.00	2.09%	$ 92,260.96	$ 371,260.96	
5/1/2018	281,000.00	2.09%	64,048.05	345,048.05	716,309.01
11/1/2018	298,000.00	2.09%	61,111.60	359,111.60	
5/1/2019	299,000.00	2.09%	57,997.50	356,997.50	716,109.10
11/1/2019	305,000.00	2.09%	54,872.95	359,872.95	
5/1/2020	305,000.00	2.09%	51,685.70	356,685.70	716,558.65
11/1/2020	311,000.00	2.09%	48,498.45	359,498.45	
5/1/2021	311,000.00	2.09%	45,248.50	356,248.50	715,746.95
11/1/2021	318,000.00	2.09%	41,998.55	359,998.55	
5/1/2022	318,000.00	2.09%	38,675.45	356,675.45	716,674.00
11/1/2022	325,000.00	2.09%	35,352.35	360,352.35	
5/1/2023	324,000.00	2.09%	31,956.10	355,956.10	716,308.45
11/1/2023	331,000.00	2.09%	28,570.30	359,570.30	
5/1/2024	331,000.00	2.09%	25,111.35	356,111.35	715,681.65
11/1/2024	338,000.00	2.09%	21,652.40	359,652.40	
5/1/2025	338,000.00	2.09%	18,120.30	356,120.30	715,772.70
11/1/2025	346,000.00	2.09%	14,588.20	360,588.20	
5/1/2026	345,000.00	2.09%	10,972.50	355,972.50	716,560.70
11/1/2026	352,000.00	2.09%	7,367.25	359,367.25	
5/1/2027	353,000.00	2.09%	3,688.85	356,688.85	716,056.10
Total	$ 6,408,000.00		$ 753,777.31	$ 7,161,777.31	$ 7,161,777.31

The U.S. Securities and Exchange Commission (the "SEC") has clarified that a broker, dealer or municipal securities dealer engaging in municipal advisory activities outside the scope of underwriting a particular issuance of municipal securities should be subject to municipal advisor registration. Davenport & Company LLC ("Davenport") has registered as a municipal advisor with the SEC. As a registered municipal advisor Davenport may provide advice to a municipal entity or obligated person. An obligated person is an entity other than a municipal entity, such as a not for profit corporation, that has commenced an application or negotiation with an entity to issue municipal securities on its behalf and for which it will provide support. If and when an issuer engages Davenport to provide financial advisory or consultant services with respect to the issuance of municipal securities, Davenport is obligated to evidence such a financial advisory relationship with a written agreement.

When acting as a registered municipal advisor Davenport is a fiduciary required by federal law to act in the best interest of a municipal entity without regard to its own financial or other interests. Davenport is not a fiduciary when it acts as a registered investment advisor, when advising an obligated person, or when acting as an underwriter, though it is required to deal fairly with such persons.

This material was prepared by public finance, or other non-research personnel of Davenport. This material was not produced by a research analyst, although it may refer to a Davenport research analyst or research report. Unless otherwise indicated, these views (if any) are the author's and may differ from those of the Davenport fixed income or research department or others in the firm. Davenport may perform or seek to perform financial advisory services for the issuers of the securities and instruments mentioned herein.

This material has been prepared for information purposes only and is not a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy. Any such offer would be made only after a prospective participant had completed its own independent investigation of the securities, instruments or transactions and received all information it required to make its own investment decision, including, where applicable, a review of any offering circular or memorandum describing such security or instrument. That information would contain material information not contained herein and to which prospective participants are referred. This material is based on public information as of the specified date, and may be stale thereafter. We have no obligation to tell you when information herein may change. We make no representation or warranty with respect to the completeness of this material. Davenport has no obligation to continue to publish information on the securities/instruments mentioned herein. Recipients are required to comply with any legal or contractual restrictions on their purchase, holding, sale, exercise of rights or performance of obligations under any securities/instruments transaction.

The securities/instruments discussed in this material may not be suitable for all investors or issuers. Recipients should seek independent financial advice prior to making any investment decision based on this material. This material does not provide individually tailored investment advice or offer tax, regulatory, accounting or legal advice. Prior to entering into any proposed transaction, recipients should determine, in consultation with their own investment, legal, tax, regulatory and accounting advisors, the economic risks and merits, as well as the legal, tax, regulatory and accounting characteristics and consequences, of the transaction. You should consider this material as only a single factor in making an investment decision.

The value of and income from investments and the cost of borrowing may vary because of changes in interest rates, foreign exchange rates, default rates, prepayment rates, securities/instruments prices, market indexes, operational or financial conditions or companies or other factors. There may be time limitations on the exercise of options or other rights in securities/instruments transactions. Past performance is not necessarily a guide to future performance and estimates of future performance are based on assumptions that may not be realized. Actual events may differ from those assumed and changes to any assumptions may have a material impact on any projections or estimates. Other events not taken into account may occur and may significantly affect the projections or estimates. Certain assumptions may have been made for modeling purposes or to simplify the presentation and/or calculation of any projections or estimates, and Davenport does not represent that any such assumptions will reflect actual future events. Accordingly, there can be no assurance that estimated returns or projections will be realized or that actual returns or performance results will not materially differ from those estimated herein. This material may not be sold or redistributed without the prior written consent of Davenport. Version 01.13.14 | CH MB TC

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., **File #:** [23-0066], **Version:** 1 **Meeting Date:** 1/25/2023

Authorize the Town Manager to Negotiate and Execute a Sole Source Contract to Purchase Critical Conducted Energy Equipment and Supplies for Police Officers.

Staff:
Chief Celisa Lehew

Department:
Police Department

Overview: The Police Department must replace obsolete standard-issue equipment for every police officer that is compatible with existing software platforms. Axon Enterprises, Inc. is the sole provider of this equipment for the Town.

Recommendation(s):

That the Council adopt a resolution authorizing the Town Manager to negotiate and execute a sole source contract to purchase critical conducted energy equipment and supplies for police officers.

Key Issues:

- Police must replace current obsolete conducted energy equipment for all police officers, and it must be compatible and existing equipment and software
- The Town requires a second quote from vendors at this contract price.
- However, Axon Enterprises, Inc. is the sole provider of such equipment, software, and training.

Fiscal Impact/Resources: $51,300

Attachments:

- Resolution

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE A SOLE SOURCE CONTRACT FOR HARDWARE AND SUPPLY PURCHASES WITH AXON ENTERPRISES, INC. (2023-01-25/R-4)

WHEREAS, the Town of Chapel Hill provides conducted energy equipment and training to every police officer; and

WHEREAS, to continue to meet the standard by replacing current obsolete equipment; and

WHEREAS, the replacement equipment and supplies must integrate with existing equipment and software and Axon Enterprises, Inc. is the sole provider of this equipment for the Town; and

WHEREAS, sole source purchases must be approved by the governing board of a political subdivision of the State pursuant to N.C.G.S. 143-129e (6).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to negotiate and execute a sole source contract to purchase critical conducted energy equipment and supplies for police officers.

This the 25th day of January, 2023.

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

By adopting the resolution, the Council authorizes the Town Manager to negotiate and execute a sole source contract to purchase critical conducted energy equipment and supplies for police officers.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., **File #:** [23-0067], **Version:** 1 **Meeting Date:** 1/25/2023

Amend Article I, Chapter 2, Code of Ordinances Related to Filing Fees for Election.

Staff:
Sabrina Oliver, Director and Town Clerk

Department:
Communications and Public Affairs

Overview: North Carolina General Statute 163-294.2(e) states that the governing board shall set the filing fee for elections between $5.00 and less than one percent of the annual salary of the office sought.

Recommendation(s):

That the Council enact the ordinance to amend the Town Code of Ordinances to set the filing fees for election.

Decision Points:

- The fee has not changed in almost 50 years.
- The Board of Elections reached out to the Town to confirm the filling fees.

Attachments:

- Ordinance

powered by Legistar™

AN ORDINANCE TO AMEND ARTICLE I, CHAPTER 2, CODE OF ORDINANCES RELATED TO FILING FEES FOR ELECTION (2023-01-25/O-1)

WHEREAS, originally Chapel Hill had no filing fee; and

WHEREAS, in 1971, the General Assembly set the filing fees according to the Town population, with Chapel Hill fee set at a minimum of $25; and

WHEREAS, in 1974, North Carolina General Statute 163-294.2(e) establishes that the governing board shall set the filing fee for elections between $5.00 and less than one percent of the annual salary of the office sought; and

WHEREAS, the Council last set this fee on March 25, 1974 at the lowest amount allowed by statute; and

WHEREAS, several decades have passed since the fee was last set, and Council deems it prudent to set the fee at an amount more appropriate to the present day.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that section 2-2.1 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 2-2.1. - Filing fees for election.
Filing fees for election to town office shall be as follows:

Council .....$ 25.00

Mayor .....~~1~~5<u>0</u>.00"

(Ord. No. O-74-19, § 1, 3-*25~~1~~*-74) * *Reference correction also identified.*

BE IT FURTHER RESOLVED that the Town Clerk send a copy of this ordinance to the Orange and Durham County Board of Elections and to the State Board of Elections.

This the 25th day of January, 2023.

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

By enacting the ordinance, the Council amends the Town Code of Ordinances to set the filing fees for election.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., **File #:** [23-0068], **Version:** 1 **Meeting Date:** 1/25/2023

Support a Safe Routes to School Non-Infrastructure Grant Application to the North Carolina Department of Transportation.

Staff:
Mary Jane Nirdlinger, Deputy Town Manager, Interim Planning Director
Bergen Watterson, Transportation Planning Manager

Department:
Manager's Office
Planning

Overview: The Town has an opportunity to apply for a grant from the North Carolina Department of Transportation (NCDOT) that would fund Safe Routes to School programming; the application is due by February 6th. Municipalities, school districts, and eligible nonprofits can apply for the grant in amounts ranging from $50,000 to $500,000 that will cover activities over the next three years. The grant may be used for non-infrastructure programming, which focuses on encouragement, education, and evaluation. A local match is not required, though grant guidance states that providing a local match may improve the chances of receiving the grant.

The stated goals of the grant are to:

- Enable and encourage K-12 children and teens, including those with disabilities, to walk and bicycle to school
- Make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age
- Facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

Town staff have met with colleagues in Carrboro and at the Chapel Hill-Carrboro City School District and plan to submit a joint application. The grant criteria prioritize collaborations and partnerships, providing an opportunity to work together for a cross-community effort to reach schools across the district.

Staff plan to use the grant to fund a full-time position that would work within elementary and middle schools to support walking and biking. This position would build relationships across schools, establish programs to encourage walking and biking, set up incentive programs, and report to a cross-agency, multi-disciplinary advisory committee. The inter-agency work group is still determining the full scope of the application, and the proposal may include funding for consulting services to develop a Safe Routes to School Plan. Given the desire to fund a full-time position, programming support and supplies, and possibly professional services to assist with a Safe Routes to School Plan, the grant application will likely request close to $500,000. The group has not yet determined which jurisdiction will employ the position.

Recommendation(s):

That the Council adopt a resolution supporting the Safe Routes to School Non-Infrastructure Grant Application.

Key Issues:

- If awarded, this funding would support a full-time time-limited position, programming, and potentially consulting services for three years.

- It is likely, but not confirmed, that there will be another grant opportunity in three years. If so, the inter-agency group could apply again to continue the position and programming; otherwise, the position would end unless the agencies could fund it without the grant funding.
- Staff has not fully fleshed out the scope of the proposal, but plans to include programs like walking school busses, family marathons, bike busses, bike safety education in classrooms, and robust evaluation.
- The deadline for the application is February 6, 2023, notification of award will be by March 13th, and reimbursement agreements will be initiated in April.

Fiscal Impact/Resources: There is no direct fiscal impact, as the grant does not require a local match. However, if there is not another grant opportunity in three years, or the inter-agency group is not successful in securing funding, and the Council wanted to continue the position/program, the agencies would need to secure other funding.

Where is this item in its process?

Attachments:

- Resolution

Item #: 8., **File #:** [23-0068], **Version:** 1 **Meeting Date:** 1/25/2023

A RESOLUTION SUPPORTING A SAFE ROUTES TO SCHOOL NON-INFRASTRUCTURE GRANT APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (2023-01-25/R-5)

WHEREAS, the North Carolina Department of Transportation (NCDOT) has allocated funds from the Transportation Alternatives Program for Safe Routes to School Non-Infrastructure Grants; and

WHEREAS, the Town of Chapel Hill has adopted a Vision Zero Policy that aims to eliminate traffic deaths and serious injuries on our roadways by 2031; and

WHEREAS, the Town of Chapel Hill adopted the Mobility and Connectivity Plan, which calls for increased engagement to support students walking and biking to school; and

WHEREAS, increased walking and biking to school would support the Mobility and Connectivity Plan's goal of 35% of residents commuting by alternative modes by 2025; and

WHEREAS, the Town of Chapel Hill consistently supports efforts to encourage more youth to walk and bike to school, like Walk to School Day and Bike to School Day; and

WHEREAS, the Town of Chapel Hill is working collaboratively with the Town of Carrboro and the Chapel Hill -Carrboro City School District on the grant application; and

WHEREAS, a Safe Routes to School grant would increase the Town's capacity to support walking and biking to school; and

WHEREAS, the grant would not require a local match.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council supports a Safe Routes to School Non-Infrastructure grant application to the North Carolina Department of Transportation.

This the 25th day of January, 2023.

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

By adopting the resolution, the Council supports a Safe Routes to School Non-Infrastructure grant application to the North Carolina Department of Transportation.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., **File #:** [23-0069], **Version:** 1 **Meeting Date:** 1/25/2023

Call a Legislative Hearing to Consider Incorporating the Complete Community Framework as a Component of the Town's Comprehensive Plan on April 19, 2023.

Staff:
Mary Jane Nirdlinger, Deputy Town Manager and Interim Planning Director
Judy Johnson, Assistant Director

Department:
Planning

Overview: The Town Council approved the Complete Community Framework on December 7, 2022. Staff proposes incorporating the adopted Complete Community Framework as an element of the Comprehensive Plan.

Recommendation(s):

That the Council adopt the resolution calling a legislative hearing to amend the Town's Comprehensive Plan on April 19, 2023.

Key Issues:
The proposed revisions would:

- Update the Town's Comprehensive Plan with the Complete Community Framework as a guiding vision.
- Update the Town's Comprehensive Plan to include an Everywhere to Everywhere Greenways Plan.
- Update the Town's Comprehensive Plan to include a Natural Areas Map

Attachments:

- Resolution

powered by Legistar™

A RESOLUTION CALLING A LEGISLATIVE HEARING TO UPDATE THE TOWN'S COMPREHENSIVE PLAN TO INCLUDE THE COMPLETE COMMUNITY FRAMEWORK FOR APRIL 19, 2023 (2023-01-25/R-6)

WHEREAS, there has been concern in the community that Chapel Hill does not have enough land to accommodate its future housing needs; and

WHEREAS, Chapel Hill currently has an unsustainable, land-intensive approach to growth; and

WHEREAS, better land use planning requires clearly identified and protected Natural Areas and a shift away from auto-oriented development; and

WHEREAS, better land use planning requires the protection of Natural Areas, a clear plan for the provision of local, community-based parks, denser housing forms, a high quality pedestrian public realm, and a greater mix of uses in close proximity; and

WHEREAS, the Chapel Hill Complete Community Framework outlines a plan to grow in keeping with a larger vision and a broad set of shared objectives that have been generated through a consensus building process; and

WHEREAS, a state of the art Everywhere to Everywhere Greenway Plan is needed to deliver on the promise of a more sustainable and inclusive Chapel Hill that provides a diversity of housing options and true Active Transportation choices; and

WHEREAS, on December 7, 2022, the Council of the Town of Chapel Hill accepted the Complete Community Framework and began implementing the vision by initiating an update to the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a Legislative Hearing for consideration of an update to the Town's Comprehensive Plan to include the Complete Community Framework on Wednesday, April 19, 2023, at 7:00 p.m. in the Council Chamber, Town Hall, 405 Martin Luther King, Jr. Blvd.

This the 25th day of January, 2023.

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 legislative hearing to amend the Town's Comprehensive Plan on April 19, 2023.

powered by Legistar™

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., **File #:** [23-0070], **Version:** 1 **Meeting Date:** 1/25/2023

Amend the 2022-23 Council Calendar.

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

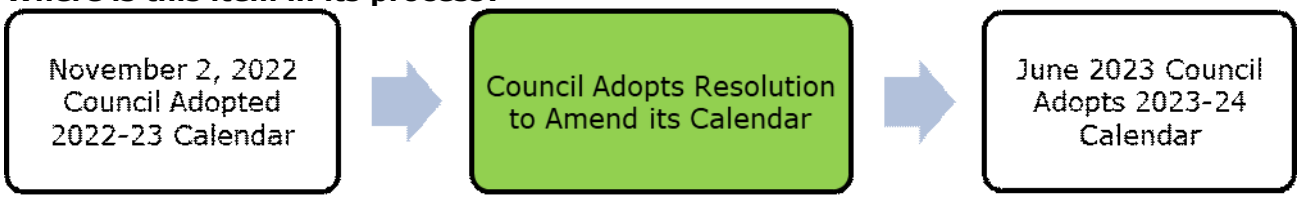
Department:
Communications and Public Affairs

Overview: The Council adopted its 2022-23 meeting calendar on November 2, 2022. This action amends the Council calendar to incorporate the time and location of the Council Retreat.

Recommendation(s):

That the Council adopt a resolution amending the 2022-23 Council calendar to incorporate scheduling changes.

Where is this item in its process?



Attachments:

- Resolution
- Proposed Chapel Hill Town Council 2022-23 Meeting Calendar

powered by Legistar™

A RESOLUTION AMENDING THE COUNCIL'S 2022-23 MEETING CALENDAR (2023-01-25/R-7)

WHEREAS, on November 2, 2022, the Council adopted its 2022-23 meeting calendar; and

WHEREAS, the Council holds a yearly Council Retreat; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council amends its 2022-23 meeting calendar as follows:

- The Council Retreat will take place at the Sheraton Hotel, One Europa Drive, Chapel Hill, NC 27517 on February 3, 2023 at 3:30 p.m. and on February 4, 2023 at 8:30 a.m.

This the 25th day of January, 2023.

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 2022-23 Council calendar to incorporate the time and location of the Council Retreat on February 3 and 4, 2023.

powered by Legistar™

Adopted Chapel Hill Town Council

Fall 2022 Meeting 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

Spring 2023 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	

19	Regular Meetings 7 PM @ Town Hall	9	Council Work Sessions 6:30 PM @ Library	12	**Other Meetings** ***Check web calendar for time/location**
32	Total Number of Meetings	12	**Town Holidays**	9	CCES Meetings**

List of Meetings by Date

August 2022[1]
- 31-W-Special Meeting[2], 7 PM

September 2022
- 14-W-Regular Meeting
- 19-M-Work Session
- 28-W-Regular Meeting

October 2022
- 3-M-Work Session
- 12-W-Regular Meeting
- 19-W-Regular Meeting
- 20-R-Special Meeting[2], 7:30 PM

November 2022
- 2-W-Regular Meeting with Closed Session
- 14-M-Special Meeting [2], 5 PM
- 14-M-Work Session
- 16-W-Regular Meeting
- 28-M-Special Meeting [2], 7 PM
- 30-W-Work Session with Closed Session

December 2022
- 7-W-Regular Meeting
- 9-F-Special Meeting [2], 1 PM
- 14-W-Special Meeting, 5 PM

January 2023[1]
- 11-W-Regular Meeting
- 12-R-Special Meeting[2], 7 PM, Room 344, Town Hall
- 18-W-Work Session
- 24-T-Legislative Breakfast, 8:30 AM, Library Room B
- 24-T-Special Meeting[2], 7 PM, Room 344, Town Hall
- 25-W-Regular Meeting

February 2023
- 3-F-Council Retreat, Sheraton Hotel, 1 Europa Dr., 3:30 PM
- 4-S-Council Retreat, Sheraton Hotel, 1 Europa Dr., 8:30 AM
- 8-W-Work Session
- 15-W-Regular Meeting
- 22-W-Regular Meeting

March 2023
- 8-W-Regular Meeting
- 15-W-Work Session
- 22-W-Regular Meeting

April 2023
- 10-M-Work Session
- 19-W-Regular Meeting
- 26-W-Regular Meeting

May 2023
- 10-W-Regular Meeting
- 17-W-Work Session
- 24-W-Regular Meeting
- 31-W-Budget Work Session

June 2023
- 7-W-Budget Work Session (tentative)
- 14-W-Regular Meeting
- 21-W-Regular Meeting

Proposed January 25, 2023

****Council Committee on Economic Sustainability**

Meets monthly on the first Friday at 8 AM, unless otherwise indicated. These are held either virtually or in-person, see web calendar for details. 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 are held at 7 PM in the Chapel Hill Town Hall, Council Chamber (405 MLK Jr Blvd, Chapel Hill, NC 27514); Council Work Sessions are held at 6:30 PM in 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 #: 11., **File #:** [23-0071], **Version:** 1 **Meeting Date:** 1/25/2023

Adopt Minutes from October 12, and 19, 2022 and November 2, and 14, 2022 Meetings.

Staff:
Sabrina M. Oliver, Director
Amy Harvey, Deputy Town Clerk
Nikki Catalano, Transcriptionist

Department:
Communications and Public Affairs

Overview: These minutes are prepared for the meetings listed below.

Recommendation(s):

That the Council approve the attached summary minutes of past meetings.

Attachments:

- Resolution
- October 12, 2022, Regular Meeting
- October 19, 2022, Regular Meeting
- November 2, 2022, Regular Meeting
- November 14, 2022, Work Session

Item #: 11., **File #:** [23-0071], **Version:** 1 **Meeting Date:** 1/25/2023

A RESOLUTION TO ADOPT SUMMARY MINUTES OF COUNCIL MEETINGS (2023-01-25/R-8)

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts summary minutes for meetings held on October 12, and 19, 2022 and November 2, and 14, 2022.

This the 25th day of January, 2023.

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

By adopting the resolution, the Council approves the summary minutes of past meetings which serve as official records of the meetings.

powered by Legistar™

TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh
Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, October 12, 2022 **7:00 PM** **RM 110 | Council Chamber**

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或书面翻译服务，请拨打 919-969-5105.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံအတၢ်မၤစံၤအဂီၢ် ကိးဘဉ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

The Chapel Hill Town Council will meet in person for the meeting. Where possible, the Council requests that members of the public continue to live stream the meeting and view it over the Town's cable television channel access at https://chapelhill.legistar.com/Calendar.aspx - and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV) so that we can provide an opportunity for physical distance within the building. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings. Please participate in a voluntary demographic survey https://www.townofchapelhill.org/demosurvey before viewing online or in person.

Parking
• Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
• See http://www.parkonthehill.com for other public lots on Rosemary Street
• Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

• Entrance on the ground floor.
• Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain
• Attendees are encouraged to wear masks in the building and may sit physically distanced. Please do not sit in blocked chairs.
• Hand sanitizer is located near the main doors.

ROLL CALL

Council Member Huynh arrived at 7:03 p.m.

Present: 9 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Town Attorney Ann Anderson, Planning Director Colleen Willger, Business Management Director Amy Oland, Principal Planner - Historic Preservation Anya Grahn, Community Resilience Officer John Richardson, Transportation Planning Manager Bergen Watterson, Sustainability Outreach Coordinator Elizabeth Houghton, Sustainability Program Analyst Brennan Bouma, Downtown Special Projects Manager Sarah Poulton, Communications Manager Ran Northam, Police Officer David Shick, Deputy Town Clerk Amy Harvey, and Assistant Town Clerk Brenton Hodge.

OPENING

Mayor Hemminger called the meeting to order at 7:00 p.m. and reviewed the agenda.

0.01 Proclamation:Cybersecurity for the October 2022 Council [22-0760]

Council Member Searing read a proclamation that declared October 2022 to be Cyber-security Awareness Month in Chapel Hill and urged all residents to learn more and practice cyber-security in their homes and businesses.

Mayor Hemminger said that the Town was fortunate to have a top-notch Information Technology team that kept it secure.

0.02 Proclamation: American Pharmacists Month [22-0761]

Council Member Huynh read a proclamation declaring October 2022 to be American Pharmacists Month in Chapel Hill and encouraged all residents to acknowledge the invaluable contributions that pharmacists and technicians make to patient care in hospitals, clinics and other healthcare settings.

Mayor Hemminger mentioned that she had been a judge in a recent thesis competition that included students from the NC School of Pharmacy. She said that the competition had addressed some world-changing ideas and that the University of North Carolina at Chapel Hill (UNC-CH) was leading the world with some of its research and development work.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Council Member Huynh Regarding UNC's Assured Admittance Program. [22-0762]

Council Member Huynh said that UNC's Eshelman School of Pharmacy had announced an assured admittance program with UNC Pembroke. The program enabled North Carolina residents to attend UNC Pembroke for $500 a semester, he said.

0.04 Mayor Hemminger Regarding Walk and Roll to School. [22-0763]

Mayor Hemminger said that eight Chapel Hill elementary schools had participated in the Walk and Roll to School event, which had been organized by Transportation Demand Community Manager Len Cone. She thanked the participants and said that she hoped to see more of those kinds of events.

0.05 Mayor Hemminger Regarding Leave Your Leaves, Festifall Arts Market, and Holiday Parade. [22-0764]

Mayor Hemminger urged residents to "leave the leaves" rather than disposing of them because that was more environmentally friendly.

Mayor Hemminger said that an Arts Market would take place from 1:00-6:00 p.m. on October 15 at the 140 West plaza.

Mayor Hemminger said that the deadline for organizations to apply to march in the December 3rd Holiday Parade would be available online through October 16, 2022.

0.06 Council Member Stegman Regarding Gun Buy Back Event. [22-0765]

Mayor pro tem Stegman explained the process for relinquishing guns at a gun buy-back event that would take place on October 15th at Community Church from 2:00-3:30 p.m.

0.07 Council Member Searing Regarding Freda Bluestein Recognition. [22-0766]

Council Member Searing announced that Frayda Bluestein had been honored with the Edward Kitter Graham Award for her services.

0.08 Council Member Foushee Regarding NAACP's Diamond Anniversary. [22-0767]

Council Member Miller-Foushee invited community members to join the Chapel Hill-Carrboro NAACP in celebrating its 75th anniversary throughout the month of October. She praised Town staff for holding a successful event at the Public Library and invited community members to join a freedom walk from the Lincoln Center to the Hargraves Center on October 15th.

0.09 Council Member Parker Regarding Bike Ride Around Northside. [22-0768]

Council Member Parker said that he and Council Member Berry had recently joined Town staff on a bike ride through Downtown and Northside in order to learn more about what the roads were like from a cyclist's point of view. The Town had made some nice improvements but that much more work still needed to be done, he said.

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. Dina Adimari Request to Consider Regulating Free-roaming Owned Cats with Updates to Section 4-14 of the Town Ordinances. [22-0741]

Dina Adimari described her bad experiences with a free-roaming, owned cat and petitioned the Council to regulate such cats within Town limits. The American Veterinary Medical Association had a relevant policy, but Orange County Animal Control had not been able to help her with her problem because of the way Town ordinances were written, she said.

This item was received as presented.

2. Lisa Ostrom Request to Add an Informational Sign to the Dixie Ln and Rd Signs. [22-0742]

This item was received as presented.

3. CHOCE Request for Council Review the Sign Ordinance and the Chapel Hill Transit Authority Policy and Standards to Ascertain They Fully Comply with Federal First Amendment Rights. [22-0743]

Lisa Hutchins, representing Chapel Hill Organization for Clean Energy (CHOCE), spoke about First Amendment rights to free speech and protests. She said that a banner and posters that opposed UNC's coal-fired power plant had been pulled down from various Town locations, including a Town bus. She asked the Council to consider talking with UNC about the issue.

This item was received as presented.

3.01 3.01 John Wagner Regarding Coal Ash. [22-0769]

Chatham County resident John Wagner asked the Council to consider several issues related to the coal ash deposit at the Town's Police Headquarters site. These included prioritizing environmental justice, considering leakage problems, including more public dialogue, giving earlier agenda notices, not build housing on coal ash, bringing UNC back into the discussion, and doing a better job of protecting the Bolin Creek embankment.

This item was received as presented.

3.02 3.02 Eugene Farrar Regarding Van Donation. [22-0770]

Eugene Farrar asked the Council to hasten the release of vans that had been allocated for the Hargraves Center and to not reallocate them to any other facility.

This item was received as presented.

3.03 3.03 Jamika Edwards Regarding Hargraves Center and Donations Project. [22-0771]

Jamika Edwards asked the Council to expedite and improve the process through which the Hargraves Center received large donations. She said that Hargraves had lost $20,000 in special donations the previous year.

This item was received as presented.

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.

Approval of the Consent Agenda

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that R-1 be adopted as amended with revisions to O-1 and R-6, which approved the Consent Agenda. The motion carried by a unanimous vote.

4. Approve all Consent Agenda Items. [22-0744]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

5. Approve the Miscellaneous Budget Ordinance Amendment to Adjust Various Fund Budgets for FY 2022-23. [22-0745]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

6. Approve the Recommended Funding Plan for the Additional $27,325 Budgeted for the Human Services Program. [22-0746]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

7. Support Implementing Protected Bike Lanes on Cameron Avenue. [22-0747]

Mayor Hemminger pointed out that this item had been amended to say that the process should include having it come back to Council.

Mayor pro tem Stegman raised concern about recent accidents there, but Mayor Hemminger said that those had happened at a different section of the road.

Council Member Parker said that the language seemed to prioritize parking over bicycle and pedestrian safety. He was not comfortable with "preserving the maximum amount of parking" but was prepared to move forward with the understanding that staff was take note of Council comments, he said.

Council Member Ryan pointed out that Cameron Avenue would be an important part of Downtown's future mobility. It needed to be considered when planning infrastructure investments, such as installing protective lanes, she said.

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

8. Respond to Petition for Limited Scope Review of a Conditional Zoning Modification Application for 800 Merritt Mill Road and Call a Hearing on October 19, 2022. [22-0748]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

9. Adopt Minutes from February 23, and March 9, and April 6, 13, and 27, and June 8, 2022, Meetings. [22-0749]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

INFORMATION

10. Receive Upcoming Public Hearing Items and Petition Status List. [22-0750]

This item was received as presented.

DISCUSSION

11. Open the Public Hearing and Consider a Time Extension to Issue 2015 General Obligation (G.O.) Bonds. [22-0751]

Director of Business Management Amy Oland explained the process for extending the time for the Town to issue $40.3 million in General Obligation Bonds that Chapel Hill residents had approved in a November 2015 referendum for a variety of purposes. She said that $21.5 million had already been issued and that $18.8 million remained. She explained how much remained for each of the original five bond orders: Streets and Sidewalks, Trails and Greenways, Recreation Facilities, Solid Waste Facility, and Stormwater Improvements.

Ms. Oland said that the November 3, 2022, deadline for issuing the bonds could be extended an additional three years, if needed, which would allow until November 3, 2025, to issue what remained. She reviewed plans to issue bonds for bike and pedestrian Safety, streets and sidewalks, recreation facilities, a new Parks and Recreation building, a new Cultural Arts building, and park renovations and expansion. She noted that the Town had used $4.3 million of Parks Renovation and Expansion funds to purchase the American Legion property.

Ms. Oland said that the Local Government Commission had approved the Town's request for a three-year extension. She recommended that the Council open the public hearing and consider extending the time to issue the 2015 bonds to November 2025.

Council Member Anderson confirmed with Ms. Oland that building a solid waste transfer station was no longer in Town plans and was not related to the capacity for other projects. She also confirmed that a new funding path would be needed if the Town wanted to proceed with a Cultural Arts building, since $4.3 million of the $8 million that had been set aside for Recreation Facilities had been used to purchase the Legion Road property. Ms. Oland pointed out that a remaining $2.7 million could be used for items such as a Cultural Arts building.

Council Member Searing underscored that $4.3 million of the bond money that the public had approved for Parks and Recreation had been used to purchase the Legion Road property. Council Member Berry asked if the

Council at that time had stated whether it would seek to repay those funds, and Ms. Oland said that she had not been part of that process but recalled a discussion about potentially selling a portion of the property for that purpose.

A motion was made by Council Member Parker, seconded by Mayor pro tem Stegman, that the Council closed the hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Parker, seconded by Mayor pro tem Foushee, that the Council adopt R-9. The motion carried by a unanimous vote.

12. Provide Guidance on Options for the Future of Franklin Street Downtown. [22-0752]

Transportation Planning Manager Bergen Watterson gave a PowerPoint presentation on current and future street designs for Downtown Chapel Hill. She reviewed Council decisions and actions since October 2019, when it received a petition from the Downtown Partnership to add bike lanes when resurfacing Franklin Street. She pointed out that the NC Department of Transportation (NCDOT) had delayed its usual resurfacing, however, during COVID-19.

Ms. Watterson reviewed how the Town had created a temporary walkway along Franklin Street in 2021 and had begun to explore the possibility of taking over the street's maintenance from NCDOT. In the summer of 2022, NCDOT installed curb-running bike lanes as part of resurfacing, she said.

Ms. Watterson said that the current maintenance agreement with NCDOT gave the Town control over sidewalks, planters, and brick utility strips. NCDOT repaired the actual road, while the Town repaired traffic signals and was reimbursement by NCDOT, she said. She provided details of that agreement and described maintenance tasks that would fall to the Town if the transfer occurred.

Ms. Watterson said that taking over Franklin Street would facilitate the Town's ability to implement innovative concepts and make Downtown a more vibrant and safer place. She presented a chart that showed various design options, with relative costs, the feasibility of doing each, and which options would require transferring maintenance to the Town.

Special Projects Manager Sarah Poulton presented highlights from two community surveys. She said that a standard online survey, which had begun on September 23, 2022, had received 348 responses and that 362 people had responded to FlashVote, which had been available online for 48 hours. Those who responded to FlashVote had been demographically

balanced while those who took the standard survey had been primarily white and older than 35, she said.

Ms. Poulton said that those surveyed most highly preferred having bike lanes and innovative pedestrian facilities. More than a third of them "really or somewhat" liked the current design and that number increased to more than half when those who were "neutral" about it were included. She said that two-thirds of the cyclists who responded either liked or felt neutral toward the current design.

Ms. Poulton said that the estimated cost of the Town maintaining Franklin Street was $2,700,000 in one-time costs (which probably would be implemented over five years) and $191,000 annually. This was a bare minimum estimate that would be in addition to upgrades or anything else the Town might do on Franklin Street, she pointed out.

Ms. Poulton outlined a process for taking over the street and said that NCDOT supported the idea. A takeover could be considered during spring 2023 budget discussions and short-term improvements could be made in the meantime, she said. She pointed out that the Town would undertake increased liability with any transfer and said that the Town's new traffic engineer had ideas on how to improve the street without transferring maintenance.

Mayor Hemminger confirmed with Ms. Poulton that NCDOT had refused to provide stormwater maintenance on Franklin Street because it disagreed that there was urgency. Ms. Watterson said that NCDOT had not given any indication that it was planning to upgrade the system in the near term. Mayor Hemminger asked her to confirm for certain that no one from NCDOT was currently maintaining the stormwater system.

The Mayor pointed out that the Town's Stormwater Fund had a surplus and that bond funds could be allocated as well. She verified with Ms. Poulton that Powell Bill funds to the Town would be about $7,500 to 8,000 per year.

Council Member Searing confirmed with staff that NCDOT would currently be responsible for repairs if the stormwater system failed.

Council Member Parker verified with Ms. Watterson that federal guidelines apply regardless of who owns or maintains the road. However, those guidelines might allow more variation than DOT does on the streets it maintains, she said.

Council Member Anderson confirmed with staff that March would be the best time of year to submit related paperwork. She said that staff appeared to be asking if the Council's aspirations for Downtown truly required taking over Franklin Street.

Council Member Huynh asked for more information on what the Town's new traffic engineer thought. He pointed out that transforming Downtown would benefit UNC and Downtown businesses and confirmed with Ms. Poulton that conversations about any takeover should include all stakeholders. Other Council members agreed, but pointed out, however, that they needed to know what they wanted before talking about cost-sharing.

Ms. Poulton said that staff probably would need an outside consultant to help, especially if the project included a streetscape plan. Ms. Watterson mentioned wrapping the project into the Downtown Master Plan and Mayor Hemminger pointed out that discussions about that had included putting out a request for streetscape proposals.

Colter Debree, a Franklin Street business owner, expressed great concern about Downtown traffic congestion and pointed out that any change would dramatically affect the Historic District and nearby neighborhoods as well as Downtown businesses. Franklin Street needed to be a productive thoroughfare or else it would cease to be a destination, he said. He stated that controlled studies were needed, not FlashVote.

Mayor Hemminger clarified that the Council was not proposing to make any decisions about changing Franklin Street. It was merely discussing whether to take the street over from NCDOT.

Mayor Hemminger asked Council members to state whether they were interested in issuing a request for proposals (RFP) from designers.

Council Member Parker said that he was not sure what the RFP would be for, and
Council Member Berry said she felt a lack of urgency about it. She said that NCDOT would probably be eager to turn Franklin Street overt at any time, and she proposed that the Town's new traffic engineer and its urban designer develop "a plan for the plan".

Mayor Hemminger agreed that having such a plan before jumping in was probably very wise and prudent. The Town could ask various Downtown entities for input on what that would entail as part of the ARPA decision and in general, she said. She repeated the request to staff for more information on what maintenance NCDOT was currently performing, or not. The Town did not want to gamble and have things blow up, she said.

Ms. Watterson agreed to provide the requested information. She said that staff would get together and determine next steps, and Mayor Hemminger recommended including Economic Development Officer Dwight Bassett in the discussions with Downtown groups.

This item was received as presented.

13. Receive Update on Climate Action Implementation. [22-0753]

Community Sustainability Manager John Richardson provided an update on progress toward implementing the Town's Climate Action Plan, which the Council had adopted in April 2021. He pointed out that the Council had increased the initial annual budget of $470,000 to $550,000 in FY 2023.

Mr. Richardson said that the Plan's goals included a 50 percent reduction in carbon emissions by 2030 (net-zero emissions by 2050) and 100 percent clean renewable energy by 2050. He said that 96 percent of all emissions in Chapel Hill came from buildings and transportation and that the implementation plan was focused on lowering those. Emissions from Town government made up 1-2 percent of that total, he said.

Mr. Richardson described several Town projects that would reduce emissions and add energy efficiency, and he displayed a map that showed more than 800 solar installations in Orange County. He said that the Town would be joining Durham and Orange Counties to aggregate that interest in solar energy. He discussed Town efforts to upgrade its fleet and install electric vehicle charging stations. He also presented Mobility Plan updates and provided information on Green Building retrofits.

Mr. Richardson noted that Mayor Hemminger and leaders from seven other cities had sent a joint letter to the NC Utilities Commission with recommendations regarding Duke Energy's carbon plan, and he outlined the key interests in that letter. The Commission had been holding hearings on the matter and would approve a plan by December 31, 2022, he said.

In response to an electrification petition from the Environmental Stewardship Advisory Board to the Council, Mr. Richardson presented three recommendations: 1) Update the Green Building Ordinance for Town buildings to require electric heating or another clean renewable, such as green hydrogen; 2) update the Council's Green Building Policy framework for private development to encourage and incentivize electric heating; and 3) To the greatest extent possible, lease buildings with electric heating. If the Council agreed with those three recommendations, then staff would provide an update in December 2022 and a draft ordinance and policy amendments in February 2023, he said.

Michael Piehler, Chief Sustainability Officer at UNC-CH, gave a PowerPoint presentation on UNC's 2021 Climate Action Plan, including its goals and strategies for being more energy efficient. He displayed a chart that showed progressive reductions in UNC's greenhouse gas emissions from 2007 to 2021. Those had increased slightly as the COVID-19 pandemic waned and large energy uses, such as air travel, picked up again, he pointed out.

Dr. Piehler discussed UNC's co-generation plant, which depends on coal to

generate steam that fuels UNC Hospital and its research facility. He emphasized that UNC was committed to continuing its move away from coal and said that there had been more progress in the last three years than in the prior decade. He acknowledged that there had been much interest in UNC's co-generation plant and recommended that those interested go to sustainable.unc.edu and read the data.

Dr. Piehler said that UNC had accelerated its goal of being carbon neutral in 2050 to 2040 and had models that suggested it could achieve that. He presented a chart that showed the co-generation plant's coal use down 54 percent from 2007, with 17-18 percent reductions in recent years. He emphasized UNC's intent to transition to other fuel sources as quickly as possible but pointed out that transitioning from steam that fuels a hospital was not an easy task.

Dr. Piehler said that finding renewable sources of energy was a major focus for UNC. He described current projects and programs and raised the possibility of partnering with the Town. He said that UNC's Renewable Energy Special Projects Committee had funded new electric buses and that EV chargers were being planned once the best locations had been identified. UNC was expecting new commuter data to reveal lower emissions, he said.

Council Member Miller-Foushee asked if UNC was considering its role in providing housing and increasing wages, which would enable its employees to live in the community where they work. Dr. Piehler replied that it was outside his role at the University, but that his department did try to understand how operational changes, such as finding alternatives to cars, affect commuter emissions.

Council Member Miller-Foushee asked about educating students on how waste left behind when they leave UNC-CH ends up in the Town's landfill. Dr. Piehler replied that UNC's Climate Action Plan had released a water plan and would develop a waste plan next. He said that a "move out" program on campus had been effective in the areas where it focused. UNC was prioritizing that issue and he would discuss those efforts when he returned to the Council, he said.

Council Member Searing asked why UNC had not converted from steam to hot water as Dartmouth and other universities had done. Dr. Piehler replied that UNC had spent much time trying to understand what other universities were doing but that UNC had a giant hospital with a huge demand, so not everything scaled well.

Council Member Searing asked if the University would be amenable to helping the Town remove the coal ash that it had deposited in land under the Town's current Police Headquarters. Dr. Piehler replied that someone outside his department would need to answer that. Coal ash was currently going into building materials and was no longer being dumped,

he said.

Council Member Searing recommended that Dr. Piehler investigate whether UNC had recently removed coal ash from another site and shipped that to a permitted landfill.

Council Member Anderson asked about the timeline, and Dr. Piehler explained how real progress would be made once there was enough natural gas and an alternative solid fuel to transition away from coal. There would likely be a continued decline and then a large switch, but he did not know when that switch would happen, he said.

Council Member Anderson asked Dr. Piehler who his counterpart was at UNC Health, but he said that he did not think there was one. He pointed out that UNC Health was a separate organization.

Council Member Anderson asked what the community could advocate for in order to speed up the timeline, and Dr. Piehler replied that everyone already was working as hard as they could. Climate Action was the pressing issue of our time and UNC recognized it as that, he said.

Council Member Parker confirmed with Dr. Piehler that a recent study had found no aberrations in air quality around the co-generation plant but that particulates had been found at Town intersections.

Council Member Parker asked staff about Town efforts to reduce vehicle miles traveled, and Mr. Richardson replied that he saw that as a land-use planning issue such as that being undertaken by the Town's Complete Communities initiative. The Town needed to create a transit system that would make it easier to not travel by car, he pointed out.

Mayor Hemminger mentioned that Cultural Arts had recently held a trash free event that required all vendors to use compostable materials. She urged all town departments and UNC to do that as well, stating that they wanted the entire community to get away from Styrofoam and single-use plastics.

Mr. Richardson offered to develop a training program and said that the best current opportunity was to work collectively through the Orange County Solid Waste Master Plan, which included the goal of being a zero-waste community by 2025.

Dr. Piehler commented that putting compostable cups and plates in the landfill turned them into methane, however. He expressed interest in forming a composting partnership with the Town, if a small regional place to deposit the waste could be found.

Mayor Hemminger asked Mr. Richardson to bring back information on how much had been saved from utility changes that the Town had made. She

confirmed with him that there might be opportunities to put solar on the parking deck, since potential tax credits and additional funds from several sources were expected in 2023. She also confirmed that the Town had received a $25,000 grant for EV charging stations at the Rosemary Parking Deck. Mr. Richardson said that the Town had applied to Orange County for Climate Tax money to support an electric refuse truck and to begin piloting more all-electric landscaping equipment.

Environmental Stewardship Advisory Board Chair Tom Henkle praised Mr. Richardson and his team for their work and thanked the Council for its support of the Climate Action Plan. He said that anticipated Inflation Reduction Act funds for sustainability upgrades might enable UNC to convert its steam system to something else.

The Mayor and several Council members congratulated Mr. Richardson for doing so much good work in such a short time. They thanked Dr. Piehler for his efforts as well and praised both men for coordinating and working well together.

Council Member Anderson implored UNC to think about the importance of reducing commuter miles. Council Member Ryan pointed out that the Town's Complete Communities work would include figuring out where to put housing that supports that effort, and she stressed the importance of having UNC as a partner in that.

Council Member Huynh said that ebike-share would be an essential part of Complete Communities work and that the Town had been waiting for UNC to select a vendor. Anything that Dr. Piehler could do to expedite that would be very helpful, he said.

Mayor Hemminger confirmed that the Council was interested in pursuing a petition from the Environmental Stewardship Advisory Board to change Town codes for electrification.

This item was received as presented with a December email update and January or February discussion.

ZONING ATLAS AMENDMENT(S)

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

14. Consider an Application for Conditional Zoning for Stanat's Place at 2516 Homestead Road from Residential-2 (R-2) to Residential-5-Conditional Zoning District (R-5-CZD). **[22-0754]**

Principal Planner Anya Grahn presented the application to rezone 2516

Homestead Road from Residential 2 to Residential-5-Conditional. She pointed out that the developer, Capkov Ventures Inc., had offered to either build or provide a payment in lieu of a mulched greenway trail and had revised its plans regarding a connection with Vineyard Square (VS). The application had been seen by Town advisory boards and commissions and was before the Council for action, she said.

Ms. Grahn provided information regarding the proposed stormwater pond location. She said that the applicant had eliminated one guest parking space and added eight guest bicycle parking spaces. The applicant had agreed to add traffic calming devices and to narrow the connection to VS at Cabernet Drive, she said. She noted that the developer was open to not allowing short-term rentals but needed specific information regarding type.

Ms. Grahn showed the site plan and indicated where the Resource Conservation District (RCD) as well as a Duke Power easement were located. She said that the applicant planned to construct a new street, 47 townhomes, a stormwater pond, and a central community space that would include bicycle parking. She recommended that the Council close the legislative hearing, adopt Resolution-10, and enact Ordinance-5, for approval.

Developer Eric Chupp, representing Capkov Ventures Inc., described Stanat's Place as an all-electric, pedestrian friendly, transit-oriented community that was designed to serve the missing middle. He pointed out challenges with the site's triangular shape but said that his civil engineer and the Town's urban designer had found ways to do a lot with it. All of the Town's advisory boards and commissions had approved the plan, he pointed out.

Mr. Chupp said that Town staff had proposed narrowing Cabernet Drive at the connection with VS from 26 to 20 feet. He said that Capkov Ventures had agreed to provide a pedestrian crossing to nearby Bridgepoint and had worked hard to narrow the stormwater retention pond in order to keep it out of the RCD. He mentioned a plan to provide free bike racks in garages for anyone who wanted them and pointed out the increase in bike parking spaces. There would be EV charging stations in the guest parking lot, he said.

Council Member Ryan confirmed that the applicant had agreed to leave the 50-foot southern buffer undisturbed, to eliminating language that would permit an alternative 10-foot buffer, and to include a stipulation for all electric. They had not been able to reduce the 73 percent incursion into the upland RCD, Mr. Chupp said.

Council Member Searing proposed changing the wording "mulched" to "natural surface" in order to allow more trail flexibility, and Mr. Chupp agreed to discuss that with the Parks and Recreation Department.

Mayor pro tem Stegman requested that the applicant make all four of the affordable units available to those at the 65 percent of the area median income (AMI). Mr. Chupp replied that one needed to remain at 80 percent for financial reasons, but Mayor pro tem Stegman pointed out that the Council had been getting a lot of pressure from the community to have Capkov Ventures comply with the Inclusionary Zoning Ordinance.

Council Member Huynh confirmed with staff that another traffic analysis could be done after construction. He asked about the feasibility of reducing the speed limit on Cabernet Drive to 15 mph and Planning Director Colleen Wilger pointed out that 15 mph was the goal for most Town residential areas and would be a good recommendation for that road.

Council Member Parker suggested putting speed limits and traffic calming at Stanat's Place as well. That would keep cars from having to radically slow down at the connection to VS, he pointed out.

Mayor Hemminger confirmed that the applicant had agreed to prohibit dedicated short-term rentals (STRs), but Council Member Berry asked if a homeowners association could change that once the units were sold. Mr. Chupp agreed to prevent that by including a stipulation against dedicated STRs in the Conditional Zoning Permit as well.

Vinyard Square residents Emily Tsai, Carl Schuler, Yehua Wei and Zhiyue Lu expressed various concerns about the Cabernet Drive connection. Ms. Tsai questioned when and how the traffic study had been conducted. Mr. Schuler read a letter from a Vintage Drive resident that expressed her safety, access, and privacy concerns. Mr. Wei proposed changing the speed limit from 25 to 15 mph in addition to installing traffic-calming measures. Mr. Lu suggested placing bollards and/or a speed table on the Stanat's Place side of the connection as well.

VS resident Thomas Whisnat read a letter from Anne Maddry regarding her property at 2510 Homestead Road. In the letter, Ms. Maddry requested access to the OWASA line on Stanat's Place and asked that it be shown on the construction plat. She also asked that any easements that she had previously granted across her property be abandoned since they were no longer needed.

Mayor Hemminger confirmed with Mr. Chupp that Capkov Ventures would grant Ms. Maddry a sewer easement to her house as part of the construction drawing process. He would also look at the other easements and talk with staff about them, Mr. Chupp said.

Council members agreed that the Town should commit to doing a post-occupancy traffic analysis and to reducing the speed limit on

Cabernet Drive. They recommended installing speed bumps, at the very least.

Several Council members requested that the applicant make all four affordable units available to those at 65 percent AMI.

Council Member Parker ascertained from Town Attorney Ann Anderson that various Town departments would need to address any request to install traffic calming devices on the Stanat's Place side. Mr. Chupp pointed out the need for approval from the fire marshal and Duke Energy, and Council Member Parker recommended that he figure that out.

Mr. Chupp agreed to offer all four affordable units at 65 percent AMI.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council closed the legislative hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council adopt R-10. The motion carried by a unanimous vote.

A motion was made by Council Member Berry, seconded by Council Member Parker, that the Council enact O-5 as amended. The motion carried by a unanimous vote.

CONCEPT PLAN REVIEW(S)

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

15. Concept Plan Review: 157 E. Rosemary St. [22-0755]

Planning Director Colleen Wilger presented a concept plan for an 11-story (149-foot) building with 50 multi-family units on a 0.3-acre site at 157 East Rosemary Street. The concept included ground-level retail, below-grade parking, and five affordable units, she said. She pointed out that the site was in Subarea E of the Downtown Focus Area, where the typical height was four stories at the front and six stories at the rear. Multi-family residential was a primary land use in Subarea E, which was currently zoned Town Center-2, she said.

Ms. Wilger presented comments from the Town's advisory boards and Urban Designer Brian Peterson. Several of those comments pertained to the proposed height, traffic impacts, and the Town's desire to have affordable units blend in with the market rate units. Mr. Peterson had proposed flipping the retail to the other side of the building where it could align with a nearby park and had suggested having the overall height fall between a nearby UNC laboratory building and a nearby residential neighborhood, she said.

Ms. Wilger recommended that the Council hear the presentation and then adopt R-12 transmitting comments to applicant.

Don Tise, of Tise-Kiester Architects, said that the proposed project would fulfill the Town's stated goals of increasing year-round residents and activating Rosemary Street. He said that rezoning the property to Town Center-3/Conditional Zoning District would allow the floor/area ratio and height that they were seeking.

Mr. Tise presented simple street views of the property and aerial views of surrounding areas. He noted that the site was not located in the Town's Historic District and said that the proposed building would fit in well with the other new development that was transforming Downtown Chapel Hill.

Mr. Tise went over details of the conceptual design and pointed out that the proposed 74,000 square-foot height was less than the allowed maximum height of 81,000 square feet. He said that the concrete structure would be tall with a narrow footprint. There would be 23 below-grade parking spaces and the building would be constructed with high quality materials that would include a lot of glass, he said.

The Council confirmed with Mr. Tise that a recent sale price at a comparable building had been $650 per square foot but that he expected their sale prices to be higher than that. He said that units would range from 700 to 1,300 square feet, depending upon the number of bedrooms. He agreed to conform with whatever Inclusionary Zoning standards were required for the affordable units.

The Mayor and Council emphasized that the affordable units should be spread throughout the building and more varied in size. Several Council

members said that the advisory boards' comments seemed reasonable and that they agreed with Brian Peterson's recommendations.

Council Member Anderson emphasized the need to avoid a canyon effect on East Rosemary Street but said she thought a tall building was a reasonable use for the parcel. The Town needed well-built, higher-end condos downtown for year-round residents, she said.

Mayor Hemminger agreed that the proposed uses were good but said that she was struck by the height so close to residential areas and the Historic District. Council Members Searing and Parker expressed concern about the height as well, and Council Member Ryan said that she could not support the current proposal because of the proposed height. She pointed out that TC-2 allowed a core height of 92 feet, which was still a tall building.

Council Member Parker said that the project would be better if the applicant could acquire all or part of a next-door parking lot and shift the mass of the building down and out. Intruding into the Historic District would be worth it for a good project, he said.

Council Members Huynh and Stegman said that they did not object to the proposed height as long as it was a great design and included the transitions that Mr. Peterson had recommended. Council Member Huynh said that the project would present a great opportunity for a rooftop amenity.

Council Member Ryan asked the applicant to consider restricting sales to those who were older than 21. She also asked for guidance from staff on potentially leasing parking spaces in the adjacent deck.

A motion was made by Council Member Anderson, seconded by Council Member Miller-Foushee, that the Council adopt R-12. The motion carried by a unanimous vote.

ADJOURNMENT

This meeting was adjourned at 11:23 p.m.

TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh
Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, October 19, 2022 **7:00 PM** **RM 110 | Council Chamber**

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或书面翻译服务，请拨打 919-969-5105.

လာတၢ်ကတိၤကျိးထံ မ့တမၢ် လာတၢ်ကွဲးကျိးထံအတၢ်မၤစံၤအဂီၢ် ကိးဘဉ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

The Chapel Hill Town Council will meet in person for the meeting. Where possible, the Council requests that members of the public continue to live stream the meeting and view it over the Town's cable television channel access at https://chapelhill.legistar.com/Calendar.aspx - and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV) so that we can provide an opportunity for physical distance within the building. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings. Please participate in a voluntary demographic survey https://www.townofchapelhill.org/demosurvey before viewing online or in person.

Parking
• Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
• See http://www.parkonthehill.com for other public lots on Rosemary Street
• Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

• Entrance on the ground floor.
• Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain
• Attendees are encouraged to wear masks in the building and may sit physically distanced. Please do not sit in blocked chairs.
• Hand sanitizer is located near the main doors.

ROLL CALL

Present: 9 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Planning Director Colleen Willger, Assistant Planning Director Judy Johnson, Affordable Housing and Community Connections Director Sarah Viñas, Parks and Recreation Planner Marcia Purvis, Parks and Recreation Director Phil Fleischmann, Senior Planner Tas Lagoo, Planning Manager Corey Liles, Affordable Housing Development Officer Emily Holt, Police Officer Andrew Smith, Fire Marshal Justin Matthews, Communications Manager Ran Northam, and Deputy Town Clerk Amy Harvey.

OPENING

Mayor Hemminger called the meeting to order at 7:00 p.m. and reviewed the agenda.

0.01 Proclamation: Neal and Jeanette Bench. [22-0803]

Mayor Hemminger read a proclamation recognizing Neal and Jeannette Bench for their service to the Town as advocates for parks, greenways, recreation and sustainable practices. The couple had founded and organized an "Adopt a Trail" program and had been instrumental in securing funding for several healthy lifestyle initiatives, she said. The Mayor said that she and the Council were extremely grateful for all of their work.

Jeanette Bench thanked Town staff and the many volunteers who had helped out and emphasized the importance of teamwork. Neal Bench thanked Parks and Recreation Department members in particular. None of the work would have happened without their help, he said, noting that the team effort included the Mayor and several Council Members as well.

0.02 Proclamation: OMBUDS Month. [22-0804]

Council Member Ryan read a proclamation recognizing members of the University of North Carolina at Chapel Hill (UNC) and Town ombuds offices and designating October 2022 as OMBUDS Month in Chapel Hill. The proclamation explained that both offices had designated officials who assist citizens with complaints or problems with government. Chapel Hill was fortunate to have nationally renowned ombuds offices at both locations and the Council wanted to thank them for their commitment to the community and its values, Council Member Ryan she said.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Mayor Hemminger Regarding Leave Your Leaves. [22-0805]

Mayor Hemminger pointed out the environmental benefits of leaving fallen leaves on the ground even though the Town would continue to collect them. More information about the value of "leaving the leaves" was on the Town website, she said.

0.04 Mayor Hemminger Regarding Upcoming Public Information Meetings. [22-0806]

Mayor Hemminger said that a meeting on October 24th would address a Starpoint project proposed at 1950 U.S. Highway 15-501. Another meeting on October 26th would cover the proposed Barbee Chapel Hill Apartments, she said. She noted that both meetings would be virtual and would begin at 5:15 p.m.

Mayor Hemminger said that the Council's next business meeting would be held at Town Hall on November 2, 2022. An extra Council work session probably would be required on November 30th, she said.

0.05 Council Member Miller-Foushee Regarding Chapel Hill-Carrboro NAACP's 75th Anniversary. [22-0807]

Council Member Miller-Foushee said that the Chapel Hill-Carrboro NAACP was in the midst of celebrating its 75th anniversary. She described some of the recent and upcoming activities and thanked Town staff for their assistance. She thanked Transit Director Brian Litchfield, in particular, for providing buses for some activities.

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.

0.06 Deon Temne Request for Sidewalks at Northside Elementary School. [22-0808]

Deon Temne, a Chapel Hill resident, requested school zone signs for Northside Elementary School, which he said had none despite being in that location for 10 years. Then, speaking as Chapel Hill-Carrboro City School Board chair, he thanked the Council and the Chapel Hill Police Department for being responsive to the Northside district.

Mayor Hemminger recommended that Mr. Temne's request be logged in as a petition and referred to the Mayor and Manager.

This matter was read into the record

0.07 Ira Hargraves Regarding Northside. [22-0809]

Northside resident Ira Hargraves-El said that everyone in his neighborhood should be included in potential building name changes.

This matter was read into the record

0.08 Kelvin Hargraves Request for Name Change to Hargraves Center Gym. [22-0810]

Northside resident Kelvin Hargraves expressed concern about the lack of public discussion regarding a name for the Hargraves Center Gym. There had not been an opportunity for those who had grown up in the neighborhood to vote on that change, he said.

Mayor Hemminger assured both Ira and Kelvin Hargraves that their concern would be addressed, and Council Member Anderson asked that the petition be moved quickly.

This matter was read into the record.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the petitions be received and referred to the Town Manager and Mayor. The motion carried by a unanimous vote.

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.

Approval of the Consent Agenda

A motion was made by Council Member Huynh, seconded by Council Member Ryan, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items. [22-0777]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

2. Adopt a Resolution Supporting the Cedar Falls Park Tennis Court Renovation Project Grant Application to North Carolina Parks and Recreation Trust Fund Accessibility for Parks Program. [22-0778]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

3. Authorize Acceptance of Donation of Two Vans to Support Programming at Hargraves Community Center. [22-0779]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

4. Adopt Minutes from May 4, 11, 18, 19, and 25, 2022 and June 1, 15, and 21, 2022 Meetings. [22-0780]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [22-0781]

This item was received as presented.

DISCUSSION

ZONING ATLAS AMENDMENT(S)

Zoning Atlas Amendment: The Zoning Atlas Amendment, to change the zoning designation on this property, is Legislative. The Council receives and considers public comment on the merits of the proposed rezoning, including opinions, when making Legislative decisions.

6. Close the Legislative Hearing and Consider an Application for Conditional Zoning for 710 North Estes Drive Townhomes from Residential-2 (R-2) to Residential-5-Conditional Zoning District (R-5-CZD). [22-0782]

Planning Manager Corey Liles presented a rezoning application for 107

townhomes and multi-family units on an eight-acre wooded and vacant site that was currently zoned Residential 1. The applicant was requesting a rezoning to Residential-5-Conditional Zoning District as well as modifications to the floor area maximum, perimeter buffers, and allowable amount of steep slope disturbance, he said. He recommended that the Council adopt Resolution 5 and enact Ordinance 1, which would approve the rezoning.

Mr. Liles discussed updates to the plan, most of which were in response to the Council's previous comments. He said that the total number of units had been increased from 95 to 107 and that 12 more affordable units had been added to the plan. He described a possible connection to the nearby Aura project and noted the applicant's proposal to construct a side-path along its portion of Estes Drive. He said that the applicant had agreed to make payments for transit improvements and traffic signals in the area.

Mr. Liles pointed out that eight additional guest parking spaces had been included in the plan. He said that staff had drafted a cross-access easement with the Aura property and was discussing that with Aura's developer. He summarized the applicant's plans for all-electric appliances, EV charging stations, tree preservation, and ADA access. The applicant had agreed to a wider buffer and pitched roofs on units that were close to another neighborhood, he said.

Applicant David Gorman, a partner at Lock7 Development, provided additional information and details on the changes that Mr. Liles had outlined. He said that Lock7 had submitted a document that showed how its stormwater runoff would go towards its own site or to an emergency run off that would take it away from neighboring property.

Mayor Hemminger thanked the applicant for increasing the length of its stormwater protection guarantee, and she confirmed that staff had been working with a consultant on changes to the Town's land Use Management Ordinance (LUMO) regarding stormwater regulations. Director of Planning Colleen Wilger said that she hoped to provide the Council with a timeline for that project in November.

Mayor Hemminger confirmed with staff that the language regarding short-term rentals was accurate. She and Council Member Searing verified that a proposed 10-foot buffer would be in addition to a Duke Power easement, making it extend to more than 100 feet from neighbors. The Mayor inquired about having the applicant pay into the Town's Estes Drive project rather than making its own side-path improvements, and Ms. Wilger agreed to look into that.

The Council confirmed with the applicant that a ramp would provide bicycle access from Estes Drive. Council Member Ryan asked staff to continue

looking into the possibility of having additional parking on Somerset Drive. Council Members thanked the applicant for working with neighbors, for being responsive to the Council, and for trying to meet the Town's goals by increasing density and the number of affordable units. Mayor Hemminger thanked both the applicant and Town staff for doing a good job of balancing conflicting feedback.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the Council close the public hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Huynh, that the Council adopt R-5. The motion carried by a unanimous vote.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council enact O-1 as amended. The motion carried by a unanimous vote.

7. Open the Legislative Hearing: Conditional Zoning Application for Aspen Chapel Hill - Student Housing at 701 Martin Luther King Jr Blvd. [22-0783]

Mr. Liles presented a Conditional Zoning application for Aspen Chapel Hill, an approximate two-acre, two-parcel site at the northwest corner of Martin Luther King Jr. Boulevard (MLK) and Longview Street. One parcel was currently zoned Residential 3, and the other was zoned Neighborhood Commercial, and the applicant was proposing to rezone both to Residential-6/Conditional Zoning District, he said. He pointed out that the Council had seen the concept plan in May 2021.

Mr. Liles said that the site currently contained an auto shop and two unoccupied single-family homes. The applicant was proposing to replace both parcels with a multi-family student housing project that would contain up to 112 units, he said. He pointed out that the Town's Future Land Use Map (FLUM) identified multifamily as a primary land use for that location. The FLUM also called for an activated street frontage and a typical height of four stories at the street with a step-up to eight stories, he said.

Mr. Liles showed the site plan and indicated where access and lower-level parking would be located. He showed a courtyard area that would include recreation space. He said that the applicant was proposing 14 affordable units (or a $1 million payment-in-lieu) even though the Town's ordinance did not require that. The applicant had also agreed to pay $100,000 for bus rapid transit improvements, he said.

Mr. Liles explained that the applicant's request for modifications to Resource Conservation District (RCD) regulations was to enable them to cross an intermittent stream. The applicant was also requesting modifications regarding density, height, street setback, maximum floor area, parking requirements, and steep slopes, he said. He noted that all of the Town's advisory boards had recommended approval and proposed that the Council open the legislative hearing, provide comments, and continue the hearing to December 27, 2022.

David Helfrich, representing Aspen Heights Partners (AHP), provided background information on his firm, a multi-family developer based in Austin Texas. He said that AHP had begun engaging with neighbors and staff regarding Aspen Chapel Hill in October 2020.

Jessica Hardesty, a planner with McAdams Group, repeated much of what Mr. Liles had said and pointed out that the proximity to UNC made the site an ideal location for student housing. She said that the proposed rezoning would allow a maximum of 112 units and 50 percent impervious surface. She pointed out that the plan included 8,000 square feet of recreation space and 14 affordable units. The developer would seek National Green Building Standard silver (or a comparable certification) and would contribute $100,000 towards a multi-use path along MLK, she said.

Ms. Hardesty explained how AHP had responded to feedback by stepping the top floor back, removing a level of parking, and improving and activating the streetscape. They were providing two options for affordable housing and had significantly reduced the amount of parking, she pointed out. She said that some RCD disturbance was necessary to allow for pedestrian access from MLK but that the project would improve the RCD's overall condition. Town Urban Designer Brian Peterson had participated in developing a proposed plaza area at the front of the site, she pointed out.

Ms. Hardesty showed renderings and aerial views of the site and discussed its proximity to nearby neighborhoods. She said that the project would be in accord with the Town's Climate Action Response Plan and that AHP intended to work through the Brownfields Program, since the existing site was an auto shop. She showed where the affordable units would be grouped together along the RCD. Those units would be more like conventional apartments and would be closer to amenities and less noisy than the students' areas, she said.

Mr. Helfrich stated that UNC had a current deficit of approximately 7,000 beds for its full-time, undergraduate students. That deficit had caused students to occupy conventional housing throughout Town and clearly demonstrated the need for additional student housing in Chapel Hill, he said. He pointed out that the Town's Complete Community Plan and other sources had identified a need for many thousands of new units over the next decade.

Council Member Ryan stated that the Town needed 45 new student housing units per year, and she confirmed with Mayor Hemminger that 100 four-bedroom units would soon be available at Amity Station. Council Member Parker verified that the proposed project envisioned providing close to 300 beds, which included those in the affordable units.

Council Member Anderson said that the Council had previously stated that it did not want student housing at that location even though the FLUM designated the area for that purpose. She ascertained from Ms. Wilger that staff had discussed that with the AHP. Ms. Wilger said that staff had suggested that the applicant talk with UNC and continue working with the Council and advisory boards if they wanted to pursue the current plan.

Council Member Anderson confirmed with Ms. Wilger that optimum density for transit-oriented development was between 20-40 units per acre, but that there was no Council-approved threshold. The Aspen Chapel Hill proposal had been measured at 61 units per acre, Ms. Wilger said.

Council Member Huynh ascertained from Mr. Helfrich that purpose-built student housing made up about 65 percent of AHP's portfolio. The firm had begun as a student housing developer but had been doing more conventional market-rate projects in the last seven years, Mr. Helfrich said.

The Council confirmed the proposed amenities were intended for residents only. They ascertained that not building in the RCD would create issues regarding access from MLK. Mayor Hemminger asked if the applicant would consider renting only to those who were 21 and older, and Mr. Helfrich asked if that could include those who would turn 21 during their lease.

Delores Bailey, executive director of EmPOWERment, Inc., said that the Town needed affordable housing for low-income residents, not student housing. She asked Council Members to think about how affordable and for-profit providers might work together to create rental units for families earning 30 percent of the area median income (AMI).

Council Members Anderson and Miller-Foushee said that the Council had been clear at the concept plan stage that it was not interested in seeing student housing at that location. Council Member Miller-Foushee expressed disappointment that the applicant had not heard those comments.

The Council said that it was fine with the proposed density but there was a mixture of responses to the plan for student housing. Council Members Ryan, Anderson and Huynh spoke about the opportunity cost of building student housing in an area where workforce housing was what the Council wanted. Council Member Parker said he was not against student housing

per se but wanted full-time workforce housing at that location.

Council Member Ryan said that purpose-built student housing on the site was a no-go for her, and Council Member Huynh said that student housing there did not align with his vision for expanding Downtown up MLK and bringing jobs to that area. Council Member Searing expressed concern about encroachment into the RCD and the request to double the allowable steep slope disturbance. He agreed with others that the site was a great location for workforce housing and said that the project probably needed to be modified.

Council Member Miller Foushee said that she was undecided but preferred to see workforce housing at the location. Council Member Berry said that the Town needed both student and affordable housing, so she could not say that she was against either. Mayor pro tem Stegman said she preferred non-student housing in general but that the location was at the dividing line between downtown and not downtown.

Council Member Parker expressed concern about the affordable housing units being apart from the others. Mayor pro tem Stegman said that she would be more comfortable with the project if it provided more community benefits. Council Members Huynh and Parker suggested providing broader community access to amenities as well.

The Council emphasized the need for the Town and UNC to work in partnership regarding student housing. Council Member Ryan noted that a consultant had recommended that the Town help UNC with housing students on land that it owns in Town.

Council Members Huynh and Miller-Foushee expressed skepticism that the proposed development would attract students who prefer to live in Town neighborhoods, and Mayor Hemminger agreed. There was proof that building student-focused living arrangements pulled students off campus but did not pull them out of the Northside Neighborhood, she said.

Mayor Hemminger said that she agreed with many of the Council's comments but thought that adding a "21 and up" stipulation would address some concerns. She pointed out that some projects offer community members who live nearby memberships to amenities, such as a pool or gym. She was not as worried about density as she was about the overall philosophy of where the Town was headed with regard to housing in general, she said.

Ms. Hardesty replied that AHP had not received negative feedback from the Council regarding student housing during the concept plan phase about 1.5-years prior. She proposed that Council Members might be thinking about another project that had been before them about six

months ago. She said that she was hearing conflicting comments from the Council regarding density, and she pointed out that the Town had just approved a project that had a greater steep slope modification. Only a very small project could be built on the site without that modification, she said.

Ms. Hardesty asked the Council for ideas regarding community benefits, and the Mayor proposed offering recreational and public gathering spaces, and perhaps making space available for meetings and other public activities. The goal would be to make something that would be good for the community, not just those who live in the building, she said.

Council Member Ryan stated that adding community benefits would not resolve the central issue that she had with the project, however.

A motion was made by Council Member Anderson, seconded by Council Member Berry, that the Council continued the Legislative Hearing to December 7, 2022. The motion carried by a unanimous vote.

8. Open the Legislative Hearing for Conditional Zoning Modification - 800 S. Merritt Mill Road Residential-Special Standards-Conditional Zoning District (R-SS-CZD) [22-0784]

Assistant Planning Director Judy Johnson gave a brief PowerPoint presentation on a petition from CASA regarding a project located on the Chapel Hill/Carrboro line. Both towns had received the petition in September 2022 and Carrboro had already heard it and continued its discussion to November, she said.

Ms. Johnson outlined the request to remove a stipulation regarding curb and gutter and modify another stipulation regarding sidewalk and bike improvements in CASA's 2018 special use permit. Making those changes would save the applicant more than $200,000, she said, and she noted that the Planning Commission had voted for approval. She recommended that the Council open the legislative hearing, receive public comments, and continue the hearing to November 2, 2022.

A motion was made by Mayor pro tem Stegman, seconded by Council Member Berry, that the Council continued the Legislative Hearing to November 2, 2022. The motion carried by a unanimous vote.

LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT

9. Open the Legislative Hearing for a Land Use Management Ordinance Text Amendment - Proposed Changes to Articles 3, 4, 5, and Appendix A Related to a Community Priority Process for Affordable Housing Development Review. [22-0785]

Director of Affordable Housing and Community Connections Sara Viñas provided background information on a September 2021 petition from several Council members. The petition had asked staff to explore strategies for promoting affordable housing (AH) and missing middle housing and for expediting those review processes, she said.

Ms. Viñas discussed how the current complex process had limited the production and supply of AH, restricted the Town's ability to meet funding deadlines, and prevented some developers from doing business in Town. After robust research and stakeholder engagement, staff had created a set of LUMO text amendments, which the Planning Commission had unanimously recommended for adoption, she said.

Mr. Liles presented additional information about the process and said that an array of AH providers, market rate developers and others had participated and provided feedback. He described how staff had reached out to the cities of Durham and Raleigh to learn more about their processes. He said that both the Housing Advisory Board and the Planning Commission supported the proposal and text amendments that staff was about to present.

Senior Planner Tas Lagoo proposed two new LUMO text amendments (TAs): a Residential Community Priority Conditional Zoning District (R-CP-CZD); and a Community Priority Process for Affordable Housing (CCP-AH). He explained key aspects of each TA and described how they would simplify the process. He said that the TAs would exempt eligible concept plans from all but Planning Commission review and allow applicants to engage in a process with staff instead.

Mr. Lagoo explained that the TAs would also exempt eligible applications from Community Design Commission review of final plans and would authorize staff to approve minor modifications. A design review team would include staff liaisons to key advisory boards, so those interests would be well represented, he said.

Mr. Lagoo said that R-CP-CZD would require projects to come in with 30 percent of their rental units affordable at 60 percent of AMI for 30 years. The for-sale units' requirement would be 30 percent affordable at 80 percent of AMI for 99 years, he said. He discussed a list of allowed uses and proposed design and development standards and explained the rationale behind those.

Mr. Lagoo said that CCP-AH would exempt eligible applications from concept plan review, simplify the level of staff review, and simplify the application. By eliminating most advisory board review, the Council would have the opportunity to hold a legislative hearing and vote in the same night, he pointed out.

Mr. Lagoo reviewed Planning Commission comments and pointed out that

it had unanimously recommended approval. He recommended that the Council open the legislative hearing, receive public input, and continue the hearing to November 16, 2022.

In response to questions from Council Member Anderson, Mr. Liles offered to look into possible mechanisms for affordable rents on commercial space and home business opportunities. Council Member Anderson said she wondered if there might be a way to integrate those uses without undoing the original intent of simplifying the process.

Council Member Ryan confirmed with Mr. Lagoo that community notification and public information meetings regarding rezoning applications would still be required but that staff hoped to also use digital tools in order to reach a broader audience. Staff had also been contemplating having applicants provide a public engagement plan, said Mr. Lagoo.

Council Member Ryan proposed that staff think about limiting project size in case UNC, for example, wanted to apply the new TAs to its 75 acres at Carolina North.

Several Council Members proposed eliminating parking minimums altogether, but Mr. Lagoo pointed out that other agencies, such as HUD, had minimum requirements that would affect that.

Council Member Searing asked if advisory boards other than the Planning Commission and the Housing Advisory Board had seen the TAs, and Ms. Wilger replied that staff had requested feedback from the boards that were part of the development review process. She pointed out that, legally, a TA was only required to go to the Planning Commission and the Council.

Council Member Huynh confirmed with Mr. Lagoo that the Town's Light Industrial Conditional Zoning District had been the precedent for the proposal to give staff authority to approve minor modifications.

Mayor pro tem Stegman asked about balancing public engagement and timeliness, and Mr. Lagoo replied that those details were still being worked. However, staff would not design public engagement requirements that would burden AH developers, he said.

Daniele Berman, Marketing and Communications Manager at Community Home Trust, described the difficulties of the current, long approval process and said that the TAs would balance the scale.

Kimberly Sanchez, Executive Director at Community Home Trust, explained how a recent process for an affordable development on Jay Street

Apartments had been cumbersome, expensive, and unnecessarily delayed by the concept plan and advisory board review processes. She pointed out how such delays add to development costs.

Geoff Green, an AH advocate, agreed with Ms. Sanchez's comments and said that he hoped the LUMO rewrite would address other issues with the Town's development process.

Dotty Foley, co-founder of HOPE (Housing Options for People with Exceptionalities) North Carolina, said that 90 percent of those with disabilities were currently living in group homes or with their families because Supplemental Security Income was not sufficient to pay Chapel Hill rents. Moving the TAs forward would be a huge help to those who were waiting for affordable housing, she said.

Delores Bailey said that EmPOWERment's PEACH Apartments project had benefited from expedited review and that she absolutely supported the proposed TAs.

Martin Johnson, a NEXT board member, praised staff for quickly moving the process forward and said that his faith in government had been renewed. The TAs would empower local builders who want to create AH and would send a message that the Town really cared about that, he said.

Sue Hunter, Housing Advisory Board (HAB) chair, thanked the Council Members who had filed the petitioned and thanked Mr. Lagoo, in particular, for his work on it. She said that the HAB fully supported eliminating advisory board review of qualifying projects and focusing that role on the Planning Commission. She proposed that the Council consider incentivizing projects that serve households that made less than 30 percent AMI.

All Council Members expressed enthusiasm for the proposed TAs and praised staff for their excellent work and clear presentation. They proposed setting a timeline for coming back to Council for evaluation, and some suggested having an annual review. Council Member Parker recommended making an effort to apply the same ideas to the Town's overall development review process.

Several Council Members spoke in favor of eliminating parking minimums altogether, but Council Member Ryan wondered about the possible neighborhood impacts and Mayor Hemminger said that she would leave that issue to the experts. Most Council Members spoke in favor of giving staff the authority to approve minor modifications. Council Member Ryan emphasized the importance of having the Town's urban designer included in design review.

Council Member Searing said that he did not like eliminating advisory board review. Council Member Berry pointed out that the Planning Commission was comprised of people who sat on other boards as well. So those interests and concerns were already well represented, she said.

Council Member Ryan recommended that staff be "a little more aggressive and improve upon" its proposal for 30 percent AMI on rentals and 80 percent AMI on for sale units.

Mayor Hemminger thanked staff and the Affordable Housing Coalition for working together to create a thoughtful process that included a pilot project. She praised Ms. Wilger for jumping right in when she first joined the Town during COVID-19 and immediately tackled several large Town initiatives. "You are going to be missed...Thank you," Mayor Hemminger said, and the Council gave Ms. Wilger a round of applause.

A motion was made by Council Member Berry, seconded by Council Member Huynh, that the Council continued the Legislative Hearing to November 16, 2022. The motion carried by a unanimous vote.

APPOINTMENTS

10. Appointments to the Chapel Hill Public Library Advisory Board. [22-0786]

The Council appointed Patrick Gunsch and Kulwadee Yung to the Chapel Hill Public Library Advisory Board.

11. Appointments to the Housing Advisory Board. [22-0787]

The Council appointed Anthony Williams to the Housing Advisory Board.

The Council seeks applicants for the Non-Profit Housing Provider/Professional seat category.

ADJOURNMENT

This meeting was adjourned at 10:09 p.m.

TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh
Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, November 2, 2022 **7:00 PM** **RM 110 | Council Chamber**

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或书面翻译服务，请拨打 919-969-5105.

လၢတၢ်ကတိၤကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံအတၢ်မၤစံၤအဂီၢ် ကိးဘဉ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

The Chapel Hill Town Council will meet in person for the meeting. Where possible, the Council requests that members of the public continue to live stream the meeting and view it over the Town's cable television channel access at https://chapelhill.legistar.com/Calendar.aspx - and on Chapel Hill Gov-TV (townofchapelhill.org/GovTV) so that we can provide an opportunity for physical distance within the building. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings. Please participate in a voluntary demographic survey https://www.townofchapelhill.org/demosurvey before viewing online or in person.

Parking

• Parking is available at Town Hall lots and the lot at Stephens Street and Martin Luther King Jr. Boulevard.
• See http://www.parkonthehill.com for other public lots on Rosemary Street
• Town Hall is served by NS route and T route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols

• Entrance on the ground floor.
• Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain
• Attendees are encouraged to wear masks in the building and may sit physically distanced. Please do not sit in blocked chairs.
• Hand sanitizer is located near the main doors.

ROLL CALL

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

Excused: 1 - Council Member Jessica Anderson

OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Planning Director Colleen Willger, Assistant Planning Director Judy Johnson, Parks and Recreation Director Phil Fleischmann, Transportation Planning Manager Bergen Watterson, Economic Development Officer Dwight Bassett, Business Management Director Amy Oland, Fire Marshal Roland Falana, Police Officer David Shick, Communications Manager Ran Northam, and Assistant Town Clerk Brenton Hodge.

OPENING

Mayor Hemminger opened the meeting at 7:00 p.m. and reviewed the agenda. She welcomed members of the public and explained the rules for participation.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.01 Mayor Hemminger Regarding Halloween. [22-0825]

The Mayor and Council thanked Town staff for coordinating with the University of North Carolina at Chapel Hill (UNC) on an exceedingly safe Halloween celebration on Franklin Street.

0.02 Mayor Hemminger Regarding Veteran's Day. [22-0826]

Mayor Hemminger said that the Town was grateful to its employees who were veterans and all of those who had defended the country and protected its freedoms. She said that the annual Orange County Veterans Day program would be held at the Southern Human Services complex at 11:00 am. on Veterans Day.

0.03 Mayor Hemminger Regarding Arbor Week. [22-0827]

Mayor Hemminger said that November 18-25, 2022, would be Arbor Week

and that second graders from Glenwood Elementary would join staff on November 18th (Arbor Day) for a tree planting event. Town staff and Friends of Parks and Recreation had recently planted more than 120 trees and had scheduled another planting for December 3rd, she said. She said that related information was available on the Town's website.

0.04 Mayor Hemminger Regarding Placemaking Summit. [22-0828]

Mayor Hemminger said that she was looking forward to seeing the creative ideas that would be presented at the Southern Appalachian Placemaking Summit on UNC's campus on November 3rd and 4th.

0.05 Mayor Hemminger Regarding West End Merchants. [22-0829]

Mayor Hemminger said that she had met with West End Merchants that day and would meet with East End Merchants the following week. She was hearing their ideas for Downtown and would share those with the Council at a later time, she said.

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.

0.06 Bill Brashear Request for Public Input for American Legion Property. [22-0830]

Bill Brashear, a Chapel Hill resident, expressed disappointment that the Council and Planning staff had not responded to his invitation to take them on a tour of the lower level of the American Legion property after the recent hurricane. He said that there had been no public forum at which residents could share their ideas and be part of the discussion.

Mayor Hemminger assured Mr. Brashear that there would be a public process in the future.

This item was received as presented.

0.07 Julie McClintock Request for Civic Engagement Regarding American Legion. [22-0831]

Julie McClintock, a Chapel Hill resident, requested an open public forum regarding the American Legion property, and she characterized a Mayor's Committee recommendation that the Council reach a decision in December as "a bit shocking". There had been no plan for community conversations and no answer to questions about the effect of fast-tracking affordable housing on the site, she said.

This item was received as presented.

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.

Approval of the Consent Agenda

A motion was made by Council Member Parker, seconded by Council Member Huynh, that R-1 be adopted, which approved the Consent Agenda. The motion carried by a unanimous vote.

1. Approve all Consent Agenda Items. [22-0817]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

2. Approve the Chapel Hill Transit Public Transportation Agency Safety Plan. [22-0818]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

3. Adopt a Calendar of Council Meetings through June 2023. [22-0819]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

4. Adopt Minutes from September 14, and 19, 2022 Meetings. [22-0820]

This resolution(s) and/or ordinance(s) was adopted and/or enacted.

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [22-0821]

This item was received as presented.

DISCUSSION

6. Close the Legislative Hearing and Consider an application for Conditional Zoning Modification - 800 S. Merritt Mill Road Residential-Special Standards-Conditional Zoning District (R-SS-CZD) [22-0822]

Assistant Planning Manager Judy Johnson gave a brief presentation on an opportunity to re-stripe Merritt Mill Road during an NC Department of Transportation resurfacing project. Re-striping the lanes at that time would save CASA more than $200,000 on its Perry Place project, she said. She recommended that the Council adopt Resolution A and enact Ordinance A, approving the CASA application.

A motion was made by Council Member Ryan, seconded by Council Member Huynh, that the Council close the legislative hearing. The motion carried by a unanimous vote.

A motion was made by Council Member Ryan, seconded by Council Member Huynh, that the Council adopt R-5. The motion carried by a unanimous vote.

A motion was made by Council Member Ryan, seconded by Council Member Berry, that the Council enact O-1. The motion carried by a unanimous vote.

7. Consider American Rescue Plan Act (ARPA) Final Community Partner Project Disbursement and Receive Town Department Update. [22-0823]

Business Management Director Amy Oland pointed out that almost $10.7 million in American Rescue Plan Act (ARPA) funding had been awarded to the Town. She gave an update on the public input process for distributing a portion of that money to community-based projects and presented a list of those that the Council had decided upon at its October 3rd work session. That list offered some big bold ideas and provided a great variety of projects that would help those who had been most negatively affected by COVID-19, she said, and she recommended that the Council enact Ordinance 5, which would authorize $1,005,669 for those Community Partner projects.

Ms. Oland also presented information on using ARPA money to fund potential Parks and Recreation, Bike/Pedestrian/Greenways, Downtown Revitalization, and Town Department projects. She said that the Parks and Recreation Department had provided estimated cost allocations for several projects, which included a teen center ($400,000), skate park repairs ($200,000), a Town match for a new pickleball complex ($400,000), and an inclusive playground or splash pad ($350,000).

Ms. Oland presented a list of ways in which the Downtown Partnership had proposed to spend its $1 million. These included a Clean & Green Team, a Downtown Vision Plan, redesigning the Peace and Justice Plaza, redesigning Historic Town Hall, replacing railings, and continuing an Adopt-a-Block program. The estimated total of $1.12 million exceeded the $1 million that had been allotted for Downtown, she pointed out.

Transportation Planning Manager Bergen Watterson described four

potential Bike and Pedestrian improvements that would support the Town's Complete Communities' greenways concept. These were: a Bolin Creek Greenway extension, a Raleigh Road-side path, a Bolin to Booker-side path, and a Campus-to-Campus Connector. She outlined the benefits of each, showed estimated costs, and mentioned possible additional funding opportunities. The projects had already been identified in Town plans and had an existing design budget of about $500,000, she said.

Ms. Oland said that staff would return to the Council on November 16, 2022, with a Consent Agenda item for allocating funds for the Town Department projects. Staff would begin designing a Community-based budgeting engagement process in early 2023 and bring that to Council in late winter or early spring, she said.

Ms. Oland and Town Manager Maurice Jones also provided the Council with an update on possibilities and cost estimates for temporary restrooms for the Downtown area while the new parking deck was being constructed.

The Mayor and Council confirmed with Parks and Recreation Director Phil Fleischman that $150,000 to $200,000 of their $400,000 allotment would be used for repairs. Mr. Fleischman said that a feasibility study regarding the Teen Center would be done as well.

Some Council Members raised concerns about spending money on a teen center that was in bad condition, but Mayor Hemminger and Mr. Fleischman explained that programming had already been moved to the Hargraves Center, while a short feasibility study was being done. However, there were limitations at Hargraves as well and having additional space would be very beneficial for teens, Mr. Fleischman said.

Council Member Parker confirmed with Downtown Partnership Director Matt Gladdek that a Clean and Green program could provide maintenance for restrooms in the current Wallace Deck but that doing so had not been included in the budget. Council Member Huynh clarified with Mr. Gladdek that the Downtown Partnership had voted to devote $80,000 of its $100,000 budget increase to events, since the $100,000 was not sufficient to engage a Clean and Green team.

In response to questions from Council Member Searing, Mr. Fleischman said that staff had been looking at Cedar Falls Park for a possible pickleball complex. Council Member Parker confirmed with Mr. Fleischman that the Town's $400,000 contribution would go towards designing, planning and constructing the complex. It would assume a scaled project with some courts to address the demand, Mr. Fleischman said.

Council Member Searing asked about possibilities for skate parks or adaptive playgrounds if community members who wanted those were able to raise matching funds, and Mr. Fleischman replied that the Town was

open to public/private partnership ideas from any group that might submit a proposal.

Council Member Miller-Foushee and Mr. Fleischman discussed Cedar Falls Park's general maintenance needs and the current funding gap for bringing a tennis complex reconstruction project forward at that location. Council Member Huynh verified with Mr. Fleischman that there was a precedent for accepting private donations for Town Parks and Recreation facilities, since Friends of Chapel Hill Parks, Recreation and Greenways had made contributions in the past. Mr. Fleischman said that the Town offered naming rights for facilities in exchange for financial contributions and that Council approval was required for some of the larger ones.

Council Member Huynh expressed support for the Bolin to Booker greenway connection, and Council Member Searing asked if greenway plans included reducing costs by having some natural surface connections. Ms. Watterson replied that transportation facilities required durability for longer-term impacts. The Town was hoping to get federal funding to construct trails, and those would have to be ADA compliant, which would not tend to support natural surfaces, she said.

In response to a question from Mayor pro tem Stegman about the "vision" for which $500,000 was being allotted for Downtown projects, Economic Development Officer Dwight Bassett described the need for a long-term plan to unify and enhance Franklin Street. Mayor Hemminger said that the plan would include getting expert advice on which roads should be driven on, where bike lanes and sidewalks should be, and if some streets should be closed. Mr. Bassett had people in mind who could determine all of that, the Mayor said.

The Council confirmed with Mr. Fleischman that $350,000 for an inclusive playground and splash pad would go toward design plans for one of those and toward incorporating inclusive elements in existing Town playgrounds as well. They confirmed that a larger splash pad that recycled its water could cost about $1 million.

Some Council Members asked about staffing for temporary restrooms and some proposed that washing facilities be available as well. Council Member Berry confirmed with Mr. Jones that portable restrooms would be in addition to those that already exist in the Wallace Deck, which was currently closed and unavailable. She stressed the need for immediate options for community members who live on Downtown streets and said that she did not want to put that issue off to the next budget cycle.

Mayor Hemminger asked staff to talk with the SOHRAD (the Street Outreach Harm Reduction and Deflection team) about the need and return to Council with recommendations for both immediate and long-term solutions. She then inquired about how many projects staff was capable of monitoring at a time, and Ms. Watterson said that she had anticipated

only one being funded through ARPA. However, there were other existing projects, she said, and Mayor Hemminger asked her to bring back a list of current projects, funding gaps, and staff priorities.

Sandy Douglas, a Chapel Hill resident and volunteer ambassador with USA Pickleball, said there were more than 2,000 players in Town, and she presented photos that showed people waiting to use courts. After describing a recent USA Pickleball fundraiser, she said that housing a larger complex would generate an estimated $100,000 in annual revenue to the Town.

Anson Dorrence, women's soccer coach at UNC, described how easy pickleball was, regardless of one's athletic ability, and said that the sport connected people of all backgrounds, political affiliations, and finances.

Mr. Gladdek reviewed the Downtown Partnership's request for ARPA funding and explained how each item would improve the appearance and use of Downtown spaces. He said that more people had come Downtown in the past year than ever before due, in large part, to the Town's significant investments in public spaces. The Partnership hoped to continue that and bring it to the next level, he said.

The Council thanked and praised staff members for their hard work on the item. They praised the Community Partners work in particular, and Mayor Hemminger said that she had been impressed by the process.

The Council agreed with staff's recommendation to temporarily move the Teen Center to Hargraves and to put some of that $400,000 into fixing health and safety issues there until a better long-term solution could be found. They pointed out that a feasibility study for a permanent location still needed to be done, however.

Council Member Ryan emphasized the importance of spreading Parks and Recreation funding out among all groups. She pointed out that a teen center and a skate park would be for teens while a pickleball complex would be for older adults. She was in favor of investing in a splash pad and adaptive playground for young children, she said.

Council Member Huynh mentioned that he played pickleball every week but said that he did not think ARPA was the right source of funding for it since that was intended to help those most impacted by COVID-19. He proposed that the Town explore other funding sources for the pickleball complex.

Council Members raised concerns about trying to address too many Parks and Recreation needs. They stressed the importance of making sure that money was being allocated to projects that could be completed. Council Member Parker said he was not convinced that pickleball should be the highest priority, and Mayor pro tem Stegman pointed out that the Town

still did not have the inclusive playground that it had been talking about for many years.

Council Member Miller-Foushee said that investing in a pickleball complex at Cedar Falls Park did not make sense to her when the Town had general needs that had not been met, ongoing projects that had a funding short-fall, and ARPA money was intended to address the effects of COVID-19. She expressed support for funding an inclusionary playground, but not a stand-alone splash pad. She proposed increasing the amount slated for the skate park.

Mayor pro tem Stegman proposed that more funding be put toward a combination splash pad/inclusive playground, and Council Member Berry said she agreed with others about choosing fewer projects and doing them well.

Mayor Hemminger reminded the Council that she had suggested considering a one-cent tax increase for Parks, Recreation and Greenway facilities. Such a tax would generate about $1 million a year, she pointed out. She said that Parks and Recreation had been short-changed for years and that the Town needed a plan for continuing to reinvest in those facilities and for adding the new ones that the community was requesting. She mentioned that staff had been discussing a partnership with University Place for a "gurgle pad", which University Place would maintain.

With regard to Greenways, Council Member Ryan expressed support for the Umstead to Ephesus Drive extension. She and Council Member Huynh said that the Raleigh Road project would be great if UNC would partner with the Town on it. Several Council Members requested that staff provide more input on the choices, and Mayor pro tem Stegman and Council Member Miller Foushee noted the importance of centralizing equity in any decision.

Council Member Parker proposed not deciding how to invest Greenway's money before deciding on a Complete Communities pilot project, and Council Member Huynh proposed that Ms. Watterson be more involved in Complete Communities work and prioritize those options.

Mayor Hemminger spoke in favor of moving forward on all Greenways projects, but in a way that respected staff time and investment. She said that doing so would include getting rights-of-way and addressing blockages and other things that take time and energy. An anticipated $7 billion in funding could go towards such infrastructure and the Town had a great opportunity to get some of that, she said.

With respect to the Downtown Plan, Council Member Ryan said that $500,000 seemed like a lot to spend and that she would expect a complete mobility plan and streetscape design that truly solved the issues. Mayor pro tem Stegman agreed. Mayor Hemminger said that she

liked the Downtown Plan and hoped the Council would make it a reality.

The Council discussed the pros and cons of various solutions to the lack of public Downtown restrooms, and Council Member Ryan commented on the need to develop a long-term maintenance plan during the next budget cycle. She hated using ARPA funds for ongoing needs, but would agree if that was the solution, she said.

Mayor pro tem Stegman expressed strong support for unlocking restrooms that still exist in the Wallace Deck and then doing whatever was necessary to address related concerns. Others agreed, and Council Member Parker pointed out that portable restrooms were no safer at night than those at the Wallace Deck were. Mayor Hemminger asked the Manager to find an immediate solution and come up with a long-term plan.

Mayor Hemminger said that she understood the Council's sentiment regarding the many wants and needs and the need to do a better job of prioritizing by numbers of people, equity, location, and so forth. Once that was done, the Town could find the funding to make it happen, she said.

A motion was made by Mayor pro tem Stegman, seconded by Council Member Berry, that the Council recused Council Member Miller-Foushee from this item based on her participation in the governing board of recipient organization. The motion carried by a unanimous vote.

A motion was made by Council Member Huynh, seconded by Mayor pro tem Stegman, that the Council enacted O-2. The motion carried by the following vote:

Aye: 7 - Mayor Hemminger, Mayor pro tem Stegman, Council Member Berry, Council Member Huynh, Council Member Parker, Council Member Ryan, and Council Member Searing

Excused: 1 - Council Member Anderson

Recused: 1 - Council Member Miller-Foushee

8. Receive the Complete Community Draft Plan and Guidelines for Selecting a Pilot Project. [22-0824]

Jesus Armando Gonzales Ventura, a Chapel Hill resident, asked how the Council approached putting equity at the center when deciding who deserved funding. Mayor Hemminger explained that the Council did not respond to public input at its meetings but that staff members would provide Mr. Ventura with that information.

Consultant Jennifer Keesmaat gave a PowerPoint presentation on the Complete Communities (CCs) process and said that next steps included building consensus, exploring trade-offs and opportunities, and identifying a pilot project. She would propose a pilot project and introduce key decisions that must be made by December 7, 2022, when the Council would be presented with a resolution to adopt the CCs framework, she said.

Ms. Keesmaat provided an update on community workshops, focus groups, and the stakeholder consultation process. She said that focus groups had included developers and representatives from UNC and UNC Health, and that a community leaders' workshop had been scheduled for November 10th. She said that the CCs process had reached its sixth phase, which was to advance a pilot project.

Ms. Keesmaat addressed questions of where and how growth should occur in Chapel Hill. With regard to where, she recommended enabling more density in communities that are linked by greenways, developing along transit corridors, adding to large infill sites with existing infrastructure, and changing what was permissible in smaller infill sites. She said that how growth should occur hinged upon the location of Town assets. For example, clear-cutting was not part of the CCs plan, which was more nuanced and worked with the natural topography.

Ms. Keesmaat spoke about building walkable and bikeable environments, rather than parking lots, and having programs and amenities more distributed throughout Town. She discussed creating live/workspaces in new housing and described a series of initiatives that would ensure social equity as the Town grew. She said that Chapel Hill would have room to grow if it took a new approach to land use that focused on building upward, with higher densities and fewer cars. That new model emphasized active transportation and transit-oriented development that included "everywhere to everywhere" greenways, she pointed out.

Ms. Keesmaat recommended that the Town target building 500 new homes per year and that it adopt one or more pilot projects. Each pilot had been measured against evaluation criteria such as speed of implementation, barriers to implementation, Town jurisdiction, financial viability, magnitude of impact, scalability, social equity, and its degree of contribution toward creating CCs, she said.

Ms. Keesmaat explained that potential pilot projects had been divided into two categories: new active transportation strategies and connections; and new development approaches. She described those and said that five of the six active transportation strategies had already been directed to Town staff. Pilot projects related to new development approaches needed more work and would be brought to Council at a later time, she said.

Ms. Keesmaat said that her team had identified eight federal programs that could help the Town with funding. She said that a $7 billion federal Transportation Alternatives Program had been designed for exactly the type of project that the Town was considering. Therefore, the sixth active transportation pilot program had become hiring a grant writer who would be focusing exclusively on finding funding for a state-of-the-art "everywhere to everywhere" pilot project, she said.

The Mayor and Council thanked Ms. Keesmaat for her thorough presentation and her approach to evaluating a pilot in a systematic way that had made everyone feel part of the process.

Council Member Huynh confirmed with the Manager that the Town was currently interviewing grant writers. Council Member Ryan recommended that the CCs initiative be included in the Town's Comprehensive Plan in addition to its Land Use Management Ordinance. Council Members Miller-Foushee and Berry said they were glad to see recommendations regarding the Town's long entitlement process. Council Member Searing proposed that the Town adopt a target number of greenway miles to build each year in addition to targeting 500 new homes.

Council Member Miller-Foushee said she agreed with a statement that Ms. Keesmaat had made about the need for political will to bring change. She emphasized the importance of moving social equity forward and said she wished that the original charge had included the Town's Affordable Housing and Community Connections staff in the process. She said that equity should include a restorative aspect regarding land use, and she stressed the importance of addressing continuing pressures on some communities, such as those living in mobile home parks.

Mayor Hemminger said that she had recently met with UNC, UNC Health, West End Merchants and others, and that everyone wanted to know where the Town was headed. She had found it useful to discuss the goals of the CCs framework, she said. She expressed excitement about the potential grants and pointed out that NC-DOT had a federal grant administrator who was available to help the Town with that application.

The Council will continue the discussion on November 16, 2022.

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

A motion was made by Mayor pro tem Stegman, seconded by Council Member Parker, that the Council entered Into closed session as authorized by General Statute Section 143-318.11(a)(3) to consult with legal counsel in order to preserve the attorney-client privilege. The motion carried by a unanimous vote.

ADJOURNMENT

The Council recessed the meeting at 9:37 p.m. and adjourned the meeting at the conclusion of the closed session.

TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Draft

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

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh
Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Monday, November 14, 2022 **6:30 PM** **Library Meeting Room B**

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

Para servicios de interpretación o traducción, llame al 919-969-5105.

如需口头或书面翻译服务，请拨打 919-969-5105.

လာတၢ်ကတိၤကျိးထံ မ့တမၢ် လာတၢ်ကွဲးကျိးထံအတၢ်မၤစံၤအဂီၢ် ကိးဘဉ် (၉၁၉)-၉၆၉-၅၁၀၅

In-Person Meeting Notification

The Chapel Hill Town Council will meet in person for the meeting. Public attendance is welcome. The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings. Please participate in a voluntary demographic survey https://www.townofchapelhill.org/demosurvey.

We will not live stream the event, but will provide the Post-Meeting Video https://www.townofchapelhill.org/councilvideo/

Parking
• Parking is available at the Library lots. The Library is served by CL Route, D Route, and GoTriangle Routes of Chapel Hill Transit.

Entry and COVID-19 Protocols
• Meeting Room B is to the right from the main entrance.
• Visitors and employees will self-screen. Do not enter if you have these symptoms: Fever, chills, cough, sore throat, shortness of breath, loss of taste or smell, headache, muscle pain

• Attendees are encouraged to wear masks in the building and may sit physically distanced.

ROLL CALL

Council Member Huynh was absent, excused.

Present: 8 - Mayor Pam Hemminger, Mayor pro tem Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Michael Parker, Council Member Amy Ryan, and Council Member Adam Searing

Absent: 1 - Council Member Tai Huynh

OTHER ATTENDEES

Town Manager Maurice Jones, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Business Management Director Amy Oland, Technology Solutions Director Chris Butts,Deputy Fire Chief Stacey Graves, Fire Chief Vence Harris, CHFD Administrative Services Manager Ryan Campbell, Emergency Management Coordinator Kelly Drayton, Manager of Engineering & Infrastructure Chris Roberts, Administrative Assistant-Planning Diedra Whittenburg-McEntyre, Assistant to the Town Manager for Administrative and Program Management Ross Tompkins, Police Officer Drew Smith, Assistant Town Clerk Brenton Hodge, and Communications and Public Affairs Director/Town Clerk Sabrina Oliver.

OPENING

Mayor Hemminger called the meeting to order at 6:30 p.m. and reviewed the agenda.

0.01. Mayor Hemminger shared Council meeting logistics [22-0872]

Mayor Hemminger explained that Council work sessions did not normally include public input unless there was extra time at the end. Distracting items, such as signs and paddles, were not allowed, she said.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.02. November 18 Arbor Day Celebration and Tree Planting [22-0873]

Mayor Hemminger said that she would be joining Glenwood Elementary School students on November 18th for a tree planting ceremony at North Columbia Housing. There had been many such events in 2022 and another was scheduled for December 3rd, she said.

0.03. Update on November 16 Council Meeting [22-0874]

Mayor Hemminger announced that a regular Council business meeting would be held on November 16, 2022. One item had been moved from that agenda to the November 30th work session to allow for a broader discussion, she said.

AGENDA ITEMS

1. Develop a Master Plan for Design and Rebuild of Chapel Hill Fire Stations and Facilities. [22-0843]

Deputy Fire Chief Stacy Graves began the presentation on Chapel Hill Fire Department (CHFD) facilities and station needs. He said that a recent evaluation had identified building deficiencies and that staff had come to present design and replacement options. He thanked the Council for considering fire stations and facilities in its five-year budget plan for the Town.

CHFD Administrative Services Manager Ryan Campbell provided information on a recent study of Town fire stations' current and future staffing and apparatus needs. He described the methodology that had been used and discussed the findings, which had been grouped into four categories: station condition, apparatus performance, station lay-out across Town, and fire truck lay-out within station areas.

Mr. Campbell said that consultants had deemed three of five stations to be in poor condition. Their recommendations had addressed emergency response, apparatus and equipment, and the time required to get to an incident and back, he said. He outlined several recommendations, which included starting a long-range station replacement planning process and creating a new training facility within Town.

Mr. Campbell discussed the need for an additional modern ladder tuck but noted the lack of space in Town to accommodate and care for one. He displayed a chart that showed the estimated year when several fire engines would need to be replaced. He pointed out that the CHFD's "temporary" training facility was 15 years old.

Mr. Campbell showed a list of improvements that staff believed would be realistic to achieve between FY 2023 and FY 2028. Those had been based on the consultants' recommendation regarding how to make significant progress toward where the Town would need to be in FY 2032, he said.

Mr. Campbell proposed that the Town engage with Orange County Emergency Management Services and others in a design and build process. He proposed that the Council begin to discuss replacing facilities, beginning with Fire Station 3. He said that funding might be available from Orange County if it continued to partner with the Town on Fire Station 2.

Mayor Hemminger and Fire Chief Vence Harris discussed previous discussions about relocating or possibly selling a portion of Station 4, which had been appraised at about $3.2 million. The Mayor confirmed with Chief Harris that recent cost estimates for building a new station

ranged $400 to $800 per square foot, depending on the building's needs and the current cost of construction.

Chief Harris said that Economic Development Officer Dwight Bassett had estimated that a 10,000 square-foot building would cost about $6 million. He pointed out that Station 4 would cost less than that, however, due to its smaller footprint.

Mayor Hemminger confirmed with Chief Harris that Orange County remained willing to partner, had allocated $300,000 for design, and had $3.5 million for potential construction of Station 3. She also confirmed that the County was willing to partner in a similar way regarding Station 4. Chief Harris said that doing so while also selling half of Station 4's land would probably leave a $1.5 million to $2 million funding gap.

The Council confirmed with Chief Harris that the CHFD and other Town departments had discussed the possibility of co-locating together. The Council also confirmed that 5-20 acres would be needed for a training facility, depending on the assessed need. The Council and Town Manager Maurice Jones discussed possible opportunities to partner with the private sector.

Council Members verified that Station 3 would not need a drive-through and probably was not large enough to accommodate one anyway. They confirmed that the total cost of all recommendations combined would be $20-25 million over a 10-year period. The Council ascertained from Management Director Amy Oland that UNC's contribution to the CHFD (which was set by NC state legislature) had been about $1.1 million annually.

Mayor Hemminger asked what effect moving Station 4 to Cedar Falls Park would have on service, and Chief Harris said that it would open up a larger coverage gap between areas 1 and 4. She mentioned a possible lot for Station 3 at Greenfield Station, but Chief Harris said that putting it there would increase the gap because it was more toward Durham. The Mayor pointed out, however, that a number of new developments were being proposed for that area.

Mayor Hemminger confirmed that the CHFD preferred that any new facility be at, or in the vicinity of, Station 3's current location. If it were there, then a new Station 6 would not be needed, but there would be a response gap, Chief Harris said. He and Mayor Hemminger discussed areas of Town that were covered by Orange County's FD as well as residences that the Town covered that were not technically in Chapel Hill.

Mayor Hemminger said that the Council was very supportive, understood the need, and wanted to see some numbers on how to proceed. She

understood the preference for staying in the current vicinity, she said. She pointed out that the CHFD was proposing a plan that would stagger improvements over the next few years.

Chief Harris and the Council also discussed the effects of COVID-19 on staffing, recruitment, and fire coverage.

This item was received as presented.

2. Update on Five-Year Budget Strategy for FY23-34. [22-0844]

Mr. Jones began the Town's five-year budget strategy discussion with a PowerPoint presentation on long-term issues and "hard truths" associated with meeting expectations and needs. While remaining committed to racial equity, social justice, affordable housing, environmental sustainability, Downtown revitalization, and economic sustainability, the Town needed to focus on issues related to maintenance and employee compensation as well, he pointed out.

Mr. Jones said that the Town had responded to much of what the community had asked of it over recent years, but that a long list of deferred needs related to buildings, equipment, vehicles, technology, and employee support remained. The Town had fallen behind in funding many of its core operations and a long list of needs had to be addressed, he said.

Mr. Jones emphasized that employees were at the heart of providing services, which was the Town's core function. He reviewed the significant investments in employee compensation and benefits that the Town had made during the last year. However, some employees were beginning to feel the burden of being overworked and working with outdated tools, he said.

Mr. Jones stressed the importance of prioritizing core business functions, addressing reductions in departmental budgets, and confronting maintenance issues, fleet reduction, and deferred capital expenses. He is seeking feedback from Council and would return in January with scenarios for Council consideration, he said.

Director of Business Management Amy Oland said she agreed with the Manager that capital priorities had not been adequately funded in recent years. Those priorities were related to fleet, facility maintenance, staffing, and operating resources, she said. She discussed prior cuts to the Town fleet's replacement budget and said that a $5.6 million backlog in 2021 had grown to $9.1 million in 2022 due to cost increases and additional needs.

Ms. Oland reported a more than $11.4 million backlog in pay-go capital and facility maintenance funds, not including maintenance costs for Town park facilities. She discussed short- and long-term funding goals that

would keep the Town's fleet up to date and operating effectively. The short-term replacement goal was $1 million, but the longer-term goal was about $1.5 million, which would allow about $1 million for smaller pay-go capital projects and about $500,000 for facility upkeep, she said.

Ms. Oland emphasized that staff salaries needed to remain consistent with the cost of living in order to remain competitive. She said that the Town had made great strides with employee pay adjustments and a cost-of-living adjustment for the current year, but she emphasized the importance of maintaining competitive benefits.

Ms. Oland discussed employee burn-out resulting from a hiring freeze that had been in effect during COVID-19 and said that workloads seemed to be increasing as well. She pointed out that a Class and Compensation Study had not looked at the Town's support employees. She said that the current competitive market had made hiring and maintaining good talent more challenging and that retention was about benefits, work/life balance, and professional development. All of those things would be discussed during FY 2024 budget deliberations, she said.

Ms. Oland said that Town departments lacked the resources to address core services for the next five years and that inflation and supply chain problems were adding to that difficulty. She said that the current backlog of FY 2023 requests from Town departments was $2 million and that an additional $7.8 million would be needed to expand staffing and resources in order to carry out Council priorities.

Mr. Jones noted that the Town's tax rate of 52.2 cents put it in the middle when compared to other NC municipalities. However, the total tax rate for Chapel Hill residents was much higher when Orange County taxes were accounted for, he pointed out. He emphasized the need for a community discussion regarding Town needs and a strategy for addressing those over the next 2-5 years.

Mr. Jones said that Council feedback would influence staff discussions with Town departments and that he would develop department scenarios to share with the Council in January 2023. The Council would continue that discussion at its February retreat and there would be several months of discussion during the FY 2023-2024 budget season, he said.

Council Member Berry confirmed with staff that ARPA funds could be used to cover departmental costs for holding ZOOM meetings. Mr. Jones pointed out, however, that virtual meetings might continue and that ARPA money was intended for one-time expenses. Ms. Oland said that some departments had experienced savings during COVID as well, since they not been able to attend training sessions. However, departments had reached a tipping point where they had absorbed all that they could, she said.

Council Member Parker confirmed with Ms. Oland that electrifying Town vehicles had not been included in cost estimates. She and Mr. Jones pointed out, however, that the Town's Climate Action team was an integral part of the work and that such items would be part of that budget.

In response to Council questions about whether Town residents were getting a fair return on the taxes they pay to Orange County, Mr. Jones said that the Town and County work closely on many different services and that he would need to do a deeper analysis before being able to answer accurately. He summarized some of the meetings and discussions that the Town had been having with Orange County regarding various memos of understanding.

Council Member Anderson confirmed with Mr. Jones that he and the Council would look at trade-offs and scenarios and would make hard choices during budget discussions. The five-year budget would be a guideline, not something that the Town would be wedded to for five years, Mr. Jones pointed out.

Council Member Anderson asked about the probability of evaluating what was working and was not working and the effectiveness of what the Town was spending. Mr. Jones replied that such an analysis probably would find that the organization was quite lean and should add on but might help determine areas that could be reduced in the future.

Council Member Searing requested that staff provide a list of how much was being spent on things other than core services. He confirmed with Ms. Oland that the strong sales tax revenues were being driven, in part, by inflationary costs. She believed that the Town would continue to see higher collections than in the past but that the large percentage growth would level out, Ms. Oland said.

Mayor Hemminger commented on how it was currently very early in the budget season and said that the Council would see real numbers and projections at later stages. She pointed out that the current economy was unpredictable. Changing the interest rates had not reduced inflation as intended, she pointed out. She said that such dynamics made budgeting a little difficult but that the Town always liked a challenge.

This item was received as presented.

3. Shaping Our Future - Stormwater Regulations Review. [22-0845]

Manager of Engineering and Infrastructure Chris Roberts provided an update on a 2021 petition from several Council members that had asked staff to amend the Town's stormwater ordinance to reflect climate change. He summarized the resulting project scope, timeline, and public engagement plan. Stormwater regulations had not been comprehensively

reviewed since 2003, and the Council petition has asked staff to determine whether the original goals remained valid, he said.

Mr. Roberts reminded the Council that staff had presented a document in October 2021 that had eventually become a set of text changes. The consultant working on the Town's Land Use Management Ordinance (LUMO) had then hired SRF Consulting to provide technical support regarding which regulations could be changed and which should wait until the LUMO rewrite, he said.

Kevin Delong, senior project manager with SRF Consulting, said that much work was going into determining how climate change was impacting the Town's stormwater infrastructure. He summarized the plan to review current regulations, make technical changes, and create longer term solutions that could be worked into the LUMO. Places in the existing LUMO language that might conflict with stormwater regulations were also being looked at, he said.

Mr. DeLong showed a proposed timeline and engagement process that included staff, Council, professional stakeholders, Town advisory boards/commissions, and others. He would return to the Council in early December and would then present a report and recommendations in January or February 2023, he said.

Council Member Berry noted that one Public Housing community was located in a floodplain. She recommended that the Town's Affordable Housing partners and its Public Housing Department be included in discussions as well.

Some Council members asked how they might respond when community members complain that new construction was increasing flooding in areas below it. Council Member Parker said that the Town did not seem to be able to provide residents with good answers about the main causes of flooding and what could be done about it.

Council Member Searing said that residents had complained to him that the Town was not looking system-wide and considering the impacts of development on downstream areas. Mayor pro tem Stegman said it would be helpful to have some kind of matrix to help navigate whether an issue was something a homeowner would need to address or a systems issue for which the Town or homeowners association would be responsible.

Council Member Ryan and Mr. Delong discussed the "lack of granularity" in Town topography and the absence of any system for exploring community complaints about a nearby development's effect on a neighboring septic system. Addressing water quality issues would be important as well, Council Member Ryan said.

Mr. Delong agreed with the Council that impervious surface was a challenging issue, which became especially difficult when a state government restricted how towns could address it. However, it might be possible to address things such as parking lot reductions in the LUMO, he said.

Council Member Miller-Foushee asked about remediation for existing communities that contribute to run-off, and Mr. Delong said that retrofits could sometimes be done through capital projects that have to be put in place due to a flooding issue. Remediation was everyone's responsibility even though some may be contributing to the problem more than others, he said.

Council Member Parker pointed out that some residents did not understand storm-related terminology. Town regulations had been largely incomprehensible and had led to inaccurate beliefs, he said, and Mr. Delong noted the importance of communicating with individual property-owners about the benefits to them and their neighbors of using best practices. Perhaps a handbook or flyer could address such issues, he said, and he described some of the clarifying information that it might contain.

Mayor Hemminger expressed satisfaction that the Council's petition had led to a better understanding of what the Town had, what was and was not working, and how to move forward. The Town's stormwater fee had been providing a source of funding to help address some issues, but the Town had not done a good job of explaining that to citizens, she said. She proposed providing a better explanation of that fee on the Town's website.

The Mayor said that the Town needed to find the best way to fix its infrastructure concerns and that the Council needed more clarity regarding future development. New regulations would not fix existing problems and the Town would need to address those as well, she pointed out. With regard to stream erosion and water quality, the Town needed to start restoring and figuring out who was responsible, she said.

Mayor Hemminger pointed out that UNC owned 40 percent of Chapel Hill property and she confirmed that staff would determine where the University stood on the "stormwater equation" and if there were stormwater concerns related to them. She and the Council wanted to engage the community, retrofit existing infrastructure, and determine if there were opportunities for doing something different, she said.

This item was received as presented.

ADJOURNMENT

This meeting was adjourned at 8:36 p.m.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [23-0072], **Version:** 1 **Meeting Date:** 1/25/2023

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.

powered by Legistar™

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.

January 25, 2023

- Close a Legislative Hearing and Consider the Aspen Chapel Hill at 701 Martin Luther King Jr Blvd Conditional Zoning Application (Project 21-060)
- Open a Legislative Hearing for a Land Use Management Ordinance Text Amendment to Articles 1,3,4,5,6 and 7 and Appendix A Related to Housing Regulations and Housing Choices for a Complete Community
- Concept Plan Review: Chapel Hill Transit, 6900 Millhouse Road.
- Open a Legislative Hearing for a Conditional Zoning Application at 2217 Homestead Road (Project 22-019).

March 8

- Close a Legislative Hearing for LINK APARTMENTS, 101 E ROSEMARY STREET: CONDITIONAL ZONING APPLICATION (PROJECT #21-030)

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 on the Council Meetings calendar.

Public Initiated | **Council Initiated** | **LUMO** | **Closed**

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
01/11/2023	Joe Patterson	Request to Make Existing No Parking Sections of Cobb Terrace Tow Away Zones.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100		01/12/2023
01/11/2023	Habitat For Humanity of Orange County (George Retschle)	Request that the Town Council of Chapel Hill Modify the Weavers Grove Conditional Zoning Permit	Planning & Development Services		01/12/2023
01/11/2023	Inter-Faith Council for Social Service (Crystal Ferguson)	Requests Crosswalk at MLK and Taylor Road and Reflective Vests and Equipment for People Experiencing Homelessness	Public Works Lance Norris, Public Works Director Phone: 919-969-5100		01/12/2023
12/07/2022	Environmental Stewardship Advisory Board (Anthony Henage)	Request to Acquire Eastowne Natural Heritage Site and Designate Natural Conservation Area.	Planning & Development Services		12/08/2022
12/07/2022	Carol Conway	Request Regarding Affordable Housing Needs for IDD Members.	Housing & Community		12/08/2022
11/16/2022	Alice Jacoby	Request Using Legion Road Site for Public Housing.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Parks & Recreation Phillip Fleischmann, Parks and Recreation Director Phone: 919-968-2785		11/21/2022
11/16/2022	Virginia Gray	Request for the Entire Legion Site be Saved as a Community Park.	Town Manager Ross Tompkins, Assistant to the Town		11/21/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			Manager Phone: 919-968-2707 Parks & Recreation Phillip Fleischmann, Parks and Recreation Director Phone: 919-968-2785		
11/16/2022	Evette Matthews	Request Affordable Housing on Legion Road Property.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Public Works Lance Norris, Public Works Director Phone: 919-969-5100		11/21/2022
10/19/2022	Deon Temne	Request for Sidewalks at Northside Elementary School.	Planning & Development Services	Staff is preparing information to respond to this request.	10/24/2022
10/19/2022	Kelvin Hargraves	Request for Name Change to Hargraves Center Gym.	Mayor Pam Hemminger, Mayor Phone: 919-968-2714	The Council received and referred this request to the Mayor and Town Manager for consideration.	10/24/2022
10/12/2022	Lisa Ostrom	Request to Add an Informational Sign to the Dixie Ln and Rd Signs.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	10/24/2022
10/12/2022	Elizabeth Onan (CHOCE)	Request for Council Review the Sign Ordinance and the Chapel Hill Transit Authority Policy and Standards to Ascertain They Fully Comply with Federal First Amendment Rights.	Transit Brian Litchfield, Transit Director Phone: 919-969-4908	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/17/2022
09/28/2022	Rachel Eberhard/CASA	Request for SUP Modification Limited Scope Review.	Planning & Development Services	The Council will consider this request at an upcoming meeting.	10/11/2022
09/14/2022	Barbara Driscoll and Lynda Haake	Request Regarding Lights Out Chapel Hill	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/17/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
05/18/2022	Sandy Douglass	Request To Use ARPA Money Towards Pickleball.	Parks & Recreation Phillip Fleischmann, Parks and Recreation Director Phone: 919-968-2785	Final Decisions about ARPA funds will be made in January 2023.	11/21/2022
05/18/2022	Josh Romero	Recommendation for CPAC Charge_Name Change	Police Chris Blue, Police Chief Phone: 919-968-2766	Staff will coordinate with the Council Committee on Boards and Commissions to respond to this request.	08/22/2022
05/04/2022	Cherec Morrison	Request to Add a Crosswalk at Holy Trinity Anglican Church.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100 Planning & Development Services	Staff is preparing information to respond to this request.	08/22/2022
04/27/2022	Moriah Ridge, LLC	Request to Amend Consent Judgement to Permit the City of Durham to Annex a Property off of Mt. Moriah Road.	Business Management Amy Oland, Business Management Director Phone: 919-969-5017	Durham and Chapel Hill staff will coordinate on a response to this request.	08/22/2022
03/09/2022	Wayne Pein	Request to Reconstruct Estes Drive with Alternate Bicycle Facilities.	Planning & Development Services	Staff is preparing information to respond to this request.	08/22/2022
02/23/2022	Wayne Pein	Request to Overhaul the Door Zone Bike Lane on Country Club Road and Correctly Place Shared Lane Markings.	Planning & Development Services Bike Ped Team	Staff is preparing information to respond to this request.	08/22/2022
01/12/2022	Environmental Stewardship Advisory Board	Request to Adopt New Electrification Policies for Chapel Hill.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Staff will share information related to this request at an upcoming Council meeting..	08/22/2022
11/17/2021	Will Raymond	Request Regarding Ethical Rules Guiding Council, Staff and Advisory Board Conduct.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Mayor Pam Hemminger, Mayor Phone: 919-968-2714	The Council Committee on Boards & Commissions discussed this at their 06/27/22 meeting and will share their recommendations for Council consideration at an upcoming meeting.	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
11/17/2021	Pristine Onvoha	Request to Prioritize Bolin Creek Restoration.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100 Stormwater	Staff is preparing information to respond to this request.	08/22/2022
10/13/2021	Tara Kachgal	Request Regarding 110 Jay Street.	Housing & Community		11/18/2022
10/13/2021	Savannah Bowers	Request Regarding Operational Transparency for Town Government	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Council Committee on Boards and Commissions	The Council Committee on Boards & Commissions discussed this at their 06/27/22 meeting and will share their recommendations for Council consideration at an upcoming meeting.	08/29/2022
09/22/2021	Kate Sayre	Request To Build A Splash Pad in Chapel Hill	Parks & Recreation Phillip Fleischmann, Parks and Recreation Director Phone: 919-968-2785	The Council discussed this at their 10/20/2021 work session. Staff will continue to evaluate locations, specifications, and costs for further Council consideration.	08/22/2022
09/22/2021	Barry Nakell	Request to Rename Dixie Lane	Public Works Lance Norris, Public Works Director Phone: 919-969-5100	The Council Naming Committee will review this request and make a recommendation to the Council for consideration.	08/22/2022
09/22/2021	Joan Rehm and Karin Nelson	Request Regarding Downtown Exhaust Noise.	Police Chris Blue, Police Chief Phone: 919-968-2766	Staff is preparing information to respond to this request.	08/22/2022
09/01/2021	Joe Patterson	Request for Modifications to the Town of Chapel Hill Noise Control Code.	Police Chris Blue, Police Chief Phone: 919-968-2766	Staff is preparing information to respond to this request.	08/22/2022
06/16/2021	Robert Beasley	Request Regarding Proposed Jay Street Apartments and Affordable Housing Development on Public Land Planning Process.	Housing & Community	Staff continues to work with legal experts to adhere to all relevant statutes. The Council opened a legislative hearing for a conditional zoning application on 03/23/22 and approved the application on 04/27/22.	11/18/2022
06/09/2021	Robert Beasley	Request Regarding Jay Street Land Tract Development Project Funding.	Housing & Community	110 Jay Street was one of five parcels purchased in 2005 with open space bond funding. Town Attorneys and outside counsel have advised there is no legal conflict with	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
				repurposing the site for affordable housing after this purchase.	
06/09/2021	Deborah Fulghieri	Request that Town Staff Bring Forward Historical and Environmental Information for the Town-Owned Property at Mt. Carmel Church Road and Bennett Road.	Housing & Community	The Town used open space bond funds to pay closing costs for the land donation. There is no legal conflict with considering alternate uses of a site the Town acquired in this way. Council prioritized the parcel for affordable housing in September 2019.	08/22/2022
05/19/2021	Chapel Hill Public Library Advisory Board	Request for a Working Group on Equitable Library Funding.	Mayor Pam Hemminger, Mayor Phone: 919-968-2714 Library Susan Brown, Library Director Phone: 919-969-2034 Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Orange County established a Library Services Task Force with staff and elected officials from both agencies participating. The task force first met in January 2022.	08/22/2022
05/19/2021	Phil Post	Request to Refer the April 21 Petition Related to 160D to the Planning Commission.	Planning & Development Services Planning Commission	Staff is reviewing this request.	08/22/2022
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 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.	08/22/2022
06/10/2020	Community Design Commission	Request to Create a Downtown Design District.	Planning & Development Services	The Town's partnership with UNC on the Downtown Together initiative will help inform the future of downtown development and the role that design standards may have in achieving Downtown Together objectives.	08/22/2022
02/19/2020	Steve Moore	Request Regarding Cemetery Needs.	Parks & Recreation Phillip Fleischmann, Parks and Recreation Director Phone: 919-968-2785	Staff is in contact with the petitioner and is working to respond to the items raised in the petition. The driveways in Old Chapel Hill Cemetery were resurfaced in July 2021.	08/22/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
			Communications & Public Affairs Sabrina Oliver, Communications & Public Affairs Director Phone: 919-968-2757		
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.	08/22/2022
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services	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.	08/22/2022
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services	The Council and staff continue to evaluate and update the Blue Hill Form Based Code.	08/22/2022
04/24/2019	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services	Staff will coordinate with the Council Committee on Boards and Commissions to consider this request.	08/22/2022
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.	08/22/2022
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.	08/22/2022
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services	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.	08/22/2022

Last modified on 1/20/2023 3:15:04 AM

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 on the Council Meetings calendar.

Public Initiated | **Council Initiated** | **LUMO** | **Closed**

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
09/28/2022	Council Member Anderson	Request for Project Review by Complete Communities Team	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Planning & Development Services	The Council received and referred this request to the Mayor and Town Manager for follow-up.	10/11/2022
05/18/2022	Council Members Stegman, Huynh, Berry, Miller-Foushee, and Parker	Request American Legion Property Update	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	The Mayor formed a Legion Property Committee which includes two of the petitioners to recommend next steps to the Council.	11/14/2022
10/27/2021	Mayor Hemminger and the Chapel Hill Downtown Partnership	Request that the Town Explore Taking Over the Downtown Portion of Franklin Street.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	The Council discussed this at their 01/05/22 work session.	08/22/2022
09/22/2021	Council Members Stegman, Huynh, Buansi, and Parker	Regarding Affordable and Missing Housing	Housing & Community Planning & Development Services	Staff prepared a draft Work Plan to address the the petition's interests and is piloting an expedited application review for projects proposing 100% affordable units. Council will receive an update on expedited review at an upcoming meeting.	08/22/2022
09/22/2021	Council Members	Regarding Long Range Planning for Future Growth	Planning & Development Services	The Town hired Jennifer Keesmaat & Alex Mather with The Keesmaat Group, Jennifer Hurley with Hurley~Franks & Associates, and Rod Stevens with Business Street to conduct a future visioning based on	08/29/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
				"meeting the need" for housing in Chapel Hill.	
06/28/2021	Council Member Ryan on Behalf of Mayor Hemminger, Council Member Stegman, and Council Member Gu	Request Regarding Stormwater Storage Basin Projects.	Public Works Lance Norris, Public Works Director Phone: 919-969-5100	The Town has paused proposed stormwater projects pending a broader community discussion. The Town hosted a community information meeting about the flood storage projects identified in the Lower Booker Creek Subwatershed Study on 09/13/2021.	08/22/2022
06/09/2021	Council Members Parker, Ryan, Huynh, Stegman, and Gu	Request Regarding Comprehensive Review of Stormwater Regulations.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Public Works Lance Norris, Public Works Director Phone: 919-969-5100	The Council discussed this at their 10/20/21 work session. Staff will explore options for partnering with the LUMO rewrite consultant to perform this review.	08/22/2022
05/19/2021	Council Members Stegman and Parker	Request Regarding Tax Equity Fund.	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	In Fall 2021, Orange County launched a new Longtime Homebuyer Assistance program to provide property tax assistance to help people stay in their home. Staff recommends that funding for this program remains at the County level.	08/22/2022
05/05/2021	Mayor pro tem Parker, Council Member Buansi, and Council Member Stegman	Request Regarding Chapel Hill Increasing its Minority and Women Business Enterprise/Disadvantaged Business Enterprise (MWBE/DBE) Contracting Targets.	Business Management Amy Oland, Business Management Director Phone: 919-969-5017 Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707	Based on Council direction, staff will build increased targets into the upcoming work on the East Rosemary Parking Deck project. Staff will continue working to respond to the broader request.	08/22/2022
03/24/2021	Council Member Anderson	Request Regarding Manufactured Home Parks	Town Manager Ross Tompkins, Assistant to the Town Manager Phone: 919-968-2707 Housing & Community	At their 04/27/22 meeting, the Council endorsed the County-Wide Manufactured Homes Action Plan.	08/22/2022
03/14/2018	Council Members Anderson, Gu, and	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services	Council enacted ordinance amendments pertaining to stormwater	11/28/2022

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
	Schaevitz			management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council considered amendments for townhomes and deferred action.	
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services 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.	11/28/2022

Last modified on 1/20/2023 3:15:04 AM

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 on the Council Meetings calendar.

Public Initiated | **Council Initiated** | **LUMO** | **Closed**

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status	Modified
06/23/2021	Molly McConnell	Request Regarding Amending the LUMO to Allow 30 Feet Buffer from Roadway.	Planning & Development Services	Request was forwarded to the LUMO project team for considering as LUMO is updated	08/22/2022
05/20/2020	Elaine McVey	Request to Amend the Land Use Management Ordinance Related to Deer Fencing.	Planning & Development Services	Staff will work to bring forward a LUMO Text Amendment for Council consideration at a future date.	10/07/2022
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	Staff will continue to work with residents, the University, and other community members on concerns related to student rental housing. This topic will be considered as part of the LUMO rewrite.	08/22/2022
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services 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.	08/22/2022
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	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.	08/22/2022
06/13/2018	Ondrea Austin	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services	The Town is currently in the process of updating its Land Use Management Ordinance. This idea is under consideration as a part of this process.	08/22/2022

Last modified on 1/20/2023 3:15:04 AM

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [23-0073], **Version:** 1 **Meeting Date:** 1/25/2023

Open the Legislative Hearing for a Land Use Management Ordinance Text Amendment - Proposed Changes to Articles 1, 3, 4, 5, 6, and 7 and Appendix A Regarding Housing Choices for a Complete Community

Staff:
Mary Jane Nirdlinger, Interim Planning Director/Deputy Town Manager
Judy Johnson, Assistant Director
Corey Liles, Planning Manager
Anya Grahn-Federmack, Principal Planner
Tas Lagoo, Senior Planner

Department:
Planning

See the Staff Memorandum on the next page.

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

PRESENTER: Anya Grahn-Federmack, Principal Planner

a. Introduction and preliminary recommendation
b. Recommendation of the Planning Commission
c. Comments from the public
d. Comments and questions from the Mayor and Town Council
e. Motion to recess the Legislative Hearing to February 22, 2023

RECOMMENDATION: That the Council open the legislative hearing, provide feedback on the draft text amendment, and continue the hearing to February 22, 2023.

OPEN THE LEGISLATIVE HEARING: LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – ARTICLES 1, 3, 4, 5, 6, and 7 and Appendix A REGARDING HOUSING CHOICES FOR A COMPLETE COMMUNITY

Staff Memorandum

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Mary Jane Nirdlinger, Interim Planning Director/Deputy Town Manager
Judy Johnson, Assistant Director
Corey Liles, Planning Manager
Anya Grahn-Federmack, Principal Planner
Tas Lagoo, Senior Planner

Amendment Request	**Meeting Date**
Amend sections of the Land Use Management Ordinance (LUMO) to address missing middle housing forms and development of smaller lots, establish design standards, and provide an administrative review process for incremental housing developments.	January 25, 2023

Staff Recommendation

That the Council open the legislative hearing on the LUMO text amendment, receive public comment, provide feedback on the draft text amendment, and continue the hearing to February 22, 2023.

Process

The item before the Council is for approval of a LUMO Text Amendment. The Council must consider whether one or more of the three findings for enactment of the LUMO Text Amendment applies:

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

Decision Points

- Remove density limitations in all zoning districts and instead focus on regulating the size of new construction based on the lot size, setbacks, and height.
- Encourage gentle density by allowing small-scale residential developments up to four units in most residential zoning districts.
- Provide opportunities for smaller development through cottages on compact lots and cottage courts.
- Update the allowed height and setback exceptions.
- Define townhouses of five (5) or more units as a specific use with specific design standards and subdivision regulations
- Clarify and revise setback and height exceptions Specify standards for single-family with accessory apartment, triplex, and fourplex uses to ensure neighborhood compatibility
- Provide revised and new definitions that address the changes outlined above
- No changes to Neighborhood Conservation Districts (NCDs) are proposed at this time. Consider directing staff to revise the NCDs at a later date.

Text Amendment Overview

Based on the direction provided in the Town's adopted plans and commissioned studies, staff proposes a text amendment that seeks to:

- Remove density caps throughout the community. Minimum lot sizes, maximum floor area ratios, setbacks, building height, impervious surface ratios, and other dimensional standards will help new small-scale residential infill projects design buildings that fit within the context of existing single-family residential neighborhoods no matter the number of units provided.
- Expand the diversity of housing types by allowing duplexes, triplexes, and fourplexes, and cottage courts in most residential zoning districts. (Currently triplexes and fourplexes are limited to higher density residential zones that allow multi-family development.)
- Allow for cottages on compact lots, providing a small house-small lot development option.

- Provide opportunities for cottage courts, containing three to twelve detached cottage houses around a central landscaped courtyard.
- Define townhouse and provide development standards for townhouse developments of five (5) or more units.
- Update the current height and setback exceptions.
- Develop procedures that regulate triplexes and fourplexes similar to single-family and two-family developments. Triplexes and fourplexes will be a by-right process approved through a zoning compliance permit (ZCP).
- Establish minimum and maximum parking rates for triplexes, fourplexes, cottage courts, and townhouse developments.
- Amend and introduce design and development standards for duplex, triplex, fourplex, and accessory apartment dwelling units to ensure compatibility with existing neighborhoods.
- Update the definitions to address the changes outlined above.
- The amendments proposed do not supersede any regulations set forth by the Neighborhood Conservation Districts (NCDs), nor do are they intended to incentivize the immediate redevelopment of single-family neighborhoods. The proposed changes will encourage context-sensitive density over time and provide additional dwelling units incrementally within existing neighborhoods.

Background

Chapel Hill's available housing units do not meet the needs of current and future residents. Chapel Hill, like most communities across the country, is experiencing a housing crisis. An estimated 5,000+ units of affordable housing alone are needed in Chapel Hill to serve low-income households. Over 36% of households in Chapel Hill are cost burdened Some may be forced to seek housing outside of Town limits leading to longer commutes, traffic, and parking demands. The *Projected Housing Needs: 2020-2040*[1] study found that a diverse range of housing types at different price points serving different life stages is necessary to meet demands. Staff proposes a text amendment to the Land Use Management Ordinance (LUMO) to provide housing choices for a complete community.

Chapel Hill's LUMO as written has encouraged suburban development trends, fostering the construction of detached, single-family, owner-occupied housing and multifamily renter-occupied housing. This has also led to segregation of housing types, with large swaths of Chapel Hill devoted to only detached, single-family residential developments on large lots. Not only is this an inefficient use of the land, but it has also contributed to higher home values and higher rents for tenants, pricing many out of the community. By limiting development in low-density neighborhoods, housing demand has moved to the fringes of the community where large lots and farmland have been converted to housing developments. These areas on the edges of the community contribute to longer commutes, greater use of automobiles, and increased emissions. Low-density zoning districts do not align with Council's goals for social justice and creating an inclusive and integrated community.

Recognizing this, the Town Council has indicated in its adopted plans and commissioned studies the need for a mix of housing types to provide opportunities for affordable housing, missing middle and middle-income housing. Specific plan references are included in the attached Technical Report.

In October 2022 and January 2023, Planning staff introduced a series of text amendments to encourage "gentle density" into existing residential neighborhoods. Staff met with the following Advisory Boards:

Date:	Advisory Board:
October 4, 2022	Planning Commission[2]

[1] https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000
[2] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=1002261&GUID=1D34F7CA-9F20-4CDB-A33C-F2B374FE96D3&Options=info|&Search=

October 11, 2022	Housing Advisory Board (HAB)[3]
January 10, 2023	HAB[4]
January 17, 2023	Planning Commission[5]

Since initially meeting with Planning Commission and HAB, staff has done additional research, analysis, and outreach, including:

- Creating an online survey and public forum on PublicInput.com[6]
- Engaging with the Home Builders Association, architects, and developers to receive feedback on the proposal related to Missing Middle Housing forms and townhouses
- Discussing the proposal with Town staff from the Town Attorney's, Building & Development Services, Code Enforcement, Fire, Housing, and Stormwater departments as well as the Town's Urban Designer and Diversity, Equity, and Inclusion Officer
- Meeting with Durham Planning staff to discuss their Expanded Housing Choices text amendments and Raleigh Planning staff on their Missing Middle zoning reforms
- Receiving preliminary Council feedback at their December 2, 2022 Council Committee on Economic Sustainability (CCES) meeting[7]
- Hosting Public Information Meetings on January 11, 2023[8] and January 12, 2023[9]. Recordings and meeting materials are available on the project webpage[10].

Staff heard support from both the Planning Commission and HAB, and the Planning Commission recommended additional changes that are included in their recommendations. Staff has incorporated the feedback received from the Advisory Boards and groups above to revise draft Ordinance A.

Potential Outcomes

Staff has analyzed the success of similar programs to provide increased opportunities for housing development:

Minneapolis 2020 Comprehensive Plan (January 2020-2022)	• 70% of land area zoned for detached, single-family
	• January 2020 – rezoned to allow duplexes and triplexes
	• Approximately 9,000 housing units permitted, including:
	  ○ 62 new duplexes (0.68% of total permits)
	  ○ 17 new triplexes (0.18% of total permits)

Durham Expanding Housing Choices (EHC)[11] (October 2019-November 2022)	• Found that 2,000 dwelling units/year needed county-wide
	• 407 EHC-related permits since 2019:
	  ○ 15 single family + accessory dwelling unit (ADU) (3.68% of total permits)
	  ○ 11 single family (2.7% of total permits)

[3] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=994251&GUID=12C5C144-C6D1-47B6-A898-C9FAC3F3B95C&Options=info|&Search=
[4] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=1073454&GUID=BD91AB80-59BA-4CB1-9541-C57A4429F011&Options=info|&Search=
[5] https://chapelhill.legistar.com/MeetingDetail.aspx?ID=1056571&GUID=D1B8C681-3C3E-40E7-B7A1-2F8C4FEFF30E&Options=info|&Search=
[6] https://publicinput.com/v3540
[7] https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee
[8] https://www.townofchapelhill.org/Home/Components/Calendar/Event/20302/15?curm=1&cury=2023
[9] https://www.townofchapelhill.org/Home/Components/Calendar/Event/20304/15?curm=1&cury=2023
[10] https://www.townofchapelhill.org/government/departments-services/planning/plans-and-ordinances/housing-access-text-amendments
[11] https://www.durhamnc.gov/DocumentCenter/View/47593/JCCPC-EHC-Metrics-November-30-2022-PDF

	○ 15 duplexes (3.69% of total permits) ○ 60 ADUs (14.7% of total permits) ○ 152 lot splits (37.35% of total permits) ○ 132 small lot options (32.4% of total permits) ○ 47 demolitions (11.5% of total permits)
Raleigh Missing Middle Housing Reforms[12] (August 2021- October 2022)	• August 2021 reforms eliminated density and instead focused on dimensional standards. • Allowed for Tiny Houses up to 1,200 SF in floor area, duplexes, townhouses with ADUs, 3-unit multi-family dwellings on smaller lots, cottage courts, and Transit-oriented development (TOD) • Applications for Missing Middle Housing as a result of ordinance changes included: ○ 11 subdivisions ○ 90 ADUs ○ 0 Townhouses
Predicted Chapel Hill Outcomes	• 70.9% Land zoned for detached, single-family and duplex • Add on average 262 housing units/year • Using the same percentages as the cities above, this would lead to: ○ 1.78(0.68%) to 9.6 (3.69%) new duplexes per year ○ 0.47 new triplexes (0.18%) ○ 84.8 new cottages on compact lots (32.4%)

Staff anticipates that the proposed text amendments will incrementally add new housing in Chapel Hill's existing neighborhoods.

Accessory Apartments

Following a 2015 ordinance to allow accessory apartments in all zoning districts that permit single family dwelling units, the town saw approximately 39 new permitted accessory apartments constructed between then and 2021. Many of these additional dwelling units were constructed as part of basement renovations or above garages.

Short-Term Rentals (STRs)

No changes are proposed to the STR regulations at this time. Currently the Residential (R-) zoning districts only permit primary residence STRs. A primary residence is defined as, "a dwelling unit, a single-family dwelling unit with accessory apartment, or a dwelling unit with an attached duplex unit owned by the same property owner, in which a host resides a majority of the year (183 days per year or 50% of the time)." There is no provision for triplexes and fourplexes, and staff finds that these would be treated as dedicated STRs which are not permitted in the R- zoning districts.

[12] https://raleighnc.gov/planning/what-missing-middle

Other Considerations

- No changes to the Neighborhood Conservation Districts (NCDs) are proposed at this time. Of the Town's thirteen NCDs, only Northside and Pine Knolls currently allow duplexes and triplexes for affordable housing. Glen Lennox allows duplexes on specific lots. The majority of the NCDs prohibit duplexes and are silent on triplexes and fourplexes as these are currently not allowed in the underlying low residential zoning districts. It is not the intent to allow small multi-family developments in the NCDs at this time.

  Staff find that the NCDs were created after significant community engagement and input. While staff is not proposing to amend NCDs at this time, staff believes further analysis should be conducted to determine what updates to the NCDs may be needed in the future. It would be helpful to receive input from Council about revising the NCDs.

- Staff has proposed limiting occupancy to no more than four unrelated people per dwelling unit. Note, however, that the State's residential building code allows up to eight unrelated people per dwelling unit, so enforcement of the occupancy requirement would be separate from building code enforcement. Occupancy has been difficult to enforce in the past.

- Stormwater staff are currently considering amendments to their regulations, and staff has not made text amendments to this section of LUMO. Multi-family developments of 3 or more units will still be required to make stormwater improvements.

- Staff has not proposed changes to LUMO 5.2.4[13] which requires that every subdivided lot front on a street meeting Town standards, which include sidewalks, curbs, and gutters.

- Subdivision standards of LUMO 4.6.3(b)[14] have not been amended. Any subdivision that seeks to create more than four (4) lots from any tract of land or lots of record that existed as of October 8, 1956, will require Council review as a major subdivision.

- In some instances, the Fire Code may be more restrictive than the provisions of the LUMO, such as access requirements and building separation.

- The Town's GIS maps have identified some 247 neighborhoods in Chapel Hill. Staff is in the process of analyzing these to determine how many single family neighborhoods in Chapel Hill have a Homeowners' Association, restrictive covenants, or an underlying entitlement (master land use plan, conditional zoning, or special use permit) that restrict development to single family or single family + accessory apartment only.

- Zoning regulations alone will not address the housing shortage. Other tools that could be applied include:
  - Amending the zoning map to allow more density
  - Development bonuses for affordable housing
  - Transit-oriented development, which is currently underway
  - Expedited review for pre-approved housing designs

ATTACHMENTS

1. Technical Report
2. Table- Comparison of Housing Types
3. Draft Staff Presentation
4. Resolution A (Resolution of Consistency)
5. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)
6. Resolution B (Deny Land Use Management Text Amendment Proposal)
7. Advisory Board Recommendations

[13] https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART5DEDEST_5.2LOLAST

[14] https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA_ART4PR_4.6SU

TECHNICAL REPORT

PROJECT HISTORY/BACKGROUND

For nearly a decade, the Town Council has stressed the need for a mix of housing types to meet the price points, life stages, and preferences of current and future residents. In response to Town Council's direction, the Planning Department proposes addressing Chapel Hill's housing crisis by encouraging "Gentle Density." Gentle density allows small-scale residential projects such as accessory apartments, duplexes, triplexes, fourplexes, and cottage courts to be constructed within existing neighborhood fabric. The purpose of allowing these uses in existing residential zoning districts is to:

- Expand opportunities for diverse housing types that meet different price points, life stages, and preferences.
- Increase housing unit production that will in turn improve the availability and affordability of housing.
- Encourage compatible infill development specifically designed to respond to the context of existing single-family neighborhoods.
- Sensitively and slowly increase the density of existing neighborhoods. In turn, this will support community commercial centers, transit routes, and greenways.
- Increase density and promote walkability on existing and proposed greenways and trails and increases transit ridership. These alternative forms of transportation meet the town's goals for fostering environmental suitability.

These changes are supported by the following adopted plans, commissioned reports, and the petition from several Council members:

Plan	Goals or themes supporting diversity of housing:
Chapel Hill 2020 Comprehensive Plan[15] **Adopted: June 25, 2012**	• A range of housing options for current and future residents (*Place For Everyone*.3) • Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces*.1) • 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 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) • Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces*.8) • Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community*.7) • Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration*.4)

[15] https://www.townofchapelhill.org/home/showpublisheddocument?id=15001

	• Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration*.6)

Future Land Use Map[16]
 	
Adopted: December 9, 2020
	• Guiding Statement 1: Respond to the threats associated with climate change and environmental stewardship and resiliency by:
	  ○ Creating compact, walkable, mixed-use communities where activities are in close proximity and require less time and energy to access and travel between destinations.
	  ○ Densify at strategic locations and mixing land uses shortens trips and reduces car dependency.
	  ○ Promote patterns and styles of development that are climate responsive and utilize existing infrastructure.
	  ○ Support transit systems through additional housing units and more intense land uses.
	• Guiding Statement 2: Ensure equitable planning and development.
	  ○ Mitigate residential displacement as development and redevelopment occurs
	  ○ Provide affordable housing options for all family sizes and incomes in all neighborhoods
	  ○ Preserve and strengthen intact neighborhoods, building upon local assets and resources
	  ○ Develop healthy and safe communities through, among other improvements, walkable neighborhoods.
	• Guiding Statement 3: Encourage of Diversity of Housing Types
	  ○ Development of duplexes, triplexes, fourplexes, and accesory dwelling units with an approval process and requirements similar to single-family detached dwellings. FLUM recognizes that small-scale multi-family uses could fit into the existing fabric of single-family neighborhoods if carefully integrated into the existing neighborhood.
	  ○ Development of townhouses at the edge of existing neighborhoods that act as a transitional use.
	  ○ Small lot single-family subdivisions that utilize traditional neighborhood design to create compact, livable, and accessible neighborhoods.
	• Guiding Statement 4: Promote distinctive, safe, and attractive neighborhoods.
	  ○ Direct dense growth to multimodal and key transportation corridors to promote a multi-modal network and increase mobility options.
	  ○ Protect and preserve historic neighborhoods and neighborhood conservation districts (NCDs).
	• Guiding Principal 8: Provide appropriate transitions between land uses and buildings of different scales.
	  ○ Create harmonious transitions between different types and intensities of land uses and built forms physically through form, use, architectural, and landscaped transitions.
	• Guiding Principal 9: Preserve and maintain the appearance of Chapel Hill and create quality design and development
	  ○ Focus high quality appearance and design of private development to public views
	  ○ Develop design guidelines, regulations, streetscape plans, and improvements that provide guidance on building massing, scale, shape, and orientation

Mobility & Connectivity Plan **Adopted October 28, 2020**	• Compact, higher density and multi-family development creates demand for greenways, walking and biking paths, as well as transit.

[16] https://online.flippingbook.com/view/26191/

Climate Action & Response Plan[17] **Adopted: April 7, 2021**	• Compact, walkable, bikeable, transit-served neighborhoods require higher density development. The plan calls for incentivizing more compact, affordable, and mixed income housing, including "missing middle" and accessory dwelling units.
Petition from Council Members Regarding Affordable and Missing Middle Housing[18] **Submitted: September 22, 2021**	• Several members of Council asked staff to create a new application pathway to foster the creation of missing middle housing, such as duplexes, triplexes, townhouses, and other forms of compact development.
Projected Housing Needs, 2020-2040[19] **October 12, 2021**	• The Town of Chapel Hill and University of North Carolina jointly funded a report to determine housing needs. The report found that most new housing was single-family and apartments, with only 5% of new units completed serving as owner-occupied condominiums or townhouses. The Chapel Hill housing market found that more diverse housing types were needed in walkable neighborhoods to meet the needs of those left out of the current market, including first time homeowners, young families, divorcees, empty nesters, and seniors. About 500 units/year are needed to meet housing demands.

Complete Community Strategy[20]
 	
December 7, 2022
	• The Town of Chapel Hill worked with consultants to develop a new approach to housing that clarifies where and how its built to create inclusive, sustainable, and complete communities. The strategy supports:
	  ○ Diversity of housing types, including missing middle density for both renters and homeowners.
	  ○ Diversity of tenures for a diversity of households and recognizes that both units and secondary suites add gentle density.
	  ○ Higher density, higher use, and lessened need for driving/parking will lower infrastructure and building costs.
	Note: The Complete Community Strategy has not yet been put into narrative form and integrated into the Comprehensive Plan so that it may become part of the development review process. Town staff have begun that work and the matter is scheduled for public hearing in April 2023.

PROPOSED TEXT AMENDMENT CHANGES

The following is a summary of the proposed text amendments to modernize housing regulations and to encourage gentle density by expanding housing choices:

1. **Clarify definition of two-family.**
   Staff proposes amendments throughout the Land Use Management Ordinance (LUMO) to clarify that "Two-family" refers to both single-family dwelling units with an accessory apartment as well as duplex dwelling units. In some places, staff simplified the terminology to state single-family dwelling unit with accessory apartment or duplex dwelling unit.

2. **Diversify the types of housing units allowed.**

[17] https://www.townofchapelhill.org/Home/ShowDocument?id=48581
[18] https://chapelhill.legistar.com/View.ashx?M=F&ID=9834553&GUID=1DB8AFA8-3BDF-42E2-9E41-D6747BD4ECF4
[19] https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000
[20] https://www.townofchapelhill.org/businesses/complete-community#:~:text=The%20Complete%20Communities%20Strategy%20is,current%20and%20future%20housing%20needs.

- Triplex and Fourplex Dwelling Units.
- Cottages on compact lots— a new use that would allow small houses on lots that are below the minimum lot size of the zoning district. Durham has found success in allowing a similar use.
- Cottage courts, with regulations to encourage clusters of small houses around a shared open space.
- "Multi-family dwelling units" has been redefined as either 5 to 10 units or more than 10 units.

3. Amend Table 3.7-1: Use Matrix to expand small-scale residential development in residential zones and introduce fourplex and townhouse uses.

This amendment will expand housing choices by allowing duplexes in all residential (R-) zoning districts. The text amendment also allows cottages, triplexes, and fourplexes in most residential zoning districts, starting with Residential-1A (R-1A).

Through their Expanding Housing Choices Ordinance, Durham found that there was still significant demand for detached single-family housing. Staff proposes a similar "small house, small lot" initiative that would allow cottages on compact lots. Cottages, with a maximum floor area of 1,600 square feet, would be permitted on lots measuring a minimum of 2,700 square feet. This is roughly half the size of the smallest lots of 5,500 square feet allowed in the R-5 and R-6 zoning districts. The typical thresholds for minor or major subdivisions would apply to the creation of compact lots.

Cottage courts are proposed to be permitted in residential zoning districts, starting with Residential-3 (R-3). This would allow the development of clusters of cottages, measuring no more than 1,600 square feet in floor area each, to be constructed around a landscaped open space.

Staff has also introduced townhouses as a new use that would be permitted in most Residential (R-) zoning districts: R-1, R-2, R-3, R-4, R-5, R-6, R-SS-CZD as well Town Center, Community Commercial, Neighborhood Commercial, and Office/Institutional districts.

Table 3.7-1 Permitted Uses do not supersede any use requirements specifically detailed in the Neighborhood Conservation Districts (NCDs). Many of the NCDs have already provided context-sensitive requirements for duplexes and multi-family dwelling units. Others have restricted duplex uses altogether. The majority are currently silent on triplexes and fourplexes as these uses are not currently permitted in most residential zoning districts. Staff believes the next phase of this project should be to engage with NCD residents and examine the allowed uses in these neighborhoods.

4. Amend Section 3.8.2 Dimensional Regulations and Table 3.8-1-Dimensional Matrix to remove density restrictions and set standards for small-scale housing developments.
Staff has proposed several amendments to this section:

- *Remove density requirements*. The current LUMO limits the number of dwelling units per acre of gross land area by zoning district. Staff proposes eliminating these density requirements. Minimum lot size, minimum and maximum setbacks, height, impervious surface ratios, and floor area ratios will define a building envelope and work to keep any new buildings and lot sizes compatible with the surrounding neighborhood and single-family development. This would be a shift away from regulating through prescribed density and instead focusing on the number of dwelling units contained within a building. The standards proposed will mitigate the impacts of increased density by requiring new small-multi-family developments to fit into the neighborhood context, thus reducing the perceived density visible from the street.

  While this proposal seeks to eliminate the density prescribed by the LUMO, other standards that indirectly control density will remain. Dimensional standards, including minimum lot size, setbacks, and building height will remain. This allows a progression in density between Residential-1 (R-1) to Residential-6 (R-6) zoning districts.

- *Maximum Impervious Surface*. Currently the LUMO allows residential developments an impervious surface ratio of 0.5 and commercial developments a ratio of 0.7. This can be confusing as multi-family developments fall under the commercial building code and use a ratio of 0.7. Staff has clarified that

residential developments of up to 4 units shall have a maximum impervious surface ratio of 0.5 and larger multi-family and townhouse developments as well as fraternities and sororities shall follow a ratio of 0.7.

- *Maximum Floor Area Ratio (FAR)*. Staff has clarified that duplexes, triplexes, and fourplexes should provide an FAR no greater than 0.40 unless the zoning district or neighborhood conservation district establishes a more restrictive FAR. Staff finds that the FAR will help limit the size of the building and encourage compatibility with neighboring single-family developments.

5. Update the setback and height exceptions outlined in Section 3.8.
Staff has proposed amendments related to the following setback exceptions:

- *Fences*. Distinguish between fence heights in front yards versus side and rear yards. Provide setback exceptions for arches and trellises incorporated into the fence design.
- *Mechanical Equipment and Wells.* Staff has received variance requests for new mechanical equipment located in interior setbacks. Staff proposes allowing mechanical equipment associated with residential developments of less than five (5) units to encroach up to 5 feet into setbacks so long as they can comply with the Town's Noise Ordinance. Staff also proposes allowing wells to encroach into setbacks so long as any necessary well house does not exceed 4 feet in height.
- *Window Wells.* Currently, any window wells are required to meet setbacks. Staff proposes allowing window wells to encroach into the interior and solar setbacks so long as they are the minimum size required by the Building Code.
- *Site Access.* Staff has incorporated amendments to allow for sidewalks, pathways, accessibility ramps and similar structures to be located in setbacks. Currently, Chapter 17 of the Town Code provides setback requirements for driveways, and staff has incorporated it here as a reference.
- *Transportation-related improvements*. Both residential and commercial developments have seen increased demand for electrical vehicle charging stations, and staff has included a provision for these to encroach into setbacks. Bus shelters and rideshare shelters may also be located in setbacks to promote these uses.

Staff has also reorganized the height exceptions to group similar architectural features and mechanical equipment together. Additionally, staff has incorporated a provision for solar collectors to extend above the maximum building heights based on the SolSmart[21] model ordinance.

6. Revise Inclusionary Zoning Standards.
Currently, the Inclusionary Zoning Ordinance determines the minimum number of affordable housing units generated by a subdivision as a percentage of the number of dwelling units permitted on the lots in the approved subdivision. Under the current zoning, most subdivisions in residential zoning districts would yield one (1) single family or duplex dwelling unit per lot in a new subdivision. Roughly:

15% of proposed lots x 1 single family dwelling unit/lot = Number of affordable housing units

The new regulations would significantly increase the number of affordable housing units generated if a fourplex were permitted in most zoning districts and the method of calculation remained the same:

15% of proposed lots x 4 units/lot = Number of affordable housing units

Staff finds that this would become a deterrent to many small-scale developers seeking to add gentle density. Instead, staff proposes that the 15% of the lots be deed-restricted to affordable housing development. Any fractions of a lot or payment-in-lieu would be based on the maximum number of units permitted on the lot. Staff is continuing to analyze whether this change to the Inclusionary Zoning Ordinance would achieve the intended results.

7. Incorporate Townhouse Subdivision in the Subdivision Procedures.
Currently the requirements for a townhouse subdivision are included in Appendix A- Definitions. Staff proposes relocating these to LUMO Section 4.6. Subdivision. Townhouse subdivision requirements have been

[21] https://solsmart.org/solar-energy-a-toolkit-for-local-governments/planning-zoning-development/

further refined so they may be applied to cottage courts and other detached housing developments on smaller lots within a larger zoning lot.

8. **Exempt triplexes and fourplexes from Site Plan Review**.
   Currently, only single-family, single-family with accessory apartment, and duplex dwelling units are exempt from site plan review by the Planning Commission. The FLUM calls for the development of duplexes, triplexes, fourplexes, and accesory dwelling units to have an approval process and requirements similar to single-family detached dwellings. As such, staff proposes allowing these uses to be administratively approved.

9. **Require Site Plan Review for Cottage Courts.**
   Staff finds that this is a new use that is intended to be pedestrian-oriented. Additional review may be necessary to ensure standards are met, and staff recommends that Cottage Courts follow the site plan review process for approval by the Planning Commission.

10. **Amend Zoning Compliance Permit (ZCP) requirements to expedite the review process for small-scale multi-family developments as well as clarify exemptions to ZCP requirements for tree removal.**
    Staff has matched duplexes, triplexes, fourplexes, and other multi-family developments of less than five (5) units to the same ZCP exemptions as single-family residential development. This is consistent with the direction provided by the FLUM that seeks to encourage small-scale residential development by offering a process similar to that of single-family development.

    Currently, projects requiring less than 1,500 square feet of land disturbance do not trigger a ZCP and the LUMO does not regulate trees related to single-family development. Staff has found that removal of tree canopy measuring less than 1,500 square feet can have a detrimental effect on stormwater as it the loss of tree canopy exposes soil and causes runoff issues. Staff has incorporated an additional exemption to address this by exempting from a ZCP those projects that do not include tree removal of five (5) trees (2,500 square feet of canopy) or more than 25% of the total tree canopy coverage of the site, whichever is less.

11. **Clarify Recreation Space requirements for Multi-family and Townhouse Developments of five (5) or more units.**
    Currently, townhouses meet the definition of single-family dwelling units because they are located on individual lots. They do not meet the current definition for multi-family because it is defined as a combination of dwellings on a single lot. This has caused confusion as to which development standards apply.

    Staff finds that to fit into the context of existing single-family neighborhoods, small-scale residential developments of four (4) or less units should not be required to meet recreation space requirements. Staff has clarified that multi-family and townhouse developments of five (5) or more units should meet the LUMO requirements for multi-family developments for active recreation space.

12. **Amend Table 5.6.6-1 Schedule of Required Buffers to treat small-scale residential development the same as single-family development.**
    Single-family and two-family developments are not required to provide buffers with other developments of the same intensity. Staff proposes incorporating triplexes and fourplexes into this list.

13. **Clarify the tree protection and tree canopy requirements.**
    Staff proposes reiterating that the requirements apply to multi-family and townhouse developments of five (5) or more units, not single-family and small-scale multi-family housing up to four units.

    Staff has heard concerns that more density will lead to the loss of tree canopy. To combat this, staff proposes amendments that would require 20% tree canopy coverage for triplexes and fourplexes as well as 30% for cottage courts. No minimum tree canopy requirements are proposed for single family, duplex, or cottages.

14. **Update parking standards and provide requirements for small-scale residential developments.**
    Staff proposes the following amendments:

- *Motorcycle and Moped Parking*: Removing a requirement to provide motorcycle, moped, and bicycle parking for parking facilities accommodating more than five (5) vehicles as this provision regularly requires an increase in the number of parking spaces provided, causes confusion as there is no reduced parking space dimensions for mopeds and motorcycle parking, and leads to an increased impervious surface ratio. Applicants typically request a modification to regulations for this provision in conditional zoning district applications. Staff finds that motorcycles and mopeds can likely share vehicular parking spaces. Bicycle parking requirements are provided, and the Engineering Design Manual further clarifies Class I and II bicycle parking and storage.
- *Small-scale Residential and Multi-family development parking ratios*: Duplex, triplex, and fourplexes would provide parking at the same rates as multi-family developments based on the number of bedrooms.
- *Cottage Court parking ratios*: A minimum of one (1) parking space and maximum of two (2) parking spaces per unit for non-Town Center (TC-) zoning districts.
- *Townhouse development parking ratios:* In the Town Center (TC-) zoning districts, a maximum of 1 parking space/townhouse is required. For other zones, the required parking increases to a minimum of 1 space and maximum of 2 spaces.

  As part of this requirement, staff seeks to encourage rear-loaded townhouses over front-loaded ones. This would push parking behind the townhouse and allow for pedestrian-oriented entrances and streetscapes. Staff has heard concerns from the Town Council and Community Design Commission (CDC) that front-loaded townhouses are too vehicle-oriented with wide garages that consume much of the front façade. Garages are often used for storage, which dictates that driveways and shared parking areas be provided. Successive driveways also prevent continuous sidewalks and decrease walkability. The combination of these improvements leads to greater impervious surface areas and built upon areas. Staff has created design standards for townhouse developments that encourage pedestrian-oriented facades with emphasized entrances and recessed garages.

15. Amend Article 6- Special Regulations for Particular Uses to address development standards for housing types.

Staff has proposed regulations to require context-sensitive infill design for each of the following uses:

- *Accessory Apartments*. Currently the development standards for accessory apartments are included in Appendix A- Definitions. A new section in Article 6 dedicated to this use would include additional provisions would require an accessory apartment to remain subordinate in mass, size, scale, and location to the primary dwelling unit.
- *Cottages*. New development standards for these small houses ensure that they remain small-scale development. Cottages are defined as units with a maximum floor area of 1,600 square feet on a lot measuring a minimum of 2,700 square feet. These units and lots would require plat notes specifying the limitations of the development.
- *Cottage Courts*. These developments could contain between three to twelve single-family or duplex cottages on lots measuring 10,000 to 24,000 square feet. The intent of the cottage court is to develop pedestrian-oriented houses around a shared centralized, landscaped open area. Parking would be relegated to the rear or side of the development.
- *Triplexes and Fourplexes*: New development regulations for these uses ensure that they fit within the context of single-family neighborhoods by encouraging roof designs, massing, fenestration patterns, and materials to be similar to those found on single-family houses within the existing neighborhood.
- *Townhouse Developments*. Dimensional standards and subdivision requirements are currently provided in Appendix A- Definitions. A new section in Article 6 would incorporate design standards and provisions for front- and rear-loaded townhouses, pedestrian entrances, changes in setback to break up the massing, and variations in design to ensure that no more than 2 contiguous townhouses have the same façade design. Many of these changes reflect the comments heard from the Community Design Commission (CDC) during their review of townhouse developments.

16. Amend existing definitions to reflect the changes outlined above as well as introduce new definitions for fourplex and townhouse dwelling units.

Terms Amended	Terms Introduced	Terms Removed

• Dwelling units, Duplex • Dwelling units, multifamily • Dwelling units, single-family with accessory apartment • Dwelling units, two-family • Dwelling units, triplex • Recreation space • Townhouse subdivision	• Condominium • Dwelling units, fourplex • Dwelling units, townhouse • Dwelling units, cottage court • Dwelling units, cottage on cottage lot • Townhouse development	• Two family lot

Comparison of Housing Options

The Town is considering expanded opportunities to introduce "Gentle Density" into existing neighborhoods. This table shows the different housing types that would be permitted in the Land Use Management Ordinance text amendment.

Text that is **bold** reflects proposed changes to the Land Use Management Ordinance (LUMO). Rows that are outlined reflect new housing types that will be introduced by the proposed changes to the LUMO.

Housing Type	Min. Lot Size	Impervious Surface Ratio	Requires landscape buffers next to single family development	Tree Canopy Coverage	Vehicular Parking Spaces		Floor Area of Dwelling Unit	Max. Building Footprint	Max. Number of Units per Lot	Max. Height
					TC- Zoning Districts	Non-TC- Zoning Districts				
Detached Single Family	Follow Zoning District	0.50	N/A	N/A	N/A	N/A	N/A	N/A	1 unit	Follow Zoning District
Detached Single Family + Accessory Apartment	Follow Zoning District	0.50	N/A	N/A	Min. 1 per accessory apartment	Min. 1 per accessory apartment	Detached accessory apartment limited to 750 SF – 1,000 SF	N/A	1 accessory apartment/ lot	25 ft.
Cottage on Compact Lot	**Min. 2,700 SF**	**0.50**	**N/A**	**N/A**	**N/A**	**N/A**	**Max. 1,600 SF**	**Max. 1,000 SF**	**2 units**	**29 ft.**
Cottage Court	**10,000 SF – 24,000 SF**	**0.50**	✓	**30%**	**Max. 1 per dwelling unit**	**Min. 1- Max. 2 per dwelling unit**	**Min. 500 SF – Max. 1,600 SF**	**N/A**	**3-12 units**	**25 ft.**
Duplex	Follow Zoning District	0.50	N/A	N/A	Follows multi-family requirements	Follows multi-family requirements	Max. 3,000 SF and 0.40 FAR	N/A	2 units	Follow Zoning District
Triplex	Follow Zoning District	**0.50**	N/A	**30%**	Follows multi-family requirements	Follows multi-family requirements	**Min. 500 - Max. 1,600 SF and FAR based on zone**	N/A	3 units	Follow Zoning District
Fourplex	**Follow Zoning District**	**0.50**	**N/A**	**30%**	**Follows multi-family requirements**	**Follows multi-family requirements**	**Min. 500 - Max. 1,600 SF**	**N/A**	**4 units**	**Follow Zoning District**

Housing Type	Min. Lot Size	Impervious Surface Ratio	Requires landscape buffers next to single family development	Tree Canopy Coverage	Vehicular Parking Spaces		Floor Area of Dwelling Unit	Max. Building Footprint	Max. Number of Units per Lot	Max. Height
					TC- Zoning Districts	Non-TC-Zoning Districts				
							and FAR based on zone			
Townhouse	**Min. 1,600 individual townhouse lot**	**0.70**	✓	**30%**	**Max. 1 per dwelling unit**	**Min. 1 – Max. 2 per dwelling unit**	**N/A**	**N/A**	**1 unit/lot**	**Follow Zoning District**
Multi-family, 5-10 units	2x the minimum lot size of the zoning district	0.70	✓	30%	No change	No change	N/A FAR based on zone	N/A	N/A	Follow Zoning District
Multi-family, +10 units	2x the minimum lot size of the zoning district	0.70	✓	30%	No change	No change	N/A FAR based on zone	N/A	N/A	Follow Zoning District

Land Use Management Ordinance Text Amendment

Housing Regulations & Housing Choices for a Complete Community

January 25, 2023

Draft

Recommendation

- Open the Public Hearing
- Receive public comment
- Continue the hearing to February 22, 2023

Background

Why are we doing this?

- September 2021 – Council members petition staff to create pathway for missing middle housing
- Projected Housing Needs, 2020-2040
- Complete Community Strategy

COMPLETE COMMUNITY STRATEGY

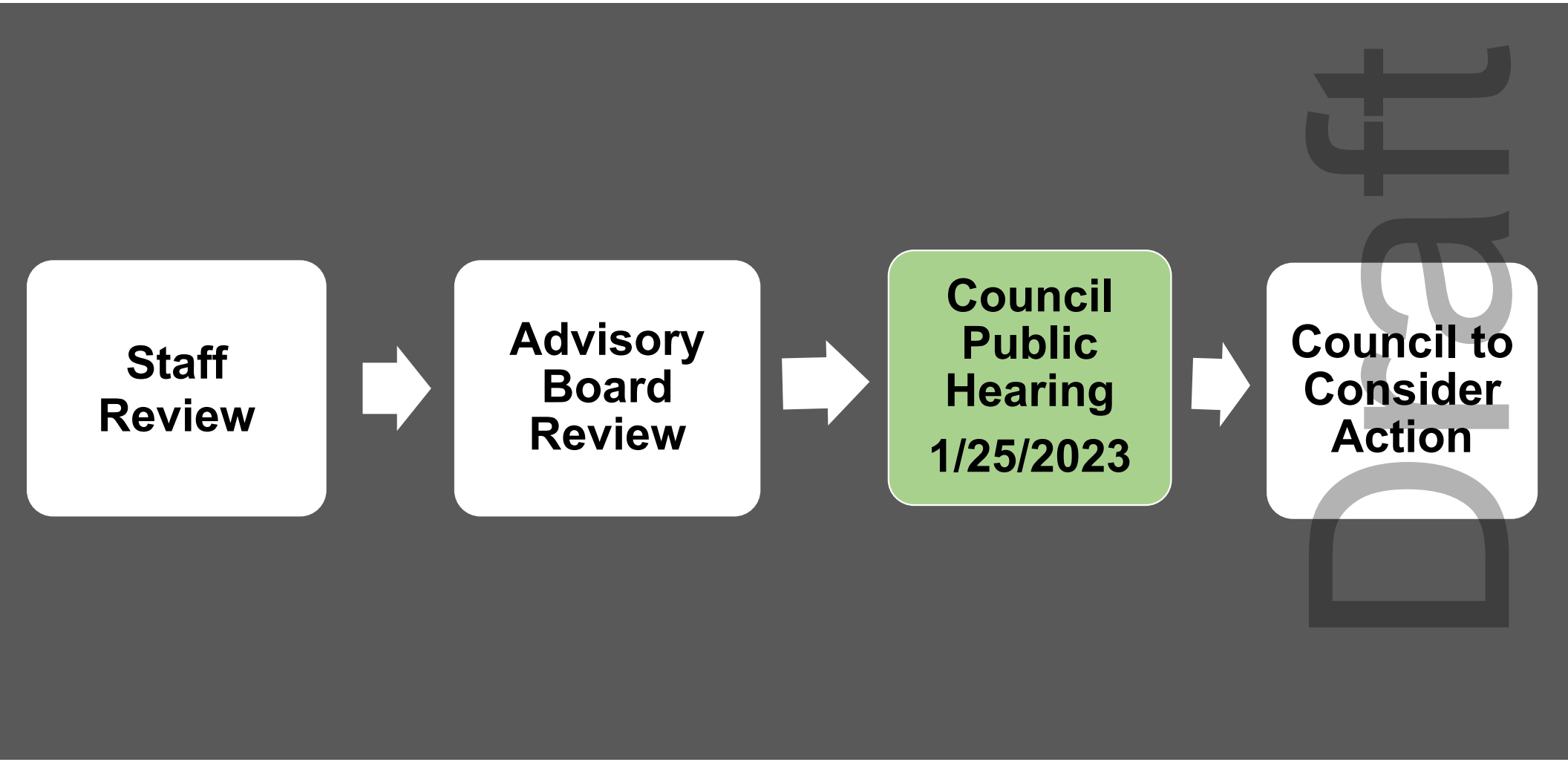
Draft

Public Engagement

10.4.2022	Planning Commission
10.11.2022	Housing Advisory Board (HAB)
11.15.2022	Missing Middle Roundtable with Homebuilders Association and developers
11.21.2022	Townhouse Development Roundtable with Homebuilders Association and developers
12.2.2022	Council Committee on Economic Sustainability (CCES)
1.10.2023	Housing Advisory Board (HAB)
1.11.2023	Virtual Public Information Meeting (PIM)
1.12.2023	Hybrid Public Information Meeting (PIM)
1.17.2023	Planning Commission
1.25.2023	**Town Council Public Hearing**
1.31.2023	Virtual Community Open House
2.2.2023	In-Person Community Open House
2.22.2023	Town Council Public Hearing

Draft

Text Amendment Process



Text Amendment Summary

Part 1: Proposed "Clean Up" Text Amendments

- Setback & Height Exceptions
- Townhouses
  - Definition
  - Development Standards
  - Subdivision Standards
- Updated standards for duplexes and accessory apartments

Part 2: Opportunities to Increase Missing Middle Housing

- Remove density limitations
- Introduce cottages on compact lots to allow small single-family houses
- Add Missing Middle Housing Types & Development Standards in most zoning districts
  - Triplexes
  - Fourplexes
  - Cottage Courts
- Allow triplexes and fourplexes to be approved administratively

Draft

Definitions

*"Missing Middle is a **range of multi-unit or clustered housing types compatible in scale with single-family homes** that help meet the growing demand for walkable urban living. These types provide diverse housing options along a spectrum of affordability, **including duplexes, fourplexes, and bungalow courts**, to support walkable communities, locally-serving retail, and public transportation options."*

–MissingMiddleHousing.com

Draft

Definitions

Gentle Densification:

Process of increasing density in existing single-family neighborhoods through the construction of townhomes, two- to four-family homes, and small-scale apartment or condominium buildings.

–Brookings Metro

FIGURE 1

More homes, less yard

One single-family detached
3,000 square feet
2.5 stories

Three townhouses
2,000 sq. ft./house
2.5 stories

Six condominiums
1,200 sq. ft./condo
3 stories

Note: These are hypothetical examples created for this analysis. Structure types and building dimensions are typical of homes in Washington, D.C., verified against Computer Assisted Mass Appraisal residential data from opendata.dc.gov.

B | Metropolitan Policy Program at BROOKINGS

Purpose of Proposed Text Amendments

Clean up the LUMO

Diversify Housing types

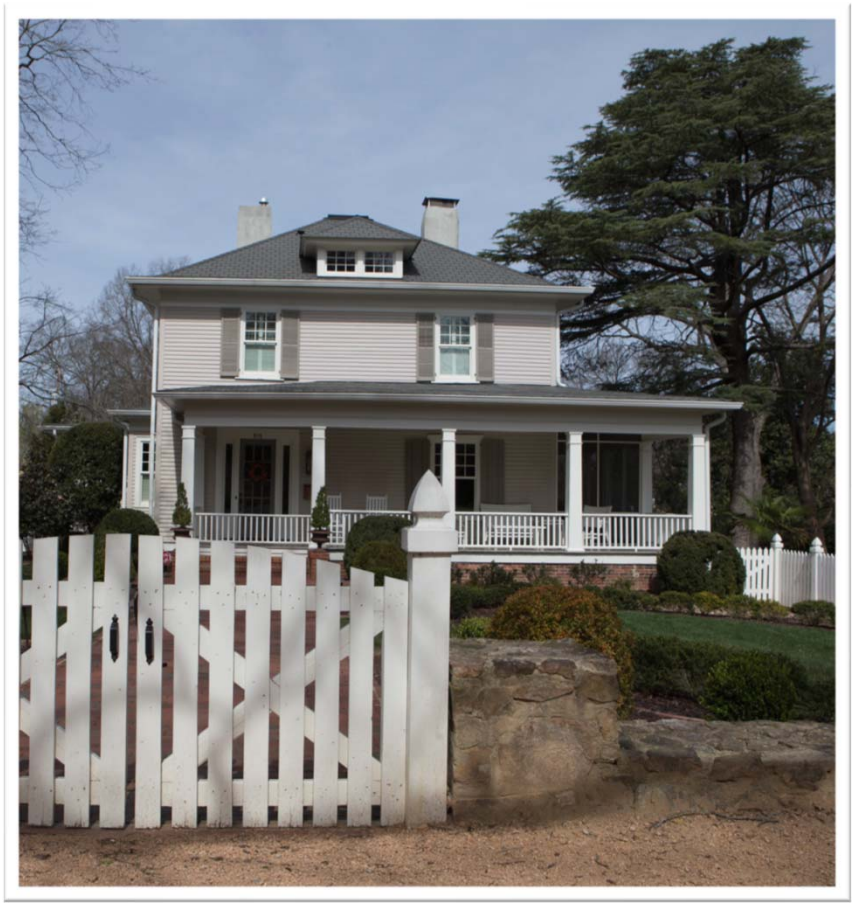
Increase Housing Production

Encourage Compatible Infill Development

Strategically and Sensitively Increase Density

Draft

Part 1: Proposed Text Amendments



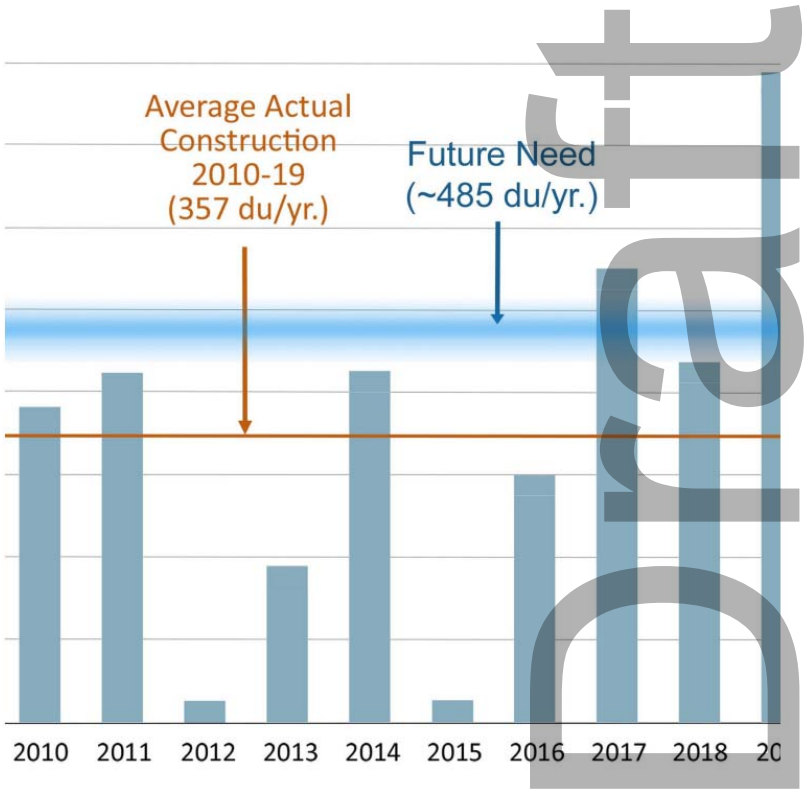
- Setback & Height Exceptions:
  - o Fences
  - o Mechanical Equipment
  - o Window Wells
  - o Site Access
  - o Transportation-related Improvements
  - o Solar Collectors
- Tree Protection & Canopy Requirements
- Townhouse-specific Development Standards

Draft

Part 2: Opportunities to Increase Missing Middle Housing

What's Needed:

- About 500 units annually (35% increase in housing production)
  - Approx. 440 units/year for individual households
  - Approx. 45 units/year for student housing
- Diversity of housing product at different price points to increase affordability
- Older neighborhoods need to evolve to meet housing needs for all income levels



From Chapel Hill Housing Needs Analysis: 2020-2040

draft

Summary of Proposed Changes

What this does:

- Creates **opportunities for more housing** production and a variety of housing types in residential zoning districts
- Provides housing opportunities for both property **owners and renters**.
- Allows **administrative approval** for small, multi-family developments up to 4 units
- Imposes standards to ensure that new development is **compatible with existing neighborhoods**

What this does not do:

- Make single-family houses non-conforming or prohibit single-family developments
- Eliminate single family residential zoning
- Address Neighborhood Conservation Districts (NCDs) that prohibit these uses
- Supersede restrictive covenants or entitlements
- Designate units as affordable housing for 80% AMI and below. Nor does this zoning amendment ensure that missing middle housing is allocated for middle-income earners.
- Prevent student rentals.

Draft

Existing Building Forms

Draft

Neighborhood Conservation Districts (NCDs)

- No amendments to NCDs proposed
- Additional community engagement with residents is critical to determine needs and interests
- Potential Phase 2

Draft

Neighborhood Conservation Districts (NCDs)

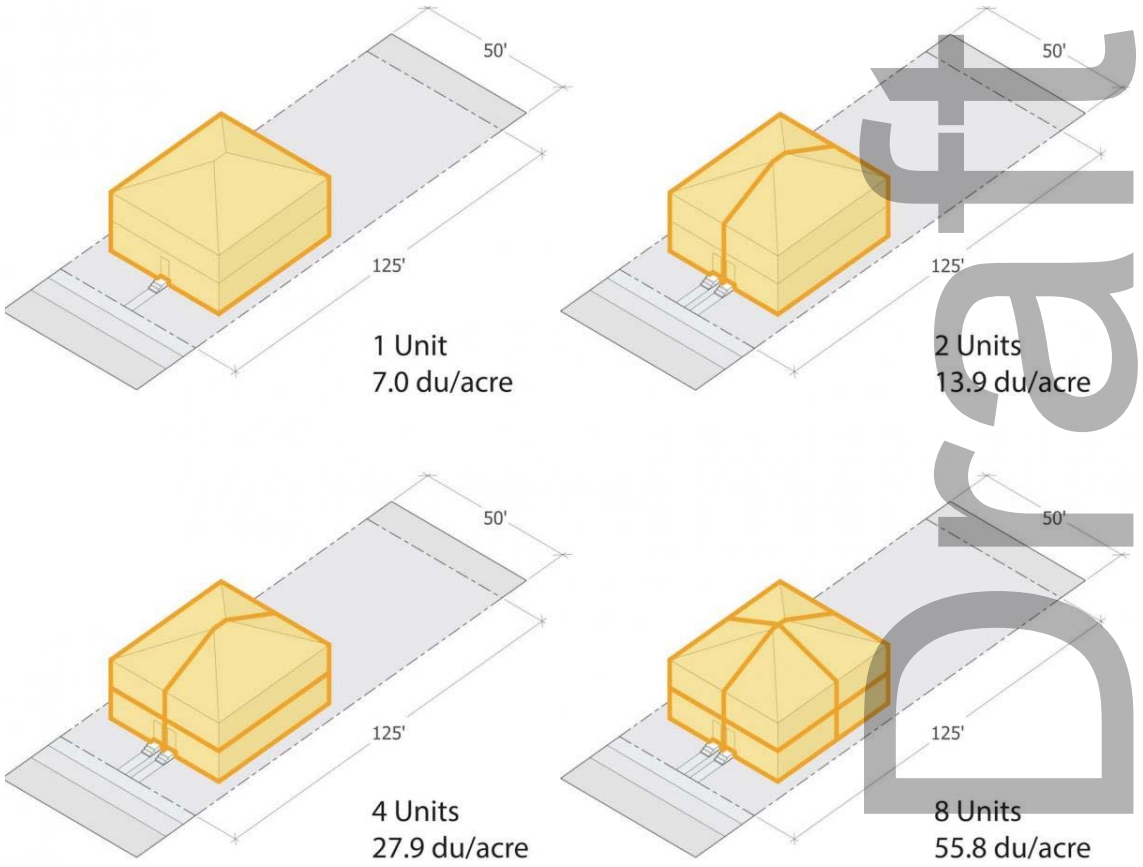
Current NCD Regulations Related to Housing Types:

	Single Family	Single Family + Accessory Apt.	Duplexes & Triplexes- Affordable Housing only	Multi-family of 3-7 Units
Northside	✓		✓	
Greenwood	✓	✓		
Kings Mill/Morgan Creek	✓	✓		
Pine Knolls	✓		✓	
Mason Farm/Whitehead Circle	✓	✓		
Coker Hills	✓	✓		
Highland Woods	✓	✓		
Glen Lennox (CD-8A)	✓	✓		
Glen Lennox (CD-8B)	✓	✓		
Glen Lennox (CD-8C)	✓	✓	✓	✓
Little Ridgefield	✓	✓		
Elkin Hills (CD-10A)	✓	✓		
Elkin Hills (CD-10B)	✓	✓		

Draft

Part 2: Opportunities to Increase Missing Middle Housing

- Eliminate Density Maximums
- Focus on:
  - Lot Size
  - Setbacks
  - Building Dimensions



Draft

Allowed Housing Types

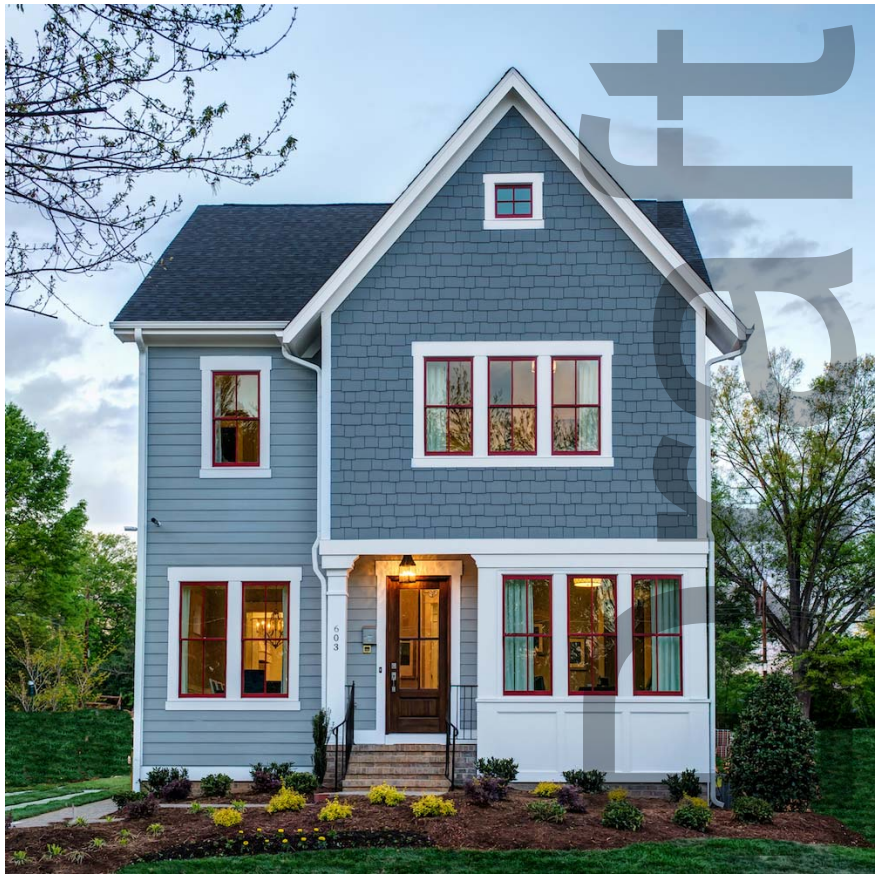
	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Single Family + Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Cottage on a Compact Lot	-	-	-	P	P	P	P	P	P	P	P	P	P	P
Duplex	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Triplex	-	-	-	P	P	P	P	P	P	P	P	P	P	P
Fourplex	-	-	-	P	P	P	P	P	P	P	P	-	-	P
Cottage Courts	-	-	-	-	-	P	P	P	P	P	P	-	-	P
Multi-Family (5-10 units)	-	-	-	-	-	-	-	P	P	P	P	-	-	P
Multi-Family (10+ units)	-	-	-	-	-	-	-	-	-	-	CZ	-	-	-

P : Proposed as a new permitted use

Draft

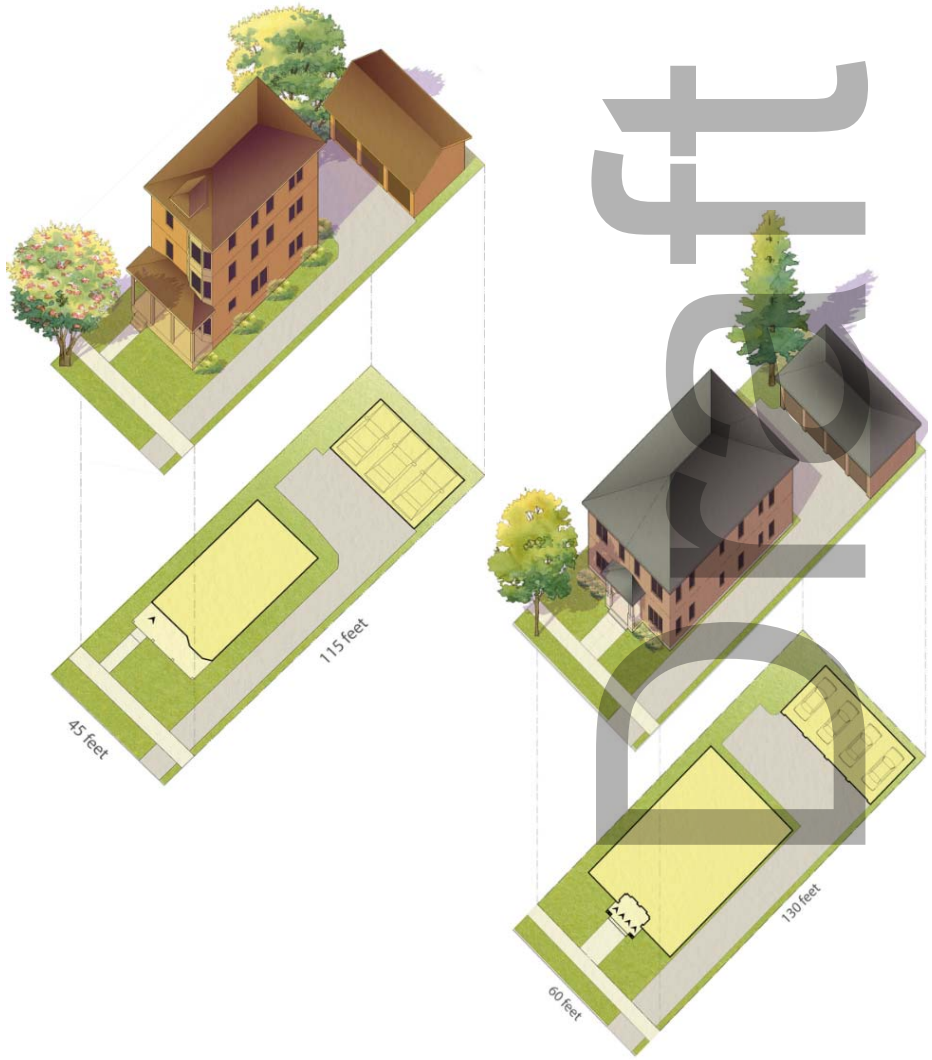
Part 2: Opportunities to Increase Missing Middle Housing

Cottage on Compact Lot	
Minimum Lot Size	2,700 square feet
Minimum Lot Width	30 feet
Minimum Street Setback	Follows underlying zoning
Minimum Interior Setback	5 feet
Minimum Solar Setback	8 feet
Impervious Surface	0.50
Building Dimensions	
Maximum Footprint	1,000 square feet
Maximum Floor Area of Primary Structure	1,600 square feet
Maximum Height	29 feet



Part 2: Opportunities to Increase Missing Middle Housing

Triplex/Fourplex	
Minimum Lot Size	Follow Zoning District
Minimum Lot Width	Follow Zoning District
Minimum Street Setback	Follow Zoning District
Minimum Interior Setback	Follow Zoning District
Minimum Solar Setback	Follow Zoning District
Tree Canopy Coverage	20%
Parking	Follows Multi-Family Requirements
Impervious Surface	0.50



Part 2: Opportunities to Increase Missing Middle Housing

Cottage Court Development Standards	
Minimum Lot Size	10,000 to 24,000 square feet
Number of Dwelling Units	3 to 12 units
Lot Width	Front Loaded: 115-160 feet Rear Loaded: 110-150 feet
Setbacks	Follow underlying zoning
Tree Canopy Coverage	30%
Parking	1-2 vehicular spaces/dwelling unit 1 bicycle space/3 dwelling units
Impervious Surface	0.50
Building Dimensions	
Building Width	18 to 24 feet
Building Depth	24 to 36 feet
Floor Area	500 to 1,500 square feet
Separation Between Buildings	Min. 5 feet

Part 2: Opportunities to Increase Missing Middle Housing

Neighborhood Compatibility for Triplex/Fourplex:	
Building Orientation	No more than 10 ft. taller than height of the shortest dwelling unit
Setbacks	Street: No closer than the shortest street setback and no further than the longest setback (Must comply with zoning) Interior: Equal to the setback on abutting lot and not less than 8 ft. Solar: Follow underlying zoning:
Building Width	Not to exceed average building width by more than 25% No façade wall can extend more than 50 ft. without a projection/recession of at least 4 ft. in depth and 10 ft. in width Articulation required on side walls that are 22 ft. or taller and located within 15 ft. of the adjoining building. Modulation of facades and elevations similar to those found on adjacent lots
Building Orientation	Single entry to multiple units Separate, but distinct covered entries facing the street

Draft

Part 2: Opportunities to Increase Missing Middle Housing

Neighborhood Compatibility for Triplex/Fourplex:	
Fenestration Pattern	Window and door placement, design, proportion, and solid-to-void ratios similar to those found within neighborhood context
Building Materials	Similar to existing materials within neighborhood context
Unit Size	Min. 500 SF – Max. 1,600 SF
Connectivity	Construct sidewalks that connect to adjacent sidewalk system Continuation of bike lanes, greenways, and other multi-modal paths along the frontage of the property

Draft

Potential Outcomes

Minneapolis 2020 Comprehensive Plan (January 2020 -2022)	• Approximately 9,000 housing units permitted including:
	  • 62 new duplexes (0.68% of total permits)
	  • 17 new triplexes (0.18% of total permits)

Durham Expanded Housing Choices (EHC) (October 2019 – November 2022)	• 407 EHC-related permits:
	  • 15 single-family + ADU (3.69% of total permits)
	  • 11 single-family (2.7% of total permits)
	  • 60 ADUs (14.7% of permits)
	  • 132 small lot options (32.4% of total permits)
	  • 47 demolitions

Raleigh Missing Middle Housing Reforms (August 2021-October 2022)	• Total applications related to Missing Middle Housing:
	  • 11 subdivisions
	  • 90 ADUs
	  • 0 Townhouses

Predicted Chapel Hill Outcomes	• Based on the same percentages above:
	  • 1.78 – 9.6 duplexes per year (0.68% - 3.69%)
	  • 0.47 triplexes per year (0.18%)
	  • 84.8 new cottages on compact lots (32.4%)

Draft

Other Considerations

- No changes to the Neighborhood Conservation Districts (NCDs)
  - 13 NCDs
  - Northside and Pine Knolls currently allow duplexes and triplexes as affordable housing
  - Most prohibit duplexes
- LUMO limits occupancy to 4 unrelated, but Building Code allows up to 8 unrelated
- No proposed changes to stormwater requirements for multi-family (3+ units)

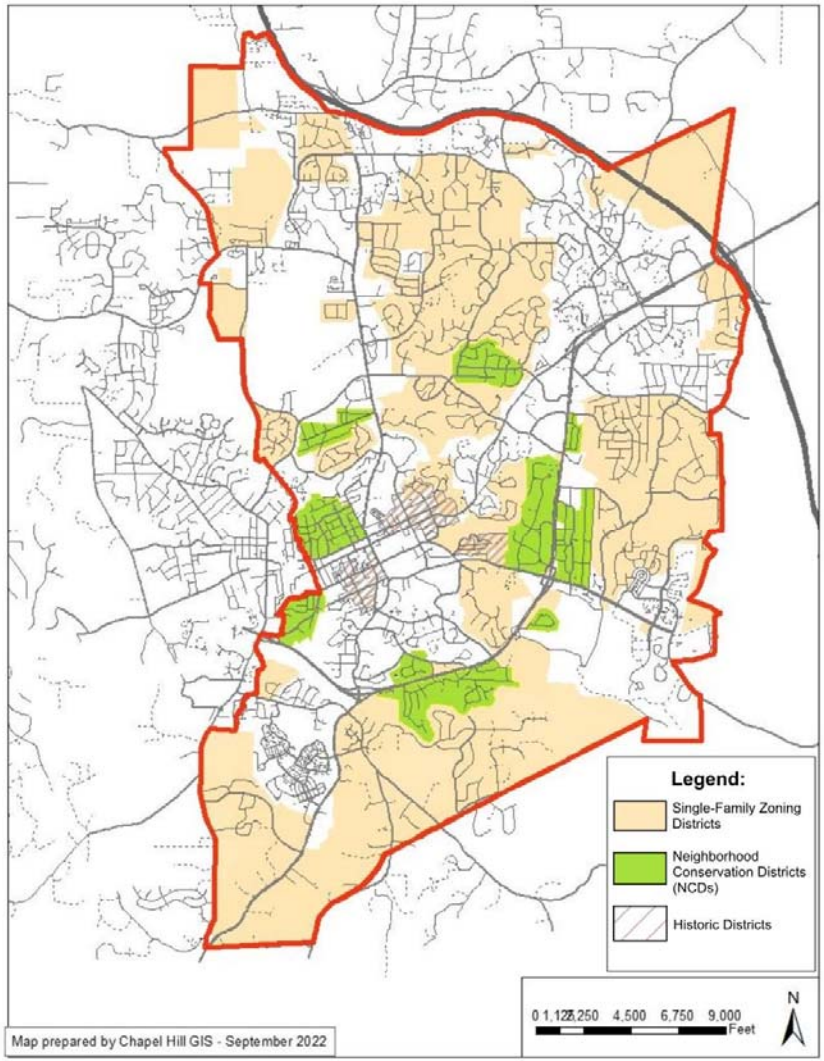
Draft

Other Considerations

- Subdivisions standards remain
- Fire code may be more restrictive than LUMO, such as access requirements
- Many neighborhoods have HOAs, restrictive covenants, or entitlements limiting development to single family or single family + accessory apartment

Draft

Other Considerations



Zoning alone will not fix the housing shortage

Considerations:

- Amend the zoning map to allow more density
- Development bonuses for affordable housing
- Transit-oriented development (underway)
- Expedited review for pre-approved housing designs

Draft

Council Direction

1. Does the Council support the creation of cottages on compact lots in residential zoning districts (R-1A through R-6, HRL, HRM, HRX)?

2. Does the Council support permitting duplexes in all residential zoning districts (RLD-5 through R-6, HRL, HRM, HRX)

3. Does the Council want to allow the following Missing Middle Housing Forms in the proposed residential zoning districts (R-1A through R-6, HRL, HRM, HRX)?
   A. Triplexes
   B. Fourplexes
   C. Cottage Courts

Draft

Next Steps

Upcoming Public Meetings	
1.31.2023	**Virtual Community Open House** 5pm-6pm
2.2.2023	**In-Person Community Open House** 12pm-1pm Chapel Hill Library, Room B
2.22.2023	**Town Council Public Hearing** 7pm Town Hall, Council Chambers

How to Stay Involved:

- Project webpage: https://bit.ly/3ld1LXe
- PublicInput: https://publicinput.com/v3540
- Town Calendar
- Social Media
- Planning@townofchapelhill.org

Draft

Recommendation

- Open the Public Hearing
- Receive public comment
- Recess the hearing to February 22, 2023

RESOLUTION A
RESOLUTION OF CONSISTENCY AND REASONABLENESS

A RESOLUTION REGARDING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 1, 3, 4, 5, 6, 7, AND APPENDIX A REGARDING HOUSING REGULATIONS AND TO EXPAND HOUSING CHOICES AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-##-##/R-)

WHEREAS, the Chapel Hill Town Council wishes to amend the Land Use Management Ordinance (LUMO) in order to allow for more and varied housing opportunities that meet different price points, life stages, and preferences; and

WHEREAS, the Town of Chapel Hill acknowledges that zoning has historically contributed to perpetuating segregation and economic exclusion of multiple generations of residents; and

WHEREAS, the Town of Chapel Hill, like many communities, recognizes that zoning, land use regulations, and the development approval process have contributed to a disparity of outcomes for residents including housing shortages and housing development that does not meet the income levels and life stages of all residents; and

WHEREAS, as housing becomes less attainable due to limited supplies, high pricing, and limited housing options, there are fewer housing options for current and new residents at different income levels, life cycles, and stages to live in the community; and

WHEREAS, as the shortage of housing units have led to increased housing costs, Chapel Hill's workforce must look at housing opportunities outside of the community, leading to increased traffic and parking demands; and

WHEREAS, the Town of Chapel Hill understands the need to encourage compatible infill development that balances the character and history of neighborhoods while increasing opportunities to develop attainable and affordable housing; and

WHEREAS, the neighborhood conservation districts (NCDs) have establish special regulations especially designed for and intended to help preserve the character of individual residential neighborhoods and the majority of these NCDs have prohibited duplexes or reserved duplexes for affordable housing only; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan promotes a range of housing choices for residents, including workforce, senior, and affordable housing; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan encourages future land use, form, and density that strengthen the community, social equity, economic prosperity, and the natural environment; and

WHEREAS, the Future Land Use Map (FLUM) encourages compact, well-designed, mixed-use communities where all community members have access to jobs, transit, and places to reside; and

WHEREAS, the FLUM recommends the development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to that of single-family detached dwellings and it finds that these small scale, multifamily uses can fit within the existing fabric of some existing single-family neighborhoods; and

WHEREAS, the Chapel Hill Housing Needs Analysis: 2020-2040 found that new housing for individual non-student households is expected to increase to 440 units per year. Few owner-occupied townhouses or condominiums are built to meet this need and provide missing middle housing for the community's workforce; and

WHEREAS, on September 22, 2021, the Town Council petitioned staff to create a new application pathway to foster the creation of missing middle housing, including duplexes, triplexes, townhomes, and other forms of compact development, to increase the availability and affordability of housing; and

WHEREAS, in 2022, the Chapel Hill Town Council initiated a Complete Community Strategy to identify shared interests around a new approach to housing that clarifies where and how to add to build housing in order to be an inclusive, sustainable, and an economically competitive community; and

WHEREAS, the Town of Chapel Hill supports a strategy of incremental, gentle density that will increase opportunities for smaller, more affordable single family residences and small-scale housing developments in existing residential zoning districts; and

WHEREAS, increasing density in existing residential neighborhoods will utilize existing infrastructure; promote walkability, transit, and alternative forms of transportation; and encourage sustainable land use practices that reduce environmental impacts; and

WHEREAS, the Town of Chapel Hill finds that additional housing units can be integrated into existing residential zoning districts and neighborhoods through gentle density, constructing small-scale houses and multifamily missing middle housing forms; and

WHEREAS, the Town of Chapel Hill recognizes the inefficiencies of single family zoning and seek to expand opportunities to incrementally densify existing residential zoning districts by allowing more attainable, smaller, single family and missing middle housing forms such as duplexes, triplexes, fourplexes, and cottage courts; and

WHEREAS, smaller houses and unit sizes reduce land acquisition and construction costs, driving down overall home prices. Small-scale development provides an opportunity for homeownership and an alternative to accessory apartments; and

WHEREAS, Land Use Management Ordinance Article 3 – Zoning Districts, Uses, and Dimensional Standards limits the diversity of housing types and needs to be expanded to provide greater opportunity for a range of housing types; and

WHEREAS, Land Use Management Ordinance Article 4 – Procedures provides certain exemptions only for single family development, requiring longer and more intensive review schedules for small-scale residential developments; and

WHEREAS, Land Use Management Ordinance Article 5 – Design and Development Standards apply to all multi-family development of three or more units, creating obstacles that discourage missing middle housing development; and

WHEREAS, Land Use Management Ordinance Article 6 – Special Regulations for Particular Uses offers opportunity to provide standards for accessory apartments, triplexes, fourplexes, and townhouse developments, whereby these types of housing units could strategically increase the density of neighborhoods while being sensitively designed and integrated; and

WHEREAS, Article 1, Article 7, and Appendix A—Definitions require revisions to match the standards proposed above; and

WHEREAS, the Housing Advisory Board reviewed the text amendments to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7 and Appendix A on October 11, 2022, and January 10, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7 and Appendix A on October 4, 2022, and January 17, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Legislative Hearing to amend Articles 1, 3, 4, 5, 6, and 7, and Appendix A of the Land Use Management Ordinance as it relates to Housing Types and Design and Development Standards for the Council's January 25, 2023 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7,and Appendix A; and

WHEREAS, upon consideration the Council 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 range of housing options for current and future residents (*Place For Everyone*.3)
- Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces*.1)
- 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 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)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces*.8)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community*.7)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration*.4)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration*.6)

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 ___th day of _____, 2023.

ORDINANCE A
(Enacting the Land Use Management Ordinance Text Amendment proposal)

AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 6, AND 7 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE REGARDING HOUSING CHOICES FOR A COMPLETE COMMUNITY (2023-##-##/O-)

WHEREAS, the Chapel Hill Town Council wishes to amend the Land Use Management Ordinance (LUMO) in order to allow for more and varied housing opportunities that meet different price points, life stages, and preferences; and

WHEREAS, the Town of Chapel Hill acknowledges that zoning has historically contributed to perpetuating segregation and economic exclusion of multiple generations of residents; and

WHEREAS, the Town of Chapel Hill, like many communities, recognizes that zoning, land use regulations, and the development approval process have contributed to a disparity of outcomes for residents including housing shortages and housing development that does not meet the income levels and life stages of all residents; and

WHEREAS, as housing becomes less attainable due to limited supplies, high pricing, and limited housing options, there are fewer housing options for current and new residents at different income levels and life stages to live in the community; and

WHEREAS, as the shortage of housing units have led to increased housing costs, Chapel Hill's workforce must look at housing opportunities outside of the community, leading to increased traffic and parking demands; and

WHEREAS, the Town of Chapel Hill understands the need to encourage compatible infill development that balances the character and history of neighborhoods while increasing opportunities to develop attainable and affordable housing; and

WHEREAS, the neighborhood conservation districts (NCDs) have establish special regulations especially designed for and intended to help preserve the character of individual residential neighborhoods and the majority of these NCDs have prohibited duplexes or reserved duplexes for affordable housing only; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan promotes a range of housing choices for residents, including workforce, senior, and affordable housing; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan encourages future land use, form, and density that strengthen the community, social equity, economic prosperity, and the natural environment; and

WHEREAS, the Future Land Use Map (FLUM) encourages compact, well-designed, mixed-use communities where all community members have access to jobs, transit, and places to reside; and

WHEREAS, the FLUM recommends the development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to that of single-family detached dwellings and it finds that these small scale, multifamily uses can fit within the existing fabric of some existing single-family neighborhoods; and

WHEREAS, the Chapel Hill Housing Needs Analysis: 2020-2040 found that new housing for individual households is expected to increase to 500 units per year. Few owner-occupied townhouses or condominiums are built to meet this need and provide missing middle housing for the community's workforce; and

WHEREAS, on September 22, 2021, the several members of the Town Council petitioned staff to create a new application pathway to foster the creation of missing middle housing, including duplexes, triplexes, cottage courts, townhomes, and other forms of compact development, to increase the availability and affordability of housing; and

WHEREAS, in 2022, the Chapel Hill Town Council initiated a Complete Community Strategy to identify shared interests around a new approach that clarifies where and how to add to build housing in order to be an inclusive, sustainable, and an economically competitive community; and

WHEREAS, the Town of Chapel Hill supports a strategy of incremental, gentle density that will increase opportunities for smaller, more affordable single family residences and small-scale housing developments in existing residential zoning districts; and

WHEREAS, increasing density in established residential neighborhoods will utilize existing infrastructure; promote walkability, transit, and alternative forms of transportation; and encourage sustainable land use practices that reduce environmental impacts; and

WHEREAS, the Town of Chapel Hill finds that additional housing units can be integrated into existing residential neighborhoods and zoning districts through gentle density constructing small-scale houses and multifamily missing middle housing forms; and

WHEREAS, the Town of Chapel Hill recognizes the inefficiencies of single family zoning and seek to expand opportunities to incrementally increase density in existing residential zoning districts by allowing more attainable, smaller, single family and missing middle housing forms such as duplexes, triplexes, fourplexes, and cottage courts; and

WHEREAS, smaller houses and unit sizes reduce land acquisition and construction costs, driving down overall home prices. Small-scale development provides an opportunity for homeownership and an alternative to accessory apartments; and

WHEREAS, Land Use Management Ordinance Article 3 – Zoning Districts, Uses, and Dimensional Standards limits the diversity of housing types and needs to be expanded to provide greater opportunity for a range of housing types; and

WHEREAS, Land Use Management Ordinance Article 4 – Procedures provides certain exemptions only for single family development, requiring longer and more intensive review schedules for small-scale residential developments; and

WHEREAS, Land Use Management Ordinance Article 5 – Design and Development Standards apply to all multi-family development of three or more units, creating obstacles that discourage missing middle housing development; and

WHEREAS, Land Use Management Ordinance Article 6 – Special Regulations for Particular Uses does not provide standards for accessory apartments, triplexes, fourplexes, or townhouse developments, and these types of housing units could strategically increase the density of neighborhoods if sensitively designed and integrated; and

WHEREAS, Appendix A—Definitions requires revisions to match the standards proposed above; and

WHEREAS, the Housing Advisory Board reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 11, 2022, and January 10, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 1, 3, 4, 5, 6, and 7 and Appendix A on October 4, 2022, and January 17, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Legislative Hearing to amend Articles 1, 3, 4, 5, 6, and 7, and Appendix A of the Land Use Management Ordinance as it relates to Housing Types and Design and Development Standards for the Council's January 25, 2023, meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Articles 1, 3, 4, 5, 6, and 7, and Appendix A; and

WHEREAS, upon consideration the Council 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 range of housing options for current and future residents (*Place For Everyone*.3)
- Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces*.1)
- 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 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)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces*.8)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community*.7)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration*.4)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration*.6)

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, Articles 1, 3, 4, 5, 6, and 7, and Appendix A shall be amended as follows:

Section 1. Article 1. General Provisions, Section 1.4 Applicability is revised to read as follows:

"1.4. Applicability.

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 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 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 2. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.4. Conditional Districts, Subsection 3.4.6 The Mixed-Use Village Conditional Zoning District (MU-V-CZD), Subsection (c)(2)A. is revised to read as follows:

"(2) For purposes of this section:

(a) Uses within the "Residential" land use category include the following:

Dwelling units, single family,

Dwelling units, ~~two-family~~ single family with accessory apartments,

Dwelling units, ~~two-family~~-duplex,

Dwelling units, cottage,

Dwelling units, triplex,

Dwelling units, fourplex,

Dwelling units, cottage courts,

Dwelling units, multifamily, ~~three to seven~~ five (5) to ten (10) dwelling units,

Dwelling units, multifamily, over ~~seven~~ ten (10) dwelling units,"

Section 3. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.7. Use regulations, Subsection 3.7.2 Use Matrix, Table 3.7-1: Use Matrix is revised to read as follows:

Table 3.7-1: Use Matrix

		General Use Zoning District																				Historic Rogers Road Neighborhood District				Planned Development (PD-)						
Uses	Use Group	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-CZD	TC-1, TC-2, TC-CC	N.C.	OI-1	OI-2	OI-3	OI-4	I	LI-CZD	MH	HR-L	HR-M	HR-X	HR-C	H	SC(N)	SCI	OI	MU	I	DA-1
Dwelling Unit, Cottage on a Compact Lot (See Also Article 6)	A	—	—	—	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	—	—	—	P	P	P	—	P	—	—	—	P	—	P
Dwelling Units, Cottage Court (See Also Article 6)	A	—	—	—	—	—	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	—	—	—	—	—	P	—	P	—	—	—	P	—	P
Dwelling Units, Duplex (See Also Article 6)	A	P	P	P	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	—	—	—	P	P	P	—	P	—	—	—	P	—	P
Dwelling Units, Fourplex	A	—	—	—	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	—	—	—	—	—	P	—	P	—	—	—	P	—	P

(See Also Article 6)																															
Dwelling units, multifamily~~, 3 to 7~~ 5 to 10 dwelling units	A	—	—	—	—	—	—	—	P	P	P	P	CZ	P	P	P	P	P	P	P	P	—	—	—	—	—	P	—	P	—	—	—	P	—	P
Dwelling units, multifamily, over ~~7~~ 10 dwelling units	A	—	—	—	—	—	—	—	—	—	—	CZ	CZ	P	P	P	P	P	P	P	P	—	—	—	—	—	—	—	P	—	—	—	P	—	P
Dwelling units, single family with accessory apartment (See Also Article 6)	A	P	P	P	P	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	P	—	—	—	A	A	A	—	P	—	—	—	P	—	P
Dwelling Units, Triplex	A	—	—	—	P	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	P	—	—	—	P	P	P	—	P	—	—	—	P	—	P
Dwelling Units, Townhouse (See Also Article 6)	A	-	-	-	-	P	P	P	P	P	P	P	P	CZ	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	P	-	-	-	-	-	P

Section 4. Article 3. Zoning Districts, Uses, and Dimensional standards, Section 3.8. Dimensional Standards, Subsection 3.8.2 Dimensional Regulations, is revised to read as follows:

"(b) Minimum Lot Size. Column (B) is expressed in square feet of gross land area.

Notes:

(1) Where a zoning lot is located in more than one zoning district, the minimum gross land area required of such zoning lot shall be the sum of the areas derived by multiplying the minimum gross land area required for each represented district by the proportion of the zoning lot located within that district.

(2) For all dwellings, ~~except single family and single family with accessory apartment~~, that consist of five (5) or more dwelling units, the minimum lot size is two (2) times the figure shown in Column (B).

(3) See Article 6.29(b) Cottage on Compact Lot for exceptions.

~~(c) Maximum Density. Column (C) applies to all residential uses except single family dwellings and singe family dwellings with accessory apartments. Column (C) is a maximum residential density, expressed in dwelling units per acre of gross land area.~~

~~(d)~~ (c) Minimum Frontage. Column ~~(D)~~ (C) is the minimum width of the lot measured along the street.

Notes:

(1) Where a zoning lot fronts on two (2) or more streets, minimum street frontage width requirements shall be considered met if the frontage along any one of such streets meets the minimum street frontage width requirements.

(2) Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum street frontage width requirement shall be thirty-five (35) feet.

(3) See Article 6.29(b) Cottage on Compact Lot for exceptions.

~~(e)~~ (d) Minimum Lot Width. Column ~~(e)~~ (D) is the minimum width of the lot, expressed in feet, measured at least twenty-five (25) feet interior from the minimum street setback. No portion of a lot, created as part of a subdivision, between a street setback and the opposite interior (rear) setback, shall be less than twenty (20) feet in width.

Exception:

(1) Authorized flag lots, created as part of a subdivision and subject to the lot layout standards in Section 5.2, may contain areas between a street setback and the opposite interior (rear) setback that are less than twenty (20) feet in width. Authorized flag lots shall reach the minimum lot width at a point not to exceed two hundred (200) feet from the street right-of-way.

Notes:

(2) Where a zoning lot fronts on two (2) or more streets, minimum lot width requirements shall be considered met if the lot width at the street setback from any one of such streets meets the minimum lot width requirement.

(3) Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum lot width shall be reached at a distance derived by the following formula: D = 50 (W)(35) - 50, where W = minimum required lot width, and D = maximum distance from street right-of-way to where the lot width equals the minimum required width for that district.

~~(f)~~ (e) Maximum Setback Height: Column ~~(F)~~ (E) is the maximum allowable height at the perimeter setback line of a zoning lot, as defined by the minimum street, interior, and solar setbacks.

(1) Height shall be measured from mean finished grade, along the street façade of the building. Where a structure fronts more than one (1) street, height shall be measured from the lower, more restrictive mean finished grade.

(2) To determine mean finished grade, take the spot elevations from the highest and lowest points of the foundation. The average of these two (2) spot elevations is the mean finished grade and the elevation from which height measurements are made.

(3) The entire structure, and all portions thereof, is subject to the maximum setback height.

Exceptions:

A. The structure or part thereof is below the allowable core height, as described in division (g) below.

B. The structure or part thereof is explicitly exempted in section 3.8.3 Exceptions to Setback and Height Requirements, below.

C. The structure or part thereof is explicitly exempted as provided elsewhere in this Appendix.

(4) For purposes of applying setback and height regulations to development within an OI-3 or OI-4 zoning district or within a townhouse development or a planned development, all contiguous land within the district, townhouse development, or planned development shall be considered as a single zoning lot.

~~(g)~~ (f) Maximum Core Height: Column ~~(G)~~ (F) is the maximum allowable height in the interior or core area of a lot. The core height provides additional allowable height on the interior of a zoning lot based on the horizontal distance measured away from the perimeter setback line of the lot. The allowable core height increases with the distance interior to the lot, measured from the perimeter setback line at a rate described below.

(1) In all Zoning Districts, except those explicitly named in subdivision (2), the allowable core height increases at a rate of one (1) foot in height for every two (2) feet of distance interior to the lot, measured away from the perimeter setbacks. This is equivalent to a slope of ½ (rise/run) or 1:2.

(2) In the Town Center - 1 to 3, Office/Institutional 3 to 4 zoning districts the allowable core height increases at the following rates:

A. Street and interior setbacks: one (1) feet in height for every one (1) feet of distance interior to the lot, measured away from the street and interior setbacks. This is equivalent to a slope of 1/1 (rise/run) or 1:1.

B. Solar setbacks: one (1) feet in height for every one (1) foot and seven-tenths of a foot (1.7 feet) of distance interior to the lot, measured away from the street and interior setbacks. This is equivalent to a slope of 1/1.7 (rise/run) or 1:1.7.

(3) No structure, or part thereof, shall project beyond the allowable core height of a structure or part thereof.

Exceptions:

A. The structure or part thereof is explicitly exempted in section 3.8.3 Exceptions to Setback and Height Requirements, below.

B. The structure or part thereof is explicitly exempted as provided elsewhere in this Appendix.

(4) If a structure is located in the vicinity of an airport, the height limitations set forth in Federal Aviation Regulations, Part 77, or successor regulations, shall apply where such limitations are stricter than those established in this appendix.

~~(h)~~ (g) Minimum Street Setback. Column ~~(H)~~ (G) establishes a minimum setback from the street right-of-way line. Where a zoning lot fronts on a street with a right-of-way width not meeting the standards of this appendix, street setback shall be measured from a line running parallel to the centerline of the street at a distance from such centerline equal to one-half (1/2) the standard right-of-way width of the street.

Exception:

(1) The town manager or town council may exempt lots from this requirement upon making one of the following findings:

A. Where a building line has already been established by existing structures along the block which are situated on lots comprising at least twenty-five (25) percent of the street frontage, the building may be constructed at the established building line; or

B. The existing right-of-way is adequate to encompass any anticipated need for widening of the street or other improvements and widening of the right-of-way to town standards would create nonconforming street setbacks for other structures on the street.

~~(i)~~ (h) Minimum Interior Setback. Column ~~(I)~~ (H) establishes a minimum setback measured from the interior lot lines.

Exception:

(1) The interior setback requirements may be reduced to zero (0) under certain conditions (see section 5.2.8.).

Note:

(2) Side setbacks are set at zero (0) in many non-residential districts in order to encourage the formation of a street wall, as is found in traditional commercial centers such as the TC district along Franklin Street.

~~(j)~~(i) Minimum Solar Setback. Column ~~J~~ (I) establishes a minimum setback measured from north lot lines. Where a solar setback and either a street or interior setback both apply to the same portion of a lot line, the required minimum setback shall be the greater of the two.

Exceptions:

(1) The solar setback may be reduced to zero (0) under certain conditions (see section 5.2.8).

(2) Minimum solar setback requirements shall not apply to any structure, or part thereof, when the proposed height of the structure is ninety (90) percent, or less, of the maximum allowed setback height. In such cases, the lesser interior setback may be used instead.

~~(k)~~(j) Maximum Impervious Surface Ratio. Column ~~K~~ (J) establishes the maximum ratio of impervious surface on a lot. The maximum amount of impervious surface area is divided by multiplying the gross land area of the lot by the ratio established in Column (K) and as described below:

(1) Residential development up to four units, including those developments constructed as part of a common plan of development and cottage courts:(.50)

(2) Multifamily and townhouse developments of five (5) or more units, fraternities and sororities, non-residential, or mixed-use development: (.70).

Exception:

(3) Impervious surface restrictions shall not apply to town center zoning districts.

~~(l)~~(k) Maximum Floor Area Ratio. Maximum floor area allowed shall be the number of square feet derived by multiplying gross land area by the applicable floor area ratio (FAR) as shown in Table 3.8.1. Exceptions:

~~(1) A maximum floor area ratio shall not apply to single family dwelling units (with or without an accessory apartment)~~

~~(2)~~ (1) For ~~two-family~~ duplex, triplex, and fourplex dwellings on a single ~~zoning~~ lot, the floor area shall be .40 in all zones and overlay zones, except where the overlay zone establishes a more restrictive floor area ratio for ~~duplexes~~ the use.

~~(3)~~ (2) A maximum floor area ratio shall not apply ~~to public facilities~~ to the following:

A. ~~Publish~~ Public cultural facilities

B. Dwelling Units, Single Family

C. Dwelling Units, Single Family with Accessory Apartment

(4) For public elementary and secondary schools, the maximum floor area ratio shall be 0.174 unless a higher floor area ratio is established in Column (L).

(5) Where a lot is partially within the resource conservation district, the maximum allowable floor area of the portion of the lot outside of the resource conservation district shall be calculated as the sum of:

A. The product of, and

(i) The floor area ratio of the portion of the zoning lot outside the resource conservation district, and

(ii) The area, in square feet, of the portion of the zoning lot outside the resource conservation district

B. The product of

(i) The floor area ratio applicable to a permitted use in the resource conservation district, and

(ii) The area, in square feet, of the portion of the zoning lot within the resource conservation district."

Section 5. Article 3, Section 3.8 Dimensional standards, Table 3.8-1: Dimensional Matrix is amended to delete column (C) Density and revised to read as follows:

(A)	**(B)**	**~~(C)~~**	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	**~~Density (units per acre max)~~**	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
R-LD5	217,800	~~**0.2**~~	200	250	29	35	30	16	20	.5/.7	.025	N/A
RT	100,000	~~**0.4**~~	160	200	29	35	30	16	20	.5/.7	.031	N/A
R-LD1	43,560	~~**1.0**~~	100	125	29	35	30	16	19	.5/.7	.047	N/A
R-1A	25,000	~~**2.0**~~	80	100	29	38	29	15	18	.5/.7	.062	N/A
R-1	17,000	~~**3.0**~~	64	80	29	40	28	14	17	.5/.7	.076	N/A
R-2A	14,500	~~**3.5**~~	56	70	29	50	27	10	12	.5/.7	.087	N/A
R-2	10,000	~~**4.0**~~	52	65	29	50	26	11	13	.5/.7	.093	N/A

(A)	**(B)**	~~**(C)**~~	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	~~**Density (units per acre max)**~~	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
R-3	5,500	~~**7.0**~~	40	50	29	60	24	8	11	.5/.7	.162	N/A
R-4	5,500	~~**10.0**~~	40	50	34	60	22	8	9	.5/.7	.230	N/A
R-5	5,500	~~**15.0**~~	40	50	39	60	20	6	8	.5/.7	.303	N/A
R-6	5,500	~~**15.0**~~	40	50	39	60	20	6	8	.5/.7	.303	N/A
R-SS-CZD	N/A	~~**N/A**~~	N/A	N/A	39	60	10	0	N/A	.5/.7	1.10"	N/A
TC-1	N/A	~~**N/A**~~	12	15	44	60	0	0	0	N/A	1.97	N/A
TC-2	N/A	~~**N/A**~~	12	15	44	90	0	0	0	N/A	1.97	N/A
TC-3	N/A	~~**N/A**~~	12	15	44	120	0	0	0	N/A	4.00	N/A

(A)	**(B)**	~~**(C)**~~	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	~~**Density (units per acre max)**~~	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
CC	5,500	~~**15.0**~~	40	50	34	60	22	8	9	.5/.7	.429	N/A
N.C.	5,500	~~**10.0**~~	40	40	34	60	24	8	11	.5/.7	.264	N/A
OI-1	5,500	~~**10.0**~~	40	50	29	60	24	8	11	.5/.7	.264	N/A
OI-2	5,500	~~**15.0**~~	40	40	34	60	22	8	9	.5/.7	.264	N/A
OI-3	2,000	~~**N/A**~~	15	15	N/A	N/A	0	0	0	.5/.7	.566	N/A
OI-4	2,000	~~**N/A**~~	12	15	N/A	N/A	0	0	0	N/A	N/A	N/A
I	17,000	~~**N/A**~~	64	80	26	50	26	11	13	.5/.7	.071	N/A
LI-CZD	17,000	~~**0.0**~~	64	80	N/A	90	15	10	10	N/A/.7	N/A	N/A

(A)	**(B)**	~~**(C)**~~	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	~~**Density (units per acre max)**~~	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
MH	100,000	~~**N/A**~~	160	200	29	35	30	16	20	.5/.7	.019	N/A
MU-OI-1	N/A	~~**N/A**~~	N/A	N/A	44	90	0	0	0	.5/.7	.264	N/A
MU-R-1	N/A	~~**N/A**~~	N/A	N/A	29	90	0	0	0	.5/.7	.076	N/A
MU-V, MU-V-CZD arterial	5,500	~~**20.0**~~	80	62	70	114	0	0	20	.5/.7	1.2	N/A
MU-V, MU-V-	5,500	~~**15.0**~~	40	50	44	90	0	0	20	.5/.7	.500	N/A

(A)	**(B)**	**~~(C)~~**	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	**~~Density (units per acre max)~~**	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
CZD collector												
MU-V, MU-V-CZD local	5,500	~~**15.0**~~	70	40	32	40	0	0	17	.5/.7	.500	N/A
HR-L	14,500	~~**4**~~[3]	64	80	29	40	10 [4]	14	17	.5/.7	.076	28 [5]
HR-M	9,000		52	65	29	40	10	14	17	.5/.7	.093	20
HR-X	N/A	~~**8**~~	40	N/A	29	40	20	40	17	.5/.7	.264	N/A

(A)	**(B)**	**~~(C)~~**	**(~~D~~ C)**	**(~~E~~ D)**	**(~~F~~ E)**	**(~~G~~ F)**	**(~~H~~ G)**	**(~~I~~ H)**	**(~~J~~ I)**	**(~~K~~ J)**	**(~~L~~ K)**	**(~~M~~ L)**
Zoning District	**Lot Size** (square feet min)	**~~Density (units per acre max)~~**	**Frontage** (min feet)	**Lot Width** (min feet)	**Building Height, Setback** (max feet)	**Building Height, Core** (max feet)	**Street Setback** (min feet)	**Interior Setback** (min feet)	**Solar Setback** (min feet)	**Impervious Surface Ratio** (max) *	**Floor Area Ratio** (max)	**Street Setback (max feet)**
HR-C	N/A	~~N/A~~	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Footnotes:

(1) The notation "N/A" indicates that the requirements does not apply within the particular zoning district.

(2) Existing lots of record as of December 7, 1992, which are subsequently rezoned to R-LD5 can be subdivided to create up to three (3) lots of not less than two (2) acres gross land area in size each; provided, however the remaining land shall be developed with a minimum lot size of at least five (5) acres gross land area for each lot, and provided that no lot created under this exemption shall have a new direct access onto an arterial street.

~~(3) Because the HR- subdistricts allow accessory dwelling units, duplexes, and triplexes, the maximum density (dwelling units per acre) in this table is greater than the maximum number of lots per acre. The minimum and maximum setbacks, maximum height, maximum impervious surface ratio, and maximum floor area ratio determine the potential building size and work to keep the building and lot size compatible with the surrounding neighborhood regardless of the number of dwelling units contained within the building.~~

(~~4~~ 3)Lots that front on (take their address and ingress/egress from) Rogers Road shall have a minimum street setback of 50 feet. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor. Lots that existed on May 22, 2019 and are smaller than 17,424 square feet (.4 acres) are exempt from this standard.

(~~5~~ 4)Lots that front on Rogers Road shall have no maximum street setback. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor.

Section 6. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.8.3 Exceptions to Setback and Height Regulations is revised to read as follows:

"(a) The following features shall not be subject to the required minimum setbacks provided the town manager determines that such features do not significantly impair the degree of solar access provided adjacent properties through application of the appropriate solar setback requirements:

(1) Roof overhangs which do not exceed more than thirty-six (36) inches ~~in length~~ into the setback;

(2) Free-standing signs and projecting signs, provided such signs comply with the sign standards established in section 5.14;

(3) Fences and walls not exceeding six (6) feet in height may be located within interior setbacks and those not exceeding four (4) feet in height may be located within street setbacks. Arches or trellises up to eight (8) feet in height and five (5) feet in width may be constructed over a gate if integrated into the fence or gate design and not located within a sight triangle. No more than two (2) such arches or trellises shall be permitted per parcel:

(4) Flagpoles, home satellite dishes and TV antennas, bridges, and transmission poles, towers, and cables; ~~and~~

(5) ~~The decking~~ of Patios, decks and swimming pools not exceeding three (3) feet in height, provided they are not constructed closer than five (5) feet from the property line of the zoning lot. Protective railings, as required by building code, may be added to the decking height;

(6) Mechanical equipment, such as HVAC condenser units, water heaters, generators, electrical panels, backflow preventers no more than two (2) feet in height, and similar structures that encroach up to five (5) feet into the setback, comply with the noise regulations set forth in Chapter 11, and are associated with residential developments of less than five (5) units;

(7) Window wells located in interior and solar setbacks not exceeding the minimum International Residential Code (IRC) or International Building Code (IBC) requirements for egress;

(8) Sidewalks, pathways, and accessibility ramps and other structures promoting access for people with disabilities;

(9) Driveways that comply with the regulations set forth in Chapter 17[1];

(10) Electric vehicle charging stations and related mechanical equipment that maintain a minimum setback of five (5) feet from the property line;

(11) Bus shelters and rideshare shelters that are not located within sight triangles and as approved by Chapel Hill Transit; and

(12) Wells, so long as any required well house does not exceed four (4) feet in height;

(b) The following features may project above the building envelope defined by the maximum height limitations and additional setback requirements contained in Rules for Interpretation of Table 3.8-1, Columns (F) and (G), below, provided the town manager determines that such features do not significantly impair the degree of solar access provided adjacent properties through application of the appropriate solar setback requirements:

[1] https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH17STSI

(1) ~~Chimneys,~~ Accessory radio or television antennas, flagpoles, monuments, cupolas, parapets, dormers, clock towers or decorative towers with a footprint not exceeding twenty (20) percent of the principal building, provided the projection of such structures above the building envelope does not exceed fifteen (15) percent of the maximum height limitation that defines the portion of the building envelope penetrated by such structures;

(2) Steeples~~, or solar collectors,~~ or spires provided the projection of such structures above the building envelope does not exceed fifteen (15) percent of the maximum height limitation that defines the portion of the building envelope penetrated by such structures;

(3) ~~Spires,~~ Smokestacks, water tanks, or windmills, provided such structures do not exceed in height the horizontal distance therefrom to the nearest lot line; ~~and~~

(4) Transmission poles, towers, and cables;

(5) Chimneys, flues, vents, or similar structures shall not extend more than one (1) foot above the minimum height required to comply with International Building Code (IBC) requirements; and

(6) Solar collectors that do not extend more than one (1) foot above the nearest roof peak if mounted on a pitched roof, or do not exceed ten (10) feet in height above their mounting surface if mounted on a flat roof and provided the solar collectors are not visible from the street level."

Section 7. Article 3. Zoning Districts, Uses, and Dimensional standards, Section 3.10. Inclusionary Zoning, Subsection 3.10.2 Affordable Dwelling Units or Lots Required, subsection (b) Calculation of units required is revised to read as follows:

"(b) *Calculation of units required.*

(1) *For development of ~~multifamily~~ five (5) or more dwelling units, including those part of a common plan of development:*

A. The required number of affordable dwelling units is based on the total number of dwelling units that are approved by the town.

B. To calculate the number of affordable dwelling units required in a development subject to these regulations, the total number of approved unrestricted units shall be multiplied by the percentage established in subsection 3.10.2(a), above. If the product includes a fraction, the fraction of a unit shall be provided in the form of a payment in lieu of providing dwelling units, as described in section 3.10.3.

C. If the property is redeveloped or expanded, additional affordable dwelling units shall be provided and shall be based upon the additional units approved by the town. A requirement to provide affordable dwelling units shall be triggered if the resulting number of units is five (5) or more greater than what already exists.

(2) *For subdivision proposals:*

A. Each lot that is large enough for only one (1) single-family dwelling unit or that is limited by restrictive covenants to development only with a single-family dwelling unit is counted as one (1) single-family dwelling unit.

~~B. In zoning districts where a two-family dwelling unit is a permitted use, each lot that is large enough for a two-family dwelling unit is counted as two (2) dwelling units.~~

~~C~~B. The minimum number of lots dedicated to affordable dwelling units for a subdivision is determined by multiplying the number of ~~dwelling units permitted on~~ lots in the approved subdivision~~, as calculated according to subsections 3.10.2(b)2.A. and 3.10.2(b)2.B, above,~~ by the percentage specified in subsection 3.10.2(a). ~~If the product includes a fraction, the fraction of a unit shall be provided in the form of a payment in lieu of providing dwelling units, as described in section 3.10.3.~~ If the product includes a fraction, the fraction shall be multiplied by the maximum number of dwelling units permitted on the lot and be provided in the form of a payment in lieu.

Section 8. Article 4. Procedures, Section 4.5 Special Use Permit, Subsection 4.5.3 Procedures for Approval of Special Use Permits, Subsection (n) Issuance of development permits is hereby added to read as follows:

"(n) *Issuance of development permits.* After final plan approval, the town manager may issue zoning compliance permits, engineering construction permits, building permits, sign permits, and certificates of occupancy for development approved in a special use permit, or an approved phase thereof, in the manner prescribed in section 4.9, subject to compliance with the approved final plans and following additional requirements:

(1) Prior to issuance of a building permit for any new structures, additions, and exterior renovations or alterations, detailed architectural elevations of such structures, additions, and renovations or alterations and a site lighting plan shall be submitted to and approved by the community design commission. This subdivision (n)(1) shall not apply to single-family, single-family with accessory apartment, and duplex ~~and two-family~~ structures approved by a special use permit unless voluntarily consented to by the owners of all properties included in such an application.

(2) Prior to issuance of any zoning compliance permit for development approved in a special use permit, a detailed landscape plan for such development, or an approved phase thereof, shall be submitted to and approved by the town manager."

Section 9. Article 4 Procedures, Subsection 4.6 Subdivision, Subsection 4.6.3 Classification of Subdivision, Subsection (a) Minor Subdivision-Administrative review is hereby added to read as follows:

"(a) *Minor subdivision—Administrative review.*

(1) The minor subdivision—administrative review approval process is a one-step procedure involving town manager approval of a final plat. A "minor subdivision—administrative review" includes any subdivision pursuant to an approved zoning compliance permit for a duplex ~~two-family~~ or multifamily townhouse development,

an approved special use permit for a planned development, an approved conditional zoning, or an approved commercial subdivision."

Section 10. Article 4. Procedures, Subsection 4.6 Subdivision, new Subsection 4.6.14 Cottage Court Subdivision is hereby added to read as follows:

"4.16.14 Cottage Court Subdivision.

It is the intent of this section that applicable subdivision review under the subdivision regulations be carried out as an integral part of the review of cottage court developments. It is the further intent of this section to permit the submittal of a subdivision application for the whole cottage court or for approved phases thereof. The form and content of applications and plans submitted for such integrated review shall be sufficient to satisfy the requirements of the subdivision regulations as well as those of this article.

The cottage court subdivision plat shall identify:

(a) Land developed and designated for the common use and benefit of the occupants of individual lots;

(b) Any entity designated to be legally responsible for the maintenance and control of the common land areas;

(c) The gross land area of the commonly held land, which shall not be less than ten (10) percent of the zoning lot's total gross land area;

(d) The maximum impervious surface and floor area for each lot; and

(e) The housing type and associated floor area limitations."

Section 11. Article 4 Procedures, Subsection 4.6 Subdivision, new Subsection 4.6.15 Townhouse Subdivision is hereby added to read as follows:

"4.16.15 Townhouse Subdivision.

It is the intent of this section that applicable subdivision review under the subdivision regulations be carried out as an integral part of the review of townhouse developments. It is the further intent of this section to permit the submittal of a subdivision application for the whole townhouse development, or for approved phases thereof. The form and content of applications and plans submitted for such integrated review shall be sufficient to satisfy the requirements of the subdivision regulations as well as those of this article.

The townhouse subdivision plat shall identify:

(a) Land developed and designated for the common use and benefit of the occupants of individual lots;

(b) Any entity designated to be legally responsible for the maintenance and control of the common land areas;

(c) The gross land area of the commonly held land, which shall not be less than ten (10) percent of the zoning lot's total gross land area; and

(d) The maximum impervious surface and floor area for each lot."

Section 12. Article 4.6 Subdivision, new Subsection 4.16.16 Condominiums is hereby added to read as follows:

"4.6.16 Condominiums.

Development of two or more dwelling units configured as condominiums shall comply with the following standards:

(a) Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.

(b) Condominiums shall conform to the requirements of the North Carolina Condominium Act in Chapter 47C of the North Carolina General Statutes.

(c) Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Town Manager and recorded in the office of the Register of Deeds in the county where the development is located."

Section 13. Article 4. Procedures, Section 4.7. Site plan review, Subsection 4.7.1 Applicability, Subsection (a) is revised to read as follows:

"Site plan review and approval by the planning commission shall be required prior to issuance of a zoning compliance permit for any development or change in use subject to a zoning compliance permit (as described in section 4.9), with the following exceptions:

(a) Any development of a single- family, single-family with accessory apartment, duplex, ~~or two-family~~ triplex, or fourplex dwelling on a zoning lot, or any uses accessory thereto;"

Section 14. Article 4. Procedures, Section 4.9 Zoning Compliance Permit, Subsection 4.9.1 Applicability is revised to read as follows:

"4.9.1. Applicability.,

(a) Except as otherwise specifically provided in this chapter, it shall be unlawful to begin any excavation, removal of soil, clearing of a site, or placing of any fill on lands contemplated for development, or to begin any construction, moving, alteration, or renovation, except for ordinary repairs or maintenance, of any building or other structure, including accessory structures and signs, until the town manager has issued for such action a zoning compliance permit, certifying that such development complies with the applicable provisions of this chapter. The town manager may establish a process to waive the requirement for a zoning compliance permit for smaller-scale ~~single- or two-family~~ residential activities - such as landscaping and construction of decks, porches, sheds, garages, and stoops related to single family, single family with accessory apartment, duplexes, triplexes, fourplexes, and common plan developments of less than five (5) units.

(b) It shall also be unlawful to change the type of use or type of occupancy of any land or structure, or to extend any use on any lot on which exists a nonconforming use, until the town manager has issued for such action a zoning compliance permit, certifying that such intended uses comply with the applicable provisions of this chapter.

(c) Thresholds for exceptions to zoning compliance permit requirement: smaller-scale residential activities related to single family dwellings, single family with an accessory apartment, duplexes, triplexes, fourplexes, and common plans of development of less than five (5) units ~~Single-family~~ ~~development~~ meeting all conditions contained in this section 4.9.1(c) may be exempted from the requirement to obtain a zoning compliance permit after an initial review by the town manager or designee.

(1) The project adds less than five hundred (500) square feet of impervious surface area.

(2) The project includes less than one thousand five hundred (1,500) square feet of land disturbance.

(3) The project does not include grading or filling of soil.

(4) The project is at least five (5) feet away from the nearest setback line and building height limitation.

(5) The project work limits are at least five (5) feet from the boundary of any Resource Conservation District or Jordan Watershed Riparian Buffer.

(6) The project is not occurring within the regulatory floodplain.

(7) The project does not contain steep slopes as defined in section 5.3.2 of this ordinance.

(8) The project does not include removal of more than 2,500 square feet of canopy or 25% of the total tree canopy coverage for the site, whichever is less."

Section 15. Article 5. Design and Development Standards, Section 5.2 Lot layout standards, Subsection 5.2.2 Applicability of Lot Layout Standards is revised to read as follows:

"5.2.2. Applicability of Lot Design Standards.

Each lot in a subdivision shall comply with the lot design standards contained in this section. Newly created or revised lots shall be designed so that any existing structures continue to meet the requirements of this appendix or so that any existing nonconformity is not increased, extended, or enlarged. The standards of this section, however, do not apply to recreation areas, lots within approved planned developments, cottage court lots, and townhouse lots created as part of a minor subdivision provided:

(a) The town manager has approved provisions for the unified control of and responsibility for the development and for the maintenance of common areas; and

(b) The town manager has approved provisions for ensuring access to and use of recreation areas or areas otherwise designated for the residents' common use and benefit."

Section 16. Article 5. Design and Development Standards, Section 5.2 Lot layout standards, Subsection 5.2.6 Flag Lots is revised to read as follows:

"5.2.6. Flag Lots.

The Town of Chapel Hill discourages and restricts forming flag lots in subdivisions. A flag lot shall be permitted if necessary to allow a property owner reasonable use and benefit from his/her land or to alleviate situations which would otherwise cause extreme hardship for him/her.

Flag lots are prohibited except when allowed upon findings that:

(a) The flag lot is necessary to eliminate access onto an arterial street (See Figure 5.2.6-1);

(b) The flag lot is necessary to reasonably utilize irregularly shaped land (See Figure 5.2.6-2);

(c) The flag lot is necessary to reasonably utilize land with difficult topography (See Figure 5.2.6-3).

(d)

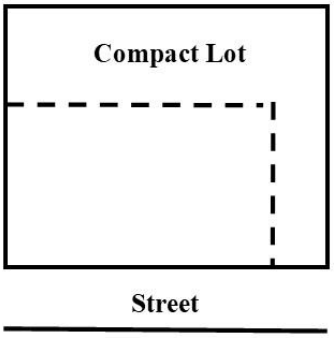


Figure 5.6.2-3

The flag lot is necessary to create a compact lot for the development of a cottage dwelling unit (See Figure 5.2.6-4).

No flag lot will be allowed if it increases the number of access points onto an arterial or collector street.

That portion of a flag lot between the street onto which it has access and the point where a lot dimension parallel to the street first equals or exceeds the minimum lot width specified in section 3.8 shall not be longer than two hundred (200) feet. The lot width and street frontage of a flag lot may be reduced to thirty-five (35) feet. The town manager may approve further reductions to a minimum of twenty (20) feet where topographical conditions permit the construction of an adequate driveway within that width. The town manager may also require greater widths where necessary to ensure adequate access.

Exceptions for Compact Lots

The following shall apply for flag lots that create compact lots:

(a) The extension or "pole" of the flag lot shall be a minimum of 12 feet in width in addition to meeting the standards for driveways set forth in Chapter 17[2]. The square footage of the pole shall not be included in meeting the minimum lot size requirements of the compact lot.

(b) Only one flag lot for the creation of a compact lot is permitted per parent parcel.

(c) The plat for a flag lot creating a compact lot shall specify the house size limitations for cottage dwelling unit.

(d) The remaining standard lot created from the parent parcel shall comply with the dimensional standards of the zoning district."

Section 17. Article 5. Design and Development Standards, Section 5.3 Critical areas and environmental performance standards, Subsection 5.3.2 Steep Slopes is revised to read as follows:

"5.3.2. Steep Slopes.

(a) *Purpose and Intent.* The purpose of this section is to minimize the grading and site disturbance of steep slopes by restricting land disturbance on steep slopes, and by requiring special construction techniques for development on steep slopes. These provisions are intended to:

(1) Protect water bodies (streams and lakes) and wetlands from the effects of erosion on water quality and water body integrity,
(2) Protect the plant and animal habitat of steep slopes from the effects of land disturbance, and
(3) Preserve the natural beauty and economic value of the town's wooded hillsides.

(b) *Definitions.* For purposes of this section, "slope" means the ratio of elevation change to horizontal distance, expressed as a percentage. Slope is computed by dividing the vertical distance ("rise") by the horizontal distance ("run"), and multiplying the ratio by one hundred (100). A "steep slope" is equal to or steeper than fifteen (15) percent.

"Cut and fill slopes" include all slopes graded by excavating part of a higher area, raising the surface of a lower area, or combining the two (2) methods of construction.

(c) *Applicability.*

(1) For purposes of this section, a "steep slope" shall include only those areas of size four hundred (400) square feet or greater. Three (3) different categories of steep slopes are established in this section, as described in Table 5.3-1.

(2) Steep slope regulations contained in this section shall not apply to single-family dwelling units~~, or two-family/~~single-family with accessory apartment, or duplex dwelling units on lots lawfully created prior to January 27, 2003, or lots created pursuant to a preliminary plat approved by the town manager prior to January 27, 2003.

[2] https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_CH17STSI_ARTVDR_S17-61DRRE

(3) Steep slope regulations contained in this section shall not apply to existing cut and fill slopes associated with roads, parking lots or driveways.

(d) *Contents of Application Requirements.* The following information shall be provided for any application proposing development where the project area includes an area of steep slopes:

(1) A slope and topographic map for both existing and proposed conditions based on a map depicting contours at an interval of two (2) feet or less. The map shall indicate, through cross-hatching or separate colors, all areas within each slope category described in Table 5.3-1, below.

(2) The location of any existing swales, streams, or areas of concentrated flow.

(3) A map showing current land use cover type or ground cover on steep slopes.

(4) A map showing soil types for the whole site, and providing from the county soil survey the names of the soil types and depths to bedrock for each type.

(5) Additional information may be required if steep slopes will be impacted by development.

(6) Applications for subdivisions shall include a slope and topographic map for both existing and proposed conditions based on a map depicting contours at an interval of two (2) feet or less. The map shall indicate, through cross-hatching or separate colors, all areas within each slope category described in Table 5.3-1, below. Areas containing slopes of 4:1 (25%) or steeper shall be called out on recorded subdivision plats for single -family, single-family with accessory apartment, and duplex ~~and two-family~~ development along with a note that reads "No more than twenty-five (25) percent of the total combined area of 4:1 (25%) or steeper shall be disturbed."

(e) *Cut and Fill Slope Requirements.* All new cut and fill slopes must not be steeper than a 3:1 slope (33%). Steeper slopes may be conditionally approved by the Town Manager.

(f) *Disturbance limitations.* No more than twenty-five (25) percent of the total combined area of 4:1 (25%) or steeper slopes shall be disturbed unless a variance is granted by the Board of Adjustment.

(g) *Construction Techniques.*

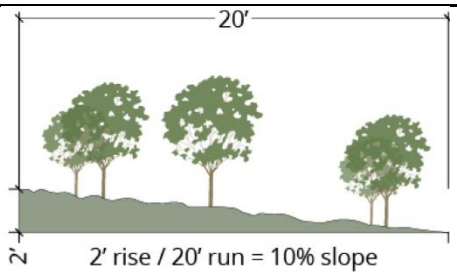
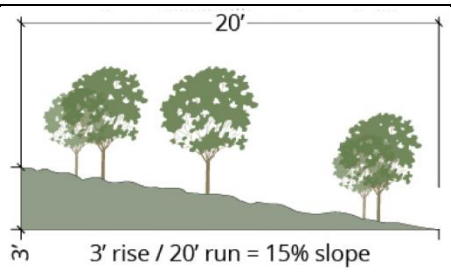
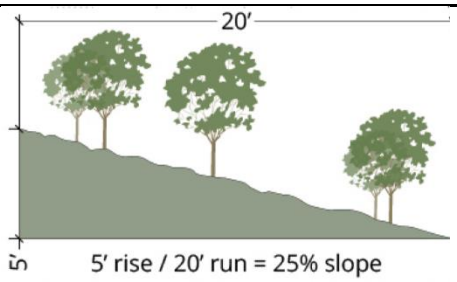
(1) All plans must show provisions for reducing and minimizing stormwater runoff during construction of steep slopes and cut and fill slopes.

(2) All perimeter dikes, swales, ditches, perimeter slopes; all slopes 2:1 or steeper; all slopes between 2:1 and 3:1 and greater than ten (10) feet in length; and all slopes between 3:1 and 4:1 and greater than fifty (50) feet in length and all slopes steeper than 3:1 shall be provided temporary or permanent stabilization with ground cover sufficient to restrain erosion as soon as practicable but in any event within even (7) calendar days of any phase of grading.

(3) All other disturbed areas shall be provided temporary or permanent stabilization with ground cover sufficient to restrain erosion as soon as practicable but in any event within fourteen (14) calendar days of termination or completion of any phase of grading.

(4) When any given area of construction is completed, it must have a permanent, stabilizing ground cover applied within the specified time period above. If irrigation is not provided, then the exposed soil shall be planted with species which can survive without irrigation. Vegetative cover or any alternative cover (rock, masonry, etc.) shall be maintained in perpetuity.

Table 5.3-1: Slope Construction Restrictions and Requirements

Slope Category	**Illustration**	**Development Restrictions**
Less than 15% (approx. 7:1)		No additional application requirements, design requirements, construction requirements, or land disturbance limitations pursuant to this Section.
15% (7:1) or greater, but less than 25% (4:1)		See D. above for application requirements. See E. above for cut and fill slope requirements. See F. above for disturbance limitations. See G. above for construction techniques.
25% (4:1) or greater		See D. above for application requirements. See E. above for cut and fill slope requirements. See. G. above for construction techniques.

<u>Section 18</u>. Article 5. Design and Development Standards, Section 5.4 Stormwater Management, Subsection 5.4.2 Applicability is revised to read as follows:

"5.4.2. Applicability.

(a) This section shall apply to all new development and redevelopment projects for which a zoning compliance permit is required.

(b) To prevent the adverse impacts of stormwater runoff, the town has developed a set of performance standards that must be met at all new development and redevelopment sites. The following activities are exempt from these stormwater performance criteria:

(1) Any logging and agricultural activity that is consistent with all federal, state and local regulations;

(2) Individual single-family, single-family with accessory apartment, and duplex ~~and two-family~~ development and redevelopments that do not disturb more than twenty thousand (20,000) square feet of land area, including cumulative disturbance since the adoption of the Land Use Management Ordinance on January 27, 2003, provided they are not part of a larger common plan of development.

(3) Repairs to any stormwater treatment facility deemed necessary by the town.

(4) For purposes of this section, "Larger common plan of development" shall be as defined in subsection 5.19.3(h) of this appendix and includes subdivisions that create four (4) or more residential lots.

(c) Individual single-family, single-family with accessory apartment, and duplex ~~and two-family~~ residential construction that are exempt from stormwater performance criteria under subsection 5.4.2(b)(2) above shall discharge runoff in an non-erosive and diffuse manner using techniques approved by the town manager. Discharge system/techniques shall be in accordance with the standards established in the town's design manual."

Section 19. **Article 5. Design and Development Standards, Section 5.4 Stormwater Management, Subsection 5.4.6 General Performance Criteria for Stormwater Management is revised to read as follows:**

"5.4.6. General Performance Criteria for Stormwater Management.

The following are required stormwater management performance criteria:

(a) Stormwater treatment shall be designed to achieve average annual eighty-five (85) percent total suspended solids (TSS) removal and must apply to the volume of post-development runoff resulting from the first one-inch of precipitation. Alternative treatment methods to achieve eighty-five (85) percent average annual TSS removal may be acceptable. The eighty-five (85) percent requirement applies to eighty-five (85) percent of the additional suspended solids that are the result of the new development. (Ord. No. 2004-02-23/O-2)

(b) The stormwater runoff volume leaving the site post-development shall not exceed the stormwater runoff volume leaving the site pre-development (existing conditions) for the local 2-year frequency, 24-hour duration storm event for all development except single-family, single-family with accessory apartment, and duplex ~~and two-family~~ dwellings on lots existing as of January 27, 2003, or on lots pursuant to a preliminary plat that was approved by the town council prior to January 27, 2003. This may be achieved by hydrologic abstraction, recycling and/or reuse, or any other accepted scientific method.

(c) The stormwater runoff rate leaving the site post-development shall not exceed the stormwater runoff rate leaving the site pre-development (existing conditions) for the local 1-year, 2-year, and 25-year 24-hour storm events.

(d) 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."

Section 20. **Article 5. Design and Development Standards, Section 5.5 Recreation is revised to read as follows:**

"5.5.1. Applicability.

(a) This section applies to:

(1) Any major subdivision that creates lots reasonably expected to be used for dwelling units; or

(2) Any multifamily, cottage court, townhouse development or common plan of development of five (5) or more units.

(b) In all cases the Chapel Hill Parks and Recreation Commission shall review and make recommendations to the town council on the provision or dedication of parks and open space.

(c) In all cases the Chapel Hill Greenways Commission shall review and make recommendations to the town council in the event that proposed development may be located on or have an impact on greenway areas identified in the town's comprehensive plan, greenway project conceptual plans adopted by the council, and/or greenway project master plans adopted by the council.

(d) Provision or dedication of parks and open space is not required for a minor subdivision.

(e) Phases of development within a subdivided tract that occur after the initial subdivision must provide the required parks and open space appropriate for the subsequent development of those tracts. For example, if multifamily dwellings or townhouse developments are built within an already subdivided tract, those dwellings must comply with recreation and outdoor space ratios required for multifamily dwellings by this section.

5.5.2. Minimum Recreation ~~Area and Recreation~~ Space.

"(a) *Residential subdivisions.*

This section applies to any application for subdivision approval in the zoning districts enumerated below. The minimum size in square feet of a recreation ~~area~~ space shall be derived by multiplying the gross land area of the development by the applicable ratio shown below:

Zoning district	Recreation ~~area~~ space ratio
R-LD5	.040
R-LD1	.050
R-1A	.061
R-1	.071
R-2A	.095
R-2	.120
R-3	.170
R-4, 5, 6 and all other nonresidential zoning districts	.218

(b) Suitability of land.

(1) Land provided or dedicated as recreation ~~area~~ space shall be outside of the resource conservation district and of a character, shape and location suitable for use as a playground, playfield, or for other active recreation purposes including greenway pedestrian and non-motorized vehicle easements. ~~R~~ecreation ~~areas~~ spaces shall be located on land that is relatively flat and dry and is otherwise capable of

accommodating active recreation uses, except as exempted under the provisions of subsections (e)(2) and (e)(3), below.

(2) For sites that abut or include areas designated as future greenways on the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council, the town council may require that a dedicated public pedestrian and non-motorized vehicle easement along all such areas be the recreation space provided under this ordinance.

(3) ~~Recreation areas and~~ Recreation spaces shall be conveniently accessible to all residents of the subdivision and, other than greenway pedestrian and non-motorized vehicle easements, shall have at least fifty (50) feet of frontage on at least one public street within the subdivision. Land provided or reserved for active recreation shall form a single parcel except where the town council determines that two (2) or more parcels are more suitable to the needs of a particular subdivision. The Town Council may require that such parcels be connected. In large developments it is desirable to have parks and recreation areas within walking distance of new residences.

(c) Method of provision or dedication.

Land provided or dedicated for recreation purposes shall be designated on the subdivision's final plat(s). The town council may require that such land be dedicated to the town or other appropriate public body. If the town does not require that the land be dedicated or deeded to an appropriate public body, then the town may require that a neighborhood or homeowners' association be established for the continuing maintenance and control of common recreation area and facilities.

(d) Payments in lieu of provision or dedication.

(1) In lieu of providing or dedicating recreation ~~area~~ space required pursuant to this section, a developer of a subdivision may, with the approval of the town council, make a payment to the town whereby the town may acquire or develop recreation land to serve the subdivision. A developer may make a partial payment in combination with the partial provision of recreation ~~area~~ space if the town council determines that the combination is in the best interests of the citizens of the area to be served.

(2) The town council may require a payment to the town in lieu of providing or dedicating recreation ~~area~~ space required pursuant to this section where the minimum recreation ~~area~~ space required by this section equals four (4) acres or less.

(3) The town shall use such payment only for the acquisition or development of recreation, park, greenways, or open space sites, as allowed by law.

(4) Payments in lieu of recreation ~~area~~ space shall be determined by the following formula:

A per square foot value of the property shall be determined, as established by Orange County and/or Durham County for real estate tax purposes. The value established by Orange County and/or Durham County shall include only the value of the land and shall not include the value of existing structures and improvements. The square foot value shall be multiplied by the number of square feet of recreation ~~area~~ space required for the development to arrive at a base

value. The base value shall be multiplied by a recreation ~~area~~ space payment in lieu multiplier to determine the required amount of payment in lieu of recreation.

The payment in lieu multiplier for recreation ~~area~~ space shall be established by the town council annually as part of the budget process.

(5) The developer shall make the payment before approval of a final plat for the subdivision, provided, however, that the town manager may allow phasing of payments consistent with the approved phasing of the subdivision.

(6) In the event that a property owner successfully appeals the county valuation of the property after the payment in lieu for recreation ~~area~~ space is made to the town, and the resulting change in valuation would have reduced the amount of the payment in lieu for recreation ~~area~~ space, the town shall reimburse the developer the difference between what was paid and what would have been paid had the revised valuation been used.

(e) Exemptions.

(1) The town council may exempt an application from the recreation ~~area~~ space requirements in this section if the required recreation area is less than three thousand (3,000) square feet.

(2) If the town council determines that assembling a piece of land to meet the requirements of subsection (b) either would create undue hardships or is not necessary because the active recreational needs of the subdivision are already being met by dedicated land or by existing recreation ~~areas~~ spaces, it may waive any requirements of that subsection. In such cases, the required recreational ~~area~~ space may be used for preserving woods, steep slopes, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover. These ~~areas~~ spaces would provide for the community's need for passive recreational areas and/or greenways.

(3) If the site abuts or includes areas designated as future greenways on the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council, land area dedicated as a public pedestrian non-motorized vehicle easement or deeded to the town along the greenway may be applied to requirements for dedication of recreation ~~area~~ space and exempted from the land suitability requirements of subsection (b).

(f) Substitution of off-site land for dedicated recreation ~~area~~ space.

(1) Any subdivider required to provide or dedicate recreation ~~area~~ space pursuant to this section may, with the approval of the town council, dedicate recreation ~~area~~ space outside the boundaries of the land being subdivided but in a nearby area of town.

(2) The substitute dedicated recreation ~~area~~ space shall be in a location acceptable to the town council, shall be comparably valued, and shall meet all suitability requirements as set forth under the provisions of subsection (b), above.

(g) Multifamily dwelling units, cottage court, townhouse, and common plan of developments of five (5) or more units

~~Active~~ Improved active recreation space~~,~~ improved ~~space~~ areas (either indoors or outside) shall be provided for the common active recreational use of residents of multifamily developments. For sites that abut or include areas designated as future greenways in the town's comprehensive plan, greenway project conceptual plans adopted by the council, and greenway project master plans adopted by the council; land dedicated for a public pedestrian and non-motorized vehicle easement or deeded to the town along the greenway may be substituted for required improved active

recreation space. The minimum size of such active recreation space shall be the number of square feet derived by multiplying gross land area of the development by the applicable ratio shown below.

Zoning districts	Active ~~R~~recreation space ratio
TC-1, TC-2, TC-3	.120
CC, MU-V, MU-V-CZD	.046
N.C.	.039
OI-2	.046
OI-1	.046
I	.032
R-SS-CZD, R-6, R-5	.050
R-4	.039
R-3	.032
R-2, R-2A, R-1	.025
R-1A	.022
R-LD1	.020
All Others	.015

(h) Payments in lieu of improved recreation space.

In lieu of providing recreation space required pursuant to this section, a developer of a multifamily dwelling, cottage court, townhouse, or planned development may, with the approval of the town council (or planning commission if final approval is by the planning commission), make a payment to the town whereby the town may acquire or develop recreation land or greenways to serve the development. A developer may make a partial payment in combination with the partial provision of recreation space if the town council determines that the combination is in the best interests of the citizens of the area to be served.

The town council (or planning commission if final approval is by the planning commission), may require a payment to the town in lieu of providing or dedicating recreation space required pursuant to this section.

The town shall use such payment only for the acquisition or development of recreation, park, or open space sites to serve residents of the development or residents of more than one (1) subdivision or development within the immediate area. The amount of the payment shall be the product of the amount of active recreational space required, multiplied by a dollar amount established by the town council annually as part of the budget process.

The developer shall make the payment before issuance of a zoning compliance permit for the development, provided, however, that the town manager may allow phasing of payments consistent with the approved phasing of the development.

(i) Connectivity.

Purpose statement: The town hereby finds and determines that an interconnected system of parks, trails, greenways, and bikeways provides a greater public benefit than isolated parks with access exclusively by automobiles. Such areas can provide form to neighborhoods, a common public gathering space, and an opportunity to protect natural areas.

~~Recreation area~~ Active recreation space provided pursuant to this section shall be aligned with and shall adjoin any area designated as a park or open space area on adjoining property, including any public greenway, linear park, or similar facility.

Sidewalks, trails, or similar facilities shall align with such facilities in an adjoining tract or, where adjoining tracts are unimproved, with any area designated for parks or open space in the comprehensive plan or any parks master plan adopted by the town."

Section 21. Article 5. Design and Development Standards, Section 5.6 Landscaping, screening, and buffers, Table 5.6.6-1 Schedule of required buffers is revised to read as follows:

	Proposed Principal Use				
Adjacent* Existing Principal Use	Major Subdivision creating lots for single ~~or two-family~~, single family with accessory apartment, duplex, triplex, and fourplex dwellings, or Class A mobile home	Any other principal use in Use Group A, except essential services	Any principal use in Use Group B	Automotive repair, maintenance and/or storage facility, self-storage facility, conditioned, light manufacturing, supply yard	Any principal use in Use Group C other than the above
Dwellings, single-family ~~or two-family~~, single family with accessory apartment, duplex, triplex, and fourplex dwellings, or Class A mobile home		B	C	D	C
Any other principal use in Use Group A, except Essential Services	B	B	C	D	C
Interstate Highway	E	E	E	E	E
Railroad, non-Interstate, Arterial Street	D	D	D	D	D
Collector Street	C	C	C	C	C
Any use in Use Group B	C	C	B	C	B

	Proposed Principal Use				
Automotive Repair, Maintenance and/or Storage Facility, Light Manufacturing, Supply Yard	D	D	C	B	B
Any other use in Use Group C	C	C	B	B	B
Adjacent* Vacant Land Zoning: R-LD5, RT, R-LD1, R-1, R-2, R-3	—	B	C	D	C
R-4, R-5, R-6	B	B	C	D	C
OI-1, OI-2	C	C	B	C	B
I, LI-CZD	D	D	C	B	B
N.C., CC, OI-3, TC-1, TC-2, TC-3	C	C	B	B	B

Section 22. Article 5. Design and Development Standards, Section 5.7 Tree Protection, Subsection 5.7.1 General Provisions is revised to read as follows:

"(a) *Short title.* This section shall be known and may be cited as the Chapel Hill Tree Protection Ordinance.

(b) *Purpose.* The intent of this section is to preserve, maintain, and increase tree canopy to protect the public health, safety, and welfare and enhance the quality of life in Chapel Hill.

(c) *Applicability and permits.* The provisions of this article apply to all land in the town's zoning jurisdiction. For tree canopy coverage standards, see section 5.7.2.

(1) *Activities that require a zoning compliance permit:*

i. All work impacting trees on lots designated for non-residential, multifamily residential, cottage court, or townhouse development of five (5) or more units, and mixed use, and

ii. All work impacting trees on lots designated for single-family, single-family with accessory apartment, duplex, ~~and two-family,~~ triplex, and fourplex residential uses where total land disturbance exceeds five thousand (5,000) square feet and that are not encumbered by a Special Use Permit or Conditional Zoning District.

(2) *Activities that require review and approval by the town's urban forester:*

i. Private work on public land, and

ii. The practice of forestry as defined by North Carolina General Statute 105-277.2-.7 which is permitted only after an applicant submits a plan for harvesting and replanting consistent with the most current Forest Practices Guidelines Related to Water Quality published by the N.C. Department of Natural Resources and Community Development, or its successor agency.

(d) *Exceptions not subject to the provisions of this article are:*

(1) Land in the town's Town Center and Office/Institutional-4 zoning districts, provided, however, that subsection 5.7.4 of this article shall apply;

(2) Routine maintenance of existing trees outside the public right-of-way, including pruning done in a manner consistent with established arboricultural standards;

(3) The removal of dead, severely damaged or diseased trees that have been diagnosed and, if applicable, determined by a certified arborist to be beyond treatment or recovery, the burden of proof being placed on the remover;

(4) Land surveying provided no trees greater than six (6) inches diameter at breast height (dbh) are damaged or removed; and

(5) Eradication of exotic, non-native, and invasive or otherwise undesirable species listed in subsection 5.7.6(d).

(e) *Emergency waiver.* The provisions of this section are waived if compliance would impede the rescue of life or property from immediate danger or the repair of utilities in the event of emergencies such as wind storms, ice storms, or other disasters. Any emergency work shall follow as closely as possible the standards outlined in the town's landscape standards and specifications."

Section 23. Article 5. Design and Development Standards, Section 5.7 Tree Protection, Subsection 5.7.2 Tree Canopy Coverage Standards, Subsection (a) Minimum canopy coverage standards is revised to read as follows:

"(a) Minimum canopy coverage standards. The town desires to maintain the maximum practical tree canopy cover across all land uses within the town's jurisdiction.

Tree canopy coverage standards are required for applications proposing triplex, fourplex, and cottage courts.

Tree canopy coverage standards are required for applications proposing tree removal that require council approval, including special use permits, ~~and~~ major special use permit modifications, conditional zoning district rezonings, and major conditional zoning district modifications.

For residential Neighborhood Conservation Districts, the district may request from the town council that tree protection regulations apply as per section 5.7 using a canopy coverage standard consistent with the existing neighborhood character.

When tree canopy is subject to the provisions of this section, the following minimum tree canopy coverage percentages are required within the zoning lot boundaries exclusive of public right-of-way:

Land Use	Minimum Canopy Coverage
Triplexes and Fourplexes	20%
Multifamily Residential and Townhouse Developments of five (5) or more units	30%
Cottage Courts	30%
Commercial (Use Group C and: Business, Office; Clinic; Funeral Home, and Hotel/Motel)	30%
Institutional (Use Group B)	40%
Mixed Use, Other	40%
All Uses in Innovative, Light Industrial Conditional Zoning District (LI-CZD)	20%

Section 24. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.5 Parking Design Standards is revised to read as follows:

"All parking areas shall meet the following minimum design requirement:

(a) Ingress to and egress from parking areas shall conform to the design manual for such features as curbs, driveway cuts, etc.

(b) In the town center, TND or TOD districts, if a setback is provided between a principal structure and a street, such setback shall not be used for off-street parking.

(c) All parking spaces and maneuvering space shall be surfaced with an all-weather material or gravel, which shall be maintained in a safe and sanitary condition. This division (c) does not apply to parking areas that are not within the front yard area of a single-family, single-family dwelling with accessory apartment, or duplex zoning lot.

(d) No parking area or maneuvering space shall be located within a public street right-of-way. Parked vehicles in off-street parking spaces shall be prevented from intruding on travel lanes, walkways, public streets, or adjacent properties by means of walls, curbs, wheel stops, or other appropriate means.

(e) The size of parking spaces shall be adequate for the safe parking of vehicles and maneuvering space shall be provided so that parking movements can be accomplished in one continuous maneuver. Parking facilities designed to accommodate five (5) or more vehicles shall be designed in accord with the standards for stalls and aisles as set forth in the standard details and specifications.

(f) Curbed islands shall be required at the ends of or between parking aisles where necessary for traffic control or drainage control.

(g) Except for single-family dwellings, single-family dwellings with accessory apartments or ~~two-family~~ duplex dwellings, parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter adjacent streets in a forward manner.

(h) Parking facilities shall be designed to connect with parking facilities on adjacent zoning lots where appropriate to eliminate the need to use the abutting street(s) for cross movements.

(i) All off-street parking facilities shall be provided with a drainage system meeting the design standards contained in section 5.4.

(j) All lighting of and within parking facilities shall conform to the lighting design standards contained in section 5.11.

(k) Adequate provision shall be made for the ventilation, dispersion, and removal of smoke and gases from above-ground and below-ground parking structures.

~~(l) Parking facilities designed to accommodate five (5) or more vehicles shall provide areas as necessary for the parking of motorcycles, mopeds, and bicycles. Such areas shall be clearly defined and reserved for the exclusive use by motorcycles, mopeds, and bicycles.~~

(~~m~~ l) Parking facilities designed with the appropriate number, size and type of handicapped parking spaces, ramps, crosswalks and associated infrastructure to comply the Americans With Disabilities Act standards, North Carolina Accessibility Code, and town standard. Such spaces shall be clearly defined and reserved for the exclusive use by handicapped persons.

(~~n~~ m) Parking facilities shall be designed with walkways and lighting to facilitate safe walking movements to and from parked vehicles."

Section 25. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements is amended to add two rows below single family with accessory apartment, to add a new row above the existing row Fraternity or sorority house, and revise the footnotes to read as follows:

Use	Vehicular Parking				Bicycle Parking
	Town Center Zoning Districts		Non Town Center Zoning Districts*		
	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
Dwelling, single-family with accessory apartment	1 per Accessory Apartment bedroom constructed after	N/A	1 per Accessory Apartment bedroom constructed after	N/A	N/A

Use		Vehicular Parking				Bicycle Parking
		Town Center Zoning Districts		Non Town Center Zoning Districts*		
		Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
		~~[effective date]~~ November 23, 2015		~~[effective date]~~ November 23, 2015		
Dwelling, **Duplex, Triplex, Fourplex,** or multifamily	Efficiency	N/A	1 per dwelling unit	1 per dwelling unit	1.25 per dwelling unit	1 per 4 dwelling units
	1 bedroom	N/A	1 per dwelling unit	1 per dwelling unit	1.25 per dwelling unit	
	2 bedrooms	N/A	1.25 per dwelling unit	1.4 per dwelling unit	1.75 per dwelling unit	
	3 bedrooms	N/A	1.5 per dwelling unit	1.75 per dwelling unit	2.25 per dwelling unit	
	4 or more bedrooms	N/A	1.67 per dwelling unit	2 per dwelling unit	2.5 per dwelling unit	
Dwelling, Cottage Court		N/A	1 per dwelling unit	1 per dwelling unit	2 per dwelling unit	1 per 3 dwelling units
Dwelling , Townhouse		N/A	1 per dwelling unit	1 per dwelling unit	2 per dwelling unit	1 per 4 dwelling units

Use	Vehicular Parking				Bicycle Parking
	Town Center Zoning Districts		Non Town Center Zoning Districts*		
	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
Fraternity or sorority house	N/A	1 per 1.25 residents	1 per 3 residents	1 per 2 residents	Min 4; 1 per 3 residents

* Minimum vehicular and bicycle parking requirements shall not apply for uses located within the Office/Institutional-3 or Office/Institutional-4 Districts.

** For a duplex, no minimum vehicular parking requirement shall apply and for the purposes of calculating the maximum number of vehicular parking spaces, garage spaces and the driveway are not to be counted.

*** See section 4.11 Bicycle Parking in the Town of Chapel Hill 2005 Design Manual.

Note: The minimum number of parking spaces required for elderly or handicapped dwellings may be reduced to one (1) per two (2) dwelling units upon findings made by the town council that (1) reasonable assurances exist that the dwelling units served by the parking spaces will be maintained for occupancy by the elderly or handicapped and/or (2) that sufficient space exists on the property to ensure that should the units be converted to another form of occupancy or use, that sufficient parking can be provided on the site to satisfy the parking requirements of the new use, without violating the land use intensities of Table 3.8-1.

In the case of a use not listed above, the minimum and maximum bicycle and vehicular parking space requirements shall be determined by the town manager. In making such determinations, the town manager shall be guided by the requirements for similar uses, the number and kind of bicycles and vehicles likely to be attracted to the use, and studies of minimum parking space requirements for such use in other jurisdictions.

Minimum vehicular parking requirements for an individual site may be reduced by the town council in the context of a special use permit approval, or the planning commission in the context of a site plan review approval, if evidence is submitted to demonstrate and the town council, or planning commission, finds that:

(a) Sidewalks, bicycle facilities, transit service and transit amenities are in place such that, together with the number of vehicular parking spaces that are proposed, transportation needs are adequately served; or

(b) The particular use that would be specified in the special use permit is of a nature that generates lower-than-average trips, and that the special use permit would limit use of the property to what is specified; or

(c) Arrangements for shared parking with nearby facilities is ensured."

Section 26. Article 5. Design and Development Standards, Section 5.9 Parking and Loading, Subsection 5.9.9 Parking in Front Yards is revised to read as follows:

"*5.9.9. Parking in Front Yards.*

(a)*Applicability.* The restrictions of this section shall apply to single-family, single-family with accessory apartment, duplex, ~~two-family,~~ ~~and~~ triplex, and fourplex dwellings in all zoning districts.

(b) *Generally.* Parking and drive areas located in front yards (between the street and a line drawn parallel to the street from the point of the house that is closest to the street) shall be maintained in a safe and sanitary condition, shall not contribute to soil erosion or to tree damage, and shall be clearly designated and covered with an all weather surface or gravel.

(c) *Coverage.* Parking and drive areas shall be limited to forty (40) percent of the front yard area of any ~~zoning~~ lot. Access to front yard parking shall be limited to properly approved curb cuts or other approved access points.

Residential driveway areas can be further reduced by:

(1) Constructing shared driveways with a recorded shared access agreement between any pair of lots

(2) Designing driveways as a ribbon driveway:

A. Each strip shall be two feet (2') to three feet (3') wide with a separation between the strips measuring three feet (3')

B. Strips can terminate at the sidewalk or driveway apron, to a parking pad at the side or rear of the structure to accommodate side-by-side parking, or garage entry.

C. Separation strips may be planted with grass or another ground cover, filled with landscaping rocks, or gravel.

(d) *Exceptions.* The town manager may grant an exception to subsection (c) where he/she finds all of the following conditions to exist on the property and all other parking options, including parking in the back and side yard, have been eliminated;

(1) The parking area is clearly defined and/or marked with appropriate materials such as rocks, timbers and hedges; and

(2) The parking area is maintained in a safe and sanitary condition; and

(3) The parking area does not contribute to soil erosion or tree damage; and

(4) Access to front yard parking shall be limited to properly approved curb cuts or other approved access points; and

(5) The location and dimension of such parking area is traditionally and customarily associated with the subject structure; and

(6) The parking area shall be screened by means of an effective screening device between the parking area and the street which is at least four (4) feet in height

above the grade of the edge of the parking area. Appropriate screening devices may include decorative brick walls, fences, evergreen hedges which shall reach the required height within two (2) years of planting, or any combination of the above.

(7) If the parking lot is located in the historic district, the historic district commission grants a certificate of appropriateness for the parking area."

Section 27. Article 5-Design and Development Standards, Section 5.10 Disability Access is revised to read as follows:

"5.10. Disability Access.

Except for single-family, single-family with accessory apartment, and duplex ~~and two-family~~ dwellings, all buildings and facilities shall be accessible to and usable by the physically handicapped in accordance with the building code provisions contained in chapter 5 of the Town Code of Ordinances."

Section 28. Article 5-Design and Development Standards, Section 5.11 Lighting Standards, Subsection 5.11.5 Buildings, Streets, Driveways and other Passageways and Subsection 5.11.6 Submittals are revised to read as follows:

"5.11.5. Buildings, Streets, Driveways and other Passageways.

Except for single-family, single-family with accessory apartment, duplex, triplex, and fourplex ~~and two-family~~ dwellings, all streets, driveways, bikeways, sidewalks, pedestrian paths, parking areas, and other common areas and facilities shall be lighted where necessary to ensure the security of property and the safety of persons using such streets, driveways, bikeways, sidewalks, pedestrian paths, parking areas, and other common areas and facilities. Specific standards for and restrictions on lighting are included in the town's design manual.

All principal entrances and exits to principal buildings used for nonresidential purposes or containing more than five (5) dwelling or lodging units shall be sufficiently lighted to ensure the safety of residents and the security of the building.

5.11.6. Submittals.

Each application for a zoning compliance permit for development other than a single-family, single family with accessory apartment, or duplex ~~or two-family~~ dwelling shall include a lighting plan that shows existing and proposed lighting fixture types and locations. The plan shall indicate, by isolux contour diagram and grid points, the measured and calculated pre-development and post-development foot-candles at grade both on the development site and on adjacent property where lighting impacts are expected. The lighting plan must be sealed by a professional engineer with demonstrable expertise in lighting design and mitigation strategies, or a lighting specialist who is lighting certified (LC) by NCQLP (National Town Council on Qualifications for the Lighting Professions)."

Section 29. Article 5-Design and Development Standards, Section 5.12 Utilities, Subsection 5.12.1 Water and Sewage, Subsection 5.12.1(A)(1) Service by public systems is revised to read as follows:

"(a) *Service by public systems.*

(1) All development within the boundaries of Chapel Hill's Urban Services Area, as defined in the comprehensive plan, shall be served by a public water supply and a

public sanitary sewer system. No zoning compliance permit or building permit shall be issued for any structure within the town's urban services area (as defined in the comprehensive plan), absent evidence that the structure can be served by public water and sewer facilities. Existing development not served by public water and sewer shall not be considered as nonconforming within the meaning of article 7 of this chapter. Provided however that permits may be issued to authorize the reconstruction, rehabilitation, renovation, or expansion of a development existing on or before January 27, 2003, whether or not such development is served by a public water supply and a public sanitary sewer system, subject to applicable regulations, including demonstration of compliance with county health department regulations. (Ord. No. 2003-09-22/O-2, § 1)

Exception: The town manager, or designee, may exempt individual single-family, single-family with accessory apartment, and duplex ~~and two-family~~ development from the requirement for public water and sewer facilities, based on the presentation of substantial evidence by the applicant that such public facilities are not immediately adjacent to the lot and are not accessible by private lateral utility service lines. A letter from the Orange Water and Sewer Authority or successor agency stating that an extension of public water or sewer main would be required to serve the subject property shall constitute substantial evidence as described above. New development that is granted this exception, to allow private water or sewer facilities, shall connect to public water and sewer facilities, by private lateral utility service lines, at such time that public facilities become accessible by private lateral utility service lines."

Section 30. Article 5-Design and Development Standards, Section 5.13 Solid waste collection and recycling is revised to read as follows:

"5.13. Solid waste collection and recycling.

(a) All developments shall provide a detailed solid waste management plan, including a recycling plan and a plan for managing and minimizing construction debris, subject to approval by the town manager.

(b) All developments shall provide secure, safe, and sanitary facilities for the storage and pickup of solid waste and recyclables. Such facilities shall be convenient to collection and shall be appropriate to the type and size of the development being served.

(c) Except for single-family, single-family with accessory apartment, and duplex ~~and two-family~~ dwellings, all solid waste and recyclables storage facilities shall be screened by a solid wall, fence, tight evergreen hedge, or combination of the above. Such screening shall be of sufficient height and design to effectively screen the facility from the view from adjacent residential uses and streets, and from adjacent properties."

Section 31. Article 5-Design and Development Standards, Section 5.19 Jordan watershed stormwater management for new development, Subsection 5.19.7 Design and Performance Standards for Stormwater Management, Subsection (c) is revised to read as follows:

"(c) Partial offset of nutrient control requirements. Before using offsite offset options, a development subject to this section shall attain a maximum nitrogen loading rate onsite of six (6) pounds per acre per year for single-family, single-family with accessory apartment, and duplex residential development and ten (10) pounds per acre per year for other development, including triplex, fourplex, multi-family residential, commercial

and industrial and shall meet all requirements for structural best management practices otherwise imposed by this section. A person subject to this section may achieve the additional reductions in nitrogen and phosphorus loadings by making offset payments to the North Carolina Ecosystem Enhancement Program (program) contingent upon acceptance of payments by that program. An applicant may propose other offset measures, including providing his or her own offsite offset or utilizing a private seller. All offset measures permitted by this section shall meet the requirements of 15A NCAC 02B.0273(2) through (4) and 15A NCAC 02B.0240."

Section 32. Article 6-Special Regulations for Particular Uses, Section 6.19 Dwelling Units-Duplex, Subsection (d) is revised to read as follows:

"(d) No more than four (4) vehicular parking spaces, as defined by landscaping and hardscape materials, shall be permitted.

~~a. For special use permit, special use permit modification site plan review, and site plan review applications which authorize construction of dwelling units, two-family - duplex use, the community design commission shall approve duplex building elevations and site plans to determine if the elevations are in accordance with the adopted design guidelines and if all property owners included in such an application voluntarily consent to such regulation.~~

~~Every application for community design commission review of duplex structure(s) that are approved by a special use permit, site plan review, or said modifications, shall include a list of owners of properties located within one thousand (1,000) feet of the subject property boundaries with the full name and address of each property owner, with stamped, pre-addressed mailing envelopes for each owner on the mailing list. The stamped, pre-addressed envelopes shall be used to notify the property owners of the meeting date and time during which the community design commission will consider the application."~~

Section 33. Article 6-Special Regulations for Particular Uses, Section 6.26 Triplex dwelling unit is revised to read as follows:

"6.26 Triplex and Fourplex dwelling units.

(a) Special Requirements in the HR-L and HR-M Subdistricts

(1) ~~1.~~ Triplex projects in the HR-L and HR-M Subdistricts shall only be permitted from nonprofit tax exempt organizations involving permanent residential development in which annual documentation is provided that 100% of the dwelling units will be occupied by low-moderate income households (less than 80% of area median income by households size as defined by the Department of Housing and Urban Development) in perpetuity.

(2) ~~2.~~ The separation between units of a triplex dwelling shall meet Fire Code requirements."

(b) Neighborhood Compatibility. These standards are intended to encourage reinvestment in existing neighborhoods that complements the neighborhood's established character.

(1) Applicability. The standards contained within this section apply to any building in a R-1, R-2, R-3, R-4, R-5, or R-6 zoning district where the following conditions are met:

a. The subject lot is part of a subdivision that was platted for at least 20 years; or

b. The subject lot's primary street frontage is on a street section that was platted for at least 20 years including subsequent right-of-way dedications; and

c. The subject lot is located on a street where at least 50% of the lots on the same block face (same side of the street) and the opposite block face (other side of the street) contain existing single-family dwellings.

(2) When the neighborhood compatibility standards are in conflict with the dimensional standards of the zoning district, the more restrictive shall apply.

(3) When a lot is located within a Neighborhood Conservation District or Historic District, the Neighborhood Conservation District or Historic District Overlay regulations shall apply.

(4) Determining Neighborhood Context for Infill Development. To ensuring neighborhood compatibility, the neighborhood context shall be determined. The context for the following Development and Design Standards shall be defined by:

a. Existing dwellings located on lots within 150 feet of the property line. A minimum of four dwelling units shall be identified adjacent to the property.

i. In the case of a corner lot, existing dwellings located within 150 feet of the property line along both street frontages shall be considered.

ii. In the case of a cul-de-sac or similar street section, both sides of the street shall be used to consider block face.

b. Identifying dwellings within the neighborhood context.

i. Where a demolition permit has been obtained on a lot, that lot shall be considered vacant for the purpose of neighborhood context.

ii. Where the existing building will remain on the subject lot, that building shall be considered for the purpose of determining neighborhood context.

(5) Development & Design Standards

a. Minimum Lot Size. The minimum lot size requirements of the underlying zoning and any overlay districts shall apply.

b. Minimum Frontage. The minimum frontage requirements of the underlying zoning and any overlay districts shall apply.

c. Minimum Lot Width. The minimum lot size requirements of the underlying zoning and any overlay districts shall apply.

d. Maximum Setback and Core Height. The maximum setback and core height of the building shall not exceed the height of the lesser of:

i. The maximum heights established by the zoning districts.

ii. More than 10 feet taller than the height of the shortest dwelling unit on adjacent lots along the block face.

iii. If there is not a dwelling on the abutting lot, the next lot along the block face shall be used.

iv. If that next lot also does not have a dwelling unit, then the underlying zoning height shall be used.

e. Roof Forms, pitches, breaks, and massing shall be similar to those found in the neighborhood.

f. Minimum and Maximum Street Setbacks. The proposed new dwelling shall be no closer to the street than the shortest street setback and no further than the longest street setback.

g. Minimum Interior Setback

   i. The minimum interior setback shall be equal to the setback that exists on the abutting lot, provided that no setback be less than 8 feet.

   ii. If there is not a dwelling on the abutting lot, the underlying zoning interior setback shall be used.

h. Minimum Solar Setback. The minimum solar setback requirements of the underlying zoning and any overlay districts shall apply.

i. Building Width:

   i. The width of the building shall not exceed the average building width of existing residential structures by more than 25%.

   ii. No façade wall may extend for more than 50 feet without a projection or recession of at least 4 feet in depth and 10 feet in length.

   iii. Articulation is required on side walls that are 22 feet or taller and located within 15 feet of the adjoining building.

   iv. The modulation of facades and elevations should be similar to that of adjacent lots.

j. Building Orientation & Entrances

   i. A single-entry providing access to multiple units; or

   ii. Separate distinct covered entries.

      a. Entries shall face the street from which the dwelling derives its street address.

      b. On corner lots, entries shall be provided on different sides of the structure so that entries are visible from both streets.

k. Fenestration Pattern

   i. Window and door placement, design, proportions, and solid-to-void ratios shall be similar to that of adjoining lots.

   ii. Consider the placement of windows and door entrances to maintain the privacy of adjoining residents.

l. Building Materials. Use of similar exterior materials found within the neighborhood context area shall be employed.

m. Unit Size: Size: Triplex and Fourplex units shall have a minimum unit size of 500 square feet and a maximum unit size of 1,600 square feet each.

n. Driveways and Parking Standards. Driveways and parking spaces shall be located at least 2.5 feet from the side and rear lot lines, unless a shared driveway is provided between two adjoining properties.

o. Existing Buildings. Property owners are encouraged to utilize existing structures over demolishing existing structures.

p. Connectivity. New triplex and fourplex development shall enhance existing transportation networks by:

i. Constructing sidewalks that connect to the adjacent sidewalk system

ii. Continuation of bike lanes, greenways, and other multi-modal paths along the frontage of the property.

q. Utilities. Cottage Courts shall meet the requirements of 5.12 Utilities.

Section 34. Article 6-Special Regulations for Particular Uses is hereby amended by adding a new Section 6.28 Dwelling Units-Accessory Apartments to read as follows:

"6.28 – Accessory Apartments

The following standards shall apply to the development of accessory apartments:

(a) An accessory apartment shall be located on the same lot as the single-family dwelling to which it is an accessory use.

(b) Size: An accessory apartment shall have a floor area limit of:

(1) No more than seven hundred fifty (750) square feet or seventy-five (75) percent of the floor area of the principal dwelling unit (whichever is smaller); or

(2) No more than 750 square feet when the primary structure is 1,200 square feet or less; or

(3) No more than one thousand (1,000) square feet of floor area only if the accessory apartment ~~does not increase the existing footprint of the structure (principal dwelling unit, garage or other existing, standalone structure on the property) to which it would be attached~~ is attached to either the principal dwelling unit, garage, or another existing standalone structure on the property; and

(c) Detached accessory apartments are allowed on a lot only in conjunction with single-family dwelling unit and may not exist on a lot prior to the construction of the single-family dwelling unit.

(d) Height: The maximum height of a detached accessory structure in R- zoning districts shall be twenty-nine (29) feet or the height of the primary structure, whichever is less.

(e) Only one accessory apartment per single family lot is permitted.

(f) Together, the principal dwelling unit and the accessory apartment shall be classified as a rooming house (a different use type and group) if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

Section 35. Article 6-Special Regulations for Particular Uses is hereby amended by adding a new Section 6.29 Cottages to read as follows:

"6.29 – Cottages

(a) Cottages on Compact Lots

The following standards shall apply to the development of cottages on compact lots:

(1) *Dimensional Standards*

Compact lot Dimensions	

Minimum Lot Size	2,700 square feet
Minimum Lot Width	30 feet
Minimum Street Setback	Follows underlying zoning
Minimum Interior Setback	5 feet
Minimum Solar Setback	8 feet
Building Dimensions	
Maximum Footprint	1,000 square feet
Maximum Floor Area of Primary Structure	1,600 square feet
Maximum Height	29 feet
Building Separation	Separation between a cottage and existing development shall comply with Fire Code

(2) *Additional Requirements*

A. *Driveway Design.* Where feasible, driveways shall be shared with a recorded shared access agreement for any pair of lots.

B. *Designation on Plat.* Utilization of the compact lot option shall be recorded on a plat at the time of approval, specifying the housing type and associated limitations.

(b) Cottage Courts

The following standards shall apply to the development of cottage courts:

(1) *Lot Size.* A zoning lot containing a cottage court shall be a minimum of 10,000 square feet and maximum of 24,000 square feet.

(2) *Intensity Regulations.* A cottage court shall contain a minimum of three (3) dwelling units and a maximum of twelve (12) dwelling units.

(3) Accessory apartments are not a permitted accessory use for cottages within a cottage court.

(4) *Minimum Lot Width*

A. Front loaded cottage courts, those accessed by automobile traffic from the street, shall have a minimum lot width of 115 feet and maximum lot width of 160 feet.

B. Alley-loaded cottage courts, those access by automobile traffic from a alley or driveway, shall have a minimum lot width of 110 feet and maximum lot width of 150 feet.

(5) *Setbacks.* The setbacks of the underlying zoning district apply only to the perimeter of the cottage court lot. Individual lots within the cottage court development shall meet the following standards:

	Minimum Dimension:
Front:	5 feet

Rear:	10 feet
Side:	5 feet

(6) *Building Dimensions.* Each cottage dwelling shall meet the following standards:

	Minimum Dimension:	Maximum Dimension:
Building width[1]	18 feet	24 feet
Building depth	24 feet	36 feet
Building height	12 feet	25 feet
Floor Area (including garages)	500 square feet	1,500 square feet
Separation Between Detached Dwellings[3]	10 feet	No max

(1) Building width is the distance of the building, measured from the exterior face of the building measured from side to side, exclusive of any bay windows, porches, or decks.

(2) Building depth is the distance of the building, measured from the exterior face of the façade to the rear elevation, exclusive of any bay windows, porches, or decks.

(3) Dwellings shall have a minimum separation from one another of ten feet (10') measured from exterior wall to exterior wall and not counting eaves or other architectural projections.

(7) *Utilities. Cottage Courts shall meet the requirements of 5.12 Utilities.*

(8) *Design Standards*

A. Orientation of Dwelling Units. A minimum of 75% of the cottage dwelling units shall abut the courtyard and shall have a primary entrance oriented toward the courtyard space. For those dwelling units that face both a public street and the courtyard, the dwelling unit may have a secondary entrance oriented toward the courtyard so long as the primary entrance faces the right-of-way.

B. Driveways and Parking

i. Off-street parking shall be provided in compliance with LUMO 5.9.

ii. Parking shall not be located in front yards.

iii. In no instance shall off-street parking areas extend into the courtyard.

iv. Parking may be located in a shared parking lot or parking structure.

v. Shared parking structures shall be designed similar and compatible to the design, materials, and roof pitches used for the cottages.

vi. Driveways and parking areas shall be screened from adjoining properties.

C. Community Buildings. Indoor or covered common areas less than 2,000 square feet are permitted by right in cottage courts developments. These structures shall be architecturally integrated with the architectural style of the cottage court development.

D. Courtyard Requirements:

i. Courtyards shall measure a minimum of 400 square feet per dwelling unit.

ii. All cottages shall be located within 60 feet walking distance to the courtyard.

iii. Courtyards shall not include resource conservation district, stormwater control measures, steep slopes, and landscape buffers shall not count towards courtyard requirements.

iv. Courtyards shall be landscaped and may include amenities such as gazebos, benches, and playground equipment.

v. Enclosures for trash and recycling are prohibited in courtyards.

E. Existing Dwelling Units. An existing single-family dwelling that is incorporated into a cottage housing development as a residence and is nonconforming with respect to the standards of this chapter shall be permitted to remain on a site used for a cottage court development and shall count as one of the allowed units.

The extent of the noncompliance may not be increased unless the proposed change is determined by the Director to be consistent in character, scale, and design with the cottage housing development.

Section 36. Article 6-Special Regulations for Particular Uses is hereby amended by adding a new Section 6.30 - Townhouse Developments to read as follows:

"6.30 – Townhouse Developments

6.30.1 Minimum Land Area

The minimum gross land area required for a zoning lot containing a townhouse development shall be as established in section 3.8 for the zoning district in which the townhouse development is located.

6.30.2 Intensity Regulations

Except as otherwise provided in this appendix, the intensity regulations applicable within a townhouse development shall be as established in section 3.8 for the zoning district in which such townhouse development is located. For any lot developed with a townhouse, one accessory dwelling unit is permitted per townhouse lot.

The setbacks of the underlying zoning district apply only to the perimeter of the townhouse development.

6.30.3 *Minimum Lot Size and Width*

No individual townhouse lot shall be less than 1,600 square feet and a minimum lot width of sixteen feet.

6.30.4 Design Standards

Except as otherwise provided in this appendix, the design standards applicable to a townhouse development consisting of five (5) or more units shall be as established in article 5, with the following additions:

(a) Types of Townhouses:

(1) Rear-Loaded: These townhouses have a garage that is placed entirely to the rear of the townhouse and is rear-accessed. The garage can be attached or detached.

The garage must be located either:

i. A minimum of four (4) feet from the alley right-of-way, easement, or rear access drive; or

ii. A minimum of twenty (20) feet from the alley right-of-way, easement, or rear access drive if the drive also serves as parking

(2) Front-Loaded: These townhouses have attached garages that are placed entirely on the façade of the townhouse and is accessed from the front.

i. Garages shall be located behind the front wall plane of the house, except when the front door entrance is emphasized by a porch, stoop, or other architectural feature that creates a transitional space between outside and inside the dwelling unit. In such cases, the garage wall may be located behind the lane of the entry feature.

ii. Garage doors may constitute no more than 50% of the width of the individual townhouse unit.

iii. Garage doors shall be a minimum of twenty (20) feet from the right-of-way or sidewalk, whichever is closest, if the driveway also serves as parking.

iv. Garage doors shall be recessed from the wall plane.

v. Access to front yard parking shall be limited to properly approved curb cuts or other approved access points.

(3) Stacked townhouses: Please see requirements for multi-family dwelling units.

(b) Garages & Parking:

(1) Tandem parking designs, which necessitate parking one vehicle behind another and not perpendicular to each other, are permitted.

(2) One (1) Shared Driveway is allowed along a shared interior or rear lot line to provide access to a garage, or parking area in a rear-loaded townhouse.

(3) Single car garages must have a minimum interior dimension of eleven feet (11') by twenty feet (20') deep.

(4) Two car garages must have a minimum interior dimension of twenty feet (20') wide by twenty feet (20') deep.

(c) Pedestrian Entrances. Individual entrances to townhouses shall be prioritized over private garages by:

(1) Emphasizing entrances with trellis, small porch, stoop, or other architectural feature that creates a transitional space between outside and inside the dwelling; or

(2) Landscaping may be used to emphasize the pedestrian entrance; or

(3) For townhouse units on street corners, buildings shall incorporate architectural elements that wrap the two exposed sides of the unit.

(d) Variation in Setbacks

(1) In order to provide visual diversity, no more than three (3) contiguous townhouse units shall be allowed with the same setback.

(2) Variations in setback shall be at least three (3) feet.

(e) The required distance between any two (2) rows of townhouses shall be a minimum of ten (10) feet.

(f) Design

(1) In order to provide visual diversity, no more than two (2) contiguous townhouse units shall be allowed to have the same façade design.

(2) For Front-Loaded Townhouses, at least fifty percent (50%) of the units shall incorporate single-width parking configurations.

(3) Corner units shall incorporate architectural features that address both streets with a side elevation that includes windows, materials, and details consistent with the front elevation. Wraparound porches, corner bays, gables, turrets, bay windows, and other architectural features are encouraged. "

Section 37. Article 7-Nonconformities, Section 7.2-Nonconforming lots, Subsection 7.2.3 Use of Nonconforming Lots is hereby amended to read as follows:

"7.2.3. Use of Nonconforming Lots.

Where a nonconforming lot cannot be combined or recombined with other lots to form a conforming lot or lots, such nonconforming lot may be used subject to the compliance of the intended use and structure(s) with applicable use regulations and with applicable LUI ratios and setback and height regulations. However, any use (e.g. ~~two-family or~~ multifamily dwelling) that requires a greater gross land area than the minimum gross land area listed in section 3.8 for the appropriate zoning district shall not be permitted on a lot which does not conform to such minimum gross land area requirement.

If compliance of the structure(s) intended on the nonconforming lot with applicable setback regulations is not reasonably possible, the nonconforming lot may be used as a building site subject to the granting of variance from such setback regulations by the board of adjustment in accord with the provisions of section 4.12 of this appendix."

Section 38. Article 7-Nonconformities, Section 7.3-Nonconforming uses, Subsection 7.3.2 Regulations is hereby amended to read as follows:

"7.3. Nonconforming uses.

7.3.1. Definition.

A nonconforming use is a use of land, buildings, or structures that was lawfully established (or for which a vested right had been established) on a property prior to the effective date of current use regulations, but does not conform to the use regulations of article 3 for the zoning district in which it is located.

7.3.2. Regulations.

A. Duplexes

Duplex dwelling units existing or for which a vested right has been established as of October 21, 2002, may be expanded subject to duplex regulations pursuant to section 6.19 of the [Land Use Management] Ordinance or applicable neighborhood conservation

district regulations and shall not be considered as a nonconforming use as defined herein.

B. Triplexes and Fourplexes

Triplex and Fourplex units existing or for which a vested right has been established as of [Effective Date of Ordinance], may be expanded subject to triplex and fourplex regulations pursuant to section 6.26 of the [Land Use Management] Ordinance or applicable neighborhood conservation district regulations and shall not be considered as a nonconforming use as defined herein.

C. All Other Nonconforming Uses~~Two-family duplex dwelling units existing or for which a vested right has been established as of October 21, 2002, may be expanded subject to duplex regulations pursuant to section 6.19 of the [Land Use Management] Ordinance or applicable neighborhood conservation district regulations and shall not be considered as a nonconforming use as defined herein.~~ Nonconforming uses, other than those identified above~~two-family duplex dwelling units~~ may be continued subject to the following limitations:

(1) ~~(a)~~ No nonconforming use shall be extended, expanded, enlarged, or moved to occupy a different or greater area of land, buildings or structures than was occupied by such use at the time it became nonconforming, provided that a nonconforming use may be extended throughout any parts of a building which were specifically designed and arranged for such use at the time it became nonconforming.

(2) ~~(b)~~ No building structure devoted to a nonconforming use shall be enlarged, extended, or moved unless such building or structure is thereafter devoted to a conforming use.

(3) ~~(c)~~ If a nonconforming uses ceases for more than ninety (90) consecutive days or a total of one hundred and eighty (180) days in any twelve-month period, subsequent use of the land, or structures previously devoted to such use shall thereafter be devoted to conforming uses."

Section 39. Article 7-Nonconformities, Section 7.7-Development in watershed protection district is hereby amended to read as follows:

"**7.7. Development in watershed protection district.**

(a) This provision of the watershed protection district shall not apply to the continued use, operation or maintenance of any development existing, or for which construction had substantially begun, or for which preliminary plat approval, site plan approval, or special use permit approval has been received on or before the effective date of the applicable district. With respect to the requirements of this article, such development shall not be considered as non-conforming within the meaning of article 7.

(b) This provision of the watershed protection district shall not apply to single family ~~or two-family~~ single family with accessory apartment, or duplex developments constructed or to be constructed on existing lots created prior to July 1, 1993.

(c) This watershed protection district shall not apply to the continued use, operation or maintenance of any development existing, or for which construction had substantially begun, on or before July 1, 1993. In addition, the watershed protection district shall not apply to existing development which has established a vested right under North Carolina zoning law as of July 1, 1993, based on the following criteria:

(1) Substantial expenditure of resources (time, labor, money) based on a good faith reliance upon having received a valid approval to proceed with the project;

(2) Having an outstanding valid building permit; or

(3) Having expended substantial resources (time, labor, money) and having an approved Site Specific Development Plan pursuant to this appendix.

(d) Multiple lots under single ownership as of July 1, 1993, are not subject to the provisions of the watershed protection district if vested rights have been established in accordance with North Carolina law. If no vested rights are established, then owners must comply with the provisions of this appendix. Compliance may include requiring the recombination of lots.

(e) The watershed protection district shall not apply to single family and two-family development constructed or to be constructed on existing single-family lots created prior to July 1, 1993. This exemption is not applicable to multiple lots under single ownership. For purposes of constructing a single-family or two-family dwelling, lots of record as of July 1, 1993, which are established through a duly approved and properly recorded final plat shall be exempt from the provisions of this appendix."

Section 40. **Appendix A Definitions is hereby revised amending, inserting, and deleting the following definitions in the appropriate alphabetical order:**

"*Compact lot:* A lot measuring a minimum of 2,700 square feet that contains a cottage dwelling unit."

"*Condominium:* A dwelling or group of dwellings containing two (2) or more individually-owned dwelling units and jointly owned and shared areas and facilities on a single lot that are subject to the North Carolina Unit Ownership Act (G.S. Ch. 47A) and/or the North Carolina Condominium Act (G.S. Ch. 47C)."

"*Common Plan of Development:* Any area where multiple separate and distinct construction or land-disturbing activities will occur under one (1) plan. This includes, but is not limited to, development occurring on contiguous parcels of land. A plan is any announcement or piece of documentation including, but not limited to, a sign, public notice or hearing, advertisement, loan application, drawing, permit application, zoning request, or computer design; or physical demarcation including, but not limited to, boundary signs, lot stakes, or surveyor markings indicating that construction activities may occur on a specific plot."

"*Cottage Court:* A combination of three or more detached cottage dwellings arranged around a landscaped central courtyard with parking located to the side or rear of the development. A cottage court may be developed as a cottage court subdivision."

"*Dwelling, Cottage*: A type of single-family or duplex dwelling containing no more than two (2) attached dwelling units in which each dwelling unit has a floor area of 500 to 1,600 square feet. Floor area includes attached garages for this use. Any dwelling unit that is part of a cottage dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, ~~two family~~ Duplex:* A single, detached dwelling consisting of two (2) dwelling units (other than a "two-family dwelling - including accessory apartment") on a single lot, provided the two (2) dwelling units are connected by or share a common ~~floor-to-ceiling~~ vertical wall~~, or, if the two (2) units are arranged vertically, that they share a~~

~~common floor/ceiling~~ or horizontal floors/ceilings and not simply by an unenclosed passageway (e.g., covered walkway). Any dwelling unit that is part of a two-family ~~duplex~~ dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, fourplex:* A single detached dwelling comprised of four (4) dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot. Any dwelling unit that is part of a fourplex dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"*Dwelling units, multifamily:* A dwelling or combination ~~or~~ of dwellings on a single lot consisting of ~~three (3)~~ five (5) or more dwelling units.

Dwelling units, single-family: A detached dwelling consisting of a single dwelling unit only. A single-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.

Dwelling units, single-family with accessory apartment: A dwelling or combination of dwellings on a single ~~zoning~~ lot consisting of two (2) dwelling units, for which the accessory apartment meets the standards of Article 6.

~~(1) Accessory (attached or not attached) apartments have a floor area limit of no more than seven hundred fifty (750) square feet or seventy-five (75) percent of the floor area of the principal dwelling unit (whichever is smaller), except as provided in the next sentence.~~

~~(2) The floor area of an attached accessory apartment may exceed the aforementioned floor area limit of seven hundred fifty (750) square feet and be up to one thousand (1,000) square feet of floor area only if both of the following conditions are met: a) an attached accessory apartment does not increase the existing footprint of the structure (principal dwelling unit, garage or other existing, standalone structure on the property) to which it would be attached; and b) the attached accessory apartment does not exceed seventy-five (75) percent of the floor area of the principal dwelling unit.~~

~~(3) Together, the principal dwelling unit and the accessory apartment that are part of a two-family dwelling shall be classified as a rooming house (a different use type and group) if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."~~

~~"*Dwelling units, two-family:* A dwelling or combination of dwellings on a single lot consisting of two (2) dwelling units. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership.~~"

"*Dwelling units, Triplex ~~dwelling unit~~:* A single ~~structure~~ dwelling comprised of three (3) dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot. Any dwelling unit that is part of a triplex dwelling shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"Dwelling units, Townhouse: A dwelling unit on a single lot which shares at least one (1) common vertical wall with another such dwelling unit on a separate lot. A townhouse dwelling unit shall be classified as a rooming house if occupied by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership."

"Recreation ~~area~~ space: Any land required to be dedicated under the subdivision provisions of article 5.5. These areas may be improved with recreation amenities at the time of development, however in most cases recreation areas are generally left unimproved during the initial development of the subdivision.

Land dedicated as recreation ~~area~~ space shall generally be suitable for future recreation improvements such as playgrounds, playfields, or other active recreation purposes. Recreation ~~areas~~ space, in most cases, shall be centrally located within the subdivision, consist of land that is relatively flat and dry, and is otherwise capable of accommodating active recreation.

The town council may waive suitability requirements in order to preserve greenway corridors or other important natural areas."

"Recreation space (active): Any interior or exterior space or facility, improved for active recreation purposes, required to be dedicated under the ~~multifamily development~~ provisions of article 5.5. These areas are improved with recreation amenities at the time of development.

All recreation space amenities must adhere to requirements of the Americans with Disabilities Act.

Recreation space shall be improved with recreation facilities designed for active play. All recreation space improvements must be built or installed using standards generally accepted for each type of amenity. Examples of active play facilities include:

- Playgrounds utilizing commercial grade play equipment and adhering to national safety standards for play equipment and fall surfaces.
- Ballfields and athletic fields designed and built for active recreation. Such fields must be properly graded and have appropriate turf, goals, sub-drainage, benches, and other amenities commonly required for the intended sport. Unimproved open grass areas are not considered to be athletic fields.
- Basketball courts installed with regulation goals and in hard surface court areas large enough to sustain regulation play. Half courts are acceptable. Basketball goals installed in a street or parking lot are not acceptable.
- Swimming pools and bathhouses
- Tennis courts
- Community gardens appropriately designed and constructed with at least five (5) percent of the garden area consisting of raised beds for handicap users, a source of water throughout the garden area, storage area for tools, handicap accessibility, and access for maintenance.
- Clubhouses intended to be owned by a homeowners' association and operated for the recreation needs of the community.
- Exercise rooms within an apartment, condominium, or other such building intended to be used by the residents for recreation purposes.
- Ponds improved to support fish, stocked with fish, and improved to allow fishing access by persons with disabilities.

- Roof top running tracks
- Paved Greenway Trails
- Unpaved Greenway Trails of a length that provides a meaningful recreation experience. Generally, three thousand (3,000) linear feet or longer."

"*Recreation space (passive)*: Any exterior space or facility, improved for passive recreation purposes. These areas may be improved with recreation amenities at the time of development or may be undeveloped areas.

Examples of facilities which are ~~not~~ considered ~~active~~ passive in nature include:

- Open lawn areas
- Large expanses of unimproved space between or around active recreation elements
- Picnic tables and picnic facilities
- Seating areas
- Areas dedicated to lawn games such as badminton, croquet, lawn darts, horseshoes, etc.
- Areas dedicated to table top board games
- Gardens not improved for active gardening by the community
- Orchards

The town council may allow up to thirty (30) percent of the recreation space to consist of passive recreation elements if they 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.

The town council may waive suitability requirements in order to preserve greenway corridors or other important natural areas."

"*Structure, accessory:* A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Examples of accessory structures are fencing, decks, gazebos, arbors, retaining walls, barbecue pits, detached chimneys, playground equipment, yard art, docks, piers, etc."

"*Subdivision, Cottage Court:* A division of a zoning lot that consists of two (2) or more cottage dwelling units~~, each of which is located on its own individual lot,~~ wherein dwelling units are located on a separate lot of ownership, plus land developed and designated for the common use and benefit of the occupants of the cottage lots, provided an entity is designated to be legally responsible for maintenance and control of the common land areas."

"~~*Townhouse*~~ *Subdivision, Townhouse:* A ~~development~~ division of a zoning lot that consists of two (2) or more attached dwelling units or buildings~~, each of which is located on its own individual lot,~~ wherein dwelling units are located on a separate lot of ownership, plus land developed and designated for the common use and benefit of the occupants of the townhouse lots, provided an entity is designated to be legally responsible for maintenance and control of the common land areas. ~~The gross land area of the commonly held land shall be not less than ten (10) percent of the zoning lot's total gross land area. The individual lots within a townhouse development shall not be required to meet the lot design standards of article 3 or the intensity regulations of section 3.5, provided the zoning lot containing the townhouse development meets such standards."~~

"*Townhouse development:* A series of two (2) or more attached single-family dwellings, separated by vertical walls, in which each dwelling has its own front and rear yards, and has appropriated it to the entire building between shared walls. Each dwelling unit is located on a separate single lot."

~~"*Two-family lot:* A lot that is located in a subdivision within a zoning district that allows two-family dwelling units, and that does not include covenants, restrictions, or conditions of approval that prohibit the construction of a two-family dwelling unit on the lot."~~

Section 41. This ordinance is effective upon enactment.

This the ___th day of _____, 2023.

RESOLUTION B
(Denying the Land Use Management Ordinance Text Amendment Proposal)

A RESOLUTION DENYING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO SECTIONS 1, 3, 4, 5, 6, 7, AND APPENDIX A REGARDING HOUSING REGULATIONS AND TO EXPAND HOUSING CHOICES (2023-##-##/R-)

WHEREAS, the Council called a Legislative Hearing for the January 25, 2023, Council meeting to consider a text amendment to Sections 1, 3, 4, 5, 6, 7, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to housing regulations and expanded housing choices; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 1, 3, 4, 5, 6, 7, and Appendix A related to housing regulations and expanded housing choices and finds that the amendments are not reasonable and in the public's interest and are not warranted to 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 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 __th day of _____, 2023.

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 HOUSING CHOICES FOR COMPLETE COMMUNITIES LUMO TEXT AMENDMENT

October 04, 2022

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Wesley McMahon moved, and Louie Rivers seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency).

Vote: 6 – 0

Yeas: Jonathan Mitchell (Chair), Wesley McMahon, Chuck Mills, John Rees, Stephen Whitlow, Louie Rivers

Nays:

Recommendation: Approval ☑ Approval with Conditions ☐ Denial ☐

Motion: Wesley McMahon moved, and Louie Rivers seconded a motion to recommend that the Council approve Ordinance A (LUMO Text Amendment), with the attached comments as supplements to their recommendation.

Vote: 6 – 0

Yeas: Jonathan Mitchell (Chair), Wesley McMahon, Chuck Mills, John Rees, Stephen Whitlow, Louie Rivers

Nays:

Commission Notes to Council: On October 4, 2022, the Planning Commission voted unanimously (6-0) to recommend to the Council approval of two separate LUMO text amendments proposed by Town staff, titled "Affordable Housing Development Review" and "Housing Regulations and Housing Choices for a Complete Community," subject to the

comments below. The comments are intended for both staff and the Council. They include only substantive comments bearing on the amendments themselves; they do not cover certain comments conveyed to staff regarding how the amendments are described or positioned for the public (although we urge staff to consider those as well.) The ordering of comments below reflects the sequence of our discussion and not necessarily the relative importance.

Housing Regulations and Housing Choices for Complete Communities

1. The Planning Commission discussed whether drawing the line at fourplex (vs. higher) goes far enough. Some members wondered why the Town should impose any constraint on density within a building envelope that complies with the "form" requirements, or what approach should be used to calibrate such a constraint. Another member urged caution, noting that numerous other cities and states in North America have drawn the line at fourplex (or triplex), which may reflect both practical and political factors that we have not fully explored. The Planning Commission did not reach a resolution of this issue but wishes to flag it for the Council's consideration. To be clear, the Planning Commission supports the current proposal, which is an important step forward.

2. It is not clear why the NCDs should be categorically exempt from this proposal. We understand that special considerations may apply in some cases. One idea would be to use a special exception/variance process to address the question of density within the NCDs.

3. In the future, the impact of the existing minimum lot size requirement should be studied.

4. We urge removal of parking minimums.

5. Rather than totally excluding rear-loaded garage spots and driveways from parking maximums, which could result in six parking spots per townhouse, we urge staff and the Council to consider applying a discount factor to rear-loaded garage spots and driveways (e.g., such spots count 50% toward the maximum).

6. In the context of the Town's desire to incentivize rear-loaded townhouses, the Planning Commission discussed the impact of fire code requirements for minimum alley widths. Members noted that adding a rear alley seems to make townhouses no less safe, from a fire perspective, than having no alley. Meanwhile, configuring alleys for convenient access by fire equipment results in more impervious surface (and sometimes fewer housing units), somewhat diminishing the benefits of rear-loaded townhouses. We would like to see future dialogue between the Fire Marshall and the Town to promote appropriate balancing of safety and other objectives.

7. In the future, impediments to broader adoption of ADUs (which are currently allowed) should be studied.

Prepared by: Jacob Hunt, Planner II

HOUSING ADVISORY BOARD

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
HOUSING CHOICES FOR A COMPLETE COMMUNITY TEXT AMENDMENTS

Recommendation: **Approval** ■ **Approval with Conditions** □ **Denial** □

Motion: A motion was made by Dowling, seconded by Vice-Chair Morande, that the HAB recommend the Town Council approve the proposed revisions to the Town's Land Use Management Ordinance as presented.

Vote: 7-0

Ayes: Sue Hunter (Chair), Robert Dowling, Anne Hoole, Rex Mercer, Dustin Mills, Brandon Morande, Anthony Williams

Nays:

Additional Comments:

Prepared by: Emily Holt, Staff

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 14., **File #:** [23-0074], **Version:** 1 **Meeting Date:** 1/25/2023

Consider a Conditional Zoning Application for Aspen Chapel Hill at 701 Martin Luther King Jr Blvd. from Neighborhood Commercial (NC) and Residential-3 (R-3) to Residential-6-Conditional Zoning District (R-6-CZD).

Staff:
Mary Jane Nirdlinger, Deputy Town Manager and Interim Director
Judy Johnson, Assistant Director
Corey Liles, Planning Manager

Department:
Planning

See the Summary Report on the next page.

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

PRESENTER: Corey Liles, Planning Manager

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. Presentation by the applicant
d. Comments from the public
e. Comments and questions from the Mayor and Town Council
f. Motion to adjourn the Legislative Hearing
g. Motion to adopt the Resolution of Reasonableness and Consistency with the Comprehensive Plan
h. Motion to enact an Ordinance to rezone the property

RECOMMENDATION: That the Council adopt Resolution A and enact Ordinance A, approving the Conditional Zoning Application.

CONSIDER AN APPLICATION FOR CONDITIONAL ZONING FOR ASPEN CHAPEL HILL FROM NEIGHBORHOOD COMMERCIAL (NC) AND RESIDENTIAL-3 (R-3) TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (PROJECT #21-060)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Mary Jane Nirdlinger, Deputy Town Manager and Interim Director
Judy Johnson, Assistant Director
Corey Liles, Planning Manager

PROPERTY ADDRESS	MEETING DATE	APPLICANT
701 and 707 Martin Luther King Jr. Blvd and 201-205 E. Longview St.	January 25, 2023	Derick Blankenship, McAdams on behalf of York Acquisitions, LLC (contract purchaser) and Capkov Ventures Inc., Faye A. Johnson, and Lukri Investments, LLC (property owners)

TOWN MANAGER'S RECOMMENDATION

That the Council 1) close the legislative hearing, 2) receive the Town Manager's recommendation, 3) consider adopting the Resolution of Consistency and Reasonableness, and 4) consider enacting the Ordinance approving the Conditional Zoning application.

UPDATES SINCE THE OCTOBER 19, 2022 LEGISLATIVE HEARING

- **Age Restriction:** Added condition requiring tenants to be 21 years old at the time of occupancy or reach 21 years of age during the first year of their lease.
- **Community Access to Amenities:** New proposed condition whereby the owner shall allow memberships for the fitness area and pool for up to 25 full-time residents of Chapel Hill.
- **Buffer Encroachments:** Request for an additional modification to regulations for the buffer along Longview Street. The modification would allow a reduction in plantings, along with buffer encroachments for a rideshare/pickup area, loading area, and utilities.

ZONING

Existing: Neighborhood Commercial (NC) and Residential-3 (R-3)

Proposed: Residential-6-Conditional Zoning District (R-6-CZD)

PROCESS

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties.

DECISION POINTS

The applicant is requesting a Modification to Regulations for the following:

- Increase Maximum Residential Density
- Increase Maximum Height (setback and core)
- Reduce Minimum Street Setback along Longview St.
- Allow Buffer Encroachments along Longview St.
- Increase Maximum Floor Area
- Reduce Minimum Vehicular Parking
- Allow Uses and additional Land Disturbance in the Resource Conservation District
- Increase Maximum Land Disturbance of Steep Slopes

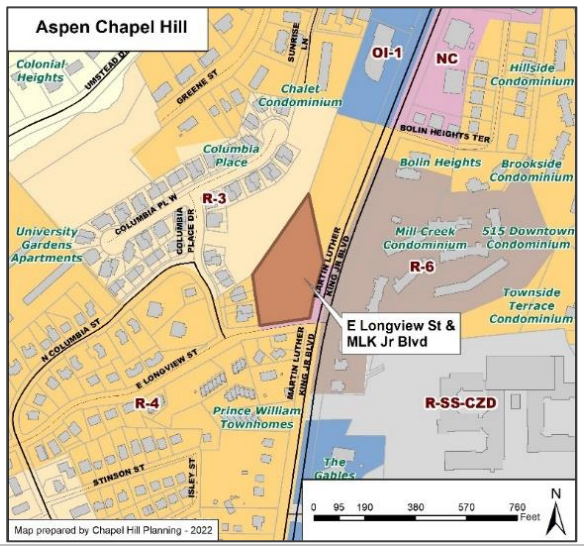
PROJECT OVERVIEW

This project proposes to demolish the existing auto repair shop and residences to construct a multifamily residential building with approximately 112 units. The building will also include resident amenities and structured, wrapped parking.

The applicant proposes voluntary provision of 14 on-site units of affordable housing. The amount of recreation space proposed exceeds Town requirements. The applicant has agreed to a $100,000 payment for transit improvements (Bus Rapid Transit station(s) and bicycle/pedestrian access).

A Transportation Impact Analysis was completed for the project and did not recommend any constructed improvements.

PROJECT LOCATION



ATTACHMENTS	1. Technical Report and Project Fact Sheet 2. Draft Staff Presentation 3. Resolution A, Resolution of Consistency and Reasonableness 4. Ordinance A (Approving the Application) 5. Resolution B (Denying the Application) 6. Modifications to Regulations (Updated Applicant Request) 7. Zoning Commitments from Applicant 8. Updated Applicant Materials

TECHNICAL REPORT

UPDATES SINCE THE OCTOBER 19, 2022 LEGISLATIVE HEARING

Staff worked with the applicant to modify the plans and revise Ordinance A to reflect the direction provided by Council during the legislative hearing:

- **Age Restriction:** The applicant has proposed a condition whereby the owner must require tenants to be 21 at the time of occupancy or reach 21 years of age during the first year of their lease.
- **Community Access to Amenities:** At the hearing, Council members stated that the development should provide benefits to the community through means such as giving the public access to amenities on the site. The applicant has therefore proposed a condition whereby the owner shall allow memberships for the fitness area and pool for up to 25 full-time residents of Chapel Hill.
- **Buffer Encroachments:** The applicant has requested an additional modification to regulations for the 15 ft. Type A Buffer along Longview Street. A reduction in plantings would be allowed, along with buffer encroachments for a rideshare/pickup area, loading area, and utilities. The inclusion of a rideshare/pickup area on Longview Street is consistent with recommendations from the Advisory Boards.
- **Timeline of Development Activity:** Staff compiled the timeline below to provide further detail and clarification on the timeline of the development proposal, including in the context of other projects.

Date	Item	Description
December 9, 2020	Future Land Use Map adopted	Includes guidance for the South MLK Jr Blvd Focus Area: "Residential uses that are likely to attract students are appropriate in locations close to transit and with access to shopping and convenience to campus. These locations include…south of Hillsborough Street."
February 8, 2021	Aspen Concept Plan submittal	Application submitted that proposes "a multifamily student housing community with +/- 109 units in a single-building."
March 24, 2021	Council review of 'The Flats' Concept Plan	Council provided comments on another student housing proposal at a nearby location, 607-617 Martin Luther King, Jr. Blvd. The minutes note that "Several Council Members stressed the importance of revisiting a Town/University study and determining how much student housing the Town wanted and where it wanted it."

May 12, 2021	Council review of Aspen Concept Plan	Council provided comments on the Aspen student housing proposal. The minutes note that "Some Council Members commented on the opportunity cost to the Town of having student housing at a prime location."
August 26, 2021	Formal application submittal	The Aspen student housing project was submitted as a Conditional Zoning application for formal review by Town staff, Advisory Boards, and Council.
November 5, 2021	Housing Study presented	The Council Committee on Economic Sustainability received information on the Projected Housing Needs 2020-2040 report. A finding of the report was that off-campus student housing production would need to increase by an average of about 45 units per year, as part of avoiding a rise in the jobs-housing ratio.
October 17, 2022	Discussion between applicant and University staff	UNC Real Estate Operations staff noted an interest in housing all sophomores on campus and encouraged the applicant to consider a 21+ provision for Aspen residents (while reiterating that UNC does not take a position on proposed private housing projects).
October 19, 2022	Council Hearing	Council opened the legislative hearing on the Aspen student housing project. Council members strongly voiced concerns around dedicating housing at this site to the student population, given the proximity to Downtown and the opportunity to create workforce housing.
January 25, 2023	Council Meeting	Council has the opportunity to close the hearing and consider action on the Aspen project. The applicant proposes including a condition of approval that requires occupants to be 21 or older.

PROPOSED ZONING

The application proposes applying a Residential-6-Conditional Zoning District (R-6-CZD) to the site to accommodate the proposed project.

The intent of the Residential-6 zoning district is "to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development." (LUMO Section 3.3.9)

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. Conditions are typically used to:

- Address conformance of the development with Town regulations and adopted plans.
- Modify use, intensity, and development standards to be more restrictive when addressing impacts reasonably expected to be generated by development.
- Modify intensity and development standards to be less restrictive when accommodating the applicant's proposed site plan (Modifications to Regulations).

A –CZD suffix would be added to the zoning district designation to incorporate the approved conditions.

SITE CONTEXT

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

- The site consists of approximately 2 acres with an existing auto repair shop and two single-family residences.
- The subject site fronts on Martin Luther King Jr. Blvd., an arterial street maintained by the North Carolina Department of Transportation, and E. Longview St., a Town-maintained local street.
- The properties to the south, west, and northeast are zoned Residential-4 (R-4).
- The Columbia Place development to the northwest is zoned Residential-3 (R-3).
- The Mill Creek Condominium development to the east, across Martin Luther King Jr. Blvd., is zoned Residential-6 (R-6).
- There is an intermittent stream on the site, partially piped, which is subject to a Resource Conservation District (RCD). The stream is not subject to a Jordan Buffer, and there is no associated floodplain or wetlands impacting the site.
- The site slopes downward from southwest to northeast and contains existing vegetation. A considerable portion of the site features steep slopes.

PROPOSED MODIFICATIONS TO REGULATIONS

1) **Section 3.8.2: Dimensional Regulations**
   a) **Maximum Residential Density:**
      - *Permitted:* 15 units per acre in the Residential-6 (R-6) zoning district
      - *Requested:* Increase to 61 units per acre
   b) **Maximum Setback (primary) Height:**
      - *Permitted:* 39 ft. in the R-6 zoning district
      - *Requested:* Increase to 81 ft.
   c) **Maximum Core (secondary) Height:**
      - *Permitted:* 60 ft. in the R-6 zoning district
      - *Requested:* Increase to 81 ft.
   d) **Minimum Street Setback** (E. Longview St.)
      - *Required:* 20 ft. in the R-6 zoning district
      - *Requested:* Reduce to 15 ft.
   e) **Maximum Floor Area**:
      - *Permitted:* 88,416 sq. ft. in the R-6 zoning district, with floor area bonus for affordable dwelling units
      - *Requested:* Increase to 168,152 sq. ft.

Staff Comment: The zoning districts available in the Land Use Management Ordinance (LUMO) do not necessarily implement the guidance of the Future Land Use Map (FLUM) in all situations, given dimensional limitations. Staff advised the applicant to propose a zoning district based on compatibility between the district intent statements in LUMO and the proposed development. Further justification is provided in the applicant's statement on Modifications to Regulations.

With regard to the Setback Height in particular, guidance in the FLUM encourages stepping down in height closer to the street, with 4 stories at the street setback line and up to 8 stories interior to the site. Council should consider whether the applicant's proposal of a larger street setback is an appropriate substitution for FLUM guidance.

2) **Section 5.6.2: Landscape Buffers.** The applicant proposes modifications to the buffer located on the South side of the property along Longview Street. The modifications would allow a variable buffer width and fewer plantings, as shown in the landscape plan.

Buffer Location	Required Buffer	Proposed Buffer
South	15 ft. Type A*	Variable width, Modified Type

* Buffer reduced by one grade of intensity where no parking is located between the buildings and the adjacent street

Staff Comment: Landscape buffers are intended to separate proposed development from different adjacent land uses or zoning designations to minimize potential nuisances, reduce the visual impact of unsightly aspects of adjacent development, provide separation of spaces, and establish a sense of privacy.

The applicant proposes modifications to accommodate a "loading area, rideshare/pick up area, transformers or utilities, and/or other similar encroachments. As a result, there may be less plantings per 100 linear feet as described in the Design Manual." Further justification is provided in the applicant's statement on Modifications to Regulations.

3) **Section 5.9.7: Minimum Vehicular Parking.**
   - *Required:* 178 parking spaces based on the proposed number of dwelling units and bedroom counts, with 6 handicapped spaces
   - *Requested:* Modified parking ratios that, under the unit mix currently proposed, would require 70 parking spaces including 3 handicapped spaces

Staff Comment: Guidance provided in LUMO 5.9 indicates that the Council may reduce minimum vehicular parking requirements upon finding that multimodal facilities are adequate to serve transportation needs, the particular use would generate lower-than-average trips, and/or arrangements for off-site shared parking have been made. The applicant proposes reduced parking based on proximity to campus, planned Bus Rapid Transit (BRT) service, and other factors. Further justification is provided in the applicant's statement on Modifications to Regulations.

4) **Section 3.6.3: Resource Conservation District (RCD)**
   a) **Permitted Uses within RCD:** In the Stream Side zone, various activities and development types are prohibited including built floor area (buildings), retaining walls, stormwater control measures(s), and new vegetation. The proposed modification request is to allow these uses.
   b) **Land Disturbance:** No more than 20% of the land area within the Stream Side zone shall be disturbed without a modification or variance. The proposed

modification request is to allow up to 7,716 sq. ft. to be disturbed, equal to 28.2% of the Stream Side zone area.

Staff Comment: RCD regulations are intended to preserve the water quality of the town's actual or potential water supply sources, minimize danger to lives and properties from flooding in and near the watercourses, preserve the water-carrying capacity of the watercourses, protect them from erosion and sedimentation, retain open spaces and greenways and protect their environmentally-sensitive character, preserve urban wildlife and plant life habitats from the intrusions of urbanization, provide air and noise buffers to ameliorate the effects of development, and preserve and maintain the aesthetic qualities and appearance of the town.

The applicant notes that the RCD on this site separates the buildable area from Martin Luther King Jr. Blvd., creating a conflict with measures to activate the street. Staff acknowledges that a stream feature located along a street frontage creates competing priorities, but has concerns with creating precedent for RCD encroachments, particularly for built floor area. Further justification is provided in the applicant's statement on Modifications to Regulations.

5) **Section 5.3.2 Critical Areas: Steep Slopes Land Disturbance.** No more than 25% of the total combined area of 4:1 (25%) or steeper slopes shall be disturbed without a modification or variance. The proposed modification request is to allow up to 15,943 sq. ft. of steep slopes land disturbance area, which would be 60% of the total combined area containing natural slopes 4:1 or greater.

   Staff Comment: Roughly one-third of the site's net land area contains steep slopes 4:1 or greater. Steep slope regulations are intended to protect streams, lakes, and wetlands from the effects of erosion on water quality and water body integrity; to protect the plant and animal habitat of steep slopes from the effects of land disturbance; and to preserve the natural beauty and economic value of the town's wooded hillsides.

   The applicant states that additional steep slopes disturbance is needed to make development feasible, given the small size of the lot and the extent of steep slopes. Staff has concern with potentially significant alteration of landform, considering 60% of the steep slope area equals roughly 18% of the total site area. Further justification is provided in the applicant's statement on Modifications to Regulations.

Council Findings and Public Purpose: The Council has the ability to modify the regulations according to Section 4.4.5 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.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the Chapel Hill 2020 Comprehensive Plan[1], the standards of the Land Use Management Ordinance[2], and the Town of Chapel Hill, NC : Design Manual and Standard Details[3] and believes the Aspen Chapel Hill proposal complies with the following aspects of the 2020 Comprehensive Plan:

Comprehensive Plan Themes: In the following table of themes from the Chapel Hill 2020 Comprehensive Plan, adopted June 25, 2012, staff notes areas where the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan:

☒		Create a Place for Everyone	☒		Develop Good Places, New Spaces
☐		Support Community Prosperity	☐		Nurture Our Community
☒		Facilitate Getting Around	☒		Grow Town and Gown Collaboration

Future Land Use Map: The Future Land Use Map (FLUM) envisions the South MLK Jr Blvd Focus Area as an extension of downtown north to Hillsborough Street, with a mix of uses, walkable urban design, diversity of housing types, and emphasis on offices – factors that together will make best use of future BRT service and expand the customer base for Downtown Chapel Hill. The proposed rezoning offers the opportunity to align the site with the character envisioned by the FLUM.

The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located. Multifamily is one of the appropriate Primary uses. The FLUM also calls for:

- BUILDING HEIGHT. 4 stories at the street setback line and up to 8 stories allowed interior to the site. (The FLUM suggest a story height of approximately 12 ft.)
- ACTIVATED STREET FRONTAGE. Indicated along Martin Luther King Jr. Blvd. to create active visual engagement between the street and ground floor uses, with an environment between streets and buildings that provides pedestrian connections and excludes off-street parking.
- PROPOSED CONNECTION. Indicated along E. Longview St., suggesting potential to provide improved connectivity function.

Mobility Plan: The Mobility and Connectivity Plan shows a multi-use path for the site's frontage along Martin Luther King Jr. Blvd., and a crosswalk improvement at the Longview Street / Martin Luther King Jr. Blvd. intersection. There are existing sidewalks on both sides of Martin Luther King Jr. Blvd. and the north side of E. Longview St. A future BRT station would be located within ½ mile of the site.

Climate: The Climate Action and Response Plan identifies Sustainable Development as a top strategy to reduce our community carbon footprint and build resiliency. The Transportation and Land Use chapter calls for creating walkable, bikeable, transit-served neighborhoods through strategies such as supportive zoning and integrated land use – transportation planning.

Staff Evaluation: North Carolina General Statute 160D-605(a) requires the Council to approve a statement describing whether its action is consistent with an adopted

[1] http://www.townofchapelhill.org/home/showdocument?id=15001
[2] https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA
[3] http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details

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:

- A larger street setback is proposed in lieu of stepping up in height interior to the site. Council should consider whether the larger setback is an appropriate substitution for stepped height under the guidance of the Future Land Use Map. Current proposal indicates a building 7 stories in height at the street-facing façade and varying setback of approx. 37-96 ft. from Martin Luther King, Jr. Blvd.
- The proposed rezoning aligns with the character envisioned by the FLUM. The Residential-6-Conditional Zoning District (R-6-CZD) district would allow the residential uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes a use that falls within the 'Multifamily' category.
- The presence of Activated Street Frontages suggests urban design that is compatible with more intense, pedestrian-oriented development. Zoning conditions would be useful to define how street activation will be achieved.

REASONABLENESS OF THE ZONING ATLAS AMENDMENT

Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The factors listed below considers the applicant's proposed zoning district and overall proposed use program. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

Supporting Factors

- The proposed zoning matches the zoning of adjacent sites (R-6) and provides opportunity for a transition to medium-density residential zoning in adjacent existing neighborhoods.
- There are a variety of housing types in the surrounding area, including other multifamily residential development.
- The site is located along a major arterial corridor. The surrounding road network, pedestrian and bicycle facilities (existing and planned) and transit service (existing and planned) indicate a transportation network that supports higher-density residential development.
- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses.
- Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

Other Considerations

- The proposed change in zoning district, including floor area proposed in the application, would allow roughly 9 times the amount of currently permissible development.
- Zoning conditions would be useful to address provision of Comprehensive Plan elements that support higher density such as bike/ped facilities, proposed connectivity, and design measures to activate the street frontage.
- Existing regulations include measures for protecting environmental features such as steep slopes and the stream corridor. Zoning conditions may be useful for enhanced protection, if warranted by further analysis and/or given proposed slope impacts.

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.

Staff provides below an evaluation of this application based on the three findings. Further information may be presented for the Council's consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record.

FINDING #1:	The proposed zoning amendment is necessary to correct a manifest error.
Arguments	To date, no arguments in support or in opposition have been submitted or identified by staff.
Staff Evaluation	There appears to be no manifest error in the Town's Zoning Atlas.

FINDING #2:	The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.
Arguments	Staff notes that there has been recent multifamily development activity in proximity to this site, such as the Union Chapel Hill and Lark Chapel Hill projects, which represent changing conditions. Staff notes that the BRT service planned for the Martin Luther King Jr. Blvd. corridor represents changing conditions that could support more intense use. To date, no arguments in opposition have been submitted or identified by staff.
Staff Evaluation	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions along the Martin Luther King Jr. Blvd. corridor.

FINDING #3: The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.	
Arguments	Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following: • Promoting the Focus Area Character for the South MLK Jr Blvd Focus Area as described in the Future Land Use Map. • Facilitating development that implements FLUM guidance for Character Types in the Focus Area. • Facilitating development that implements the principles and recommendations of the Central West Small Area Plan. • Contributing to a range of housing options for current and future residents aligns with the theme of *A Place for Everyone*. • Locating housing within walking distance of public transit routes, multiuse paths, and schools. The location offers multimodal access to employment, education, services, and shopping, and aligns with the theme of *Getting Around*. • Opportunities for new housing that expand the range of neighborhood types, evolve Chapel Hill's character for residents, and shapes land use in a way that strengthens community and protects the natural environment. These elements align with the theme of *Good Places New Spaces*. • Providing housing for students that offers easy access to UNC campus and to various services. This aligns with the theme of *Town and Gown Collaboration*. To date, no arguments in opposition have been submitted or identified by staff.
Staff Evaluation	The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

PROJECT FACT SHEET

Project Details

Site Description	
Project Name	Aspen Chapel Hill – Student Housing
Address	Martin Luther King Jr. Blvd. and E. Longview St.
Property Size (NLA)	80,455 sq. ft. (1.85 acres)
Gross Land Area (GLA)	88,501 sq. ft. (2.03 acres)
Orange County Parcel Identifier Numbers	9789-30-2139 and 9789-30-2349
Existing Zoning	Neighborhood Commercial (NC) and Residential-3 (R-3)
Proposed Zoning	Residential-6-Conditional Zoning District (R-6-CZD)

Site Development Standards

Topic	Comment	Status
Development Intensity		
Use (Sec. 3.7)	*Proposed Use:* Multifamily housing, 112 units (Multifamily dwellings, over 7 units)	✓
Inclusionary Zoning Ordinance (Sec. 3.10)	Voluntary – Rental housing proposed *Proposed:* 14 affordable units	**NA**
Density (Sec. 3.8)	*Residential density:* 15 units per acre maximum *Proposed*: 61 units per acre (modification requested)	**M**
Dimensional Standards (Sec. 3.8)	*Setback (primary) height:* 39 ft. maximum *Proposed:* Modification requested for 81 ft. *Core (secondary) height:* 60 ft. maximum *Proposed:* Modification requested for 81 ft. *Setbacks:* 20 ft. street, 6 ft. interior, 8 ft. solar – all minimums *Proposed:* Modification for 15 ft. street setback along E. Longview St.; other setbacks comply	**M**
Floor area (Sec. 3.8)	*Maximum allowed:* 88,416 sq. ft. (reflects Floor Area Bonus of 4,400 sq. ft. per affordable unit) *Proposed:* 168,152 sq. ft. (modification requested)	**M**
Landscape		
Buffers - East (Sec. 5.6.2)	*Required* / *Proposed* **North:** 10 ft. Type B / 10 ft. Type B **South:** 15 ft. Type A / 15 ft. Type A **East:** 20 ft. Type C along arterial street (reduced one grade for no parking between building and street) / 20 ft. Type C **West:** 10 ft. Type B / 10 ft. Type B	✓
Tree Canopy (Sec. 5.7)	*Minimum required:* 24,237 sq. ft. (30% of NLA) *Proposed:* 24,237 sq. ft. (30% of NLA)	✓

Parking Landscape Standards (Sec. 5.9.6)	Final Plans application must comply	**FP**
Environment		
Resource Conservation District (RCD) Uses (Sec. 3.6.3)	Modification requested to permit a portion of the building, retaining walls, stormwater control measures(s), and new vegetation in the RCD Stream side zone.	**M**
RCD Dimensional Standards (Sec. 3.6.3)	*Impervious surfaces:* 10% of area within Stream side zone, maximum (Managed use zone and Upland zone not applicable to intermittent stream) *Proposed:* 2,483 sq. ft. (9.1%) *Land disturbance:* 20% of area within Stream side zone, maximum *Proposed:* 7,716 sq. ft. (28.2%) (modification requested)	**M**
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	✓
Steep Slopes Land Disturbance (Sec. 5.3.2)	*Maximum Disturbance allowed:* 25% of areas with existing 4:1 slopes or greater *Proposed:* Disturb up to 15,943 sq. ft. (60%) of steep slope areas (modification requested)	**M**
Stormwater Management (Sec. 5.4)	Meet or exceed LUMO standards	✓
Land Disturbance	*Proposed:* 87,555 sq. ft.	✓
Impervious Surface	*Existing:* 0.42 acres (20.4%) *Maximum allowed:* 44,250 sq. ft. (50.0%) *Proposed:* Up to 44,250 sq. ft. (50.0%)	✓
Solid Waste & Recycling (Sec. 5.13)	Application must comply	**FP**
Jordan Riparian Buffer (Sec. 5.18)	Not applicable	**NA**
Access & Circulation		
Traffic Impact Analysis (Sec. 5.8)	TIA completed	✓
Road Improvements (Sec. 5.8)	No capacity improvements recommended in TIA findings (no study area intersections expected to be Level-of-Service E or F in 2025 peak hour). Committed improvements to the North St. / Martin Luther King Jr. Blvd. intersection, south of the subject site, are part of the E. Rosemary St. Parking Deck project.	✓
Vehicular Access (Sec. 5.8)	Full access driveway entrance on E. Longview St	✓
Transit Improvements (Sec. 5.8)	Staff recommends $100,000 payment for improvements to nearby proposed BRT station(s) and for station access	**C**
Bicycle Improvements (Sec. 5.8)	Payment for BRT station access could include construction of a 12 ft. multiuse path along Martin Luther King Jr. Blvd., consistent with planned streetscape for BRT corridor.	✓

Pedestrian Improvements (Sec. 5.8)	Pedestrian access routes for the site connect to proposed multiuse path along Martin Luther King Jr. Blvd. and existing sidewalk along E. Longview St.	✓
Vehicular Parking (Sec. 5.9)	*Minimum parking required:* 178 spaces with 6 handicapped spaces *Maximum parking allowed:* 225 spaces *Proposed:* 70 spaces with 3 handicapped spaces (modification requested)	**M**
Bicycle Parking (Sec. 5.9)	*Minimum required*: 28 spaces *Proposed:* 60 spaces	✓
Electric Vehicle Parking	None indicated	✓
Parking Design Standards (Sec. 5.9)	Application must comply	✓
Loading (Sec 5.9)	Application must comply	**FP**
Technical		
Fire	Built to Town Standards	✓
Recreation Area (Sec. 5.5)	*Minimum required:* 4,425 sq. ft. plus 25% payment-in-lieu *Proposed:* 8,000 sq. ft. plus 25% payment-in-lieu	✓
Lighting Plan (Sec. 5.11)	Built to Town Standards; not to exceed 0.3 footcandles at property line	**FP**
Signage (Sec. 5.14)	Built to Town Standards	**FP**
Schools Adequate Public Facilities (Sec. 5.16)	Application must comply	**FP**
Homeowners Association (Sec. 4.6)	Not applicable	**NA**

Project Summary Legend

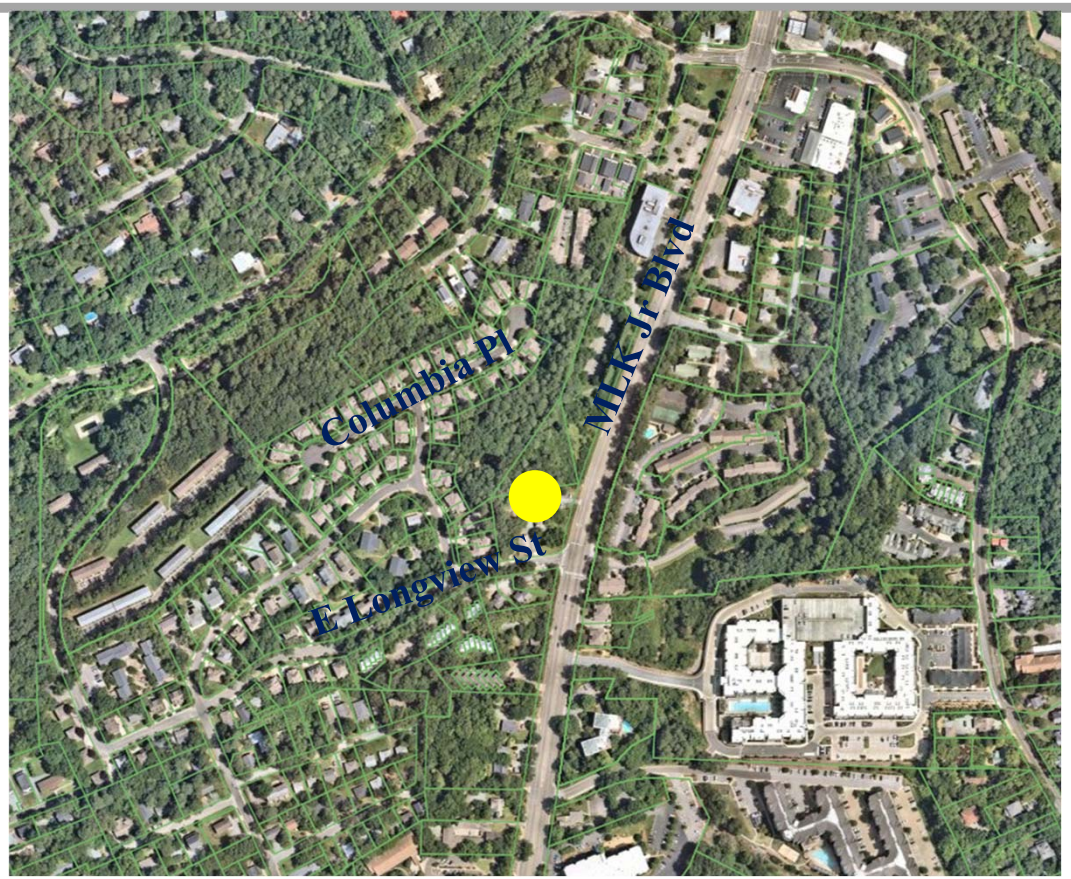
Symbol	Meaning
✓	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plans
NA	Not Applicable

Town Council

CONDITIONAL ZONING – ASPEN CHAPEL HILL

01.25.2023

Draft

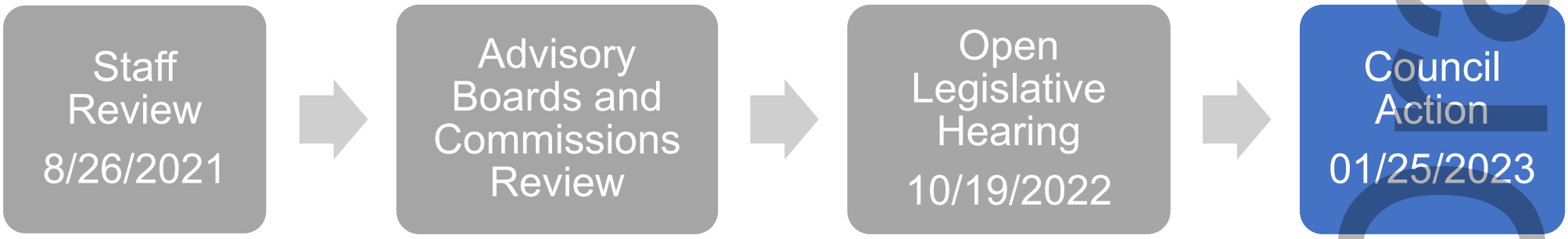


RECOMMENDATION

- Close the Legislative Hearing
- Adopt the Resolution of Consistency & Reasonableness *(R-#)*
- Enact an Ordinance approving the Conditional Zoning Atlas Amendment *(O-#)*

Draft

PROCESS



Draft

UPDATES SINCE OCTOBER 19 HEARING

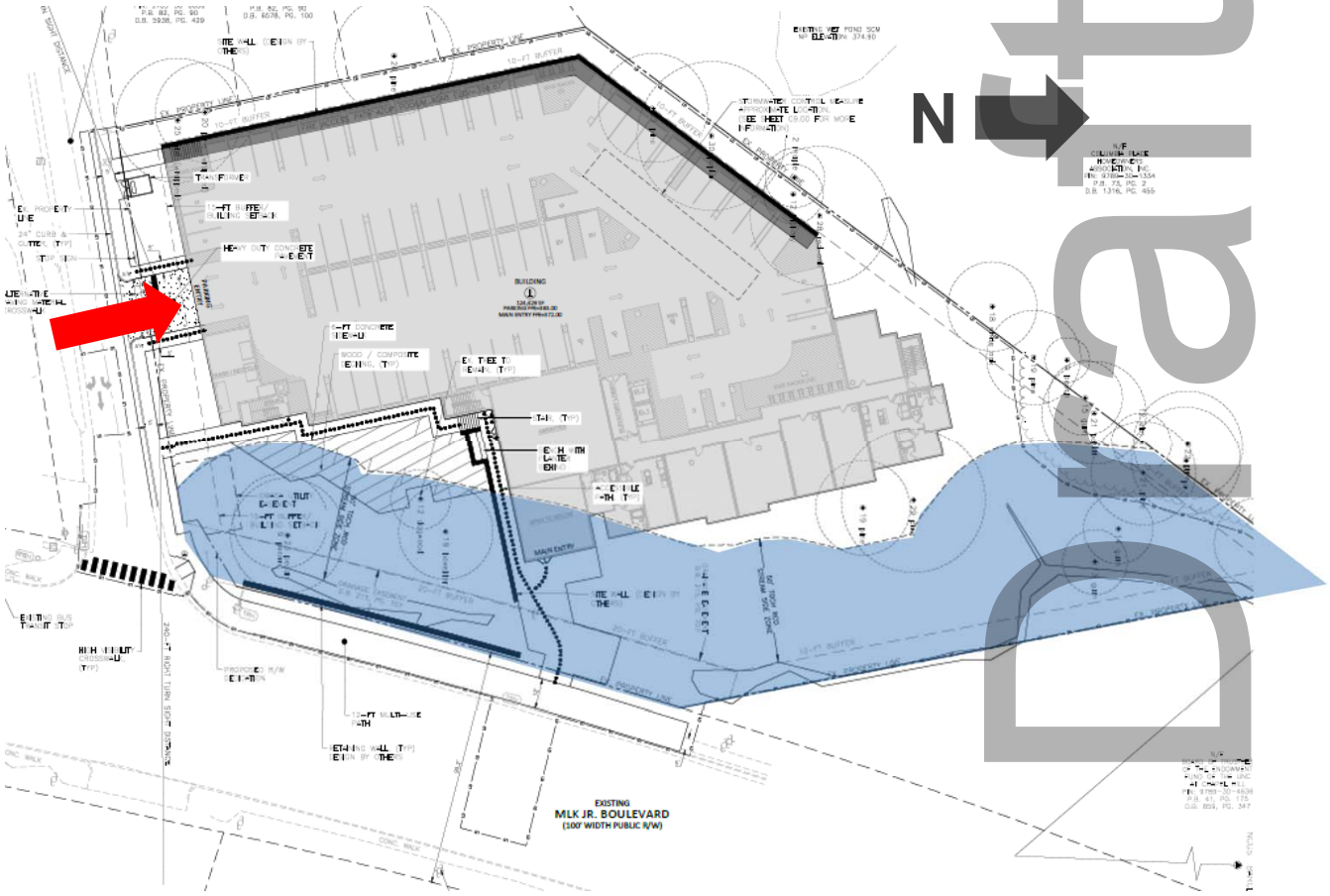
- **Age Restriction**: Condition added, tenants must be 21+ during the first year of their lease
- **Community Access to Amenities:** Condition added, fitness and pool memberships offered to 25 full-time town residents
- **South Buffer Encroachments:** Additional modification to regulations request, accommodates elements along Longview St. including a rideshare/pickup area, loading area, and utilities

Draft

SITE PLAN

Access point

- ❑ Recreation: Pool courtyard + interior to building
- ❑ Affordable Housing: 14 on-site units (voluntary provision)
- ❑ $100K for BRT improvements



Draft

PROPOSED MODIFICATIONS

Requesting modification to regulations for:

		Required/Allowed:	Requested:
LUMO 3.8.2 Dimensional Regulations		*(R-6 Zoning District)*	
	Max Density:	15 u/acre	61 u/acre
	Max Setback Height:	39 ft	81 ft
	Max Core Height:	60 ft	81 ft
	Min Street Setback:	20 ft	15 ft – E Longview St
	Max Floor Area:	88,416 SF	168,152 SF
(New) LUMO 5.6.2 Landscape Buffers	**South:**	15 ft Type A	As shown on landscape plan

Draft

PROPOSED MODIFICATIONS

	Required/Allowed:	Requested:
LUMO 5.9.7 Vehicular Parking	178 spaces minimum	70 spaces minimum
LUMO 3.6.3 Resource Conservation District (RCD)	Various uses prohibited	Permit portion of building, retaining walls, stormwater controls
LUMO 3.6.3 RCD Maximum Land Disturbance	20%	7,716 SF (28.2%)
LUMO 5.3.2 Steep Slopes Maximum Land Disturbance	25% of slopes 4:1 or greater	15,943 SF (60%)

Draft

RECOMMENDATION

- Close the Legislative Hearing
- Adopt the Resolution of Consistency & Reasonableness *(R-#)*
- Enact an Ordinance approving the Conditional Zoning Atlas Amendment *(O-#)*

Draft

RESOLUTION A
Resolution of Consistency and Reasonableness

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT FOR THE ASPEN CHAPEL HILL PROPERTY LOCATED AT 701 MARTIN LUTHER KING JR. BLVD. FROM NEIGHBORHOOD COMMERCIAL (NC) AND RESIDENTIAL-3 (R-3) TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) IS REASONABLE AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-01-25/R-9)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of contract purchaser York Acquisitions, LLC and property owners Capkov Ventures, Inc. and Faye A. Johnson and Lukri Investments LLC, to rezone a 2.03-acre parcel located at 701 Martin Luther King Jr. Blvd. on property identified as Orange County Property Identifier Numbers 9789-30-2139 and 9789-30-2349, to allow a multifamily building with structured parking; and

WHEREAS, the Council finds that the amendment, if enacted, is consistent with the Town's Comprehensive Plan, as explained by, but not limited to, the following elements of the Comprehensive Plan:

- Promoting the Focus Area Character for the South MLK Jr Blvd Focus Area as described in the Future Land Use Map.
- Facilitating development that implements FLUM guidance for Character Types in the Focus Area.
- Facilitating development that is consistent with the Transportation and Land Use strategies of the Climate Action and Response Plan.
- Contributing to a range of housing options that includes student housing where appropriate. This aligns with the theme of *A Place for Everyone*.
- Locating higher-density housing along a Bus Rapid Transit corridor, in proximity to downtown, with opportunities for pedestrian and bicycle connections. The location offers multimodal access to employment, education, services, and shopping, and aligns with the theme of *Getting Around.*
- Opportunity for new housing that exhibits form and density appropriate for the location, expands the range of neighborhood types, and evolves Chapel Hill's character for residents. These elements align with the theme of *Good Places, New Spaces.*
- Providing housing for students that offers easy access to UNC campus and to various services. This aligns with the theme of *Town and Gown Collaboration.*

WHEREAS, the Council finds that the amendment if enacted, is reasonable and in the public's interest, as explained by, but not limited to, the following considerations:

- The proposed zoning matches the zoning of adjacent sites (R-6) and provides opportunity for a transition to medium-density residential zoning in adjacent existing neighborhoods.
- There are a variety of housing types in the surrounding area, including other multifamily residential development.
- The site is located along a major arterial corridor. The surrounding road network, pedestrian and bicycle facilities (existing and planned) and transit service (existing

and planned) indicate a transportation network that supports higher-density residential development.

- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses.
- Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

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 for 701 Martin Luther King Jr. Blvd. to be reasonable and consistent with the Town Comprehensive Plan.

This the 25th day of January, 2023.

ORDINANCE A
(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE ASPEN CHAPEL HILL PROPERTY LOCATED AT 701 MARTIN LUTHER KING JR BLVD TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (PROJECT #21-060) (2023-01-25/O-2)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by McAdams, on behalf of contract purchaser York Acquisitions, LLC and property owners Capkov Ventures, Inc., Lukri Investments LLC, and Faye A. Johnson, to rezone a 2.03-acre parcel located at 701 Martin Luther King Jr. Blvd. on property identified as Orange County Property Identifier Numbers 9789-30-2139 and 9789-30-2349, to allow a multifamily building with structured parking, and finds that the amendment to the Zoning Atlas is:

- Consistent with the Town's Comprehensive Plan, per NCGS 160D-605; and
- Reasonable and in the public's interest, per NCGS 160D-605;
- Warranted because of changing conditions and warranted to achieve the purposes of the Comprehensive Plan, per LUMO 4.4

WHEREAS, the application, if rezoned to Residential–6–Conditional Zoning District (R-6-CZD) according to the district-specific plan dated November 16, 2022 and the conditions listed below would, per LUMO 4.4.3(f):

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) LUMO Section 3.6.3: Resource Conservation District (RCD)

a. Modify the Permitted Uses in the RCD to allow all uses and activities shown on the district-specific plan within the RCD boundary.
b. Modify the maximum Disturbed Area Ratio within the Stream side zone to allow up to 7,716 sq. ft. or 28.2 percent of the area to be disturbed.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the modifications accommodate measures to activate the Martin Luther King Jr. Blvd. frontage that are consistent with the Comprehensive Plan.

2) **LUMO Section 3.8.2: Dimensional Regulations.**
    a. Modify the Maximum Residential Density by increasing it from 15 units per acre to 61 units per acre
    b. Modify the Maximum Setback height by increasing it from 39 ft. to 81 ft.
    c. Modify the Maximum Core Height by increasing it from 60 ft. to 81 ft.
    d. Modify the Minimum Street Setback along E. Longview St. to allow a minimum of 15 ft.
    e. Modify the Floor Area Ratio by increasing it from .303 to 1.204, which in combination with the floor area bonus for affordable dwelling units allows 168,152 sq. ft. of floor area.

    This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the intensity of proposed development is consistent with the Comprehensive Plan. Specifically for Maximum Setback Height, consistency is achieved by providing a larger street setback along Martin Luther King Jr. Blvd. in lieu of stepping in height.

3) **LUMO Section 5.6.2: Landscape Buffers.** Modify the required 15 ft. Type A landscape buffer along the southern property line to allow a variable width buffer with modified planting requirements, as generally shown in the district-specific plan.

    This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the landscape buffer will support a streetscape environment that is consistent with the Comprehensive Plan and will accommodate amenities for residents.

4) **LUMO Section 5.9.7: Vehicular Parking.** Modify the minimum requirements for vehicular parking to allow the following parking ratios:

Unit Size	Modified Parking Ratio
Studio / 1 Bedroom Unit	0.35 spaces/unit
2 Bedroom Unit	0.55 spaces/unit
3 Bedroom Unit	0.7 spaces/unit
4 Bedroom Unit	0.8 spaces/unit

    This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the reduction in parking encourages the use of multimodal transportation facilities and reduces reliance on single-occupancy vehicles.

5) **LUMO Section 5.3.2 Critical Areas: Steep Slopes Land Disturbance.** Modify the amount of steep slope land disturbance to a maximum of 15,943 sq. ft. or 60% of the total combined area containing natural slopes 4:1 or greater.

    This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the modification enables development of the site to be feasible.

CONDITIONAL ZONING DISTRICT

WHEREAS 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 intent and purposes of the Residential–6–Conditional Zoning District (R-6-CZD).

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

SECTION I

The following Orange County parcels identified by Parcel Identifier Numbers (PINs) 9789-30-2139 and 9789-30-2349, described below, shall be rezoned to Residential-6-Conditional Zoning District (R-6-CZD), including to the centerlines of the adjoining Martin Luther King Jr. Blvd. and Longview Street rights-of-way:

BEGINNING at an iron pipe at the corner with lands owned now or formerly by Columbia Place Homeowners Association, Inc. (Deed Book 1316, Page 455, Orange County Registry) and lands owned now or formerly by Board of Trustees of the Endowment Fund of the University of North Carolina at Chapel Hill (Deed Book 859, Page 347, Orange County Registry), said iron pipe being North 40 Degrees 44 Minutes 25 Seconds West a distance of 168.14 feet from NCGS "BIKE"; thence with the Board of Trustees of the Endowment Fund of the University of North Carolina at Chapel Hill line South 10 Degrees 49 Minutes 00 Seconds East a distance of 267.04 feet to a point, a corner with lands owned now or formerly by Faye A. Johnson & Lukri Investments, LLC (Deed Book 1253, Page 100, Orange County Registry); thence with the Johnson/Lukri line South 82 Degrees 02 Minutes 56 Seconds West a distance of 276.87 feet to an axle found at the corner with lands owned now or formerly by TFM Troutman, LLC (Deed Book 6048, Page 302, Orange County Registry), and Columbia Place Homeowners Association, Inc.; thence with the Columbia Place Homeowners Association, Inc. line North 36 Degrees 42 Minutes 18 Seconds East a distance of 374.93 feet to an iron pipe; which is the point of BEGINNING, having an area of 36,921 square feet, 0.848 acres more or less, as shown on an ALTA/NSPS Land Title Survey titled "Chapel Hill Student Housing" prepared by The John R. McAdams Company, Inc. dated December 3rd, 2020, signed and sealed by E. Matthew Cash, PLS L-5045.

BEGINNING at an existing iron pipe, the southwest corner of the Johnson Tract, said iron pipe lying on the north right of way of Longview Street, a variable width public right of way, said iron pipe being a common corner with lands owned now or formerly by Wendolyn Thompson, said iron pipe shown as the southeast corner of Lot 2B in a plat titled "MINOR SUBDIVISION A TOWNHOUSE SUBDIVISION OF LOTS 1 AND 2 COLUMBIA PLACE II A CLUSTER SUBDIVISION" prepared by Riley Surveying, P.A. and recorded in Plat Book 82, page 90 of the Orange County Registry; thence leaving the right of way North 12 Degrees 08 Minutes 42 Seconds West a distance of 193.44 feet to an existing axle, said axle being a common corner with lands owned now or formerly by TFM Troutman, LLC (Lot 1A Columbia Place II), Columbia Place Homeowners Association, Inc., and Capkov, Inc.; thence with the Capkov line North 82 Degrees 02 Minutes 56 Seconds East a distance of 276.87 feet to a point on the east right of way of MLK, Jr. Boulevard, a 100-foot width public right of way; thence with the right of way with a curve turning to the left with an arc length of 204.16 feet, with a radius of 3,403.04 feet, with a chord bearing of South 15 Degrees 01 Minutes 20 Seconds West , and with a chord length of 204.13 feet to a point on the north right of way of Longview Street; thence with the right of way of Longview Street South 80 Degrees 29 Minutes 16 Seconds West a distance of 183.12 feet to an existing iron pipe; which is the point of BEGINNING, having an area of 43,502 square feet, 0.999 acres more or less.

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 a date precisely 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(s) provide 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	
Permitted Uses	Dwelling units, multifamily, over 7 units Customary accessory uses
Gross Land Area (GLA)	88,501 sf
Maximum Floor Area	168,152 sf
Permitted Dwelling Units	82-112 total units
Dimensional Regulations	per LUMO / as modified above
Minimum Affordable Units	14
Minimum and Maximum Vehicular Parking	per LUMO / as modified above
Minimum Bicycle Parking	60 spaces
Maximum Total Impervious Surface	42,250 sq. ft. (50% of GLA)
Maximum Land Disturbance	87,555 sq. ft.
Resource Conservation District Maximum Land Disturbance	7,716 sq. ft.
Resource Conservation District Maximum Impervious Surface	2,483 sq. ft.
Steep Slopes Maximum Land Disturbance	15,943 sq. ft. of area containing natural slopes 4:1 or greater
Minimum Tree Canopy Coverage	per LUMO
Minimum Recreation Area	8,000 sq. ft. on-site

4. Affordable Housing Plan: The developer shall provide the following:
   a. Affordable Units: The project will provide 14 units of the project's total units as affordable, resulting in 14.3% of the market rate units being affordable.
   b. Unit Size: The affordable units will be a mix of 6 studio units, 4 one-bedroom, and 4 two-bedroom units.
   c. Location: The affordable units will be located together on the first two floors of the project facing Martin Luther King Jr. Blvd. and in general accordance with the locations noted on Exhibit A of the developer's Affordable Housing Proposal last updated September 8, 2022 and on file with the Chapel Hill Planning Department.
   d. Pricing: 10 of the affordable units will be available to households earning 65 percent or less of the Area Median Income (AMI) and 4 of the affordable units will be available to households earning 80 percent or less of the AMI. Pricing of units shall comply with the following:

i. Maximum rental prices shall be calculated on the basis of 30 percent of household income at the specified AMI levels, adjusted for household size, minus the Utility Allowance and other housing-related fees required by the owner or property manager.
ii. AMI for a given unit size shall be calculated assuming 1.5 persons per bedroom: 1 person for the studio units, 1.5 persons for the one-bedroom units, and 3 persons for the two-bedroom units.
iii. Maximum housing costs are based on the AMI for the Durham-Chapel Hill, NC HUD Metro Fair Market Rent Area published annually be the U.S. Department of Housing and Urban Development.
iv. The Utility Allowance is based on annual estimates by housing type and bedroom size published by Orange County, or an alternative approach proposed by the developer and approved by the Town Manager, to be determined as part of the Performance Agreement (see 5. below).

e. Phasing: Half of the affordable units shall be completed prior to Zoning Final Inspection of half of the market rate units. The remaining affordable units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate units.
f. Affordability Period: The rental affordability term shall be at least thirty (30) years from the receipt of a Certificate of Occupancy.
g. Design:
i. The affordable units will be finished with the same exterior design, trim, materials, and details as the market-rate units.
ii. The affordable units will meet the same energy efficiency standards as the market-rate units.

5. Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, the developer must work with Town staff to incorporate the approved Affordable Housing Plan (see 4. above) into an Affordable Housing Performance Agreement to be executed by the developer and the Town Manager (or designee) which shall be in substantially the form of such agreement which has previously been provided to the developer. In the event of a conflict between the terms of the Land Use Management Ordinance (LUMO) and the Affordable Housing Performance Agreement then the terms of the LUMO shall control as to the terms of the approved Affordable Housing Plan as outlined herein. All terms set forth in the Affordable Housing Performance Agreement shall be commercially reasonable for like-kind agreements in the Durham-Chapel Hill, NC HUD Metro Fair Market Rent Area published annually be the U.S. Department of Housing and Urban Development.

6. Housing Vouchers: The developer agrees to accept Housing Choice Vouchers from the renters of the affordable rental units for the 30-year period of affordability for the project.

7. Age Restriction: The property owner shall limit tenancy in the building or premises to persons who have reached the age of 21 at the time of occupancy of any unit within the building or premises, provided that nothing herein shall be construed to limit or prevent the owner from (i) leasing or renting a unit to any person who will reach the age of 21 prior to the first anniversary of the effective date of their lease, and (ii) leasing to any other person who otherwise may be unlawfully excluded as a tenant from being allowed to own or rent a unit at the building or premises in accordance with the federal Fair Housing Act and/or the North Carolina Fair Housing Act (for instance unlawful discrimination based on pregnancy and/or protected familial status, etc.). Nothing in this condition is intended to be construed to prevent minors, or the children of a lessee who are between 18-21 years of age, from residing in the units with their parent(s)

and/or legal guardians who are a lessee under a valid lease agreement.

8. BRT Improvements: Prior to Zoning Final Inspection, the developer shall provide a payment of $100,000 for construction of Bus Rapid Transit infrastructure and associated bicycle and pedestrian improvements. If the Town has not constructed Bus Rapid Transit infrastructure and associated improvements within 1,000 feet of the property within five years following the issuance of the final certificate of occupancy, the developer may request a refund of this payment.

9. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan which complies with the terms of the LUMO, to be reviewed and approved by the Town Manager. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]

10. 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 ingress/egress points, including elevator access, to the extent feasible and in reasonable conformance with the district-specific plan. 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]

11. Impervious Surfaces and Land Disturbance: This approval limits the amount of impervious area to a net total as indicated in the Land Use Intensity Table. Total areas of Land Disturbance for the site as a whole and within the Resource Conservation District are limited as indicated in the Land Use Intensity table and in accordance with the approved plans.

12. Steep Slopes: The developer proposes to exceed disturbance of 25 percent of the area containing 25 percent or greater slopes. The total area of disturbed natural slopes 25 percent or greater shall not exceed the amount indicated in the Land Use Intensity table. Prior to issuance of a Zoning Compliance Permit, the developer shall indicate how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to reasonable review and approval of the Town Manager.

13. Stream Remediation: Any work in the stream channel shall be done in accordance with approved plans and shall minimize any obstruction to stormwater flow. To ensure upstream flooding does not occur, the stream flow capacity shall not be adversely altered. Invasive plant removal shall meet the requirements stipulated on Resource Conservation Remediation Plan sheet C3.10 of the district-specific plan.

14. Sediment Control: The developer shall take appropriate measures to prevent and, if caused by the developer or its contractor, remove the deposit of wet or dry sediments on adjacent roadways. [Town Code 5-86]

15. Sustainability: Prior to issuance of a Zoning Compliance Permit, the developer must update the most recent version of the Energy Management Plan to address the zoning conditions listed below and to provide certainty around (1) any items that are currently being evaluated and (2) expected performance/specification details for those items that are only generally described at the Conditional Zoning stage.

a. Energy Management Plan: The Final Plans application shall include an Energy Management Plan (EMP) for approval by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) that, if requested, the property owner reports to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy.
b. Energy Efficiency: The Final Plans shall 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 Conditional Zoning issuance (e.g., ASHRAE 90.1 2019). 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 developer when incorporating the "20 percent more energy efficient" feature into the final plans.

16. Homeowners' Association: If the project, or any portion thereof, is developed as a condominium or converted to condominium governed by the provisions of Chapter 47C of the North Carolina General Statutes, or as a planned community governed by the provisions of Chapter 47F of the North Carolina General Statutes, 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. The Homeowners' Association covenants shall not exclude home occupation businesses as regulated by the Town of Chapel Hill. If no part or section of the project is developed as a condominium or converted to a condominium governed by the provisions of Chapter 47C of the North Carolina General Statutes, or as a planned community governed by the provisions of Chapter 47F of the North Carolina General Statutes, then no Homeowners' Association shall be required.

17. Community Memberships: The property owner shall make a limited number of memberships available to the members of the public that shall provide the right for up to no more than twenty-five (25) full-time residents of the town of Chapel Hill, each of whom must be at least 21 years of age, to use the (i) fitness area, and (ii) pool associated with the building and/or premises that are to be constructed on the property. A full-time resident of the town of Chapel Hill shall be deemed to include a person who has lived in the Town of Chapel Hill for no less than the past four (4) years with no sustained break in residing within the town of Chapel Hill for more than 30 consecutive days during said 4-year period. Nothing herein shall be construed to offer or provide to any other member of the public with any right or permission to use any portion of the property for any reason. Any and all full-time residents of the town of Chapel Hill who may receive a membership to use the pool and/or fitness area on the property shall be obligated to acknowledge and agree to abide by all rules and regulations applicable to their use of the fitness area and/or pool, and any failure to so abide by such rules and/or regulations can result in any membership being terminated by the owner at their sole and absolute discretion.

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD CONDITIONS

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

18. 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

19. 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]

20. 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]

21. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design 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). Lighting shall be installed prior to issuance of a Zoning Final Inspection.

22. Driveway Permit: As may be required by the NCDOT, 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.

23. Pavement Markings: Unless otherwise required by the NCDOT, 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.

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

25. 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]

26. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.

27. 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 Final Inspection. [Town Code 17-40]

28. 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]

29. 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 as required by the NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]

Landscaping and Building Elevations

30. 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]

31. 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]

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

33. 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]

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

35. 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]

36. 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.

37. 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).

38. 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]

39. Community Design Commission Review: The Community Design Commission shall review the building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.5.5] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission. [LUMO 8.4.6]

Environment

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

41. Phasing Plan: If phasing of the project is proposed, then the developer shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans. Nothing herein shall be interpreted to prohibit the developer from being permitted to phase occupancy of any building which is part of the project. [LUMO 4.5.3]

42. 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]

43. 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]

44. 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]

45. 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]

46. 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]

47. 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]

48. 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]

49. Performance Guarantee: A performance and maintenance guarantee in an amount which shall be reasonably 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 developer shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

    Upon completion of the storm water control measures(s) and other improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall submitted by the developer prior to the issuance of certificate of occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the

remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the storm water control structure(s) to determine that the storm water measure(s) are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control(s) are performing as required by this Ordinance, and after any repairs to the storm water control structure(s) are made by the owner, shall release the remaining maintenance bond. [LUMO 4.9.3]

Recreation

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

Water, Sewer, and Other Utilities

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

52. 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]

53. 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]

54. 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]

55. 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 (if applicable)

56. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open space, recreation areas, paths, community garden, and shared stormwater management facilities.

57. Dedication and Maintenance of Common Area to Homeowners' Association: The developer shall provide for Town Manager review and approval a deed conveying to the Homeowners' Association all common areas, however designated, including the community garden; 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.

58. 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

59. 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]

60. 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]

61. 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]

62. 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.

63. 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]

64. 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.

65. 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]

66. 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]

67. 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.

68. 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]

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

70. 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]

71. 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]

72. 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]

73. 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]

74. 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]

75. 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]

76. 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.

77. 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.

78. 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]

79. 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.

80. 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 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]

81. 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]

82. 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

83. 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]

84. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard (Regulated Recyclable Materials), all present in construction waste, must be salvaged, recycled, or disposed of in an approved landfill. 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]

85. 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

86. 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]

87. North Carolina Department of Transportation Approvals: Prior to issuance of a Zoning Compliance Permit, plans for any improvements to State-maintained roads or in associated rights-of-way shall be approved by NCDOT. [NC Department of Transportation]

Miscellaneous

88. 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]

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

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

91. 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]

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

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

94. 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.

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

96. 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.

97. As-Built Plans: Prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street

improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [Town Design Manual Chapter 10]

98. Vested Right: This Conditional Zoning or Conditional Zoning modification constitutes a site specific vesting plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160D-108.1 and the Chapel Hill Land Use Management Ordinance. 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.

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

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

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

BE IT FURTHER RESOLVED that the Council hereby approves the application for Conditional Zoning for Aspen Heights at 701 Martin Luther King Jr. Blvd.

This the 25th day of January, 2023.

RESOLUTION B
(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS FOR THE ASPEN CHAPEL HILL PROPERTY LOCATED AT 701 MARTIN LUTHER KING JR BLVD FROM NEIGHBORHOOD COMMERCIAL (NC) AND RESIDENTIAL-3 (R-3) TO RESIDENTIAL-6-CONDITIONAL ZONING DISTRICT (R-6-CZD) (2023-01-25/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application submitted by McAdams, on behalf of contract purchaser York Acquisitions, LLC and property owners Capkov Ventures, Inc and Faye A. Johnson and Lukri Investments LLC, to rezone a 2.03-acre parcel located at 701 Martin Luther King Jr Blvd on property identified as Orange County Property Identifier Numbers 9789-30-2139 and 9789-30-2349 to Residential-6-Conditional Zoning District (R-6-CZD) 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 701 Martin Luther King Jr Blvd to Residential-6-Conditional Zoning District (R-6-CZD).

This the 25th day of January, 2023.

November 15, 2022

Judy Johnson
Town of Chapel Hill Planning Department
405 Martin Luther King Jr Boulevard
Chapel Hill, North Carolina 27514

Re: Aspen Heights Modifications to Regulations

Due to site constraints and peculiarities of the Land Use Management Ordinance, modifications to required standards are necessary to create a multi-family development that meets the Town's vision and intent for such developments. The requested modifications are necessary to allow for a cohesive and well-designed student housing project that achieves the goals of the Chapel Hill Comprehensive Plan. Each of the five modifications below are interconnected, rather than being four isolated requests. To develop this land as multi-family project, modifications to density will be necessary which subsequently require modifications to floor area, building height, parking, steep slopes, and RCD disturbance.

DENSITY

Permitted Density (maximum): 15 DU/AC
Proposed Density (maximum): 61 DU/AC

The Land Use Management Ordinance Article 3.8.2 sets forth density requirements for the Aspen Heights development.

The R-6 zoning district is the densest residential district outside of Town Center districts, and the maximum density is capped at 15 du/ac. This would only allow 28 apartment units on site. The subject site falls within the South Martin Luther King Jr. Boulevard corridor in Sub-area C on Chapel Hill's Future Land Use Map. This area calls for multi-family residential use with a typical height of 4 to 6 stories and 8 stories for active street frontage. A multi-family project of that size (4 to 8 stories) would include well over 28 apartments. Chapel Hill does not yet have an appropriate zoning district to allow for higher density projects where they are designated on the future land use map, outside of the Town Center areas. While zoning districts such as OI-3 or OI-4 exist that allow unlimited multi-family density, the project team was advised by Planning Staff seek a zoning district that meets the intent of the land use and request a density modification. To meet the goals and intentions of the Future Land Use Map, a higher density allowance is necessary to correspond with the typical and activated street frontage building heights mentioned above.

The applicant is proposing an increased density to 61 dwelling units per acre (based on net land area) to allow for no more than 112 apartment units.

FLOOR AREA RATIO

Permitted FAR (maximum): .303
Proposed FAR (maximum): 1.90

The Land Use Management Ordinance Article 3.8.2 sets forth floor area requirements for the Aspen Heights development.

Under the proposed R-6 zoning district, the maximum floor area ratio is 0.303. This equates to roughly 26,815 square feet of allowed floor area. As a reference, one level of the proposed apartment building is approximately 27,800 square feet. Meeting the requirement of a 0.303 floor area ratio at this site would warrant a low density, one- or two-story development, not meeting the intent of the Comprehensive Plan.

The applicant is proposing an increased floor area ratio of 1.90 to allow for a 6 story multi-family building.

BUILDING HEIGHT

Permitted Building Height (maximum): Setback 39'; Core 60'
Proposed Building Height (maximum): 81 feet

The Land Use Management Ordinance Article 3.8.2 sets forth building height requirements for the Aspen Heights development.

Under the R-6 zoning district, the maximum building height at the setback is 39 feet and 60 feet at the core. Provided the topography of the land and environmental features, it will be difficult to meet the 39-foot setback height along Longview Street. On the Future Land Use Map – Update to Chapel Hill 2020, this property falls under the South MLK Boulevard Sub-Area C, which calls for a Typical Height of 4 to 6 stores, Transitional Area Height of 2-4 stories, and Activated Street Frontage Height of 8 stories. Though this building falls on the higher end of each height range, it complies with the ranges given. Height per the LUMO is measured from mean finish grade to parapet.

Adjacent to the duplex residences to the west of the site, two stories of the proposed apartment building will be partially below grade with the steep topography on site. The grade continues ascending toward the duplexes so that the height of the proposed apartment building is generally in line with the height of the adjacent duplex. This change in grade allows the apartment building to fit into its surroundings, while allowing for more height on Martin Luther

King Jr. Blvd where the grade is lower, creating a presence and activated street frontage. A step back of 11.25 feet will be applied to the top floor at the rear elevation to address massing adjacent to the neighboring duplexes. The property's natural grade presents the opportunity for an architectural design that adds density along MLK Jr. Boulevard while maintaining sensitivity to the massing of neighboring properties.

PARKING

Required Parking (minimum): 173 spaces
Proposed Parking (minimum): 70 spaces

The Land Use Management Ordinance Article 5.9.7 sets forth minimum parking requirements for the Aspen Heights development.

Parking is calculated by land use, and rates for multi-family land use are given per unit bedroom breakdown. The proposed development is a mix one-, two-, three-, and four-bedroom apartments, with the largest percentage of apartments being four-bedroom. The current mix of units warrants a minimum of 173 spaces. A significantly lower parking count is proposed based on several reasons including total unit count, close proximity to campus and downtown Chapel Hill, the proposed BRT routes, and goals of the Town of Chapel Hill Climate Action and Response Plan adopted in April 2021.

At the time of Concept Plan, 127 parking spaces were proposed, and Council responded encouraging this number to be reduced even further. With the close proximity to campus, students can easily utilize alternative forms of transportation such as walking, biking, riding the bus, or riding the future BRT. Encouragement of alternative transportation, especially active transportation, by reducing the availability of parking spaces will further Chapel Hill's goals to reduce greenhouse gas emissions from vehicle use.

SETBACKS

Required Street Setback (adjacent to Longview Street): 20 feet
Proposed Street Setback (adjacent to Longview Street): 15 feet

The Land Use Management Ordinance Article 3.8.2 sets forth setback requirements for the Aspen Heights development.

A street setback reduction is requested along Longview Street from 20 feet to 15 feet. Typically, a 20-foot setback is required for single family or townhome residential development to allow for enough driveway space to accommodate a parked car. Provided that single family homes are permitted in the R-6 district, it is understandable that the baseline for street setbacks is 20 feet. For a multi-family building such as this, a 15-buffer will not cause any driveway parking issues and will engage the building with the street frontage.

STEEP SLOPES

Permitted Steep Slopes Disturbance: No more than 25% of slopes greater than 25% may be disturbed.
Proposed Steep Slopes Disturbance: No more than 60% of slopes greater than 25% may be disturbed.

The Land Use Management Ordinance Article 5.3.2 sets forth steep slope requirements for the Aspen Heights development.

The existing development site is approximately 1.85 acres or 80,445 square feet and of that area, 0.61 acres or 26,572 square feet is considered steep slopes > 25%. In order to feasibly develop this parcel the 25% maximum disturbance of steep slopes would need to be increased. The proposed impacts are currently shown at approximately 45%, but 60% is requested for additional buffer to account for any construction activities or Town requests for building services and operations.

The proposed development is requesting the maximum allowable percentage to be increased to 60% in order to allow for the development on the small lot with a majority of area being steep slopes.

The proposed development is preserving existing slopes and vegetation on-site where feasible and will utilize shoring wall systems and/or other means to lessen the impacts of the development in areas unaccounted for in this modification.

RCD DISTURBANCE

Permitted RCD Disturbance: Maximum 20% of the streamside zone
Proposed RCD Disturbance: Maximum 28% of the streamside zone

In order to provide a pedestrian connection from MLK to the entry of the building, disturbance was required within the RCD. Supportive utility infrastructure for the building also encroaches within the RCD to keep utility impacts out of the 15-ft buffer along Longview Street. After discussions with Town staff and NCDOT regarding the inclusion of the 12-ft multi-use path along the frontage of MLK, additional disturbance was required within the stream side zone to accommodate a retaining wall to support the 12-ft multi-use path. Lastly, the addition of the Town requested pedestrian experience (decking with foundation disturbances) within the RCD prompted disturbance within the stream side zone. As a result of requests from Town staff, a maximum disturbance of 28% of the RCD streamside zone is requested.

BUFFERS

Required buffer along Longview St: 15 ft Type A buffer
Proposed buffer along Longview St: 15 ft Type A buffer with encroachments

The Land Use Management Ordinance Article 5.6.6 sets forth buffer requirements for the Aspen Heights development.

Provided the challenges of this site and limited developable area given constraints, a modification to the buffer along Longview St is requested to allow for buffer encroachments. To the maximum extent practicable, a 15-ft Type A buffer will be provided as required by the LUMO and Design Manual. However, it is requested that encroachments into the buffer are permitted for loading area, rideshare/pick up area, transformers or utilities, and/or other similar encroachments. As a result, there may be less plantings per 100 linear feet as described in the Design Manual.

CONCLUSION

In conclusion, the requested modifications remain in the spirit of the goals of Chapel Hill and align with the future land use of the Comprehensive Plan. As noted above, to provide density at this site requires modifications to the R-6 zoning district, including increasing density allowance, increasing floor area ratio permitted, increasing building height permitted, reducing parking minimums, allowing disturbance of steep slopes and RCD, and allowing some buffer encroachments to further align with Chapel Hill's goals.

Thank you for your consideration of these requested modifications for the R-6 zoning district as a part of the Aspen Heights CZP application.

Sincerely,
MCADAMS

Jessie Hardesty

Jessie Hardesty
Planner II, Planning + Design

ZONING COMMITMENTS

AGE RESTRICTION:

"Owner shall limit tenancy in the building or premises to persons who have reached the age of 21 at the time of occupancy of any unit within the building or premises, provided that nothing herein shall be construed to limit or prevent the Owner from (i) leasing or renting a unit to any person who will reach the age of 21 during the first anniversary of the effective date of their lease, and (ii) leasing to any other person who otherwise may be unlawfully excluded as a tenant from being allowed to own or rent a unit at the building or premises in accordance with the federal Fair Housing Act and/or the North Carolina Fair Housing Act (for instance unlawful discrimination based on pregnancy and/or protected familial status, etc.)."

COMMUNITY MEMBERSHIPS:

"The owner shall make a limited number of memberships available to the members of the public that shall provide the right for up to no more than twenty-five (25) full-time residents of the Town of Chapel Hill, each of whom must be at least 21 years of age, to use the (i) fitness area, and (ii) pool associated with the building and/or premises that are to be constructed on the property. A full-time resident of the Town of Chapel Hill shall be deemed to include a person who has lived in the Town of Chapel Hill for no less than the past four (4) years with no sustained break in residing within the Town of Chapel Hill during said five-year period for more than 30 consecutive days during any 4-year period. Nothing herein shall be construed to offer or provide to any other member of the public with any right or permission to use any portion of the property for any reason. Any and all full-time residents of the Town of Chapel Hill who may receive a membership to use the pool and/or fitness area on the property shall be obligated to acknowledge and agree to abide by all rules and regulations applicable to their use of the fitness area and/or pool, and that any failure to so abide by such rules and/or regulations can result in any membership being terminated by the owner at their sole and absolute discretion."

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): 9789302139 and 9789302349 Date: 8/26/2021

Section A: Project Information

Project Name: Aspen Chapel Hill - Student Housing

Property Address: E Longview St and MLK Jr Blvd Zip Code: 27514

Use Groups (A, B, and/or C): A Existing Zoning District: NC and R-3

Project Description: Student Housing multifamily development with approximately 102 units

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

Applicant Information (to whom correspondence will be mailed):

Name: McAdams; Derick Blankenship

Address: One Glenwood Avenue, Suite 201

City: Raleigh State: NC Zip Code: 27603

Phone: 919. 823. 4300 Email: blankenship@mcadamsco.com

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

Signature: Date: 08/26/21

Owner/Contract Purchaser Information:

☐ **Owner** ☒ **Contract Purchaser**

Name: York Acquisitions,LLC; David Helfrich

Address: 8008 Corporate Center Drive, Suite #201

City: Charlotte State: NC Zip Code: 28226

Phone: 704.274.2221 Email: dhelfrich@ahpliving.com

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

Signature: Date: 08/25/21

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=	80,455	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=	8,046	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=	88,501	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)	87,555
Area of Land Disturbance within RCD	7,716
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Impervious Surface Area (ISA)	18,095	18,095	42,253	42,253
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	20.4%	20.4%	max 50%	max 50%
If located in Watershed Protection District, % of impervious surface on 7/1/1993	n/a	n/a	n/a	n/a

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	2	2	1	1
Number of Floors	1	1	6	6
Recreational Space	0	0	8,000 sf	8,000 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	0	124,500	124,500
Total Square Footage of All Units	0	0	124,500	124,500
Total Square Footage of Affordable Units	0	0	tbd	tbd
Total Residential Density	0	0	60 du/ac	60 du/ac
Number of Dwelling Units	0	0	112	112
Number of Affordable Dwelling Units	0	0	tbd	tbd
Number of Single Bedroom Units	0	0	25	25
Number of Two Bedroom Units	0	0	28	28
Number of Three Bedroom Units	0	0	18 3BR / 41 4BR	18 3BR / 41 4BR

Non-Residential Space *(Gross Floor Area in Square Feet)*					
Use Type	**Existing**	**Proposed**	**Uses**	**Existing**	**Proposed**
Commercial	18,095	0			
Restaurant	0	0	**# of Seats**	0	0
Government	0	0			
Institutional	0	0			
Medical	0	0			
Office	0	0			
Hotel	0	0	**# of Rooms**	0	0
Industrial	0	0			
Place of Worship	0	0	**# of Seats**	0	0
Other	0	0			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	20'	n/a	15' (Longview); 20' (MLK)
	Interior (neighboring property lines)	6'	n/a	10
	Solar (northern property line)	8'	n/a	10
Height (maximum)	Primary	60'	75'	81'
	Secondary	39'	75'	81'
Streets	Frontages	40'	40'	40'
	Widths			

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

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
Longview St	45		2	☒ Yes	☒ Yes
MLK Jr Blvd	100		5	☒ 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**
Longview St	5'	Concrete	☒ Yes ☐ No ☐ N/A
MLK Jr Blvd	5'	Concrete	☒ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	173	218	67
Handicap Spaces	3	7	3
Total Spaces	176	225	70
Loading Spaces	0	0	0
Bicycle Spaces	28	n/a	38
Surface Type	parking deck, concrete		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	10	10	☐ Yes	☐ Yes
South	15	15	☐ Yes	☐ Yes
East	20	20	☐ Yes	☐ Yes
West	10	10	☐ 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-6	.303	.050		.50		26,815	4,425
						(proposed) 168,152	
TOTAL							
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

Section J: Utility Service

Check all that apply:

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

CONDITIONAL ZONING APPLICATION SUBMITTAL REQUIREMENTS

TOWN OF CHAPEL HILL
Planning 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.

x	**Application fee** (including Engineering Review fee) (refer to fee schedule)	Amount Paid $	58,192.70
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)		
x	**Mailing fee for above mailing list (mailing fee is double due to 2 mailings)**	Amount Paid $	1,186
x	**Written Narrative describing the proposal, including proposed land uses and proposed conditions**		
x	**Resource Conservation District, Floodplain, & Jordan Buffers Determination** – necessary for all submittals		
x	**Jurisdictional Wetland Determination – if applicable**		
n/a	**Resource Conservation District Encroachment Exemption or Variance (determined by Planning)**		
n/a	**Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)**		
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)

March 16, 2022

Judy Johnson
Town of Chapel Hill Planning Department
405 Martin Luther King Jr Boulevard
Chapel Hill, North Carolina 27514

RE: Aspen Heights Statements of Compliance with the Comprehensive Plan and Design Guidelines

STATEMENT OF JUSTIFICATION

The proposed zoning brings the subject parcels into greater conformance with the Town's Comprehensive Plan. The property is currently zoned NC and R-3, and R-6 zoning is requested to fulfill the themes and goals of the comprehensive plan elaborated on below. Falling within the South Martin Luther King Jr Boulevard Focus Area, Sub-Area C which the parcels fall under specifically call for multifamily residential, which the current zoning districts do now allow. Statements below further support the case for the requested R-6 zoning district.

STATEMENT OF COMPLIANCE WITH COMPREHENSIVE PLAN

The AHP multifamily student housing submittal is proposed in accordance with the CH2020 Comprehensive Plan. The proposed plan addresses the following themes with their corresponding goals: A Place for Everyone, Community Prosperity and Engagement, Getting Around, Good Places, New Spaces, Nurturing our Community, and Town and Gown Collaboration.

THEME 1: A PLACE FOR EVERYONE

One of the goals of Theme 1 is to provide a range of housing options for current and future residents. Chapel Hill is home to the University of North Carolina at Chapel Hill and the UNC Health Care System, both of which continue to grow and bring more people to the area as it thrives in education, creativity, and innovation. As noted within the Project Narrative, with the continued increase in university enrollment each year, there is a need for more housing options for students, especially in close proximity to campus (like the subject location). A new student housing project will contribute to the range of housing options for future UNC-Chapel Hill students and residents in a location that further contributes to other Town goals as noted below.

THEME 2: COMMUNITY PROSPERITY AND ENGAGEMENT

A goal of Theme 2 is to promote a safe, vibrant and connected community as well as foster success of local businesses. By providing an additional ~112 units at a location in close proximity to the downtown area and university, future residents will be closely connected to their surroundings and encouraged to support local businesses. A high-density residential development at this location provides many students with safe walking and biking routes to various destinations.

THEME 3: GETTING AROUND

AHP's proposal not only offers students more walking and biking options around Town and to campus given its location but is also connected to a future BRT route on Martin Luther King Jr Blvd. Nearby BRT and a potential multi-use path fronting MLK will contribute to providing a sustainable transportation system that accommodates and encourages alternative modes of getting around. Furthermore, a reduction in required parking has been requested to encourage use of buses, walking, and biking. As noted previously, this site location affords AHP the unique opportunity to partner with the Town as needed to serve as quality stewards of the broader BRT initiative to support both dense and suburban development. This project supports the initiative to create a connected community by linking neighborhoods through various means of transportation.

THEME 4: GOOD PLACES, NEW SPACES

This proposal addresses many of the goals falling under Theme 4, specifically contributing to the joint Town/University development strategy that aligns initiatives for transportation, housing, and environmental protection. Its density contributes to a range of neighborhood types as Chapel Hill evolves. While this project provides dense student housing at a prime location for utilizing alternative modes of transportation, the subject site also has an environmental component, which protects important natural habitats on the northern portion of the property. Additionally, there is a potential opportunity for public space along Martin Luther King Jr Blvd to engage BRT riders and activate the gateway corridor with a beneficial public use.

THEME 5: NURTURING OUR COMMUNITY

This project protects and maintains environmentally sensitive areas on the northern end of the property. The density on site is concentrated towards the intersection of MLK and Longview, while the remaining northern portion of the site contains streams that will retain riparian buffers for protection. Furthermore, as this project supports pedestrian activity, biking, and use of public transportation, it addresses the sustainability and environmental goals of the Town, including reducing carbon footprint and improving air quality.

THEME 6: TOWN AND GOWN COLLABORATION

AHP's multifamily student housing proposal seeks to provide housing for students that is safe, sound, and accessible. In addition to its location along a major corridor within a half-mile from campus, the subject project also promotes easy access for students and residents to health care centers, public services, and creates a platform for more active lifestyle opportunities. The project will include indoor and outdoor amenities and connections to a potential multi-use path connecting areas of the Town.

STATEMENT OF COMPLIANCE WITH DESIGN GUIDELINES

AHP's multifamily student housing project will be built in compliance with the Town's Design Guidelines.

The architecture will be carefully designed with high-quality materials and a modern design to provide a meaningful presence on MLK and thoughtful transitions to properties along the subject site's boundaries. Parking will be

provided in an efficient, single level parking deck that fits under the building, which allows this property to provide higher density and more housing opportunities with less environmental impact.

Landscape buffers will be designed in accordance with the Town's design manual and with the use of best practices to provide appropriate transitions between the building and streetscapes and adjacent land uses.

Vehicular connectivity will be provided from East Longview Street, and internally provided via the proposed parking deck. Pedestrian connections will be provided to East Longview Street, MLK, and throughout the property. Fire access shall be provided in accordance with code requirements.

Stormwater management facilities, water, sewer, and other utilities will be provided in accordance with the applicable guidelines, standards, and regulations.

Sincerely,
MCADAMS

Jessie Hardesty

Jessie Hardesty
Planner, Planning + Design

To: **Town of Chapel Hill Planning Department**

From: **Applicant - Aspen Chapel Hill (Project #21-060)**

Date: **August 26th, 2021 // Revised November 19th, 2021, April 13th, 2022, August 18th, 2022, and September 8th, 2022**

Re: **Affordable Housing Proposal – CZP Application Submittal**

Objective

The purpose of this memorandum is to outline the Applicant's proposal for the Affordable Housing component of a proposed student housing project consisting of approximately 112 units located in the northwest quadrant of the MLK Jr. Boulevard and Longview Street intersection (Aspen Chapel Hill – Project #21-060) in the Town of Chapel Hill (the "Project").

Background & Approach

The Applicant has reviewed the Inclusionary Zoning Ordinance (Section 3.10) in detail and allowed the intention of this ordinance in conjunction with the Comprehensive Plan, feedback from the affordable housing proposal included in the Concept Plan submittal, and conversations with the Town's Housing and Community Department (collectively the "Contributing Parties"), to be the focal guide for this Affordable Housing Proposal. The proposal seeks to maximize the capability of the Project to contribute to the town's affordable housing objectives while also considering the economic limitations of the Project.

The Applicant's understanding of the aggregated direction from the Contributing Parties is that there is a recognition that the Project has a unique challenge as a purpose-built student housing community to provide a creative housing approach that will help advance the Town's desire to add affordable units to the Town's inventory of affordable housing. More specifically, the Applicant understands it to be recognized by the Contributing Parties that the nature of the Project as a purpose-built student housing community with a tenant base predominately comprised of undergraduate students, and corresponding lifestyles, is not necessarily conducive with those of non-dependent professionals, but that a strong community with both students and low income adult residents could be achieved with the assistance of a highly specialized affordable housing manager.

Following a series of conversations with Town staff and Council members, two options are proposed as an affordable housing commitment to be decided on my Town Council:

Applicant's Proposed Affordable Housing Component

The Applicant proposes the following to be considered:

1) *Rental Housing Affordable Dwelling Units:*

Upon receipt of a certificate of occupancy and for a period of 30 years thereafter the Project shall provide 14 units (the "Affordable Units") of the Project's 112 units as Affordable resulting in 14.3% of the market rate units being affordable. Affordable shall mean 4, or 29%, of the Affordable Units are affordable for households earning 80% or less of the AMI and the remaining 10, or 71%, of the Affordable Units are affordable for households earning 65% or less of the AMI. AMI shall be calculated using the HUD Metropolitan Fair Market Rent/Income Limits Area for Durham-Chapel Hill, NC.

Provided the unique challenges posed by the Project's tenant base being predominantly undergraduate students, the Applicant proposes positioning the Affordable Units in the Project to allow for nuisance reduction, overall convenience and access to amenities and transit, as well as a conventional unit mix targeted to young professionals.

As such, the Affordable Units shall be comprised of 6 studio units, 4 one-bedroom units, and 4 two-bedroom units and shall be located on the first two floors of the Project facing MLK Jr Blvd and in accordance with the locations noted on Exhibit A. As demonstrated on Exhibit A the location of the Affordable Units is limited in space. While this area of the building is a more conducive environment for the Affordable Units the space constraints limit the number of affordable units provided resulting in 14.3% of the market rate units being affordable instead of 15%. However, the Applicant has offset the reduction in affordable units by providing an increased number of affordable units at the 65% AMI rent threshold.

Furthermore, at no additional charge, the Affordable Units will have one dedicated parking space per unit within the Project's parking structure and will have access to the Project's managed internet service which provides wired and wireless access points in each unit as well as the common areas. Typical speeds for the managed internet service at Applicant's projects provide internet speeds of at least 1GB to each unit.

Or

2) *Investment in Chapel Hill Affordable Housing Stock:*

A contribution equivalent to $71,000/unit applied to the Affordable Units (as defined below). Such contribution shall be made to the Town's Affordable Housing Fund. This would amount to either (a) a $1 million contribution to the Town of Chapel Hill's Affordable Housing Fund, or (b) a $1 million dollar investment in a dedicated affordable housing project, with an added commitment to provide development services to the project team where helpful.

More specifically regarding option (b), Applicant has had advanced discussions regarding a partnership with local non-profit EMPOWERment, Inc.'s Executive Director Delores Bailey to provide $1,000,000 in seed funding to initiate the development and construction of Peach Apartments Phase II, EMPOWERment's second project delivering affordable units to the Chapel Hill community. Phase II will be modeled after the recently funded Phase I and will consist of 12-15 affordable units targeted toward Chapel Hill residents meeting the 30-60% AMI threshold.

To accelerate funding and construction of Phase II, Aspen Heights would act as a development partner and investor on the project, providing technical development expertise in addition to an its investment of $1,000,000. EMPOWERment would retain control of key decisions in the development, but Aspen Heights will use its development resources and consultant relationships to aide in moving the project to completion as quickly as possible. Aspen Heights would receive no revenue from this project, as this investment would be fully targeted at providing affordable units for Chapel Hill residents.

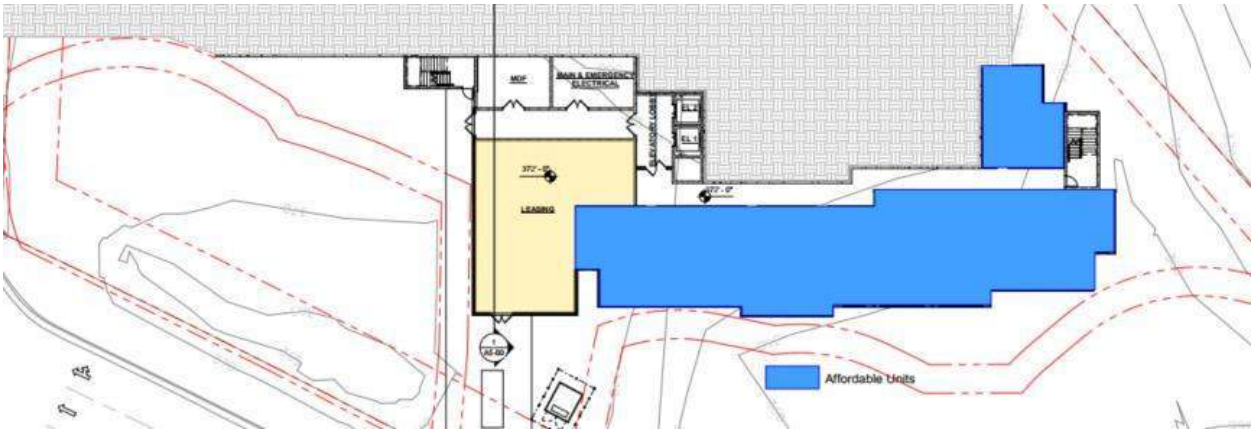
With an expected total project budget of approximately $5 million for Phase II, Aspen Heights' initial "seed" investment of $1 million would comprise roughly 20% of project funding and, along with the development of Phase I, act as "proof of concept" to attract the outstanding funding.

It is Applicant's understanding from conversations with Town staff that this partnership could pose challenges for the Town, so Applicant is also open to directing the $1 million investment directly into the Town Affordable Housing fund, should that be Council and Staff preference. Applicant's goal is to reach the affordable housing offering that best aligns with the Town of Chapel Hill's goals.

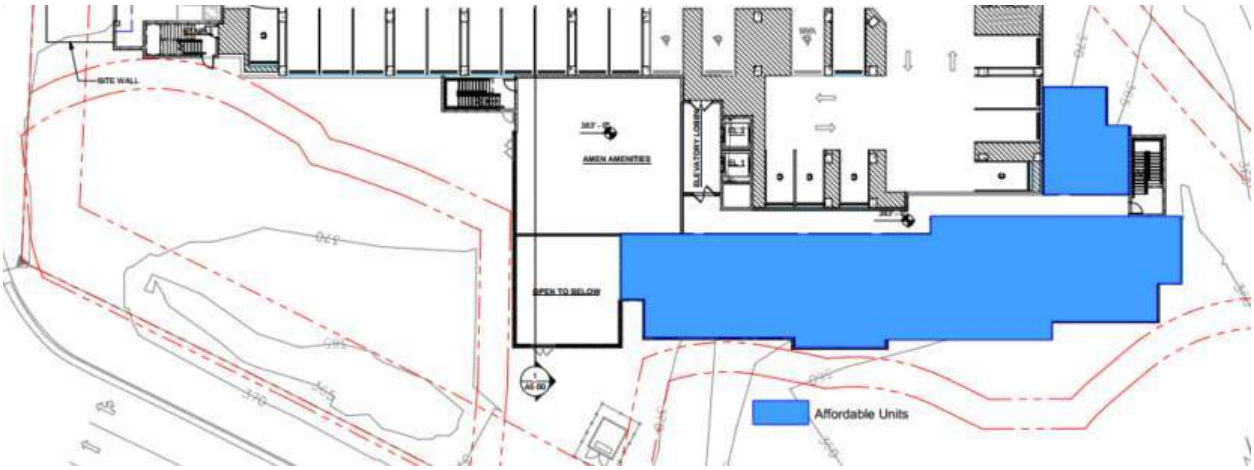
Additionally, in either investment option within #2, the 14 units otherwise noted as Affordable units in #1 above will be restricted to non-student tenants and will increase the supply of conventional multifamily units in Chapel Hill. These 14 units are comprised of a unit mix that is appealing to non-student renters and would therefore be an appealing addition to Chapel Hill's multifamily housing stock.

Exhibit A

Floor 1



Floor 2



MLK Jr Boulevard Elevation

ASPEN CHAPEL HILL - STUDENT HOUSING

201 EAST LONGVIEW STREET

CHAPEL HILL, NORTH CAROLINA, 27516

CONDITIONAL ZONING PERMIT

TOWN OF CHAPEL HILL PROJECT NUMBER: 21-060

PROJECT NUMBER: AHP-20020

DATE: AUGUST 26, 2021

REVISED DATE: NOVEMBER 23, 2021

REVISED DATE: APRIL 12, 2022

REVISED DATE: JUNE 29, 2022

REVISED DATE: AUGUST 16, 2022

REVISED DATE: NOVEMBER 16, 2022

NOTE: A RECOMBINATION PLAT WILL BE REQUIRED PRIOR TO ZONING COMPLIANCE PERMIT ISSUANCE TO ELIMINATE THE EXISTING LOT LINE LOCATED WITHIN THE BUILDING FOOTPRINT. PLAT WILL ALSO DEDICATE ANY ADDITIONAL RIGHT OF WAY REQUIRED AS PART OF THE CONDITIONAL ZONING PLAN.

THE TOWN OF CHAPEL HILL REQUESTS A PAYMENT IN LIEU BE MADE TO THE TOWN BY THE DEVELOPER FOR THE AMOUNT OF $100,000. THIS PAYMENT IN LIEU IS USED TO REPLACE THE NEED TO CONSTRUCT THE BUS RAPID TRANSIT (BRT) IMPROVEMENTS ALONG THE FRONTAGE OF THIS PROJECTS DEVELOPMENT.

SITE DATA

PIN	9789302139/9789302349	
SITE AREA	80,455 SF / 1.85 AC	
GROSS LAND AREA	80,455 SF + 10%(80,455 SF) = 88,501 SF / 2.03 AC	
ZONING	EXISTING	NC & R-3
	PROPOSED	R-6-CZD
RIVER BASIN	CAPE FEAR	
WATERSHED	JORDAN LAKE	
WATERSHED PROTECTION	UNPROTECTED	
EXISTING USE	N/A	
PROPOSED USE	RESIDENTIAL	
IMPERVIOUS	EXISTING	0.41 AC (20.2%)
	MAX ALLOWED	1.421 AC (70.0%)
	PROPOSED	0.97 AC (47.8%), MAXIMUM OF 50%
UNITS	STUDIO 1 BEDROOM 2BEDROOM 3 BEDROOM 4 BEDROOM	15 UNITS 10 UNITS 28 UNITS 18 UNITS 41 UNITS
	TOTAL:	112 UNITS
VEHICULAR PARKING	REQUIRED	173 SPACES
	PROPOSED	70 TOTAL SPACES, (10 COMPACT) *SEE MODIFICATION REQUEST FOR PARKING REDUCTION*
ACCESSIBLE PARKING	REQUIRED	6 SPACES PER CODE REQUIRED PARKING, *PRIOR TO MODIFICATION REQUEST*
	PROPOSED	3 TOTAL SPACES, (1 VAN) *PROVIDED PER PARKING MODIFICATION REQUEST*
BIKE PARKING	REQUIRED	28 SPACES (80% LONG TERM, 20% SHORT TERM)
	PROPOSED	60 SPACES
MAXIMUM BUILDING HEIGHT	REQUIRED	60' (PRIMARY), 39' (SECONDARY)
	PROPOSED	69'11.5"' (PRIMARY), 57'5.5"' (SECONDARY)
RECREATION SPACE	REQUIRED	4,425 SF
	PROPOSED	8,000 SF
SETBACKS	REQUIRED	STREET = 20 FT MIN = N/A MAX INTERIOR = 6 FT SOLAR = 8 FT
	PROPOSED	STREET = 15 FT (LONGVIEW), 20 FT (MLK) MIN = N/A MAX INTERIOR = 10 FT SOLAR = 10 FT
DISTURBED AREA	2.01 AC	

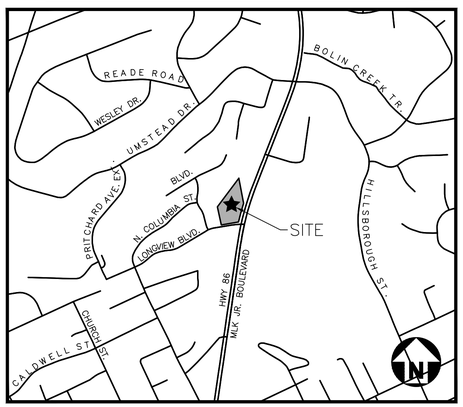
RESOURCE CONSERVATION DISTRICT IMPACTS

RESOURCE CONSERVATION DISTRICT, RCD, TOTAL AREA	27,392 SF, 0.63 AC
EXISTING IMPERVIOUS WITHIN RCD	3,292 SF, 0.08 AC
PROPOSED IMPERVIOUS WITHIN RCD	2,483 SF, 0.06 AC
*NET REDUCTION OF IMPERVIOUS IN RCD	809 SF, 0.02 AC
PROPOSED LAND DISTURBANCE WITHIN RCD	7,716 SF, 0.18 AC

NOTE: ONLY LAND DISTURBANCE HAS BEEN QUANTIFIED, REMEDIATION THROUGH MANUAL HAND TOOLS AND OR CHEMICAL TREATMENT IS NOT BEING COUNTED AS DISTURBED AREA

STEEP SLOPES MODIFICATION REQUEST

SINCE THERE WILL BE A PROJECT DISTURBANCE OF MORE THAN 25% OF SLOPES OF AREAS WITH EXISTING 4:1 SLOPES (25%) OR STEEPER, A STEEP SLOPES MODIFICATION REQUEST HAS BEEN PROVIDED WITH THIS PLAN SUBMITTAL.



VICINITY MAP

N.T.S.

Know what's below. Call before you dig.

CONTRACTOR SHALL NOTIFY "NC811" (811) OR (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NC811". REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.

SHEET INDEX

C0.00	PROJECT NOTES
C0.01	AREA MAP
C1.00	EXISTING CONDITIONS
C1.01	STEEP SLOPES PLAN
C2.00	SITE PLAN
C2.10	SOLID WASTE PLAN
C3.00	GRADING PLAN
C3.10	RESOURCE CONSERVATION DISTRICT REMEDIATION PLAN
C4.00	UTILITY PLAN
C7.00	CONSTRUCTION AND TRANSPORTATION MANAGEMENT PLAN
C8.00	SITE DETAILS
C9.00	STORMWATER CONTROL MEASURE "A" PLAN VIEW
L1.00	LANDSCAPE PROTECTION & TREE COVERAGE PLAN
L5.00	LANDSCAPE PLAN
L5.01	LANDSCAPE NOTES & DETAILS

ARCHITECTURAL

SP-00	UNIT MATRIX
SP-01	ARCHITECTURAL SITE PLAN
A0-00	OVERALL LEVEL B1 PLAN
A0-01	OVERALL LEVEL 1 PLAN
A0-02	OVERALL LEVEL 2 PLAN
A0-03	OVERALL LEVEL 3 PLAN
A0-04	OVERALL LEVEL 4 PLAN
A0-05	OVERALL LEVEL 5 PLAN
A0-06	OVERALL LEVEL 6 PLAN
A4-01	ELEVATIONS
A4-02	ELEVATIONS
A4-03	3D AXON VIEWS
A5-00	CONCEPT SECTION

McAdams

The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CONTACT

SEAN GLEASON, PE - PROJECT MANAGER
gleason@mcadamsco.com
DERICK BLANKENSHIP, PE - ASSISTANT P.M.
blankenship@mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

PROJECT DIRECTORY

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER DERICK C. BLANKENSHIP — NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

CONDITIONAL ZONING PERMIT DRAWINGS FOR:

ASPEN CHAPEL HILL STUDENT HOUSING
CHAPEL HILL, NORTH CAROLINA, 27516
ToCH PROJECT NUMBER: 21-060
PROJECT NUMBER: AHP-20020

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CZP\Current Drawing\AHP20020-CS1.dwg, 11/15/2022 11:17:05 AM, Derick Blankenship

ORANGE COUNTY SOLID WASTE STANDARD PLAN NOTES (CONSTRUCTION WASTE):

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. CONTACT THE ORANGE COUNTY SW ENFORCEMENT OFFICER AT 919-968-2788 TO ARRANGE FOR THE ASSESSMENT.
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.

LANDSCAPE PROTECTION NOTES:

1. PLAN SHOWS RARE AND SPECIMEN TREES IN ACCORDANCE WITH THE ORDINANCE THAT WAS IN EFFECT AT THE TIME OF APPROVAL.
2. LANDSCAPING ON EAST SIDE OF SITE ALONG THE ALTERNATIVE BUFFER SHALL BE COORDINATED TO PRESERVE EXISTING TREES AS MUCH AS POSSIBLE. PROPOSED PLANTINGS IN BUFFER MAY ENCROACH BEYOND "TREE PROTECTION" FENCE. CONFLICTS BETWEEN PROPOSED PLANTINGS AND EXISTING TREES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR REMEDIATION.
3. ALL IRRIGATION SYSTEMS SHALL BE EQUIPPED WITH AUTOMATIC CONTROLLERS THAT ACTIVATE THE SYSTEM ACCORDING TO A DESIRED FREQUENCY AND DURATION, AND SHALL ALSO BE EQUIPPED WITH RAIN OR SOIL MOISTURE SENSORS THAT WILL PREVENT IRRIGATION DURING PERIODS OF RAINFALL OR WHEN THERE IS SUFFICIENT MOISTURE IN THE GROUND FOR PLANT HEALTH AND SURVIVAL IN ACCORDANCE WITH THE LOCAL GOVERNMENT WATER CONSERVATION ORDINANCES.

PAVEMENT MARKING/SIGNAGE NOTES:

1. ALL SIGNAGE SHALL BE COORDINATED WITH THE TOWN OF CHAPEL HILL.
2. ALL SIGNAGE SHALL MEET MUTCD STANDARDS AND SPECIFICATIONS.
3. ALL SIGNAGE SHALL MEET NCDOT PEDESTRIAN SAFETY SPECIFICATIONS.
4. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND/OR TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
5. ALL SIGNS SHALL BE PRISMATIC AND ADHERE TO THE MINIMAL RETROREFLECTIVITY STANDARDS FOUND IN THE LATEST VERSION OF THE MUTCD.
6. ALL PAVEMENT MARKINGS ON PUBLIC STREETS SHALL BE THERMOPLASTIC AND ARE TO BE PLACED PER NCDOT STANDARDS (REFERENCE 2012 NCDOT DETAILS (1205.01~1205.12)
7. SIGN DESIGNS FOR STREET NAME SIGNS SHALL BE APPROVED BY TRANSPORTATION/ENGINEERING DEPARTMENT STAFF TO ENSURE COMPLIANCE WITH MUTCD SPECIFICATIONS. DESIGNS MUST BE APPROVED BY TOWN STAFF PRIOR TO ACCEPTANCE OF STREETS OR ISSUANCE OF 1ST CO.
8. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPOPER LETTER HEIGHTS, AND RETROREFLECTIVITY.

GENERAL NOTES:

1. CONTRACTOR TO NOTIFY SURROUNDING PROPERTIES 7 DAYS PRIOR TO STARTING CONSTRUCTION.
2. CONTRACTOR TO PROVIDE NOTICE TO THE TOWN OF CHAPEL HILL REGARDING SPECIFIC DATES FOR ANY NECESSARY ROAD CLOSURES AND LANE REDUCTIONS.
3. GENERAL CONTRACTOR TO COORDINATE WITH SPECIFIC PROPERTIES AFFECTED BY THE PROPOSED ROAD CLOSURES IF REQUIRED TO ENSURE CONTINUOUS ACCESS TO THE AFFECTED PROPERTIES.
4. SETBACKS ARE PROPOSED UNDER THE PLANNED DEVELOPMENT HOUSING PROVISION OF THE LUMO AND ARE NOTED ON THIS SHEET.
5. ALL PARKING SHOWN SPACE MARKINGS SHALL BE PER THE TOWN OF CHAPEL HILL CODE FOR PARKING LOTS.
6. MINIMUM CORNER CLEARANCES FROM THE CURBLINE OF INTERSECTING STREETS SHALL BE AT LEAST 20' FROM THE POINT OF TANGENCY. NO DRIVEWAYS OR PARKING SPACES SHALL ENCROACH ON THIS MINIMUM CORNER CLEARANCE.
7. WITHIN THE SIGHT DISTANCE TRIANGLES SHOWN, NO OBSTRUCTION BETWEEN 2' AND 8' IN HEIGHT ABOVE THE CURB LINE ELEVATION SHALL BE LOCATED IN WHOLE OR IN PART. OBSTRUCTIONS INCLUDE BUT ARE NOT LIMITED TO ANY BERM, FOLIAGE, FENCE, WALL, SIGN, OR PARKED VEHICLE.
8. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST TOWN OF CHAPEL HILL, NCDOT AND OWASA STANDARDS AND SPECIFICATIONS.
9. ALL DIMENSIONS SHOWN ON SITE PLAN ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
10. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS; FINAL RULE 29CFR PART 1926, SUBPART "P" APPLIES TO ALL EXCAVATIONS EXCEEDING FIVE (5) FEET IN DEPTH. EXCAVATION EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRES THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER, PROVIDED BY CONTRACTOR RESPONSIBLE FOR EXCAVATION.
11. EQUIPMENT AND PRODUCTS OTHER THAN THOSE SPECIFIED MAY BE USED PROVIDED APPROVAL HAS BEEN OBTAINED FROM THE OWNER IN WRITING PRIOR TO ORDERING OR INSTALLATION. THE CONTRACTOR SHALL WAIVE ANY CLAIM FOR ADDITIONAL COST RELATED TO THE SUBSTITUTION OF ALTERNATE EQUIPMENT.
12. CONTRACTOR SHALL MAINTAIN AN "AS-BUILT" SET OF DRAWINGS TO RECORD THE EXACT LOCATION OF ALL PIPING PRIOR TO CONCEALMENT. DRAWINGS SHALL BE GIVEN TO THE OWNER UPON COMPLETION OF THE PROJECT WITH A COPY OF THE TRANSMITTAL LETTER TO THE ENGINEER.
13. CONTRACTOR IS RESPONSIBLE FOR COORDINATING CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE UTILITY COMPANIES FOR ANY REQUIRED RELOCATION (I.E. POWER POLES, TELEPHONE PEDESTALS, WATER METERS, ETC.).
14. PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL SCHEDULE AND HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE TOWN OF CHAPEL HILL ENGINEERING DEPARTMENT, ORANGE COUNTY SOIL AND EROSION DEPARTMENT, ENGINEER, AND OWNER/REPRESENTATIVE.
15. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
16. ALL STREET NAME SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MUTCD INCLUDING MIXED CASE LETTERING, PROPER LETTER HEIGHTS, AND RETROREFLECTIVITY.
17. ALL ASPHALT EDGES SHALL BE SAW CUT TO PROVIDE A GOOD LONGITUDINAL JOINT. MILL 1.5 FEET AT 1.5 INCHES DEEP MINIMUM TO PROVIDE A LONGITUDINAL LAP JOINT FOR FINAL SURFACE LAYER. NO MILLING SHALL BE LEFT FOR A PERIOD OF TIME GREATER THAN 48 HOURS BEFORE A STREET IS TO BE REPAVED/RESURFACED.
18. SEPARATE BUILDING PERMITS ARE REQUIRED FOR RETAINING WALLS, DUMPSTER ENCLOSURES, MONUMENTS, SIGNS, OR OTHER ACCESSORY STRUCTURES OR ELEMENTS.
19. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND/OR RELOCATION OF ALL EXISTING UTILITIES IN COORDINATION WITH THE APPROPRIATE UTILITY, AGENCY, OR COMPANY.
21. EXISTING CONTOURS ARE BASED ON SURVEY COMPLETED BY TIMMONS. EXISTING UTILITIES SHOWN ARE BASED ON SURVEY AND THE BEST AVAILABLE RECORDS. THE CONTRACTOR, HOWEVER, SHALL VERIFY CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THE PLANS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY. FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
22. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THEIR ORIGINAL CONDITION OR TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
23. A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE EACH STRUCTURE WITH THE EXCEPTION OF THE FIRE PUMP.
24. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE THE BASE FLOOD ELEVATION PLUS 2 FEET.
25. A ZONE FOR FIRE DEPARTMENT LADDERS AND FIREFIGHTING OPERATIONS MUST BE PROVIDED, REQUIRING ALL LINES TO BE BURIED SURROUNDING STRUCTURES.
26. BACK WASH WATER FROM THE POOL SHALL DISCHARGE INTO THE SANITARY SEWER SYSTEM, NOT STORM SEWER, AND SHALL NOT EXCEED 50 GALLONS PER MINUTE.
27. CONTRACTOR TO CONTACT THE CHAPEL HILL STORMWATER MANAGEMENT DIVISION AT 919-969-7246 TO SCHEDULE SITE INSPECTION AT LEAST TEN (10) DAYS IN ADVANCE OF REQUESTING THE CERTIFICATE OF OCCUPANCY.
28. IMPROVEMENTS, STRUCTURES, FIXTURES, SIGNS, TABLES, CHAIRS, PLANTERS, OR ANY OTHER OBJECT SHALL NOT BE PLACED IN SIDEWALK AREAS FOR ANY PERIOD OF TIME.
29. FLOOR DRAINS FROM THE ROOFED PARKING AREA AND HVAC CONDENSATE SHALL NOT BE CONNECTED TO THE STORM SEWER SYSTEM.
30. ANY ROOF DRAINS OR OTHER PLUMBING INTENDED TO DISCHARGE TO THE STORM SEWER SYSTEM NOT SHOWN ON THE APPROVED PLANS ARE NOT APPROVED. ANY DISCHARGE DIRECTED TO THE STORM SEWER SYSTEM THAT IS NOT APPROVED WILL NEED TO APPROVAL FROM THE TOWN OF CHAPEL HILL STORMWATER MANAGEMENT DIVISION.
31. THE NORTH CAROLINA DEPARTMENT OF INSURANCE SHALL REVIEW AND APPOVE ANY PROJECTS LISTED IN TABLE 104.1 OF THE NORTH CAROLINA ADMINISTRATION AND POLICIES CODE BEFORE THE TOWN OF CHAPEL HILL WILL BEGIN ITS BUIDILNG PERMIT REVIEW.
32. A SINGLE ELECTRICAL SERVICE SHALL BE PROVIDED TO SERVE THE STRUCTURE WITH THE EXCEPTION OF THE FIRE PUMP, IN ACCORDANCE WITH ARTICLE 230.2(A) OF THE 2017 NORTH CAROLINA ELECTRICAL CODE.
33. CURB AND GUTTER AND ATLEAST THE FIRST LIFT OF ASPHALT FOR THE ROADS MUST BE PLACED PRIOR TO THE START OF CONSTRUCTION.
34. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT SHALL PROVIDE THE MINIMUM REQUIRED HANDICAPPED PARKING SPACES AND DESIGN ALL HANDICAPPED PARKING SPACES, RAMPS, CROSSWALKS, AND ASSOCIATED INFRASTRUCTURE ACCORDING TO THE AMERICANS WITH DISABILITIES ACT STANDARDS, NORTH CAROLINA BUILDING CODE, AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) CODE, AND TOWN STANDARD.

A. THE NUMBER OF PARKING SPACES SHALL COMPLY WITH NCBC 2018 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE. NO SLOPE SHALL EXCEED 2% IN ANY DIRECTION. SIGNAGE SHALL BE PLACES IN ACCORDANCE WITH NCBC 2018 REQUIREMENTS, MUTCD AND ACC A 117.1.

B. CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 EDITION. CROSS SLOPE LIMITED TO 2%. CALL TOWN OF CHAPEL HILL BUILDING INSPECTIONS OFFICE FOR INSPECTION PRIOR TO PLACEMENT OF CONCRETE.

C. SLOPES GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.

35. FINAL LOCATION OF GAS LINE INSTALLED BY DOMINION ENERGY TO BE VERIFIED IN FIELD PRIOR TO THE INSTALLATION OF ANY FURNISHINGS REQUIRING GAS CONNECTIONS, INCLUDING BUT NOT LIMITED TO FIRE PITS, FIRE TABLES AND OUTDOOR GRILLING STATIONS. CONTRACTOR SHALL COORDINATE WITH DOMINION ENERGY, LANDSCAPE ARCHITECT, ARCHITECT AND OWNER FOR CONNECTIONS TO GAS LINE. CONNECTIONS TO BE PROVIDED BY A LICENSED GAS FITTER/TECHNICIAN AND SHALL CONFIRM TO ALL LOCAL AND STATE REGULATIONS.

GRADING & STORM DRAINAGE NOTES:

1. CONTRACTOR SHALL NOTIFY NC 811 (1-800-632-4949) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF NC 811. REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
2. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL HOLD A PRE-CONSTRUCTION CONFERENCE WITH THE ORANGE COUNTY SOIL AND EROSION CONTROL OFFICER, TOWN OF CHAPEL HILL STORM WATER MANAGEMENT DIVISION, AND OWNER'S REP/ENGINEER.
3. CONTRACTOR TO CONTACT MICHAEL WRIGHT WITH THE TOWN OF CHAPEL HILL AT 919-969-5084 TO POST EROSION CONTROL BOND PRIOR TO ANY LAND DISTURBANCE.
4. GRADING AND CONTOURS ARE BASED ON NORTH AMERICAN VERTICAL DATUM 88 (NAVD88).
5. SOIL UNDER BUILDINGS AND PAVED AREAS SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER AND SHOULD MEET OR EXCEED TOWN OF CHAPEL HILL STANDARDS.
6. GRADING IN AREAS DESIGNATED AS "ACCESSIBLE" SHALL COMPLY WITH ALL FEDERAL AND LOCAL ACCESSIBILITY RULES AND GUIDELINES. EVEN THOUGH PLANS MAY NOT SHOW ALL SPOT ELEVATIONS IN THESE REGIONS, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THAT THE AREAS ARE GRADED TO AMERICAN DISABILITY ACT (ADA) COMPLIANT SPECIFICATIONS.
7. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO IDENTIFY AREAS WHERE SPILL CURB IS NECESSARY TO CONVEY RUNOFF TO THE NEAREST CATCH BASIN OR DROP INLET. THE OWNER AND/OR ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR CURBING INSTALLED PRIOR TO PAVING THAT DOES NOT DRAIN PROPERLY.
8. ALL PROPOSED INLETS, CATCH BASINS, AND DROP INLETS SHALL BE PROTECTED BY EROSION CONTROL MEASURES AS SHOWN AND SPECIFIED ON THE EROSION CONTROL PLAN
9. THE CURB INLETS AND YARD INLETS SHALL BE CONSTRUCTED IN THE LOCATIONS SHOWN UNLESS OTHERWISE DIRECTED BY THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR REPORTING ANY DISCREPANCIES IN THE CATCH BASIN ELEVATIONS OR THE PROPOSED PIPE SLOPES TO THE ENGINEER. THE CONTRACTOR IS ALSO RESPONSIBLE TO REPORT ANY CONFLICTS BETWEEN ANY UTILITY, STORM DRAIN LINE, WATER LINE, SEWER LINE OR ANY OTHER PROPOSED OR EXISTING STRUCTURE TO THE ENGINEER.
10. THE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING FOUNDATIONS. THE CONTRACTOR SHALL FIELD VERIFY GRADES SURROUNDING ALL BUILDINGS PRIOR TO GRADING ACTIVITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
11. PIPE SPECIFIED AS RCP MAY BE SUBSTITUTED IF APPROVED BY THE TOWN OF CHAPEL HILL WITH APPROVED MATERIALS PER THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS OUTSIDE OF PUBLIC RIGHT OF WAY AND EASEMENTS. ALL BEDDING FOR ALTERNATE MATERIALS SHALL CONFORM TO NCDOT, AASHTO AND ASTM SPECIFICATIONS.
12. THE MINIMUM PIPE SIZE WITHIN A PUBLIC RIGHT-OF-WAY IS 15".
13. FOR ALL PIPE OUTLETS 60" AND GREATER (SINGLE) AND 36" (MULTIPLE) HEADWALLS/ENDWALLS SHALL BE USED AND A 4' HIGH BLACK POLY COATED CHAIN LINK FENCE PLACED OVER THE WALL.
14. FOR NPDES PERMIT COMPLIANCE: ALL SLOPES 3:1 AND STEEPER MUST BE STABILIZED WITHIN 7 DAYS, ALL OTHER AREAS MUST BE STABILIZED WITHIN 14 DAYS.
15. ALL STORM PIPE SPECIFIED AS REINFORCED CONCRETE (RCP) SHALL BE MINIMUM CLASS III PIPE.
16. ALL STORM PIPE SHALL BE LAID AT LEAST 10' HORIZONTALLY OR 18" VERTICALLY FROM ANY WATER MAIN AND 24" VERTICALLY FROM ANY SEWER MAIN. REFER TO NCAC 02T RULES FOR EXEMPTIONS.
17. GEOTEXTILE FABRIC OR APPROVED EQUIVALENT ARE REQUIRED AT ALL DISSIPATOR PADS.

FIRE DEPARTMENT NOTES:

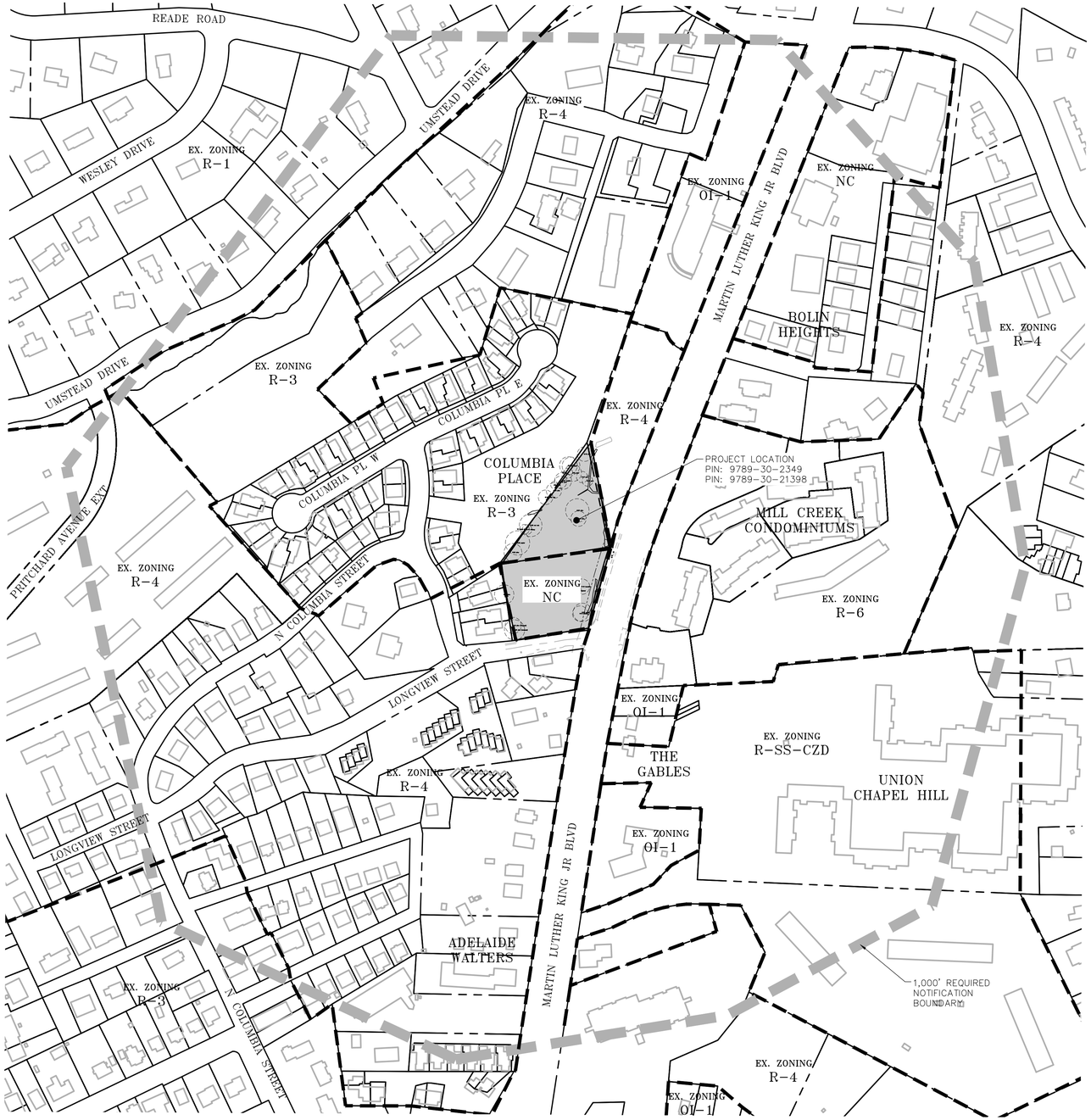
1. SITE SHALL COMPLY WITH THE LATEST NATIONAL BUILDING AND FIRE CODES.
2. FUNCTIONAL FIRE PROTECTION SHALL BE PROVIDED PRIOR TO THE ARRIVAL OF COMBUSTIBLE MATERIALS ON THE SITE.
3. FIRE ACCESS ROUTE SHALL HAVE A MINIMUM RADIUS OF 28' (FACE OF CURB) TO ALLOW FIRE APPARATUS ACCESS THROUGH SITE (IFC 503.2.4).
4. ANY GATES ACROSS FIRE APPARATUS ACCESS ROADS SHALL BE A MINIMUM WIDTH OF 20', BE OF SWINGING OR SLIDING TYPE AND HAVE AN EMERGENCY MEANS OF OPERATION. ALL GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE OPERABLE BY EITHER FORCIBLE ENTRY OR KEYED AND MUST BE CAPABLE OF BEING OPERATED MY ONE PERSON. ALL GATES IN FIRE TRUCK APPARATUS ACCESS ROUTES SHALL BE INSTALLED AND MAINTAINED ACCORDING TO UL375 AND ASTM F2200.
5. ALL PORTIONS OF THE FIRST FLOOR OF THE BUILDING MUST BE WITHIN 150' OF THE FIRE ACCESS ROUTE (IFC 503.1.1)
6. BUILDING ADDRESSES SHALL BE PLACED ON BOTH SIDES OF THE BUILDING ON A CLEARLY VISIBLE PLACARD FOR LOCATION PURPOSES.
7. ALL FIRE TRUCK ACCESSIBLE ROUTES SHALL BE RATED FOR 80,000 LB AND HAVE A MINIMUM CLEAR WIDTH OF 26' (IFC 503.2.1).
8. FIRE RISER ROOM SHALL BE EQUIPPED WITH AN EXTERNAL LOCK BOX.
9. RISER ROOM SHALL HAVE ADEQUATE DRAINAGE FOR EMERGENCY RPZ DISCHARGE.
10. PRIVATE FIRE SERVICE MAINS AND APPURTENCES SHALL BE INSTALLED IN ACCORDANCE WITH NFPA 24, NC FPC 507.2.1.
11. ALL CONSTRUCTION AND DEMOLITION CONDUCTED SHALL BE IN COMPLIANCE WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC.
12. OPEN BURNING OF TREES, LIMBS, STUMPS, AND CONSTRUCTION DEBRIS ASSOCIATED WITH THIS DEVELOPMENT IS PROHIBITED.
13. DURING CONSTRUCTION, VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED. TEMPORARY STREET SIGNS SHALL BE INSTALLED AT EACH STREET INTERSECTION WHEN CONSTRUCTION ALLOWS PASSAGE OF VEHICLES. SIGNS SHALL BE OF AN APPROVED SIZE, WEATHER RESISTANCE AND MAINTAINED UNTIL REPLACED BY PERMANENT SIGNS.
14. THE OWNER/DEVELOPER SHALL DESIGNATE ONE PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR ENFORCING CHAPTER 14 OF THE NCFPC AND THE ON-SITE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT.

RETAINING WALL NOTES

1. THE RETAINING WALL ALIGNMENT SHOWN ON THESE PLANS DEPICTS THE LOCATION OF THE FRONT FACE OF THE RETAINING WALL AT THE TOP OF THE WALL. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING RETAINING WALLS ARE NOT LOCATED IN ANY STREAM BUFFERS, AND THEIR CONSTRUCTION DOES NOT ENCROACH INTO ANY ADJACENT PROPERTIES DUE TO ANY BATTER INCORPORATED IN THE DESIGN OF THE WALLS.
2. RETAINING WALLS ARE TO BE DESIGN-BUILD PROJECTS BY THE CONTRACTOR. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN FINAL CONSTRUCTION DRAWINGS FROM A REGISTERED ENGINEER AND GAIN ALL REQUIRED PERMITS NECESSARY FOR THE CONSTRUCTION OF THE RETAINING WALLS.
3. RETAINING WALLS SHALL BE ASSUMED TO BE BACKFILLED WITH OFF-SITE BORROW MATERIAL OR PROCESSED FILL. UNLESS THE CONTRACTOR CAN PROVIDE TO THE OWNER WITH CONFIRMATION FROM THE GEOTECHNICAL ENGINEER AND THE RETAINING WALL DESIGNER, THAT READILY AVAILABLE ON-SITE SOILS CAN BE USED.
4. THE TOP AND BOTTOM OF WALL ELEVATIONS SHOWN ON THESE PLANS IDENTIFY FINISHED GRADE ELEVATIONS ONLY. THE EXTENT THAT THE RETAINING WALL WILL BE EXTENDED BELOW GRADE TO THE FOOTING OR ABOVE GRADE TO THE TOP OF THE CAP BLOCK COURSE SHALL BE IDENTIFIED ON THE RETAINING WALL CONSTRUCTION DRAWINGS.
5. ALL RETAINING WALLS OVER 30" HIGH SHALL HAVE A SAFETY FENCE (DESIGN BY OTHERS).
6. ANY PART OF ANY RETAINING WALL THAT EXTENDS INTO THE RIGHT-OF-WAY WILL REQUIRE AN ENCROACHMENT AGREEMENT. ENCROACHMENT AGREEMENTS FOR RETAINING WALLS SHALL BE APPROVED PRIOR TO CONSTRUCTION DRAWING APPROVAL.
7. ANY TIEBACK SYSTEMS FOR THE RETAINING WALLS SHALL NOT BE ALLOWED WITHIN PUBLIC RIGHT-OF-WAY.
8. STORMWATER RUN-OFF SHALL BE DIRECTED AWAY FROM RETAINING WALLS. ANY RUN-OFF FLOWING TO AND OVER A RETAINING WALL SHALL BE KEPT TO AN ABSOLUTE MINIMUM AND BROUGHT TO THE ATTENTION OF THE WALL DESIGNER PRIOR TO THEIR DESIGN.

ORANGE WATER AND SEWER AUTHORITY UTILITY NOTES:

1. STANDARDS AND SPECIFICATIONS - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH OWASA STANDARDS AND SPECIFICATIONS LATEST REVISED EDITION.
2. PRECONSTRUCTION CONFERENCE - A PRECONSTRUCTION CONFERENCE WITH THE OWASA CONSTRUCTION INSPECTOR IS REQUIRED BEFORE BEGINNING ANY UTILITY CONSTRUCTION.
3. PROJECT ACCEPTANCE - IN ADDITION TO A FINAL INSPECTION APPROVED BY THE OWASA CONSTRUCTION INSPECTOR, THE FOLLOWING DOCUMENTS MUST BE RECEIVED AND APPROVED BY OWASA BEFORE ACCEPTANCE OF THE PROJECT AND THE SETTING OF METERS:
   - ENGINEER'S CERTIFICATION OF PUBLIC SEWER - ORIGINAL DOCUMENT
   - ENGINEER'S CERTIFICATION OF PUBLIC WATER - ORIGINAL DOCUMENT
   - ASSET LETTER - ORIGINAL DOCUMENT
   - LETTER OF DEDICATION - ORIGINAL DOCUMENT
   - AS BUILT DRAWINGS (INCLUDING 1"=100' SCALE SITE PLAN) AS BUILTS OF SEWER CONSTRUCTION SUBJECT TO REVIEW AND APPROVAL BY NCDENR DIVISION OF WATER QUALITY.
   - MANHOLE DATA SHEETS
   - RECORDED PLAT
   - ORIGINAL RECORDED WATER AND SEWER DEEDS OF EASEMENT - PREPARED USING OWASA'S STANDARD FORM.
4. SEWER STATEMENT - SEWER LINES UNDER CONSTRUCTION SHALL BE PLUGGED WITH A MECHANICAL PLUG AT THE FIRST MANHOLE UPSTREAM FROM THE POINT OF CONNECTION. PLUG SHALL BE PLACED IN THE OUTLET CONNECTION AND SECURED WITH STEEL CABLE. PLUG SHALL REMAIN IN PLACE UNTIL ACCEPTANCE OF LINES BY OWASA. WATER, STONE, DIRT, OR ANY OTHER DEBRIS SHALL NOT BE ALLOWED TO ENTER THE OWASA SANITARY SEWER SYSTEM DURING FLUSHING OPERATIONS OR AT ANY OTHER TIME. CONSTRUCTION TAKING PLACE IN THE VICINITY OF ANY EXISTING OWASA SEWER LINES OR MANHOLES SHALL NOT CAUSE ANY INFLOW OF SURFACE WATER OR DEBRIS TO ENTER THE REMAIN ACCESSIBLE AT ALL TIMES. THE OWNER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES INCURRED TO THE OWASA SANITARY SEWER SYSTEM AND FINES IMPOSED BY THE STATE OF NORTH CAROLINA DIVISION OF WATER QUALITY DUE TO SEWER SPILLS OR OVERFLOWS.
5. SEWER SERVICES - SEWER SERVICES LOCATED WITHIN PUBLIC RIGHT-OF-WAY OR OWASA SEWER EASEMENTS MUST BE CONSTRUCTED OF DUCTILE IRON PIPE FROM THE TAP UP TO AND INCLUDING THE FIRST CLEAN-OUT. EXCEPT FOR DEAD END MANHOLES, ALL 4" INCH SEWER SERVICES MUST BE TAPPED INTO THE SEWER MAIN. ALL 6" SERVICES MUST BE CONNECTED TO A MANHOLE. CLEANOUTS SHALL BE SPACED NO MORE THAN 75 FEET APART. CLEANOUTS LOCATED IN PAVEMENT AREAS SHALL BE HEAVY DUTY TRAFFIC RATED CONSTRUCTION.
6. BLOCKING AND RODDING - RETAINER GLANDS TO BE USED ON ALL MECHANICAL JOINTS IN ADDITION TO RODDING AND BLOCKING.
7. EXISTING VALVES - CONTRACTOR RESPONSIBLE FOR VERIFYING THAT EXISTING VALVE AT THE POINT OF CONNECTION TO THE OWASA SYSTEM IS ADEQUATE FOR PERFORMING AND PASSING HYDROSTATIC PRESSURE AND LEAKAGE TEST. CONTRACTOR, AT HIS EXPENSE, MAY OPTIONALLY REPLACE VALVE OR INSTALL A NEW VALVE FOR THE PURPOSE OF PERFORMING A PRESSURE TEAT FOR NEW MAIN INSTALLATION. IF CONTRACTOR ELECTS TO PRESSURE TEST AGAINST EXISTING VALVE, CONTRACTOR ACCEPTS RESPONSIBILITY FOR ENSURING PASSING PRESSURE TEST IN ACCORDANCE WITH OWASA REQUIREMENTS. IN ANY CASE, NO CLAIM WHATSOEVER SHALL BE MADE AGAINST OWASA FOR FAILURE OF PRESSURE TEST. EXISTING WATER VALVES SHALL BE OPERATED BY OWASA PERSONNEL ONLY. VALVES THAT SEPARATE PURITY APPROVED WATER AND UNAPPROVED WATER ARE TO REMAIN CLOSED AT ALL TIMES. VALVES MAY BE TEMPORARILY OPENED FOR LOADING AND FLUSHING BY THE OWASA INSPECTOR ONLY.
8. DECHLORINATION REQUIREMENTS - THE CONTRACTOR SHALL BE RESPONSIBLE FOR NEUTRALIZATION OF CHLORINATED WATER AT THE POINT OF DISCHARGE FROM THE MAIN BEING TESTED. THIS SHALL OCCUR FOLLOWING CHLORINATED TO DISINFECT A MAIN OR ANY OTHER TIME WHEN ELEVATED LEVELS OF CHLORINE COULD POTENTIALLY BE DISCHARGED INTO THE ENVIRONMENT BY THE CONTRACTOR. AT THE TIME THE DISINFECTION AND PURITY TESTING PROCEDURES ARE DISCUSSED WITH THE OWASA CONSTRUCTION INSPECTOR, THE PROCEDURE FOR DECHLORINATION WILL BE COVERED. ABSOLUTELY NO FLUSHING, DISINFECTION, OR PURITY SAMPLING IS TO TAKE PLACE WITHOUT PRIOR APPROVAL OF A SAMPLING PLAN BY THE OWASA INSPECTOR.
9. DEWATERING OF THE POOL SHALL NOT DISCHARGE INTO STORM SYSTEM UNLESS DE-CHLORINATED PRIOR TO DEWATERING.
10. PLEASE BE ADVISED THAT OWASA APPROVAL OF THIS PROJECT IS FOR COMPLIANCE WITH OWASA POLICIES, STANDARDS, AND SPECIFICATIONS ONLY. ALL OTHER MATTERS PERTAINING TO THIS PROJECT ARE THE RESPONSIBILITY OF THE DESIGN ENGINEER. OWASA APPROVAL DOES NOT PRECLUDE THE DEVELOPER, PROJECT ENGINEER, CONTRACTOR, OR OTHER AGENTS OR PARTIES ACTING ON THEIR BEHALF FROM FULL COMPLIANCE WITH OWASA CURRENT STANDARDS, SPECIFICATIONS, AND PROCEDURES OR FROM COMPLYING WITH ANY AND ALL STATUES, RULES, REGULATIONS, AND ORDINANCES WHICH MAY BE IMPOSED BY OTHER GOVERNMENT AGENCIES (LOCAL, STATE, AND FEDERAL) WHICH MAY HAVE JURISDICTION. VIOLATIONS WILL RESULT IN THE OWASA PROJECT APPROVAL BEING RESCINDED.
11. CONTACT NC 811 (811 OR 1-800-632-4949) AND OWASA (919-968-4421) AT LEAST 3 FULL BUSINESS DAYS PRIOR TO ANY EXCAVATION OR CONSTRUCTION TO HAVE EXISTING UTILITIES LOCATED.
12. DISCHARGE FROM THIS PROJECT MUST BE IN COMPLIANCE WITH THE OWASA SEWER USE ORDINANCE. A GREASE INTERCEPTOR SHALL



GENERAL NOTES

1. PIN'S AND PROPERTY INFORMATION FROM CHAPEL HILL/ORANGE COUNTY GIS.
2. BOUNDARY FROM ALTA SURVEY BY THE JOHN R. MCADAMS COMPANY COMPLETED 08/14/2020.

LEGEND

- 1,000' REQUIRED NOTIFICATION BOUNDARY
- PROJECT AREA
- APPROXIMATE ZONING DISTRICT LINE (INFORMATION FROM TOWN OF CHAPEL HILL GIS)

GRAPHIC SCALE
0 75 150 300
1 inch = 150 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McAdams
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER DERICK C. BLANKENSHIP NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-AM1
CHECKED BY	
DRAWN BY	DCB
SCALE	1" = 150'
DATE	03.18.2022

SHEET

AREA MAP

C0.01

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CZP\Current Drawings\AHp20020-am1.dwg, 8/17/2022 9:08:13 AM, Derick Blankenship

EX. SOILS
WmE

EXISTING
LONGVIEW STREET
(VARIABLE WIDTH PUBLIC R/W)

S 82°50'56" W 123.07' (TIE)

N/F
THOMPSON, WENDOLYN
PIN: 9789-30-0056
P.B. 82, PG. 90
D.B. 5938, PG. 429

N/F
ROBERTS, KIMBERLY & LEONARD
PIN: 9789-30-1017
P.B. 82, PG. 90
D.B. 6578, PG. 100

N/F
PARRISH, NANCY S.
PIN: 9789-30-1046
P.B. 82, PG. 90
D.B. 6610, PG. 1266

N/F
TFM TROUTMAN, LLC
PIN: 9789-30-1097
P.B. 82, PG. 90
D.B. 6048, PG. 302

N 54°25'47" E 66.63' (TIE)

EX. SOILS
LoC

EXISTING WET POND SCM
NP ELEVATION: 374.90

18" FES
INV OUT: 367.12

N/F
COLUMBIA PLACE
HOMEOWNERS
ASSOCIATION, INC.
PIN: 9789-30-1334
P.B. 73, PG. 2
D.B. 1316, PG. 455

EX. SOILS
WmE

N 36°42'18" E 374.93'

N 27°08'42" W 193.44'

S 80°29'16" W 183.12'

ABANDONED SHED & DEBRIS

2-STORY FRAME DWELLING (UNOCCUPIED)

GRAVEL DRIVE

EX. WATER SERVICE TO BE ABANDONED PER OWASA STANDARDS

1-STORY METAL GARAGE
FFE = 375.31

CARPORT

BLOCK WALL

CONC. WALK

EX. WATER SERVICE TO BE ABANDONED PER OWASA STANDARDS

2-STORY FRAME DWELLING
FFE = 375.17

STAIRS

WATER LINE INFORMATION PROVIDED BY OWASA GIS DATED: 12.16.2020.

EXACT LOCATION TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION

48" RCP CULVERT
INV OUT: 362.85
(NOTE: PIPE PULL OF DEBRIS)

15" RCP CULVERT
INV OUT: 364.33

50' TOCH RCD STREAM SIDE ZONE

DRAINAGE EASEMENT
D.B. 215, PG. 707

5-FT WIDE SIDEWALK

48" RCP CULVERT
INV IN: 361.72

EX. IMPERVIOUS AREA WITHIN RCD BUFFER: 3,292 SF

EXISTING
MLK JR. BOULEVARD
(100' WIDTH PUBLIC R/W)

48" RCP CULVERT
INV OUT: 359.83

50' TOCH RCD STREAM SIDE ZONE

DRAINAGE EASEMENT
D.B. 215, PG. 707

S 10°49'00" E 267.04'

N 47°44'25" W 168.13' (GRID) 168.14' (GROUND)

C.S.F.: 0.999928825

N/F
BOARD OF TRUSTEES
OF THE ENDOWMENT
FUND OF THE UNC
AT CHAPEL HILL
PIN: 9789-30-4636
P.B. 41, PG. 175
D.B. 859, PG. 347

S 02°23'29" W

NCGS

EX. SOILS
AuC

EX. SOILS
WmE

EX. SOILS
AuC

WATER LINE INFORMATION PROVIDED BY OWASA GIS DATED: 12.16.2020.

EXACT LOCATION TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION

EX. SOILS
AuC

NC STATE PLANE
GRID COORDINATES
N: 790,613.60
E: 1,983,401.70

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	3403.04'	204.16'	S 15°01'20" W	204.13'

EXISTING SANITARY SEWER STRUCTURE TABLE

- (A) RIM: 379.77
  INV IN: 375.07 (8" PVC)
  INV OUT: 370.26 (8" PVC)
- (B) RIM: 375.84
  INV IN: 369.46 (8" PVC)
  INV IN (S): 369.92 (8" PVC)
  INV OUT: 369.34 (8" PVC)

EXISTING STORM SEWER STRUCTURE TABLE

- (A) CB RIM: 380.05
  INV OUT: 377.79 (15" RCP)
- (B) YI RIM: 376.71
  INV IN: 375.28 (12" RCP)
  INV IN: 377.34 (15" RCP)
  INV OUT: 375.01 (15" RCP)
- (C) YI RIM: 374.85
  INLET INV: 373.41
  BOTTOM OF BOX: 370.81
- (D) BLIND STORM JUNCTION
- (E) CB RIM: 377.34
  INV OUT: 373.75 (15" RCP)
- (F) CB RIM: 375.88
  INV IN: 372.06 (15" RCP)
  INV OUT: 364.38 (48" RCP)
- (G) CB RIM: 372.42
  INV IN: 368.06 (15" RCP)
  INV OUT: 367.49 (48" RCP)

LEGEND
- PROPERTY BOUNDARY
- ADJOINING PARCEL SHAPEFILE
- WOODLINE
- LANDSCAPED AREA
- OVERHEAD UTILITY
- FIBER OPTIC LINE
- GAS LINE
- WATER LINE
- UNDERGROUND ELECTRIC
- WOOD FENCE
- CHAIN LINK FENCE
- JORDAN LAKE RIPARIAN BUFFER
- TRANSMISSION RIGHT OF WAY
- OWASA EASEMENT
- REBAR FOUND
- IRON PIPE FOUND
- IRON PIPE SET
- CONCRETE MONUMENT FOUND
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- STORM CATCH BASIN
- UTILITY POLE
- GUY WIRE
- LIGHT POLE
- SIGN
- FIBER OPTIC MARKER
- FIBER OPTIC HANDHOLE
- FIBER OPTIC BOX
- COMMUNICATIONS VAULT
- TRAFFIC HANDHOLE
- TRAFFIC SIGNAL BOX
- ELECTRIC METER
- WATER VALVE
- WATER MANHOLE
- WATER METER
- HYDRANT
- GAS VALVE
- GAS TEST STATION
- MAILBOX
- ELECTRIC TRANSFORMER
- IRRIGATION CONTROL VALVE
- TEMPORARY BENCHMARK
- TREE AND CRITICAL ROOT ZONE (e.g. 22 pine)
- RCD IMPERVIOUS AREA

EXISTING RCD IMPERVIOUS AREA = 3,292 SF

EXISTING SOILS LEGEND

- AuC — APPLING SANDY LOAM, 6-10 PERCENT SLOPES HYDROLOGIC SOIL GROUP = B
- LoC — LOUISBURG SANDY LOAM, 6-15 PERCENT SLOPES HYDROLOGIC SOIL GROUP = A
- WmD — WEDOWEE SANDY LOAM, 8-15 PERCENT SLOPES HYDROLOGIC SOIL GROUP = B
- WmE — WEDOWEE SANDY LOAM, 15-25 PERCENT SLOPES
- SOIL CLASSIFICATION BOUNDARY

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING
CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER DERICK C. BLANKENSHIP
NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-XC1
CHECKED BY	
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

EXISTING CONDITIONS

C1.00

M:\Projects\AHP-2020\04-Production\Engineering\CD\Current Drawings\AHP20020-XC1.dwg, 8/17/2022 9:09:31 AM, Derick Blankenship

GENERAL NOTE

1. UTILITIES HAVE BEEN REMOVED FROM THIS PLAN FOR PLAN CLARITY

EXISTING
LONGVIEW STREET
(VARIABLE WIDTH PUBLIC R/W)

N/F
THOMPSON, WENDOLYN
PIN: 9789-30-0056
P.B. 82, PG. 90
D.B. 5938, PG. 429

N/F
ROBERTS, KIMBERLY & LEONARD
PIN: 9789-30-1017
P.B. 82, PG. 90
D.B. 6578, PG. 100

N/F
PARRISH, NANCY S.
PIN: 9789-30-1046
P.B. 82, PG. 90
D.B. 6610, PG. 1266

N/F
TFM TROUTMAN, LLC
PIN: 9789-30-1097
P.B. 82, PG. 90
D.B. 6048, PG. 302

EXISTING WET POND SCM
NP ELEVATION: 374.90

BUILDING OUTLINE SHOWN FOR REFERENCE PURUPOSES ONLY

N/F
COLUMBIA PLACE
HOMEOWNERS
ASSOCIATION, INC.
PIN: 9789-30-1334
P.B. 73, PG. 2
D.B. 1316, PG. 455

GRAVEL DRIVE

2-STORY FRAME DWELLING
(UNOCCUPIED)

1-STORY METAL GARAGE
FFE = 375.31

CARPORT

BLOCK WALL

2-STORY FRAME DWELLING
FFE = 375.17

STAIRS

SIGN

50' TOCH RCD STREAM SIDE ZONE

DRAINAGE EASEMENT
D.B. 215, PG. 707

EXISTING
MLK JR. BOULEVARD
(100' WIDTH PUBLIC R/W)

N/F
BOARD OF TRUSTEES
OF THE ENDOWMENT
FUND OF THE UNC
AT CHAPEL HILL
PIN: 9789-30-4636
P.B. 41, PG. 175
D.B. 859, PG. 347

NCGS "BARCLAY"

NC STATE PLANE
GRID COORDINATES
N: 790,613.60
E: 1,983,401.70

14" pine
12 maple
20 pine (wrapped)
25 pine
12 pine
30 poplar
12 maple
12 poplar
25 pine
18 white oak
13 pine
8 patch
15 gum
21 pine
12 pine
23 pine
29 pine
19 pine
14 gum
13 gum
8" & 8" pine
12 dogwood
19 boxelder
23 pecan
10 pecan

LEGEND

- PROPERTY BOUNDARY
- ADJOINING PARCEL SHAPEFILE
- WOODLINE
- LANDSCAPED AREA
- OVERHEAD UTILITY
- FIBER OPTIC LINE
- GAS LINE
- WATER LINE
- UNDERGROUND ELECTRIC
- WOOD FENCE
- CHAIN LINK FENCE
- JORDAN LAKE RIPARIAN BUFFER
- TRANSMISSION RIGHT OF WAY
- OWASA EASEMENT
- REBAR FOUND
- IRON PIPE FOUND
- IRON PIPE SET
- CONCRETE MONUMENT FOUND
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- STORM CATCH BASIN
- UTILITY POLE
- GUY WIRE
- LIGHT POLE
- SIGN
- FIBER OPTIC MARKER
- FIBER OPTIC HANDHOLE
- FIBER OPTIC BOX
- COMMUNICATIONS VAULT
- TRAFFIC HANDHOLE
- TRAFFIC SIGNAL BOX
- ELECTRIC METER
- WATER VALVE
- WATER MANHOLE
- WATER METER
- HYDRANT
- GAS VALVE
- GAS TEST STATION
- MAILBOX
- ELECTRIC TRANSFORMER
- IRRIGATION CONTROL VALVE
- TEMPORARY BENCHMARK

EXISTING STEEP SLOPE LEGEND

- SLOPES 0% – 10% (0.55 AC, 0.44 AC DISTURBED)
- SLOPES 10% – 15% (0.33 AC, 0.20 AC DISTURBED)
- SLOPES 15% – 25% (0.36 AC, 0.32 AC DISTURBED)
- SLOPES >25% (0.61 AC, 0.36 AC DISTURBED)

STEEP SLOPES > 25% IMPACTED BY THE CONSTRUCTION OF THIS DEVELOPMENT:
15,681 SF, 0.36 AC

PERCENT OF EXISTING SLOPES > 25% IMPACTED BY THIS DEVELOPMENT: 59.02%

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 046723 DERICK C. BLANKENSHIP
NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-SS1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

STEEP SLOPE PLAN

C1.01

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CZP\Current Drawings\AHP20020-SS1.dwg, 8/17/2022 9:10:46 AM, Derick Blankenship

AASHTO INTERSECTION SIGHT DISTANCE SUMMARY

STOP SIGN CONTROL - LEFT & RIGHT TURNS FROM MINOR STREET (PASSENGER CAR)

Project Name: Aspen Chapel Hill - Student Housing
Project Number: AHP-20020
Date: 08.05.2021
Calculated By: KST

No.	Minor Street Name	Major Street Name	Design Speed of Major Street (mph)	Approach grade of minor street (%)	Number of Lanes to Cross (Left Turn)	Left Turn		Right Turn	
						Turn Time Gap (sec.)	Intersection Sight Distance (ft.)*	Turn Time Gap (sec.)	Intersection Sight Distance (ft.)*
1	Driveway	Longview St	25	-10.00	1	**7.5**	**280**	**6.5**	**240**

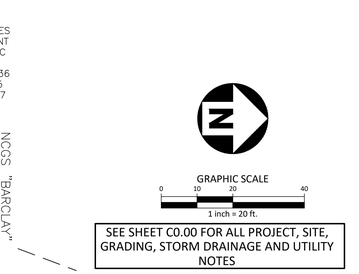
1) Signalized intersions do not require left turn sight distance.
2) Right-in / Right-out intersections do not require left turn sight distance.

** Intersection Sight Distance from Formula 9 -1 from AASHTO Geometric Design of Highways and Streets, 2004*

SITE LEGEND

- SIGNAGE
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACCESSIBLE PARKING STALL (ACC / VAN)
- VAN ACCESSIBLE PARKING STALL
- PARKING SPACE COUNT (XX)
- ACCESSIBLE RAMPS (TYPE A, TYPE B, TYPE C)
- ACCESSIBLE ROUTE
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- HEAVY DUTY ASPHALT PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT

PERIMETER FIRE ACCESS DETAIL



McAdams
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 046723 DEREK C. BLANKENSHIP — NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-S1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

SITE PLAN

C2.00

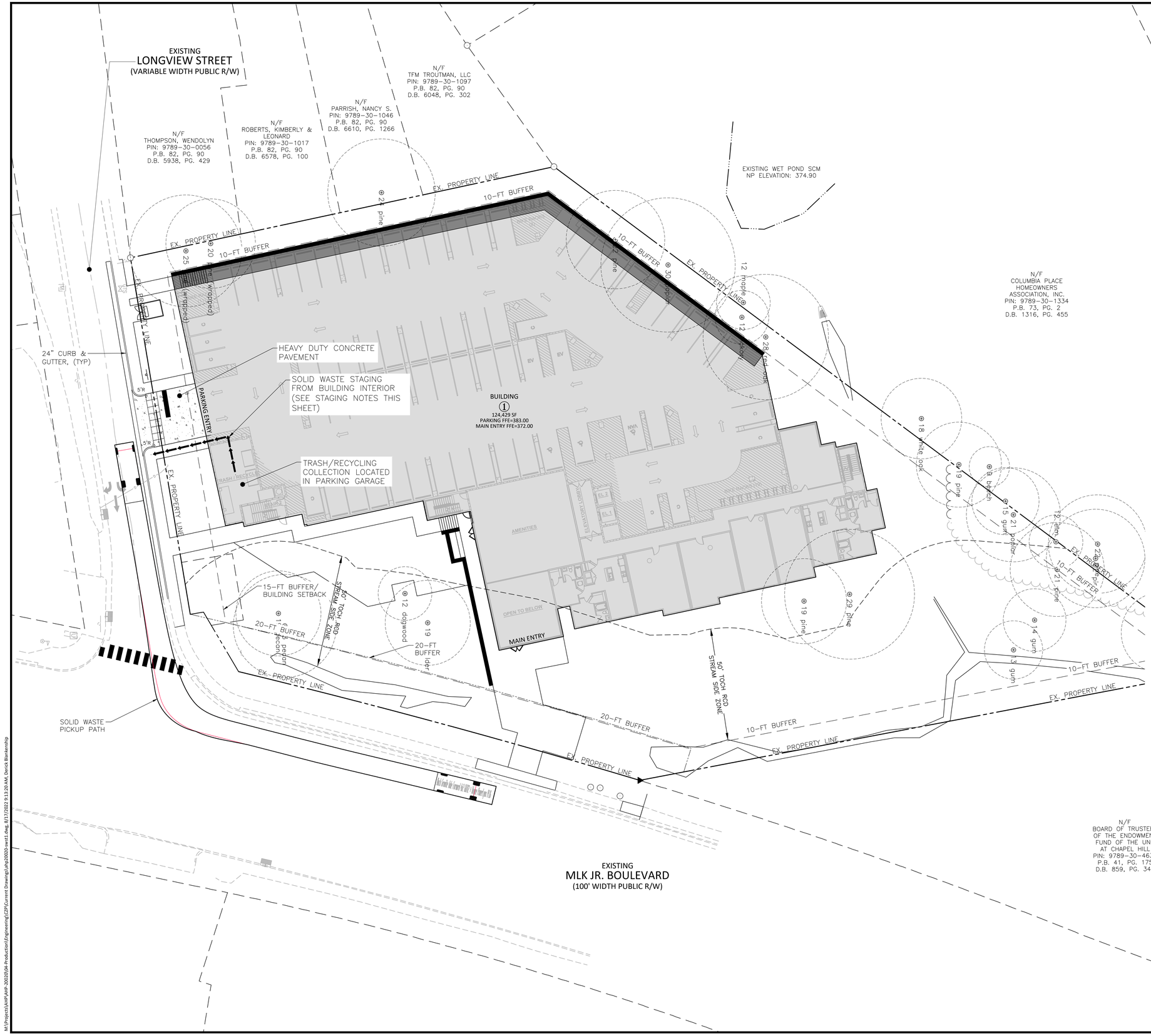
GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

M:\Projects\AHP\AHP-20020\04-Production\Engineering\C2P\Current Drawing\AHP20020-S1.DWG, 8/17/2022 9:12:02 AM, Derek Blankenship



RECYCLING NOTES

1. THE DETAILS OF THESE PLANS WILL BE FURTHER ELABORATED IN THE ZCP STAGE AND WORKED THROUGH WITH ORANGE COUNTY OCSW AND TOWN OF CHAPEL HILL PUBLIC WORKS SANITATION DIVISION.
2. APPLICANT MUST REQUIRE AT THE LEAST THE SAME LEVEL OF SERVICE (CURRENT OR FUTURE) TO ITS RESIDENTS FOR RECYCLING AS THAT PROVIDED BY ORANGE COUNTY.
3. COUNTY FEES FOR RECYCLING ASSOCIATED WITH THIS PROJECT/PROPERTY WILL NOT BE WAIVED.
4. APPLICANT AGREES TO ENTER INTO A SERVICE AGREEMENT WITH A PRIVATE RECYCLING COLLECTION CONTRACTOR THAT IS ACCEPTABLE TO ORANGE COUNTY. FURTHER, THE AGREEMENT SHALL PROVIDE FOR THE COLLECTION AND RECYCLING OF CORRUGATED CARDBOARD IN ADDITION TO THE OTHER CO-MINGLED RECYCLABLES AND AN EXECUTED COPY OF THE AGREEMENT SHALL BE PROVIDED TO AND APPROVED BY ORANGE COUNTY PRIOR TO APPROVAL OF FINAL CONSTRUCTION PLANS FOR THE PROPERTY/PROJECT.

SOLID WASTE AND RECYCLING NOTES

1. ALL EXISTING STRUCTURES 500 SQUARE FEET AND LARGER IN SIZE SHALL BE ASSESSED PRIOR TO DEMOLITION TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) AND TO ASSESS THE POTENTIAL FOR DE-CONSTRUCTION AND/OR THE RE-USE OF SALVAGEABLE MATERIALS.
2. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
3. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE THAT 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 THE SOLID WASTE STAFF (919-968-2788). 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 IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
6. IF ANY VEHICLES ARE PARKED IN THE REFUSE OR RECYCLABLES COLLECTION VEHICLE ACCESS AREA, THE CONTAINERS WILL NOT RECEIVE SERVICE UNTIL THE NEXT SCHEDULED COLLECTION DAY.
7. THE OWNER, OR THEIR DESIGNEE, SHALL BE RESPONSIBLE FOR MAINTAINING A FIRE WATCH DURING CONSTRUCTION AND DEMOLITION WHERE MATERIALS SUBJECT TO SPONTANEOUS COMBUSTION OR OTHER HAZARDOUS CONSTRUCTION OR DEMOLITION IS OCCURRING.
8. ALL CONSTRUCTION AND DEMOLITION SHALL BE CONDUCTED IN COMPLIANCE WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC.
9. ITEMS TO BE RECYCLED WILL INCLUDE ALL MATERIALS ACCEPTED BY ORANGE COUNTY SOLID WASTE (INCLUDED BUT NOT LIMITED TO:)

   9.1.1. GLASS (CLEAR, BROWN AND GREEN)
   9.1.2. PLASTIC
   9.1.3. NEWSPAPERS, MAGAZINES AND OTHER PAPER
   9.1.4. METAL CANS
   9.1.5. CARDBOARD
10. ADEQUATE SITE LIGHTING SHALL BE PROVIDED IN/AROUND THE SOLID WASTE AND RECYCLING STORAGE AREAS.
11. HEAVY DUTY ASPHALT AND CONCRETE SECTIONS ARE PROVIDED ON SHEET C8.00. THESE SECTIONS APPLY UNLESS AN APPROVED GEOTECHNICAL ENGINEER HAS DESIGN SPECIFIC FOR THIS PROJECT

STAGING NOTES

1. OWNER'S PROPERTY MANAGEMENT TO WORK WITH PRIVATE WASTE MANAGEMENT SERVICE FOR CURB SIDE PICKUP. WASTE TO BE BROUGHT TO CURB ALONG LONGVIEW BY BUILDING STAFF.

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING
CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 046723 DEREK C. BLANKENSHIP
NOT FOR CONSTRUCTION UNLESS SIGNED AND DATED

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-SWST1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

SOLID WASTE PLAN

C2.10

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CZP\Current Drawings\Ultp\20020-swst1.dwg, 8/17/2022 9:13:20 AM, Derick Blankenship

EXISTING
LONGVIEW STREET
(VARIABLE WIDTH PUBLIC R/W)

N/F
THOMPSON, WENDOLYN
PIN: 9789-30-0056
P.B. 82, PG. 90
D.B. 5938, PG. 429

N/F
ROBERTS, KIMBERLY & LEONARD
PIN: 9789-30-1017
P.B. 82, PG. 90
D.B. 6578, PG. 100

N/F
PARRISH, NANCY S.
PIN: 9789-30-1046
P.B. 82, PG. 90
D.B. 6610, PG. 1266

N/F
TFM TROUTMAN, LLC
PIN: 9789-30-1097
P.B. 82, PG. 90
D.B. 6048, PG. 302

N/F
COLUMBIA PLACE HOMEOWNERS ASSOCIATION, INC.
PIN: 9789-30-1334
P.B. 73, PG. 2
D.B. 1316, PG. 455

N/F
BOARD OF TRUSTEES OF THE ENDOWMENT FUND OF THE UNC AT CHAPEL HILL
PIN: 9789-30-4636
P.B. 41, PG. 175
D.B. 859, PG. 347

RESOURCE CONSERVATION DISTRICT IMPACTS

RESOURCE CONSERVATION DISTRICT, RCD, TOTAL AREA	27,392 SF, 0.63 AC
EXISTING IMPERVIOUS WITHIN RCD	3,292 SF, 0.08 AC
PROPOSED IMPERVIOUS WITHIN RCD	2,483 SF, 0.06 AC
*NET REDUCTION OF IMPERVIOUS IN RCD	809 SF, 0.02 AC
PROPOSED LAND DISTURBANCE WITHIN RCD	7,716 SF, 0.18 AC

NOTE: ONLY LAND DISTURBANCE HAS BEEN QUANTIFIED, REMEDIATION THROUGH MANUAL HAND TOOLS AND OR CHEMICAL TREATMENT IS NOT BEING COUNTED AS DISTURBED AREA

GRADING LEGEND

- FLARED END SECTION
- ENDWALL SECTION
- CATCH BASIN
- DROP INLET
- STORM SERVICE INLET
- STORM SERVICE ROOF–DRAIN
- JUNCTION BOX
- DRAINAGE FLOW ARROW
- LINE BREAK SYMBOL
- 250.50 / 250.00 — TOP & BOTTOM CURB ELEVATIONS
- TW=223.00 / BW=213.00 — TOP OF WALL ELEVATION / BOTTOM OF WALL ELEVATION (NOTE: BOTTOM OF WALL IS GROUND ELEVATION NOT WALL FOUNDATION)
- + 250.60 — SPOT ELEVATION
- STORM DRAINAGE
- STORM SERVICE LINE
- RD RD RD — ROOF DRAIN, 8" ADS NON–PERFORATED TUBING OR EQUAL 1.0% MIN. SLOPE 3' MIN. COVER PVC SCHEDULE 40 IN TRAFFIC AREAS
- TP TP TP — TREE PROTECTION FENCE
- LD LD — LIMITS OF DISTURBANCE
- OU OU — OVERHEAD POWER LINES
- WOODED AREA
- 250 — MAJOR CONTOUR
- 252 — MINOR CONTOUR
- 250 — EXISTING MAJOR CONTOUR
- 252 — EXISTING MINOR CONTOUR
- EASEMENT LINE
- ACCESSIBLE PARKING AREA (2% MAX. SLOPE IN ALL DIRECTIONS)

LIMITS OF DISTURBANCE = 86,727 SF, 2.01 AC
EXISTING IMPERVIOUS = 17,880 SF, 0.41 AC
PROPOSED IMPERVIOUS = 42,253 SF, 0.97 AC

RETAINING WALL (DESIGN BY OTHERS)
EX. PROPERTY LINE
10-FT BUFFER
FIRE ACCESS PATH ATOP PODIUM SLAB ELEV=396.67
EXISTING WET POND SCM NP ELEVATION: 374.90
CONCRETE WATER QUALITY & DETENTION VAULT (SEE SHEET C9.00 FOR MORE INFORMATION)
STORMFILTER MANHOLE VAULT (SEE SHEET C9.00 FOR MORE INFORMATION)
JUNCTION BOX (TYP)
CONCRETE YARD INLET
LIMITS OF DISTURBANCE, (TYP)
SILT/TREE PROTECTION COMBINATION FENCE, (TYP)
LIMITS OF DISTURBANCE, (TYP)
TW: 398.00 BW: 396.00
TW: 402.00 BW: 396.00
TW: 404.00 BW: 396.00
TW: 398.00 BW: 396.00
TW: 394.00 BW: 390.00
TW: 396.00 BW: 390.00
TW: 396.00 BW: 380.00
BUILDING 1
124,429 SF
FFE=372.00 (MAIN ENTRY)
FFE=383.00 (GARAGE ENTRY)
GARAGE ENTRY EL: 383.00
9.2% AVG. EX SLOPE
15' BUFFER/ BUILDING SETBACK
OWASA UTILITY EASEMENT
TREES TO REMAIN IN PLACE AND BE PROTECTED THROUGHOUT CONSTRUCTION
CATCH BASIN (TYP.)
RCP STORM DRAIN (TYP.)
STAIR ENTRY EL: 376.00
TW: 376.00 BW: 374.00
AMENITY ENTRY EL: 372.00
DECK FFE = 376.00
TW: 372.00 BW: 370.00
SILT FENCE, (TYP)
RETAINING WALL (DESIGN BY OTHERS)
MAIN ENTRY EL: 372.00
TW: 371.85 BW: 370.00
50' TOCH RCD STREAM SIDE ZONE
20-FT BUFFER
LIMITS OF DISTURBANCE, (TYP)
DOGHOUSE JUNCTION BOX ON EXISTING STORM DRAIN LINE
2.7% EX. SLOPE
PROPOSED CULVERT REPLACEMENT
SILT FENCE OUTLET, (TYP)
HEADWALL, (TYP)
TREE TO REMAIN (TYP)
EXISTING MLK JR. BOULEVARD (100' WIDTH PUBLIC R/W)

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER DEREK C. BLANKENSHIP
PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

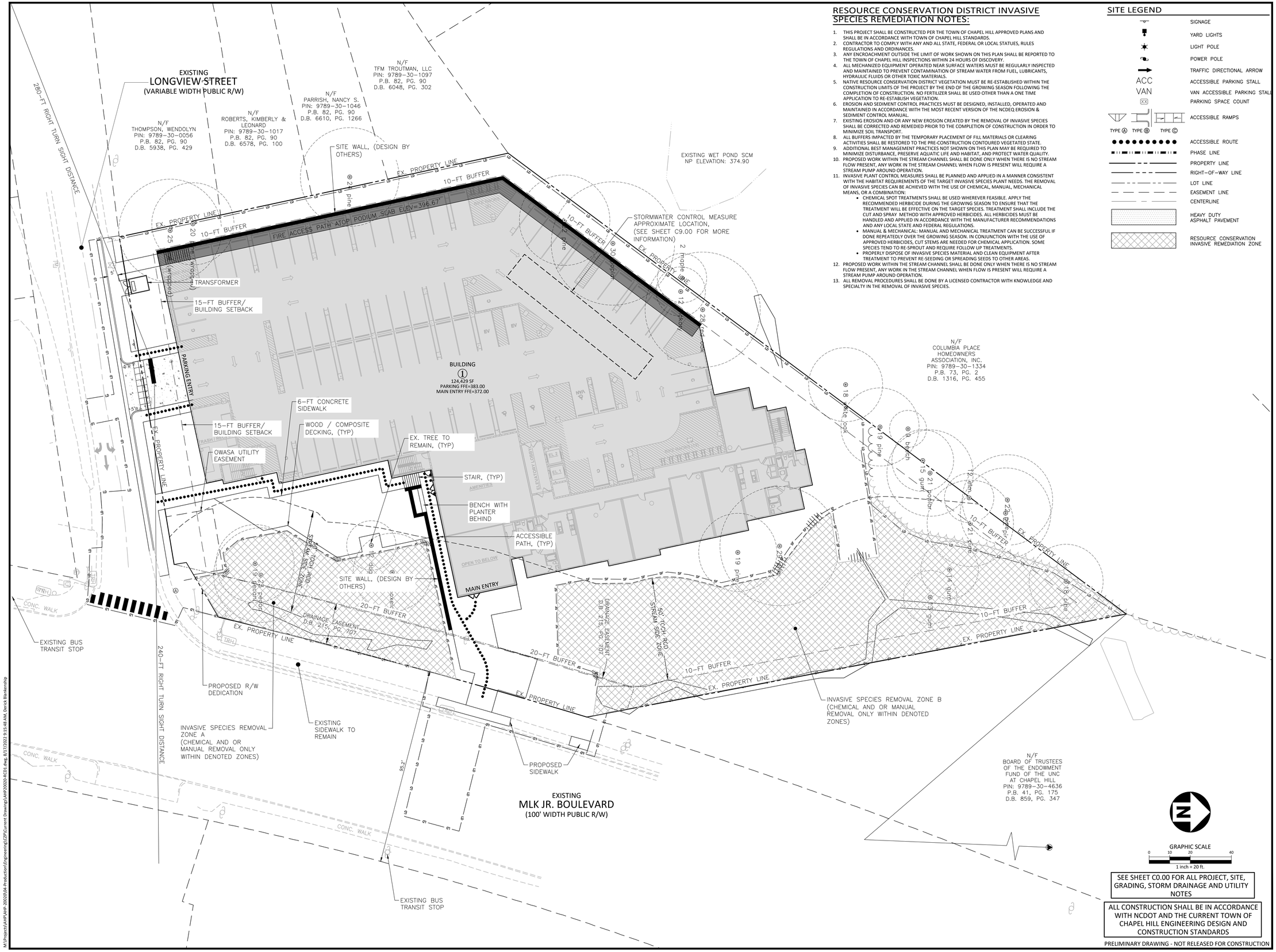
PROJECT NO.	AHP-20020
FILENAME	AHP20020-G1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

GRADING AND STORM DRAINAGE PLAN

C3.00

M:\Projects\AHP\AHP-20020\04-Production\Engineering\C2P\Current Drawing\AHP20020-G1.DWG, 8/17/2022 9:14:32 AM, Derick Blankenship



RESOURCE CONSERVATION DISTRICT INVASIVE SPECIES REMEDIATION NOTES:

1. THIS PROJECT SHALL BE CONSTRUCTED PER THE TOWN OF CHAPEL HILL APPROVED PLANS AND SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS.
2. CONTRACTOR TO COMPLY WITH ANY AND ALL STATE, FEDERAL OR LOCAL STATUES, RULES REGULATIONS AND ORDINANCES.
3. ANY ENCROACHMENT OUTSIDE THE LIMIT OF WORK SHOWN ON THIS PLAN SHALL BE REPORTED TO THE TOWN OF CHAPEL HILL INSPECTIONS WITHIN 24 HOURS OF DISCOVERY.
4. ALL MECHANIZED EQUIPMENT OPERATED NEAR SURFACE WATERS MUST BE REGULARLY INSPECTED AND MAINTAINED TO PREVENT CONTAMINATION OF STREAM WATER FROM FUEL, LUBRICANTS, HYDRAULIC FLUIDS OR OTHER TOXIC MATERIALS.
5. NATIVE RESOURCE CONSERVATION DISTRICT VEGETATION MUST BE RE-ESTABLISHED WITHIN THE CONSTRUCTION LIMITS OF THE PROJECT BY THE END OF THE GROWING SEASON FOLLOWING THE COMPLETION OF CONSTRUCTION. NO FERTILIZER SHALL BE USED OTHER THAN A ONE TIME APPLICATION TO RE-ESTABLISH VEGETATION.
6. EROSION AND SEDIMENT CONTROL PRACTICES MUST BE DESIGNED, INSTALLED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE MOST RECENT VERSION OF THE NCDEQ EROSION & SEDIMENT CONTROL MANUAL.
7. EXISTING EROSION AND OR ANY NEW EROSION CREATED BY THE REMOVAL OF INVASIVE SPECIES SHALL BE CORRECTED AND REMEDIED PRIOR TO THE COMPLETION OF CONSTRUCTION IN ORDER TO MINIMIZE SOIL TRANSPORT.
8. ALL BUFFERS IMPACTED BY THE TEMPORARY PLACEMENT OF FILL MATERIALS OR CLEARING ACTIVITIES SHALL BE RESTORED TO THE PRE-CONSTRUCTION CONTOURED VEGETATED STATE.
9. ADDITIONAL BEST MANAGEMENT PRACTICES NOT SHOWN ON THIS PLAN MAY BE REQUIRED TO MINIMIZE DISTURBANCE, PRESERVE AQUATIC LIFE AND HABITAT, AND PROTECT WATER QUALITY.
10. PROPOSED WORK WITHIN THE STREAM CHANNEL SHALL BE DONE ONLY WHEN THERE IS NO STREAM FLOW PRESENT, ANY WORK IN THE STREAM CHANNEL WHEN FLOW IS PRESENT WILL REQUIRE A STREAM PUMP AROUND OPERATION.
11. INVASIVE PLANT CONTROL MEASURES SHALL BE PLANNED AND APPLIED IN A MANNER CONSISTENT WITH THE HABITAT REQUIREMENTS OF THE TARGET INVASIVE SPECIES PLANT NEEDS. THE REMOVAL OF INVASIVE SPECIES CAN BE ACHIEVED WITH THE USE OF CHEMICAL, MANUAL, MECHANICAL MEANS, OR A COMBINATION:
    - CHEMICAL SPOT TREATMENTS SHALL BE USED WHEREVER FEASIBLE. APPLY THE RECOMMENDED HERBICIDE DURING THE GROWING SEASON TO ENSURE THAT THE TREATMENT WILL BE EFFECTIVE ON THE TARGET SPECIES. TREATMENT SHALL INCLUDE THE CUT AND SPRAY METHOD WITH APPROVED HERBICIDES. ALL HERBICIDES MUST BE HANDLED AND APPLIED IN ACCORDANCE WITH THE MANUFACTURER RECOMMENDATIONS AND ANY LOCAL STATE AND FEDERAL REGULATIONS.
    - MANUAL & MECHANICAL: MANUAL AND MECHANICAL TREATMENT CAN BE SUCCESSFUL IF DONE REPEATEDLY OVER THE GROWING SEASON. IN CONJUNCTION WITH THE USE OF APPROVED HERBICIDES, CUT STEMS ARE NEEDED FOR CHEMICAL APPLICATION. SOME SPECIES TEND TO RE-SPROUT AND REQUIRE FOLLOW UP TREATMENTS.
    - PROPERLY DISPOSE OF INVASIVE SPECIES MATERIAL AND CLEAN EQUIPMENT AFTER TREATMENT TO PREVENT RE-SEEDING OR SPREADING SEEDS TO OTHER AREAS.
12. PROPOSED WORK WITHIN THE STREAM CHANNEL SHALL BE DONE ONLY WHEN THERE IS NO STREAM FLOW PRESENT, ANY WORK IN THE STREAM CHANNEL WHEN FLOW IS PRESENT WILL REQUIRE A STREAM PUMP AROUND OPERATION.
13. ALL REMOVAL PROCEDURES SHALL BE DONE BY A LICENSED CONTRACTOR WITH KNOWLEDGE AND SPECIALTY IN THE REMOVAL OF INVASIVE SPECIES.

SITE LEGEND

- SIGNAGE
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACC VAN — ACCESSIBLE PARKING STALL
- VAN ACCESSIBLE PARKING STALL
- (XX) — PARKING SPACE COUNT
- TYPE A / TYPE B / TYPE C — ACCESSIBLE RAMPS
- ACCESSIBLE ROUTE
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- HEAVY DUTY ASPHALT PAVEMENT
- RESOURCE CONSERVATION INVASIVE REMEDIATION ZONE

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING
CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER DEREK C. BLANKENSHIP
FOR REVIEW PURPOSES ONLY NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

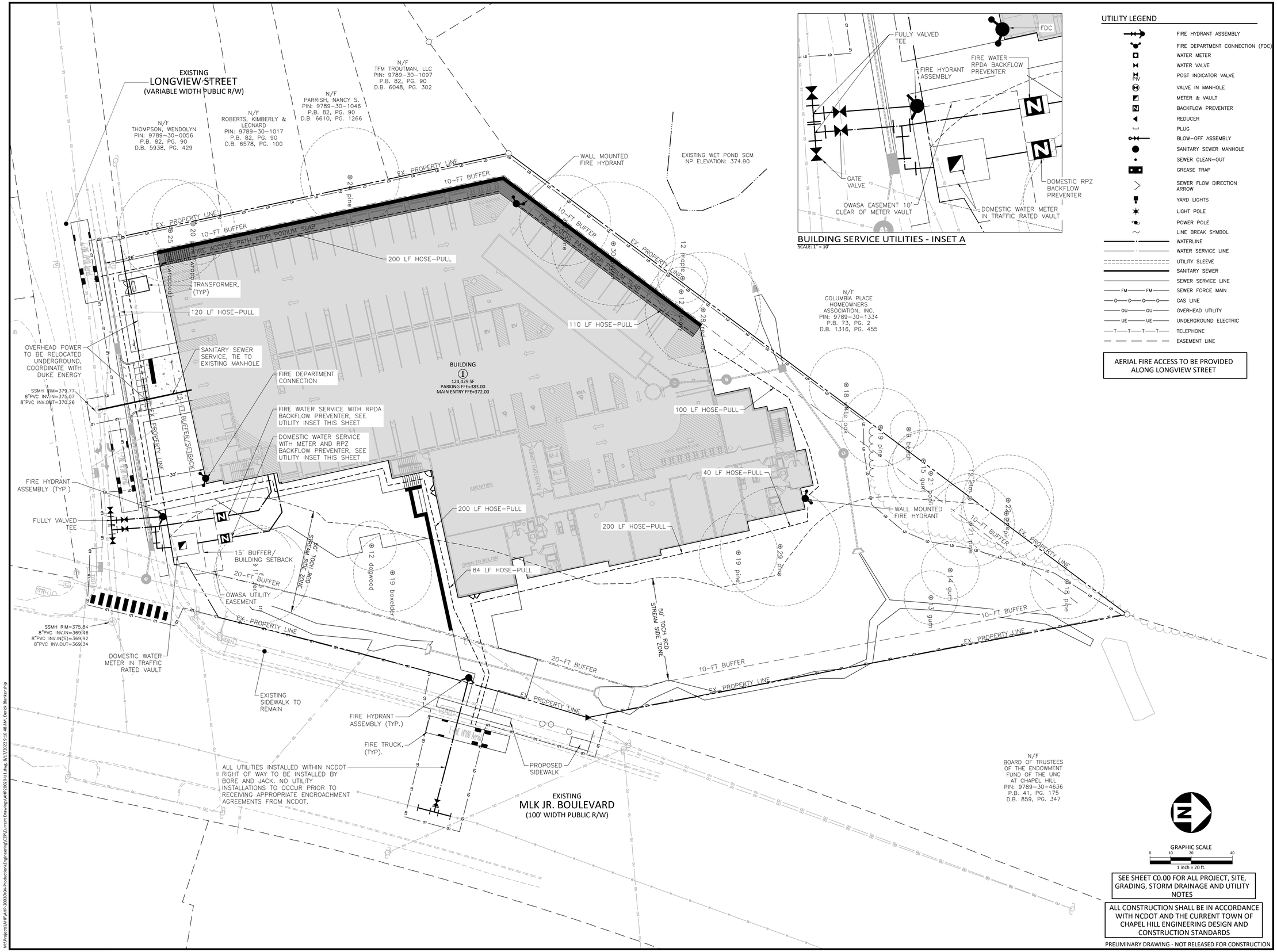
PROJECT NO.	AHP-20020
FILENAME	AHP20020-RCD1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

SHEET

RESOURCE CONSERVATION REMEDIATION PLAN

C3.10

M:\Projects\AHP\AHP-20020\04-Production\Engineering\C2P\Current Drawings\AHP20020-RCD1.dwg, 8/17/2022 9:15:48 AM, Derick Blankenship



BUILDING SERVICE UTILITIES - INSET A
SCALE: 1" = 10'

UTILITY LEGEND

- FIRE HYDRANT ASSEMBLY
- FIRE DEPARTMENT CONNECTION (FDC)
- WATER METER
- WATER VALVE
- POST INDICATOR VALVE
- VALVE IN MANHOLE
- METER & VAULT
- BACKFLOW PREVENTER
- REDUCER
- PLUG
- BLOW-OFF ASSEMBLY
- SANITARY SEWER MANHOLE
- SEWER CLEAN-OUT
- GREASE TRAP
- SEWER FLOW DIRECTION ARROW
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- LINE BREAK SYMBOL
- WATERLINE
- WATER SERVICE LINE
- UTILITY SLEEVE
- SANITARY SEWER
- SEWER SERVICE LINE
- SEWER FORCE MAIN
- GAS LINE
- OVERHEAD UTILITY
- UNDERGROUND ELECTRIC
- TELEPHONE
- EASEMENT LINE

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING
CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 046723 DERICK C. BLANKENSHIP NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

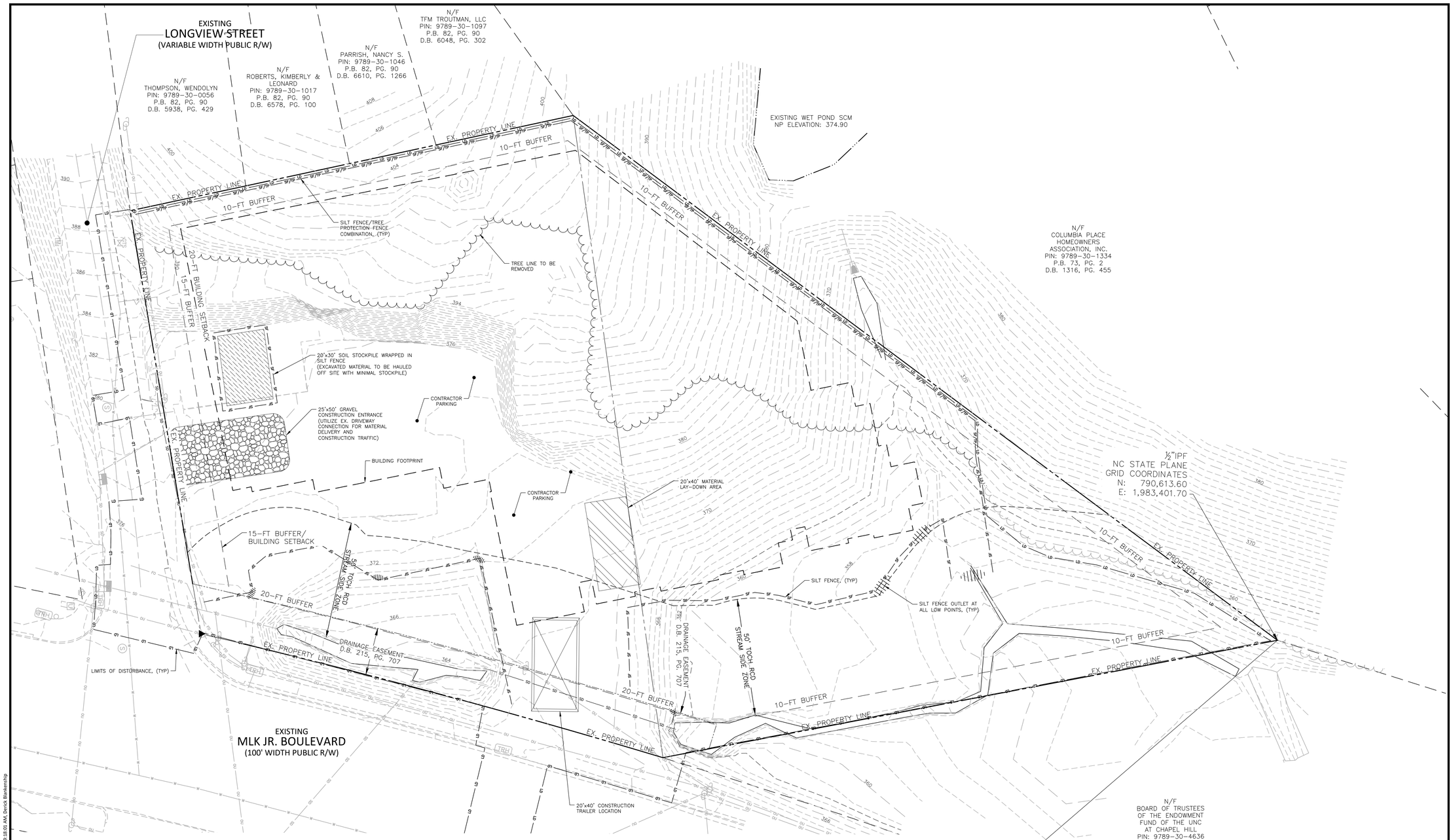
PROJECT NO.	AHP-20020
FILENAME	AHP20020-U1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

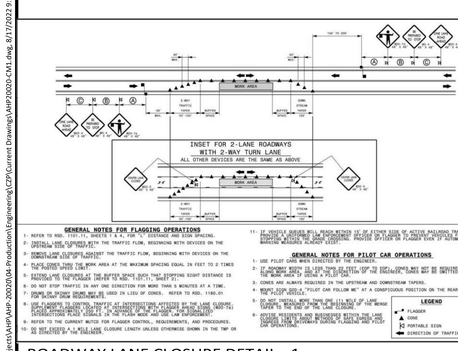
SHEET

UTILITY PLAN

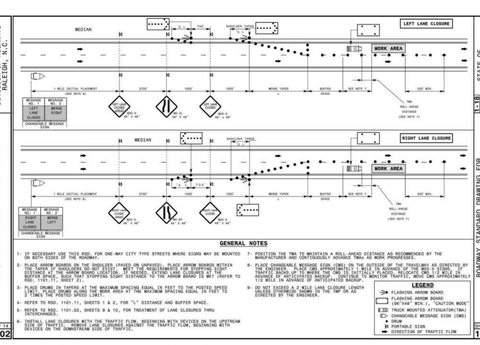
C4.00

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CZP\Current Drawings\AHP20020-U1.dwg, 8/17/2022 9:16:48 AM, Derick Blankenship

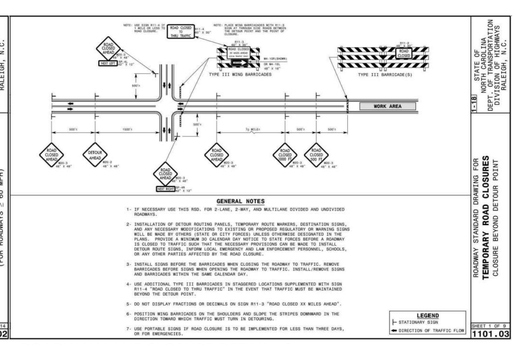




ROADWAY LANE CLOSURE DETAIL - 1



ROADWAY LANE CLOSURE DETAIL - 2



ROADWAY LANE CLOSURE DETAIL - 3

McAdams
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL SEAL 046723 ENGINEER C. BLANKENSHIP

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP2020-CM1
CHECKED BY	DCB
DRAWN BY	DCB
SCALE	1" = 20'
DATE	03.18.2022

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

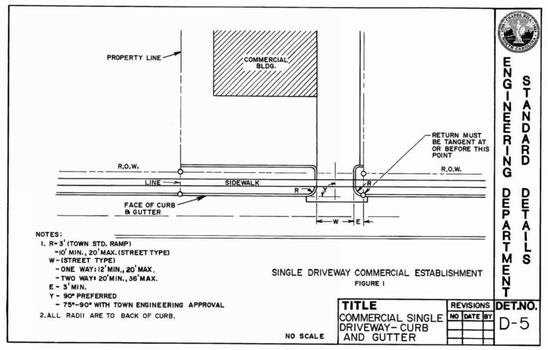
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

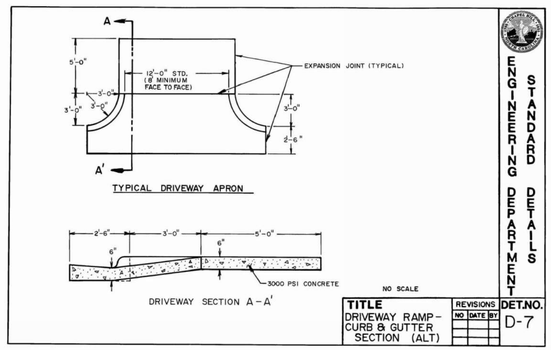
SHEET

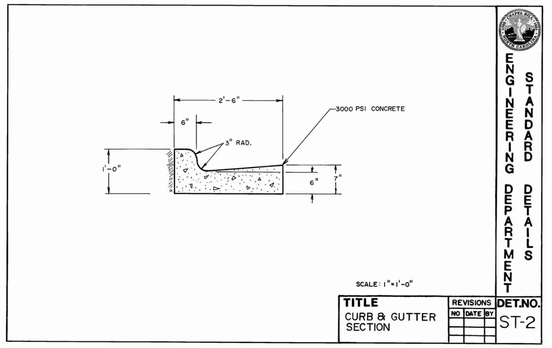
CONSTRUCTION AND TRANSPORTATION MANAGEMENT PLAN

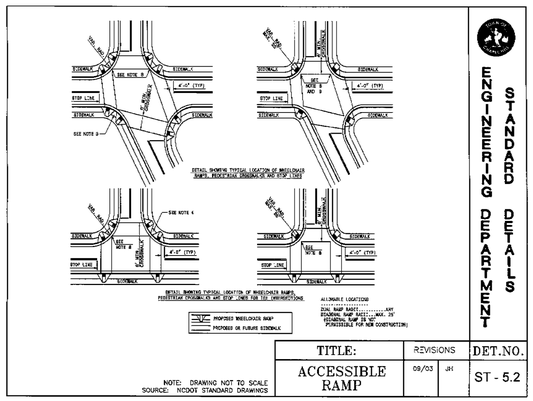
C7.00

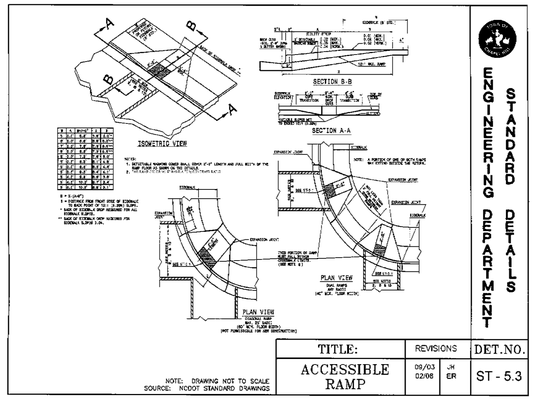
M:\Projects\AHP\AHP-20020\04-Production\Engineering\CDP\Current Drawings\AHP20020-CM1.dwg, 6/13/2022 9:18:01 AM, Derick Blankenship

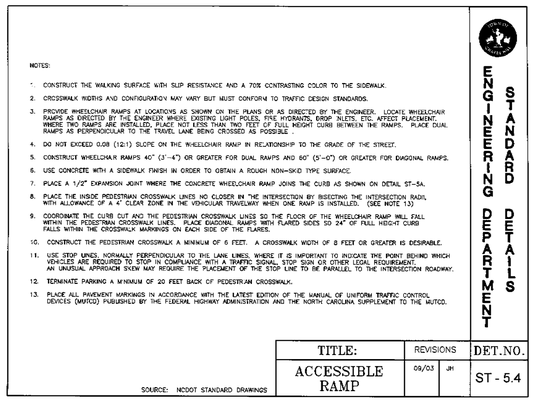


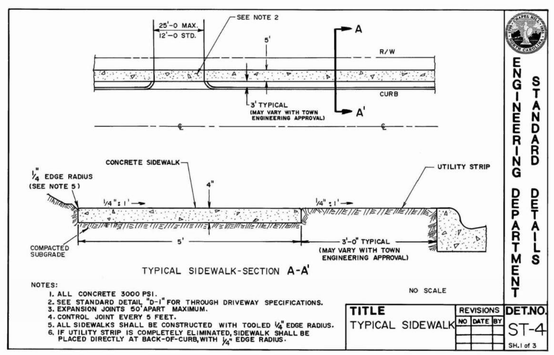












McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-D1
CHECKED BY	DCB
DRAWN BY	KST
SCALE	1" = 30'
DATE	03.18.2022

SHEET

SITE DETAILS

C8.00

M:\Projects\AHP\AHP-20020\04-Production\Engineering\C2P\Current Drawing\AHP20020-D1.dwg, 8/17/2022 3:19:27 AM, Derick Blankenship

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

STORMWATER CONTROL MEASURE 'A' CONSTRUCTION SPECIFICATIONS

GENERAL NOTES

1. PRIOR TO CONSTRUCTION, ANY DISCREPANCIES IN THE PLANS AND NOTES SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION.
2. PRIOR TO ANY CONSTRUCTION OR PLACEMENT OF ANY BACKFILL, THE ONSITE GEOTECHNICAL ENGINEER SHALL INSPECT THE EXCAVATION AREA FOR THE UNDERGROUND SCM WITHIN THIS AREA TO ASSESS WHETHER SUITABLE SOILS EXIST AT THE SUBGRADE LEVEL. IF THE CONTRACTOR CONSTRUCTS AND COVERS UP THE UNDERGROUND SCM PRIOR TO INSPECTION, THEN THIS AREA SHALL BE UNCOVERED AND TESTED (TO THE ENGINEER'S AND OWNER'S APPROVAL) AT THE CONTRACTOR'S EXPENSE.
3. THE FACILITY SHALL NOT BE USED AS A TEMPORARY EROSION CONTROL DEVICE (I.E. SEDIMENT TRAP OR SEDIMENT BASIN) DURING CONSTRUCTION.
4. PRIOR TO PLACING STORMFILTER CARTRIDGES WITHIN THE UNDERGROUND SYSTEM , THE CONTRACTOR SHALL REQUEST AN ONSITE MEETING WITH THE DESIGN ENGINEER AND THE EROSION CONTROL INSPECTOR TO ENSURE THE UPSTREAM DRAINAGE AREA IS COMPLETELY STABILIZED (I.E. GOOD VEGETATIVE COVER). IF THE CONTRACTOR DECIDES TO PLACE THE STORMFILTER CARTRIDGES PRIOR TO APPROVAL FROM THE DESIGN ENGINEER AND THE EROSION CONTROL INSPECTOR, THEN THE CONTRACTOR SHALL EXCAVATE/REPLACE, AS NECESSARY, THE COMPONENTS NEEDED FOR THE SYSTEM TO FUNCTION PROPERLY AT HIS / HER EXPENSE SHOULD THE STORMFILTER CARTRIDGES NOT FUNCTION PROPERLY (I.E. WILL NOT DRAIN DUE TO SEDIMENT DEPOSITION) DUE TO AN UNSTABILIZED UPSTREAM DRAINAGE AREA.
5. ONCE CONSTRUCTED, THE STORMFILTER CARTRIDGES SHALL NOT RECEIVE STORMWATER RUNOFF UNTIL THE ENTIRE CONTRIBUTING DRAINAGE AREA TO THE UNDERGROUND SYSTEM HAS BEEN COMPLETELY STABILIZED AND SITE CONSTRUCTION IS COMPLETE.
6. ALL COMPONENTS OF THE UNDERGROUND SCM SYSTEM (STORMFILTER MANHOLE, CONCRETE VAULT, JOINT / RISER CONNECTIONS, ENDCAPS, ACCESS MANHOLES, ETC.) SHALL BE DESIGNED BY OTHERS. ANY VARIATIONS OR CHANGES MADE FROM THESE SPECIFICATIONS AND DRAWINGS DURING THE ORDERING AND/ OR INSTALLATION OF ALL COMPONENTS MUST BE APPROVED BY THE DESIGN ENGINEER. THE STRUCTURAL DESIGN OF THE UNDERGROUND SCM, ALONG WITH ITS ASSUMPTIONS, IS ALSO BY OTHERS. THE JOHN R. McADAMS COMPANY, INC. AND ITS EMPLOYEES ASSUME NO LIABILITY WITH RESPECT TO ANY ASPECT OF THE STRUCTURAL DESIGN FOR THE UNDERGROUND SCM SYSTEM.
7. ALL PIPE / RISER CONNECTIONS AND JOINTS ASSOCIATED WITH THE UNDERGROUND SCM SYSTEM SHALL BE WATER TIGHT. THE MECHANISM FOR ACHIEVING THIS SHALL BE SUBMITTED TO THE DESIGN ENGINEER FOR REVIEW.
8. THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE, AND MAINTAIN ANY PUMPING EQUIPMENT, ETC. NEEDED FOR REMOVAL OF WATER FROM VARIOUS PARTS OF THE UNDERGROUND SCM SYSTEM SITE. IT IS ANTICIPATED THAT PUMPING WILL BE NECESSARY IN THE EXCAVATION AREAS. DURING PLACEMENT OF FILL WITHIN THIS AREA (OR OTHER AREAS AS NECESSARY), THE CONTRACTOR SHALL KEEP THE WATER LEVEL BELOW THE BOTTOM OF THE EXCAVATION. THE MANNER IN WHICH THE WATER IS REMOVED SHALL BE SUCH THAT THE EXCAVATION BOTTOM AND SIDE SLOPES ARE STABLE.
9. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO ADHERE TO ALL CURRENT OSHA REGULATIONS FOR CONFINED SPACE ENTRY AND PROVIDE SUCH DURING ENGINEER WALK-THROUGH/INSPECTION.
10. ALL PIPE PENETRATIONS THROUGH A CONCRETE STRUCTURE (I.E. STORMFILTER CARTRIDGE / DETENTION SYSTEM, STORM DRAINAGE MANHOLES, ETC.) SHALL BE MADE WATERTIGHT USING NON-SHRINK CEMENTIOUS GROUT.
11. EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.

STORMWATER MANAGEMENT SYSTEM MATERIAL SPECIFICATIONS

1. THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM IS TO BE DESIGNED BY OTHERS, ANY CHANGES TO THE PLANS SHALL BE PROVIDED TO THE DESIGN ENGINEER FOR REVIEW. PRIOR TO INSTALLATION, SHOP DRAWINGS OF THE STORMWATER MANAGEMENT SYSTEM SHALL BE PROVIDED TO THE DESIGN ENGINEER AND TO THE TOWN OF CHAPEL HILL FOR REVIEW.
2. FILTER CARTRIDGES SHALL BE CONTECH STORMFILTERS WITH PHOSPHOSORB MEDIA. INSTALLATION OF THE STORMWATER DEVICE SHALL BE PER THE MANUFACTURER'S INSTALLATION GUIDELINES AND SPECIFICATIONS.
3. ACCESS RISERS SHALL BE INSTALLED PER STRUCTURAL SPECIFICATIONS. ACCESS STEPS / LADDERS SHALL BE ATTACHED TO THE RISERS TO ALLOW FOR ACCESS INTO THE STORMWATER MANAGEMENT SYSTEM.
4. THE 24"Ø DIP OUTLET BARREL OF THE DETENTION SYSTEM SHALL BE CLASS 350 DIP, MEETING THE REQUIREMENTS OF ASTM A716. THE PIPE JOINTS SHALL BE LOCKING JOINTS PER ANSI/AWWA C110/A21.10 OR ANSI/AWWA C153/A21.53 STANDARDS.
5. THE CONTRACTOR SHALL INSTALL THE STORMFILTER SYSTEM PER MANUFACTURERS' SPECIFICATIONS. CONTRACTOR TO PROVIDE A LETTER FROM MATERIAL SUPPLIER(S) STATING MATERIALS MEET THE SPECIFIED STANDARDS PRIOR TO INSTALLATION.
6. COVER AND REVIEW OF SITE CONDITIONS TO MAINTAIN THE STRUCTURAL INTEGRITY OF THE SYSTEM TO BE THE RESPONSIBILITY OF THE MANUFACTURER.

STATEMENT OF RESPONSIBILITY

1. ALL REQUIRED MAINTENANCE AND INSPECTIONS OF THIS FACILITY SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER, PER THE EXECUTED OPERATION AND MAINTENANCE AGREEMENT FOR THIS FACILITY.

FOUNDATION NOTES

1. ONCE THE EXCAVATION IS COMPLETE AND PRIOR TO INSTALLATION OF THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM, THE ONSITE GEOTECHNICAL ENGINEER SHALL VERIFY THE BEARING CAPACITY OF THE UNDERLYING SOILS TO SERVE AS A FOUNDATION FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM. IF THE ONSITE GEOTECHNICAL ENGINEER DEEMS THE FOUNDATION SOILS AS UNSUITABLE, THEN THE UNSUITABLE MATERIAL SHOULD BE REMOVED DOWN TO A SUITABLE DEPTH AND THEN BUILT BACK UP TO THE CORRECT ELEVATION WITH A COMPACTED BACKFILL MATERIAL THAT IS APPROVED BY THE ONSITE GEOTECHNICAL ENGINEER. THE APPROVED BACKFILL MATERIAL SHOULD HAVE A GRADATION THAT WILL NOT ALLOW THE MIGRATION OF FINES, WHICH COULD CAUSE SETTLEMENT OF THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM. IF NECESSARY, A GEOTEXTILE FABRIC CAN BE USED TO SEPARATE THE UNDERLYING SOILS AND THE BACKFILL MATERIAL. THIS GEOTEXTILE FABRIC (IF USED) IS TO BE SPECIFIED BY THE ON-SITE GEOTECHNICAL ENGINEER.
2. PLEASE NOTE THAT IF THE CONTRACTOR CONSTRUCTS AND COVERS UP THE EXCAVATION FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM PRIOR TO INSPECTION, THEN THIS AREA SHALL BE UNCOVERED AND TESTED (TO THE ENGINEER'S AND OWNER'S APPROVAL) AT THE CONTRACTOR'S EXPENSE.
3. THE FOUNDATION SUBGRADE SHALL BE GRADED TO A UNIFORM OR SLIGHTLY SLOPING GRADE PRIOR TO PLACEMENT OF THE BEDDING MATERIAL. IF THE FOUNDATION SUBGRADE WILL BE EXPOSED FOR AN EXTENDED PERIOD OF TIME DURING CONSTRUCTION, THEN IT SHOULD BE GRADED TO A SLIGHT SLOPE SUCH THAT SATURATION OF THE SUBGRADE DOES NOT OCCUR.
4. THE BEDDING MATERIAL FOR THE UNDERGROUND STORMWATER MANAGEMENT SYSTEM SHALL BE SPECIFIED BY THE ON-SITE GEOTECHNICAL ENGINEER. TYPICALLY, A WELL-GRADED GRANULAR MATERIAL WILL BE USED FOR THE BEDDING. PLEASE NOTE THAT IF CONSTRUCTION EQUIPMENT WILL BE OPERATING FOR AN EXTENDED PERIOD OF TIME ON THE BEDDING, THEN THE APPROPRIATE MEASURES (E.G. ENGINEERED FABRIC, STIFF GEOGRID, ETC.) SHALL BE TAKEN TO ENSURE THE INTEGRITY OF THE BEDDING IS NOT COMPROMISED.
5. THE CONTRACTOR SHALL FURNISH, INSTALL, OPERATE, AND MAINTAIN ANY PUMPING EQUIPMENT, ETC. NEEDED FOR REMOVAL OF WATER FROM THE EXCAVATION. IT IS BEST TO BEGIN THE CONSTRUCTION OF THE DETENTION SYSTEMS AT THE DOWNSTREAM END WITH THE OUTLET ALREADY CONSTRUCTED TO ALLOW A ROUTE FOR WATER TO ESCAPE.
6. THE ONSITE GEOTECHNICAL ENGINEER SHALL DETERMINE IF FOUNDATION DRAINS ARE REQUIRED FOR THE UNDERGROUND SCM SYSTEM. THE DESIGN ENGINEER SHALL BE NOTIFIED FOLLOWING THIS DETERMINATION. IF REQUIRED, THE FOUNDATION DRAINS ARE TO BE DESIGNED ENTIRELY BY THE ONSITE GEOTECHNICAL ENGINEER. THE FOUNDATION DRAIN SYSTEMS SHALL TIE TO THE NEAREST STORM SEWER INLET / JUNCTION BOX WITH INVERT LOWER THAN THE INVERT OF THE FOUNDATION DRAIN. FOUNDATION DRAIN SYSTEM SHALL NOT TIE INTO THE UNDERGROUND SCM AT ANY POINT.

BEDDING NOTES

1. THE EXCAVATION SUB GRADE MUST BE TRANSIT LEVEL.
2. THE EXCAVATION PIT SHALL BE LINED (ON THE BOTTOM AND ALL FOUR SIDES) WITH A NON-WOVEN GEO-TEXTILE (GEOTEX 401 OR APPROVED EQUIVALENT). THE ONSITE GEOTECHNICAL ENGINEER SHALL APPROVE FABRIC FOR USE.
3. THE SUBGRADE FOR THE DETENTION SYSTEM CAN BE A CONCRETE SLAB, OR CLEAN GRANULAR MATERIAL WITH A MAXIMUM AGGREGATE SIZE OF 3/4". THE BEDDING SHALL BE FREE FROM ROCK FORMATIONS, PROTRUDING STONES, FROZEN LUMPS, ROOTS, AND OTHER FOREIGN MATERIAL.
4. PREPARE THE SUBGRADE PER THE ONSITE GEOTECHNICAL ENGINEER'S DIRECTION (APPROXIMATELY 5-6" BELOW GRADE ON WHICH SLAB WILL SET). THE BEDDING MATERIAL SHOULD BE GRADED SUCH THAT A SMOOTH UNIFORM GRADE IS ESTABLISHED TO ALLOW FOR OPTIMUM PLACEMENT OF THE SAND FILTER.
5. THE SUBGRADE MUST SUPPORT THE DETENTION SYSTEM WITHOUT DIFFERENTIAL SETTLEMENT BETWEEN PIECES.
6. IF CONSTRUCTION EQUIPMENT WILL BE OPERATING FOR AN EXTENDED PERIOD OF TIME ON THE BEDDING, THEN THE APPROPRIATE MEASURES (E.G. STIFF GEOGRID, ETC.) SHALL BE TAKEN TO ENSURE THE INTEGRITY OF THE BEDDING IS NOT COMPROMISED.

BACKFILL MATERIAL NOTES

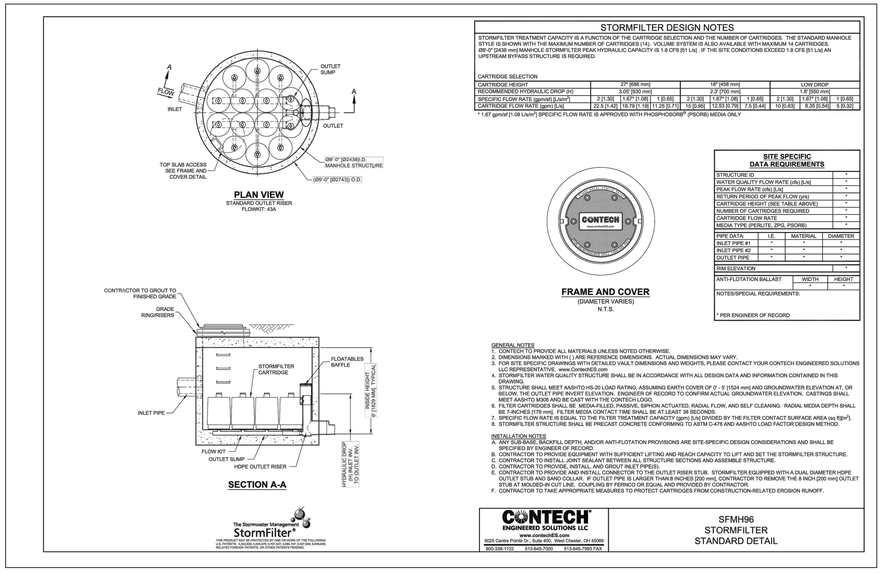
1. THE ON-SITE GEOTECHNICAL ENGINEER SHALL SPECIFY THE BACKFILL MATERIAL FOR THE STORMWATER MANAGEMENT SYSTEM.
2. THE BACKFILL MATERIAL SHOULD BE FREE OF ROCKS, FROZEN LUMPS, AND OTHER FOREIGN MATTER THAT COULD CAUSE HARD SPOTS WITHIN THE BACKFILL MATERIAL, OR THAT COULD DECOMPOSE AND CREATE VOIDS.
3. HIGHLY PLASTIC SILTS, HIGHLY PLASTIC CLAYS, ORGANIC SILTS, ORGANIC CLAYS, AND PEATS SHOULD NOT BE USED AS A BACKFILL MATERIAL.
4. THE BACKFILL MATERIAL SHOULD BE PLACED IN 6" LOOSE LIFTS AND COMPACTED TO 95% OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM-D698). THE FILL SOILS SHALL BE COMPACTED AT A MOISTURE CONTENT WITHIN +/- TWO PERCENT OF ITS OPTIMUM MOISTURE CONTENT.
5. ANY MATERIAL STOCKPILING ON TOP OF THE STORMWATER MANAGEMENT SYSTEM SHALL BE APPROVED BY THE STRUCTURAL DESIGN ENGINEER OR DETENTION SYSTEM MANUFACTURER.

UNDERGROUND VAULT CONSTRUCTION NOTES

1. UNDERGROUND VAULT CONFIGURATION IS TO BE DESIGNED AND PROVIDED BY OTHERS.
2. ABSOLUTELY NO RUNOFF SHALL ENTER THE UNDERGROUND VAULT UNTIL ALL CONTRIBUTING DRAINAGE AREAS HAVE BEEN STABILIZED.
3. MANHOLE ACCESS SHALL BE PROVIDED FOR THE UNDERGROUND VAULT. MANHOLES SHALL BE IN COMPLIANCE WITH TOWN OF CHAPEL HILL STANDARD DETAILS BUT SHALL BE A MINIMUM OF 24 INCHES IN DIAMETER TO COMPLY WITH OSHA CONFINED SPACE REQUIREMENTS (OR MINIMUM OSHA REQUIREMENTS APPLICABLE AT TIME OF CONSTRUCTION). CONTRACTOR SHALL PROVIDE ACCESS LADDERS FOR ACCESS BELOW ALL MANHOLES. MANHOLE COVERS SHALL ALLOW FOR PROPER VENTILATION.

SYSTEM TESTING NOTES

1. PRIOR TO PLACEMENT OF THE BACKFILL MATERIAL AND STORM FILTER CARTRIDGES, CONTRACTOR SHALL TEST FOR WATER TIGHTNESS. ENTRANCES AND EXITS SHALL BE PLUGGED AND THE SYSTEM COMPLETELY FILLED WITH WATER TO DEMONSTRATE WATER TIGHTNESS. WATER TIGHTNESS MEANS NO SIGNIFICANT FOR A PERIOD OF 24 HOURS. SIGNIFICANT LEAKAGE TO BE DETERMINED BY THE CERTIFYING ENGINEER. CONTRACTOR SHALL CALL AND SCHEDULE THE FIELD TESTING OF THE SYSTEM (WATER-TIGHTNESS) WITH THE ENGINEER AT LEAST 2 WORKING DAYS PRIOR TO THE TEST. THE CONTRACTOR SHALL PROVIDE WRITTEN REPORTS TO THE ENGINEER VERIFYING THE WATER TIGHTNESS OF THE STORMWATER VAULT.



STORMFILTER DESIGN NOTES

STORMFILTER TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE SELECTION AND THE NUMBER OF CARTRIDGES. THE STANDARD MANHOLE STYLE IS SHOWN WITH THE MAXIMUM NUMBER OF CARTRIDGES (14). VOLUME SYSTEM IS ALSO AVAILABLE WITH MAXIMUM 14 CARTRIDGES.
Ø8'-0" [Ø2438 mm] MANHOLE STORMFILTER PEAK HYDRAULIC CAPACITY IS 1.8 CFS [51 L/s] . IF THE SITE CONDITIONS EXCEED 1.8 CFS [51 L/s] AN UPSTREAM BYPASS STRUCTURE IS REQUIRED.

CARTRIDGE SELECTION

CARTRIDGE HEIGHT	27" (686 mm)	18" (458 mm)	LOW DROP
RECOMMENDED HYDRAULIC DROP (H)	3.09' (930 mm)	2.3' (700 mm)	1.8' (550 mm)
SPECIFIC FLOW RATE (gpm/sf) [L/s/m²]	2 [1.36] | 1.67* [1.08] | 1 [0.68]	2 [1.36] | 1.67* [1.08] | 1 [0.68]	2 [1.36] | 1.67* [1.08] | 1 [0.68]
CARTRIDGE FLOW RATE (gpm) [L/s]	22.3 [1.42] | 18.79 [1.19] | 11.25 [0.71]	15 [0.95] | 12.83 [0.79] | 7.5 [0.44]	10 [0.63] | 8.38 [0.54] | 5 [0.32]

* 1.67 gpm/sf [1.08 L/s/m²] SPECIFIC FLOW RATE IS APPROVED WITH PHOSPHOSORB® (PSORB) MEDIA ONLY

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	*
WATER QUALITY FLOW RATE (cfs) [L/s]	*
PEAK FLOW RATE (cfs) [L/s]	*
RETURN PERIOD OF PEAK FLOW (yrs)	*
CARTRIDGE HEIGHT (SEE TABLE ABOVE)	*
NUMBER OF CARTRIDGES REQUIRED	*
CARTRIDGE FLOW RATE	*
MEDIA TYPE (PERLITE, ZPG, PSORB)	*

PIPE DATA:	I.E.	MATERIAL	DIAMETER
INLET PIPE #1	*	*	*
INLET PIPE #2	*	*	*
OUTLET PIPE	*	*	*

RIM ELEVATION	*

ANTI-FLOTATION BALLAST	WIDTH	HEIGHT
	*	*

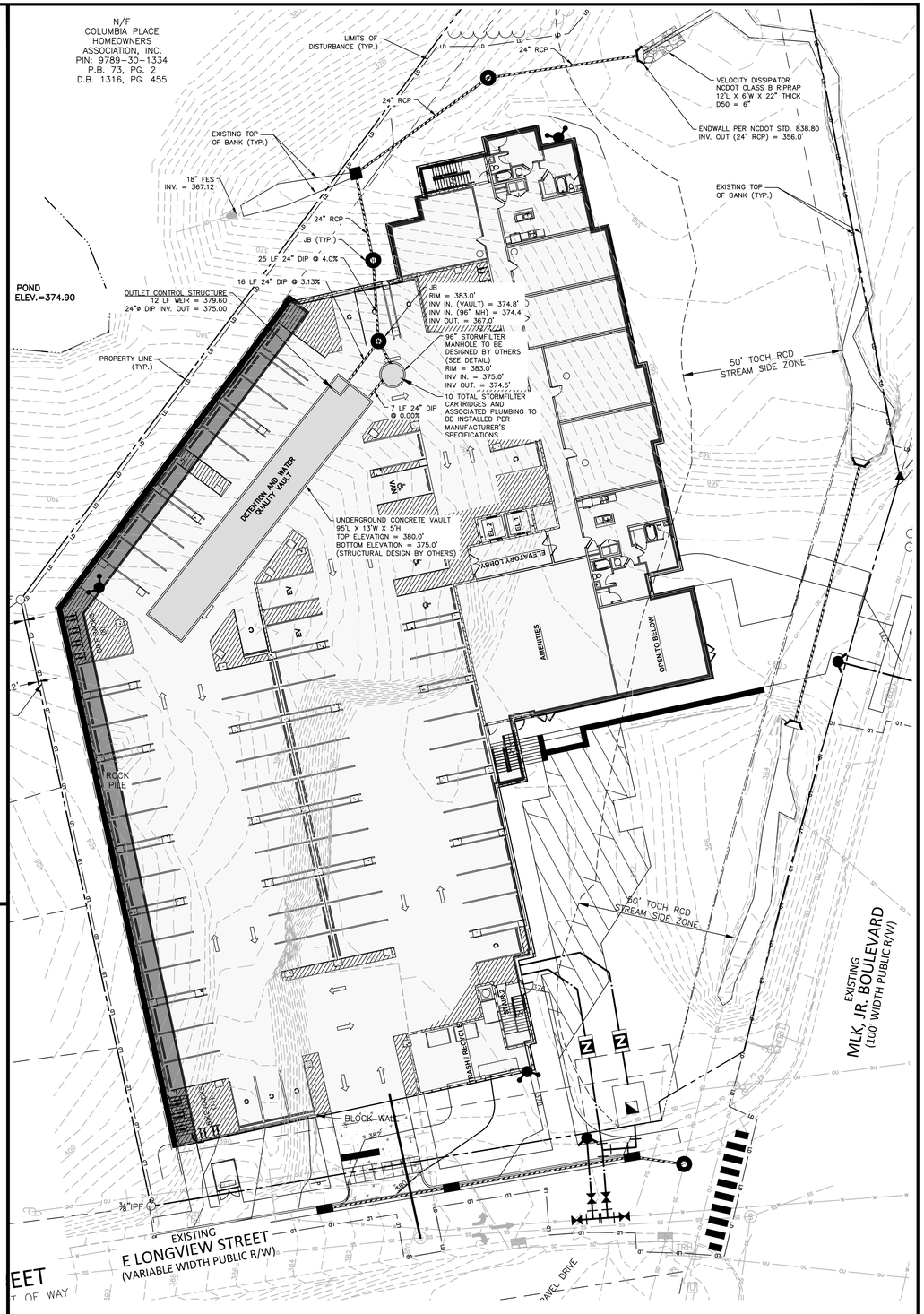
NOTES/SPECIAL REQUIREMENTS:

* PER ENGINEER OF RECORD

GENERAL NOTES
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. DIMENSIONS MARKED WITH ( ) ARE REFERENCE DIMENSIONS. ACTUAL DIMENSIONS MAY VARY.
3. FOR USE WITH CONTECH DRAWINGS WITH DETAILED VAULT DIMENSIONS AND WEIGHTS, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.conteches.com
4. STORMFILTER WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING.
5. STRUCTURE SHALL MEET AASHTO HS-20 LOAD RATING, ASSUMING EARTH COVER OF 0' - 5' [1524 mm] AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO.
6. STORMFILTER SHALL BE PRECAST CONCRETE, FLOW-THROUGH ACTUATED, RADIAL FLOW, AND SELF CLEANING. RADIAL MEDIA DEPTH SHALL BE 7.5 INCHES [178 mm]. FILTER MEDIA CONTACT TIME SHALL BE AT LEAST 30 SECONDS.
7. SPECIFIC FLOW RATE IS EQUAL TO THE FILTER TREATMENT CAPACITY (gpm) [L/s] DIVIDED BY THE FILTER CONTACT SURFACE AREA (sq ft)[m²].
8. STORMFILTER STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.

INSTALLATION NOTES
A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMFILTER STRUCTURE.
C. CONTRACTOR TO PLACE FILTER GASKET MATERIAL BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
D. CONTRACTOR TO PROVIDE, INSTALL AND GROUT INLET PIPE(S).
E. CONTRACTOR TO PROVIDE AND INSTALL CONNECTOR TO THE OUTLET RISER STUB. STORMFILTER EQUIPPED WITH A DUAL DIAMETER HDPE OUTLET STUB AND SAND COLLAR. IF OUTLET PIPE IS LARGER THAN 8 INCHES [200 mm], CONTRACTOR TO REMOVE THE 8 INCH [200 mm] OUTLET STUB AT MOLDED-IN CUT LINE. COUPLING BY FERNCO OR EQUAL AND PROVIDED BY CONTRACTOR.
F. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.

STORMFILTER MANHOLE
N.T.S.



STORMWATER CONTROL MEASURE 'A' PLAN VIEW

1" = 20'

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 47257 ENGINEER CATHERINE E. GARCIA
NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

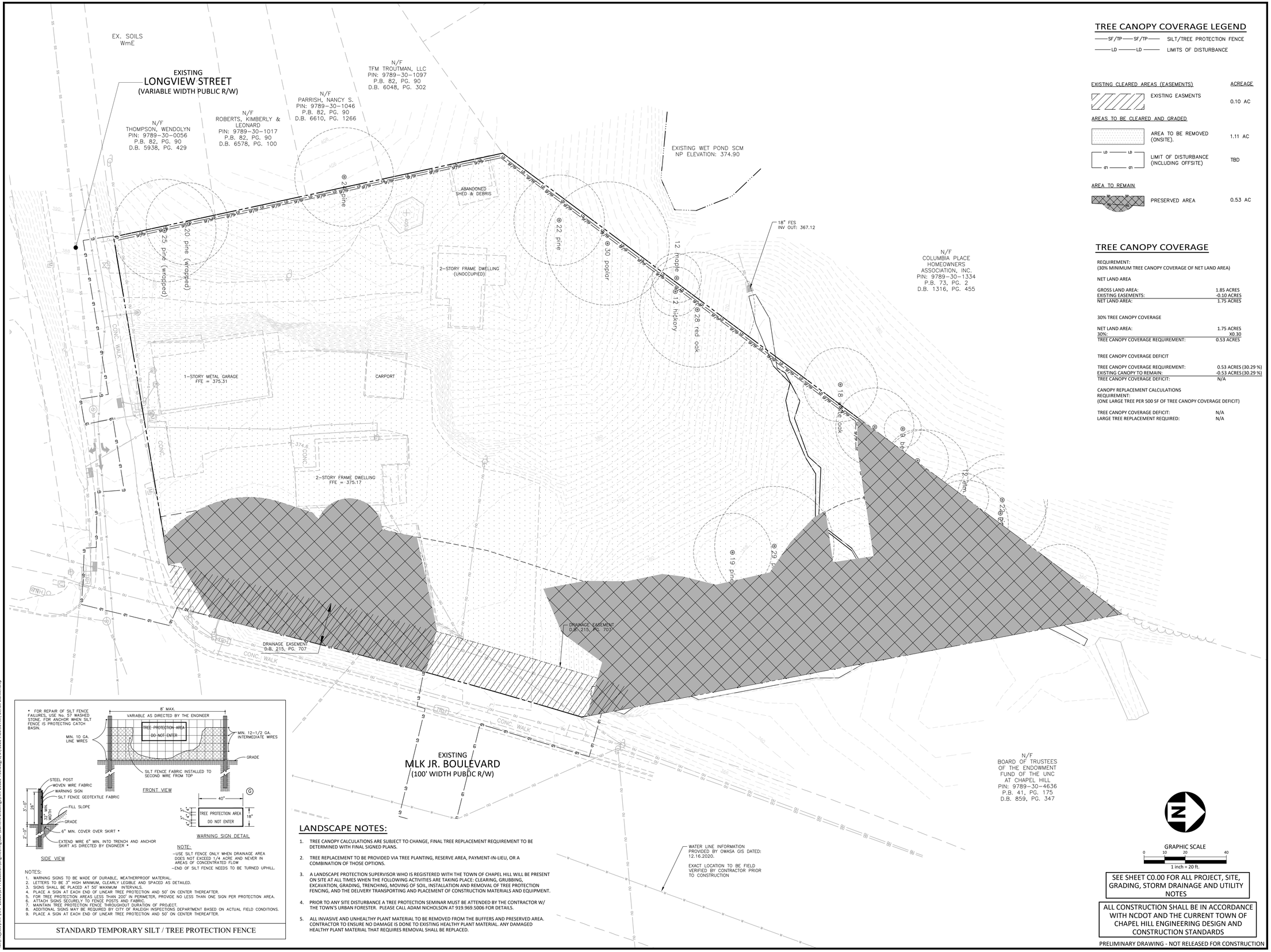
PROJECT NO.	AHP-20020
FILENAME	AHP20020-SW
CHECKED BY	KEG
DRAWN BY	KEG
SCALE	1"=20'
DATE	03.18.2022

SHEET

STORMWATER CONTROL MEASURE 'A' PLAN VIEW

C9.00

M:\Projects\AHP\AHP-20020\04-Production\Water Resources\CZP\Current Drawing\AHP20020-SW - NEW.dwg, 6/17/2022 10:28:41 AM, Derick Blankenship



TREE CANOPY COVERAGE LEGEND

SF/TP — SF/TP — SILT/TREE PROTECTION FENCE

LD — LD — LIMITS OF DISTURBANCE

EXISTING CLEARED AREAS (EASEMENTS)		ACREAGE
	EXISTING EASMENTS	0.10 AC
AREAS TO BE CLEARED AND GRADED		
	AREA TO BE REMOVED (ONSITE).	1.11 AC
LD — LD / d1 — d1	LIMIT OF DISTURBANCE (INCLUDING OFFSITE)	TBD
AREA TO REMAIN		
TP / SF	PRESERVED AREA	0.53 AC

TREE CANOPY COVERAGE

REQUIREMENT:
(30% MINIMUM TREE CANOPY COVERAGE OF NET LAND AREA)

NET LAND AREA

GROSS LAND AREA:	1.85 ACRES
EXISTING EASEMENTS:	-0.10 ACRES
NET LAND AREA:	1.75 ACRES

30% TREE CANOPY COVERAGE

NET LAND AREA:	1.75 ACRES
30%:	X0.30
TREE CANOPY COVERAGE REQUIREMENT:	0.53 ACRES

TREE CANOPY COVERAGE DEFICIT

TREE CANOPY COVERAGE REQUIREMENT:	0.53 ACRES (30.29 %)
EXISTING CANOPY TO REMAIN:	-0.53 ACRES (30.29 %)
TREE CANOPY COVERAGE DEFICIT:	N/A

CANOPY REPLACEMENT CALCULATIONS
REQUIREMENT:
(ONE LARGE TREE PER 500 SF OF TREE CANOPY COVERAGE DEFICIT)

TREE CANOPY COVERAGE DEFICIT:	N/A
LARGE TREE REPLACEMENT REQUIRED:	N/A

NOTES:
1. WARNING SIGNS TO BE MADE OF DURABLE, WEATHERPROOF MATERIAL.
2. LETTERS TO BE 3" HIGH MINIMUM, CLEARLY LEGIBLE AND SPACED AS DETAILED.
3. SIGNS SHALL BE PLACED AT 50' MAXIMUM INTERVALS.
4. PLACE A SIGN AT EACH END OF LINEAR TREE PROTECTION AND 50' ON CENTER THEREAFTER.
5. FOR TREE PROTECTION AREAS LESS THAN 200' IN PERIMETER, PROVIDE NO LESS THAN ONE SIGN PER PROTECTION AREA.
6. ATTACH SIGNS SECURELY TO FENCE POSTS AND FABRIC.
7. MAINTAIN TREE PROTECTION FENCE THROUGHOUT DURATION OF PROJECT.
8. ADDITIONAL SIGNS MAY BE REQUIRED BY CITY OF RALEIGH INSPECTIONS DEPARTMENT BASED ON ACTUAL FIELD CONDITIONS.
9. PLACE A SIGN AT EACH END OF LINEAR TREE PROTECTION AND 50' ON CENTER THEREAFTER.

STANDARD TEMPORARY SILT / TREE PROTECTION FENCE

LANDSCAPE NOTES:

1. TREE CANOPY CALCULATIONS ARE SUBJECT TO CHANGE, FINAL TREE REPLACEMENT REQUIREMENT TO BE DETERMINED WITH FINAL SIGNED PLANS.
2. TREE REPLACEMENT TO BE PROVIDED VIA TREE PLANTING, RESERVE AREA, PAYMENT-IN-LIEU, OR A COMBINATION OF THOSE OPTIONS.
3. A LANDSCAPE PROTECTION SUPERVISOR WHO IS REGISTERED WITH THE TOWN OF CHAPEL HILL WILL BE PRESENT ON SITE AT ALL TIMES WHEN THE FOLLOWING ACTIVITIES ARE TAKING PLACE: CLEARING, GRUBBING, EXCAVATION, GRADING, TRENCHING, MOVING OF SOIL, INSTALLATION AND REMOVAL OF TREE PROTECTION FENCING, AND THE DELIVERY TRANSPORTING AND PLACEMENT OF CONSTRUCTION MATERIALS AND EQUIPMENT.
4. PRIOR TO ANY SITE DISTURBANCE A TREE PROTECTION SEMINAR MUST BE ATTENDED BY THE CONTRACTOR W/ THE TOWN'S URBAN FORESTER. PLEASE CALL ADAM NICHOLSON AT 919.969.5006 FOR DETAILS.
5. ALL INVASIVE AND UNHEALTHY PLANT MATERIAL TO BE REMOVED FROM THE BUFFERS AND PRESERVED AREA. CONTRACTOR TO ENSURE NO DAMAGE IS DONE TO EXISTING HEALTHY PLANT MATERIAL. ANY DAMAGED HEALTHY PLANT MATERIAL THAT REQUIRES REMOVAL SHALL BE REPLACED.

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 2027 ANDREA RUNGE DOMONOSKE

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-TC1
CHECKED BY	AMR
DRAWN BY	ALM
SCALE	1" = 20'
DATE	03.18.2022

SHEET

LANDSCAPE PROTECTION & TREE COVERAGE PLAN

L1.00

X:\Projects\AHP\AHP-20020\04-Production\Engineering\CDP\Current Drawings\AHP20020-TC1.dwg, 8/17/2022 9:20:50 AM, Derick Blankenship

SITE LEGEND

- SIGNAGE
- YARD LIGHTS
- LIGHT POLE
- POWER POLE
- TRAFFIC DIRECTIONAL ARROW
- ACC / VAN — ACCESSIBLE PARKING STALL / VAN ACCESSIBLE PARKING STALL
- ACCESSIBLE RAMPS
- PHASE LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- TREE PRESERVATION AREA

GENERAL NOTES:

1. SEE SHEET L5.01 FOR LANDSCAPE DETAILS, NOTES, AND CALCULATIONS.
2. PLANTINGS WHERE EXISTING VEGETATION IS PRESENT SHALL BE INSTALLED IN A MANNER TO MINIMIZE DISTURBANCE TO EXISTING VEGETATION.
3. SEE NOTES ON SHEET C3.10 FOR TREATMENT OF INVASIVE SPECIES AND ALL PROPOSED WORK WITHIN THE TREE CONSERVATION AREAS AND STREAM BUFFERS.

PLANT SCHEDULE

CANOPY TREES	CODE	QTY	COMMON NAME	BOTANICAL NAME	CAL	HEIGHT	REMARKS
	ARS	14	Summer Red Red Maple	Acer rubrum 'Summer Red'	2.5" min		
	BDRV	9	Dura Heat River Birch	Betula nigra 'BNMTF' TM	2.5" min		
	IOC	11	American Holly	Ilex opaca	2.5" min		
	QLO	6	Overcup Oak	Quercus lyrata	2.5" min		
	QLP	12	Regal Prince Oak	Quercus robur x bicolor 'Long' TM	2.5" min		
UNDERSTORY TREES	**CODE**	**QTY**	**COMMON NAME**	**BOTANICAL NAME**	**CAL**	**HEIGHT**	**REMARKS**
	AGB	7	'Autumn Brilliance' Serviceberry	Amelanchier x grandiflora 'Autumn Brilliance'	1.5" min		
	CVW	33	White Fringetree	Chionanthus virginicus	1.5" min		
	MVS	43	Sweet Bay	Magnolia virginiana	–	8' min	
SHRUBS	**CODE**	**QTY**	**COMMON NAME**	**BOTANICAL NAME**	**HEIGHT**	**SPACING**	**REMARKS**
	CAAB	42	American Beautyberry	Callicarpa americana	24" min		
	GJKH	14	Kleim's Hardy Gardenia	Gardenia jasminoides 'Kleim's Hardy'	18" min		
	HQOH	31	Oakleaf Hydrangea	Hydrangea quercifolia	24" min		
	IGNN	56	Nigra Inkberry	Ilex glabra 'Nigra'	24" min		
	SJGS	18	Spirea	Spiraea japonica 'Goldmound'	24" min		

GRAPHIC SCALE
0 10 20 40
1 inch = 20 ft.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING
CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PROFESSIONAL LANDSCAPE ARCHITECT SEAL 2027 CARA RUNGE DOMONKOS NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-LS1
CHECKED BY	SRD
DRAWN BY	ALM
SCALE	1" = 20'
DATE	03.18.2022

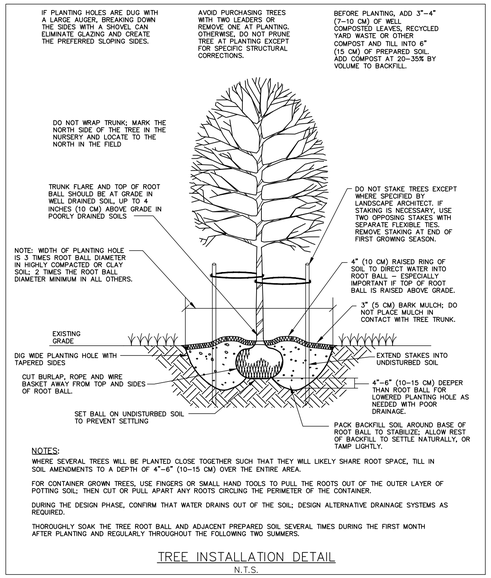
SHEET

LANDSCAPE PLAN
L5.00

X:\Projects\AHP\AHP-20020\04-Production\Engineering\CDP\Current Drawings\AHP20020-LS1.dwg, 8/17/2022 9:22:08 AM, Derick Blankenship

LANDSCAPE NOTES

1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL AND THE STATE OF NORTH CAROLINA STANDARDS AND SPECIFICATIONS.
2. CONTRACTOR IS RESPONSIBLE FOR THE SITE INSPECTION BEFORE LANDSCAPE CONSTRUCTION AND INSTALLATION IN ORDER TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS.
3. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES BEFORE BEGINNING DEMOLITION OR INSTALLATION.
4. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN THE NOTES, SPECIFICATIONS, DRAWINGS OR SITE CONDITIONS FOR RESOLUTION PRIOR TO INSTALLATION.
5. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
6. THIS PLAN IS FOR PLANTING PURPOSES ONLY. FOR INFORMATION REGARDING BUILDINGS, GRADING, WALLS, ETC., REFER TO ARCHITECTURE, SITE AND GRADING PLANS.
7. VERIFICATION OF TOTAL PLANT QUANTITIES AS SHOWN IN THE PLANT SCHEDULE SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
8. CONTRACTOR TO ENSURE PROPER STABILIZATION AND SEEDING OF THE SITE IN ACCORDANCE WITH APPLICABLE REGULATIONS.
9. LANDSCAPE MATERIAL SHALL BE WELL FORMED, VIGOROUS, GROWING SPECIMENS WITH GROWTH TYPICAL OF VARIETIES SPECIFIED AND SHALL BE FREE FROM DAMAGE, INSECTS AND DISEASES. MATERIAL SHALL EQUAL OR SURPASS #1 QUALITY AS DEFINED IN THE CURRENT ISSUE OF "AMERICAN STANDARD FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
10. ALL PLANT MATERIAL IS TO BE CAREFULLY HANDLED BY THE ROOT BALL, NOT THE TRUNK, BRANCHES AND/OR FOLIAGE OF THE PLANT. MISHANDLED PLANT MATERIAL MAY BE REJECTED BY THE LANDSCAPE ARCHITECT.
11. ALL PLANT MATERIAL IS TO BE WELL ROOTED, NOT ROOT BOUND, SUCH THAT THE ROOT BALL REMAINS INTACT THROUGHOUT THE PLANTING PROCESS. DEFICIENT PLANT MATERIAL MAY BE REJECTED BY THE LANDSCAPE ARCHITECT OR OWNER.
12. ALL PLANTS TO BE A MINIMUM OF WHAT IS SPECIFIED IN THE PLANT SCHEDULE. ANY CHANGES OR SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT AND GOVERNING JURISDICTION PRIOR TO ANY HOLE BEING DUG.
13. CONTRACTOR TO COORDINATE WITH OWNER'S REPRESENTATIVE AND LANDSCAPE ARCHITECT TO ESTABLISH THE EXTENTS OF MULCH/SEED/SOD IF NOT SPECIFICALLY SHOWN ON PLANS.
14. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE IN ALL PLANTING AREAS.
15. PROPOSED TREES TO BE PLANTED A MINIMUM 8 FEET FROM ANY LIGHT POLE AS MEASURED FROM TRUNK OF THE TREE TO THE POLE.
16. PROPOSED TREES TO BE PLANTED A MINIMUM 5 FEET FROM ANY FIRE HYDRANT AS MEASURED FROM TRUNK OF THE TREE TO THE HYDRANT.
17. CONTRACTOR SHALL COMPLETE SOIL TEST IN ALL PLANTING AREAS TO DETERMINE SOIL AMENDMENT REQUIREMENTS UNLESS WAIVED BY OWNER'S REPRESENTATIVE. CONTRACTOR SHALL ADJUST PH AND FERTILITY BASED UPON THE SOIL TEST RESULTS.
18. TOPSOIL SHALL BE FREE OF MATERIAL LARGER THAN 1.0 INCH IN DIAMETER OR LENGTH AND SHALL NOT CONTAIN SLAG, CINDERS, STONES, LUMPS OF SOIL, STICKS, ROOTS, TRASH, OR OTHER EXTRANEOUS MATERIAL.
19. LOOSEN SUBGRADE / SURFACE SOIL TO A MINIMUM DEPTH OF 6 INCHES. APPLY SOIL AMENDMENTS AND FERTILIZERS AS REQUIRED BY THE SOIL TEST RESULTS TO ACHIEVE A HEALTHY GROWING MEDIA AND MIX THOROUGHLY INTO TOP 4 INCHES OF SOIL. SPREAD PLANTING SOIL MIX TO A DEPTH OF 6 INCHES BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER NATURAL SETTLEMENT. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
20. IF IMPORTED TOPSOIL IS REQUIRED, THE SUBGRADE SHALL BE SCARIFIED OR TILLED TO A DEPTH OF AT LEAST 6 INCHES PRIOR TO INSTALLATION OF IMPORTED TOPSOIL. FOLLOWING INSTALLATION OF IMPORTED TOPSOIL, THE TOPSOIL SHALL BE TILLED TO INTEGRATE THE SOIL PROFILES.
21. PLANT MATERIALS ARE TO BE GUARANTEED FOR A PERIOD OF 12 MONTHS. PLANT MATERIALS WHICH REMAIN UNHEALTHY WILL BE REPLACED BY THE LANDSCAPE CONTRACTOR BEFORE THE EXPIRATION OF THE GUARANTEE PERIOD OR IMMEDIATELY IF SO DIRECTED BY THE OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT.
22. ALL TREE PLANTINGS SHALL BE MULCHED TO A DEPTH OF 3 INCHES, AND WITH A MINIMUM 3 FOOT RADIUS FROM BASE OF TREE OR TO DRIPLINE. MULCH SHALL BE FREE OF TRASH AND MAINTAINED WEED FREE. MULCH SHALL NOT COVER THE ROOT FLARE. CONFIRM MULCH SPECIFICATIONS WITH OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT.
23. DO NOT PRUNE TREES AND SHRUBS BEFORE DELIVERY. PROTECT BARK, BRANCHES, AND ROOT SYSTEMS FROM SUN SCALD, DRYING, SWEATING, WHIPPING, AND OTHER HANDLING AND TYING DAMAGE. DO NOT BEND OR BIND-TIE TREES OR SHRUBS IN SUCH A MANNER AS TO DESTROY THEIR NATURAL SHAPE. PROVIDE PROTECTIVE COVERING OF EXTERIOR PLANTS DURING DELIVERY. DO NOT DROP EXTERIOR PLANTS DURING DELIVERY AND HANDLING.
24. DELIVER EXTERIOR PLANTS AFTER PREPARATIONS FOR PLANTING HAVE BEEN COMPLETED AND INSTALL IMMEDIATELY. IMMEDIATELY AFTER UNLOADING, STAND THE TREES UP TO REDUCE THE RISK OF SUN SCALD. PROPERLY STAGED TREES ARE STANDING, UNTIED AND SPACED. UNLESS IMMEDIATELY INSTALLED, SET EXTERIOR PLANTS AND TREES IN SHADE, PROTECT FROM WEATHER AND MECHANICAL DAMAGE, AND KEEP ROOTS MOIST.
25. SEE LANDSCAPE DETAILS FOR TREE STAKING REQUIREMENTS.
26. EXCAVATE EDGES OF ALL PLANTING BEDS TO 2 INCH DEPTH TO FORM A NEAT AND CRISP DEFINITION.
27. CONTRACTOR SHALL REMOVE DEBRIS AND FINE GRADE ALL PLANTING AREAS PRIOR TO INSTALLATION.
28. REMOVE GUY WIRES AND STAKES AT END OF WARRANTY PERIOD OR ESTABLISHMENT.
29. FINISH GRADING: GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORMLY FINE TEXTURE. GRADE TO WITHIN PLUS OR MINUS 1/2 INCH OF FINISH ELEVATION. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES. LIMIT FINISHED GRADING TO AREAS THAT CAN BE PLANTED IN THE IMMEDIATE FUTURE.
30. ALL TREES TO BE LIMBED TO A HEIGHT OF 8' FROM FINISH GRADE WITHIN SIGHT DISTANCE TRIANGLES.



NOTES:

WHERE SEVERAL TREES WILL BE PLANTED CLOSE TOGETHER SUCH THAT THEY WILL LIKELY SHARE ROOT SPACE, TILL IN SOIL AMENDMENTS TO A DEPTH OF 4"-6" (10-15 CM) OVER THE ENTIRE AREA.

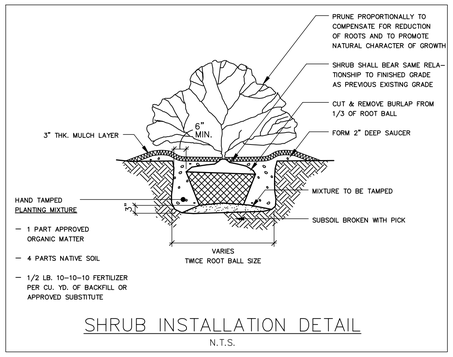
FOR CONTAINER GROWN TREES, USE FINGERS OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY ROOTS CIRCLING THE PERIMETER OF THE CONTAINER.

DURING THE DESIGN PHASE, CONFIRM THAT WATER DRAINS OUT OF THE SOIL; DESIGN ALTERNATIVE DRAINAGE SYSTEMS AS REQUIRED.

THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.

TREE INSTALLATION DETAIL

N.T.S.



SHRUB INSTALLATION DETAIL

N.T.S.

LANDSCAPE CALCULATIONS

BUFFER CALCULATIONS

MLK BOULEVARD, 20' TYPE 'B' BUFFER
REQUIREMENT:
(6 LARGE TREES, 8 SMALL TREES, 15 SHRUBS / 100 LF)

SITE FRONTAGE:	204'
TOTAL LINEAR FOOTAGE:	204'
LARGE TREES REQUIRED:	13
LARGE TREES PROVIDED:	13
SMALL TREES REQUIRED:	17
SMALL TREES PROVIDED:	17
SHRUBS REQUIRED:	31
SHRUBS PROVIDED:	39

LONGVIEW STREET, 15' TYPE 'B' BUFFER
REQUIREMENT:
(6 LARGE TREES, 8 SMALL TREES, 15 SHRUBS / 100 LF)

SITE FRONTAGE:	182'
RIGHT-OF-WAY/ACCESS:	-32'
TOTAL LINEAR FOOTAGE:	150'
LARGE TREES REQUIRED:	9
LARGE TREES PROVIDED:	9
SMALL TREES REQUIRED:	12
SMALL TREES PROVIDED:	12
SHRUBS REQUIRED:	23
SHRUBS PROVIDED:	23

SOUTHWEST PROPERTY BOUNDARY, 10' TYPE 'B' BUFFER
REQUIREMENT:
(4 LARGE TREES, 7 SMALL TREES, 12 SHRUBS / 100 LF)

TOTAL LINEAR FOOTAGE:	193'
LARGE TREES REQUIRED:	8
LARGE TREES PROVIDED:	8
SMALL TREES REQUIRED:	14
SMALL TREES PROVIDED:	14
SHRUBS REQUIRED:	24
SHRUBS PROVIDED:	25

NORTHWEST PROPERTY BOUNDARY, 10' TYPE 'B' BUFFER
REQUIREMENT:
(4 LARGE TREES, 7 SMALL TREES, 12 SHRUBS / 100 LF)

TOTAL LINEAR FOOTAGE:	345'
LARGE TREES REQUIRED:	14
LARGE TREES PROVIDED:	14
SMALL TREES REQUIRED:	25
SMALL TREES PROVIDED:	25
SHRUBS REQUIRED:	42
SHRUBS PROVIDED:	45

NORTHEAST PROPERTY BOUNDARY, 10' TYPE 'B' BUFFER
REQUIREMENT:
(4 LARGE TREES, 7 SMALL TREES, 12 SHRUBS / 100 LF)

TOTAL LINEAR FOOTAGE:	220'
LARGE TREES REQUIRED:	9
LARGE TREES PROVIDED:	9
SMALL TREES REQUIRED:	16
SMALL TREES PROVIDED:	16
SHRUBS REQUIRED:	27
SHRUBS PROVIDED:	29

CANOPY REPLACEMENT CALCULATIONS
REQUIREMENT:
(ONE LARGE TREE PER 500 SF OF TREE CANOPY COVERAGE DEFICIT)

TREE CANOPY COVERAGE DEFICIT:	-
LARGE TREES REQUIRED:	0
LARGE TREES PROVIDED:	0

LANDSCAPE CALCULATION NOTES:

1. SEE SHEET L1.00 LANDSCAPE PROTECTION & TREE COVERAGE PLAN FOR SITE TREE CANOPY COVERAGE CALCULATIONS.
2. TREE CANOPY CALCULATIONS ARE SUBJECT TO CHANGE, FINAL TREE REPLACEMENT REQUIREMENT TO BE DETERMINED WITH FINAL SIGNED PLANS.
3. TREE REPLACEMENT TO BE PROVIDED VIA TREE PLANTING, RESERVE AREA, PAYMENT-IN-LIEU, OR A COMBINATION OF THOSE OPTIONS.
4. EXISTING VEGETATION WITHIN BUFFERS SHALL BE RETAINED AND MAINTAINED WHENEVER POSSIBLE SO AS TO PERMIT SUCH VEGETATION TO BUFFER AND SCREENING REQUIREMENTS. EXISTING VEGETATION MUST BE APPROVED BY THE TOWN OF CHAPEL HILL.
5. ALL INVASIVE AND UNHEALTHY PLANT MATERIAL TO BE REMOVED FROM THE BUFFERS AND PRESERVED AREA. CONTRACTOR TO ENSURE NO DAMAGE IS DONE TO EXISTING HEALTHY PLANT MATERIAL. ANY DAMAGED HEALTHY PLANT MATERIAL THAT REQUIRES REMOVAL SHALL BE REPLACED.

SEE SHEET C0.00 FOR ALL PROJECT, SITE, GRADING, STORM DRAINAGE AND UTILITY NOTES

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT AND THE CURRENT TOWN OF CHAPEL HILL ENGINEERING DESIGN AND CONSTRUCTION STANDARDS

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

McADAMS
The John R. McAdams Company, Inc.
2905 Meridian Parkway
Durham, NC 27713

phone 919. 361. 5000
fax 919. 361. 2269
license number: C-0293, C-187

www.mcadamsco.com

CLIENT

YORK ACQUISITIONS, LLC
8008 CORPORATE CENTER DRIVE, SUITE 201
CHARLOTTE, NORTH CAROLINA 28226
PHONE: 561.257.0833

ASPEN CHAPEL HILL STUDENT HOUSING

CONDITIONAL ZONING PERMIT
201 EAST LONGVIEW STREET
CHAPEL HILL, NORTH CAROLINA

NORTH CAROLINA PRELIMINARY NOT FOR CONSTRUCTION 2021 CHERA RUNGE DONOHOE

REVISIONS

NO.	DATE	
1	11.23.2021	RESPONSE TO ToCH COMMENTS
2	04. 12. 2022	RESPONSE TO TOCH COMMENTS
3	06. 29. 2022	RESPONSE TO TOCH COMMENTS

PLAN INFORMATION

PROJECT NO.	AHP-20020
FILENAME	AHP20020-LS1
CHECKED BY	SRD
DRAWN BY	ALM
SCALE	1" = 20'
DATE	03.18.2022

SHEET

LANDSCAPE NOTES AND DETAILS

L5.01

M:\Projects\AHP\AHP-20020\04-Production\Engineering\CDP\Current Drawings\AHP20020-LS1.dwg, 8/17/2022 9:22:09 AM, Derick Blankenship

ASPEN HEIGHTS: MLK JR BLVD: OPTION 2

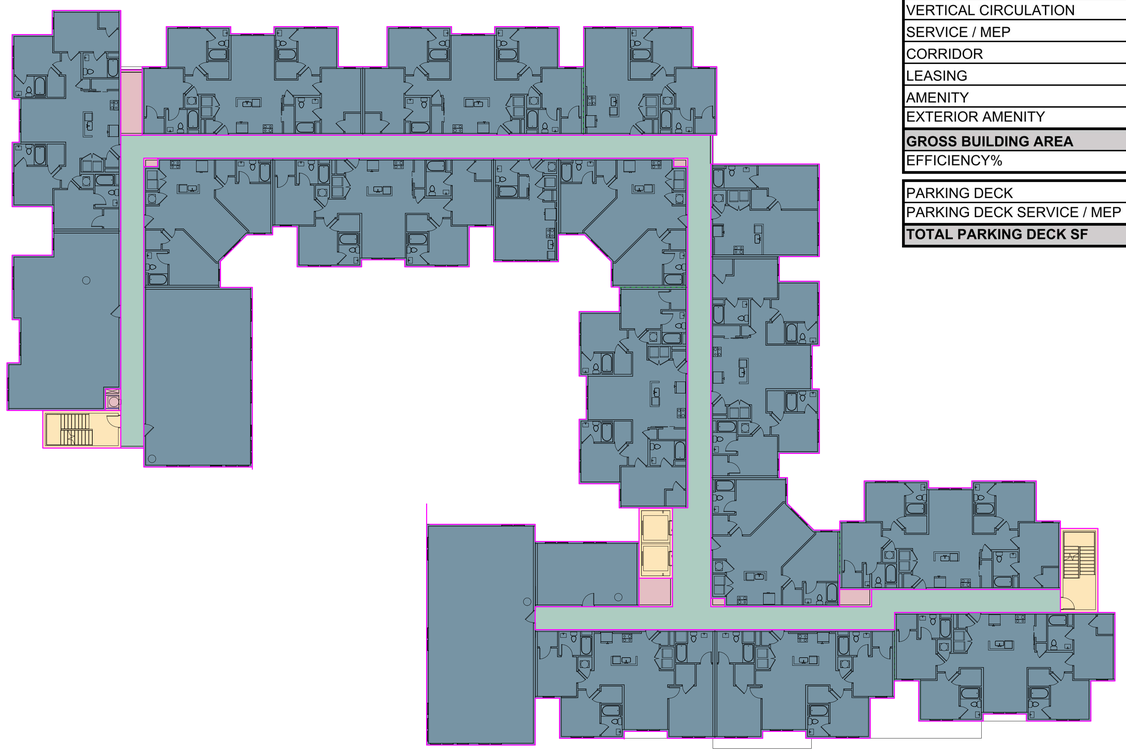
DATE: 8/24/2021

UNIT MIX					BUILDING 1000							TOTAL		TOTAL		8/24/2021	
UNIT TYPE	DESCRIPTION	AREA			B1	1	2	3	4	5	6	TOTAL UNITS	TOTAL BEDS	TOTAL AREA		%	
		HEATED*	BALCONY	GROSS**										HEATED*	GROSS*	UNITS	BEDS
STUDIO UNITS																	
S1	STUDIO	457 SF	0 SF	457 SF			1	1	1	1	1	5	5	2,284 SF	2,284 SF	4.46%	1.67%
S2	STUDIO	458 SF	0 SF	458 SF				1	1	1	1	4	4	1,832 SF	1,832 SF	3.57%	1.34%
S3	STUDIO	538 SF	SF	538 SF	2	2						4	4	2,152 SF	2,152 SF	3.57%	1.34%
S4	STUDIO	589 SF	0 SF	589 SF	1	1						2	2	1,179 SF	1,179 SF	1.79%	0.67%
	TOTALS											**15**	**15**	**7,447**	**7,447**	**13.39%**	**5.02%**
1 BEDROOM UNITS																	
A1	1 BEDROOM / 1 BATH	685 SF	0 SF	685 SF			1	1	1	1	1	5	5	3,424 SF	3,424 SF	4.46%	1.67%
A2	1 BEDROOM / 1 BATH	679 SF	0 SF	679 SF							1	1	1	679 SF	679 SF	0.89%	0.33%
A3	1 BEDROOM / 1 BATH	721 SF	0 SF	721 SF	2	2						4	4	2,885 SF	2,885 SF	3.57%	1.34%
	TOTALS											**10**	**10**	**6,988**	**6,988**	**8.93%**	**3.34%**
2 BEDROOM UNITS																	
B1	2 BEDROOM / 2 BATH	920 SF	0 SF	920 SF	2	2	1	1	1	1		8	16	7,361 SF	7,361 SF	7.14%	5.35%
B2	2 BEDROOM / 2 BATH	961 SF	0 SF	961 SF			3	3	3	3	3	15	30	14,416 SF	14,416 SF	13.39%	10.03%
B3	2 BEDROOM / 2 BATH	849 SF	0 SF	849 SF							3	3	6	2,546 SF	2,546 SF	2.68%	2.01%
B4	2 BEDROOM / 2 BATH	1,021 SF	0 SF	1,021 SF			1					1	2	1,021 SF	1,021 SF	0.89%	0.67%
B5	2 BEDROOM / 2 BATH	878 SF	0 SF	878 SF							1	1	2	878 SF	878 SF	0.89%	0.67%
	TOTALS											**28**	**56**	**26,221**	**26,221**	**25.00%**	**18.73%**
3 BEDROOM UNITS																	
C1	3 BEDROOM / 3 BATH	1,239 SF	0 SF	1,239 SF			2	2	2	2	2	10	30	12,386 SF	12,386 SF	8.93%	10.03%
C1A	3 BEDROOM / 3 BATH	1,227 SF	0 SF	1,227 SF			1	1	1	1		4	12	4,907 SF	4,907 SF	3.57%	4.01%
C2	3 BEDROOM / 3 BATH	1,327 SF	0 SF	1,327 SF				1	1	1	1	4	12	5,308 SF	5,308 SF	3.57%	4.01%
	TOTALS											**18**	**54**	**22,601**	**22,601**	**16.07%**	**18.06%**
4 BEDROOM UNITS																	
D1	4 BEDROOM / 4 BATH	1,477 SF	0 SF	1,477 SF			8	8	8	8	5	37	148	54,647 SF	54,647 SF	33.04%	49.50%
D2	4 BEDROOM / 4 BATH	1,632 SF	0 SF	1,632 SF				1	1	1	1	4	16	6,526 SF	6,526 SF	3.57%	5.35%
	TOTALS											**41**	**164**	**61,173**	**61,173**	**36.61%**	**54.85%**
TOTAL UNITS					**7**	**7**	**18**	**20**	**20**	**20**	**20**	**112**	**299**	**124,429 SF**	**124,429 SF**	**100.00%**	**100.00%**
												UNIT AVERAGE		**1,111 SF**			
BEDS					**9**	**9**	**53**	**59**	**59**	**59**	**51**	**BED AVERAGE**		**416 SF**			

* HEATED AREA IS CALCULATED FROM EXTERIOR FACE OF STUD

** GROSS AREA INCLUDES HEATED AREA PLUS BALCONY (BALCONY IS CALCULATED FROM EXTERIOR FACE OF WALL TO EXTERIOR FACE OF BALCONY STRUCTURE)

	LEVEL B1	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6	BUILDING TOTALS
RESIDENTIAL - NET RENTABLE	3,959	3,959	21,504	23,905	23,905	23,905	21,429	122,567
VERTICAL CIRCULATION	565	752	755	559	559	559	559	4,306
SERVICE / MEP	767	748	377	385	385	385	385	3,430
CORRIDOR	1,493	1,224	3,162	2,961	2,961	2,961	2,961	17,722
LEASING	1,706							1,706
AMENITY		1,940	2,197					4,137
EXTERIOR AMENITY			5,831					5,831
GROSS BUILDING AREA	**8,490**	**8,623**	**33,826**	**27,809**	**27,809**	**27,809**	**25,333**	**159,699**
EFFICIENCY%	47%	46%	64%	86%	86%	86%	85%	77%
PARKING DECK		28,387						28,387
PARKING DECK SERVICE / MEP								-
TOTAL PARKING DECK SF	**-**	**28,387**	**-**	**-**	**-**	**-**	**-**	**28,387**



1 TYPICAL RESIDENTIAL LEVEL AREA DIAGRAM

1/16" = 1'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS AUTHORIZED BY CONTRACT. THEY ARE NOT TO BE USED FOR THIS PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION FROM DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 30 x 42 INCHES.

SHEET NAME:
UNIT MATRIX

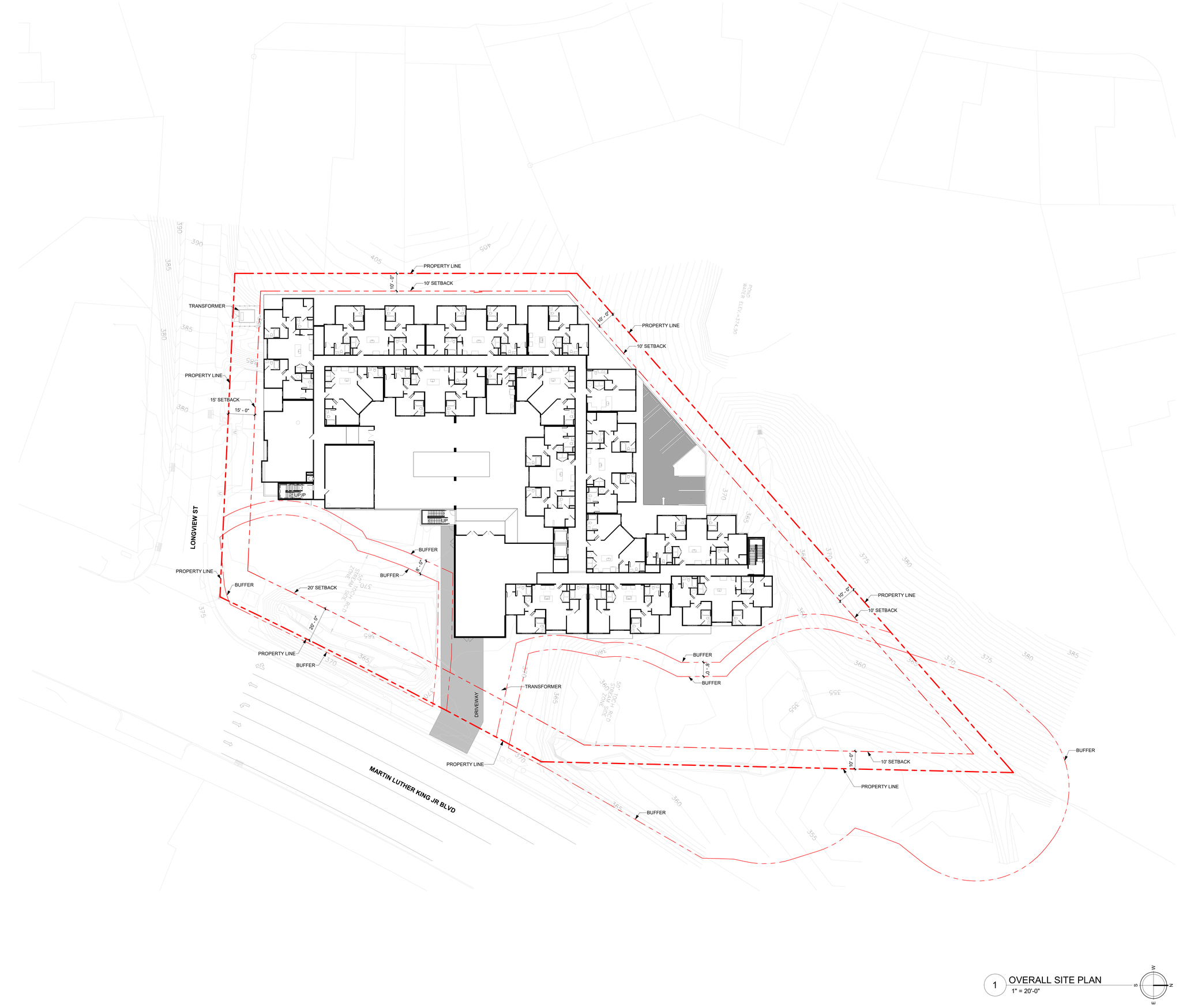
JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

SP-00

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:50:15 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickellC7QT7.rvt



1 OVERALL SITE PLAN
1" = 20'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE | DESCRIPTION | INCLUDED

REVISION
DATE | DESCRIPTION | REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART. THEY ARE PREPARED AND REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND ARE NOT TO BE LOANED, COPIED OR DISCLOSED AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION FROM DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 30 x 42 INCHES.

SHEET NAME:
ARCHITECTURAL SITE PLAN

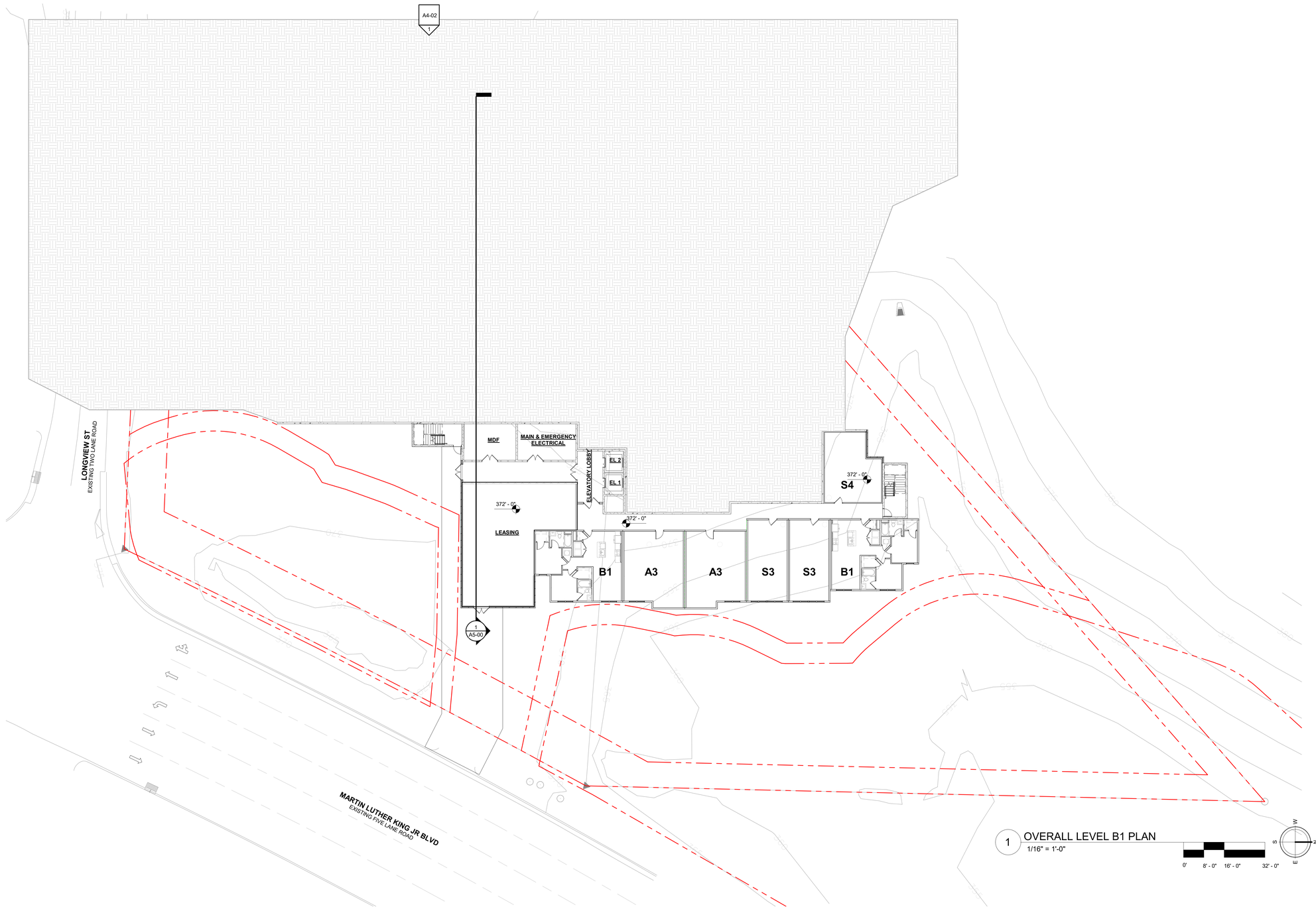
JOB NUMBER: 2127005

DRAWN BY	CHECKED BY
Author	Checker

SP-01

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:50:18 PM C:\Users\mmickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_CPT 2a_R20_mmickellCTQT7.rvt



1 OVERALL LEVEL B1 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

W S N E

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS AUTHORIZED IN WRITING BY DWELL DESIGN STUDIO. THEY ARE USED FOR THIS PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION BY DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL B1 PLAN

JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A0-00

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:01 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickellC7QT7.rvt

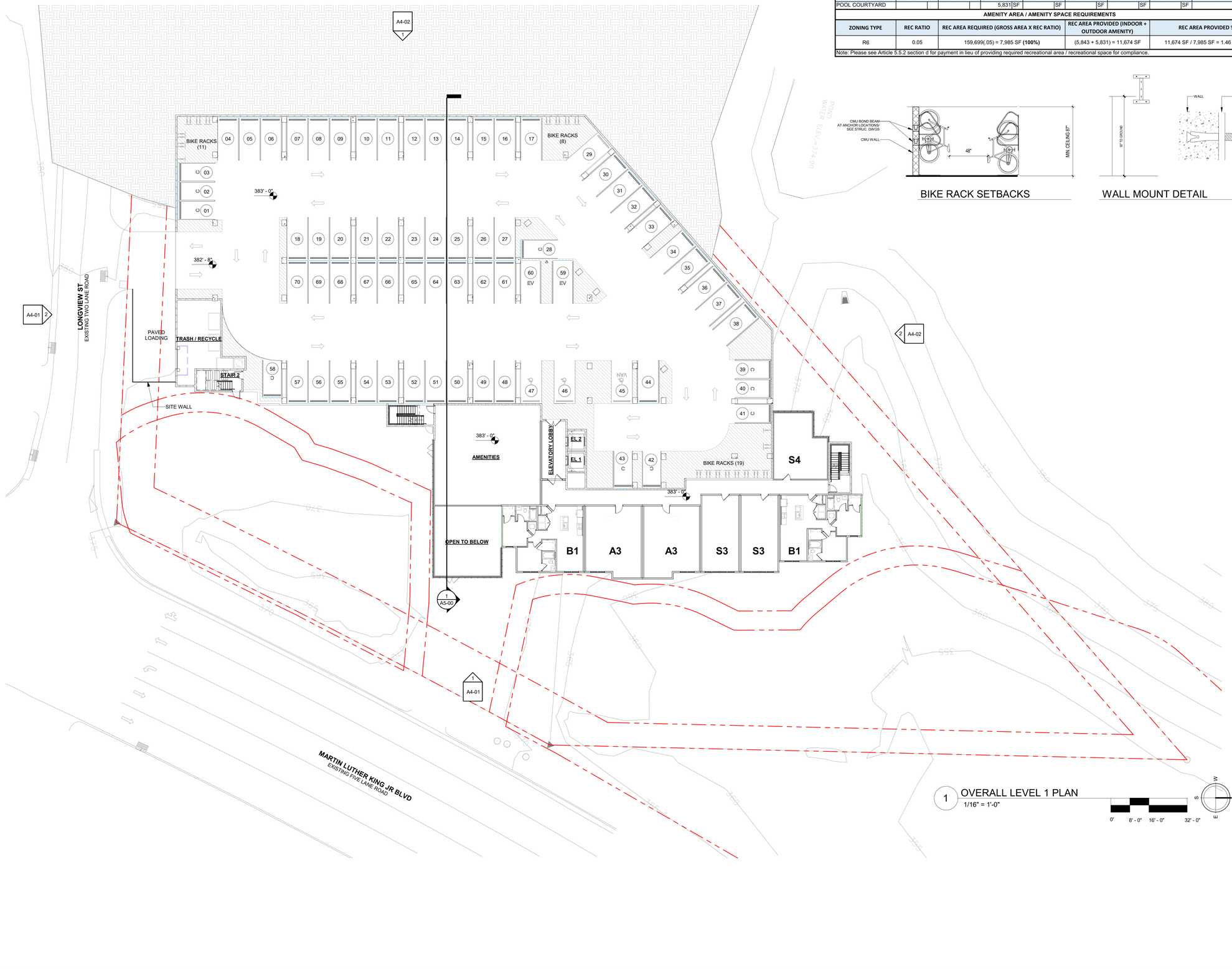
VEHICULAR PARKING COUNT LEGEND										BICYCLE PARKING COUNTS		
PARKING DECK LEVEL	STANDARD (PROVIDED)	COMPACT (PROVIDED)	STANDARD EV (PROVIDED)	FUTURE EV	ACCESSIBLE SPACES				TOTAL SPACES PROVIDED	BICYCLES REQ. (PER ZONING ARTICLE 5.9)	BICYCLES REQ. (PER NGBS)	BICYCLES PROVIDED
					TOTAL (PROVIDED)	EV-VAN	VAN	STANDARD				
LEVEL 1	55	10 (14%)	2 (2.9%)	TBD	3	TBD	1	2	70	1 PER (4) UNITS = 28	1 PER (3) UNITS = 38	60

INTERIOR AMENITY AREA								
TYPE	LEVEL B1	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6	BUILDING TOTALS
LEASING	1,706 SF							1,706 SF
AMENITY (TBD)		1,940 SF	2,197 SF					4,137 SF
TOTALS	1,706 SF	1940 SF	2197 SF	0 SF	0 SF	0 SF	0 SF	5,843 SF

EXTERIOR AMENITY AREA								
TYPE	LEVEL B1	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6	BUILDING TOTALS
POOL COURTYARD			5,831 SF	SF	SF	SF	SF	5,831 SF

AMENITY AREA / AMENITY SPACE REQUIREMENTS				
ZONING TYPE	REC RATIO	REC AREA REQUIRED (GROSS AREA X REC RATIO)	REC AREA PROVIDED (INDOOR + OUTDOOR AMENITY)	REC AREA PROVIDED %
R6	0.05	159,699(.05) = 7,985 SF **(100%)**	(5,843 + 5,831) = 11,674 SF	11,674 SF / 7,985 SF = 1.46 **(146%)**

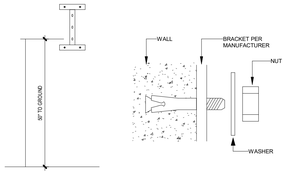
Note: Please see Article 5.5.2 section d for payment in lieu of providing required recreational area / recreational space for compliance.



1 OVERALL LEVEL 1 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

BIKE RACK SETBACKS



WALL MOUNT DETAIL

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS AUTHORIZED IN WRITING BY DWELL DESIGN STUDIO, AND USED FOR THIS PROJECT AND SITE SPECIFICALLY ADVERTISED HEREIN, AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION BY DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF 11INCH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 1 PLAN

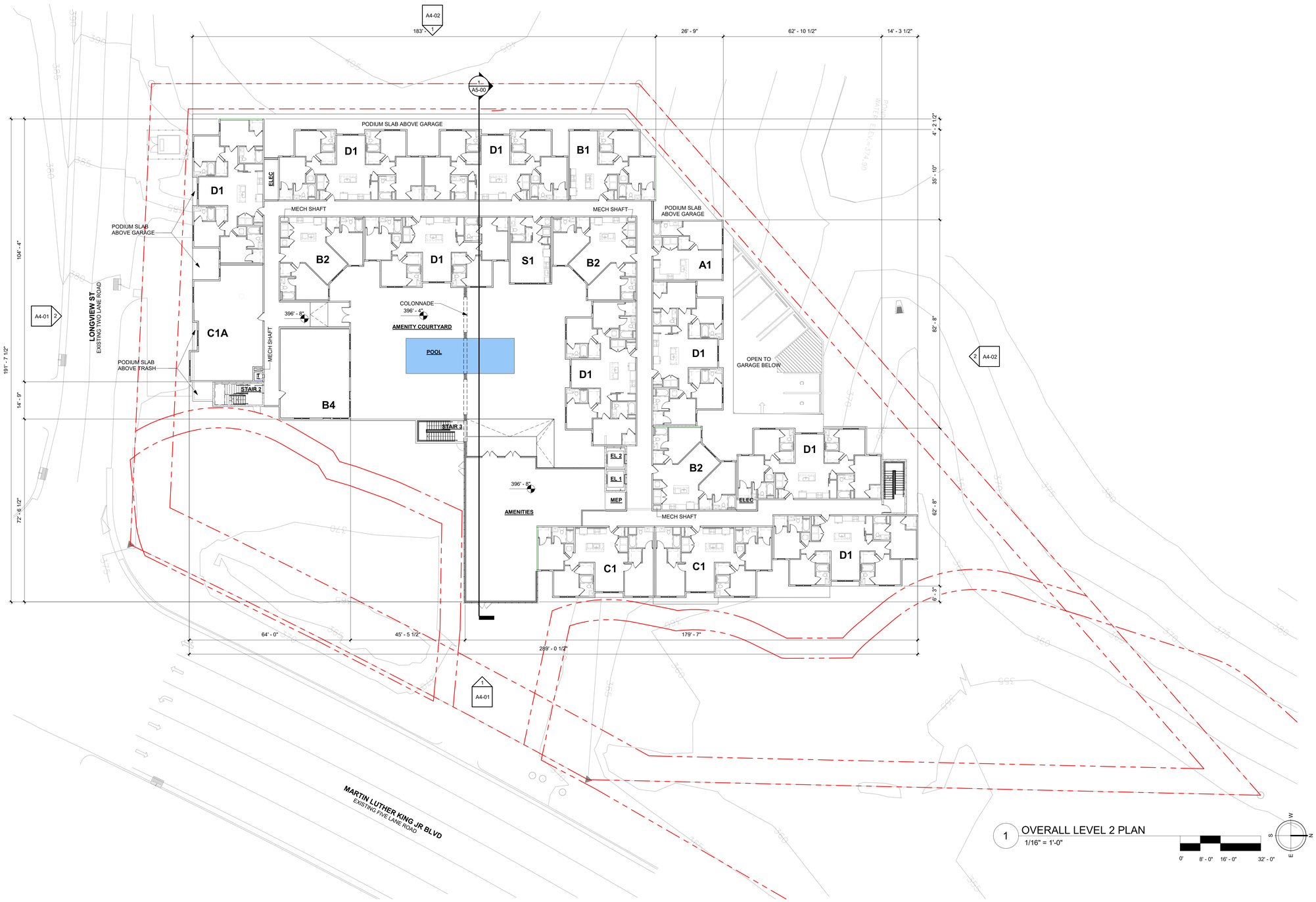
JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A0-01

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 4:20:41 PM C:\Users\mrickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mrickellC7QT7.rvt



1 OVERALL LEVEL 2 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

W S N E

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS AUTHORIZED IN WRITING BY DWELL DESIGN STUDIO. THEY ARE USED FOR THIS PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION BY DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 2 PLAN

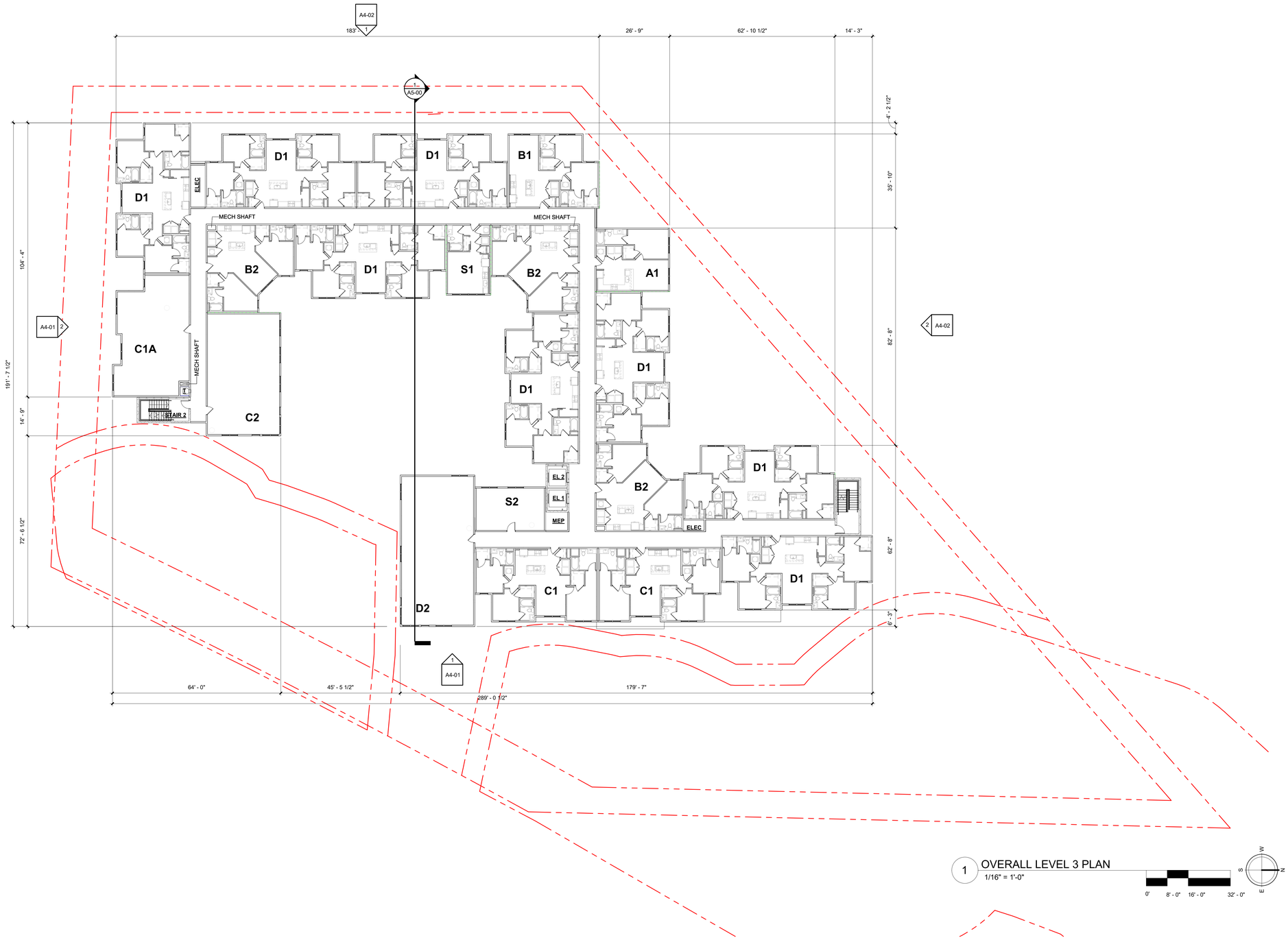
JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A0-02

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:07 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell7QT7.rvt



1 OVERALL LEVEL 3 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

W S N E

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS INDICATED ON DRAWINGS ARE FOR 30x42 ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 30 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 3 PLAN

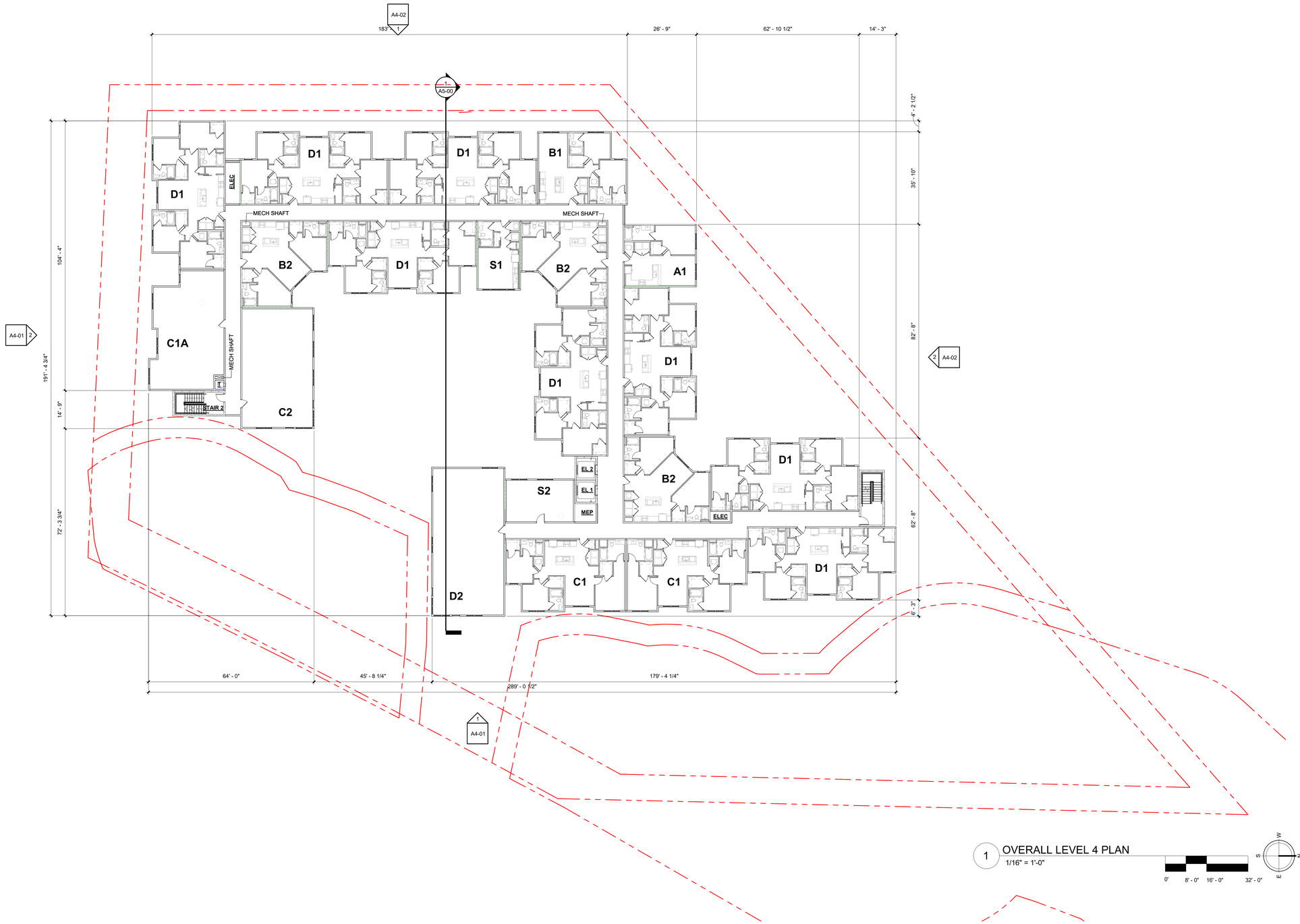
JOB NUMBER: 2127005

DRAWN BY Author
CHECKED BY Checker

A0-03

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:10 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell7QT7.rvt



1 OVERALL LEVEL 4 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

W S N E

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS INDICATED ON DRAWINGS ARE FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 4 PLAN

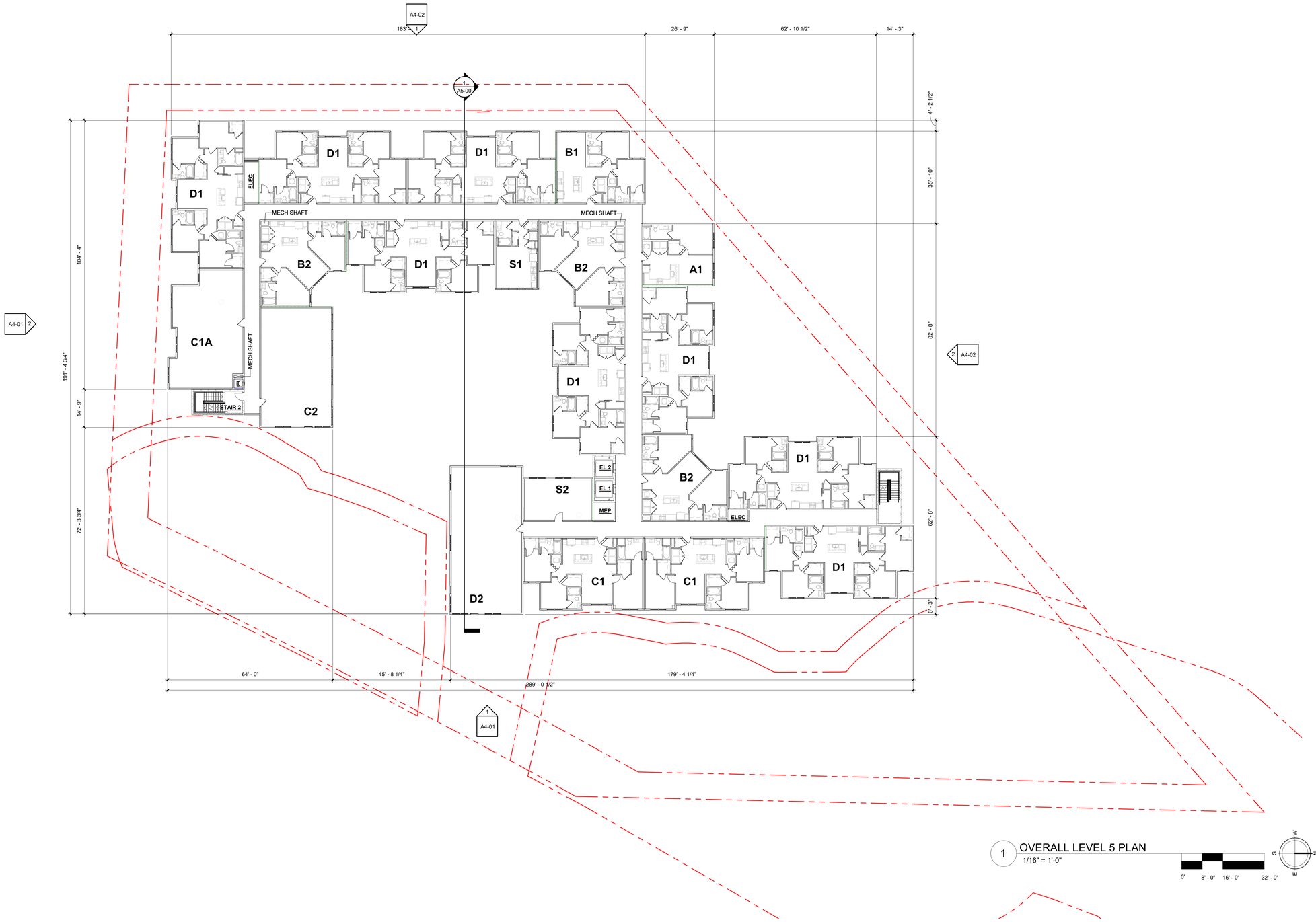
JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A0-04

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:12 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell7QT7.rvt



1 OVERALL LEVEL 5 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS INDICATED ON DRAWINGS ARE FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 5 PLAN

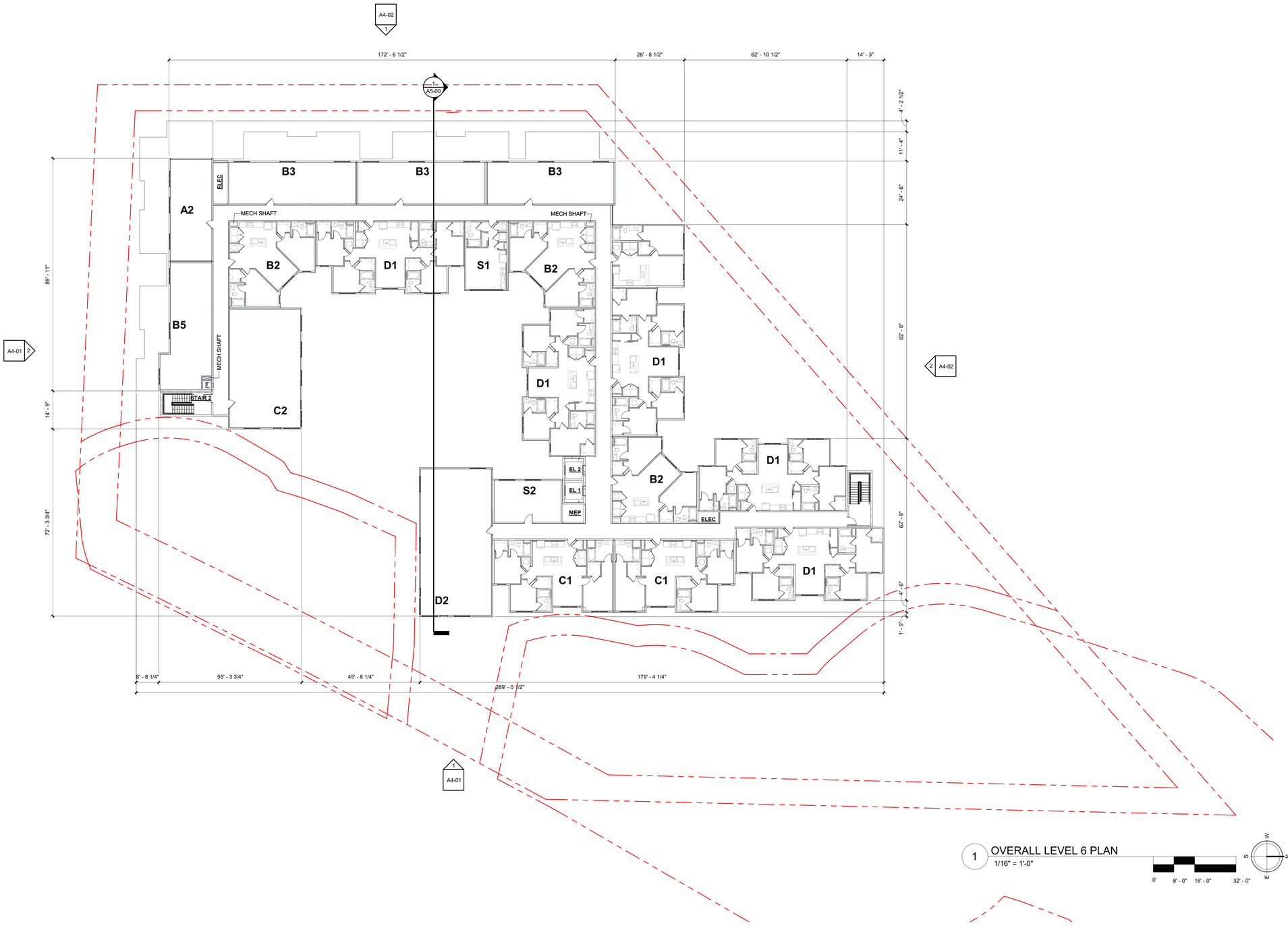
JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A0-05

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:15 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell7QT7.rvt



1 OVERALL LEVEL 6 PLAN
1/16" = 1'-0"

0' 8' - 0" 16' - 0" 32' - 0"

W S N E

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR USE BY THE OWNER AND OTHERS AUTHORIZED FOR THIS PROJECT, AND NOTE SPECIFICALLY IDENTIFIED HEREIN AND ON THE DRAWINGS, WITHOUT THE PRIOR WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS NOTED ON DRAWINGS ARE FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
OVERALL LEVEL 6 PLAN

JOB NUMBER: 2127005

DRAWN BY Author
CHECKED BY Checker

A0-06

© dwell design studio - ALL RIGHTS RESERVED

3/16/2022 1:49:17 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OP17a_R20_mnickellC7QT7.rvt

FINISH SCHEDULE			
CM 1	CEMENTITIOUS PANEL W/ REVEAL (WHITE)	BR 1	BRICK 1
CM 2	CEMENTITIOUS PANEL W/ REVEAL (MEDIUM GRAY)	BR 2	BRICK 2
CM 3	CEMENTITIOUS BOARD & BATTEN (LIGHT GRAY)	MTL 1	METAL SCREEN
CM 4	CEMENTITIOUS BOARD & BATTEN (MEDIUM GRAY)	MTL 2	METAL RAILING
CS 1	CEMENTITIOUS LAP SIDING (LIGHT GRAY)	MTL 3	METAL AWNING (WITH METAL SIGNAGE)
CS 2	CEMENTITIOUS LAP SIDING (MEDIUM GRAY)	SGN 1	SIGNAGE
CS 3	CEMENTITIOUS LAP SIDING (DARK GRAY)	SF 1	STOREFRONT

MEAN FINISH GRADE CALCULATIONS		
LEVEL 1 - TOP OF FOUNDATION	LEVEL B1 - TOP OF FOUNDATION	MEAN FINISHED GRADE
383'-0"	372'-0"	383'-0" + 372'-0" /2 = **377'-6"**

2 WEST ELEVATION
3/32" = 1'-0"

1 SOUTH ELEVATION
3/32" = 1'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE | DESCRIPTION | INCLUDED

REVISION
DATE | DESCRIPTION | REV

SEAL

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS NOTED ON DRAWINGS ARE FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
ELEVATIONS

JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A4-01

© dwell design studio - ALL RIGHTS RESERVED

3/2/2022 12:46:09 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell.CYQT7.rvt

FINISH SCHEDULE			
CM 1	CEMENTITIOUS PANEL W/ REVEAL (WHITE)	BR 1	BRICK 1
CM 2	CEMENTITIOUS PANEL W/ REVEAL (MEDIUM GRAY)	BR 2	BRICK 2
CM 3	CEMENTITIOUS BOARD & BATTEN (LIGHT GRAY)	MTL 1	METAL SCREEN
CM 4	CEMENTITIOUS BOARD & BATTEN (MEDIUM GRAY)	MTL 2	METAL RAILING
CS 1	CEMENTITIOUS LAP SIDING (LIGHT GRAY)	MTL 3	METAL AWNING (WITH METAL SIGNAGE)
CS 2	CEMENTITIOUS LAP SIDING (MEDIUM GRAY)	SGN 1	SIGNAGE
CS 3	CEMENTITIOUS LAP SIDING (DARK GRAY)	SF 1	STOREFRONT

MEAN FINISH GRADE CALCULATIONS		
LEVEL 1 - TOP OF FOUNDATION	LEVEL B1 - TOP OF FOUNDATION	MEAN FINISHED GRADE
383'-0"	372'-0"	383'-0" + 372'-0" /2 = **377'-6"**

2 EAST ELEVATION
3/32" = 1'-0"

1 NORTH ELEVATION
3/32" = 1'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE | DESCRIPTION | INCLUDED

REVISION
DATE | DESCRIPTION | REV

SEAL:

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS INDICATED ON DRAWINGS ARE FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
ELEVATIONS

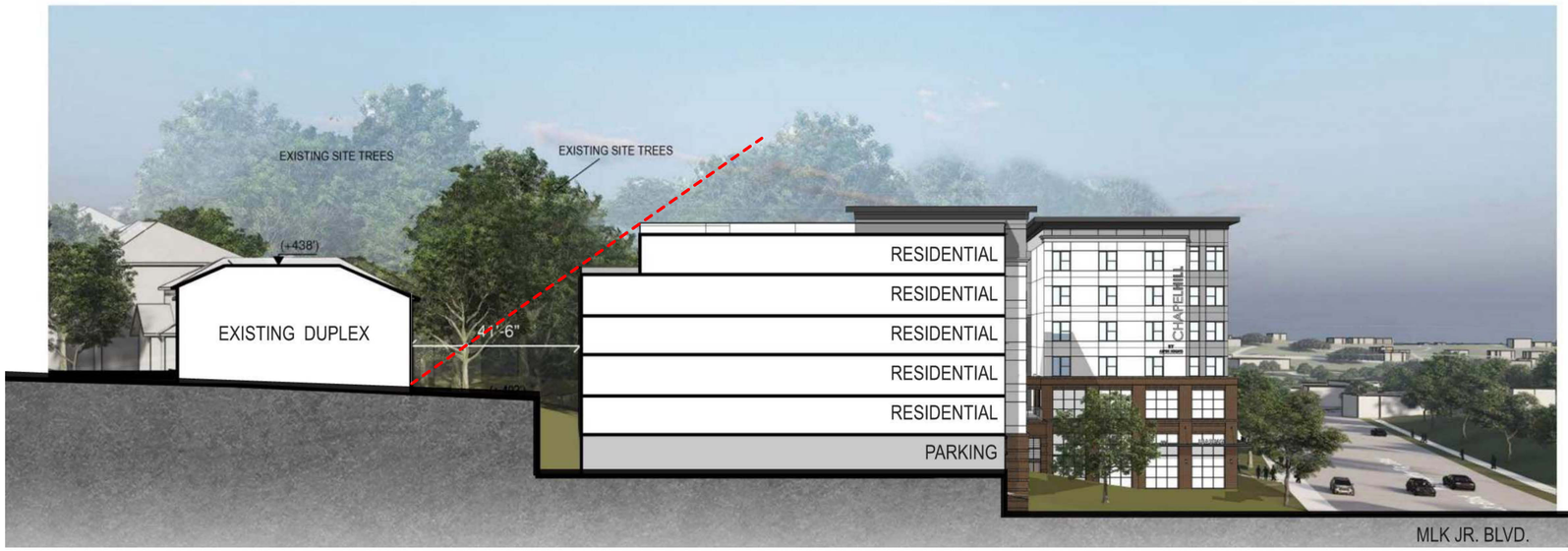
JOB NUMBER: 2127005

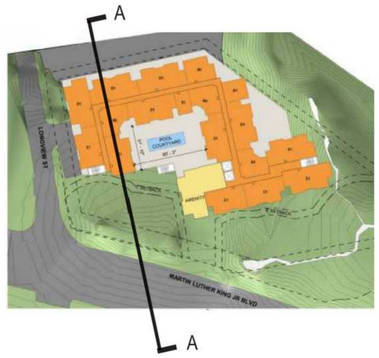
DRAWN BY: Author
CHECKED BY: Checker

A4-02

© dwell design studio - ALL RIGHTS RESERVED

3/22/2022 12:46:14 PM C:\Users\mnickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mnickell_CTQT7.rvt





4 CONTEXT SECTION EXHIBIT
3/8" = 1'-0"

3 CONTEXT VIEW 02
3/32" = 1'-0"

2 CONTEXT VIEW 01
3/32" = 1'-0"

1 SW PERSPECTIVE
3/8" = 1'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR
ASPEN HEIGHTS PARTNERS

ISSUE
DATE DESCRIPTION INCLUDED

REVISION
DATE DESCRIPTION REV

SEAL:

DISCLAIMER:
THE DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO, AND ARE NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS AUTHORIZED IN WRITING BY DWELL DESIGN STUDIO. THEY ARE USED FOR THIS PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND ARE NOT TO BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION BY DWELL DESIGN STUDIO.
SCALES AS NOTED ON THIS DRAWING ARE VALID ON THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 30 x 42 INCHES.

SHEET NAME:
3D AXON VIEWS

JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A4-03

© dwell design studio - ALL RIGHTS RESERVED

3/17/2022 11:33:38 AM C:\Users\mrickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mrickellCTQT7.rvt

1 CONCEPTUAL BUILDING SECTION
1/8" = 1'-0"

dwell design studio
1280 HIGHTOWER TRAIL
ATLANTA, GA 30350
PHONE: 770.864.1035
dwelldesignstudio.com

MLK JR BLVD
CHAPEL HILL, NC

A DEVELOPMENT FOR:
ASPEN HEIGHTS PARTNERS

ISSUE
DATE | DESCRIPTION | INCLUDED

REVISION
DATE | DESCRIPTION | REV

SEAL

DISCLAIMER:
THIS DRAWING AND ASSOCIATED DOCUMENTS ARE THE EXCLUSIVE PROPERTY OF DWELL DESIGN STUDIO AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, EXCEPT AS REQUIRED FOR THE STATED PROJECT. THEY ARE ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED AND SHALL NOT BE USED ON ANY OTHER PROJECT WITHOUT WRITTEN CONSENT OF DWELL DESIGN STUDIO.
SCALES AS NOTED ARE ACCURATE ONLY FOR THE ORIGINAL DRAWING ONLY. THE DIMENSIONS OF WHICH ARE 36 x 42 INCHES.

SHEET NAME:
CONCEPT SECTION

JOB NUMBER: 2127005

DRAWN BY: Author
CHECKED BY: Checker

A5-00

© dwell design studio - ALL RIGHTS RESERVED

3/22/2022 12:46:22 PM C:\Users\mmickell\Documents\Revit\MLK Jr Blvd_ARCH_DS_OPT 2a_R20_mmickellCYQT7.rvt

ASPEN STUDENT HOUSING

TRANSPORTATION IMPACT ANALYSIS - DRAFT

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

November 2021

HNTB

ASPEN STUDENT HOUSING

TRANSPORTATION IMPACT ANALYSIS - DRAFT

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

November 2021

EXECUTIVE SUMMARY - DRAFT

Project Overview

A residential development known as Aspen Student Housing, located at the intersection of Longview Street and NC 86 (Martin Luther King Jr. Boulevard), is being proposed in Chapel Hill. The project proposes to construct a new residential multi-story building featuring 109 units (approximately 300 beds) on two existing parcels in the northwest quadrant of the intersection. **Figure ES-1** shows the general location of the site. The project is anticipated to be fully complete by 2024. This report analyzes the complete build-out scenario for the year 2025 (one year after anticipated completion), the no-build scenario for 2025, as well as 2021 existing year traffic conditions.

The proposed preliminary site plan shows one vehicular access point along Longview Street. This access driveway will serve a proposed two-story on-site parking deck. **Figure ES-2** displays the preliminary concept plan of the Aspen Student Housing and nearby land uses and roadways. The project is expected to provide approximately 125 parking spaces in the on-site parking garage.

Study Area Summary

This report analyzes and presents the transportation impacts that the Aspen Student Housing development will have on the following intersections in the project study area:

- NC 86 (Martin Luther King Jr. Boulevard) and Umstead Drive / Hillsborough Street
- NC 86 (Martin Luther King Jr. Boulevard) and Longview Street / Mill Creek Apartments Driveway
- NC 86 (Martin Luther King Jr. Boulevard) and North Street / N. Columbia Street
- Longview Street and Proposed Site Full Access Driveway

The site is located north of downtown Chapel Hill along NC 86 (Martin Luther King, Jr. Boulevard) in the northwest quadrant of its intersection with Longview Street. The study area contains two signalized intersections along NC 86. NC 86 is a major arterial facility providing connectivity between the UNC Main Campus/downtown area, north Chapel Hill, and the region. Remaining study area network roadways are either collector streets or local neighborhood access streets. The existing study area transportation network features numerous bus routes and connected sidewalks and bicycle facilities.

Site Traffic Generation

With the addition of new peak hour trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates and methodologies taken from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, Version 10* and was compared with existing driveway traffic counts at similar student housing developments along the NC 86 corridor in the site vicinity.

Table ES-1. Weekday Vehicle Trip Generation Summary

Trip Generation Statistic	Daily			AM Peak Hour			Noon Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Off-Campus Student Housing – Less Than ½ Mile From Campus (ITE LUC 225)	482	482	964	14	21	35	22	29	51	37	38	75

Background Traffic

Background traffic growth for the 2025 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Based on existing information, three Town-approved development projects (Aura, E. Rosemary Street Parking Deck and Office Building, W. Rosemary Street Hotel) in or near the project study area are expected to background traffic growth by the 2025 analysis year. All remaining estimated traffic growth in the area is assumed to occur due to overall region-wide ambient growth and a continuing rebound of traffic activity affected by COVID 19. To account for this, an ambient area-wide traffic growth percentage of 2.0 percent per year was applied to existing traffic volumes based on information from the historic daily traffic growth patterns in the project study (NCDOT and Town daily traffic information) and comparison of current 2021 traffic count data to pre-COVID conditions.

Impact Analysis

Peak Hour Intersection Traffic Simulation Level-of-Service (LOS_S)

Study results indicate existing traffic operations at all study area intersections are acceptable during the AM and noon weekday peak hours but drop to a LOS_S F for one study area intersection in the 2021 PM peak hour. 2025 build-out year+1 background traffic growth impacts are mitigated by Town of Chapel Hill planned and committed transportation improvement projects. The addition of peak hour site-generated trips to the projected 2025 background traffic volumes, do not cause any additional study area intersections to experience deficient traffic operations in any peak hour. A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding simulation Level-of-Service (LOS_S) is shown in **Table ES-2.**

Table ES-2. LOS and Delay (Seconds/Vehicle) Summary

Intersections	Peak Hour	2021 Existing		2025 No-Build		2025 Build		2025 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
NC 86 (Martin Luther King, Jr. Blvd) & Umstead Drive / Hillsborough Street	AM	A	9.9	A	9.4	A	9.8	N/A	N/A
	NOON	B	12.5	B	12.1	B	11.9	N/A	N/A
	PM	B	19.2	C	21.2	B	19.9	N/A	N/A
NC 86 (Martin Luther King, Jr. Blvd) & Longview Street / Mill Creek Apartments Driveway	AM	A	6.2	A	6.2	A	6.9	N/A	N/A
	NOON	A	6.1	A	5.1	A	6.5	N/A	N/A
	PM	A	7.6	A	8.2	A	9.8	N/A	N/A
NC 86 (Martin Luther King, Jr. Blvd) & N. Columbia Street / North Street	AM	B*	13.1*	A	8.2	A	8.1	N/A	N/A
	NOON	E*	46.1*	B	16.0	B	16.0	N/A	N/A
	PM	***F****	***137.2****	B	10.3	B	10.1	N/A	N/A
Longview Street & Proposed Site Driveway	AM	N/A	N/A	N/A	N/A	B	12.5	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	B	11.7	N/A	N/A
	PM	N/A	N/A	N/A	N/A	C	19.1	N/A	N/A

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

Access Analysis

Vehicular site access is to be accommodated via one proposed site driveway connection to Longview Street located approximately 100 feet from the signalized intersection of NC 86 and Longview Street. Driveway throat length as shown on the proposed site concept plan (approximately 50 feet) should not

impede vehicular operations in the immediate vicinity of the driveway connection with the external street system. Driveway distance from the signalized intersection at Longview Street and NC 86 (Martin Luther King Jr. Boulevard) is acceptable (100 feet), based on recommendations of 100 foot minimum corner clearance as set forth in the 2003 *NCDOT Policy on Street and Driveway Access to North Carolina Highways* and 50 foot minimum along local streets as required in the 2017 *Town of Chapel Hill Public Works Engineering Design Manual*. Individual driveway spacing between the site driveway and adjacent driveways meets the 50 foot minimum driveway spacing requirement in the Town Design Manual.

Crash Analysis

Data from the NCDOT Traffic Safety Unit TEAAS software database was compiled for the recent five-year period for the study area intersection of Longview Street and NC 86 adjacent to the site and for the NC 86 corridor in the study area. Crash rates for the NC 86 corridor indicates that the frequency of crashes for the facility are generally lower than North Carolina statewide average for similar facilities. Crashes are generally clustered at high volume intersections, with some crashes occurring at existing mid-block pedestrian crossings and private driveway intersections along the corridor. The signalized intersection of NC 86 and Longview Street adjacent to the site experienced only three crashes in the five year period.

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
Long-Range Daily Volume-Capacity Analysis	Since the proposed site is expected to add less than 1,000 new daily trips to the study area network, no long-range planning-level analyses of daily traffic impacts were conducted for this study. Existing daily traffic volumes on NC 86 are approximately 16,000 and its daily roadway capacity is approximately 40,000 vehicles.
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using TransModeler to generate estimated maximum queue lengths for the 2025 Build Scenario. In most cases, existing storage for turn lanes is adequate in the project study area, and can be managed with signal timing adjustments, if necessary. Extending existing or proposed future turn lane storage may require additional right-of-way to construct and was not analyzed for this study.
Appropriateness of Acceleration/ Deceleration Lanes	Given the proposed location and configuration of the site driveway, and the lane geometrics, traffic patterns and posted speeds on Longview Street and NC 86, no special acceleration or deceleration lanes are required due to the proposed Aspen Student Housing development.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is excellent through the study area. Continuous sidewalk and intersections with crosswalks/pedestrian signals are present throughout the downtown Chapel Hill area. Designated bicycle “sharrow” lanes are present on NC 86 along the site frontage.
Public Transportation Analysis	Public transportation service to the site is excellent, with on-street bus stops located less than 200 feet away from the site on either side of NC 86 and multiple bus routes serving the study area.

Mitigation Measures/Recommendations

Planned Improvements

The Town *North-South Corridor Bus Rapid Transit (NSBRT)* project includes additional transit amenities for the NC 86 corridor through the study area, as well as potential cross-section widening and reallocation

for dedicated transit lanes. Since final design details are not complete, the changes associated with this project were not explicitly considered to be complete for the purposes of this study.

There are no NCDOT improvement projects for study area roadway facilities within the analysis year time frame of 2021-2025.

Background Committed Improvements
The *E. Rosemary Street Parking Deck and Office Building Transportation Impact Analysis* (HNTB, November 2021) lists the following as necessary improvements for that study which have specific impacts on study area intersections (details on page 32, and Appendix A – Figures 16 & 16A):

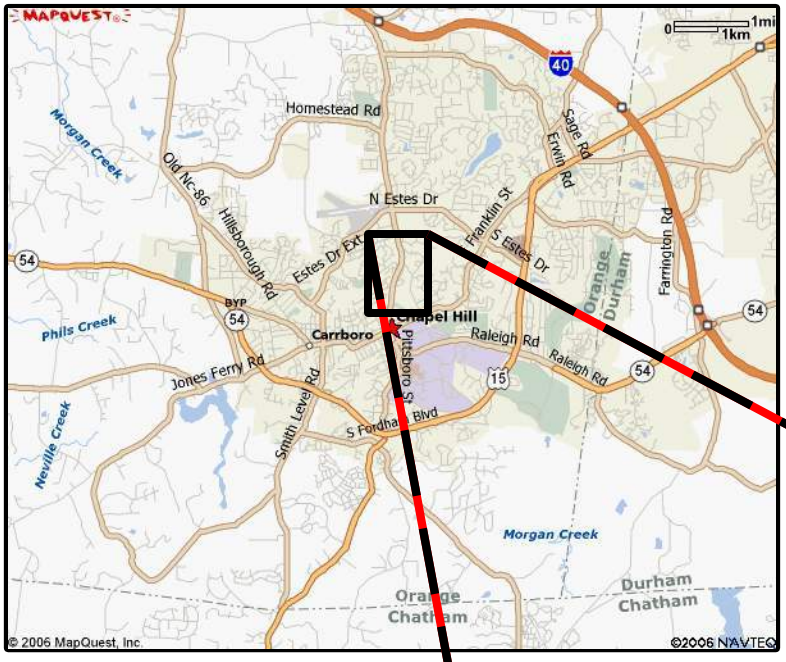
- At the NC 86 intersection with North Street/Martin Luther King Jr. Boulevard - to reduce projected queues along North Street westbound that would include parking deck egress traffic, provide a right-turn bay (making the westbound approach a stop-controlled shared left-turn/through lane and right-turn lane) with at least 50 feet of vehicle storage is recommended to reduce overall approach delays and queues at this location. The currently skewed minor street intersection approaches for North Street and Martin Luther King Jr. Boulevard should be realigned to better align through movements. Monitor the intersection for signalization if operational or safety issues result from the additional traffic produced by the parking deck/office building.

These committed improvements are shown on **Figure ES-3**. It was assumed that a traffic signal would be installed at this location by the 2025 future analysis year in all scenarios. There are no other known background committed improvements at study area intersections from any of the other background traffic generators analyzed in this report.

Applicant Committed Improvements
Based on the preliminary site concept plans and supporting development information provided, there are no external transportation-related improvements proposed adjacent to the Aspen Student Housing – other than the addition of the proposed access driveway along the Longview Street and provision of internal sidewalk connecting to the NC 86 existing sidewalk along the site frontage.

Necessary Improvements
Based on the 2025 design year peak hour intersection capacity analyses, no study area intersections expected to be over capacity (overall LOS_S E or F) in any of the three weekday peak hours studied in this report.

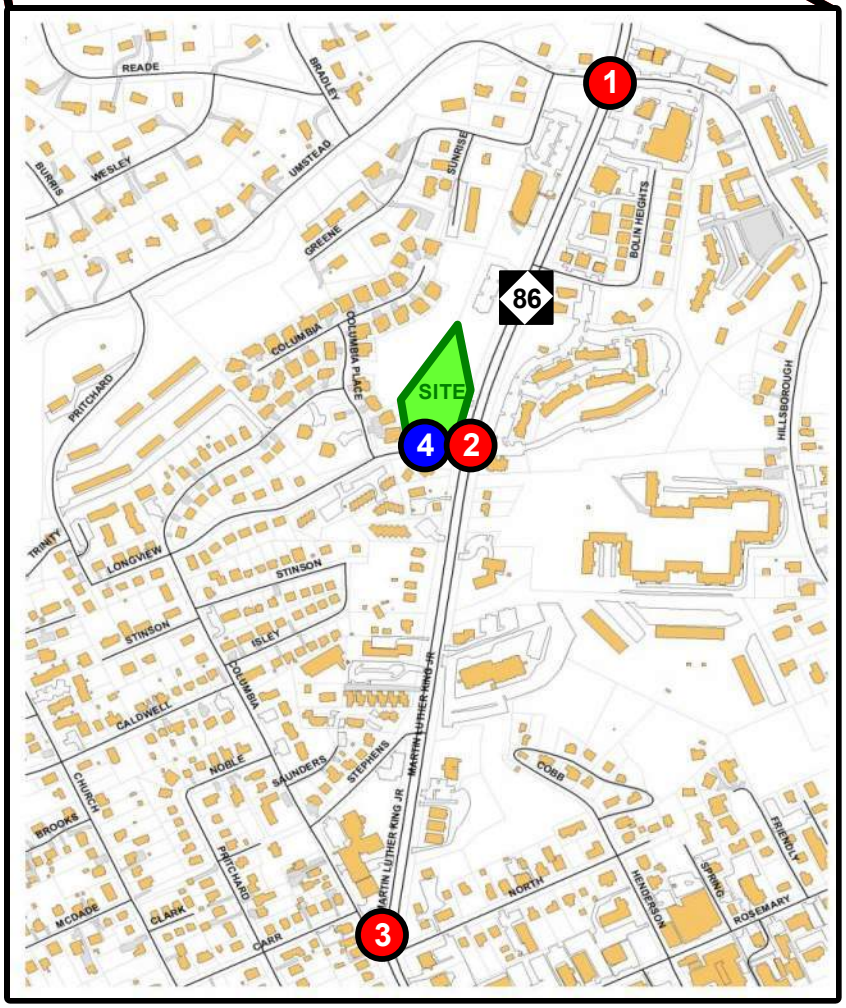
- One recommended improvement shown in **Figure ES-3**, unrelated to intersection capacity analysis Level-of-Service results, but related to potential queue spillback issues on minor street approaches (eastbound Longview Street and eastbound Umstead Drive at the signalized intersections with NC 86 (Martin Luther King, Jr. Boulevard), would be to monitor operations at these intersections and adjust coordinated signal timings, particularly in the 2025 PM peak hour, to allow more green time to these signal phases to reduce potential queuing issues.



LEGEND

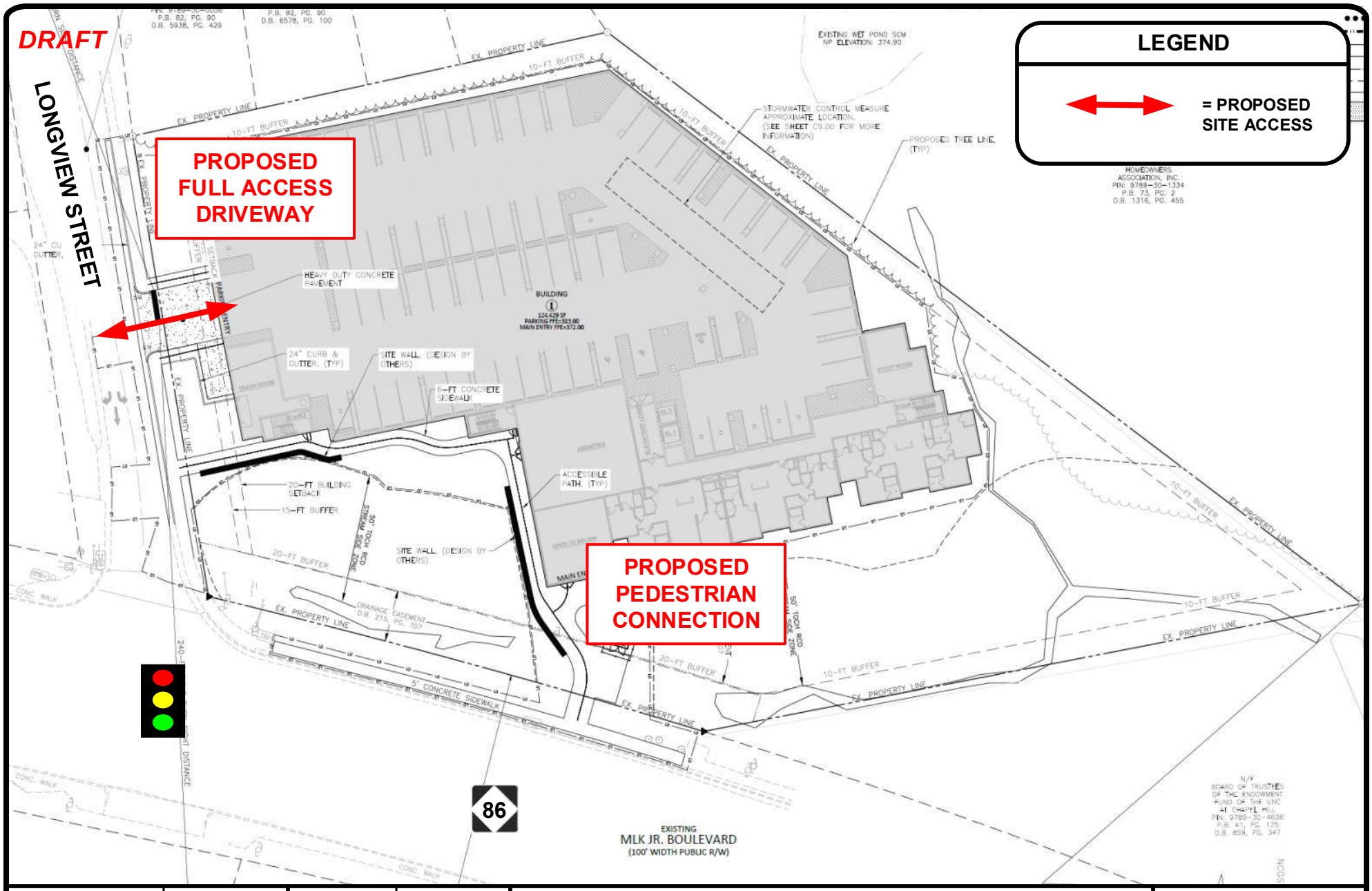
- = Existing Building Footprint
- = Existing Study Area Intersection
- = Proposed New Full Access Site Driveway
- = Proposed Site Parcel

NOT TO SCALE

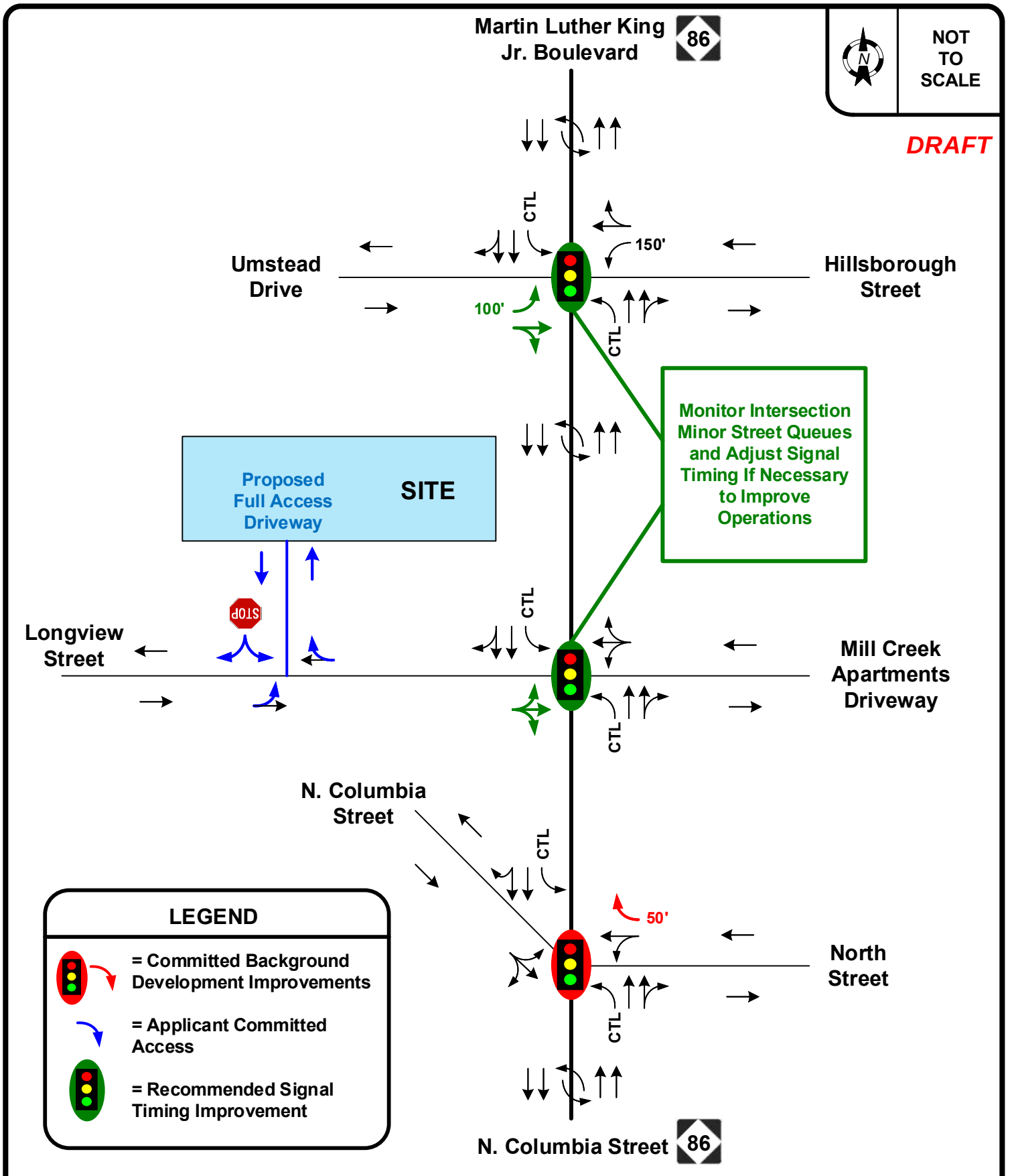


DRAFT

HNTB / TOWN OF CHAPEL HILL	**Aspen Student Housing** **Transportation Impact Analysis**	**DATE:** November 2021
	PROJECT STUDY AREA MAP	**FIGURE ES-1**



HNTB	TOWN OF CHAPEL HILL	N	NOT TO SCALE	**Aspen Student Housing** **Transportation Impact Analysis** **PRELIMINARY SITE PLAN**	**DATE:** November 2021 **FIGURE ES-2**



HNTB

TOWN OF CHAPEL HILL

Aspen Student Housing
Transportation Impact Analysis

DATE: November 2021

COMMITTED & RECOMMENDED IMPROVEMENTS

FIGURE ES-3

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 15., **File #:** [23-0075], **Version:** 1 **Meeting Date:** 1/25/2023

Open the Legislative Hearing: Conditional Zoning Application for 2217 Homestead Road.

Staff:
Mary Jane Nirdlinger, Deputy Town Manager and Interim Director
Judy Johnson, Assistant Director
Anya Grahn, Principal Planner
Tas Lagoo, Senior Planner

Department:
Planning

See summary report on next page

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

PRESENTER: Tas Lagoo, 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 continue the Hearing to February 22, 2023.

RECOMMENDATION: That the Council open the legislative hearing and receive comments on the proposed Conditional Zoning. That the Council then move to schedule action on the proposed Conditional Zoning application for February 22, 2023.

OPEN THE LEGISLATIVE HEARING: CONDITIONAL ZONING APPLICATION FOR TRI POINTE TOWNHOMES LOCATED AT 2217 HOMESTEAD ROAD (PROJECT # 22-019)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Mary Jane Nirdlinger, Deputy Town Manager and Interim Director
Judy Johnson, Assistant Director
Anya Grahn, Principal Planner
Tas Lagoo, Senior Planner

PROPERTY ADDRESS	MEETING DATE	APPLICANT
2217 Homestead Road	January 25, 2023	Richard Gurlitz, Gurlitz Architectural Group, on behalf of owner GS Homestead, LLC

STAFF RECOMMENDATION

That the Council 1) open the legislative hearing, 2) receive comments on the Conditional Zoning Ordinance, and 3) continue the hearing to February 22, 2023. Please see the attached Advisory Board recommendations.

ZONING

Existing: Residential-5-Conditional Zoning District (R-5-CZD)

Proposed: Residential-5-Conditional Zoning District (R-5-CZD)

PROCESS

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address impacts on surrounding properties.

DECISION POINTS

Connection to the Courtyards at Homestead: Representatives of the adjacent neighborhood, the Courtyards at Homestead, are in favor of limiting the connection between the two neighborhoods to only emergency vehicles, bicycles, and pedestrians. Staff support limiting the connection to one-way eastbound traffic but not imposing limits on the type of vehicular traffic that will be allowed. Council is asked to indicate what form of connection should be allowed between the two developments.

Tree Protection and Buffers: As per the Land Use Management Ordinance, no buffer is required along the western property line. Representatives of the adjacent Courtyards at Homestead have voiced concerns over the lack of LUMO-mandated buffers between the two developments and the potential for impacts on off-site trees.

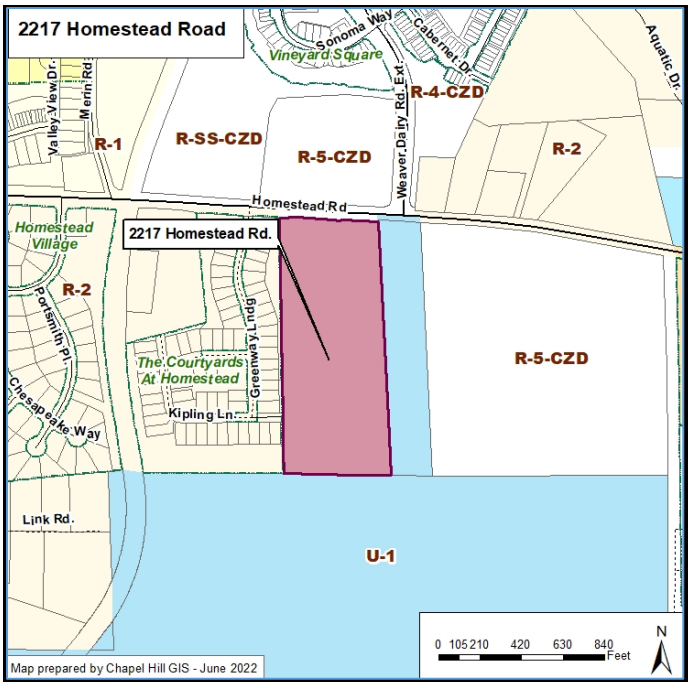
Modifications to Regulations: The applicant is not requesting any modifications to regulations.

PROJECT OVERVIEW

The proposed project includes the removal of a single-family home and accessory buildings and the construction of 108 townhomes with resident amenities totaling approximately 216,000 sq. ft. in floor area.

A Transportation Impact Analysis was completed for the project and recommended only minor improvements such as a crosswalk across the project's main connection to Homestead Road.

PROJECT LOCATION



ATTACHMENTS

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Draft Resolution A, Resolution of Consistency and Reasonableness
4. Draft Ordinance A (Approving the Application)
5. Draft Resolution B (Denying the Application)
6. Advisory Board Recommendations (Planning Commission to be added)

	7. Town Urban Designer Comments 8. Applicant Materials

TECHNICAL REPORT

KEY CONSIDERATIONS

1. Planning Commission: At the January 17, 2023, meeting, the Planning Commission recommended approval of Ordinance A with the following conditions:
    a. The developer should explore options for more density on the site, including a wider range of unit sizes and types.

        Staff response: The proposed development is consistent with the Future Land Use Map and surrounding developments.

    Planning Commission also shared two points of special consideration including:

    a. Connectivity: Planning Commission members expressed a variety of opinions regarding connectivity between the proposed development and the adjacent Courtyards at Homestead. Some members endorsed full vehicular connectivity between the neighborhoods, while others endorsed an emergency-only connection with full access for bicycles and pedestrians.

    b. Stormwater and Trees: The Planning Commission noted that the developer should take particular care to minimize any stormwater impacts on the adjacent Courtyards at Homestead and make all efforts to protect existing trees between the two neighborhoods.

2. Environmental Stewardship Advisory Board: At the December 13, 2022, meeting, the Board unanimously recommended approval of Ordinance A with the following conditions:
    a. All trees and plantings should be native.

        Staff response: The Design Manual includes a listing of invasive species which are generally not acceptable.

    b. To the greatest extent possible, preserve the mature trees that currently exist along the western buffer

        Staff response: Staff encourages the applicant to consider preservation of the existing mature trees along this buffer.

3. Housing Advisory Board: At the December 13, 2022 meeting, the Housing Board unanimously recommended approval of Ordinance A as presented.

4. Transportation and Connectivity Advisory Board: At the November 22, 2022, meeting, the Board unanimously recommended approval of Ordinance A with the following conditions:
    a. That the proposed connection to Kipling Lane be an emergency-only option

for motor vehicles in both directions.

Staff response: Staff recommend a one-way eastbound connection between the two neighborhoods with no restrictions regarding the type of vehicles that may use the connection.

b. That the connection be open and made accessible and welcoming for bicycles, pedestrians, and people with mobility devices in both directions.

Staff response: Staff recommend the inclusion of a sidewalk that meets or exceeds Town standards.

c. That safe access be provided across Homestead Road to support access to bus stops.

Staff response: A Town-led improvement project is planned for Homestead Road.

d. That additional public bicycle parking be added in gathering spaces, including near the trail connection.

Staff response: Staff encourages the applicant to consider additional bicycle parking as recommended.

e. That the development provide conduit to at least 20% of the guest parking spaces.

Staff response: The applicant has agreed to install conduit to serve all guest parking spaces.

5. Community Design Commission: At the November 17, 2022, meeting, the Commission unanimously recommended approval of Ordinance A with the following condition:
    a. That prior to the Final Plan approval, the Commission provide a courtesy review of the building elevations.

    Staff response: The applicant agrees, and we have added a condition to the Ordinance.

PROPOSED ZONING

The property is currently encumbered by a Special Use Permit (SUP) for the Active Adults project that was approved in 2019 but never developed. Concurrent with the approval of the 2019 SUP, the site was rezoned to Residential-5-Conditional (R-5-C). As a result of the zoning reforms enacted by North Carolina General Statute Chapter 160D, the site's R-5-C zoning designation was updated to Residential-5-Conditional Zoning District (R-5-CZD). Because the 2019 SUP is tied to a site-specific plan, the applicant is requesting conditional zoning for R-5-CZD for a new development proposal for the property.

The intent of the Residential-5-CZD is "to provide for residential development of appropriate intensities consonant with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development." (LUMO Section 3.3.9).

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. Conditions are typically used to:

- Address conformance of the development with Town regulations and adopted plans.
- Modify use, intensity, and development standards to be more restrictive when addressing impacts reasonably expected to be generated by development.
- Modify intensity and development standards to be less restrictive when accommodating the applicant's proposed site plan (Modifications to Regulations).

A "–CZD" suffix would be added to the zoning district designation to incorporate the approved conditions.

SITE CONTEXT

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

- The site consists of 15.6 acres with one single-family home and accessory structures.
- The subject site fronts on Homestead Road, a collector street maintained by the North Carolina Department of Transportation (NCDOT).
- North of the project site is the Bridgepoint townhome development, which is currently under construction and zoned Residential-5-CZD. To the east and south of the project site is the Carolina North Forest, which is zoned University-1. To the west of the project site is the Courtyards at Homestead subdivision, which is zoned Residential-2.
- There are no streams, floodplains, or wetlands on the project site.
- The site is generally flat with a slight drop in grade from east to west.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff have reviewed this application for compliance with the themes from the 2020 Comprehensive Plan[1], the standards of the Land Use Management Ordinance[2], and the Town of Chapel Hill, NC : Design Manual and Standard Details[3] and provides the following evaluation of consistency for the Tri Pointe proposal. :

	Description of Plan Element	Staff Evaluation
Future Land Use Map (FLUM) **FOCUS AREA & SUB-AREA**	• Townhouses and Residences are an appropriate use for the site. Multifamily Residential uses are also encouraged in Sub-Area A, and examples include: triplexes, duplexes, fourplexes, and small single-family detached lots.	The proposed rezoning is consistent with the character envisioned by the FLUM because the proposed zoning district emphasizes a diversity of housing types that make use of the future proposed

[1] http://www.townofchapelhill.org/home/showdocument?id=15001
[2] https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA
[3] http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details

South MLK Boulevard Focus Area + Sub-Area A	• Other appropriate uses include: Parks and Green/Gathering Spaces; Institutional/University/ Civic • Emphasizes connectivity to planned mixed-use, commercial areas, and parks and open space. • Townhouses serve as a transition to single-family neighborhoods. • Interest in adding visual interest to the street by breaking up long facades, locating living spaces in proximity to the street to provide "eyes on the street," and integrating parking within or behind buildings accessed by rear streets and alleys. • Encourages multimodal connections to accommodate pedestrians, bicycles, and transit where appropriate. • Seeks mixed-income housing near transit, height and density transitions between new and existing development, and buffered protections between new development and Carolina North Forest.	BRT route along Martin Luther King, Jr. Boulevard. R-5 zoning would allow various residential uses that the FLUM indicates are appropriate. The Conditional Zoning application proposes housing types that fall under the definition of Townhomes & Residences.
Building Height	4 to 6 stories height, each story measuring approximately 12 ft. tall, in Sub-Area A.	The R-5 zoning district allows 39 feet at the setback and a core height of 60 feet.
Proposed Connections	The FLUM shows proposed connections between Courtyards at Homestead to the west, across this parcel and east across Carolina North, the Seymour Center (Senior Center) and Orange County Health Department	Further discussion is needed around the appropriate alignment of any new connections, and the travel modes that should be served (pedestrian, bicycle, and/or vehicular).
Mobility And Connectivity	• Extension of the Homestead Connector, providing a multi-use path along Homestead Road between MLK Jr. Blvd. and Seawell Elementary. • Surrounding streets typically have sidewalk on at least one side. The site is directly to the west of the Homestead Road	• Surrounding area has some elements of a multimodal network in place or under construction with the Homestead Road Improvement project to be constructed by the Town. • A BRT Route along MLK will improve travel capacity and mobility, and there are

	access to Carolina North Forest. • "By connecting neighborhoods to destinations, residents will be able to access these priority corridors and travel to the places they live, shop, work, and play." • One of the goals is to reduce barriers by improving crossing between networks and to destinations and integrate land use development.	existing bus stops along Homestead Road. • Project proposes internal sidewalks and mulched path connections to Carolina North Forest.
Chapel Hill Bike Plan (2014)	• Chapel Hill residents are interested in greater connectivity. • A low level of street connectivity is "a major barrier to making bicycling a convenient choice, as bicyclists must travel on high stress arterials with inadequate bike accommodations for portions of a trip." • Need to fill gaps in the bicycle network to "create a safer, connected transportation system."	A full connection and traffic calming devices should be considered to encourage safety.
Climate Action and Response	• To reduce greenhouse gas (GHG) emissions, the plan recommends creating walkable, bikeable, transit-served neighborhoods. It also calls for reducing Vehicle Miles Traveled (VMT) through high density development and connectivity. • To increase walking, biking, and transit use, it encourages better connectivity for all transportation modes. • It also proposes expanding transit availability and connectivity, wherever possible.	The site offers an opportunity for infill development next to an existing neighborhood, with transit service and a park nearby. Extension and full connectivity at Kipling would support sustainable development and multimodal travel options.
Chapel Hill 2020 Goals	Opportunities for this application to support goals of Chapel Hill 2020 include: • The applicant proposes a new 108 townhouse community that supports the Town's goals to provide a range of housing options for current and future residents (*A Place for Everyone*.3) • The multi-use path, full connectivity at Kipling Lane, trail	

	connections within the project connecting to Carolina North Forest, and its internal street network lined with sidewalks is in accordance with the goal to promote a safe, vibrant, and connected (physical and person) community (*Community Prosperity and Engagement*.3) • Proposed bike and ped improvements help promote alternative forms of transportation as residents travel between daily stops. These are consistent with the goal for connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Getting Around*.2). • The townhouse community is well located for access to nearby greenways, current and future multi-modal paths, as well as the transit routes along Homestead Road. The density provided in this community supports an adaptable transportation system that serves both dense and suburban development along Homestead Road (*Getting Around*.4) • Connectivity is key to achieving the Town's goal of creating a transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Getting Around*.6). The proposal provides opportunities for multi-modal transportation, access to transit, as well as connected streets that shorten everyday trips to frequented places, such as Homestead Park, nearby schools, and commercial areas along Martin Luther King, Jr. Blvd. Additional work is needed to ensure a full connection and extension of Kipling Lane. • The proposed townhouse development contributes to the Town's 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). While residential in nature, it is within a short distance to social spaces such as the Seymour Center, commercial areas along MLK Jr. Blvd., and neighborhood amenities such as Homestead Park and the Carolina North Forest. Additionally, the townhouse form lends itself to Missing Middle Housing, providing housing opportunities to a variety of residents such as seniors, empty nesters, single-parent households, and first-time homeowners looking for median income housing. • The proposed development is consistent with the FLUM's goal for future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places New Spaces*.8). The townhouse community will provide much needed housing for a range of residents of different socioeconomic backgrounds and provide density the supports the use of transit lines along Homestead Road. The proposal seeks to preserve tree canopy by creating several dedicated tree save areas in the center of the development. • The applicant's Energy Management Plan (EMP) aligns with the

	elements of Climate Action Plan by incorporating environmentally friendly features such as water sense fixtures, EV outlets in the garages, and rough electrical for future solar panels. This corresponds to the goal to reduce reducing the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community*.7).	
Central West Small Area Plan	• Identifies this portion of Homestead Road as providing "affordable" to "very affordable" housing options for families of median income. • Calls for improving bicycle and pedestrian amenities in the area by creating more bike lanes, building new sidewalks with wider buffers from the street, defining bike and pedestrian crossings, increasing visibility, implementing traffic calming measures, and nurturing and enhancing the greenway system.	The applicant proposes to construct 16 affordable units. This type of housing is a much-needed option of median income families. The applicant also proposes to construct a 10-foot-wide multi-use path along the Homestead Road frontage. Additional discussion is needed regarding the types of traffic calming that may be necessary along Kipling Lane as it connects to the existing Courtyards at Homestead project.
Northern Area Task Force Report (Focus Area 4, Homestead Road)	• While Focus Area 4 is focused on the north side of Homestead Road, it does show a potential future High-Capacity Gateway HW Service, as proposed by the 2030 DCHC Long Range Transportation Plan. The HW Service would extend from Weaver Dairy Road through the UNC-owned property to the east of the proposed development. • The public comments received at the time of this plan also express interest in preventing dead end streets and promoting street connections. • Goal 6 of the plan proposes improving the road network to provide more connections and safer turning options (e.g. Perkins and Weaver Dairy Road, Westminster and MLK Jr Blvd.)	The applicant has proposed a limited access extension of Kipling Lane. Staff supports a full connection at Kipling Lane that supports the goals of this and other long-range plans that call for greater connectivity and an improved street network.

REASONABLENESS OF THE ZONING ATLAS AMENDMENT

Reasonableness is determined by comparing the scale of permissible development under the proposed zoning district to the scale permitted under existing zoning, and by considering characteristics of the site and its surroundings. North Carolina General Statute 160D-605 requires the Town Council to consider a statement of reasonableness when reviewing any Zoning Atlas Amendment.

The analysis below considers the applicant's proposed zoning district and proposed. Specific characteristics of the development proposal, compliance with regulations, and appropriate conditions to address potential impacts of the development are evaluated elsewhere.

SUMMARY OF ANALYSIS FOR REASONABLENESS

Supporting Factors

- The proposed zoning is consistent with the Character Types shown on the Future Land Use Map, provided that zoning conditions are applied to ensure a compatible density.
- Rezoning to accommodate redevelopment may be considered reasonable.
- The proposed zoning allows only residential uses, which is consistent with other existing residential uses in the surrounding area.
- Zoning conditions are an inherent part of the proposed zoning district (it is only available as a CZD). Conditions provide an opportunity to limit intensity and to establish standards that address impacts on surrounding properties.

Other Considerations

- Further analysis and/or zoning conditions may be needed to determine whether adequate pedestrian connectivity, vehicular access, and transit service are in place to support the proposed zoning.
- Existing regulations include measures for protecting environmental features such as steep slopes. Zoning conditions are useful for enhanced protection, if warranted by further environmental analysis.

Comparing Proposed Permissible Development to Existing

The property is currently encumbered by a Special Use Permit (SUP) for the Active Adults project. The site was rezoned to Residential-5-Conditional Zoning District (R-5-CZD) at the time of the SUP; however, this approval is tied to a site-specific development. For this reason, this applicant is requesting a conditional zoning for R-5-CZD for a new development proposal of the property.

R-5-CZD is sought to allow for a greater number and density of townhomes. The R-5 zoning district would allow a density of 15 units per acre or 257 townhomes at Tri Pointe. The applicant is proposing to construct 108 units.

The R-5-CZD zoning district allows for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatible with surrounding development. This site is adjacent to the Courtyards at Homestead to the west, the Town-owned 2200 Homestead affordable housing development and Bridgepoint townhouse project to the north, and UNC's Carolina North property to the east and south.

	LUMO Standard for R-5-CZD	Staff Evaluation
District Intent	Section 3.3.9: The Residential-5-Conditional Zoning district (R-5-CZD) is available only through a conditional zoning application. The parallel R-5 zoning district is intended to provide for residential development of appropriate intensities consistent with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and compatibility with surrounding development.	The proposed townhouse development meets the intent of the proposed zoning district. Adjacent land uses include existing and future single-family residents, multi-family development, and other townhouses. These developments have access to existing greenways, bus routes, and amenities along Homestead Road including the Aquatic Center and Homestead Park to the east.
Permitted Uses	Table 3.7-1: Permitted uses in R-5-CZD include the full range of single-family and multifamily dwelling types. Other uses, including public facilities and retail, are generally not allowed.	The associated Conditional Zoning application proposes townhouse units, the density of which is permitted in the zone.
Dimensional Standards	Table 3.8-1: Standards for R-5-CZD include: • Density limit of 15 units/acre • Maximum Building Height of 39 ft at the setback line and 60 ft at the site core • Minimum Street Setback of 20 ft • Maximum Floor Area Ratio (FAR) of 0.303	The associated Conditional Zoning application proposes: • 108 dwelling units, resulting in a Residential Density of 6.9 units/acre • Maximum Building Height of 35 ft at the setback line and 35 ft at the site core • Minimum Street Setback of 20 ft • Maximum Floor Area Ratio does not apply to single family homes, such as townhouses; however, 66,488 sq ft proposed, results in a Floor Area Ratio of 0.472
Design and Development Standards		
Other standards (including landscape buffers, parking spaces, stormwater treatment, etc) are established in LUMO Article 5 and are applicable to both the R-5-CZD and R-5 districts. A change in zoning district would not change how Article 5 standards apply. The Conditional Zoning application provides an opportunity to establish conditions that modify development standards in order to address impacts reasonably expected to be generated by development.		

Consideration of the Site and its Surroundings

	Description	Staff Evaluation
Existing Use and Surroundings	The site currently contains a single-family house and associated improvements. To the west of this property, Courtyards of Homestead is a senior living community of single family detached homes. On the east and south sides are the Carolina North forested areas. Multi-family and townhouse developments are underway on the north side of Homestead Road.	Rezoning a developed site to support and accommodate redevelopment may be considered reasonable, particularly when located in an area with other development activity.
Adjacent Zoning Districts and Land Uses	North: R-SS-CZD for Town-owned affordable housing development at 2200 Homestead and R-5-CZD for townhouse project at Bridgepoint West: R-2, Single family homes South and East: University-1 (U-1)	Because the surrounding neighborhood includes higher density development than what currently exists on the site, it's reasonable to rezone this property R-5-CZD to encourage higher density development that will support existing transit routes along Homestead Road. The surrounding area has seen a shift from single family residential on large lots to denser residential uses containing multiple detached single-family, multifamily, and townhouse developments. Zoning conditions would be useful to ensure that the scale of the proposed townhouse dwellings is compatible with the surrounding built environment.
Transit Service	Bus stops are available at Greenway Landing and Homestead Road, 2510 Homestead Road, and the Seymour Center. These are serviced by the HS and A bus routes.	Some available transit service is nearby. It is not clear at this time whether the existing level of service makes a change in zoning for more intense development reasonable.
Roads and Vehicular Access	Access to the site is from Homestead Road, which is classified as a NCDOT collector street.	The applicant proposes the primary access to be from Homestead Road. Kipling Road will be extended east from the Courtyards at Homestead to provide secondary access.

Pedestrian & Bike Facilities (existing)	Sidewalks currently exist only along the Homestead frontage of the Courtyards at Homestead. Sidewalks are proposed to be extended and a new bike lane constructed as part of the Town's Homestead Road Improvement project. The site is also adjacent to the Carolina North Forest containing a multi-use path.	The surrounding area has some elements of a multimodal network. which may make a change in zoning for more intense development reasonable. Zoning conditions may be warranted to ensure adequate pedestrian connectivity.
Streams/ Wetlands/ Floodplain	No floodplain impacts the site. There is a perennial stream located outside of the southeast corner of the site on the Carolina North property.	The stream corridor does not impact this development.
Topography	The site slopes down from east to west. Steep slope areas exist adjacent to the perennial stream corridor on the southeast corner of the site as well as along the manmade driveway associated with the existing single-family house.	Areas of steep slope are associated with the existing development. Following removal of the buildings, these slopes will be regraded.

LAND USE MANAGEMENT ORDINANCE FINDINGS OF FACT

Staff provides the following evaluation of the application under the three Findings of Fact identified in LUMO Section 4.4. LUMO states that the Zoning Atlas shall not be amended unless at least one of the Findings of Fact are made.

FINDING #1: The proposed zoning amendment is necessary to correct a manifest error.	
Arguments	To date, no arguments in support or in opposition have been submitted or identified by staff.
Staff Evaluation	There appears to be no manifest error in the Town's Zoning Atlas that would be corrected by the proposed amendment.

FINDING #2: The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.	
Arguments	Middle-income and affordable housing are significant needs for Chapel Hill that have grown over time. Townhouses provide an opportunity to address these needs. Additionally, the Homestead Road area is in transition and consists of a mix of existing neighborhoods like Vineyard Square and Courtyards at Homestead as well as large single-family lots and small farms. The

	latter are seeing development proposals for the construction of townhouse developments, such as those at Bridgepoint and Stanat's Place. To date, no arguments in opposition have been submitted or identified by staff.
Staff Evaluation	The Council could make the finding that the proposed zoning amendment is necessary because of changing conditions in Chapel Hill and in the Homestead Road area.

FINDING #3: The proposed zoning amendment is necessary to achieve the purposes of the Comprehensive plan.	
Arguments	Staff notes that the Conditional Zoning application could contribute to the purposes of the Comprehensive Plan through the following: • Promoting the Focus Area Character for the South MLK Jr Blvd Focus Area as described in the Future Land Use Map (FLUM) • Facilitating development that implements FLUM guidance for Character Types in the Focus Area. • Supporting goals of Chapel Hill 2020 including *A Place for Everyone*, *Community Prosperity and Engagement, Getting Around*, *Good Places-New Spaces,* and *Getting Around*. To date, no arguments in opposition have been submitted or identified by staff.
Staff Evaluation	The Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

PROJECT FACT SHEET

Project Details

Site Description	
Project Name	Tri Pointe Townhomes
Address	2217 Homestead Road
Property Size (NLA)	678,842 sq. ft. (15.6 acres)
Gross Land Area (GLA)	746,726 sq. ft. (17.1 acres)
Orange County Parcel Identifier Numbers	9870-90-7642
Existing Zoning	Residential-5-Conditional Zoning District (R-5-CZD)
Proposed Zoning	Residential-5-Conditional Zoning District (R-5-CZD)

Site Development Standards

Topic	Comment	Status
Development Intensity		
Use (Sec. 3.7)	*Proposed Use:* Dwelling Units, Single Family	✓
Inclusionary Zoning Ordinance (Sec. 3.10)	*Required:* 16.2 affordable units (15% of total lots) *Proposed:* 16 affordable units + payment-in-lieu	✓
Density (Sec. 3.8)	*Residential density:* 15 units per acre maximum *Proposed:* 6.3 units per acre	✓
Dimensional Standards (Sec. 3.8)	*Setback (primary) height:* 39 ft. maximum *Proposed:* 35 ft. *Core (secondary) height:* 60 ft. maximum *Proposed:* 35 ft. *Setbacks:* 20 ft. street, 6 ft. interior, 8 ft. solar – all minimums *Proposed:* Setbacks comply	✓
Floor area (Sec. 3.8)	*Maximum allowed:* N/A for single-family dwelling units *Proposed:* 216,000 sq. ft.	✓
Landscape		
Buffers - East (Sec. 5.6.2)	*Required* / *Proposed* **North:** 20 ft. Type C / 20 ft. Type C **South:** 10 ft. Type B / 10 ft. Type B **East:** 10 ft. Type B / 10 ft. Type B **West:** none / none	✓
Tree Canopy (Sec. 5.7)	*Minimum required:* 124,757 sq. ft. (30% of NLA) *Proposed:* 64,193 sq. ft. to remain	✓

	60,564 sq. ft. additional required 121 replacement trees proposed	
Parking Landscape Standards (Sec. 5.9.6)	Final Plans application must comply	**FP**
Environment		
Resource Conservation District (RCD) Uses (Sec. 3.6.3)	N/A	✓
RCD Dimensional Standards (Sec. 3.6.3)	*Impervious surfaces:* 10% of Stream side zone area, maximum 20% of Managed Use and Upland zone areas, maximum *Proposed:* 0 *Land disturbance:* 20% of Stream side zone area, maximum 40% of Managed Use and Upland zone areas, maximum *Proposed:* 0	✓
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	**FP**
Steep Slopes Land Disturbance (Sec. 5.3.2)	*Maximum Disturbance allowed:* 25% of areas with existing 4:1 slopes or greater *Proposed:* 0* *The only steep slopes that will be disturbed on the project site are exempt from LUMO steep slope regulations because they are man-made slopes associated with an existing driveway on the site.	✓
Stormwater Management (Sec. 5.4)	Meet or exceed LUMO standards	✓
Land Disturbance	*Proposed:* 566,437 sq. ft.	✓
Impervious Surface	*Existing:* 15,438 sq. ft. (2%) *Maximum allowed:* 522,708 sq. ft. (70%) *Proposed:* 282,274 sq. ft. (37.8%)	✓
Solid Waste & Recycling (Sec. 5.13)	Final Plans application must comply	**FP**
Jordan Riparian Buffer (Sec. 5.18)	N/A	✓
Access & Circulation		
Traffic Impact Analysis (Sec. 5.8)	TIA completed	✓
Road Improvements (Sec. 5.8)	Roadway improvements in the vicinity will be incorporated into the Town's Homestead Road improvement project.	✓
Vehicular Access (Sec. 5.8)	One full movement driveway along Homestead Road and one limited access connection to the Courtyards at Homestead neighborhood.	✓
Bicycle Improvements (Sec. 5.8)	Bicycle improvements along Homestead Road will be incorporated into the Town's Homestead Road improvement project.	✓

Pedestrian Improvements (Sec. 5.8)	Pedestrian improvements along Homestead Road will be incorporated into the Town's Homestead Road improvement project. A crosswalk will be provided across the main entrance to the project. Sidewalks will be provided along streets within the site.	✓
Transit Improvements (Sec. 5.8)	Staff recommends $25,000 payment for nearby transit improvements	**C**
Vehicular Parking (Sec. 5.9)	*Proposed:* 234 spaces, including 3 handicapped spaces	✓
Bicycle Parking (Sec. 5.9)	*Proposed:* 4 racks in neighborhood parks and additional room for long-term bike storage in all townhome units.	✓
Electric Vehicle Parking	None provided. Units will be wired to allowed for future installation of electric vehicle chargers.	✓
Parking Design Standards (Sec. 5.9)	Final Plans application must comply	**FP**
Loading (Sec 5.9)	Final Plans application must comply	**FP**
Technical		
Fire	Built to Town Standards	**FP**
Recreation Area (Sec. 5.5)	*Minimum required:* 34,085 sq. ft. (.05) *Proposed:* 25,564 sq. ft. on-site and payment of $158,496	✓
Lighting Plan (Sec. 5.11)	Built to Town Standards; not to exceed 0.3 footcandles at property line	**FP**
Signage (Sec. 5.14)	Built to Town Standards	**FP**
Schools Adequate Public Facilities (Sec. 5.16)	Final Plans application must comply	**FP**
Homeowners Association (Sec. 4.6)	Yes	**FP**

Project Summary Legend

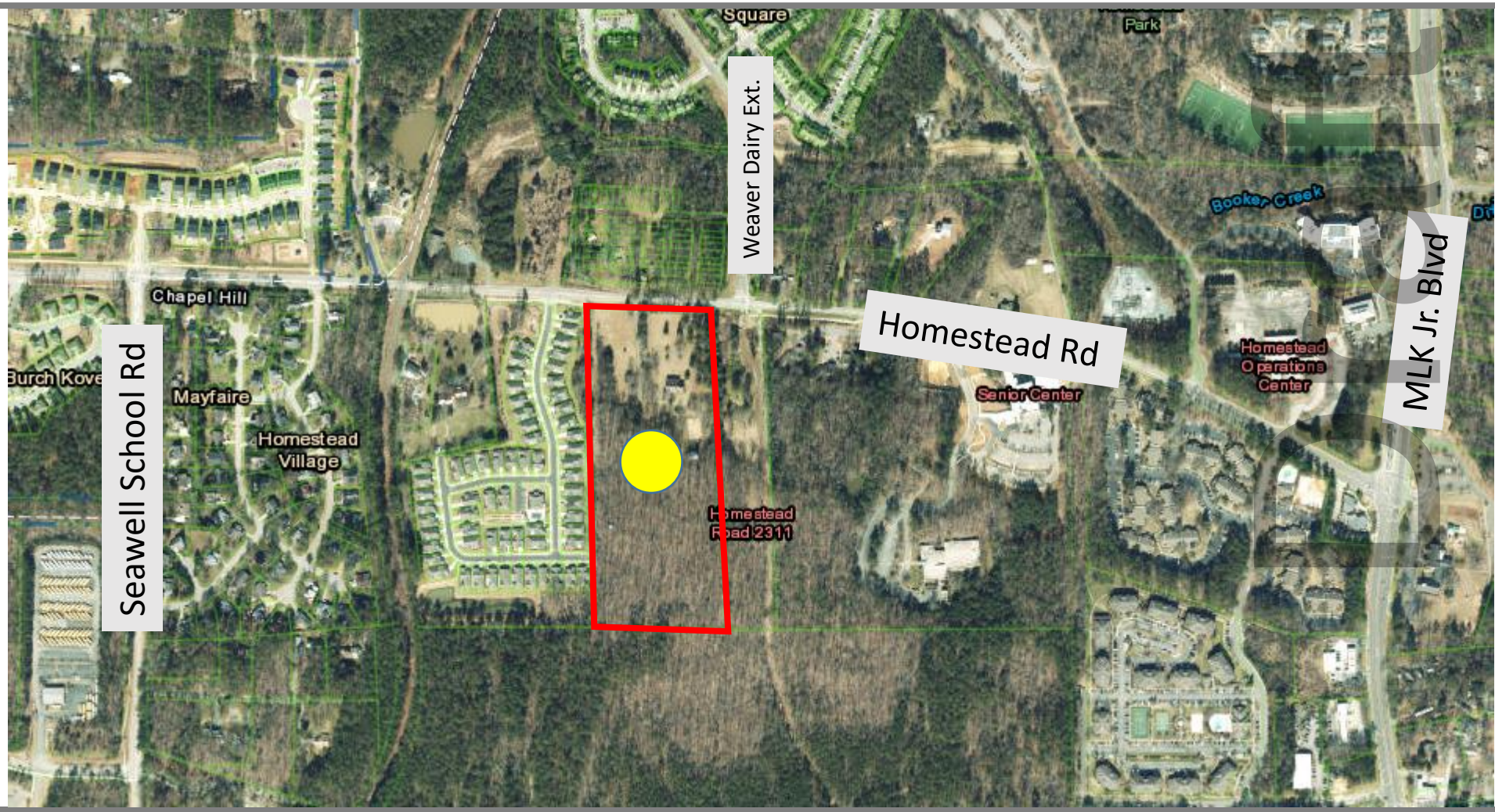
Symbol	Meaning
✓	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plans
NA	Not Applicable

CONDITIONAL ZONING

January 25, 2023

Tri Pointe Townhomes

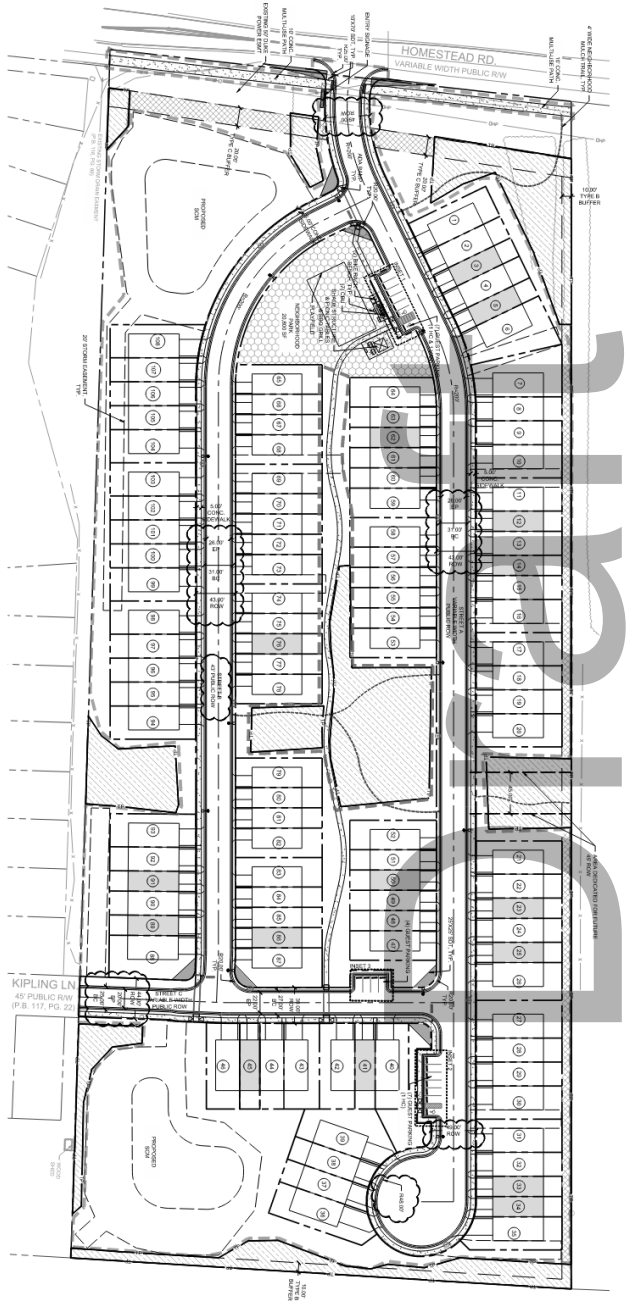
2217 Homestead Road
Chapel Hill, NC 27516



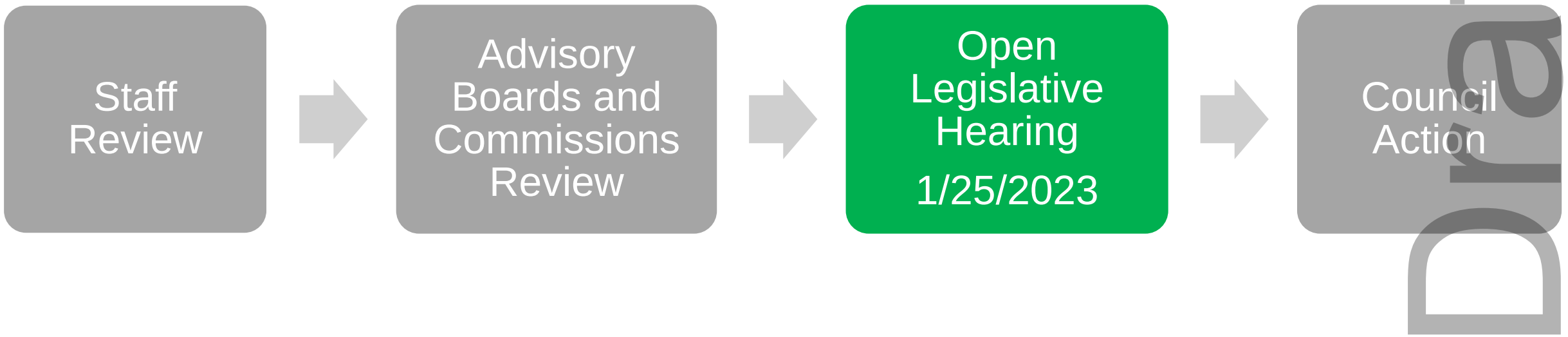
RECOMMENDATION

Open the Legislative Hearing and receive comments on the proposed Conditional Zoning.

Move to schedule action on the proposed Conditional Zoning application on February 22, 2023



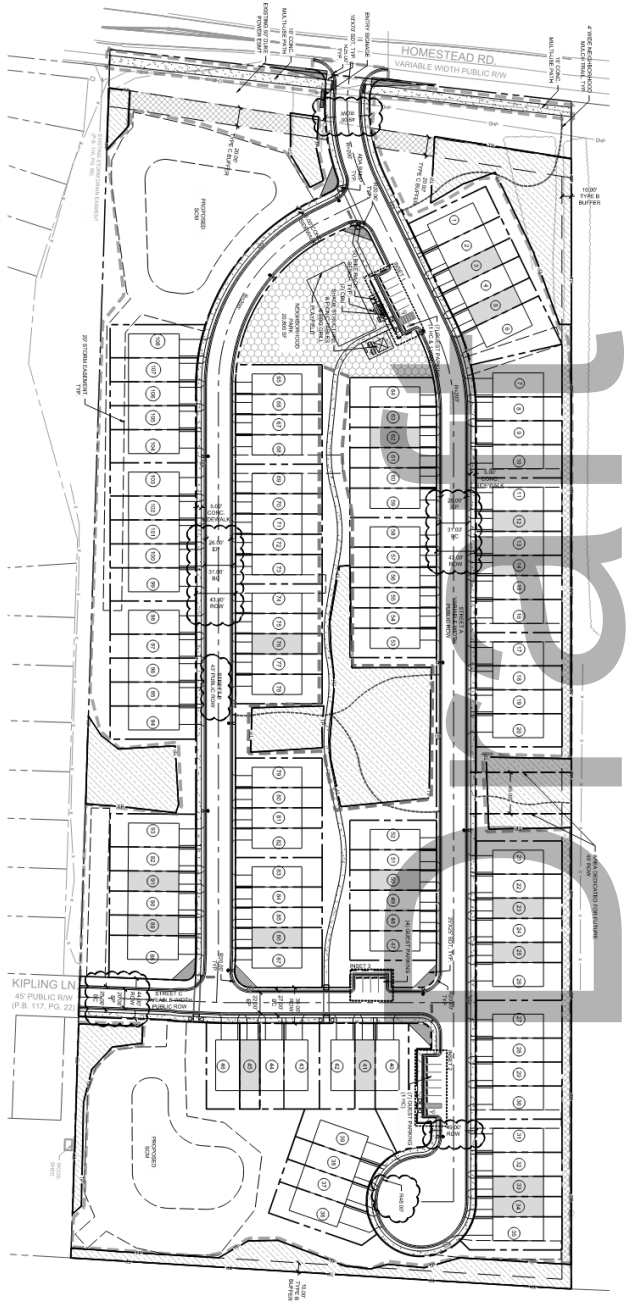
PROCESS



Draft

PROJECT SUMMARY

- Existing Zoning: Residential-5-CZD (R-5-CZD)
- Proposed Zoning: Residential-5-CZD (R-5-CZD)
  - Previously approved Active Adults project rezoned to R-5-CZD. Rezoning required by of the project-specific nature of Conditional Zoning Districts.
- 108 Townhome Units (16 Affordable Units)



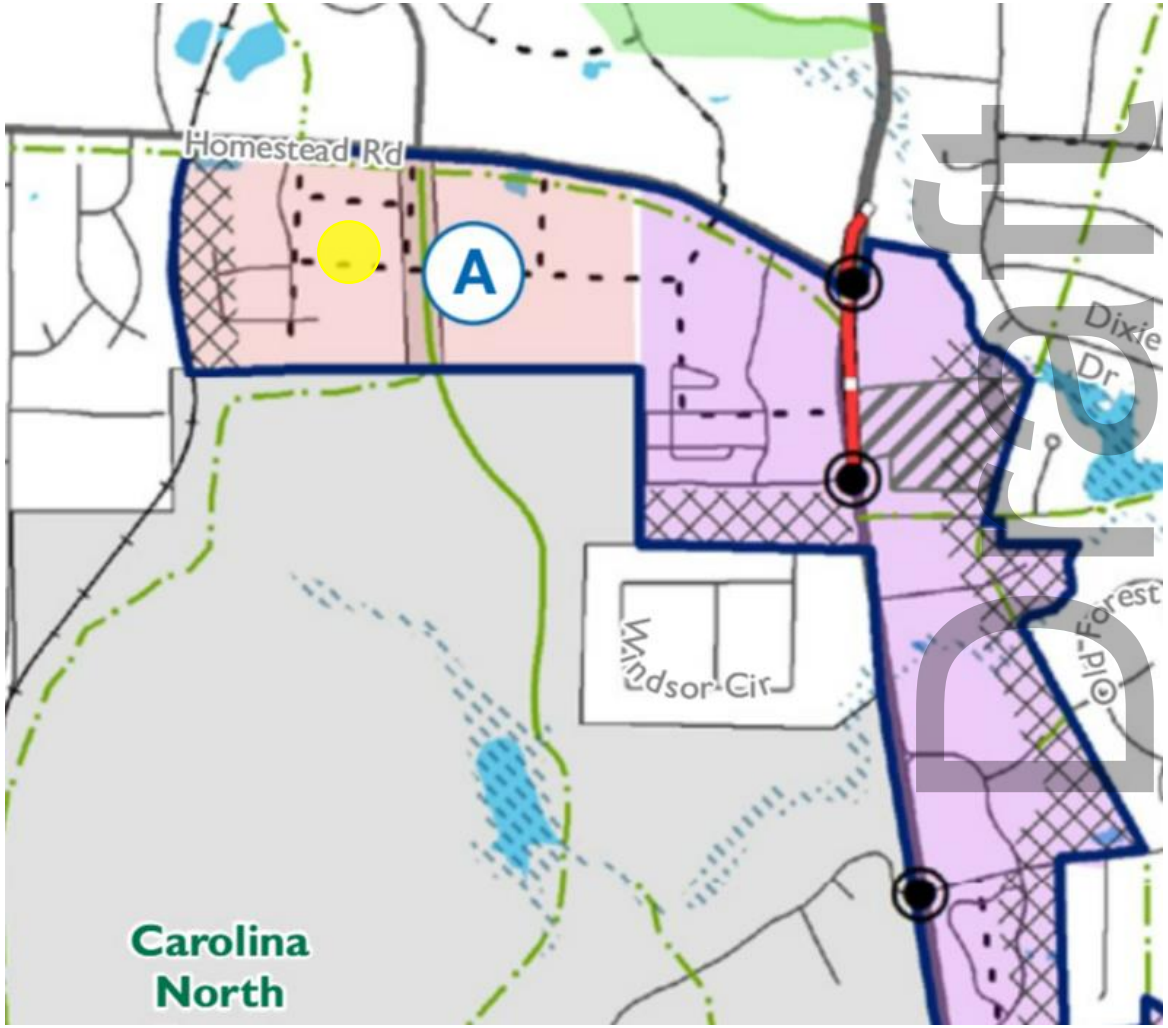
DRAFT

PROJECT SUMMARY

FLUM: South MLK Jr Blvd Focus Area

Primary Land Uses:

- Multifamily Residential
- Parks and Green/Gathering Spaces
- **Townhouses**
- Institutional/University/Civic



ADVISORY BOARD RECOMMENDATIONS

CDC 11/17/22	**Recommended approval** w/ condition • That applicant return for courtesy review of elevations prior to final plans review.
TCAB 11/22/22	**Recommended approval** w/ conditions • Restrict Kipling Lane connection to emergency access only. • Make Kipling Lane connection accessible for bicycles, pedestrians, and people with mobility devices in both directions. • Provide access across Homestead Road to support access to bus stops. • Add public bicycle parking in gathering spaces, including near the trail connection. • Provide conduit to at least 20% of guest parking spaces.

Draft

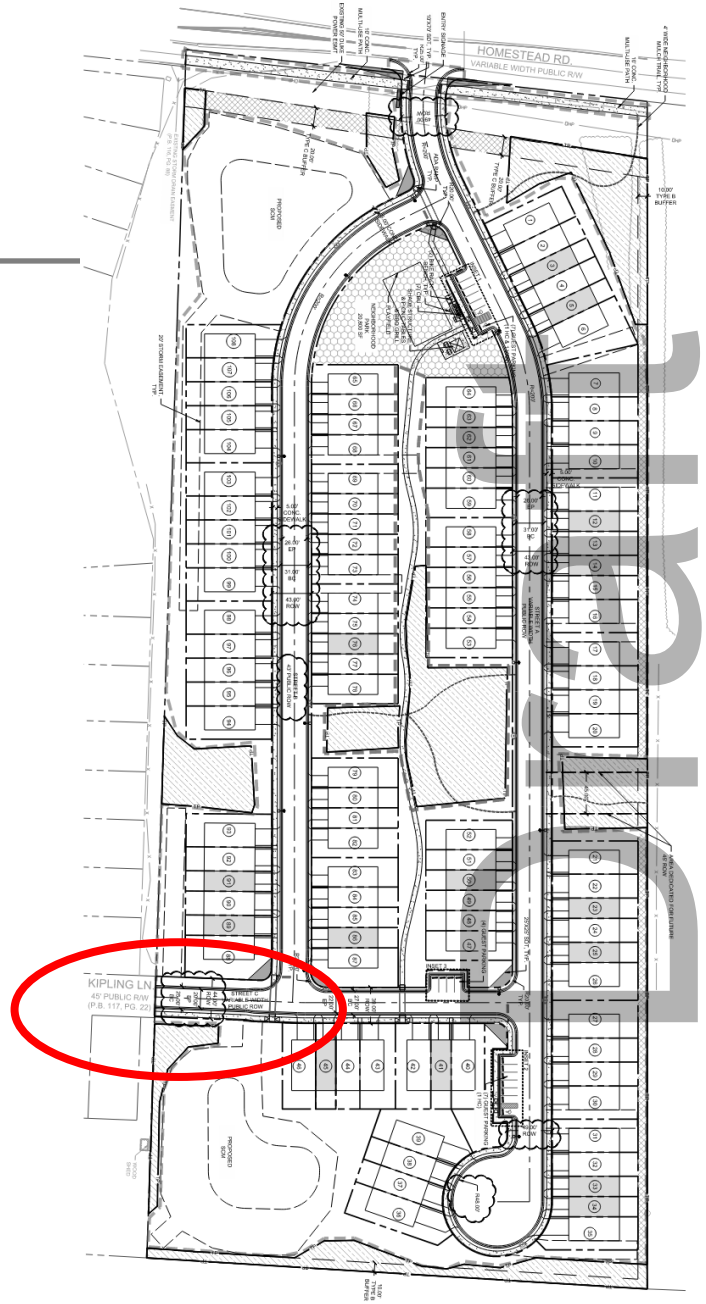
ADVISORY BOARD RECOMMENDATIONS

HAB 12/13/22	**Recommended approval w/o conditions**
ESAB 12/13/22	**Recommended approval w/ conditions** • All trees and planting should be native • To the greatest extent possible, preserve mature trees along the western buffer
Planning Commission 01/17/23	**TBD**

Draft

TRANSPORTATION PLANNING RECOMMENDATION

Staff recommends that Council support a one-way vehicular connection from Kipling Lane into the 2217 Homestead development

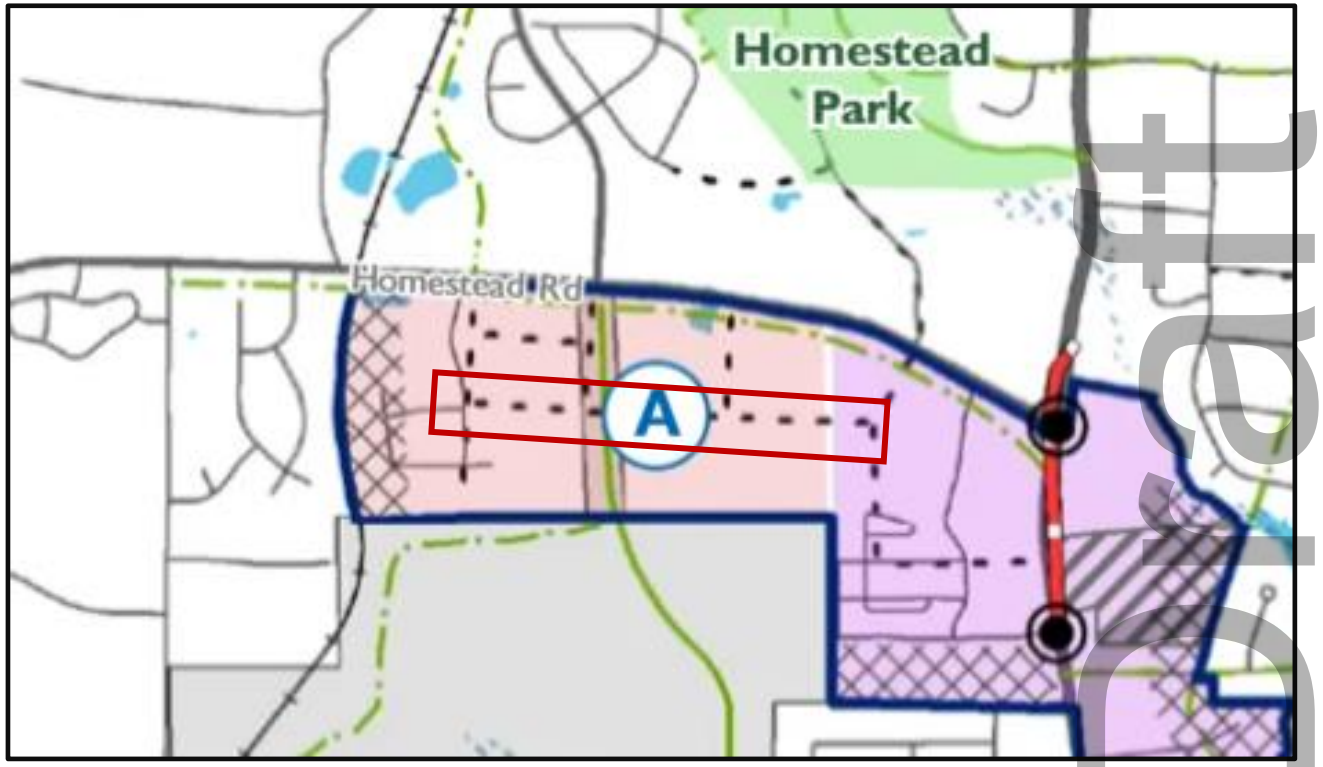


BACKGROUND

- Connection needed to bring Courtyards into compliance with fire code
- One-way connection approved in previous development proposal
- Neighbors are opposed to full connectivity

WHY CONNECT?

- Road connection planned in Future Land Use Map
- Road designed to connect in the future
- Best practices involve making connections and avoiding stub-outs
- Consistent and equitable implementation of policies



Draft

RECOMMENDATION

Open the Legislative Hearing and receive comments on the proposed Conditional Zoning.

Move to schedule action on the proposed Conditional Zoning application on February 22, 2023

Draft

RESOLUTION A
Resolution of Consistency and Reasonableness

A RESOLUTION REGARDING THE REASONABLENESS AND CONSISTENCY WITH THE COMPREHENSIVE PLAN OF THE APPLICATION FOR A CONDITIONAL ZONING ATLAS AMENDMENT FOR THE PROPERTY LOCATED AT 2217 HOMESTEAD ROAD TO RESIDENTIAL-5-CONDITIONAL ZONING DISTRICT (R-5-CZD) (2023-X-X/R-X)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Richard Gurlitz, on behalf of owner GS Homestead, LLC, to rezone a 15.6-acre parcel located at 2217 Homestead Road on property identified as Orange County Property Identifier Number 9870-90-7642, to allow a townhouse community; and

WHEREAS, the Council finds that the amendment, if enacted, is consistent with the Town's Comprehensive Plan, as explained by, but not limited to, the following elements of the Comprehensive Plan:

- A range of housing options for current and future residents (*Goal: A Place For Everyone. 3*)
- Promote a safe, vibrant, and connected community (*Goal: Community Prosperity and Engagement. 3)*
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Getting Around. 2*)
- Make an adaptable transportation system to support both dense and suburban development (*Goal: Getting Around. 4*)
- A transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (*Goal: Getting Around. 6*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal: Good Places New Spaces*. 5)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal: Good Places New Spaces*. 8)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Goal: Nurturing Our Community*. 7)

WHEREAS, the Future Land Use Map (FLUM) identifies this site as part of the South Martin Luther King (MLK) Boulevard Focus Area and Sub-Area A and calls for townhouses and residences such as those allowed under the proposed conditional zoning that serve as a transition between multi-family and single-family neighborhoods. The FLUM also encourages multimodal connections to accommodate pedestrians, bicycles, and transit, and seeks to add mixed-income housing near transit; and

WHEREAS, the Council finds that the amendment, if enacted, is reasonable and in the public's interest, as explained by, but not limited to, the following considerations:

- The proposed zoning is consistent with existing zoning and similar to adjacent zoning districts (R-5 proposed adjacent to R-2 and to the south of R-5).
- There are multiple residential developments proposed or under construction in the surrounding area, including similar housing types.
- Available existing sidewalks and transit service nearby could support medium-density residential development.

- The proposed zoning is consistent with the Future Land Use Map character for the Focus Area, and with the list of appropriate uses.
- Zoning conditions provide an opportunity to limit intensity and to establish standards that address any impacts on surrounding properties.

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 ___, 2023.

Ordinance A
(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2217 HOMESTEAD ROAD TO RESIDENTIAL-5-CONDITIONAL ZONING DISTRICT (R-5-CZD) (PROJECT #22-019) (2023-#-#/O-#)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Richard Gurlitz, on behalf of owner GS Homestead, LLC, to rezone a 15.6-acre parcel located at 2217 Homestead Road on property identified as Orange County Property Identifier Number 9870-90-7642 to Residential–5–Conditional Zoning District (R-5-CZD), to allow a townhouse community and finds that the amendment to the Zoning Atlas is:

- Consistent with the Town's Comprehensive Plan, per NCGS 160D-605; and
- Reasonable and in the public's interest, per NCGS 160D-605;
- Warranted because of changing conditions and warranted to achieve the purposes of the Comprehensive Plan, per LUMO 4.4

WHEREAS, the application, if rezoned to Residential–5–Conditional Zoning District (R-5-CZD) within the metes and bounds of PIN 9870-90-7642 and according to the district-specific plan dated October 7, 2022, and the conditions listed below would, per LUMO 4.4.3(f):

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

CONDITIONAL ZONING DISTRICT

BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council finds, in this particular case, the proposed rezoning, subject to the conditions below, satisfies the purposes of Residential–5–Conditional Zoning District (R-5-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 parcel identified by Parcel Identifier Number (PIN) 9870-90-7642, described below, shall be rezoned to Residential-5-Conditional Zoning District (R-5-CZD):

BEGINNING at an iron stake on the South side of Homestead Road, a common corner with the northeast corner of land now or formerly owned by Tilson; runs thence along the

eastern line of the Tilson property South 01 degree 15 minutes West 1,295 feet to an iron stake in the northern in the northern line of the property now or formerly owned by the University of North Carolina; runs thence with the University of North Carolina northern line South 86 degrees East 382.3 feet to a stake; continuing along the northern line of the University of North Carolina northern line South 86 degrees East 162.3 feet to a stake; runs thence North 01 degrees East 807 feet to a stake at the northwest corner of the property now or formerly owned by Burford; runs thence North 03 degrees 04 minutes West 481.15 feet to a stake on the South side of Homestead Road; run thence along the South side of Homestead Road North 86 degrees 38 minutes West 293.15 feet to a stake on the South side of Homestead Road; continuing along the South side of Homestead Road North 81 degrees West 210 feet to the POINT AND PLACE OF BEGINNING, containing approximately 15.65 Acres, more or less.

SAVE AND EXCEPT THE FOLLOWING:

A 0.110 Acre Tract conveyed in a Deed for Highway Right-of-Way as recorded in Book 6658, Page 914, Orange County Registry and more fully described as follows:

BEGINNING at a point with a northing of 801304.93' and an easting of 1979472.06' and running thence South 86 degrees 08 minutes 13 seconds East 127.12 feet to a point; thence South 86 degrees 49 minutes 25 seconds East 376.49 feet to a point; thence South 00 degrees 28 minutes 25 seconds West 8.54 feet; thence North 86 degrees 48 minutes 55 seconds West 179.90 feet to a point; thence South 78 degrees 15 minutes 12 seconds West 22.33 feet to a point; thence North 71 degrees 53 minutes 02 seconds West 22.33 feet to a point; thence North 86 degrees 48 minutes 55 seconds West 184.05 feet to a point; thence South 89 degrees 14 minutes 27 seconds West 96.40 feet to a point; thence 01 degree 07 minutes 57 seconds East 13.19 feet to a point; thence North 01 degree 07 minutes 57 seconds West 3.44 feet to the point and place of BEGINNING, containing a total of 4,801 square feet or .110 acre, more or less.

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 a date precisely two 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(s) provide written consent to the approval. Written consent must be provided within ten (10) business days of enactment by the Town Council.

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

Land Use Intensity Townhouse Development	
Permitted Uses	Dwelling units, single-family Customary accessory uses
Gross Land Area	746,726 sq. ft. (17.1 acres)
Floor Area	216,000 sq. ft.

Maximum Dwelling Units	108
Minimum Affordable Units	16.2
Maximum Total Impervious Surface	282,274 sq. ft.
Maximum Land Disturbance	567,000 sq. ft.
Minimum Tree Canopy Coverage	124,757 sq. ft. (30%)
Minimum Recreation Area	25,564 sq. ft. on-site
Resource Conservation District maximum land disturbance	0 sq. ft.

2. Bicycle Parking: The developer shall provide at least twenty-seven (27) bicycle parking spaces. At least ten (10) of the spaces will be publicly accessible.

3. Recreation Area (Subdivision): The developer shall provide a payment-in-lieu in the amount of $158,496.00 for Recreation Area prior to issuance of the first Zoning Compliance Permit.
4. Energy Efficiency & Management Plan: The developer shall submit a final Energy Management Plan prior to issuance of the first Zoning Compliance Permit for the site. Subsequent development on the site will be in accordance with the Energy Management Plan. The Energy Management Plan should respond to each of the following prompts [Town Policy, April 2007]:
    a. 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).
    b. 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)
    c. 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).
    d. 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).
    e. Describe how the project aims to lower transportation-related energy consumption or carbon reduction (e.g., project will build a bus shelter with solar-powered LED lighting; install electric vehicle charging stations and run conduit and install paneling for future installations).
    f. Describe how the design aims to mitigate the urban heat-island effect (e.g., project will include a vegetative roof).
    g. Indicate how the site design will enhance water and/or energy conservation (e.g., xeriscaping, tree shading, solar orientation).
    h. 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).
    i. 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).
    j. Describe how the lighting design will reduce energy consumption (e.g., high efficiency interior/exterior lighting, clerestory, passive solar, photocells, occupancy sensors, automated shades).

k. Indicate what percentage of the occupied rooms/office will have direct access to a reasonable amount of natural light.
l. Describe how the building envelope will reduce energy consumption (e.g., low-e glazing, high R-value insulation, north-south glazing orientation, thermal massing).
m. 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)
n. Indicate how the mechanical equipment will offer better energy performance than the minimum allowed by code (e.g., high SEER-rated HVAC unit).
o. 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).
p. Describe how the project will support the goals and targets of the Town's Climate Action and Response Plan. Examples include green infrastructure incorporated into the site design, building(s) with an all-electric design, future all-electric adaptability of buildings, design that meets the AIA 2030 Challenge fossil fuel reduction targets, inclusion of renewable energy either on- or off-site, inclusion of electric vehicle charging stations (initially 3% of all spaces, with a design that can accommodate up to 20%), and facilities supporting Bus Rapid Transit and the Town's Mobility and Connectivity Plan.

5. Electric Appliances: The developer shall install all-electric appliances in all dwelling units. No gas appliances shall be installed.

6. Community Design Commission (CDC): The developer shall submit detailed building elevations to the CDC for courtesy review prior to issuance of the first Zoning Compliance Permit for construction of dwellings on the site. The developer shall not be required to attend more than one meeting of the CDC and the CDC shall have no authority to approve, deny, or defer action on the submitted elevations. If CDC comments on the submitted elevations are not transmitted to the developer within thirty (30) days of the developer's appearance before the CDC, this condition is deemed at met. [LUMO 8.5.5(j)]

Housing

7. Affordable Housing Plan: The developer shall provide the following:
   a. Affordable Units: 14.8 percent of the market rate homes (16 proposed units) will be affordable townhomes.
   b. Unit Size:
      i. The affordable units will all include 2-3 bedrooms
      ii. Size of the affordable townhomes shall meet or exceed the minimum size requirements found in Table 3.10-2 of the Land Use Management Ordinance.
   c. Location: The affordable units will be integrated into the community as shown on the site plan dated October 7, 2022.
   d. Pricing: Eight (8) of the affordable units will be reserved for those making 65% or less of the area median income (AMI) and eight (8) of the affordable units will be reserved for those making 80% or less of AMI. AMI will be based on income data published annually by the U.S. Department of Housing and Urban Development for the Durham-Chapel Hill Metropolitan Statistical Area. Pricing will consider the total cost of mortgage principal and interest, property taxes, homeowners and condo association fees, any mandatory maintenance fees, and homeowner's

insurance such that a household's total housing costs do not exceed 30 percent of their household income.

e. Phasing: Fifty percent of the affordable housing shall be completed prior to the Zoning Final Inspection of the first half of the market rate dwelling units. The remaining affordable dwelling units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate dwelling units.
f. Affordability Period: The affordable units will be affordable for a period of at least ninety-nine (99) years.
g. Design:
    i. The affordable townhomes will be finished with the same exterior design, trim, materials, and details as the market-rate homes.
    ii. The affordable townhomes will meet the same energy efficiency standards as the market-rate homes.
h. Payment-in-lieu: Prior to issuance of the first Zoning Compliance Permit, the developer shall provide a payment-in-lieu of $17,000 for affordable housing.

8. Affordable Housing Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, a performance agreement that incorporates the approved Affordable Housing Plan must be executed by the developer, the Town Manager (or designee), and the non-profit agency that will administer the affordable housing units.

9. Short-Term Rentals: The Homeowners' Association covenants or other applicable covenants and restrictions shall prohibit dedicated short-term rentals of 30 days or fewer.

Transportation, Access, & Connectivity

10. Transit Payment: Prior to issuance of the first Zoning Compliance Permit, the developer shall provide a payment of $25,000 to support transit infrastructure.

11. Electrical Outlets: The developer shall provide 220-volt outlets in each garage.

12. Electrical Access to Visitor Parking: The developer shall install conduit at all visitor parking areas to facilitate future installation of electric charging stations.

13. Fire Access Road: 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]

14. Kipling Lane Connection: The developer shall connect to Kipling Lane with a roadway that meets Town standards for emergency and pedestrian access. Vehicular access to the connection will be limited to one-way eastbound traffic. Signage adjacent to the connection shall indicate that two-way traffic is permitted in emergency situations.

15. Access: The developer shall secure all necessary access rights for construction traffic as well as all future ingress and egress to this development.

Landscaping

16. Invasive/Exotic Identification: Prior to the issuance of a Zoning Compliance Permit, the developer shall provide a written report from an Arborist, Horticulturalist or

Landscape Architect that identifies the approximate location and area takeoff of any significant stands of Invasive/Exotic material on-site within the proposed buffers.

17. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be reviewed and approved by Town staff. 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 within the perimeter buffers only. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]

18. Existing Trees: Special care shall be exercised to avoid damage to existing trees along the shared boundary with the Courtyards at Homestead neighborhood. Prior to issuance of a Zoning Compliance Permit, the developer shall provide a written report from an Arborist, Horticulturalist or Landscape Architect that demonstrates how damage to existing trees will be avoided.

Other Site-Specific Conditions

19. OWASA Easement: Prior to issuance of a building permit, any water and sewer easements shall be recorded by plat. [LUMO 5.12]

20. Improper Discharge: The development shall not cause the discharge, emission, disposal, pouring or pumping directly or indirectly to the stormwater drainage system, including the MS4 or waters of the state, or upon the land in a manner and amount that the substance is likely to reach the stormwater drainage, any liquid, solid, gas or other substance, other than stormwater. Prohibited substances include condensation and waste products from the interior of the building and from mechanical, electrical, and plumbing equipment.

21. Changes to Roof Drainage Require Review and Approval: Construction plans submitted for approval by the Town's Engineering Division must include roof drainage plan sheet in the calculation document. The applicant must ensure that there is no modification to the approved roof drainage plan and interior plumbing. Any modification to the roof drainage and impervious area will require approval of Stormwater Management Division.

22. Maintenance of Stormwater Facilities: The stormwater management facility(ies) shall be maintained by the property owner in accordance with the recorded Operations and Maintenance Plan.

23. Annual Report: An original inspection report shall be provided to the Town beginning one year from the date of the recorded inspection, operation, and maintenance plan and each year thereafter on or before that date recordation. The owner shall provide evidence of the renewal of the maintenance bond or surety or a certified statement of the escrow account.

24. Stormwater Structure Locations: No stormwater structures are permitted in the building setbacks. Structures include pipe ends, flared end sections, underdrains, inlet structures, outlet structures, control structures, flow dissipation measures such as rip-rap aprons or stilling pools, rock splash pads, concrete splash blocks, and the downgradient toe of French drains. [LUMO 3.8]

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD CONDITIONS

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.

Transportation

25. Driveway Permit: The developer must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within NCDOT or Town of Chapel Hill 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 and Town of Chapel Hill requirements. An approved permit will be issued upon receipt of approved plans, inspection fees, and any necessary performance and indemnity bonds.

26. Repairs in Public Right-of-Way: Prior to issuance of a Zoning Final Inspection, the developer shall repair all damage for work in existing Town of Chapel Hill 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/or NCDOT prior to issuance of a Zoning Final Inspection. [Town Code 17-40]

27. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design street lighting along the site frontage. Design and construction details must be approved by the Town Manager and NCDOT. Lighting shall be installed prior to issuance of a Zoning Final Inspection.

28. 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. 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]

29. 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]

30. 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]

31. 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.

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

33. 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]

34. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.4.5]

35. 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/or NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [Town Code 17-47]

Landscaping and Building Elevations

36. 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]

37. 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]

38. 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 4.4.5]

39. 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]

40. 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.

41. 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).

42. 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

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

44. 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 4.5.3]

45. 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]

46. 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 once per seven calendar days if no rain. The developer shall make any necessary repairs or adjustments to the devices and maintain inspection logs documenting inspections and any necessary repairs in accordance with NCG01 Self Inspection Guidelines. [Orange County Erosion Control]

47. Erosion Control: The developer shall provide the Town a copy of the approved erosion and sediment control permit from Orange County Erosion Control Division. 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]

48. 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]

49. 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]

50. 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]

51. 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]

52. 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]

53. 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 a Final Plat. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping, and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

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

Water, Sewer, and Other Utilities

54. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The developer shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.4.5]

55. 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]

56. 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]

57. 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.

Homeowners' Association

58. 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.

59. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open space, recreation areas, paths, community garden, and shared stormwater management facilities.

60. 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 community garden; recreation space; open space and common areas; the bufferyards; and stormwater management facilities. That 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.

61. 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

62. Fire Sprinklers: The developer shall install NFPA 13D fire sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. [TOWN CODE 7-56]

63. 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]

64. 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]

65. 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.

66. 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]

67. 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]

68. 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.

69. 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]

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

71. 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]

72. 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]

73. 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]

74. 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]

75. 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]

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

77. 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.

78. 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]

79. 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]

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: 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

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: 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. 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]

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

closure the developer must apply to the Town Manager for a lane or street closure permit. [Town Code 17-42]

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

88. 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]

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

90. 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 4.4.5]

91. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete or have been bonded. 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.

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

93. 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.

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

95. Vested Right: This Conditional Zoning or Conditional Zoning modification constitutes a site-specific vesting plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160D-108.1 and the Chapel Hill Land Use Management Ordinance. 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.

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

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

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

BE IT FURTHER RESOLVED that the Council hereby approves the application for Conditional Zoning at 2217 Homestead Road.

This the #th day of MONTH, 2023.

RESOLUTION B
Denying the Conditional Zoning Application

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2217 HOMESTEAD ROAD TO RESIDENTIAL-5-CONDITIONAL ZONING DISTRICT (R-5-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-X-X/R-X)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Richard Gurlitz, on behalf of owner GS Homestead, LLC, to rezone 2217 Homestead Road and identified as Orange County Parcel Identifier Number 9870-90-7642, if rezoned to Residential-5-Conditional Zoning District (R-5-CZD) according to the rezoning plan dated October 7, 2022, 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 2217 Homestead Road to Residential-5-Conditional Zoning District (R-5-CZD).

This the ___day of ___, 2023.

TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

RECOMMENDATION FOR CONDITIONAL ZONING DISTRICT AT 2217 HOMESTEAD ROAD

November 22, 2022

Recommendation to Council: Approval ☐ Approval with Conditions/Considerations ☑ Denial ☐ Motion was Defeated ☐

Motion: Noah Upchurch made a motion, seconded by Heather Brutz, to recommend that the Council approve the conditional zoning district application for the property located at 2217 Homestead Road with the conditions listed below:

Vote: 8-0

Aye: Heather Brutz, Nikki Abija, Stephen Bevington, Mary Breeden, Brian Hageman, Katie Huge, Denise Matthews, and Noah Upchurch

Nay:

Conditions:

- That the proposed connection to Kipling Lane be an emergency-only option for motor vehicles in both directions.
- That the connection be open and made accessible and welcoming for bicycles, pedestrians, and people with mobility devices in both directions.
- That safe access be provided across Homestead Road to support access to bus stops.
- That additional public bicycle parking be added in gathering spaces, including near the trail connection.
- That the development provide conduit to at least 20% of the guest parking spaces.

HOUSING ADVISORY BOARD

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
TRI-POINTE HOMES
2217 HOMESTEAD ROAD

Recommendation: **Approval** ■ **Approval with Conditions** □ **Denial** □

Motion: A motion was made by Dowling, seconded by Hoole, that the Tri Pointe Homes - 2217 Homestead Conditional Zoning Application be recommended for approval by the Town Council.

Vote: 7-0

Ayes: Sue Hunter (Chair), Robert Dowling, Anne Hoole, Rex Mercer, Dustin Mills, Brandon Morande, Anthony Williams

Nays:

Additional Comments:

Prepared by: Emily Holt, Staff

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 AT 2217 Homestead Road

November 17, 2022

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

Motion: Susan Lyons moved and Megan Patnaik seconded a motion to recommend that Council approve the Conditional Zoning request for Tri Pointe Townhomes at 2217 Homestead Road, with the following conditions noted.

1. That prior to Final Plans approval, the Community Design Commission provide a courtesy review of the building elevations.

Vote: 5-0

Yeas: Ted Hoskins
Scott Levitan
Susan Lyons
Megan Patnaik
John Weis

Nays: None

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 A CONDITIONAL ZONING DISTRICT FOR 2217 HOMESTEAD ROAD

December 13, 2022

Recommendation to Council: Approval ☐ Approval with Conditions/Considerations ☑ Denial ☐ Motion was Defeated ☐

Motion: Stefan Klakovich moved and Lucy Vanderkamp seconded a motion to recommend that the Council approve the conditional zoning district application for the property located at 2217 Homestead Road if the following conditions and special considerations are met:

Vote: 5-0

Aye: Chair Tom Henkel, Marirosa Molina, Judy Gaitens-Arneson, Stefan Klakovich, Lucy Vanderkamp

Nay:

Conditions:

- All trees and plantings should be native
- To the greatest extent possible, preserve the mature trees that currently exist along the western buffer

Special Considerations:

- Allow existing trail along Kipling Drive per UNC's wishes
- Mr. Derek Ross' letter to the Environmental Stewardship Advisory Board (attached)

Prepared by: Tom Henkel, Chair, Environmental Stewardship Advisory Board
Anthony Henage, Vice-Chair, Environmental Stewardship Advisory Board
John Richardson, Community Sustainability Manager, Staff Liaison to ESAB

Attachment 1: Letter Presented to the ESAB by Mr. Derek Ross

Environmental Stewardship Advisory Board: 2217 Homestead Rd Review

Comments and Questions from the Courtyards at Homestead Residents

As residents next door to 2217 Homestead Road, we welcome new neighbors. As you conduct your review, we want to ensure you are aware of concerns specific to this proposal.

Topography:

The 2217 plot is one of the highest points in Chapel Hill, and the immediate subsurface is rocky (Bridgepoint, immediately across from 2217, has had significant issues with rock on the site and with large rocks situated on the edge of Homestead Road.)

2217 slopes down quite steeply east to west, and this has proven to be a significant flooding issue for the Courtyards Community from its inception. Town staff have worked to mitigate this issue, but residents continued to have flooding issues, which required them to provide new drainage channels for each residence that backed onto 2217. To this day we have residents who fear flooding surges.

Stormwater:

1) The grading plan for the 2217 shows that a section of the land on either side of the Tree Preservation Area (TPA) on the western boundary will be graded higher which would make the stormwater runoff path to the Courtyards even steeper, and the water would flow much faster and more powerfully into the Courtyards.
2) Erosion: The site plan shows a very steep slope right at the edge of the Tree Preservation Area (TPA) halfway up the western edge of the plot. We are concerned about erosion at this point and subsequent tree damage in this TPA. Possible mitigation strategies could be creating more space here by moving houses slightly away from the TPA or some form of restraining wall at the edge of the TPA.
3) Flooding of Kipling Lane and Capacity Concerns of Courtyards Pond. The 2217 land slopes down toward Kipling Lane Extension, shunting runoff down the steep slope of the paved road. A stormwater grate situated at the north edge of Kipling Lane could catch water before it floods over the street. Water flowing down Kipling Lane would dump into the Courtyards retention pond, which town staff tell us is already at full capacity.

Buffer:

1) The applicant claims that a buffer is not required between the two properties. The plan shows 3 types of trees and bushes along the common boundary.

Does this meet town ordinance?

We would like the inclusion of these trees and bushes to be a condition of approval

Tree Protection:

1) Some large mature trees straddle the property boundary between 2217 and the Courtyards. These are a resource that took decades to grow. Grading up to the property line will damage the roots on the 2217 side and likely kill the trees.

Proposal: We request that these trees and their roots are provided several feet of additional protection as a condition of your approval.

Derek Ross, on behalf of the Courtyards at Homestead

Design Review Comments
2217 Homestead Road Tri Pointe Housing
Plan set dated 10-07-22
Prepared by: Brian Peterson, AIA, Urban Designer, TOCH
Notes prepared 1-5-23

Site Design

1. In previous conversations with the applicant team, I suggested adding more green space and enhancing the pedestrian experience for the neighborhood. The site concept now features a central greenway space, with a pathway allowing access across the middle of the site, a significant improvement from earlier concepts. The back of the homes will feature a small patio space next to the houses, but the yards and the common space will visually tie together.

2. Suggest preserving some existing trees, if possible, in the neighborhood park space near the entry at Homestead Road.

3. Provide benches or other pedestrian amenities in shaded areas along the central greenway path and in the green spaces where trees have been preserved.

4. Consider landscape strategies and edge treatments that allow the stormwater ponds to seem more like neighborhood amenities such as designing the ponds as constructed wetlands or with soft transitional riparian edges.

5. Provide more street trees, (like what is shown in front of the townhouses in the rendered elevation view) to create canopy on both sides of the streets, creating more of a repetitive rhythm.

Building Design

6. A positive feature of the building elevations is that the pitched roofs and gables help break down the massing of the building groupings.

7. The applicant has verified that there is a stepping back and forth between individual units to allow for a staggered façade, which does not show up on the site plan but is indicated in the Rendered Elevation drawing.

8. The entrances for some of the middle units could use more emphasis. The entrance doors for these units are recessed back into an alcove which lies behind the garage doors. Suggest utilizing an architectural feature such as a pergola which projects out from the alcoves beyond the building edge and the plane of the garage doors.

9. The rear elevations of the townhouses along the central greenway will be visibly prominent due to the public access through the center of the site. Consequently, these elevations should have a level of composition and articulation that is commensurate with this visibility. Consider adding minor gables and/or other architectural features to ensure architectural interest. Compose facades so that widows align vertically when possible.

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

Revised: August 26, 2022

Parcel Identifier Number (PIN): 9870907642 Date: June 27, 2022

Section A: Project Information

Project Name:	Tri Pointe Townhomes		
Property Address:	2217 Homestead Road, Chapel Hill, NC	Zip Code:	27516
Use Groups (A, B, and/or C):	A	Existing Zoning District:	R-5
Project Description:	103 Townhome Units		

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

Applicant Information (to whom correspondence will be mailed):

Name:	Richard Gurlitz				
Address:	121 S. Estes Drive Suite 100				
City:	Chapel Hill,	State:	NC	Zip Code:	27514
Phone:	919-489-9000	Email:	richard@gurlitzarchitects.com		

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

Signature: Richard Gurlitz Digitally signed by Richard Gurlitz DN: cn=Richard Gurlitz, o=GS Homestead, LLC, ou=Manager, email=richard@gurlitzarchitects.com, c=US Date: 2022.10.07 14:29:49 -04'00' Date: October 7, 2022

Owner/Contract Purchaser Information:

☒ **Owner** ☐ **Contract Purchaser**

Name:	GS Homestead, LLC				
Address:	121 S. Estes Drive Suite 100				
City:	Chapel Hill	State:	NC	Zip Code:	27514
Phone:	919-489-9000	Email:	richard@gurlitzarchitects.com		

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

Signature: Richard Gurlitz Digitally signed by Richard Gurlitz DN: cn=Richard Gurlitz, o=GS Homestead, LLC, ou=Manager, email=richard@gurlitzarchitects.com, c=US Date: 2022.10.07 14:30:20 -04'00' Date: October 7, 2022

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=	678,842	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=	15,094	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	52,790	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	746,726	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)	566,437 SF
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Areas	**Existing (sq. ft.)**	**Demolition (sq. ft.)**	**Proposed (sq. ft.)**	**Total (sq. ft.)**
Impervious Surface Area (ISA)	15,438	15,438	270,712	270,712
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%		2.0%	36.25%	36.25%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1	1	108 Bldg - 216,000 SF	216,000 SF
Number of Floors	2	2	2	2
Recreational Space	0	0	34,085	34,085

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)	4001	4001	216,000	216,000
Total Square Footage of All Units	4001	4001	216,000	216,000
Total Square Footage of Affordable Units			32,000	32,000
Total Residential Density			6.9/AC	6.9/AC
Number of Dwelling Units	1	1	108	108
Number of Affordable Dwelling Units	0	0	16	16
Number of Single Bedroom Units			0	0
Number of Two Bedroom Units			0	0
Number of Three Bedroom Units	1	1	108	108

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

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	20	NA	20
	Interior (neighboring property lines)	6	NA	6
	Solar (northern property line)	8	NA	8
Height (maximum)	Primary	39	NA	39
	Secondary	60	NA	39
Streets	Frontages	40	NA	40
	Widths	50	NA	50

PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

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	60'	Variable	2-3 lanes	☐ Yes	☐ Yes
Kipling Drive	45	27	2	☒ 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' Multi Use	Asphalt	☒ Yes ☐ No ☐ N/A
			☐ Yes ☐ No ☐ N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	189	243	216
Handicap Spaces	0	0	3
Total Spaces	NA	NA	234
Guest Spaces	NA	NA	18
Bicycle Spaces			27
Surface Type			

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
Homestead Road - North External	15Feet B	15 Feet	☐ Yes	☒ Yes
UNC Property - East	10 Feet B	10 Feet	☐ Yes	☒ Yes
UNC Property - South	10 Feet B	10 Feet	☐ Yes	☒ Yes
The Courtyards - West	None	None	☐ Yes	☒ Yes

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-5	.303	.050		373,363		226,258	34,085
ADU BONUS						54,400	
TOTAL						280,658	34,085
RCD Streamside		0.01					NA
RCD Managed		0.019					NA
RCD Upland							NA

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.

	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid $ 63,368.80
	Pre-application meeting –with appropriate staff	
	Digital Files – provide digital files of all plans and documents	
	Recorded Plat or Deed of Property	
	Project Fact Sheet	
	Traffic Impact Statement – completed by Town's consultant (or exemption)	
	Description of Public Art Proposal, if applicable	
	Statement of Justification	
	Response to Community Design Commission and Town Council Concept Plan comments, if applicable	
	Affordable Housing Proposal, if applicable	
	Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan	
	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)	
	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid $ 137
	Written Narrative describing the proposal, including proposed land uses and proposed conditions	
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals	
	Jurisdictional Wetland Determination – if applicable	
	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)	
	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)	
	Reduced Site Plan Set (reduced to 8.5" x 11")	

Stormwater Impact Statement (1 copy to be submitted)

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

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

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

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

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

Cover Sheet

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

Area Map

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

Existing Conditions Plan

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

Detailed Site Plan

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

Stormwater Management Plan

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

Landscape Protection Plan

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

Planting Plan

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

Steep Slope Plan

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

Grading and Erosion Control Plan

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

Streetscape Plan, if applicable

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

Solid Waste Plan

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

Construction Management Plan

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

Energy Management Plan

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

Exterior Elevations

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

Homestead Road Tri Pointe

WRITTEN NARRATIVE

(REV. August 26, 2022)

Goals and Objectives:

The program for the project is to develop 108 townhomes complementary to the nearby communities along Homestead Road and consistent with the 2020 Comprehensive Plan as well as the FLUM.

Natural Features of the Site

The geometry of the site is rectangular and bounded on the North face by Homestead Rd, on the East & South faces by the Carolina North Forest and on the West by a newer cottage style retirement community. The site generally slopes gently from the southeast corner to the northwest corner.

Circulation and Mitigation of Traffic impacts

Following both the geometry of the site and the topography, the townhomes are laid out following the northeast and northwest facing boundaries and the resulting roads. There is internal circulation on the site as well as fire access from both Kipling Lane as well as Homestead Road. The Kipling Lane access point additionally provides a second means of access for the neighboring development. The main road connects to the adjacent, previously stubbed out Kipling Lane of the bordering Western property. Bus service is available along Homestead road for some mitigation of traffic impacts. Homestead road has been designed for an additional center lane. This property has already dedicated additional right-of-way to accommodate that improvement. Discussions with DOT have indicated that main access road will be located to provide sufficient storage space on Homestead for turning vehicles in the center lane.

Arrangement and Orientation of Buildings

The buildings are arranged in clusters surrounding preserved open spaces with existing hardwood forest. The rectilinear orientation allows for many of the homes to face the wooded areas. The townhomes are arranged in clusters of primarily four units with a few six unit clusters. The lots are generally 110 feet deep. The orientation of the lots and their depth allow for some privacy mitigation on backyard to backyard conditions. The units in the center core of the site will respond to an open common area between the units with a sidewalk and connection to recreation facilities on site.

Natural Vegetation and Landscape

Large areas of natural vegetation are intended to be preserved among the townhome clusters. The site is very flat and minimal grading will be required to achieve the building pads at grade. This allows larger areas of existing wooded areas to be preserved. The landscaping included will consist of street trees as required along the major public roadways, and landscaped buffers where required along the neighboring properties.

Impact on Neighboring Properties

The property is surrounded on three sides with permanent open space as dedicated parkland on the south and east, and Homestead Road on the north. The immediate western neighborhood is a development at 3.5 units per acre. The impact of this property on that neighborhood will be the completion of its required fire access road. The properties being developed across Homestead Road from this property is a townhome community with similar density. It is also anticipated that development of this parcel will help alleviate a stormwater flow problem that currently exists on the neighboring properties.

Homestead Road Tri Pointe

WRITTEN NARRATIVE

(REV. August 26, 2022)

Erosion, Sedimentation and Stormwater

Erosion and sedimentation will only be a factor during the construction phase of the development. During that phase, all applicable Orange County erosion control measures will be undertaken as part of the approval and inspection process.

Stormwater management will consist of routing water from the impervious surfaces of roof and roadway to collection and conveyances leading to a detention pond facility on site. Currently heavy rains from this site naturally drain to the neighboring property. Development of this property should have the effect of channeling much of the migrating flow from crossing the property line to being channeled to the stormwater management devices thus improving the flow conditions naturally occurring during heavy rain events.

The stream determination performed by the Town indicated that there was an ephemeral stream near the south east boundary of the property, but that there were no streams at all on the property. See Attachment 9 provided with the submittal.

Additionally, the property is not within the Jordan lake Watershed Protection District.

Access to the Courtyards

The developer, planning department, fire chief and the neighbors have met on several occasions to discuss the access connection at Kipling Drive to this development. The result, which is indicated on the submission, includes a pedestrian and bike connection between the two projects with signage that states “for Emergency Vehicles Only”. The right of way will be 45’ similar to the other right of ways throughout the development. The paved surface, however, will be narrowed to the minimum required for emergency vehicle access.

Building Facades

The building facades are staggered with varying depths and roof configurations to eliminate the “wall” effect that may be inferred from simply viewing the lot lines on the site plan documents. See attached rendering of proposed units for varying image.

Rendered Elevations for Proposed 2217 Homestead Road Townhomes

Homestead Road Tri Pointe

STATEMENT OF JUSTIFICATION AND COMPLIANCE WITH THE COMPREHENSIVE PLAN

Revised August 26, 2022

Compliance with the Comprehensive Plan

The sections of the 2020 Comprehensive Plan that are particularly applicable to this project focus on the need in the community to provide a variety of housing types- Big Idea number 4. We believe that providing both the units for affordable housing as a component of this development, as well as the development as-a-whole providing a townhouse community, meets the expectations and accomplishes the goals of the 2020 Comprehensive Plan as well as the Future Land Use Map for 2050. This project responds to the Themes and Goals in Chapter 3 of the Comprehensive Plan as follows:

THEMES

1. ***A Place for Everyone*** -
The need for affordable housing is clear in the first theme. This project provides for both mid- range housing in the townhomes as well as the affordable housing indicated in the LUMO. The townhome development is in concert with the Future Land Use Map and provides an alternate housing type to the predominant single family detached home or rental apartment in Chapel Hill. It is also anticipated that these townhomes will be a bridge in cost between single family and apartments. A mid-range.

2. ***Community Prosperity and Engagement***
A key element in prosperity and engagement, the second theme, is "sustaining healthy neighborhoods". This project provides new housing in a locus of existing R-5 neighborhoods, expanding the same fabric of that neighborhood. We anticipate that this neighborhood will be very cohesive and have the amenities of the University property as parkland adjacent. Community and gathering spaces are provided on-site as part of the recreation element that should contribute to a "healthy" neighborhood character.

3. ***Getting Around***
Key in the Getting Around theme is linking neighborhoods to thriving greenways, sidewalks, bicycle amenities and other options. The proximity of this project to the existing Carolina North Forest greenway & trails, and the anticipated payment in lieu providing support for the continued operation of the nearby Homestead Park and the Carolina North Forest's greenway and bicycle friendly neighboring property indicates the contribution this project will make to keeping Chapel Hill greenway and park facilities thriving. Additionally, this project will construct several hundred feet of multi-use trail along Homestead Road.

Homestead Road Tri Pointe

STATEMENT OF JUSTIFICATION AND COMPLIANCE WITH THE COMPREHENSIVE PLAN

Revised August 26, 2022

4. ***Good Places New Spaces***

This theme talks about "balancing respect for the old with the prospect of the new". This development as a continuation of the existing density and housing type of its neighbors, respects its neighborhood, but will provide an updated and newer version of this housing type.

5. ***Nurturing Our Community***

Environmental Sustainability and aspects of people's interaction with the natural habitat from parks and open spaces are the focus of this theme. With the existing wooded areas of UNC surrounding it to remain, there is great opportunity for the residents to interact with the immediate natural habitat. The proximity of Homestead Park, The Senior Center Southern Human Services Center and the Carolina North Forest, greenway and trails abutting the property, virtually insures that the residents will have the ability to take advantage of the Town and County park facilities. The saved natural treed areas within the site further enhance the interaction with the natural habitat.

6. ***Town and Gown Collaboration***

While there is no direct linkage between this project and the University, there is every likelihood that a significant number of the residents will in some way be associated with UNC. Providing housing for primarily UNC employees will be a major impact of this project on the Town and Gown relationship. It is not anticipated nor is it a goal of the developers that this project will provide student housing.

GOALS

PFE.1 – Family Friendly, accessible exterior and interior places throughout the town for a variety of active uses.

This townhome project of primarily three bedroom for-sale properties is certainly aimed at being family friendly. The site is additionally accessible both in terms of being ADA compliant as well as providing comfortable and inviting outdoor common areas and gathering spaces.

PFE.2 – A creative place to live, work, and play because of Chapel Hill's arts and culture.

The site is located within walking proximity to Homestead Park, Chapel Hill North trails, the Southern Orange Senior Center and the Chapel Hill Aquatics Center. All of which offer opportunities to engage in some of Chapel Hill's cultural and recreational activities.

Homestead Road Tri Pointe

STATEMENT OF JUSTIFICATION AND COMPLIANCE WITH THE COMPREHENSIVE PLAN

Revised August 26, 2022

PFE.3 – A range of housing options for current and future residents.

Homestead Road townhomes is providing a mid-range housing type that is currently under-represented in the Chapel Hill market. It expands the range of options for current and future residents.

PFE.4 – A welcoming and friendly community that provides all people with access to opportunities

Of the 108 townhomes in the community, 16 will be reserved as affordable housing to serve Chapel Hill residents at 65% and 80% of AMI creating home ownership opportunity for a wider range of Chapel Hill residents.

PFE.5 – A community of high civic engagement and participation.

As a housing community, the Homeowners Association created by this development, will provide a vehicle for the members of the community to voice their opinions and engage in civic activities.

FLUM Compliance

The 2050 Future Land Use Map, (FLUM) South MLK Boulevard Focus Area indicates that this site has a primary use as multi-family, as Sub Area A. , with townhomes as the recommended housing type. Page 44 of the December 2020 FLUM charts sub area A for Character Types and Height in 2050: South MLK Boulevard.

In recent conversations with Brian Peterson in the Town Manager's office, the preference for providing housing in Chapel Hill that addresses the "Missing Middle" has been addressed. Chapel Hill has a substantial inventory of single family homes. It also has recently developed a significant inventory of Apartments. Townhomes represent a form of "missing middle" housing types. Although there are certainly other townhome communities in Chapel Hill, they are under-represented overall. This project will help address that shortage. We also believe that the term "missing middle" applies to both the cost aspect of the homes as well as the building type.

Homestead Road Tri Pointe

STATEMENT OF JUSTIFICATION AND COMPLIANCE WITH THE COMPREHENSIVE PLAN

Revised August 26, 2022

Climate Action and Response Plan

This project will work with the Town's stated goals of affecting climate change by providing full electric services to the new homes. Within the framework of the current construction the following are provided:

Watersense Faucets and Fixtures – 1.5 gpm or 30% reduction from standard fixtures
Tankless water heaters – 8% -14% more energy efficient than standard
Energy Star Dishwashers – 12% more energy efficient and 30% more water efficient
Toilets – 1.28gpf – 20% less water than current federal standard
EV outlet in garage – Available
Rough in for optional solar panels included
Whole House LED lighting standard
Whole House energy management system included
Low E glazing standard
Techshield Radiant Barrier Roof Sheathing included
LOW VOC Paints standard
Programmable W—Fi thermostats standard
Merv 13 Air Filters
Duke Energy Hero Plan

Central West Small Area Plan

The major elements of the Central West Small Area Plan are focused on predominantly community and municipal actions that will lead to the development of successful town infrastructure. A few of the Principles, however, do pertain to the townhome development on Homestead Road.

Principle 3 – Create Social Connections: B; Include a variety of public spaces for all ages at a variety of scales with trees/vegetation, shade and places for sitting, and D; provide pedestrian and bicycle connections that encourage interpersonal connections to public gathering places throughout the area.

Principle 4 – Improve Physical Connections: The townhome project satisfies Objectives B, C, E and G providing linking pathways, bicycle connectivity, street and trails.

Principle 6 – Enhance the Pedestrian/Bicycle experience. The 10 foot wide multi-use trail that this project constructs along Homestead Road will be a link in developing this principle.

Principle 9 – A Diverse Population. The 16 affordable units in this development will contribute to providing opportunity for a more diverse economic population.

Homestead Road Tri Pointe

STATEMENT OF JUSTIFICATION AND COMPLIANCE WITH THE COMPREHENSIVE PLAN

Revised August 26, 2022

Principle 10 – Respect Existing Neighborhoods – This project is working with the neighboring communities to both connection at the emergency vehicle and pedestrian level and provide privacy in the proximity of housing.

Principle 11: - Employ Environmentally Sound Practices - Most applicable components of this Principle are being employed in this project. It is capturing site run-off, maintaining tree cover, promoting gree building and construction standards, burying utility and power lines, utilizing native and non-invasive plant species.

Principle 12 – Feature, Repair, and Enhance Natural Resources – This project provides open space amenities, best management practices for stormwater, and preserves natural features.

Mobility and Connectivity Plan
Chapel Hill Bike Plan

The Mobility and Connectivity Plan as well as the Chapel Hill Bike Plan primarily address improvements made in the public right of way. The contribution to this plan that this townhome project includes is the ten foot multi-use pathway along Homestead Road. This feature provides a wide surface to accommodate both pedestrian as well as bicycle traffic and provides a missing link between the portion completed in front of the Courtyards development, and the continuation of the trail on the eastern portion of the site. Bike parking facilities on site adjacent to guest parking and the recreation and gathering facilities, should encourage bike use within the neighborhood.

HOMESTEAD ROAD TOWNHOMES

CONSULTANT:

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

APPLICANT:

GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 2514

PARCEL INFORMATION:

SITE DATA	
PROJECT NAME:	HOMESTEAD ROAD TOWNHOMES
SITE ADDRESS:	2217 HOMESTEAD ROAD
COUNTY:	ORANGE
PARCEL PIN #:	9870907642
PARCEL OWNER:	GS HOMESTEAD, LLC
TOTAL PARCEL AREA:	15.65
PROPOSED UNITS:	108 TOWNHOME (16 AFFORDABLE UNITS)
CURRENT ZONING:	R-5-CZD
PROPOSED ZONING:	R-5-CZD
EXISTING LAND USE:	RESIDENTIAL
PROPOSED LAND USE:	TOWNHOUSE DEVELOPMENT
FLOOD PLAIN DATA:	MAP NO. 3710987000K, PANEL EFFECTIVE 11/17/2017
WATERSHED:	JORDAN LAKE
RIVER BASIN	CAPE FEAR
TREE CONSERVATION AREA::	30%
TOTAL LIMITS OF DISTURBANCE::	13.16 AC/ 573,159 SF
EXISTING IMPERVIOUS AREA:	0.35 AC / 15,438 SF
PROPOSED IMPERVIOUS AREA:	6.48 AC / 282,274 SF
PARKING DATA:	
MINIMUM REQUIRED:	1.75 SPACE PER 3 BEDROOM = 189 SPACE
MAXIMUM ALLOWED:	2.25 SPACE PER 3 BEDROOM = 243 SPACE
PROVIDED:	2 SPACE PER UNIT = 216 SPACE 18 GUEST PARKING (2 ADA & 1 VAN) TOTAL: 234 SPACE
BICYCLE PARKING:	
REQUIRED:	1 SPACE PER 4 UNITS = 27 SPACE
PROVIDED:	4 SPACE (2 RACKS) IN NEIGHBORHOOD PARK; REST PROVIDED IN TOWNHOME UNITS

CONDITIONAL ZONING PERMIT

JUNE 24, 2022
2217 HOMESTEAD ROAD
CHAPEL HILL, NORTH CAROLINA
2ND RESUBMITTAL - OCTOBER 7,2022

VICINITY MAP

INDEX OF DRAWINGS	
Sheet #	SHEET NAME
C0.00	COVER SHEET
C0.10	GENERAL NOTES
C0.20	AREA MAP
C1.00	EXISTING CONDITIONS & DEMOLITION PLAN
C1.10	STEEP SLOPE ANALYSIS
C1.20	CONSTRUCTION MANAGEMENT PLAN
C3.00	SITE PLAN
C3.10	TRASH MANAGEMENT & FIRE APPARATUS PLAN
C3.90	SITE DETAILS
C3.91	SITE DETAILS
C5.00	GRADING & STORM DRAINAGE PLAN
C6.00	UTILITY PLAN
L7.00	CODE PLANTING PLAN
L7.10	LANDSCAPE PROTECTION PLAN
L7.11	LANDSCAPE PROTECTION PLAN - TREE SURVEY
L7.90	PLANTING & SOILS DETAILS
A1.00	EXTERIOR ELEVATION

HOMESTEAD ROAD TOWNHOMES - CONDITIONAL ZONING PERMIT

Sheet #:
C0.00

GENERAL NOTES:

1. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN COMPLIANCE WITH THE OFFICE OF STATE CONSTRUCTION, DEPARTMENT OF INSURANCE, NCDENR, AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL GUIDELINES. ALL UTILITY CONSTRUCTION SHALL COMPLY WITH APPLICABLE LOCAL JURISDICTIONAL STANDARDS AND SPECIFICATIONS.
2. EXISTING SURVEY INFORMATION INCLUDING TOPOGRAPHIC INFORMATION PROVIDED BY STEWART , UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING, COORDINATING AND PAYMENT FOR ALL NECESSARY LOCATING SERVICES INCLUDING INDEPENDENT LOCATING SERVICES. THE CONTRACTOR SHALL PROVIDE NOTICE OF EXCAVATION TO NOTIFICATION CENTER AND FACILITY OWNERS (PER NC STATUTE) NO LESS THAN 3 BUSINESS DAYS AND NO MORE THAN 12 WORKING DAYS PRIOR TO BEGINNING DEMOLITION, EXCAVATION OR ANY OTHER FORM OF CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS. NO EXCAVATION OR DEMOLITION SHALL BE STARTED WITHOUT ALL UTILITIES BEING LOCATED.
4. ALL SUB-SURFACE UTILITIES IDENTIFIED ON THE CONSTRUCTION DOCUMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATION BASED ON SURVEY INFORMATION GATHERED FROM FIELD INSPECTION AND/OR ANY OTHER APPLICABLE RECORD DRAWINGS WHICH MAY BE AVAILABLE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS.
5. EXISTING IMPROVEMENTS DAMAGED OR DESTROYED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE RESTORED OR REPLACED TO ORIGINAL CONDITION AND TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE AT THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND COORDINATING PERMITS, INSPECTIONS, CERTIFICATIONS AND OTHER REQUIREMENTS WHICH MUST BE MET UNDER THIS CONTRACT.
7. THE CONTRACTOR SHALL MAINTAIN "AS-BUILT" DRAWINGS TO RECORD THE ACTUAL LOCATION OF ALL PIPING PRIOR TO CONCEALMENT, VALVE AND MANHOLE CHANGES, AND HARDSCAPE OR LANDSCAPE CHANGES. DRAWINGS SHALL BE PROVIDED TO THE OWNER'S REPRESENTATIVE AT REGULAR INTERVALS, OR AS REQUESTED THROUGHOUT THE PROJECT FOR RECORD KEEPING.
8. IF DEPARTURES FROM THE PROJECT DRAWINGS OR SPECIFICATIONS ARE DEEMED NECESSARY BY THE CONTRACTOR, DETAILS OF SUCH DEPARTURES AND REASONS THERE OF SHALL BE SUBMITTED TO THE OWNER'S REPRESENTATIVE FOR REVIEW. NO DEPARTURES FROM THE CONTRACT DOCUMENTS SHALL BE MADE WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE OWNER'S REPRESENTATIVE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RELOCATION OF ANY EXISTING UTILITY LINES REQUIRED TO COMPLETE ANY PORTION OF CONSTRUCTION. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE COORDINATION AND COSTS OF THE RELOCATION AND ASSOCIATED WORK.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING THE PREMISES FREE FROM ACCUMULATIONS OF WASTE MATERIALS AND RUBBISH CAUSED BY THE CONTRACTOR. ALL DEBRIS SHALL BE REMOVED FROM THE PROJECT SITE ON A DAILY BASIS.
11. THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND/OR METHODS ASSOCIATED WITH THE PROJECT AS SET FORTH IN THESE PLANS.
12. ROADWAYS (TEMPORARY OR PERMANENT) MUST BE CAPABLE OF SUPPORTING FIRE FIGHTING APPARATUS (85,000 LBS) DURING ALL PHASES OF CONSTRUCTION ONCE VERTICAL CONSTRUCTION HAS BEGUN.

EXISTING CONDITION NOTES:

1. THIS SURVEY MAP IS INTENDED TO REPRESENT THE EXISTING CONDITIONS/TOPOGRAPHY ON A PORTION OF THE PROPERTY AND ALL ENCUMBRANCES UPON THE PROPERTY MAY NOT BE SHOWN.
2. HORIZONTAL DATUM IS NAD 83-2011 AND VERTICAL DATUM IS NAVD88.
3. THIS DRAWING DOES NOT CONFORM TO N.C. GS47-30 AND THEREFORE IS NOT FOR RECORDATION.
4. UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND VISIBLE EVIDENCE AND UTILITY DESIGNATION / MARKING SERVICES PERFORMED BY STEWART INC, AND THE AVAILABLE RECORD INFORMATION. CONTRACTOR SHALL FIELD VERIFY LOCATION OF ALL UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
5. SURVEY INFORMATION BASED ON FIELD SURVEY BY STEWART COMPLETED ON AUGUST 1, 2017.
6. TREES SHOWN HEREON MAY NOT REPRESENT ALL VEGETATION ON THE SUBJECT PROPERTY.
7. THE SUBJECT PROPERTY LIES IN ZONES X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN) BASED ON THE FLOOD INSURANCE RATE MAP COMMUNITY MAP NUMBER 3710987000J DATED FEBRUARY 2, 2007.

DEMOLITION NOTES:

1. THE CONTRACTOR SHALL REMOVE CONCRETE (WHERE REQUIRED) TO THE FIRST COLD JOINT OR SAW CUT TO OBTAIN A CLEAN EDGE.
2. THE CONTRACTOR SHALL SAWCUT EXISTING ASPHALT (WHERE REQUIRED) TO OBTAIN A CLEAN EDGE.
3. CLEANOUTS AND WATER VALVES LOCATED IN AREAS OF DEMOLITION OR SUBSEQUENT CONSTRUCTION SHALL BE PROTECTED FROM DAMAGE AND RAISED TO BE FLUSH WITH NEW GRADE.
4. ANY UTILITY SERVICES SHOWN TO BE REMOVED OR RELOCATED SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY PROVIDER. CONTRACTOR IS RESPONSIBLE FOR APPROPRIATE SEQUENCING OF UTILITY DEMOLITION WITH THE RESPECTIVE UTILITY AGENCIES.
5. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL UTILITIES PRIOR TO BEGINNING DEMOLITION OPERATIONS. NOTIFY "NORTH CAROLINA ONE CALL" (TELEPHONE 1-800-632-4949) AT LEAST 48 HOURS PRIOR TO START OF DEMOLITION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL."
6. CLEAN SOILS SHALL BE UTILIZED FOR BACKFILL. COMPACTION OF THESE SOILS SHALL BE PERFORMED IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS.
7. ALL ITEMS DESIGNATED TO BE REMOVED SHALL BE REMOVED COMPLETELY, INCLUDING ALL SUBGRADE MATERIALS DIRECTLY ASSOCIATED WITH ITEMS TO BE REMOVED.
8. ALL ITEMS DESIGNATED TO BE REMOVED SHALL BE DISPOSED OF LEGALLY OFF-SITE UNLESS OTHERWISE NOTED ON THIS PLAN.
9. REFER TO LANDSCAPE AND EROSION CONTROL DRAWINGS FOR TREE PROTECTION PLAN AND REQUIREMENTS.
10. ALL DEMOLITION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE STATE AND LOCAL JURISDICTIONAL CODES OR REQUIREMENTS.
11. TREE PROTECTION FENCING SHALL BE IN PLACE PRIOR TO BEGINNING DEMOLITION
12. EROSION CONTROL PERMIT SHALL BE OBTAINED AND ONSITE PRIOR TO BEGINNING DEMOLITION.
13. ITEMS DESIGNATED TO BE SALVAGED AND/OR RE-USED SHALL BE REMOVED BY THE CONTRACTOR AND PROVIDED TO THE OWNER. COORDINATE STORAGE LOCATION WITH OWNER'S REPRESENTATIVE.
14. WHERE UTILITIES ("TO BE REMOVED") IMPACT THE FOOTPRINT OF THE NEW BUILDING, THE CONTRACTOR SHALL EXECUTE AND REMOVE AN ADDITIONAL 2 FEET OF SOILS TO EITHER SIDE OF THE PIPE, AND 1 FOOT BELOW. CLEAN SUITABLE SOIL SHALL BE UTILIZED FOR BACKFILL AND COMPACTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
15. DEMOLITION AND SUBSEQUENT CONSTRUCTION OF STORM DRAINAGE PIPING SHALL BE PERFORMED IN SUCH A MANNER THAT THE OLD PIPE AND STRUCTURES REMOVED DO NOT IMPACT DRAINAGE UPSTREAM OF THE SYSTEM. PROVISIONS SHALL BE MADE TO MAINTAIN STORM WATER DRAINAGE PATTERNS DURING CONSTRUCTION.
16. DEMOLITION AND SUBSEQUENT CONSTRUCTION OF UTILITIES (WATER, SEWER, ETC) SHALL BE PERFORMED IN SUCH A MANNER THAT THE OLD PIPE AND STRUCTURES REMOVED DO NOT IMPACT OR MINIMIZE SERVICE INTERRUPTION TO EXISTING FACILITIES TO REMAIN. PROVISIONS SHALL BE MADE TO MAINTAIN SERVICE DURING CONSTRUCTION.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL DAMAGES TO THE EXISTING DRIVEWAY, PARKING LOT, SIDEWALK AND CURB AND GUTTER AS A RESULT OF CONSTRUCTION ACTIVITY AND TRAFFIC. CONTRACTOR SHALL MAINTAIN A PRE-CONSTRUCTION VIDEO OR PHOTO DOCUMENTATION TO SHOW NO DAMAGES OCCURRED.
18. ALL MATERIALS, FURNISHINGS, UTILITIES, AND PAVEMENT THAT ARE NOT SCHEDULED TO BE DEMOLISHED AND ARE DAMAGED BY THE CONTRACTOR AS A RESULT OF THE DEMOLITION OR CONSTRUCTION OPERATIONS SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
19. WHERE UTILITIES ARE SHOWN TO BE "REMOVED", CONTRACTOR SHALL INCLUDE NECESSARY PLUG OR VALVES TO ENSURE UTILITY LINES TO REMAIN WILL CONTINUE TO BE IN SERVICE. COORDINATE NECESSARY SHUT DOWN AND REMOVAL WITH THE LOCAL JURISDICTION OR UTILITY OWNER.
20. CONTRACTOR SHALL PROVIDE PEDESTRIAN INGRESS / EGRESS TO ALL EXISTING BUILDINGS, PARKING LOTS, AND PATHS OF PEDESTRIAN TRAVEL THROUGHOUT THE CONSTRUCTION PERIOD

SITE NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF THE CONSTRUCTION LAYDOWN AREA, PERIMETER FENCE, AND ASSOCIATED GATES. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE REMOVAL OF THE CONSTRUCTION LAYDOWN AREA PERIMETER FENCE AND ASSOCIATED GATES AT THE COMPLETION OF THE PROJECT.
2. THE CONTRACTOR SHALL REFERENCE THE DESIGN PLANS FOR DIMENSIONS, JOINT LOCATIONS, AND INLAY SPECIFICATIONS NEAR BUILDINGS AND IN COURTYARDS. CONTRACTOR SHALL PROVIDE JOINTS IN WALKWAYS AND HARDSCAPE PER DETAILS OR AS INDICATED ON LANDSCAPE/HARDSCAPE PLAN SHEETS.
3. REFER TO ARCHITECTURAL PLANS FOR BUILDING INFORMATION.
4. ALL DIMENSIONS ARE IN DECIMAL FEET TO OUTSIDE FACE OF BUILDINGS, TO CENTERLINES, AND/OR FACE OF CURB UNLESS OTHERWISE NOTED.
5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND COORDINATES AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO ANY CONSTRUCTION.
6. ALL WRITTEN DIMENSIONS SHALL PREVAIL. DO NOT SCALE FROM DRAWINGS.
7. ALL UTILITIES WITH SURFACE ACCESS SHALL BE LOCATED WITHIN THE PAVING PATTERN AND SHALL BE COORDINATED WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION. REFER TO LAYOUT DRAWINGS.
8. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
9. ALIGN ALL JOINTS, CORNERS, AND EDGES AS SHOWN
10. CONTRACTOR SHALL REFER TO AND COORDINATE WITH ARCHITECTURAL, STRUCTURAL, AND MEP DRAWINGS AT ALL TIMES PRIOR TO AND DURING CONSTRUCTION.
11. ALL CURB TAPERS ARE SIX (6') FEET LONG UNLESS OTHERWISE SHOWN ON PLAN.
12. WHERE NEW SIDEWALK ADJOINS EXISTING WALK, PROVIDE EXPANSION JOINT BY DRILLING INTO THE FACE OF THE EXISTING WALK FOR PLACEMENT OF DOWELS. TIE NEW SIDEWALKS INTO NEAREST EXISTING PAVEMENT JOINT; MATCH WIDTH OF EXISTING WALKWAY.
13. WHERE SIDEWALK OR WALKWAYS ARE ADJACENT TO PARKING SPACES THE WALKWAY SHALL BE A MINIMUM 6.5' WIDE AS MEASURED FROM THE FACE OF CURB.
14. MAXIMUM RUNNING SLOPE FOR WALKING SURFACES CANNOT BE GREATER THAN 1:20 AND CROSS SLOPES CANNOT BE GREATER THAN 1:48. HANDICAP SPACES SURFACE SLOPES SHALL NOT EXCEED 1:48 IN ALL DIRECTIONS.
15. SIGHT TRIANGLES - NOTHING OVER 30" HIGH SHALL BE ALLOWED WITHIN THE SIGHT DISTANCE TRIANGLES.
16. THE SITE SHALL BE FULLY STABILIZED (90% COVERAGE) PRIOR TO ISSUANCE OF A BUILDING CERTIFICATE OF OCCUPANCY OR PROJECT APPROVAL
17. HANDICAP RAMPS SHALL BE INSTALLED PER THE PLANS AND SPECIFICATIONS AND THE NC BUILDING CODE. A MAXIMUM SLOPE OF 1/12 FOR 6-FEET AND A MAXIMUM CROSS SLOPE OF 1:48 SHALL BE PROVIDED. IF EXISTING CONDITIONS PRECLUDE THIS REQUIREMENT, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OR OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION
18. THE TESTING AGENCY SHALL BE RESPONSIBLE FOR PROVIDING THE ASPHALT AND CONTRACTOR CERTIFICATION MEMO TO NCDOT FOR ALL ROADWAY IMPROVEMENTS WITHIN THE PUBLIC RIGHT-OF-WAY.

GRADING AND STORM DRAINAGE NOTES:

1. CONTRACTOR SHALL REPORT ANY GRADE DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING CONSTRUCTION OPERATIONS.
2. THE MAXIMUM SLOPE ALONG ANY HANDICAP ACCESSIBLE PATHWAY SHALL NOT EXCEED 5.0% AND SHALL NOT EXCEED A 2.0% CROSS SLOPE. HANDICAP RAMPS INDICATED ON PLANS SHALL BE A MAXIMUM OF 1/12 SLOPES WITH A MAXIMUM RISE OF 30" BETWEEN LANDINGS. NON-CURB CUT RAMPS SHALL HAVE HANDRAILS AND GUARDS PER DETAILS WITH 5' LANDINGS AT THE BOTTOM AND TOP OF RAMP.
3. ALL PROPOSED ELEVATIONS SHOWN ARE EDGE OF PAVEMENT ELEVATIONS UNLESS OTHERWISE SPECIFIED.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL NEWLY CONSTRUCTED STORM DRAINAGE IMPROVEMENTS AND RECEIVING STORM DRAINAGE SYSTEMS REMAIN CLEAN OF SEDIMENT AND DEBRIS. PRIOR TO OWNER ACCEPTANCE OF SYSTEM, THE CONTRACTOR SHALL COORDINATE AND PROVIDE A VISUAL OBSERVATION VIDEO OF ALL STORM DRAINAGE IMPROVEMENTS 12" AND LARGER. THE VISUAL OBSERVATION SHALL BE PERFORMED IN THE PRESENCE OF THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL PROVIDE TWO (2) DVD COPIES OF THE ENTIRE DRAINAGE VISUAL OBSERVATION.
5. PRIOR TO ISSUANCE OF A BUILDING CERTIFICATE OF OCCUPANCY THE CONTRACTOR SHALL PROVIDE THE OWNER WITH THE VIDEO INSPECTION OF THE STORM SEWER SYSTEM. (BOTH PUBLIC AND PRIVATE). THIS SUBMITTAL MAY NEED TO BE REVIEWED AND ACCEPTED BY THE LOCAL JURISDICTION PRIOR TO THE ISSUANCE OF THE BUILDING CO.
6. REFER TO THE EROSION CONTROL DETAILS SHEET FOR THE SEQUENCE OF CONSTRUCTION
7. INTERIM GRADING SHALL BE PROVIDED THAT ENSURES THE PROTECTION OF STRUCTURES, UTILITIES, SIDEWALKS, PAVEMENTS, AND OTHER FACILITIES FROM DAMAGE CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, AND WASHOUT.
8. INTERIM GRADING SHALL BE PROVIDED TO DIRECT WATER AWAY FROM BUILDINGS AND PREVENT PONDING.
9. TIE ROOF LEADERS WHERE POSSIBLE TO UNDERGROUND STORM SYSTEM. CONTRACTOR TO FIELD VERIFY LOCATE AND INSTALL WHERE POSSIBLE OR AS SHOWN ON PLANS. WHERE ROOF LEADERS DAYLIGHT AT GRADE A SPLASH BLOCK APPROVED BY THE OWNER'S REPRESENTATIVE SHALL BE INSTALLED.
10. MAXIMUM SLOPE ACROSS ANY HANDICAPPED PARKING SPACE AND AISLE SHALL NOT EXCEED 2% IN ANY DIRECTION.
11. PROPOSED CONTOURS ARE APPROXIMATE. SPOT ELEVATIONS AND ROADWAY PROFILES SHALL BE USED IN CASE OF DISCREPANCY.
12. PLACE BACKFILL AND FILL MATERIALS IN LAYER NOT MORE THAN 8 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY COMPACTION EQUIPMENT, AND NOT MORE THAN 4 INCHES IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED TAMPERS. PLACE BACKFILL AND FILL MATERIALS EVENLY ON ALL SIDES TO REQUIRED ELEVATIONS, AND UNIFORMLY ALONG THE FULL LENGTH OF EACH STRUCTURE. COMPACT SOIL TO NOT LESS THAN 95 PERCENT OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698 FOR EACH LAYER OF BACKFILL OR FILL MATERIAL UP TO TWO FEET OF FINISHED GRADE. COMPACT SOIL TO NOT LESS THAN 98 PERCENT OF MAXIMUM DRY UNIT WEIGHT ACCORDING TO ASTM D 698 FOR EACH LAYER OF BACKFILL OR FILL MATERIAL FOR THE FINAL TWO FEET.
13. SITE GRADING IMMEDIATELY ADJACENT TO FOUNDATION OF BUILDING SHALL SLOPE NOT LESS THAN 1/20 AWAY FOR MINIMUM DISTANCE OF 10 FEET. ALTERNATIVE METHOD SHALL BE PROVIDED TO DIVERT WATER AWAY FROM FOUNDATION VIA SWALES SLOPED AT A MINIMUM OF 2% OR IMPERVIOUS SURFACES SLOPED AWAY A MINIMUM OF 2% AWAY FROM BUILDING.
14. CONTRACTOR SHALL ADJUST RIM ELEVATIONS OF EXISTING MANHOLES, METERS, VALVES, ETC. AS REQUIRED TO MEET NEW FINISHED GRADES.
15. CONTRACTOR SHALL SLOPE GRADES TO ASSURE POSITIVE STORMWATER FLOW TO KEEP WATER FROM POOLING ALONG CURBS AND WALLS.
16. TOP OF WALL ELEVATIONS INDICATE THE ELEVATION AT THE TOP OF THE CAP, UNLESS OTHERWISE NOTED.
17. BOTTOM OF WALL ELEVATIONS INDICATE THE ELEVATION OF THE FINISHED GRADE.

UTILITY NOTES:

1. UNLESS OTHERWISE NOTED, ALL MANHOLES SHALL BE PRE-CAST CONCRETE STRUCTURES.
2. THE CONTRACTOR SHALL COORDINATE THE CONSTRUCTION OF UNDERGROUND UTILITIES (WATER, SEWER, STORM, ELECTRICAL, GAS, OR OTHER) FOR THIS PROJECT WITH THE BUILDING PLANS. THE UTILITY CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE INSTALLATION OF ALL UTILITY SERVICES TO WITHIN FIVE (5) FEET OF THE BUILDING CONNECTION POINT.
3. THE CONTRACTOR SHALL COORDINATE WITH OTHER CONTRACTORS ON SITE AND UTILITY PROVIDERS DURING CONSTRUCTION TO ENSURE SMOOTH TRANSITION BETWEEN DISCIPLINES.
4. THE CONTRACTOR SHALL COORDINATE ALL PEDESTRIAN AND VEHICULAR INTERRUPTIONS WITH OWNER'S REPRESENTATIVE AT LEAST 72 HOURS PRIOR TO BEGINNING WORK.
5. THE CONTRACTOR SHALL NOT PROCEED WITH ANY WORK INSIDE THE PUBLIC RIGHT OF WAY PRIOR TO RECEIPT AND COMPLIANCE WITH ALL APPLICABLE NCDOT PERMITS. ADDITIONALLY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY FLAGGERS AND TRAFFIC CONTROL DURING ALL WORK INSIDE THE PUBLIC RIGHTS OF WAY.
6. THE CONTRACTOR SHALL NOT RE-USE ANY FIRE HYDRANT REMOVED AS PART OF THIS PROJECT. ANY FIRE HYDRANT SHOWN TO BE REMOVED OR RELOCATED SHALL BE REPLACED WITH A NEW FIRE HYDRANT MEETING THE LOCAL JURISDICTIONAL REQUIREMENTS AND STANDARDS.
7. ALL EXISTING SUB-SURFACE UTILITIES IDENTIFIED ON THE CONSTRUCTION DOCUMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATION BASED ON SURVEY INFORMATION GATHERED FROM FIELD INSPECTION AND/OR ANY OTHER APPLICABLE RECORD DRAWINGS WHICH MAY BE AVAILABLE. DEPTHS OF EXISTING UTILITIES SHOWN IN PROFILE VIEWS ARE BASED ON STANDARD ASSUMPTIONS. THE CONTRACTOR SHALL FIELD VERIFY THE EXACT LOCATION, DEPTH, SIZE AND MATERIAL OF ANY AND ALL SUB-SURFACE CONDITIONS REFERENCED IN THESE PLANS PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES OR CONFLICTS.
8. ELEVATIONS OF UTILITIES ARE GIVEN TO THE EXTENT OF INFORMATION AVAILABLE, WHERE ELEVATIONS ARE NOT GIVEN AT POINTS OF EXISTING UTILITY CROSSINGS, SUCH ELEVATIONS SHALL BE DETERMINED BY THE CONTRACTOR AND REPORTED TO THE ENGINEER, WHEN UNKNOWN LINES ARE EXPOSED, THEIR LOCATIONS AND ELEVATIONS SHALL ALSO BE REPORTED TO THE ENGINEER.
9. UNDERGROUND UTILITIES SHOWN ON THIS PLAN SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION OF PARKING AREA, DRIVES, CURB AND GUTTER OR CONCRETE WALKS / PADS. IF UTILITIES SHOWN ON THIS PLAN CANNOT BE INSTALLED PRIOR TO INSTALLATION OF IMPERVIOUS (ASPHALT / CONCRETE) CONDUIT SHALL BE INSTALLED FOR THE "FUTURE" UTILITY INSTALLATION.
10. AS-BUILT DOCUMENTATION REQUIREMENTS: PRIOR TO APPROVAL FROM LOCAL JURISDICTION OR ENGINEER THE CONTRACTOR SHALL PROVIDE AS-BUILT DRAWINGS (IN BOTH PAPER AND ELECTRONIC FORMAT (CAD / PDF) PREPARED AND SEALED BY A PROFESSIONAL LAND SURVEYOR SHOWING ALL UTILITY INSTALLATION. HORIZONTAL AND VERTICAL INFORMATION SHALL BE PROVIDED FOR WATER, SEWER, STORM INCLUDING ALL STRUCTURES, VALVES, HYDRANTS, AND OTHER APPURTENANCES.

PROPOSED UTILITY SEPARATION:

1. WATER MAINS SHALL BE LAID AT LEAST 10 FEET HORIZONTALLY FROM EXISTING OR PROPOSED SEWERS, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A 10-FOOT HORIZONTAL SEPARATION IN WHICH CASE;
   a. THE WATER MAIN IS LAID IN A SEPARATE TRENCH, WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER; OR
   b. THE WATER MAIN IS LAID IN THE SAME TRENCH AS THE SEWER WITH THE WATER MAIN LOCATED AT ONE SIDE OF A BENCH OF UNDISTURBED EARTH, AND WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18 INCHES ABOVE THE TOP TO THE SEWER.
2. CROSSING A WATER MAIN OVER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN 18 INCH VERTICAL SEPARATION, IN WHICH CASE BOTH THE WATER MAIN AND SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
3. CROSSING A WATER MAIN UNDER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER A SEWER, BOTH THE WATER MAIN AND THE SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. A SECTION OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING.
4. SEPARATION OF SANITARY SEWERS AND STORM SEWERS:
   a. A 18" VERTICAL SEPARATION SHALL BE PROVIDED BETWEEN STORM SEWER AND SANITARY SEWER LINES OR BOTH THE SANITARY AND THE STORM LINES SHALL BE CONSTRUCTED OF FERROUS MATERIALS.

SEWER NOTES:

1. SANITARY SEWER CLEANOUTS LOCATED IN PAVEMENT AREAS SHALL BE HEAVY DUTY TRAFFIC BEARING CASTINGS.
2. UNLESS OTHERWISE NOTED, ALL SANITARY SEWER MANHOLES ARE 4' DIA.
3. MANHOLES LOCATED IN PAVEMENT, CONCRETE OR OTHER TRAFFIC AREAS SHALL BE SET AT GRADE. MANHOLES LOCATED IN OTHER AREAS (I.E. GRASS OR WOODED AREAS) SHALL HAVE THEIR RIMS RAISED SIX INCHES ABOVE THE SURROUNDING GRADE. MANHOLES SUBJECT TO POSSIBLE WATER INFILTRATION SHALL HAVE WATERTIGHT, BOLTED LIDS.
4. MINIMUM REQUIRED SLOPES FOR SEWER SERVICES:
   4" SEWER SERVICE - 2.00% SLOPE
   6" SEWER SERVICE - 1.00% SLOPE
   8" SEWER SERVICE - 0.50% SLOPE
5. UNLESS OTHERWISE NOTED, LOCATE SANITARY SERVICE CLEANOUTS AT ALL HORIZONTAL OR VERTICAL CHANGES IN DIRECTION. MAXIMUM SPACING BETWEEN CLEANOUTS SHALL BE 75 FEET.
6. SEWER LINES LESS THAN 3 FEET OF COVER SHALL BE CLASS 50 DUCTILE IRON PIPE. SEWER LINES WITH GREATER THAN 3 FEET OF COVER SHALL BE AS NOTED BELOW:
   4" SEWER SERVICE - SCH 80
   6" SEWER SERVICE - SCH 80
   8" SEWER SERVICE - SDR-35
7. SEWER LINES UNDER CONSTRUCTION SHALL BE PROTECTED FROM DIRT, DEBRIS OR OTHER CONTAMINANTS ENTERING THE NEW SYSTEM. A MECHANICAL PLUG SHALL BE UTILIZED BOTH IMMEDIATELY UPSTREAM OF THE NEW CONSTRUCTION AND AT THE FIRST MANHOLE DOWNSTREAM IN THE EXISTING SYSTEM. EXISTING STRUCTURES, PIPING AND APPURTENANCES SHALL BE PROTECTED FROM ANY INFLOW OF WATER, DIRT OR DEBRIS DUE TO NEW CONSTRUCTION CONNECTING TO OR IN THE VICINITY OF THE EXISTING SYSTEM. CONTRACTOR TO REMOVE DEBRIS AND PLUG PRIOR TO OCCUPANCY.
8. ALL MANHOLES COVERS SHALL BE PAINTED TO LOCAL JURISDICTIONAL REQUIREMENTS.

WATER NOTES:

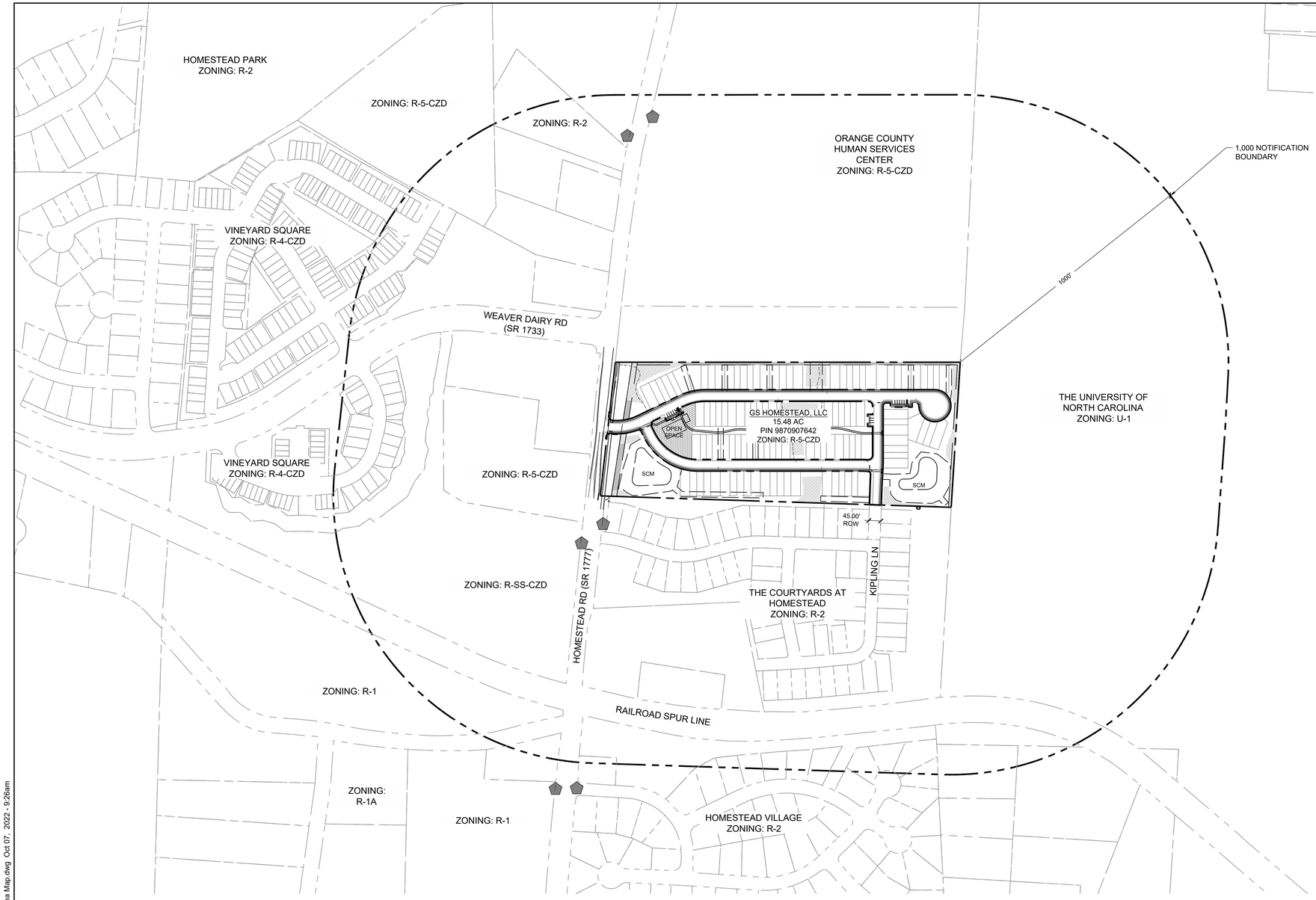
1. AS INDICATED, ALL WATERLINES SHALL BE DUCTILE IRON PIPE MEETING THE REQUIREMENTS OF ANSI-AWWA C151 PRESSURE CLASS 350 OR SOFT COPPER TYPE K PIPE PER ASTM B88. IF PVC WATERLINE IS INDICATED ON THE PLANS IT SHALL MEET THE REQUIREMENTS OF AWWA C-900; CLASS 200.
2. ALL WATERLINES SHALL HAVE A MINIMUM OF 3.5 FEET OF COVER.
3. TESTING NOTES:
   PRESSURE:
   LEAKAGE SHALL NOT EXCEED THE MAXIMUM ALLOWABLE LEAKAGE SPECIFIED IN AWWA C 600. MINIMUM TEST PRESSURE SHALL BE 150 PSI FOR DOMESTIC AND 200 PSI FOR FIRE PROTECTION.
   BACTERIOLOGICAL:
   TWO SAMPLES FOR BACTERIOLOGICAL SAMPLING SHALL BE COLLECTED AT LEAST 24 HOURS APART. IF CONTAMINATION IS INDICATED, THEN THE DISINFECTION PROCEDURE AND TESTING SHALL BE REPEATED UNTIL SATISFACTORY RESULTS ARE OBTAINED.
4. THE CHLORINE IN HEAVILY CHLORINATED WATER FLUSHED FROM MAINS NEEDS TO BE NEUTRALIZED BEFORE DISCHARGE. CONTRACTORS SHALL NEUTRALIZE HEAVILY CHLORINATED WATER FLUSHED FROM MAINS PRIOR TO DISCHARGE OR TRANSPORT ALL HEAVILY CHLORINATED WATER OFFSITE FOR PROPER DISPOSAL.
5. PAINT VALVE COVERS, FIRE HYDRANTS AND OTHER WATER APPARATUS TO MEET THE LOCAL JURISDICTIONAL REQUIREMENTS.

MATERIALS AND FURNISHINGS NOTES:

1. ABBREVIATIONS FOR SPECIFIC HARDSCAPE MATERIALS AND FURNISHINGS ARE LISTED IN THE LEGEND AND ARE USED THROUGHOUT THE DRAWING SET'S HARDSCAPE & FURNISHINGS PLANS, PAVING PATTERN PLANS AND SITE DETAILS.
2. REFER TO RELATED SPECIFICATION SECTION FOR SPECIFIC SUBMITTALS OF PRODUCT DATA, SAMPLES, SHOP DRAWINGS, QUALITY ASSURANCE REQUIREMENTS, EXECUTION REQUIREMENTS, AND FOR FURTHER PRODUCT INFORMATION NOT INCLUDED IN THIS SCHEDULE
3. CONTRACTOR TO SUBMIT COLOR SAMPLES AND PROVIDE MOCK-UPS FOR ALL CAST IN PLACE CONCRETE FOR APPROVAL BY LANDSCAPE ARCHITECT.

PAVING PATTERN NOTES:

1. END ALL UNIT PAVING PATTERNS WITH A FULL OR HALF SIZE PAVER UNLESS OTHERWISE NOTED. USE OVERSIZE PAVERS WHERE PATTERN ENDS ON A UNIT SMALLER THAN HALF SIZE.
2. LAYOUT OF UNIT PAVING PATTERNS AND CONCRETE JOINTS AS INDICATED ON THIS PLAN. REFERENCE LAYOUT PLANS FOR FURTHER PAVING LAYOUT INFORMATION.
3. PAVERS ABUTTING TRUNCATED DOMES SHALL BE A CONTRASTING COLOR.
4. ALIGN ALL TRUNCATED DOME PAVER JOINTS WITH ABUTTING PAVER JOINTS.
5. PROVIDE CONTINUOUS EXPANSION JOINTS BETWEEN BACK OF CURB AND ADJOINING PAVEMENT.
6. PROVIDE CONTINUOUS EXPANSION JOINT BETWEEN ALL VERTICAL SURFACES AND ADJOINING PAVEMENT.
7. ALL DIMENSIONS MEASURED TO CENTERLINE OF JOINTS.
8. ALL WRITTEN DIMENSIONS SHALL PREVAIL. DO NOT SCALE FROM DRAWINGS.
9. ALL ANGLES 90 DEGREES UNLESS OTHERWISE NOTED.
10. ALIGN ALL JOINTS, CORNERS AND EDGES AS SHOWN.
11. FINAL LAYOUTS TO BE APPROVED BY LANDSCAPE ARCHITEC



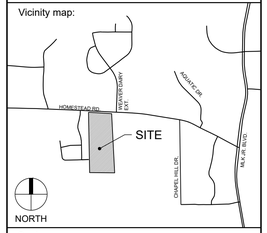
LEGEND:

SYMBOL	DESCRIPTION
	1000' BOUNDARY LINE
	OPEN SPACE
	TREE REPLACEMENT AREA
	TREE SAVE AREA
	BUS STOP

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT
USE FOR CONSTRUCTION

Scale:
0 100 200 400
SCALE: 1" = 200'
NORTH

Project:
HOMESTEAD ROAD TOWNHOMES

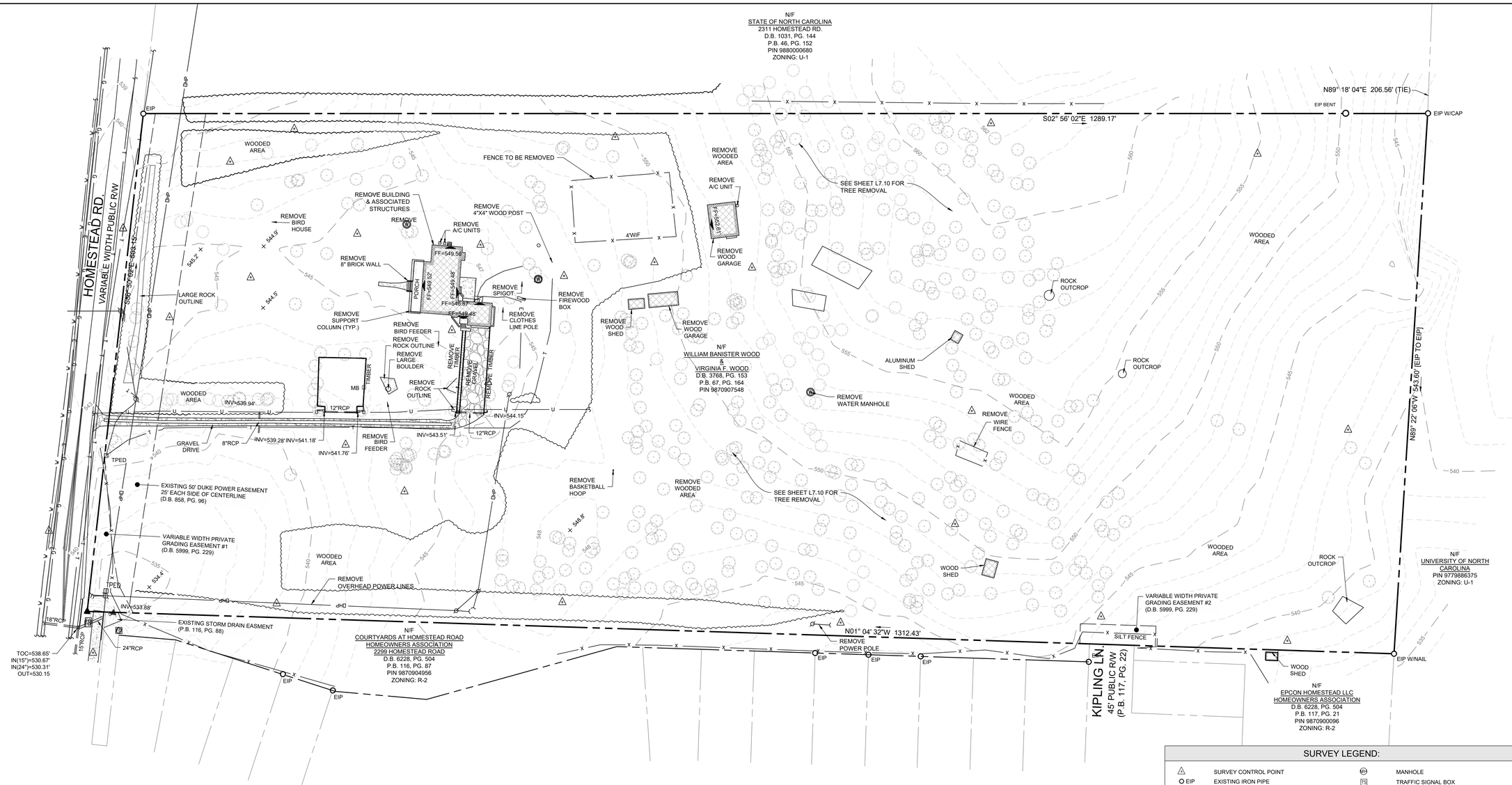
Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
AREA MAP

Project number: C22033
Issued Date: 06.24.2022
Drawn by: HNJ
Approved by: TS
Sheet #: C0.20

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C0.20 Area Map.dwg Oct 07, 2022 - 9:26am



NOTES:

1. SEE SHEET C0.10 FOR GENERAL AND EXISTING CONDITIONS NOTES.

DEMOLITION LEGEND:

SYMBOL	DESCRIPTION
	REMOVE BUILDING
	REMOVE GRAVEL
	REMOVE TREE (SEE SHEET L7.10 FOR REMOVAL)
	REMOVE ROCK OUTCROP

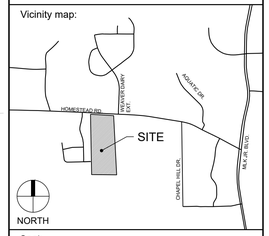
SURVEY LEGEND:

	SURVEY CONTROL POINT	MH	MANHOLE
EIP	EXISTING IRON PIPE	TS	TRAFFIC SIGNAL BOX
ECM	EXISTING CONCRETE MONUMENT		TRAFFIC SIGNAL POST
	COMPUTED POINT	MW	MONITORING WELL
D	STORM DRAIN MANHOLE	BOR	BORING LOCATION
	STORM DRAIN CURB INLET		BOLLARD
S	SANITARY SEWER MANHOLE		SIGN
S	SANITARY SEWER CLEANOUT	FF=267.18'	FINISHED FLOOR ELEVATION
S	SANITARY FORCEMAIN VALVE		DECIDUOUS TREE
	HYDRANT		EVERGREEN TREE
WV	WATER VALVE		BUSH
WM	WATER METER	X	WIRE FENCE
W	WATER MANHOLE	O	CHAIN LINK FENCE
W	WATER VAULT	T	UNDERGROUND TELEPHONE LINE
W	WELL	FO	UNDERGROUND FIBER OPTIC LINE
GV	GAS VALVE	G	UNDERGROUND GAS LINE
GM	GAS METER	E	UNDERGROUND ELECTRIC LINE
T	TELEPHONE MANHOLE	W	UNDERGROUND WATER LINE
TPED	TELEPHONE PEDESTAL	SS	SANITARY SEWER LINE
TV	TV MANHOLE		STORM DRAIN LINE
CATV	TV PEDESTAL	OHW	OVERHEAD WIRES
FOWP	FIBER OPTIC WITNESS POST	U	UNIDENTIFIED LINE
FO	FIBER OPTIC BOX		UNKNOWN DESTINATION
E	ELECTRIC MANHOLE		CONCRETE SURFACE
EM	ELECTRIC METER	DIP	DUCTILE IRON PIPE
EB	ELECTRIC BOX	PVC	POLYVINYL CHLORIDE PIPE
	UTILITY POLE	HDPE	HIGH-DENSITY POLYETHYLENE PIPE
	GUY POLE	RCP	REINFORCED CONCRETE PIPE
	GUY WIRE	CMP	CORRUGATED METAL PIPE
	LIGHT POLE	CB	CATCH BASIN

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:
0 25 50 100
SCALE: 1" = 50'
NORTH

Project:
HOMESTEAD ROAD TOWNHOMES

Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
EXISTING CONDITIONS & DEMOLITION PLAN

Project number: C22033
Issued Date: 06.24.2022
Drawn by: HNJ
Approved by: TS
Sheet #: C1.00

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-C1.00 Existing Conditions Plan.dwg Oct 07, 2022 - 9:26am

EXISTING IMPERVIOUS

OPEN SPACE

EXISTING FOREST

NOTE: ALL SLOPES GREATER THAN 15% ON THIS SITE ARE RELATED TO DRIVEWAYS OR ROADS AND THEREFORE NOT SUBJECT TO STEEP SLOPE CLASSIFICATION.

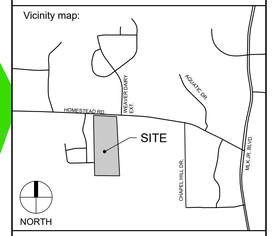
Slopes Table		
Minimum Slope	Maximum Slope	Color
0.00%	10.00%	
10.00%	15.00%	
15.00%	25.00%	
25.00%	100.00%	

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:

GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

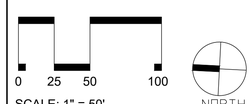
Vicinity map:



Seal:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:



SCALE: 1" = 50'

Project:

HOMESTEAD ROAD TOWNHOMES

Issued for:

CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:

STEEP SLOPE ANALYSIS

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS

C1.10

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C1.10 Steep Slopes Plan.dwg Oct 07, 2022 - 9:26am

N/F
STATE OF NORTH CAROLINA
2311 HOMESTEAD RD.
D.B. 1031, PG. 144
P.B. 46, PG. 152
PIN 9880006680
ZONING: U-1

N89° 18' 04"E 206.56' (TIE)

EIP BENT

EIP W/CAP

EIP

S02° 56' 02"E 1289.17'

HOMESTEAD RD
VARIABLE WIDTH PUBLIC R/W

S86° 30' 29"E 463.15'

LAYDOWN AREA AND PARKING

CONSTRUCTION ENTRANCE

CE

EXISTING 50' DUKE POWER EASEMENT
25' EACH SIDE OF CENTERLINE
(D.B. 858, PG. 96)

VARIABLE WIDTH PRIVATE
GRADING EASEMENT #1
(D.B. 5999, PG. 229)

TYP

INV=533.88'

18"RCP

15"RCP

24"RCP

TOC=538.65'
IN(15")=530.67'
IN(24")=530.31'
OUT=530.15

EXISTING STORM DRAIN EASMENT
(P.B. 116, PG. 88)

N/F
COURTYARDS AT HOMESTEAD ROAD
HOMEOWNERS ASSOCIATION
2299 HOMESTEAD ROAD
D.B. 6228, PG. 504
P.B. 116, PG. 87
PIN 9870904956
ZONING: R-2

N01° 04' 32"W 1312.43'

KIPLING LN.
45' PUBLIC R/W
(P.B. 117, PG. 22)

WOOD SHED

N/F
EPCON HOMESTEAD LLC
HOMEOWNERS ASSOCIATION
D.B. 6228, PG. 504
P.B. 117, PG. 21
PIN 9870900096
ZONING: R-2

N89° 22' 06"W 543.60' [EIP TO EIP]

N/F
UNIVERSITY OF NORTH CAROLINA
PIN 9779886375
ZONING: U-1

10LS DOUBLE

NB 2

STEWART

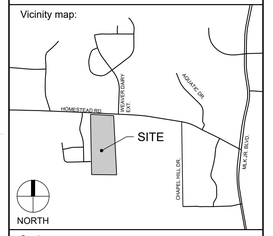
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750

FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:

GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

NORTH CAROLINA REGISTERED PROFESSIONAL ENGINEER SEAL 036418 TIMOTHY R. SUMMERLIN
10/1/2022

Scale:

0 25 50 100
SCALE: 1" = 50'
NORTH

Project:

HOMESTEAD ROAD TOWNHOMES

Issued for:

CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

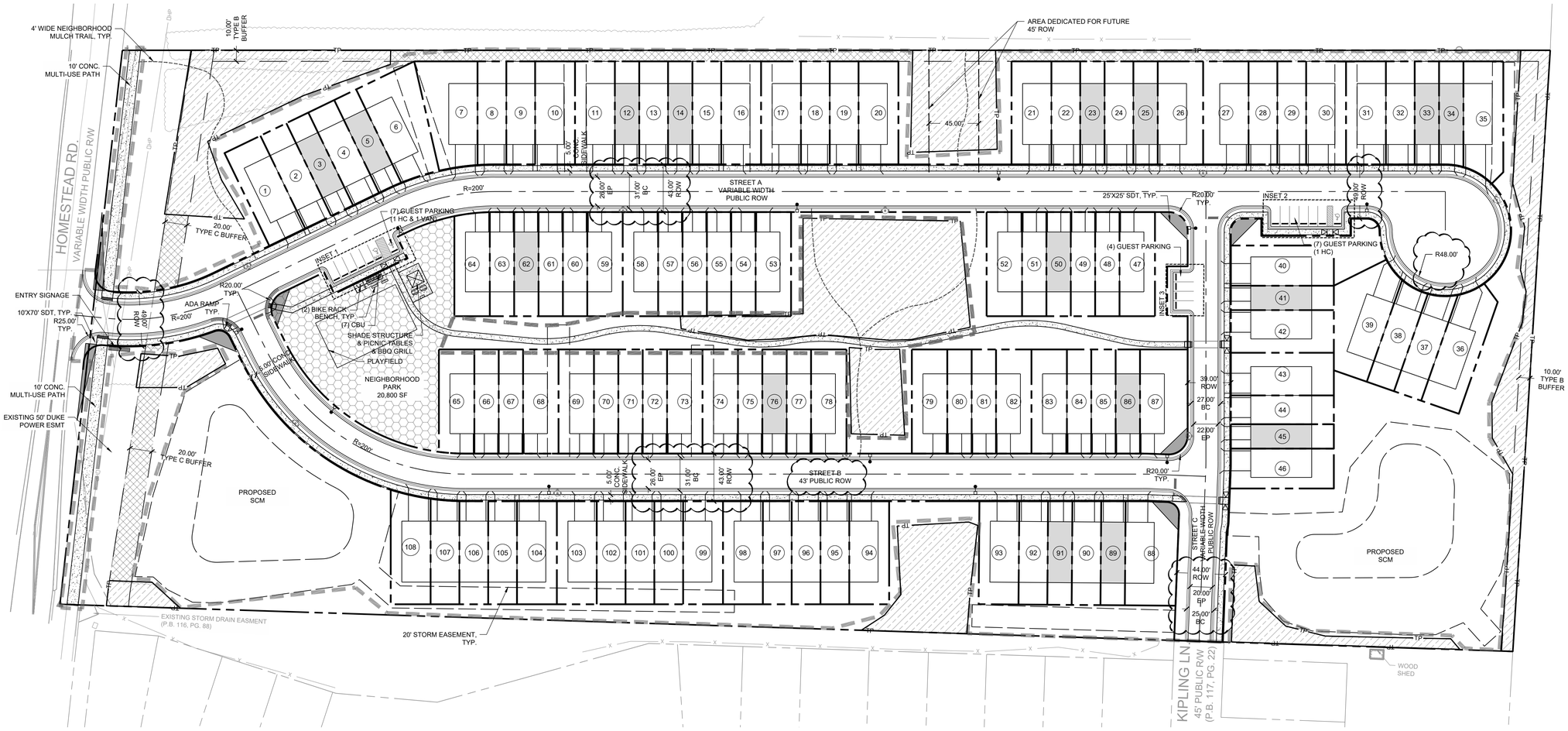
Title:

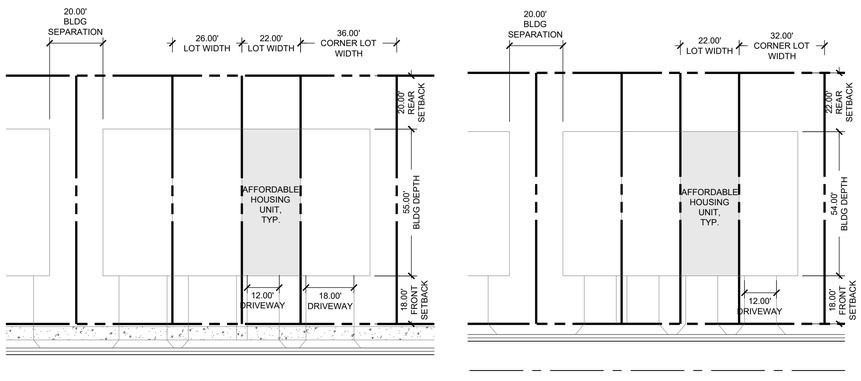
CONSTRUCTION MANAGEMENT PLAN

Project number: C22033
Issued Date: 06.24.2022
Drawn by: HNJ
Approved by: TS

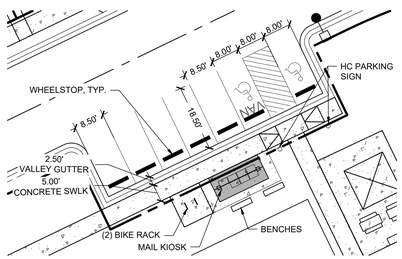
Sheet #: C1.20

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-C1.20 Construction Management Plan.dwg, Oct 07, 2022 - 9:26am

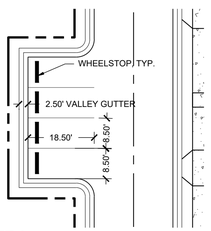




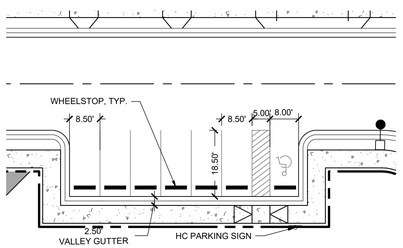
TYPICAL TOWNHOME LAYOUT



INSET 1



INSET 3



INSET 2

RECREATION SPACE CALCULATIONS

RECREATION SPACE REQUIRED:	34,085 SF (0.05 RATIO)
RECREATION SPACE PROVIDED (75%):	25,564 SF
NEIGHBORHOOD PARK:	20,800 SF
10' MULTI-USE PATH:	4,764 SF
PAYMENT IN LIEU (25%):	8,521 SF
PAYMENT IN LIEU FEE CALCULATION:	34,085 X 25% X 1.55 X $12 = $158,496

TOWNHOME UNITS BREAKDOWN

TOTAL TOWNHOME UNITS:	108 UNITS (16 AFFORDABLE UNITS)
26' X 55' UNITS:	55 UNITS
22' X 55' UNITS:	53 UNITS (16 AFFORDABLE UNITS)
TOWNHOME SETBACK:	
FRONT:	18'
REAR:	0'
BUILDING SEPARATION:	20' MIN.

NOTES:

1. SEE SHEET C0.10 FOR GENERAL AND SITE NOTES.
2. FINAL STREET LIGHTS LOCATION TO BE PROVIDED BY DUKE ENERGY DURING CONSTRUCTION DRAWINGS

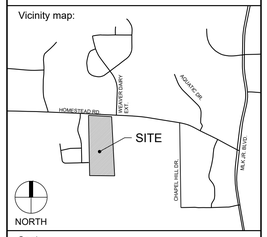
SITE LEGEND:

- PROPOSED BUILDING
- PROPOSED AFFORDABLE HOUSING UNIT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED RECREATIONAL SPACE
- PROPOSED TREE REPLACEMENT AREA
- TREE SAVE AREA
- PROPOSED 4' WIDE NEIGHBORHOOD TRAIL
- PROPOSED SIGN
- PROPOSED ADA PARKING SPACE
- PROPOSED STOP BAR
- PROPOSED 6' WIDE STANDARD CROSSWALK
- LIMITS OF DISTURBANCE
- TP — PROPOSED TREE PROTECTION FENCE
- PROPOSED LIGHT
- PROPOSED VALLEY GUTTER
- PROPOSED STANDARD CURB & GUTTER

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION
NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 036418 TIMOTHY R. SUMMERLIN
10/7/2022

Scale:
0 25 50 100
SCALE: 1" = 50'
NORTH

Project:
HOMESTEAD ROAD TOWNHOMES

Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
SITE PLAN

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS
C3.00

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C3.00 Site Plan.dwg, Oct 07, 2022 - 9:27am

TRUCK CIRCULATION LEGEND:	
SYMBOL	DESCRIPTION
Rear-Load Garbage Truck	GARBAGE TRUCK
50ft Fire Truck	FIRE TRUCK

NOTE:

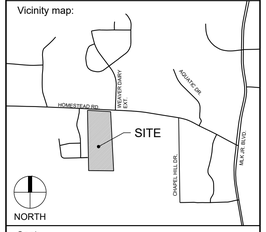
ALL TRASH TO BE HANDLED BY ROLL OUT CARTS.

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:

GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 036418 TIMOTHY R. SUMMERS 10/7/2022

Scale:

0 25 50 100

SCALE: 1" = 50'

NORTH

Project:

HOMESTEAD ROAD TOWNHOMES

Issued for:

CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

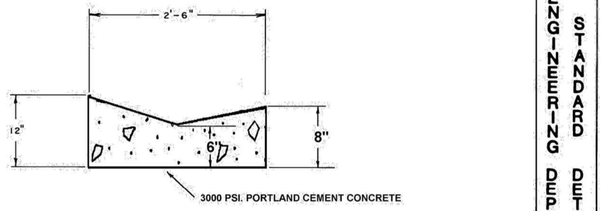
Title:

TRASH MANAGEMENT & FIRE APPARATUS PLAN

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: HNJ
Approved by: TS

C3.10

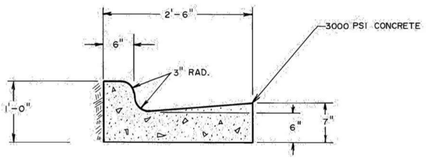
L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C3.10 Trash Management Plan.dwg Oct 07, 2022 - 9:27am



MANAGER'S PRIOR APPROVAL REQUIRED

ENGINEERING DEPARTMENT STANDARD DETAILS

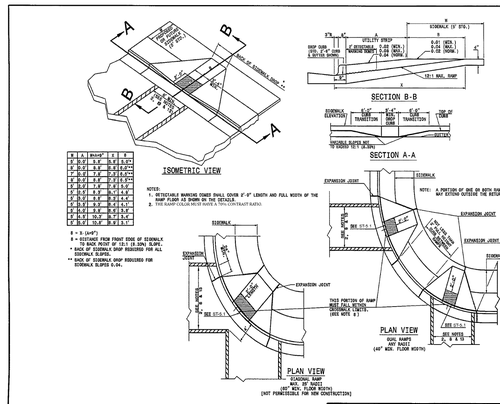
TITLE	REVISIONS			DET.NO.
VALLEY CURB AND GUTTER SECTION	NO	DATE	BY	ST-2C



SCALE: 1"=1'-0"

ENGINEERING DEPARTMENT STANDARD DETAILS

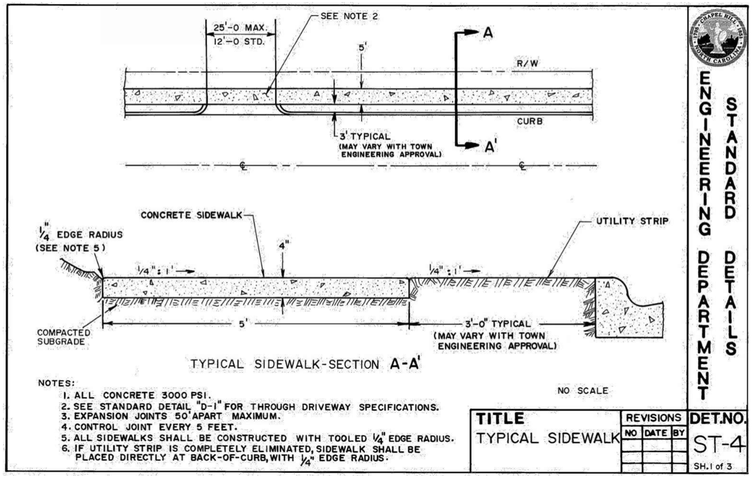
TITLE	REVISIONS			DET.NO.
CURB & GUTTER SECTION	NO	DATE	BY	ST-2



NOTE: DRAWING NOT TO SCALE
SOURCE: NCDOT STANDARD DRAWINGS

ENGINEERING DEPARTMENT STANDARD DETAILS

TITLE:	REVISIONS		DET.NO.
ACCESSIBLE RAMP	09/03 02/08	JH ER	ST - 5.3



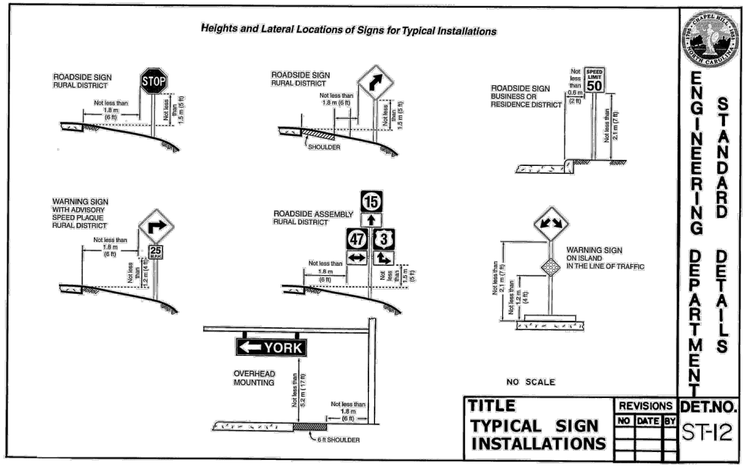
TYPICAL SIDEWALK-SECTION A-A'

NO SCALE

NOTES:
1. ALL CONCRETE 3000 PSI.
2. SEE STANDARD DETAIL "D-1" FOR THROUGH DRIVEWAY SPECIFICATIONS.
3. EXPANSION JOINTS 50' APART MAXIMUM.
4. CONTROL JOINT EVERY 5 FEET.
5. ALL SIDEWALKS SHALL BE CONSTRUCTED WITH TOOLED 1/4" EDGE RADIUS.
6. IF UTILITY STRIP IS COMPLETELY ELIMINATED, SIDEWALK SHALL BE PLACED DIRECTLY AT BACK-OF-CURB, WITH 1/4" EDGE RADIUS.

ENGINEERING DEPARTMENT STANDARD DETAILS

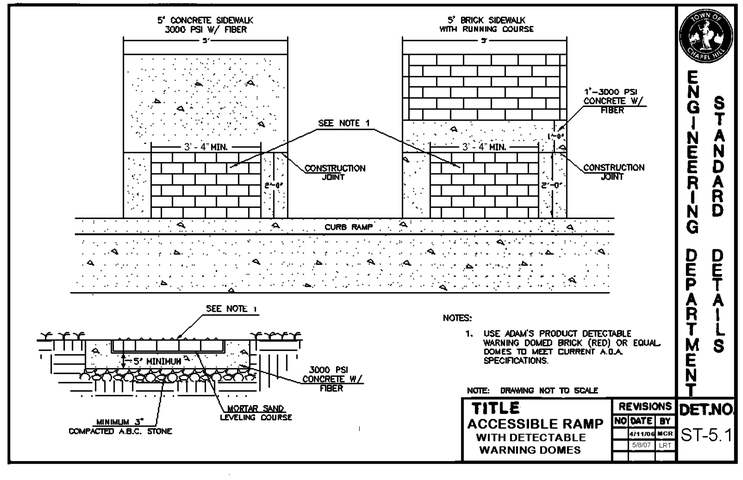
TITLE	REVISIONS			DET.NO.
TYPICAL SIDEWALK				ST-4
				SH.1 of 3



NO SCALE

ENGINEERING DEPARTMENT STANDARD DETAILS

TITLE	REVISIONS			DET.NO.
TYPICAL SIGN INSTALLATIONS				ST-12



NOTES:
1. USE ADAM'S PRODUCT DETECTABLE WARNING DOMED BRICK (RED) OR EQUAL. DOMES TO MEET CURRENT A.D.A. SPECIFICATIONS.

NOTE: DRAWING NOT TO SCALE

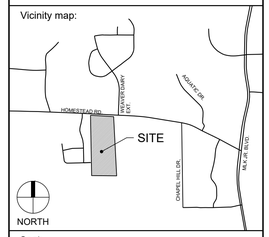
ENGINEERING DEPARTMENT STANDARD DETAILS

TITLE	REVISIONS			DET.NO.
ACCESSIBLE RAMP WITH DETECTABLE WARNING DOMES	NO	DATE	BY	ST-5.1
	1	4/11/06	MCR	
	2	5/8/07	LRT	

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

NORTH CAROLINA REGISTERED TIMOTHY R. SUMTER 036418 ENGINEER 10/4/2022

Scale:

SCALE: AS NOTED

Project:

HOMESTEAD ROAD TOWNHOMES

Issued for:

CONDITIONAL ZONING PERMIT

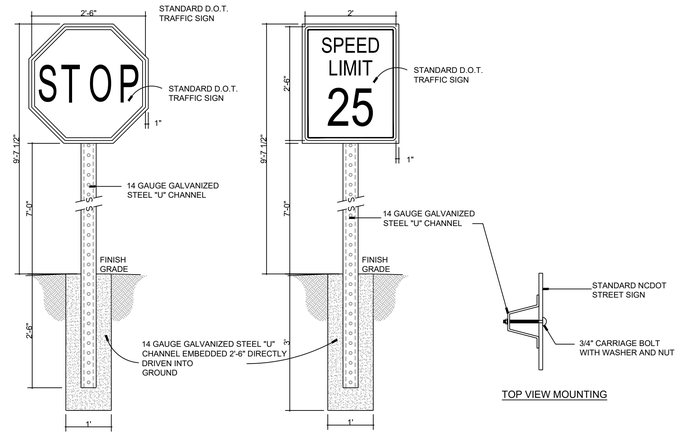
No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:

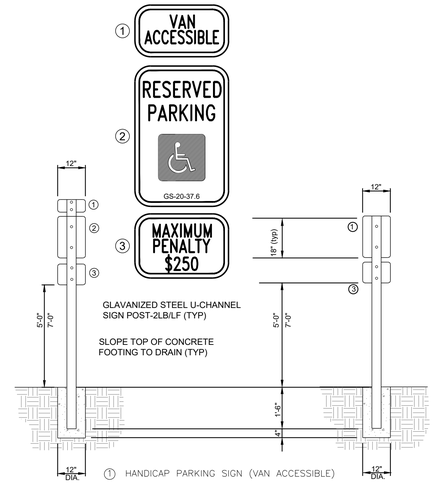
SITE DETAILS

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS
C3.90

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-C3.90 Site Details.dwg Oct 07, 2022 - 9:27am

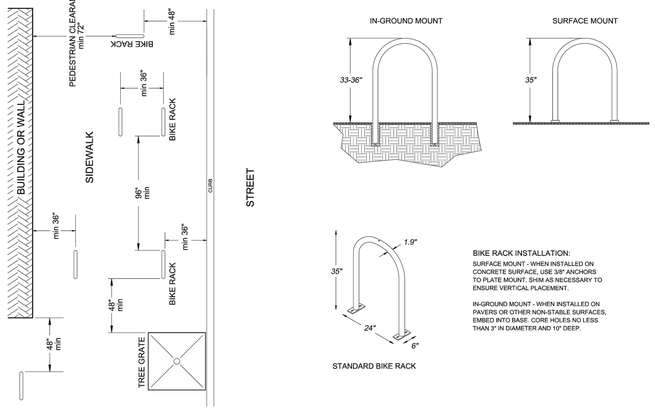


2 SIGNAGE — SECTION — NTS



NOTE:
1. THE RESERVED PARKING SIGN IS TO BE 5'-0" IF THE PEDESTRIAN PATH DOES NOT PASS UNDER OR AROUND SIGN.
2. THE RESERVED PARKING SIGN IS TO BE 7'-0" IF THE PEDESTRIAN PATH GOES BY, UNDER, OR AROUND THE SIGN.

3 ADA PARKING — PLAN — NTS



BIKE RACK INSTALLATION:
SURFACE MOUNT - WHEN INSTALLED ON CONCRETE SURFACE, USE 3/8" ANCHORS TO PLATE MOUNT. SHIM AS NECESSARY TO ENSURE VERTICAL PLACEMENT.

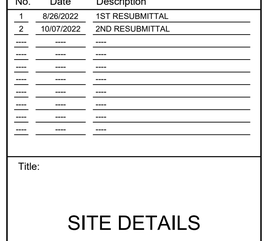
IN-GROUND MOUNT - WHEN INSTALLED ON PAVERS OR OTHER NON-STABLE SURFACES, EMBED INTO BASE. CORE HOLES NO LESS THAN 3" IN DIAMETER AND 10" DEEP.

4 EXTERIOR BYCYCLE PARKING — NTS

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:
SCALE: AS NOTED

Project:
HOMESTEAD ROAD TOWNHOMES

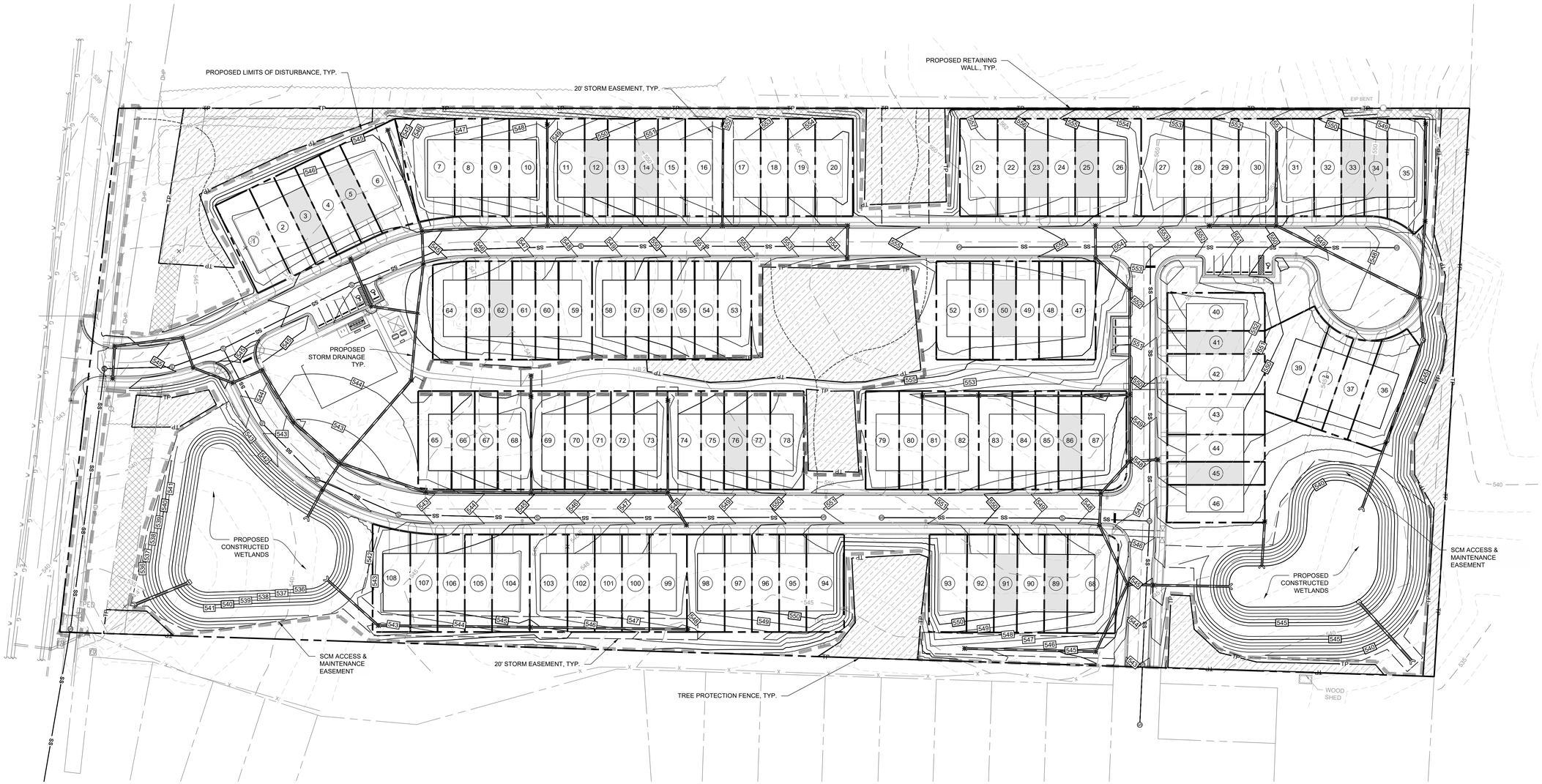
Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
SITE DETAILS

Project number: C22033
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS
Sheet #: C3.91

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C3.90 Site Details.dwg Oct 07, 2022 - 9:28am



GRADING LEGEND:

SYMBOL	DESCRIPTION
D	PROPOSED JUNCTION BOX
	PROPOSED CATCH BASIN
	PROPOSED AREA DRAIN
	RIPRAP DISSIPATOR
	FLOW DIRECTION
44.50	PROPOSED ELEVATION
TC 44.50 BC 44.00	TOP/BOTTOM OF CURB
TW 46.00 BW 44.00	TOP/BOTTOM OF WALL
	PROPOSED STORM DRAINAGE
200	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
200	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR

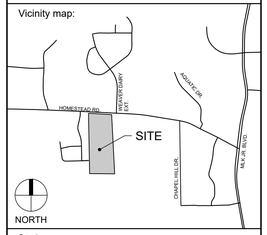
NOTES:

1. SEE SHEET C0.10 FOR GENERAL AND GRADING NOTES.

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 036418 TIMOTHY R. SUMMERS 10/7/2022

Scale:
0 25 50 100
SCALE: 1" = 50'
NORTH

Project:
HOMESTEAD ROAD TOWNHOMES

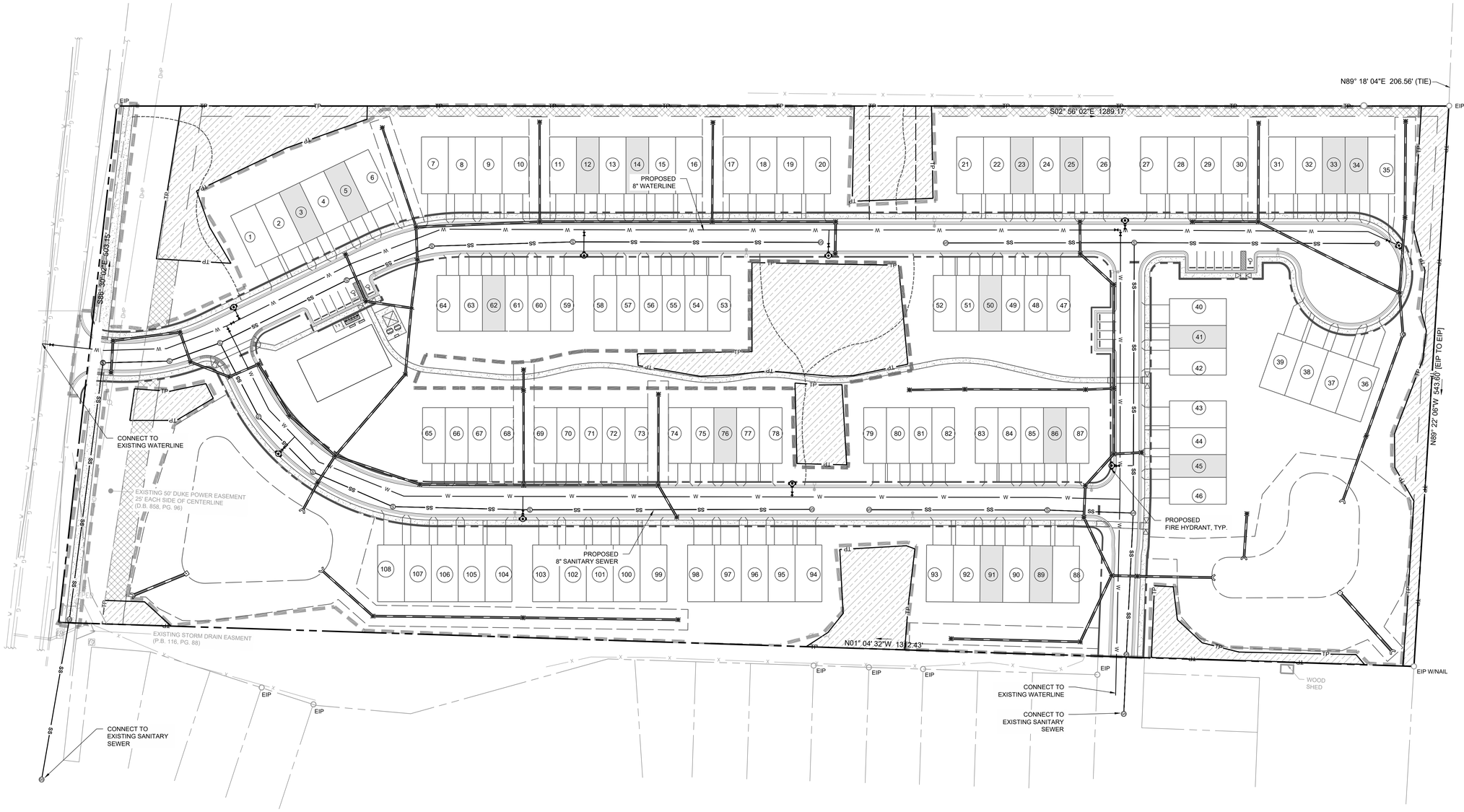
Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
GRADING & STORM DRAINAGE PLAN

Project number: C22033
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS
Sheet #: C5.00

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-C5.00 Grading & Storm Drainage Plan.dwg Oct 07, 2022 - 9:28am



UTILITY LEGEND:

SYMBOL	DESCRIPTION
	PROPOSED FIRE HYDRANT
	PROPOSED WATER VALVE
S	EXISTING SANITARY SEWER MANHOLE
S	PROPOSED SANITARY SEWER MANHOLE
CO	PROPOSED CLEANOUT
FDC	PROPOSED FIRE DEPARTMENT CONNECTION (FDC)
	PROPOSED BACKFLOW METER
PIV	PROPOSED POST INDICATOR VALVE (PIV)
	PROPOSED GREASE INTERCEPTOR
W	EXISTING WATER LINE
W	PROPOSED WATER LINE
SS	EXISTING SANITARY SEWER LINE
SS	PROPOSED SANITARY SEWER LINE
	300' HYDRANT COVERAGE CIRCLE

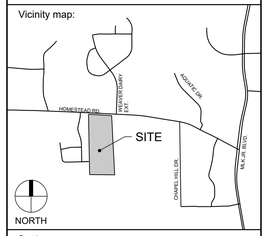
NOTES:

1. SEE SHEET C0.10 FOR GENERAL AND UTILITY NOTES.

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:

SCALE: 1" = 50'

Project:
HOMESTEAD ROAD TOWNHOMES

Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

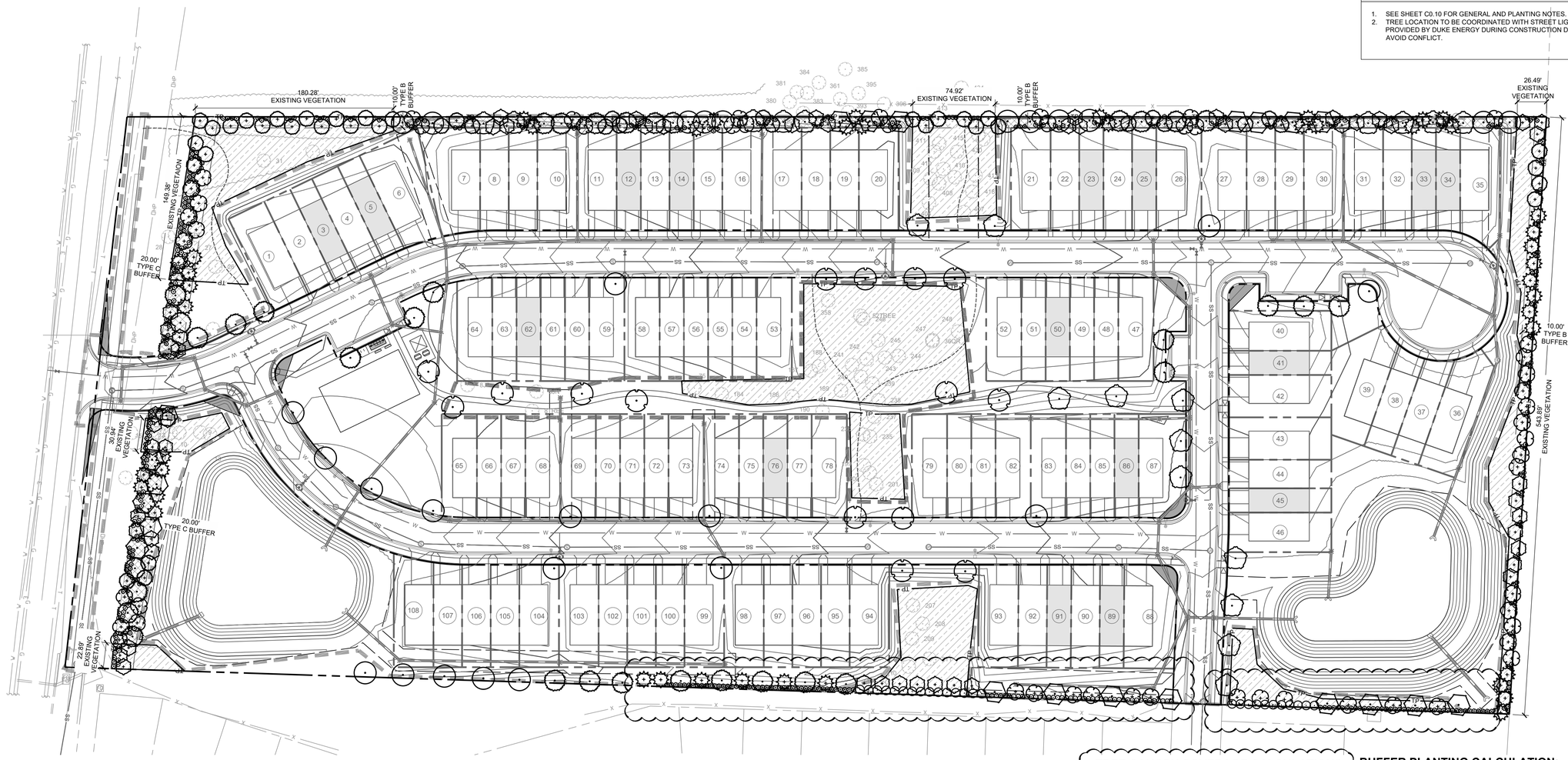
Title:
UTILITY PLAN

Project number: C22033
Issued Date: 06.24.2022
Drawn by: SM
Approved by: TS
Sheet #: C6.00

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP\3-Sheets\C22033-C6.00 Utility Plan.dwg Oct 07, 2022 - 9:28am

NOTES:

1. SEE SHEET C0.10 FOR GENERAL AND PLANTING NOTES.
2. TREE LOCATION TO BE COORDINATED WITH STREET LIGHT LOCATIONS PROVIDED BY DUKE ENERGY DURING CONSTRUCTION DRAWINGS TO AVOID CONFLICT.



PLANT SCHEDULE TYPE C BUFFER

CANOPY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	BH	6	BETULA NIGRA 'HERITAGE' HERITAGE RIVER BIRCH	B&B	2.5 IN	12 TO 14 FT	
	QH	7	QUERCUS PHELLOS 'HIGHTOWER' HIGHTOWER WILLOW OAK	B&B	2.5 IN	12 TO 14 FT	
UNDERSTORY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	AA	11	AMELANCHIER ARBOREA DOWNY SERVICEBERRY	B&B	1 IN	8 FT	
	CC	16	CERCIS CANADENSIS EASTERN REDBUD	B&B	1 IN	8 FT	
	IS	8	ILEX X 'NELLIE R. STEVENS' NELLIE STEVENS HOLLY	B&B	1 IN	8 FT	
	MS	12	MAGNOLIA VIRGINIANA SWEETBAY MAGNOLIA	B&B	1 IN	8 FT	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	-	HEIGHT	NOTES
	IG	58	ILEX GLABRA INKBERRY HOLLY	CONT.		18 IN	
	IN	61	ILEX VOMITORIA 'NANA' DWARF YAUPON HOLLY	CONT.		18 IN	
	VC	48	VIBURNUM AWABUKI 'CHINDO' CHINDO SWEET VIBURNUM	CONT.		18 IN	

PLANT SCHEDULE TYPE B BUFFER

CANOPY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	AR	11	ACER RUBRUM 'OCTOBER GLORY' OCTOBER GLORY RED MAPLE	B&B	2.5 IN	12 TO 14 FT	
	BH	7	BETULA NIGRA 'HERITAGE' HERITAGE RIVER BIRCH	B&B	2.5 IN	12 TO 14 FT	
	NS	10	NYSSA SYLVATICA TUPELO	B&B	2.5 IN	12 TO 14 FT	
	QH	10	QUERCUS PHELLOS 'HIGHTOWER' HIGHTOWER WILLOW OAK	B&B	2.5 IN	12 TO 14 FT	
UNDERSTORY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	AA	30	AMELANCHIER ARBOREA DOWNY SERVICEBERRY	B&B	1 IN	8 FT	
	CC	29	CERCIS CANADENSIS EASTERN REDBUD	B&B	1 IN	8 FT	
	IS	37	ILEX X 'NELLIE R. STEVENS' NELLIE STEVENS HOLLY	B&B	1 IN	8 FT	
	MS	28	MAGNOLIA VIRGINIANA SWEETBAY MAGNOLIA	B&B	1 IN	8 FT	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	-	HEIGHT	NOTES
	IG	60	ILEX GLABRA INKBERRY HOLLY	CONT.		18 IN	
	IN	63	ILEX VOMITORIA 'NANA' DWARF YAUPON HOLLY	CONT.		18 IN	
	VC	90	VIBURNUM AWABUKI 'CHINDO' CHINDO SWEET VIBURNUM	CONT.		18 IN	

PLANT SCHEDULE INTERNAL PLANTING

CANOPY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	AR	17	ACER RUBRUM 'OCTOBER GLORY' OCTOBER GLORY RED MAPLE	B&B	2.5 IN	12 TO 14 FT	
	BH	8	BETULA NIGRA 'HERITAGE' HERITAGE RIVER BIRCH	B&B	2.5 IN	12 TO 14 FT	
	NS	11	NYSSA SYLVATICA TUPELO	B&B	2.5 IN	12 TO 14 FT	
	QN	15	QUERCUS NUTTALLII NUTTALL OAK	B&B	2.5 IN	12 TO 14 FT	
	QH	19	QUERCUS PHELLOS 'HIGHTOWER' HIGHTOWER WILLOW OAK	B&B	2.5 IN	12 TO 14 FT	
UNDERSTORY TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	CALIPER	HEIGHT	NOTES
	AA	12	AMELANCHIER ARBOREA DOWNY SERVICEBERRY	B&B	1 IN	8 FT	
	CC	7	CERCIS CANADENSIS EASTERN REDBUD	B&B	1 IN	8 FT	
	MS	6	MAGNOLIA VIRGINIANA SWEETBAY MAGNOLIA	B&B	1 IN	8 FT	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONTAINER	-	HEIGHT	NOTES
	FL	26	FORSYTHIA X INTERMEDIA 'LYNWOOD GOLD' LYNWOOD GOLD FORSYTHIA	CONT.		2'-2.5'	
	IJ	43	ILEX CRENATA 'STEEDS' STEEDS JAPANESE HOLLY	CONT.		18-24"	
	LG	84	LOROPETALUM CHINENSE 'PURPLE DIAMOND' PURPLE DIAMOND LOROPETALUM	CONT.		18-24"	

SITE LEGEND:

- PROPOSED TREE REPLACEMENT AREA
- TREE SAVE AREA
- PROPOSED 4' WIDE NEIGHBORHOOD TRAIL
- LIMITS OF DISTURBANCE
- TP PROPOSED TREE PROTECTION FENCE

TREE CANOPY COVERAGE CALCULATIONS

TREE CANOPY COVERAGE REQUIRED:	30%
NET LAND AREA:	15.65 AC / 681,714 SF
AREA EXEMPT FROM TREE CANOPY CALCULATIONS:	
RECREATIONAL AREAS:	25,564 SF
DUKE POWER EASEMENT:	26,022 SF
STORMWATER EASEMENT:	90,430 SF
RIGHT-OF-WAY:	123,839 SF
TOTAL LAND ARE EXEMPTED:	265,855 SF
APPLICABLE LAND AREA:	415,859 SF
TREE CANOPY REQUIRED:	124,757 SF (30%)
EXISTING TREE CANOPY TO REMAIN:	64,193 SF
ADDITIONAL TREE CANOPY REQUIRED:	60,564 SF
REQUIRED REPLACEMENT TREES (1 PER 500 SF):	121
PROPOSED REPLACEMENT TREES:	121
BUFFER CANOPY TREES:	51
INTERNAL CANOPY TREES:	70

BUFFER PLANTING CALCULATION:

TYPE 'C' 20 FT EXTERNAL BUFFER:
PLANTS REQUIRED PER 100 LF
- 5 LARGE TREES
- 10 SMALL TREES
- 36 SHRUBS

508 LF TOTAL LENGTH
LESS 48 LF OF ROW
LESS 203 LF OF EXISTING TREE CANOPY*
APPLICABLE LENGTH = 257 LF

REQUIRED:	PROPOSED:
13 LG TREES	13 LG TREES
26 SM TREES	26 SM TREES
94 SHRUBS	94 SHRUBS

SUPPLEMENTAL PLANTING IN BUFFER WITH EXISTING VEGETATION*
- 21 SMALL TREES
- 73 SHRUBS

TYPE 'B' 10 FT INTERNAL BUFFER:
PLANTS REQUIRED PER 100 LF
- 4 LARGE TREES
- 7 SMALL TREES
- 12 SHRUBS

1,750 LF TOTAL LENGTH
LESS 925 LF OF EXISTING TREE CANOPY*
APPLICABLE LENGTH = 925 LF

REQUIRED:	PROPOSED:
37 LG TREES	37 LG TREES
65 SMALL TREES	65 SMALL TREES
111 SHRUBS	111 SHRUBS

SUPPLEMENTAL PLANTING IN BUFFER WITH EXISTING VEGETATION*
- 58 SMALL TREES
- 100 SHRUBS

*NOTE:
- EXISTING VEGETATION SHALL BE USED TO SATISFY SOME OF THE REQUIRED BUFFER PLANTING. SEE PLAN FOR LOCATION AND LENGTH.
- SUPPLEMENTAL PLANTING ARE PROVIDED IN BUFFER AREA WHERE EXISTING VEGETATION ARE USED TO MEET REQUIREMENT. SUPPLEMENTAL PLANTING SHALL INCLUDE UNDERSTORY TREES AND EVERGREEN SHRUBS. SEE PLAN FOR LOCATION AND PLACEMENT.

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:

Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION
NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT 1192 CYNTHIA F. HOFF
10.06.2022
Cindy Hoffman

Scale:
0 25 50 100
SCALE: 1" = 50'
NORTH

Project:
HOMESTEAD ROAD TOWNHOMES

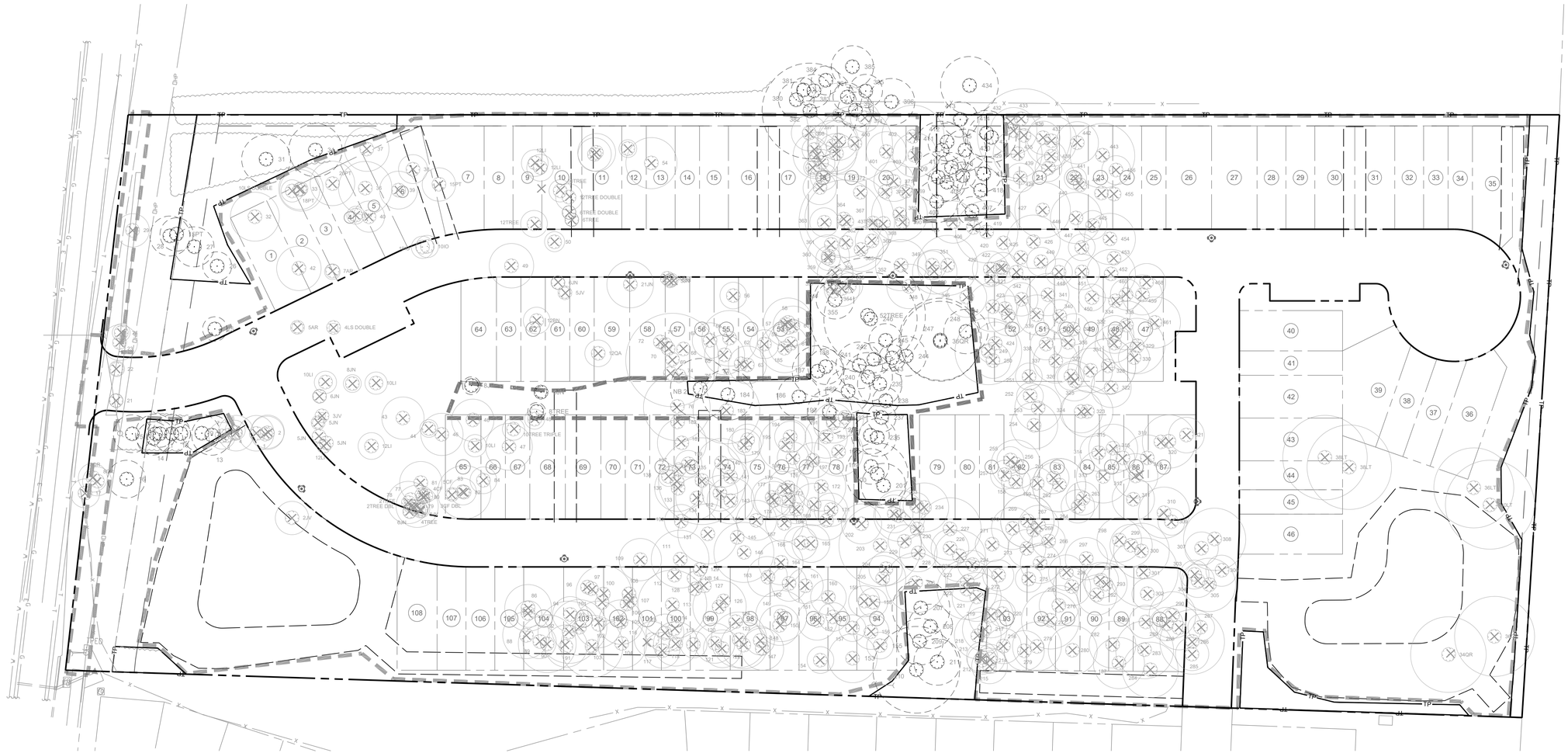
Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL
----	----	----
----	----	----
----	----	----
----	----	----
----	----	----
----	----	----
----	----	----
----	----	----

Title:
CODE PLANTING PLAN

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: CH
L7.00

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-L7.00 Code Planting Plan.dwg Oct 07, 2022 - 9:28am



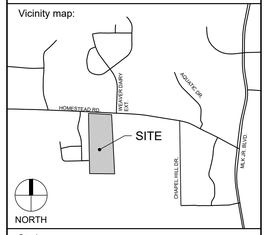
LINETYPE LEGEND:

SYMBOL	DESCRIPTION
	LIMITS OF DISTURBANCE
	PROPERTY LINE
TP	TREE PROTECTION FENCE
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919.489.9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:

PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:

0 25 50 100

SCALE: 1" = 50'

NORTH

Project:

HOMESTEAD ROAD TOWNHOMES

Issued for:

CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:

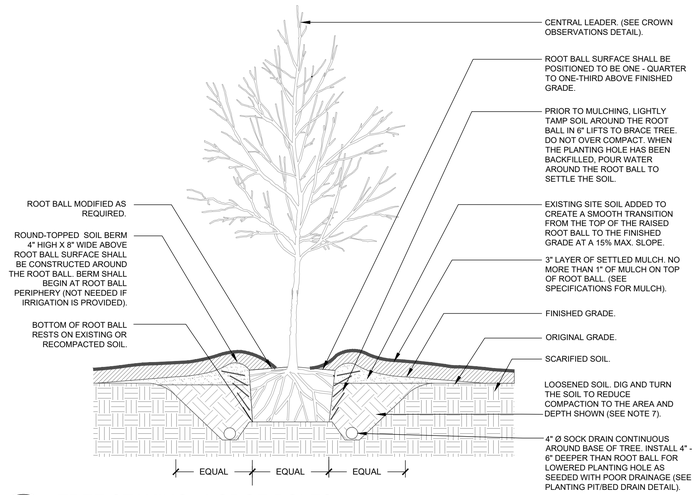
LANDSCAPE PROTECTION PLAN

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: CH

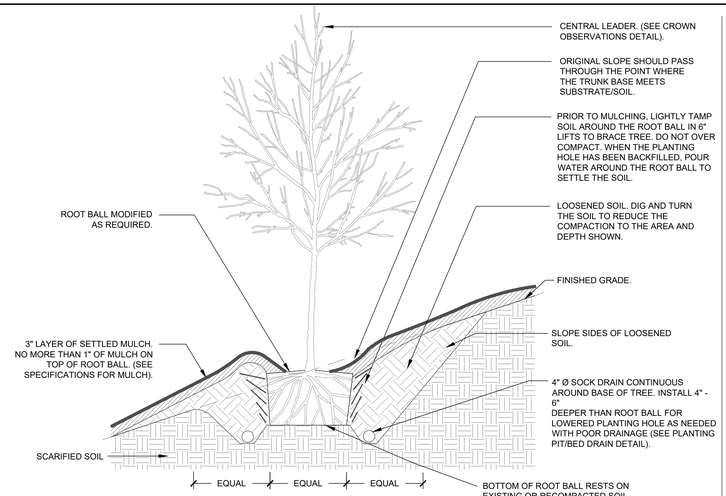
L7.10

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUP3-Sheets\C22033-L7.00 Code Planting Plan.dwg Oct 07, 2022 - 9:29am

ID	CODE	Common Name	Scientific Name	DBH	Rare or Spec	MultistemNumber
1	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
~~2~~	~~JUVI~~	~~Eastern Red Cedar~~	~~Juniperus virginiana~~	~~15~~	~~Rare~~	
3	PRSE	Black Cherry	Prunus serratina	16	Specimen	
4	LIST	Sw eetgum	Liquidambar styraciflua	16	Specimen	
5	PITA	Loblolly Pine	Pinus taeda	19	Specimen	
6	COFL	Dogw ood	Cornus florida	8	Specimen	
7	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
~~8~~	~~JUVI~~	~~Eastern Red Cedar~~	~~Juniperus virginiana~~	~~13~~	~~Rare~~	
9	LIST	Sw eetgum	Liquidambar styraciflua	17	Specimen	
10	PRSE	Black Cherry	Prunus serratina	9	NA	
11	JUVI	Eastern Red Cedar	Juniperus virginiana	17	Rare	
12	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
13	PITA	Loblolly Pine	Pinus taeda	16	Specimen	
14	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
15	PYCA	Callery Pear	Pyrus calleryana	17	NA	
16	PYCA	Callery Pear	Pyrus calleryana	17	NA	
~~17~~	~~JUVI~~	~~Eastern Red Cedar~~	~~Juniperus virginiana~~	~~15~~	~~Rare~~	
18	CECA	Eastern Redbud	Cercis canadensis	8	Specimen	
19	ILOP	American Holly	Ilex opaca	7	Specimen	
20	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
21	COFL	Dogw ood	Cornus florida	6	Specimen	
22	COFL	Dogw ood	Cornus florida	7	Specimen	
23	LITU	Tulip Poplar	Liriodendron tulipifera	16	Specimen	
24	COFL	Dogw ood	Cornus florida	8	Specimen	
25	MAGR	Southern Magnolia	Magnolia grandiflora	11	NA	
26	MAGR	Southern Magnolia	Magnolia grandiflora	13	Specimen	
27	LIST	Sw eetgum	Liquidambar styraciflua	18	Specimen	
28	PITA	Loblolly Pine	Pinus taeda	18	Specimen	
29	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
30	LITU	Tulip Poplar	Liriodendron tulipifera	24	Specimen	
31	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
32	PITA	Loblolly Pine	Pinus taeda	22	Specimen	
33	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
34	PITA	Loblolly Pine	Pinus taeda	24	Specimen	
35	LIST	Sw eetgum	Liquidambar styraciflua	14	Specimen	
36	PITA	Loblolly Pine	Pinus taeda	24	Specimen	
37	PITA	Loblolly Pine	Pinus taeda	20	Specimen	
38	LIST	Sw eetgum	Liquidambar styraciflua	13	Specimen	
39	LIST	Sw eetgum	Liquidambar styraciflua	17	Specimen	
~~40~~	~~JUVI~~	~~Eastern Red Cedar~~	~~Juniperus virginiana~~	~~14~~	~~Rare~~	
41	JUVI	Eastern Red Cedar	Juniperus virginiana	8	Specimen	
42	ACRU	Red Maple	Acer rubrum	20	Specimen	
43	BENI	River Birch	Betula nigra	19	Specimen	
44	CRAT	Haw thorn	Crataegus species	8	Specimen	
45	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
46	BENI	River Birch	Betula nigra	19	Specimen	
47	BENI	River Birch	Betula nigra	21	Specimen	
48	COFL	Dogw ood	Cornus florida	9	Specimen	
49	Morris	Mulberry	Morus Sp	20	NA	
~~50~~	~~PYCA~~	~~Callery Pear~~	~~Pyrus calleryana~~	~~6~~	~~Rare~~	
~~51~~	~~CECA~~	~~Eastern Redbud~~	~~Cercis canadensis~~	~~10~~	~~Rare~~	
52	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
53	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
54	JUNI	Black Walnut	Juglans nigra	23	Specimen	
~~55~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~35~~	~~Rare~~	
56	JUNI	Black Walnut	Juglans nigra	12	Specimen	
57	ACRU	Red Maple	Acer rubrum	12	Specimen	
58	QUAL	White Oak	Quercus alba	22	Specimen	
59	QUAL	White Oak	Quercus alba	22	Specimen	
60	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
61	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
62	CARYA	Hickory	Carya species	13	Specimen	
63	CARYA	Hickory	Carya species	17	Specimen	
64	ACRU	Red Maple	Acer rubrum	18	Specimen	
65	LITU	Tulip Poplar	Liriodendron tulipifera	16	Specimen	
~~66~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~25~~	~~Rare~~	
67	LIST	Sw eetgum	Liquidambar styraciflua	16	Specimen	
68	CARYA	Hickory	Carya species	17	Specimen	
69	QUVE	Black Oak	Quercus velutina	42	Rare	
70	ULAL	Winged Elm	Ulmus alatus	14	Specimen	
71	JUNI	Black Walnut	Juglans nigra	17	Specimen	
72	CARYA	Hickory	Carya species	13	Specimen	
73	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
74	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
75	LITU	Tulip Poplar	Liriodendron tulipifera	27	Rare	
~~76~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~30~~	~~Rare~~	
77	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
78	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
79	PRSE	Black Cherry	Prunus serratina	19	Specimen	
80	DIVI	Persimmon	Diospros virginiana	10	Specimen	
81	CAIL	Pecan	Carya illinoensis	19	Specimen	
82	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
~~83~~	~~LIST~~	~~Sw eetgum~~	~~Liquidambar styraciflua~~	~~21~~	~~Rare~~	
84	CAIL	Pecan	Carya illinoensis	12	Specimen	
85	CAIL	Pecan	Carya illinoensis	13	Specimen	
86	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
87	LITU	Tulip Poplar	Liriodendron tulipifera	12	Specimen	
88	LIST	Sw eetgum	Liquidambar styraciflua	21	Specimen	
89	QUAL	White Oak	Quercus alba	15	Specimen	
~~90~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
91	LIST	Sw eetgum	Liquidambar styraciflua	19	Specimen	
~~92~~	~~LIST~~	~~Sw eetgum~~	~~Liquidambar styraciflua~~	~~29~~	~~Rare~~	
~~93~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
94	LIST	Sw eetgum	Liquidambar styraciflua	16	Specimen	
95	QUPH	Willow Oak	Quercus phellos	12	Specimen	
96	LIST	Sw eetgum	Liquidambar styraciflua	16	Specimen	
97	QUAL	White Oak	Quercus alba	16	Specimen	
98	PRSE	Black Cherry	Prunus serratina	8	NA	
99	PRSE	Black Cherry	Prunus serratina	6	NA	
~~100~~	~~LIST~~	~~Sw eetgum~~	~~Liquidambar styraciflua~~	~~25~~	~~Rare~~	
101	LIST	Sw eetgum	Liquidambar styraciflua	18	Specimen	
102	QUAL	White Oak	Quercus alba	21	Specimen	
~~103~~	~~QUVE~~	~~Black Oak~~	~~Quercus velutina~~	~~28~~	~~Rare~~	
104	QUAL	White Oak	Quercus alba	22	Specimen	
105	QUAL	White Oak	Quercus alba	20	Specimen	
106	QUAL	White Oak	Quercus alba	15	Specimen	
107	QUMI	Blackjack Oak	Quercus marilandica	23	Specimen	
108	QUAL	White Oak	Quercus alba	17	Specimen	
109	PITA	Loblolly Pine	Pinus taeda	19	Specimen	
110	PITA	Loblolly Pine	Pinus taeda	22	Specimen	
~~111~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~29~~	~~Rare~~	
112	LIST	Sw eetgum	Liquidambar styraciflua	17	Specimen	
~~113~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~31~~	~~Rare~~	
114	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
115	QUAL	White Oak	Quercus alba	17	Specimen	
116	QUAL	White Oak	Quercus alba	16	Specimen	
117	LIST	Sw eetgum	Liquidambar styraciflua	16	Specimen	
118	FRAX	Ash	Fraxinus species	20	Specimen	
119	CATO	Mockernut Hickory	Carya tomentosa	12	Specimen	
120	QUAL	White Oak	Quercus alba	18	Specimen	
121	QUAL	White Oak	Quercus alba	17	Specimen	
122	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
~~123~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
124	CATO	Mockernut Hickory	Carya tomentosa	13	Specimen	
~~125~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~24~~	~~Rare~~	
126	LIST	Sw eetgum	Liquidambar styraciflua	14	Specimen	
127	FRAX	Ash	Fraxinus species	15	Specimen	
128	NYSY	Blackgum	Nyssa sylvatica	13	Specimen	
129	NYSY	Blackgum	Nyssa sylvatica	12	Specimen	
130	ILOP	American Holly	Ilex opaca	6	Specimen	
~~131~~	~~NYSY~~	~~Blackgum~~	~~Nyssa sylvatica~~	~~27~~	~~Rare~~	
132	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
133	LIST	Sw eetgum	Liquidambar styraciflua	21	Specimen	
134	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
~~135~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~30~~	~~Rare~~	
136	LIST	Sw eetgum	Liquidambar styraciflua	13	Specimen	
137	QUMI	Blackjack Oak	Quercus marilandica	13	Specimen	
138	OSAR	Sourw ood	Oxydendrum arboreum	9	Specimen	
139	QUAL	White Oak	Quercus alba	12	Specimen	
140	CATO	Mockernut Hickory	Carya tomentosa	22	Specimen	
141	NYSY	Blackgum	Nyssa sylvatica	18	Specimen	
142	QUVE	Black Oak	Quercus velutina	16	Specimen	
143	QUAL	White Oak	Quercus alba	21	Specimen	
144	QUAL	White Oak	Quercus alba	18	Specimen	
145	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
~~146~~	~~LIST~~	~~Sw eetgum~~	~~Liquidambar styraciflua~~	~~27~~	~~Rare~~	
147	QUAL	White Oak	Quercus alba	19	Specimen	
148	QUAL	White Oak	Quercus alba	13	Specimen	
149	QUAL	White Oak	Quercus alba	23	Specimen	
150	QUAL	White Oak	Quercus alba	18	Specimen	
151	LIST	Sw eetgum	Liquidambar styraciflua	18	Specimen	
152	CATO	Mockernut Hickory	Carya tomentosa	13	Specimen	
153	FRAX	Ash	Fraxinus species	22	Specimen	
154	CATO	Mockernut Hickory	Carya tomentosa	12	Specimen	
155	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
156	CAGL	Pignut Hickory	Carya glabra	16	Specimen	
157	CAGL	Pignut Hickory	Carya glabra	12	Specimen	
158	LIST	Sw eetgum	Liquidambar styraciflua	13	Specimen	
159	QUAL	White Oak	Quercus alba	14	Specimen	
160	QUVE	Black Oak	Quercus velutina	16	Specimen	
161	CATO	Mockernut Hickory	Carya tomentosa	16	Specimen	
162	CAGL	Pignut Hickory	Carya glabra	16	Specimen	
163	QUAL	White Oak	Quercus alba	18	Specimen	
164	QUAL	White Oak	Quercus alba	20	Specimen	
165	CATO	Mockernut Hickory	Carya tomentosa	17	Specimen	
166	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
167	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
168	QUAL	White Oak	Quercus alba	13	Specimen	
169	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
170	QUAL	White Oak	Quercus alba	18	Specimen	
171	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
172	QUAL	White Oak	Quercus alba	22	Specimen	
173	LITU	Tulip Poplar	Liriodendron tulipifera	14	Specimen	
174	FRAX	Ash	Fraxinus species	17	Specimen	
175	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
176	QUAL	White Oak	Quercus alba	18	Specimen	
177	QUAL	White Oak	Quercus alba	18	Specimen	
178	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
179	QUAL	White Oak	Quercus alba	15	Specimen	
180	LITU	Tulip Poplar	Liriodendron tulipifera	14	Specimen	
181	LIST	Sw eetgum	Liquidambar styraciflua	22	Specimen	
182	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
~~183~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~30~~	~~Rare~~	
184	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
185	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
186	QUAL	White Oak	Quercus alba	19	Specimen	
187	QUAL	White Oak	Quercus alba	33	Specimen	
188	QUAL	White Oak	Quercus alba	18	Specimen	
189	QUAL	White Oak	Quercus alba	20	Specimen	
190	QUMA	Blackjack Oak	Quercus marilandica	20	Specimen	
191	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
192	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
193	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
194	QUAL	White Oak	Quercus alba	14	Specimen	
~~195~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~24~~	~~Rare~~	
196	QUAL	White Oak	Quercus alba	14	Specimen	
197	QUAL	White Oak	Quercus alba	18	Specimen	
198	QUAL	White Oak	Quercus alba	22	Specimen	
199	QUAL	White Oak	Quercus alba	16	Specimen	
200	LITU	Tulip Poplar	Liriodendron tulipifera	28	Rare	
201	CARYA	Hickory	Carya species	20	Specimen	
202	CATO	Mockernut Hickory	Carya tomentosa	18	Specimen	
~~203~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~37~~	~~Rare~~	
204	CARYA	Hickory	Carya species	15	Specimen	
205	QUAL	White Oak	Quercus alba	21	Specimen	
~~206~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~27~~	~~Rare~~	
207	LITU	Tulip Poplar	Liriodendron tulipifera	26	Rare	
208	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
209	QUAL	White Oak	Quercus alba	21	Specimen	
210	LITU	Tulip Poplar	Liriodendron tulipifera	39	Rare	
211	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
212	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
213	LITU	Tulip Poplar	Liriodendron tulipifera	14	Specimen	
214	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
215	LITU	Tulip Poplar	Liriodendron tulipifera	16	Specimen	
216	QUAL	White Oak	Quercus alba	16	Specimen	
217	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
218	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
219	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
220	LITU	Tulip Poplar	Liriodendron tulipifera	12	Specimen	
221	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
222	LITU	Tulip Poplar	Liriodendron tulipifera	27	Rare	
223	OVGL	Pignut Hickory	Carya glabra	18	Specimen	
224	CARYA	Hickory	Carya species	13	Specimen	
225	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
226	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
~~227~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~28~~	~~Rare~~	
228	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
229	QUAL	White Oak	Quercus alba	15	Specimen	
230	QUAL	White Oak	Quercus alba	22	Specimen	
231	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
232	QUAL	White Oak	Quercus alba	17	Specimen	
233	CARYA	Hickory	Carya species	12	Specimen	
234	QUAL	White Oak	Quercus alba	22	Specimen	
235	CATO	Mockernut Hickory	Carya tomentosa	17	Specimen	
236	QUAL	White Oak	Quercus alba	17	Specimen	
237	LIST	Sw eetgum	Liquidambar styraciflua	13	Specimen	
238	LITU	Tulip Poplar	Liriodendron tulipifera	12	Specimen	
239	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
240	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
241	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
242	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
243	LITU	Tulip Poplar	Liriodendron tulipifera	12	Specimen	
244	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
245	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
246	LITU	Tulip Poplar	Liriodendron tulipifera	42	Rare	
247	LITU	Tulip Poplar	Liriodendron tulipifera	37	Rare	
248	QUAL	White Oak	Quercus alba	20	Specimen	
~~249~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~30~~	~~Rare~~	
250	QURU	Northern Red Oak	Quercus rubra	16	Specimen	
251	CATO	Mockernut Hickory	Carya tomentosa	12	Specimen	
252	ACRU	Red Maple	Acer rubrum	12	Specimen	
253	QUAL	White Oak	Quercus alba	21	Specimen	
254	QUAL	White Oak	Quercus alba	21	Specimen	
255	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
256	QUAL	White Oak	Quercus alba	22	Specimen	
257	CATO	Mockernut Hickory	Carya tomentosa	13	Specimen	
258	QUAL	White Oak	Quercus alba	16	Specimen	
259	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
260	CATO	Mockernut Hickory	Carya tomentosa	12	Specimen	
261	CATO	Mockernut Hickory	Carya tomentosa	14	Specimen	
262	LIST	Sw eetgum	Liquidambar styraciflua	24	Rare	
263	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
264	CATO	Mockernut Hickory	Carya tomentosa	15	Specimen	
~~265~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~24~~	~~Rare~~	
266	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
267	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
268	LITU	Tulip Poplar	Liriodendron tulipifera	24	Rare	
269	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
270	OVGL	Pignut Hickory	Carya glabra	12	Specimen	
271	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
272	LIST	Sw eetgum	Liquidambar styraciflua	14	Specimen	
273	FRAX	Ash	Fraxinus species	17	Specimen	
274	LIST	Sw eetgum	Liquidambar styraciflua	18	Specimen	
275	CATO	Mockernut Hickory	Carya tomentosa	13	Specimen	
276	FRAX	Ash	Fraxinus species	18	Specimen	
~~277~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~28~~	~~Rare~~	
278	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
279	WPO	Blackgum	Nyssa sylvatica	18	Specimen	
280	QUAL	White Oak	Quercus alba	22	Specimen	
281	QUAL	White Oak	Quercus alba	21	Specimen	
282	QUAL	White Oak	Quercus alba	21	Specimen	
~~283~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
~~284~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
285	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
~~286~~	~~LIST~~	~~Sw eetgum~~	~~Liquidambar styraciflua~~	~~29~~	~~Rare~~	
287	LITU	Tulip Poplar	Liriodendron tulipifera	12	Specimen	
288	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
289	QUAL	White Oak	Quercus alba	15	Specimen	
290	QUAL	White Oak	Quercus alba	21	Specimen	
291	LIST	Sw eetgum	Liquidambar styraciflua	15	Specimen	
292	QUAL	White Oak	Quercus alba	18	Specimen	
293	QUVE	Black Oak	Quercus velutina	19	Specimen	
294	QUFA	Southern Red Oak	Quercus falcata	16	Specimen	
295	QUAL	White Oak	Quercus alba	17	Specimen	
296	LITU	Tulip Poplar	Liriodendron tulipifera	16	Specimen	
297	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
298	QURU	Northern Red Oak	Quercus rubra	20	Specimen	
299	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
~~300~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~25~~	~~Rare~~	
~~301~~	~~QURU~~	~~Northern Red Oak~~	~~Quercus rubra~~	~~31~~	~~Rare~~	
302	QUAL	White Oak	Quercus alba	14	Specimen	
303	LIST	Sw eetgum	Liquidambar styraciflua	13	Specimen	
304	QUAL	White Oak	Quercus alba	15	Specimen	
~~305~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~24~~	~~Rare~~	
306	QUAL	White Oak	Quercus alba	14	Specimen	
307	QUVE	Black Oak	Quercus velutina	15	Specimen	
~~308~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~28~~	~~Rare~~	
309	LIST	Sw eetgum	Liquidambar styraciflua	12	Specimen	
310	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
311	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
312	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
313	LITU	Tulip Poplar	Liriodendron tulipifera	24	Rare	
314	LIST	Sw eetgum	Liquidambar styraciflua	17	Specimen	
315	LITU	Tulip Poplar	Liriodendron tulipifera	22	Specimen	
316	NYSY	Blackgum	Nyssa sylvatica	11	NA	
317	QUAL	White Oak	Quercus alba	15	Specimen	
318	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
319	QUVE	Black Oak	Quercus velutina	18	Specimen	
~~320~~	~~ACRU~~	~~Red Maple~~	~~Acer rubrum~~	~~24~~	~~Rare~~	
321	QUAL	White Oak	Quercus alba	18	Specimen	
322	QUAL	White Oak	Quercus alba	18	Specimen	
323	QUVE	Black Oak	Quercus velutina	23	Specimen	
324	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
325	PITA	Loblolly Pine	Pinus taeda	18	Specimen	
326	QUAL	White Oak	Quercus alba	12	Specimen	
327	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
~~328~~	~~QUAL~~	~~White Oak~~	~~Quercus alba~~	~~25~~	~~Rare~~	
329	LITU	Tulip Poplar	Liriodendron tulipifera	25	Specimen	
330	CARYA	Hickory	Carya species	14	Specimen	
331	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
332	QUAL	White Oak	Quercus alba	17	Specimen	
333	QUAL	White Oak	Quercus alba	22	Specimen	
334	QUAL	White Oak	Quercus alba	14	Specimen	
335	QUAL	White Oak	Quercus alba	14	Specimen	
336	LIST	Sw eetgum	Liquidambar styraciflua	14	Specimen	
337	QUAL	White Oak	Quercus alba	20	Specimen	
338	LIST	Sw eetgum	Liquidambar styraciflua	14	Specimen	
339	QUAL	White Oak	Quercus alba	18	Specimen	
340	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
341	QUAL	White Oak	Quercus alba	19	Specimen	
342	QUVE	Black Oak	Quercus velutina	15	Specimen	
343	QUAL	White Oak	Quercus alba	18	Specimen	
344	QUAL	White Oak	Quercus alba	22	Specimen	
345	QUAL	White Oak	Quercus alba	18	Specimen	
346	QUAL	White Oak	Quercus alba	12	Specimen	
347	QUAL	White Oak	Quercus alba	15	Specimen	
348	CATO	Mockernut Hickory	Carya tomentosa	20	Specimen	
349	QUAL	White Oak	Quercus alba	13	Specimen	
350	QUAL	White Oak	Quercus alba	20	Specimen	
~~351~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~27~~	~~Rare~~	
352	QURU	Northern Red Oak	Quercus rubra	23	Specimen	
353	QUAL	White Oak	Quercus alba	12	Specimen	
354	LITU	Tulip Poplar	Liriodendron tulipifera	18	Specimen	
355	LITU	Tulip Poplar	Liriodendron tulipifera	17	Specimen	
356	OSAR	Sourw ood	Oxydendrum arboreum	9	Specimen	
357	LITU	Tulip Poplar	Liriodendron tulipifera	14	Specimen	
358	CATO	Mockernut Hickory	Carya tomentosa	16	Specimen	
359	CARYA	Hickory	Carya species	11	NA	
360	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
361	CARYA	Hickory	Carya species	13	Specimen	
362	QUAL	White Oak	Quercus alba	15	Specimen	
363	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
~~364~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~35~~	~~Rare~~	
365	LITU	Tulip Poplar	Liriodendron tulipifera	20	Specimen	
366	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
367	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
368	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
369	QUAL	White Oak	Quercus alba	15	Specimen	
370	QUAL	White Oak	Quercus alba	20	Specimen	
371	QUAL	White Oak	Quercus alba	18	Specimen	
372	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
373	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
374	CAGL	Pignut Hickory	Carya glabra	12	Specimen	
375	SAAL	Sassafrass	Sassafras albidum	8	Specimen	
376	QUAL	White Oak	Quercus alba	12	Specimen	
377	LITU	Tulip Poplar	Liriodendron tulipifera	21	Specimen	
378	SAAL	Sassafrass	Sassafras albidum	11	Specimen	
379	QUMA	Blackjack Oak	Quercus marilandica	16	Specimen	
380	QUAL	White Oak	Quercus alba	16	Specimen	
381	SAAL	Sassafrass	Sassafras albidum	11	Specimen	
382	QUAL	White Oak	Quercus alba	43	Rare	
383	LITU	Tulip Poplar	Liriodendron tulipifera	15	Specimen	
384	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
385	LITU	Tulip Poplar	Liriodendron tulipifera	19	Specimen	
386	LITU	Tulip Poplar	Liriodendron tulipifera	23	Specimen	
387	QUVE	Black Oak	Quercus velutina	20	Specimen	
~~388~~	~~QURU~~	~~Northern Red Oak~~	~~Quercus rubra~~	~~28~~	~~Rare~~	
~~389~~	~~LITU~~	~~Tulip Poplar~~	~~Liriodendron tulipifera~~	~~25~~	~~Rare~~	
390	LITU	Tulip Poplar	Liriodendron tulipifera	13	Specimen	
391	CATO	Mockernut Hickory	Carya tomentosa	14	Specimen	
~~392~~



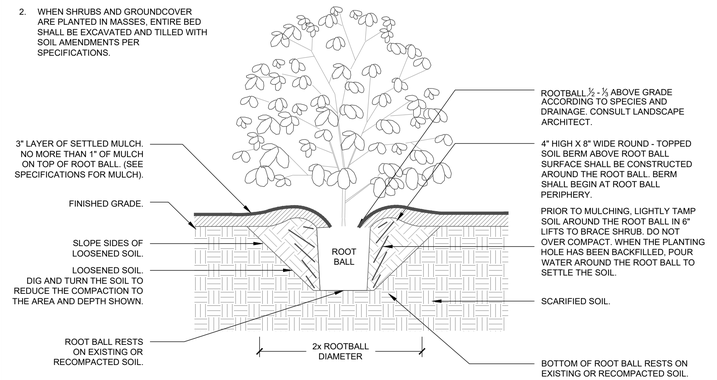
1 TREE STAKING - LODGE POLES NTS
SECTION



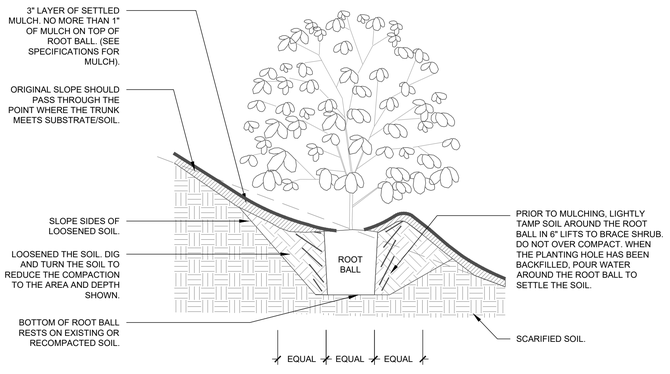
2 TREE STAKING - ON SLOPE - EXISTING IN-SITU SOIL NTS
SECTION

NOTES:

1. CONTRACTOR SHALL ASSURE PERCOLATION OF ALL PLANTING PITS PRIOR TO INSTALLATION.
2. WHEN SHRUBS AND GROUNDCOVER ARE PLANTED IN MASSES, ENTIRE BED SHALL BE EXCAVATED AND TILLED WITH SOIL AMENDMENTS PER SPECIFICATIONS.



3 SHRUB - EXISTING IN-SITU SOIL NTS
SECTION



4 SHRUB ON SLOPE - EXISTING IN-SITU SOIL NTS
SECTION

4 TREE PROTECTION FENCE NTS

TREE PROTECTION NOTES:

1. A PRE-CONSTRUCTION CONFERENCE MAY BE REQUIRED WITH THE TOWN'S URBAN FORESTER PRIOR TO BEGINNING SITE WORK. PLEASE CONTACT ADAM NICHOLSON AT 919.969.5006.
2. ANY TREE ROOTS EXPOSED DURING DEMOLITION/CONSTRUCTION WILL BE SEVERED CLEANLY WITH AN APPROPRIATE AND SHARPENED ROOT PRUNING TOOL.
3. THE SOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES WILL NOT BE DRIVEN ON OR OTHERWISE DISTURBED DURING THE INSTALLATION OF LANDSCAPING.
4. (2) LANDSCAPE PROTECTION SUPERVISORS MUST REGISTER WITH THE TOWN. CONTACT ADAM NICHOLSON AT 919.969.5006 FOR THAT REVIEW.
5. ONE OR BOTH OF THE LANDSCAPE PROTECTION SUPERVISOR WHO ARE REGISTERED WITH THE TOWN OF CHAPEL HILL WILL BE PRESENT ON SITE AT ALL TIMES ANY LAND DISTURBING ACTIVITY IS OCCURING.

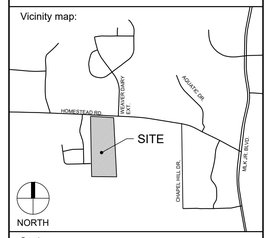
PLANTING NOTES:

1. DO NOT STAKE TREES EXCEPT WHERE SPECIFIED BY LANDSCAPE ARCHITECT. STAKING IS REQUIRED FOR TREES PLANTED ON SLOPES.
2. WHERE SEVERAL TREES WILL BE PLANTED CLOSE TOGETHER SUCH THAT THEY WILL LIKELY SHARE ROOT SPACE, TILL IN SOIL AMENDMENTS TO A DEPTH OF 4-6" OVER THE ENTIRE AREA.
3. FOR CONTAINER GROWN TREES, USE FINGERS OR SMALL HAND TOOLS TO PULL THE ROOTS OUT OF THE OUTER LAYER OF POTTING SOIL; THEN CUT OR PULL APART ANY ROOTS CIRCLING THE PERIMETER OF THE CONTAINER.
4. FOR FIELD GROWN TREES, CUT BURLAP, ROPE AND WIRE BASKET AWAY FROM TOP AND SIDES OF ROOT BALL.
5. THOROUGHLY SOAK THE TREE ROOT BALL AND ADJACENT PREPARED SOIL SEVERAL TIMES DURING THE FIRST MONTH AFTER PLANTING AND REGULARLY THROUGHOUT THE FOLLOWING TWO SUMMERS.
6. THE PLANTING PROCESS IS SIMILAR FOR DECIDUOUS AND EVERGREEN TREES.
7. DO NOT WRAP TRUNK; MARK NORTH SIDE OF TREE IN THE NURSERY AND LOCATE TO THE NORTH IN THE FIELD.
8. WIDTH OF PLANTING HOLE IS 3X ROOT BALL AT THE SURFACE, SLOPING TO 2X THE ROOT BALL DIAMETER AT THE DEPTH OF THE ROOT BALL.
9. BEFORE PLANTING, ADD 3-4" OF WELL COMPOSTED LEAVES, RECYCLED YARD WASTE OR OTHER COMPOST AND TILL INTO TOP 6" OF PREPARED SOIL. ADD COMPOST AT 20-35% BY VOLUME TO BACKFILL.
10. PERFORM PERCOLATION TEST FOR EACH TREE PIT TO CONFIRM THAT WATER DRAINS OUT OF THE SOIL. PROVIDE GRAVEL SUMP FILTER FABRIC & VENT PIPE IF DRAINAGE DOES NOT OCCUR WITHIN 24 HOURS. INCLUDE ALL SUMPS IN BASE BID. SHOULD SUMPS NOT BE NECESSARY AFTER PERCOLATION TEST, PROVIDE CHANGE ORDER DEDUCT TO OWNER.
11. IF PLANTING HOLES ARE DUG WITH A LARGE AUGER BREAKING DOWN THE SIDES WITH A SHOVEL CAN ELIMINATE GLAZING AND CREATE THE PREFERRED SLOPING SIDE.
12. TREES SHALL HAVE SINGLE LEADERS. TREES WITH 2 LEADERS WILL BE REJECTED.
13. DO NOT PLACE MULCH IN CONTACT WITH TRUNK.
14. PROVIDE GATOR BAGS FOR ALL TREES WHERE IRRIGATION IS NOT PROVIDED.

STEWART
101 WEST MAIN ST.
DURHAM, NC 27701
T 919.380.8750
FIRM LICENSE #: C-1051
www.stewartinc.com
PROJECT #: C22033

Client:
GS HOMESTEAD, LLC
121 S. ESTES DRIVE, SUITE 100
CHAPEL HILL, NC 27514
PHONE: 919 489 9000
EMAIL: RICHARD@GURLITZARCHITECTS.COM

Vicinity map:



Seal:
PRELIMINARY - DO NOT USE FOR CONSTRUCTION

Scale:
SCALE: AS NOTED

Project:
HOMESTEAD ROAD TOWNHOMES

Issued for:
CONDITIONAL ZONING PERMIT

No.	Date	Description
1	8/26/2022	1ST RESUBMITTAL
2	10/07/2022	2ND RESUBMITTAL

Title:
PLANTING & SOILS DETAILS

Project number: C22033 Sheet #:
Issued Date: 06.24.2022
Drawn by: SM
Approved by: CH
L7.90

L:\Projects\2022\C22033 - Homestead Road Townhomes\DWGS\1-SUPS-Sheets\C22033-L7.90 Planting & Soils Details.dwg Oct 07, 2022 - 9:29am

4 BUILDING ELEVATION - RIGHT
Scale: 1/8" = 1'-0"

3 BUILDING ELEVATION - REAR
Scale: 1/8" = 1'-0"

2 BUILDING ELEVATION - LEFT
Scale: 1/8" = 1'-0"

1 BUILDING ELEVATION - FRONT
Scale: 1/8" = 1'-0"

2217 HOMESTEAD TOWNHOMES

RESIDENTIAL DEVELOPMENT

DRAFT TRANSPORTATION IMPACT ANALYSIS

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

September 2022

HNTB

2217 HOMESTEAD TOWNHOMES

RESIDENTIAL DEVELOPMENT

DRAFT TRANSPORTATION IMPACT ANALYSIS

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

September 2022

EXECUTIVE SUMMARY - DRAFT

Project Overview

A new residential community, known as 2217 Homestead Townhomes, is being proposed in Chapel Hill along Homestead Road near the Weaver Dairy Road Extension. **Figure ES-1** shows the general location of the site. The project proposes to construct 103 individual residential townhome/condominium units and is anticipated to be fully complete and occupied by 2025. This report analyzes the full build-out scenario for 2217 Homestead Townhomes for the year 2026 (one year after anticipated completion), the no-build scenario for 2026, as well as 2022 existing year traffic conditions for typical weekday AM, noon, and PM peak hours.

The current proposed site plan shows a provision for a full movement access driveway serving the site that connects to Homestead Road and a secondary access point to Kipling Lane in the Courtyards at Homestead Road subdivision. No other external roadway vehicular access connections are proposed. **Figure ES- 2** displays the overall site plan and nearby land uses and roadways. The 2217 Homestead Townhomes site is expected to provide individual vehicle parking spaces located on individual driveways as part of each condominium lot – with potential on-street parking allowed in areas where curb space permits. This report analyzes and presents the transportation impacts that the 2217 Homestead Townhomes project will have on the following intersections in the project study area:

- Homestead Road and Seawell School Road
- Homestead Road and Greenway Landing / Future Bridgepoint Access Driveway
- Homestead Road and Weaver Dairy Road Extension
- Homestead Road and NC 86 (Martin Luther King, Jr. Boulevard)
- Homestead Road and Proposed Site Driveway

Existing Conditions

Study Area

The site is located in north Chapel Hill along Homestead Road just west of the Weaver Dairy Road Extension. 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. 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*.

Background Traffic

Background traffic growth for the 2026 analysis years is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Five 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 taking into consideration the on-going rebound to pre-COVID traffic levels caused by the pandemic.

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
Condominiums – Low-Rise	103 Units	369	369	738	11	38	49	25	31	56	38	23	61

* - No Noon Peak ITE Data Available – Used Average of AM and PM Peak Data

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 2026. Even with the addition of peak hour site-generated trips to the projected 2026 background traffic volumes, no study area intersection is expected to experience deficient traffic operations in any peak hour and projected maximum queues at all locations are not expected to be excessive. No additional mitigation improvements to any 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 traffic simulation Level-of-Service (LOS_S) is shown in **Table ES-2**.

Table ES-2. Peak Hour Intersection Capacity Analysis Summary

Intersections	Peak Hour	2022 Existing		2026 No-Build		2026 Build		2026 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Homestead Road & Seawell School Road	AM	C	21.2	C	22.1	C	22.0	N/A	N/A
	NOON	B	12.5	B	12.5	B	12.1	N/A	N/A
	PM	B	13.9	B	14.2	B	14.1	N/A	N/A
Homestead Road & Greenway Landing / Future Bridgepoint Site Driveway#	AM	A	7.6	C	15.5	C	15.9	N/A	N/A
	NOON	A	6.2	A	8.0	A	8.0	N/A	N/A
	PM	A	7.1	C	17.0	C	18.6	N/A	N/A
Homestead Road & Weaver Dairy Road Extension	AM	B	14.4	B	14.0	B	13.9	N/A	N/A
	NOON	B	14.0	B	13.4	B	12.9	N/A	N/A
	PM	B	18.7	B	19.0	B	18.8	N/A	N/A
Homestead Road & NC 86 (Martin Luther King, Jr. Boulevard)	AM	B	19.1	C	20.1	C	20.7	N/A	N/A
	NOON	C	20.1	C	21.8	C	22.1	N/A	N/A
	PM	B	17.4	B	19.3	C	20.1	N/A	N/A
Homestead Road & Proposed Site Driveway#	AM	N/A	N/A	N/A	N/A	A	9.5	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	A	5.4	N/A	N/A
	PM	N/A	N/A	N/A	N/A	A	6.8	N/A	N/A

N/A – Not Applicable or No Improvements Necessary
- Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

Access Analysis

Vehicular site access to the project is to be accommodated at a proposed full movement driveway access connecting to Homestead Road about 400 feet to the west of the Weaver Dairy Road Extension intersection with the Homestead Road. The proposed driveway has single inbound and outbound lanes.

A second internal local street access connection is also proposed to link with existing Kipling Lane within the Courtyards at Homestead subdivision. 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 generally acceptable for the current site concept plans for the project.

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 some connectivity along Homestead Road. No specific bicycle amenities are present along Homestead Road, but bicycle lanes are present on the Weaver Dairy Road Extension and along NC 86 north of Homestead Road. Additional bicycle lanes/off-road paved paths along Homestead Road will be provided and provided the needed connectivity upon the completion of the Town's improvement project.

Signal Warrant Analysis
Based on projected 2026 traffic volumes and proposed access plans, no unsignalized study area intersection with Homestead Road would 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
Pre-COVID crash data from the NCDOT Traffic Safety Unit was used from a previous TIA study for the five-year period 2/1/2015 to 1/31/2020 for the segment of Homestead Road Extension 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 rate of crashes along Homestead Road in the project study area is lower than state-wide averages for similar facilities, with the rate and index of severe crashes being higher, due to a single fatal crash (with a pedestrian) that occurred during the five year crash collection period.

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 TransModeler maximum queue length estimates for the 2026 Build Scenario. At the intersection of Homestead Road and Weaver Dairy Road 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. No other intersection maximum queue results indicate potential queue spillback.
Appropriateness of Acceleration/ Deceleration Lanes	With relatively light traffic turning volumes, no additional acceleration/deceleration lanes are necessary in the vicinity of the project site driveway along Homestead Road, other than the proposed westbound center left-turn lane included in the U-4726 Town project design for Homestead Road.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is adequate along the Homestead Road corridor in the vicinity of the site, 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, but no bicycle facilities exist along Homestead Road within the project study area. The Town's Homestead Road Improvements project will

Analysis	Comment
	considerably improve pedestrian and bicycle facilities along Homestead Road within and to the west of the project study area by providing off-road paved paths that enhance bicycle and pedestrian connections.
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. In the immediate site vicinity, only one CHT Route (HS) directly runs adjacent to the site, with 30+ minute headways and service currently only in the peak AM and PM time periods.

Mitigation Measures/Recommendations

Planned Improvements

There are no North Carolina Department of Transportation improvement projects for study area roadway facilities within the analysis year time frame of 2022-2026. The Town of Chapel Hill has a transportation improvement project slated for construction prior to the 2026 site build-out year. The Homestead Road Improvements project (U-4726 IK) will create a consistent three-lane roadway cross-section west of the Weaver Dairy Road Extension intersection, 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 2028. As final design details are not complete as of the submittal of this TIA, no specific lane usage changes along NC 86 were analyzed as part of this study.

Background Committed Improvements

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 and for the Homestead Road / Weaver Dairy Road Extension intersection by the year 2026, whether or not specifically needed by any of the proposed background traffic generating developments included in this study. Improvements and access changes necessitated by the combined Bridgepoint and 2200 Homestead Road Residential projects are shown in **Figure ES-3** and are located primarily in the vicinity of the existing Greenway Landing intersection along Homestead Road.

Applicant Committed Improvements

Based on the preliminary site plans and supporting development information provided, there are several specific transportation-related improvements proposed for the 2217 Homestead Townhomes project. Internal and external improvements (shown schematically in **Figure ES-2 and ES-3**) include:

- Construction of a primary full movement access driveway connecting to Homestead Road with a proposed sidewalk along both sides of the driveway to connect to the new multi-use path provided by Town project U-4726.
- Construction of a full access minor street connection to existing Kipling Lane with an accompanying extension of sidewalk on both sides of the street connection.

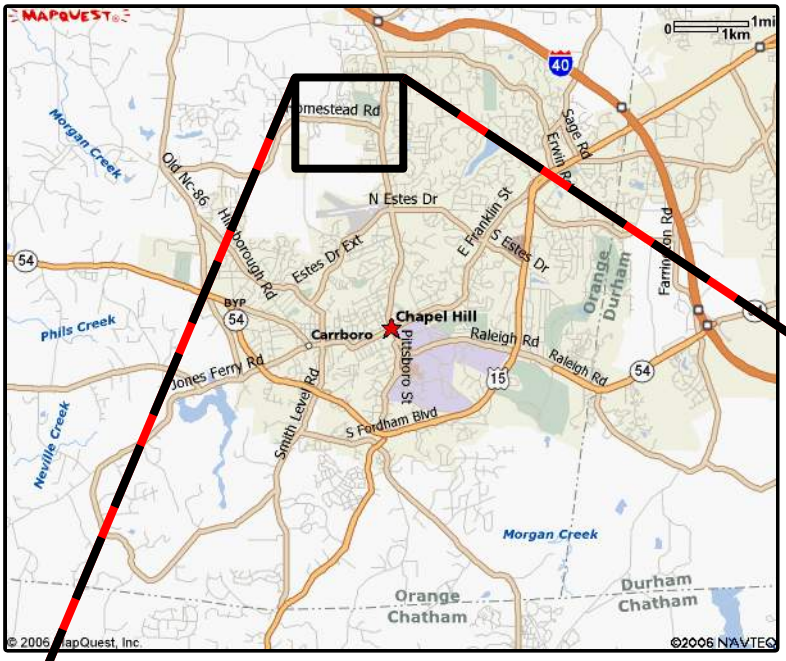
Necessary Improvements

Based on traffic capacity analyses for the 2026 design year for the 2217 Homestead Townhomes development 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 and safety (see **Figure ES-3**).

- Restripe Center Turn Lane Created as part of the Town Homestead Road Improvements project for a 100' Westbound Left-Turn and Taper at the proposed Site Driveway and Use Remaining Available Storage in the center lane For Eastbound Left-Turn storage and Taper at the Homestead Road / Weaver Dairy Road Extension intersection.

- Provide Crosswalk across the proposed Site Driveway at its intersection with Homestead Road.

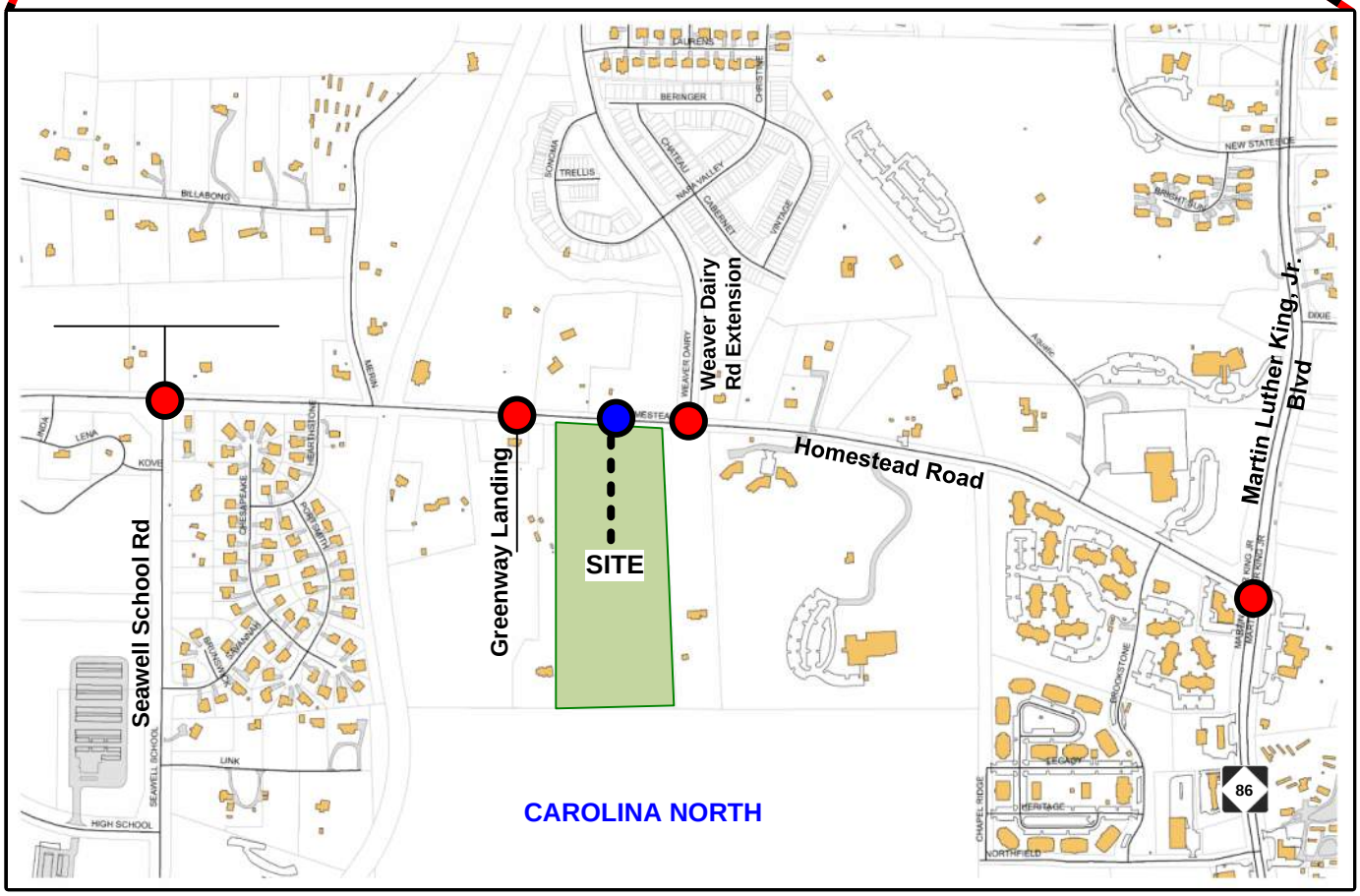


LEGEND

- = Existing Building Footprint
- = Existing Study Area Intersection
- = Proposed Site Driveway
- = Proposed 2217 Homestead Townhomes Site

N

NOT TO SCALE



Source: Town of Chapel Hill GIS Files

DRAFT

HNTB

TOWN OF CHAPEL HILL

2217 Homestead Townhomes
Transportation Impact Analysis

DATE: September 2022

PROJECT STUDY AREA

FIGURE ES-1

DRAFT

LEGEND

= PROPOSED SITE ACCESS

CAROLINA FOREST

Type B Buffer

HOMESTEAD ROAD

PROPOSED FULL ACCESS DRIVEWAY

43,000 OPEN SPACE

16,800 OPEN SPACE

48,250 OPEN SPACE

POND

5 FOOT SIDEWALK

45 FOOT ROW - 27 FOOT BACK TO BACK OF CURB

14,300

5000 SF OPEN SPACE

38,000 OPEN SPACE

16,500 sf OPEN SPACE

70,900 sf OPEN SPACE

PROPOSED ACCESS TO KIPLING LANE

Type B Buffer

CAROLINA FOREST

THE COURTYARDS SUBDIVISION - EXISTING

1 SITE PLAN

Scale: N.T.S

HNTB

TOWN OF CHAPEL HILL

NOT TO SCALE

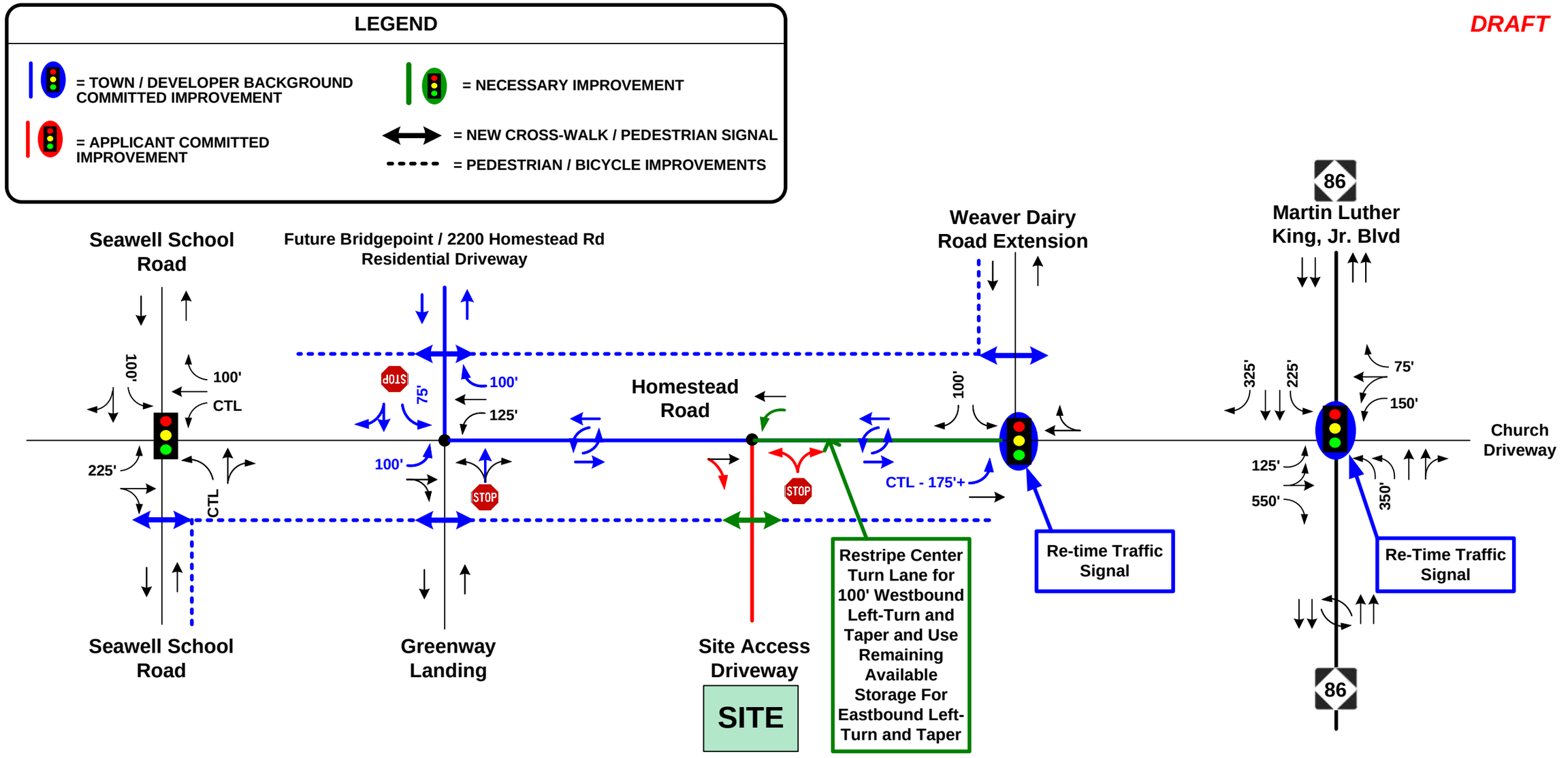
2217 Homestead Townhomes
Transportation Impact Analysis

SITE CONCEPT PLAN

DATE: September 2022

FIGURE ES-2

DRAFT



HNTB

TOWN OF CHAPEL HILL

NOT TO SCALE

2217 Homestead Townhomes
Transportation Impact Analysis

COMMITTED AND RECOMMENDED IMPROVEMENTS

DATE: September 2022

FIGURE ES-3

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 16., **File #:** [23-0076], **Version:** 1 **Meeting Date:** 1/25/2023

Concept Plan Review: Chapel Hill Transit and Public Facilities Expansion, 6830-6900 Millhouse Road.

See the Staff Report on the next page.

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

PRESENTER: Corey Liles, Planning Manager

a. Review of process
b. Presentation by the applicant
c. Comments from the Community Design Commission and Stormwater Management Utility Advisory Board
d. Comments from the public
e. Comments and questions from the Mayor and Town Council
f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

CONCEPT PLAN REVIEW: CHAPEL HILL TRANSIT FACILITY AND PUBLIC FACILITIES EXPANSION
(Project #CP-22-5)

STAFF REPORT TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Mary Jane Nirdlinger, Interim Director
Judy Johnson, Assistant Director
Corey Liles, Planning Manager

PROPERTY ADDRESS	MEETING DATE	APPLICANT
6830-6900 Millhouse Rd.	January 25, 2023	Town of Chapel Hill

STAFF RECOMMENDATION

That the Council adopt the attached resolution transmitting comments to the applicant regarding the proposed development.

PROCESS

Council hears from the applicant, receives comments from the Community Design Commission and Housing Advisory Board, hears public comments, and offers suggestions to the applicant.

Because this review is a Concept Plan submittal, statements by individual Council members this evening do not represent an official position or commitment on the part of a Council member with respect to the position he or she may take when and if the Council considers a formal application.

DECISION POINTS

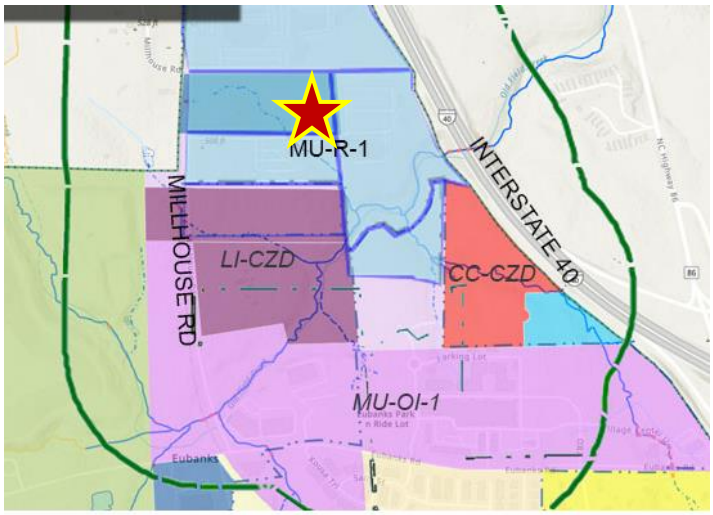
The site has a Special Use Permit and staff anticipates a Special Use Permit Modification review for the formal application.

PROJECT OVERVIEW

The site is the current location of public service facilities for the Chapel Hill Transit and Public Works Departments. Zoning for the site is Mixed Use-Residential-1 (MU-R-1) and Office/Institutional-1 (OI-1).

The proposal includes phased expansion of the public service facilities, with additional bus parking, an operations building, clean energy facilities, a new access road, and associated infrastructure.

PROJECT LOCATION



ATTACHMENTS

- Long-Range Plans Evaluation
- Draft Staff Presentation
- Resolution, Transmitting Council Comments
- CDC Comments Chapel Hill Transit
- Advisory Board Comments
- Applicant Materials
- Applicant Draft Presentation (*to be provided*)

LONG-RANGE PLANS EVALUATION

CHAPEL HILL TRANSIT FACILITY EXPANSION

The following report provides an evaluation of the Concept Plan site, based on long-range planning considerations.

EXISTING LAND USE	**PROPOSED LAND USE**
Public Services, Vacant land	Public Services

SURROUNDING PROPERTIES – EXISTING LAND USES

Town Operations Center (North), I-40 Freeway (East), Vacant (South and West), Light Industrial (Southwest)

APPLICABLE ADOPTED PLANS

- ☒ Future Land Use Map (FLUM)
- ☒ Mobility and Connectivity Plan
- ☒ Parks Comprehensive Plan
- ☒ Greenways Master Plan
- ☒ Chapel Hill Bike Plan
- ☒ Cultural Arts Plan
- ☒ Stormwater Management Master Plan
- ☒ Climate Action & Response Plan
- ☐ West Rosemary Street Development Guide
- ☐ Central West Small Area Plan

SUMMARY OF PLAN CONSIDERATIONS AFFECTING SITE

Future Land Use Map (FLUM) – North MLK Jr Blvd Focus Area, Sub-Area A

- Institutional/University/Civic facilities and Light Industrial are listed as *Primary (predominate) Uses*.
- Parks/Green spaces is listed as a *Secondary Use* (allowed, but not predominate).
- Multifamily Residential; Multifamily, Shops & Offices; Commercial/Office; and Townhouses & Residences are listed as *Discouraged Uses*.
- Height guidance for the Sub-Area is *4 to 6 stories*. The FLUM assumes 12 feet as the approximate height of each story.
- The Old Field Creek stream corridor in the southeast portion of the site is identified as *Future Parks & Open Space.*

Mobility and Connectivity Plan

- The site is located along Millhouse Road, which has existing sidewalk and bike lanes.
- A multiuse path is proposed for the site's frontage along Millhouse Road, as an upgrade to existing facilities.
- A future *Bus Rapid Transit station* is located within ¼ mile of the site. The applicant should **coordinate with Chapel Hill Transit** for the latest information on BRT design, station locations and any potential connections.

Parks Comprehensive Plan

- The site falls within the Community Park Service Area for Homestead Park. The site does not fall within a Neighborhood Park Service Area.
- No additional Neighborhood Parks or Community Parks are proposed in the vicinity of the site.

Greenways Master Plan

- The Old Field Trail is proposed to run along the south side of I-40 extending north and west from Martin Luther King, Jr. Blvd., including where this site is adjacent to I-40. The applicant should **coordinate with Chapel Hill Parks & Recreation** for the latest information on trail alignment, design, and construction timing.

Chapel Hill Bike Plan

- Mapping of future bike facilities in the Bike Plan is superseded by the Mobility and Connectivity Plan. The Bike Plan provides some additional detail on facility design.

Cultural Arts Plan

- No opportunities for integrating public art are identified for this location.

Stormwater Management Master Plan

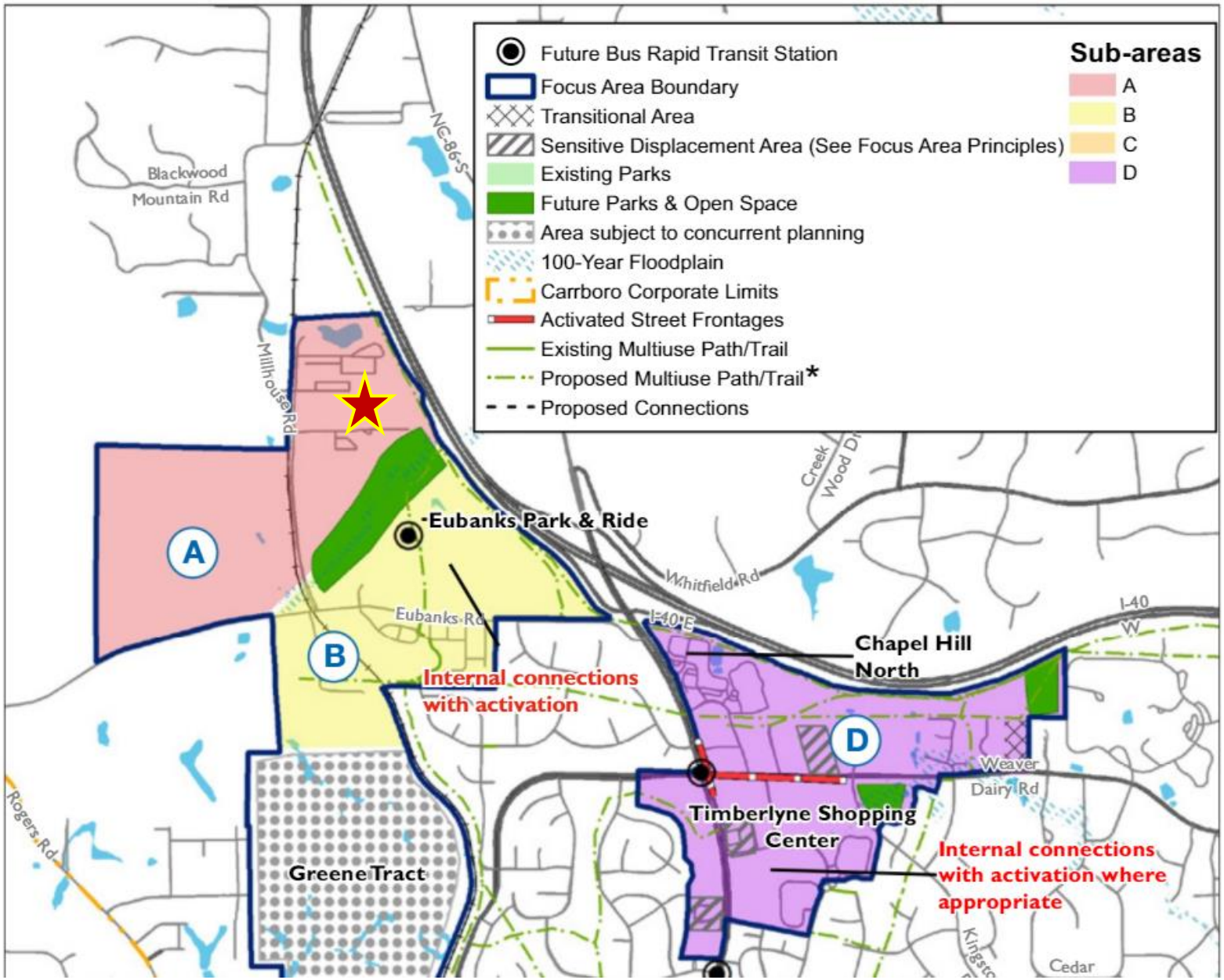
- The site is located in the Old Field Creek Subwatershed (NH1). The applicant should **coordinate with Chapel Hill's Stormwater Management Division** to understand relevant stormwater considerations.

Climate Action and Response Plan

- Developing the site with the proposed facilities program would contribute to the following Plan actions:
  - Electrify the transit fleet
  - Increase transit ridership and implement Bus Rapid Transit
- Conditions for development could contribute to the other actions in the plan such as:
  - Net-zero emissions for new construction and new municipal buildings
  - Create a town-wide electric vehicle charging station network
  - Protect water quality, natural, and agricultural resources
  - Enhance green infrastructure

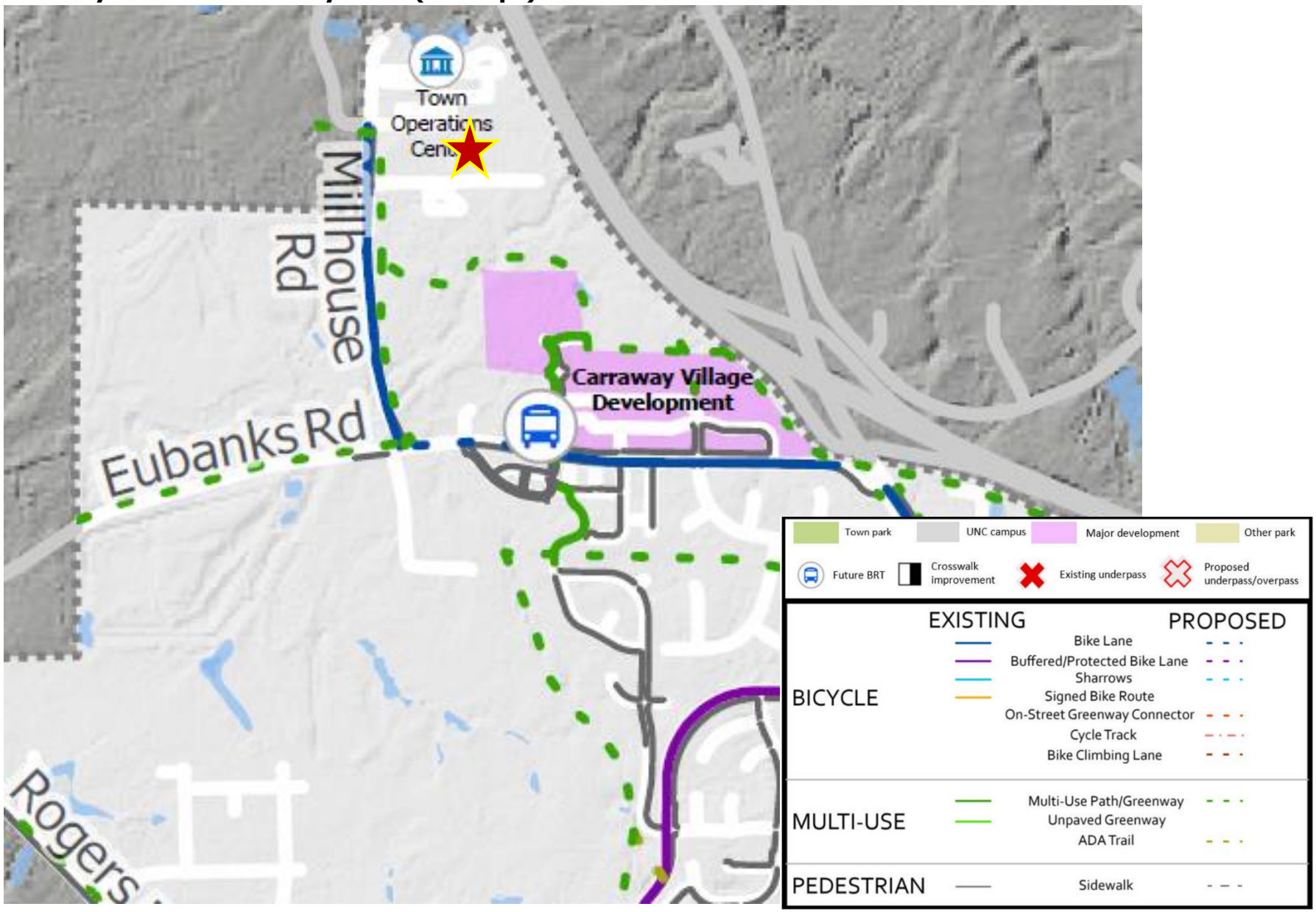
CONCEPT PLAN REPORT

Future Land Use Map (Excerpt)



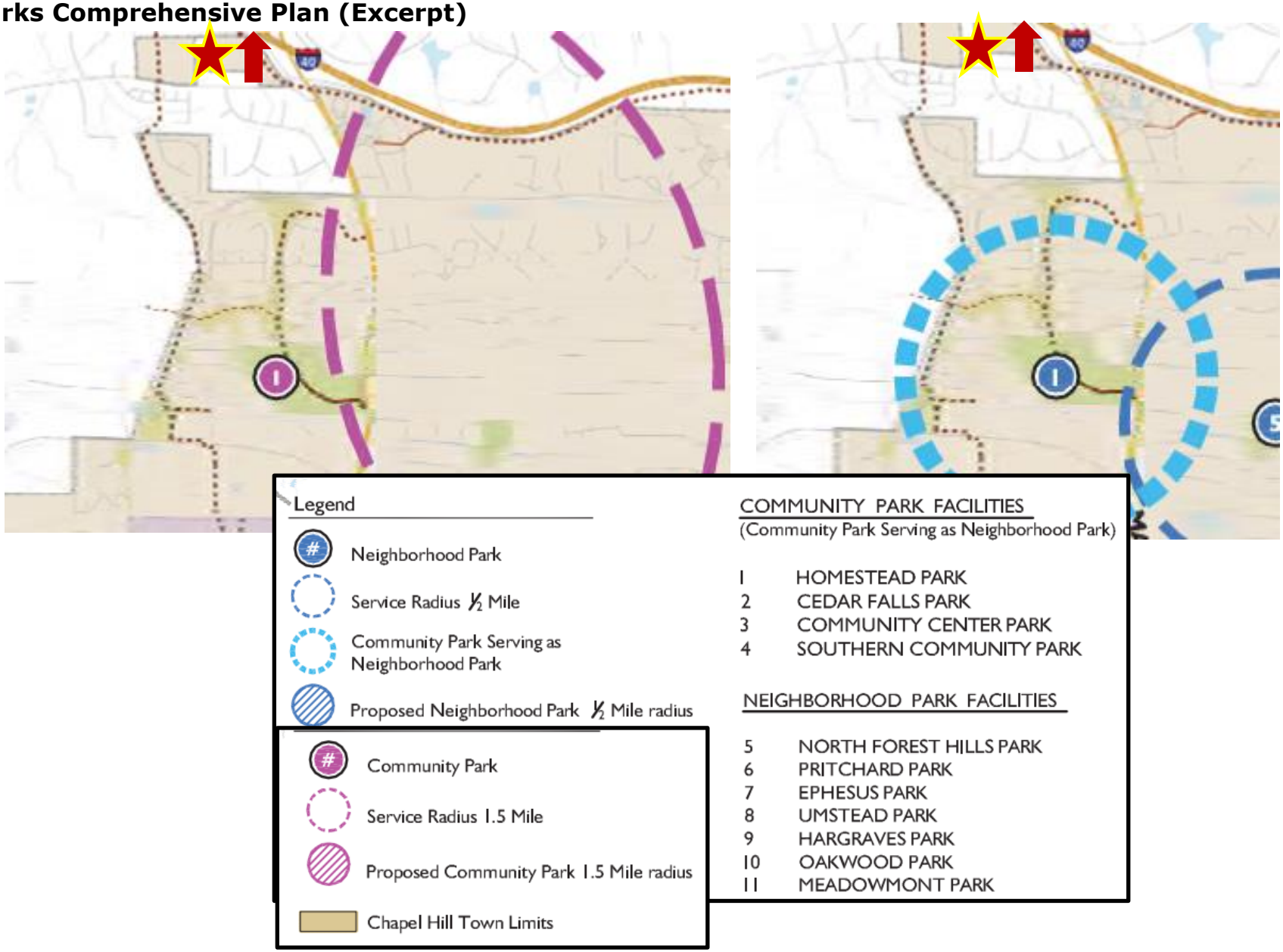
CONCEPT PLAN REPORT

Mobility and Connectivity Plan (Excerpt)



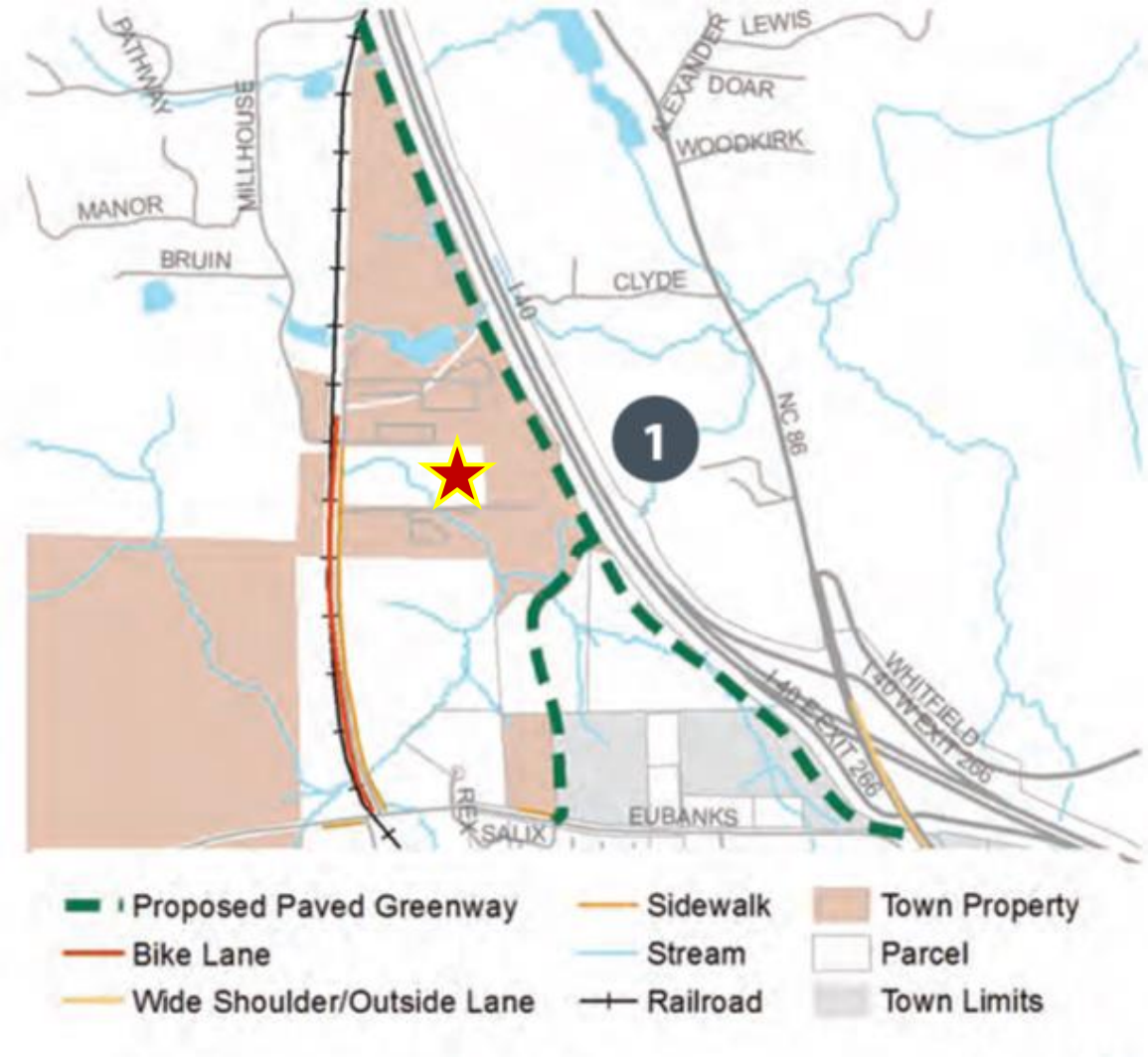
CONCEPT PLAN REPORT

Parks Comprehensive Plan (Excerpt)



CONCEPT PLAN REPORT

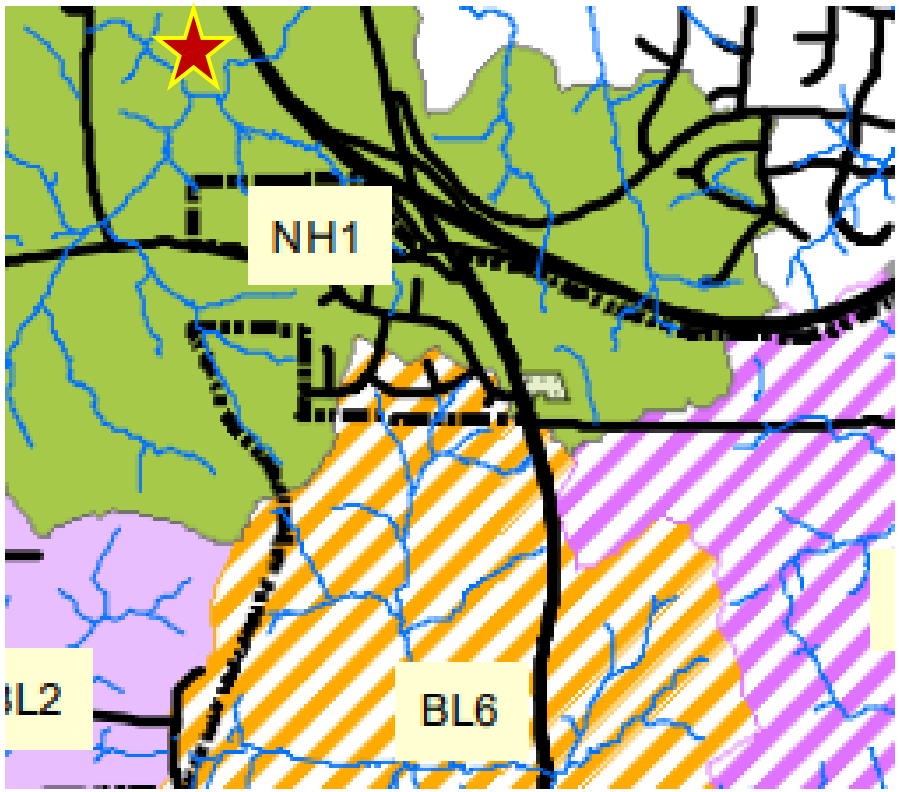
Greenways Master Plan (Excerpt)



CONCEPT PLAN REPORT

Cultural Arts Plan (Excerpt)

Stormwater Management Master Plan (Excerpt)

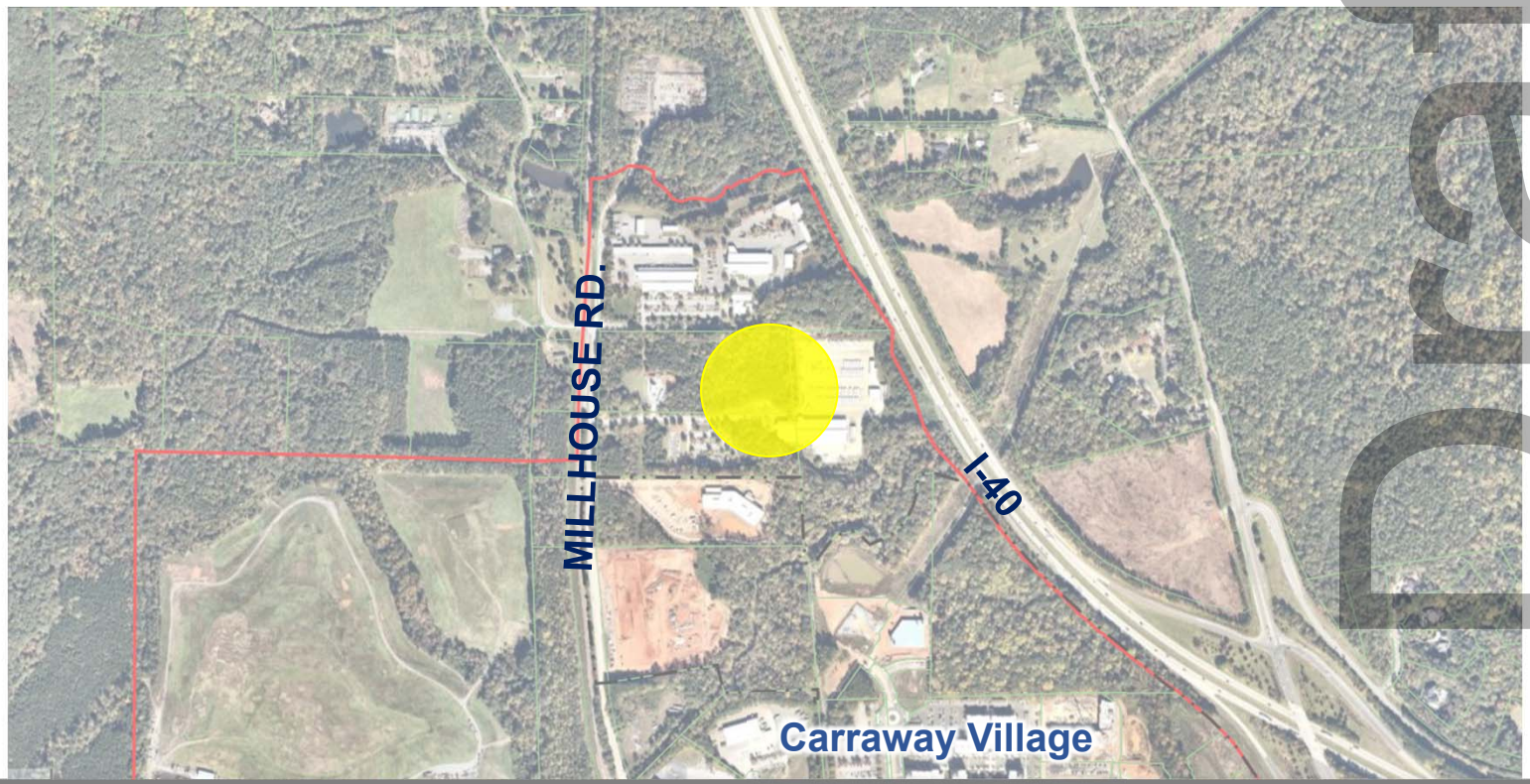


COUNCIL MEETING

CONCEPT PLAN

Chapel Hill Transit Expansion

January 25, 2023



Draft

Recommendation

- Adopt a Resolution, transmitting comments to the Applicant regarding the proposed development *(R-#)*

Draft

Concept Plans

- No Decision; Feedback Only
- Applicant provides a rough sketch
- Staff does not conduct a formal review
- Advisory Board preliminary feedback
- Discussion of next steps

Draft

Project Summary

- ❑ Existing Zoning MU-R-1
- ❑ Clean energy facilities for Chapel Hill Transit
- ❑ Additional facilities and infrastructure for bus operations and other public services
- ❑ Potential new access road

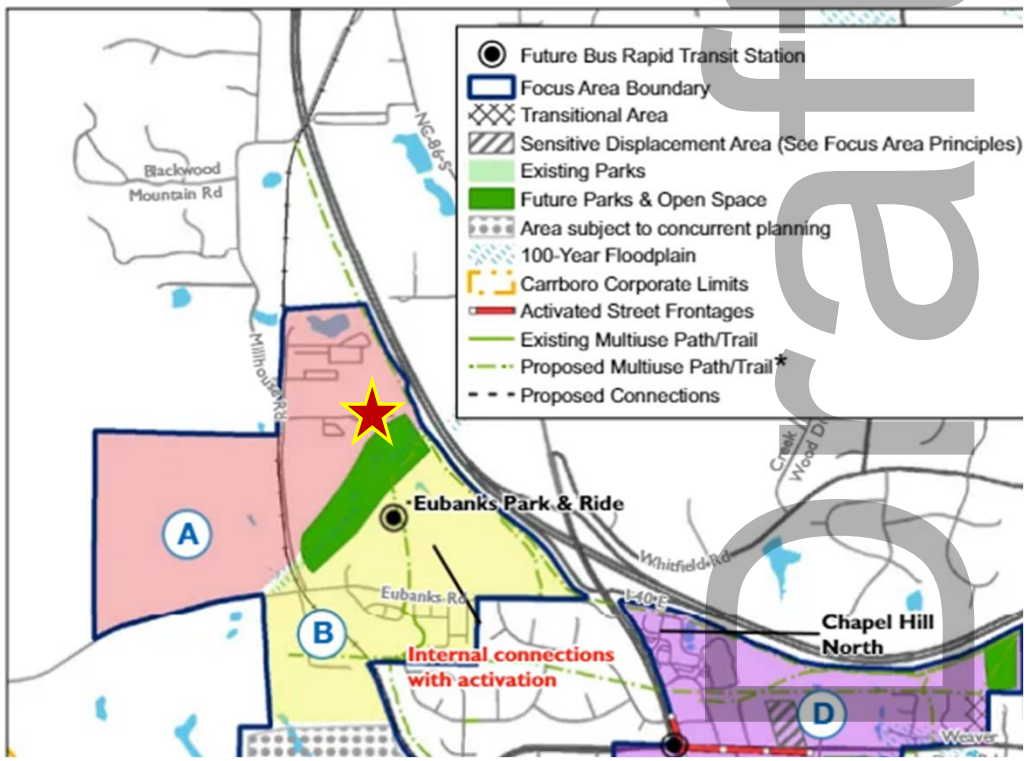
Advisory Board Comments

- Community Design Commission
  - Consider moving porch to south side of building
- Stormwater Management Utility Advisory Board

Draft

Long Range Evaluation

- **North MLK Jr Blvd Focus Area**
  - *Sub Area A*
  - *Institutional/University/Civic is a Primary land use*
  - *Typical Height 4-6 stories*
  - *Future Parks/Open Space to the southeast*



Draft

Recommendation

- Adopt a Resolution, transmitting comments to the Applicant regarding the proposed development *(R-#)*

Draft

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR THE CHAPEL HILL TRANSIT FACILITY AND PUBLIC FACILITIES EXPANSION AT 6900 MILLHOUSE ROAD (PROJECT #CP-22-5) (2023-01-25/R-11)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for phased expansion of transit and public service facilities at 6900 Millhouse Road, further identified by Orange County PIN(s) 9870-89-0971, 9871-80-0325, and 9871-80-9160; and

WHEREAS, the Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission and Stormwater Management Utility Advisory Board, hear public comments, and offer suggestions to the applicant; and

WHEREAS, the Council has heard presentations from the applicant and members of the public; and

WHEREAS, statements by individual Council members this evening are not an official position or commitment on the part of a Council member with respect to the position he or she may take when and if a formal application for development is subsequently submitted to the Council for formal consideration; and

WHEREAS, the Council has discussed the proposal, with Council members offering reactions and suggestions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmits comments to the applicant regarding this proposal, as expressed by Council members during discussions on January 25, 2023 and reflected in minutes of that meeting.

This the 25th day of January, 2023.

COMMUNITY DESIGN COMMISSION
CONCEPT PLAN COMMENTS
- Chapel Hill Transit Facility Expansion -

October 25, 2022

The Community Design Commission conducted a review of the Concept Plan application at their meeting on October 25, 2022.

Below is a summary of comments made by members of the Commission about the Concept Plan

- The Commission noted that moving the porch of the proposed Operations Base to the south side of the building would help improve the building's overall relationship to existing buildings on the site and provide occupants a better view of the trees to the south of the site.

Submitted by: John Weis, Chair-Community Design Commission

CONCEPT PLAN COMMENTS

STORMWATER MANAGEMENT UTILITY ADVISORY BOARD

MEETING DATE:	November 22, 2022
PROJECT:	Transit Facility Expansion Concept Plan
BOARD MEMBERS PRESENT:	Chad Pickens; Evan Kirk; Janet Clarke; Shugong Wang
BOARD MEMBERS ABSENT:	Pamela Schultz

The Stormwater Management Utility Advisory Board (Board) met on Tuesday, November 22, 2022 and received a presentation from Katy Fontaine, the Transit Project Manager, who reviewed the Transit Facility Expansion Plan to meet Transit's future needs.

Most of the project site is located on the Nunn property along Millhouse Rd, between the Public Works and Transit facilities at the Town's Operation Center. The project site is approximately 11 acres and, with the exception of the Fire Training Center, is forested. It contains perennial and intermittent streams that are subject to the Town's Resource Conservation District (RCD) and Jordan riparian buffer regulations. There is a regulatory floodway and floodplain (Old Field Creek) present.

The expansion plan includes four phases. Phases One and Two include the expansion of the bus yard and the addition of an operations and maintenance center. Phase Three proposes an access road to extend south to the Eubanks park-and-ride lot; Phase Four includes a future Public Services Facility.

Board members had the following comments:

Comments:

- Consider using permeable pavement in the parking areas.
- Need to include oil/water separators in the new parking areas.
- Consider limiting traffic on proposed access road for emergency use only (add bollards). This will help minimize pollution to Old Field Creek and may help to reduce the width of the road.
- Consider a different location for the proposed access road. Staff noted there is a benthic monitoring site on Old Field Creek in the vicinity of the proposed access road. Extreme care will need to be taken to protect the stream during and after construction.
- The road as shown would cross the regulatory floodplain and floodway in two locations. A Conditional Letter of Map Revision (CLOMR) and LOMR will be required.
- Incorporate green infrastructure (e.g., collect rooftop runoff for reuse, use grassed swales and curb cuts in parking areas, etc.) wherever possible to disconnect the impervious surfaces.
- Relocate the proposed hydrogen facility away from riparian buffers, floodplains, and slopes.
- As part of the project, consider relocating any existing dumpsters and recycling areas away from the RCD, streams, and the interior drainage system.
- The Town needs to set an example by incorporating innovative measures in the design.
- The Board may petition the Town Council to provide input after the application is submitted and design details are available.

CONCEPT PLAN APPLICATION

Parcel Identifier Number (PIN): (A) 9870890971 (B) 9871800325 (C) 9871809160 Date: 9/27/2022

Section A: Project Information

Project Name: Town of Chapel Hill Transit Facility Expansion

Property Address: 6900 Millhouse Road Chapel Hill, NC Zip Code: 27516

Use Groups (A, B, and/or C): C Existing Zoning District: (A) MU-R-1 (B) OI-1 (C) MU-R-1

Project Description: Facility expansion for Town Transit. This will include surface parking, infrastructure for clean energy Vehicles, new operations center, and new access road.

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

Applicant Information (to whom correspondence will be mailed)

Name: Katy Fontaine

Address: 6900 Millhouse Road

City: Chapel Hill State: NC Zip Code: 27516

Phone: 919-969-4957 Email: kfontaine@townofchapelhill.org

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: Kathryn Fontaine Date: 9/27/2022

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: 919-969-4957 Email: kfontaine@townofchapelhill.org

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: Kathryn Fontaine Date: 9/27/2022

Concept Plan Overview

Site Description	
Project Name	**Town of Chapel Hill Transit Facility Expansion**
Address	**6900 Millhouse Road Chapel Hill, NC 27516**
Property Description	**Transit Operations Facility**
Existing Land Use	(A) Transit bus yard and operations facility (B) Undeveloped property (C) Transit bus yard and operations facility
Proposed Land Use	Transit bus yard and operations facility
Orange County Parcel Identifier Numbers	(A) 9870890971 (B) 9871800325 **(C)** 9871809160
Existing Zoning	(A) MU-R-1 (B) OI-1 (C) MU-R-1
Proposed Zoning	(A) MU-R-1 (B) OI-1 (C) MU-R-1
Application Process	SUP Modification
Comprehensive Plan Elements	
Overlay Districts	N/A

Regulatory Land Use Intensity

Design/LUMO Standards		Requirement	**Proposal**	Status
Sec. 3.7	Use/Density	Use Group C	Transit bus yard and operations facility	
Sec 3.8	Net Land Area	N/A	10.09 acres	
Sec 3.8	Gross Land Area	N/A	11.06 acres	
Sec. 3.8	Dimensional Standards	Street - 0 Interior - 0 Solar - 0		
Sec. 3.8	Floor area	.076		
Sec. 4.5.6	Modification to Regulations		UNK	

Sec. 5.5	Recreation Space	N/A		

Site Design

	Design/LUMO Standards		Requirement	Proposal	Status
Landscape	Sec. 5.6	East	B/C		
	Sec. 5.6	North	B/C		
	Sec. 5.6	South	B/C		
	Sec. 5.6	West	B/C		
	Sec. 5.7	Tree Canopy	30%	30%	
	Sec. 5.11	Lighting Plan (footcandles)	LUMO		
Environment	Sec. 3.6	Resource Conservation District	LUMO		
	Sec. 5.18	Jordan Riparian Buffer	LUMO		
	Sec. 5.3.2	Steep Slopes	LUMO	UNK	
	Sec. 5.4	Stormwater Management	LUMO		
		Land Disturbance	LUMO	UNK	
	Sec. 5.4	Impervious Surface	LUMO (70%)		
	Sec. 5.13	Solid Waste & Recycling	LUMO	UNK	
Housing		Affordable Housing Proposal, if applicable	N/A		

	Design/LUMO Standards		Requirement	Proposal	Status
Access & Circulation	Sec. 5.8	Street Standards	LUMO	LUMO	
	Sec. 5.8	Vehicular Access	LUMO	Addition of secondary access point	
	Sec. 5.8	Bicycle Improvements	LUMO	LUMO	
	Sec. 5.8	Pedestrian Improvements	LUMO	LUMO	
	Sec. 5.8	Distance from bus stop	LUMO	LUMO	
	Sec. 5.8	Transit Improvements	LUMO	LUMO	
	Sec. 5.9	Vehicular Parking Spaces	Min - 1 per 350 sq ft of floor area Max – N/A	Addition of a minimum of 23 vehicular parking spaces	
	Sec. 5.9	Bicycle Parking Spaces	Min – 8 2 additional spaces per every 4000 sq ft of floor area	Addition of a minimum of two (2) bicycle parking spaces	
	Sec. 5.9	Parking Lot Standards	LUMO	LUMO	
Other		Homeowners Association	N/A		
	Sec. 5.5	Recreation Space	LUMO		
	Sec. 5.12	Utilities			
	Sec. 5.16	School Adequate Public Facilities	N/A		

Symbol	Meaning	Symbol	Meaning
✓	Meets Standard	**M**	Modification necessary
NA	Not Applicable	UNK	Not known at this time

Town of Chapel Hill Transit Facility Expansion

Over the last several years, Chapel Hill Transit has been working to improve the services we provide to the Town of Chapel Hill, Town of Carrboro, and University of North Carolina at Chapel Hill. The North South Bus Rapid Transit (NSBRT) project will allow for more frequent buses, shorter travel times, and more reliable service. Our Sustainable Transit initiative has led to the debut of our first three (3) battery electric buses and continued research to making our fleet zero-emissions. We also have eight (8) additional buses on order and are pursuing grant opportunities for further vehicles and other additional zero-emission opportunities, such as hydrogen fuel cells.

As we continue to grow and develop these projects, we have determined that our current facility and infrastructure do not meet our needs for the short or long term. Also, NSBRT will require an additional 16 electric articulated vehicles (60-foot) to operate, and our current lot does not have the space to accommodate them. The addition of more electric vehicles also requires charging infrastructure we do not currently have in place. As we finalize our solar feasibility study, new solar infrastructures and storage facilities may need to be installed. Additionally, with an increase in service, new vehicles, and changing technologies, space for running the operations, training, and maintenance functions will need to increase.

The Town currently owns a parcel to the west of our current bus yard, known as the Nunn property. This has long been identified as an expansion site for Transit. Our current Special Use Permit (SUP), which also includes the Public Works property/facility, would need to be modified to accommodate the potential changes to the site.

Currently, this property and the adjacent properties along Millhouse Road are being used for Town of Chapel Hill facilities:

- The Nunn property is mostly undeveloped land. The Town's Fire Department has been using a portion of the site as a temporary Live Fire Training Facility. There is also a storm water retention pond and stream on the property. Current plans do not have us disturbing either and we will comply with all stormwater and sedimentation/erosion control requirements.
- The property to the north of the project is the Town's Public Works Department facility and Town Operations Center.
- The properties to the east and south of the project are the Town's Transit Department facilities.

This project will be broken into several phases. Detailed plans and cost estimates will be developed with each phase and will depend on availability of federal and state grants.

Phase One:

Transit Bus Yard expansion including but not limited to the following:

- Fleet parking for approximately 30 65' buses and additional support vehicles. Potential room to expand parking if needed.

- Operator Skills Training Area for training new and current team members in a controlled environment. Will require approximately 100K square feet of space and can be combined with the fleet parking area.
- Infrastructure to support the electrification of the fleet, including charging locations.

Phase Two:

Transit Operations and Maintenance Center expansion including but not limited to the following:

- Operations Facility to include training rooms, Town meeting space, Transit Bus Simulator, fitness center, office space and storage.
- Maintenance Bays to include space for interior cleaning of vehicles, panel and decal replacement, and vehicle storage. This new space will allow for our current bays to remain available for repairs and preventative maintenance. Will require enough space for two to four 60' buses.
- Outdoor space for Team Members. As our Team Members spend many hours before, in between, and after shifts at our facility, having a designated space for them to gather and socialize would be beneficial to their overall wellness at work. This space could include greenspace, picnic tables, covered patio area, grilling appliances, and outdoor games.
- Connections to local greenways and trails. This would allow northbound access from the Transit Facility to the Public Works Facility, as well southbound towards the planned Carolina Donor Services connections and local trails.
- Storage area for power generated from on/off site solar.

Phase Three:

We are looking into the possibility of adding an access road with connections to Eubanks Park and Ride lot. Our current facility only has one (1) entrance and exit leading to Millhouse Road, which could cause issues if blocked or inaccessible for some reason. The access road would allow for a secondary entrance, which could additionally be used for BRT, deliveries, and local service to the Transit Facility (which currently does not exist), Carolina Donor Services, and Carolina Flex Park.

We are in the process of identifying federal funding sources to help with the cost of these efforts. Some of the work could also be included as part of the NSBRT project, as the current cost estimate includes some facility related costs.

Phase Four:

The Nunn Property is approximately 11.06 acres. The proposed Transit Facility expansion is estimated to use less than 4 acres of the property. As the Town owns the entire property, there is a potential to develop the western part into future public service facilities. Currently the property is being used as a temporary live fire training facility by the Orange County Fire Department. This property would include a facility and/or a parking lot.

We believe that this project will allow us to meet both short and long term needs. If our future needs change, this will provide us with the flexibility to make changes based on service updates and future technologies. The expansion plan has been reviewed and approved by the Chapel Hill Transit Partners committee.

CHAPEL HILL TRANSIT
Town of Chapel Hill
6900 Millhouse Road
Chapel Hill, NC 27514-2401

phone (919) 969-4900 *fax* (919) 968-2840
www.townofchapelhill.org/transit

TO: Town of Chapel Hill Planning Department

FROM: Katy Fontaine, Chapel Hill Transit Project Manager

RE: Statement of Compliance for Chapel Hill Transit Facility Expansion

DATE: 9/27/2022

Statement of Compliance with the Comprehensive Plan

Chapel Hill Transit's Facility Expansion will be built in compliance with the Town's Comprehensive Plan. It is applicable to all six themes outlined in Chapel Hill 2020.

A Place for Everyone

Chapel Hill is a place for everyone. One of the goals to achieve this is having a welcoming and friendly community that provides all people with access to opportunities. Chapel Hill Transit is able to provide that access with safe and reliable transportation. Expanding our current transit facility to provide infrastructure for new battery electric vehicles, space to train new and current staff members, and a secondary entrance and exit will allow us to continue to provide the Chapel Hill community with access to all opportunities.

Community Prosperity and Engagement

Chapel Hill strives to promote a safe, vibrant, and connected community. As our community continues to attract new people to area, Chapel Hill Transit works to connect these people to our local businesses and institutions for their continued success. With the additional vehicles in our fleet and the upcoming North South Bus Rapid Transit route that would be supported by our facility expansion, we'll be able to move more people around our community and continue to support the new entrepreneurs and start-up businesses that reside here.

Getting Around

The theme of getting around is the primary function of Chapel Hill Transit. Our goal as an organization is to provide safe and reasonable access to our community. The electrification of our fleet and the supporting infrastructure will help support the Town's goals of promoting air quality, sustainability, and energy conservation. The building of the new Operations and Maintenance Center will allow for increased support and resources for our transportation system.

Good Places, New Spaces

Chapel Hill Transit's facility expansion will follow the development process and strategy that is consistent with both the Chapel Hill 2020 comprehensive plan and Town/University interests. The addition of an access road with connections to Eubanks Road would allow for connections not only to Chapel Hill Transit, but the newly developed Carolina Donor Services and Carolina Flex Park. The road would include a multi-use path which would allow pedestrian access to these services and to the existing trails. As part of the facility expansion, Chapel Hill Transit is interested in creating outdoor space for our Team Members. This could be used for small gatherings and provide opportunities for staff to connect with each other.

Nurturing Our Community

One of the goals of nurturing our community is to reduce the carbon footprint of all Town-owned or managed services and properties. As part of our design process for the expanded Transit Facility, we will work to ensure that the new Transit and Operations Center meets development standards. Additionally, with the of installation of new infrastructure to support the electrification of our fleet, we will be able to continue our effort to produce zero-emissions and meet Town goals.

Town and Gown Collaboration

The partnership between the Town and the University has been critical in the success of Chapel Hill Transit. We strive to encourage the continued growth and success of those who live in and use the resources in our community. As Chapel Hill Transit continues to expand its services in the future, we will continue to be able to provide access to arts, culture, and intellectual pursuits, as well as access to health-care centers, public services, and active lifestyle opportunities.

Statement of Compliance with Design Guidelines

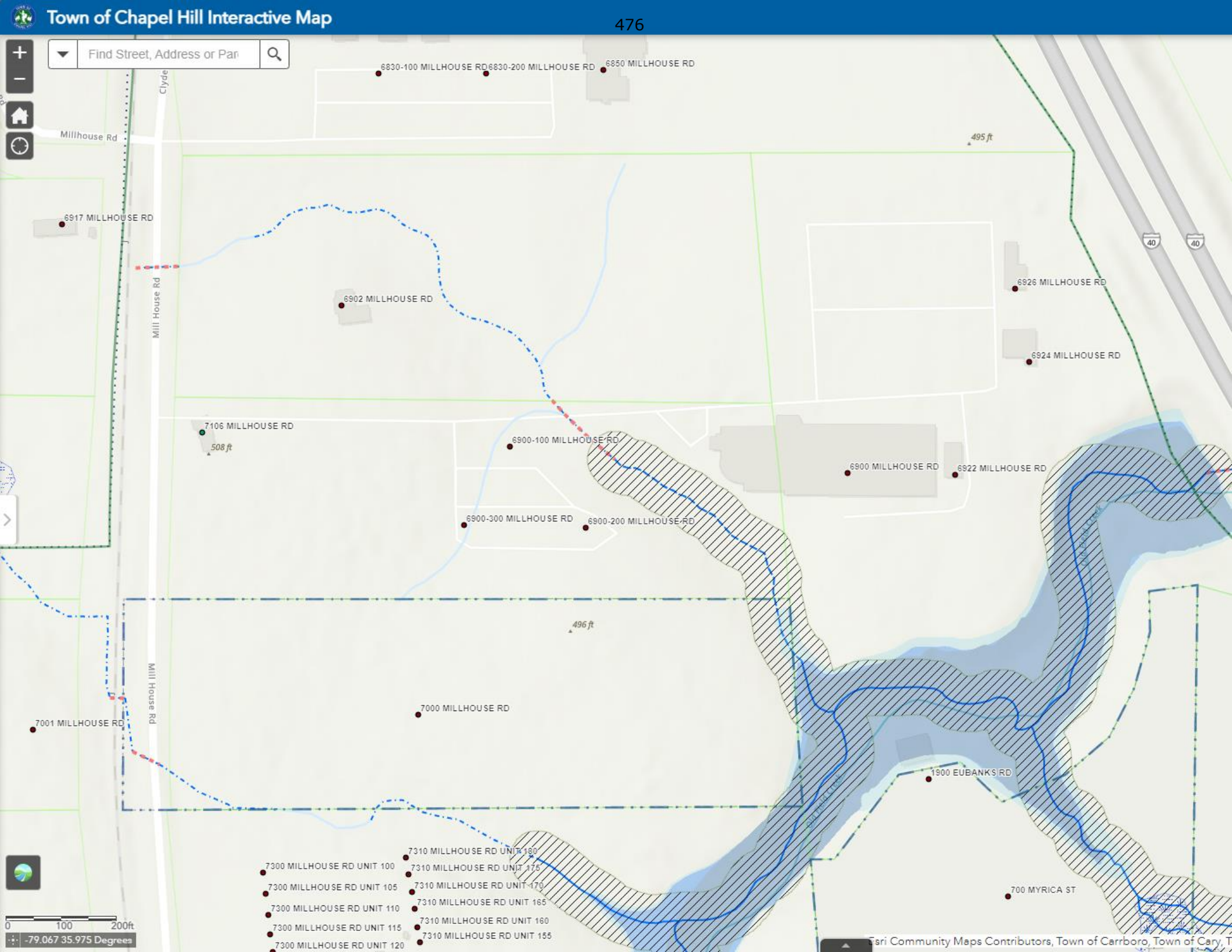
Chapel Hill Transit's Facility Expansion will be built in compliance with the Town's Design Guidelines. The expansion will be designed, arranged, and constructed in a safe, orderly, energy-efficient, and visually harmonious manner, and will reflect the basic character of the site and its immediate surroundings.

Landscape buffers will be designed in accordance with our design manual and with the use of best practices to provide appropriate transitions between the public service facilities and street scapes and adjacent land uses.

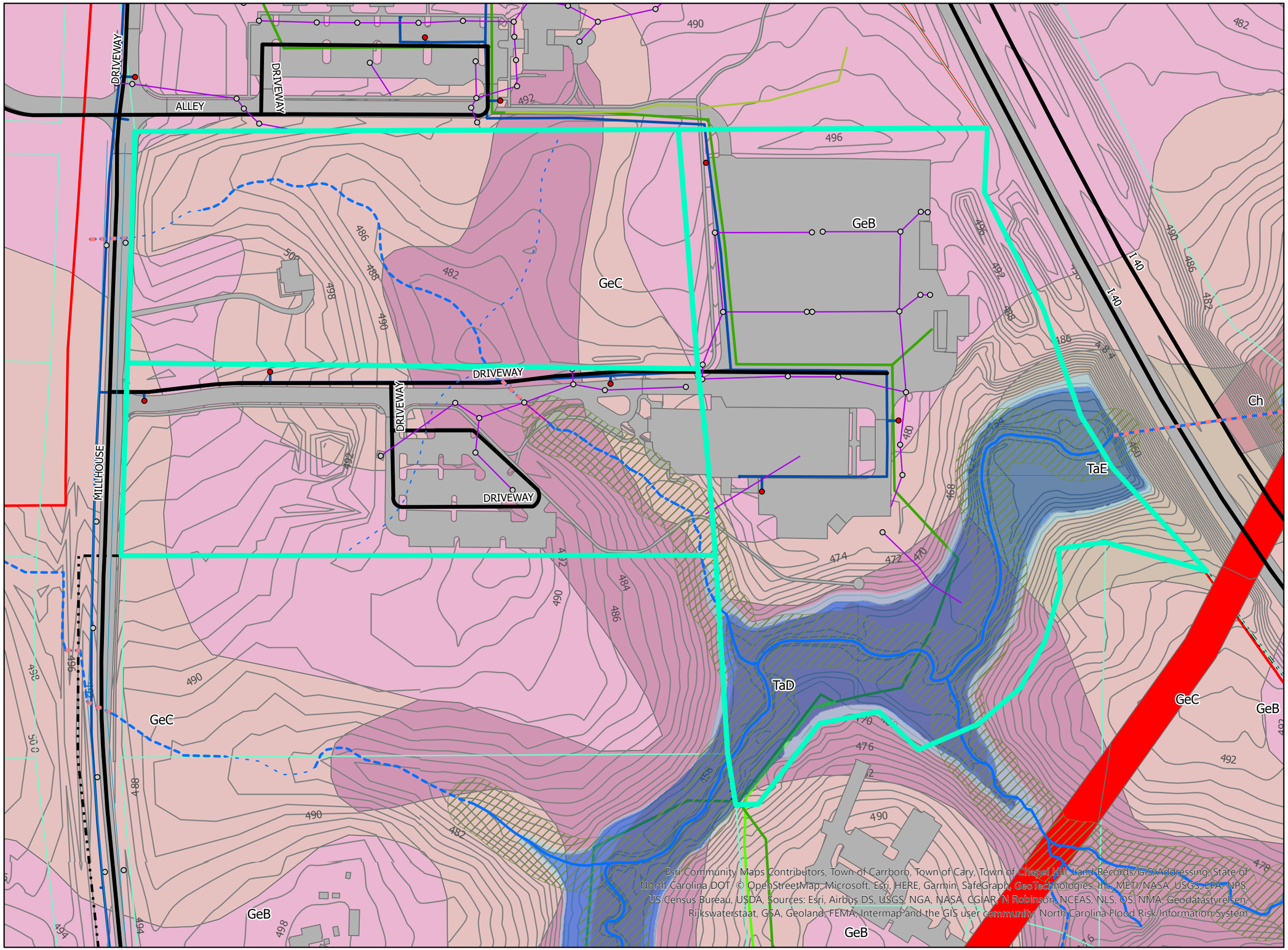
Vehicular connectivity will be provided via the new access road and a traffic circle will be constructed to avoid dead-ends. Pedestrian connections will be provided along the new road and connect to the existing trails.

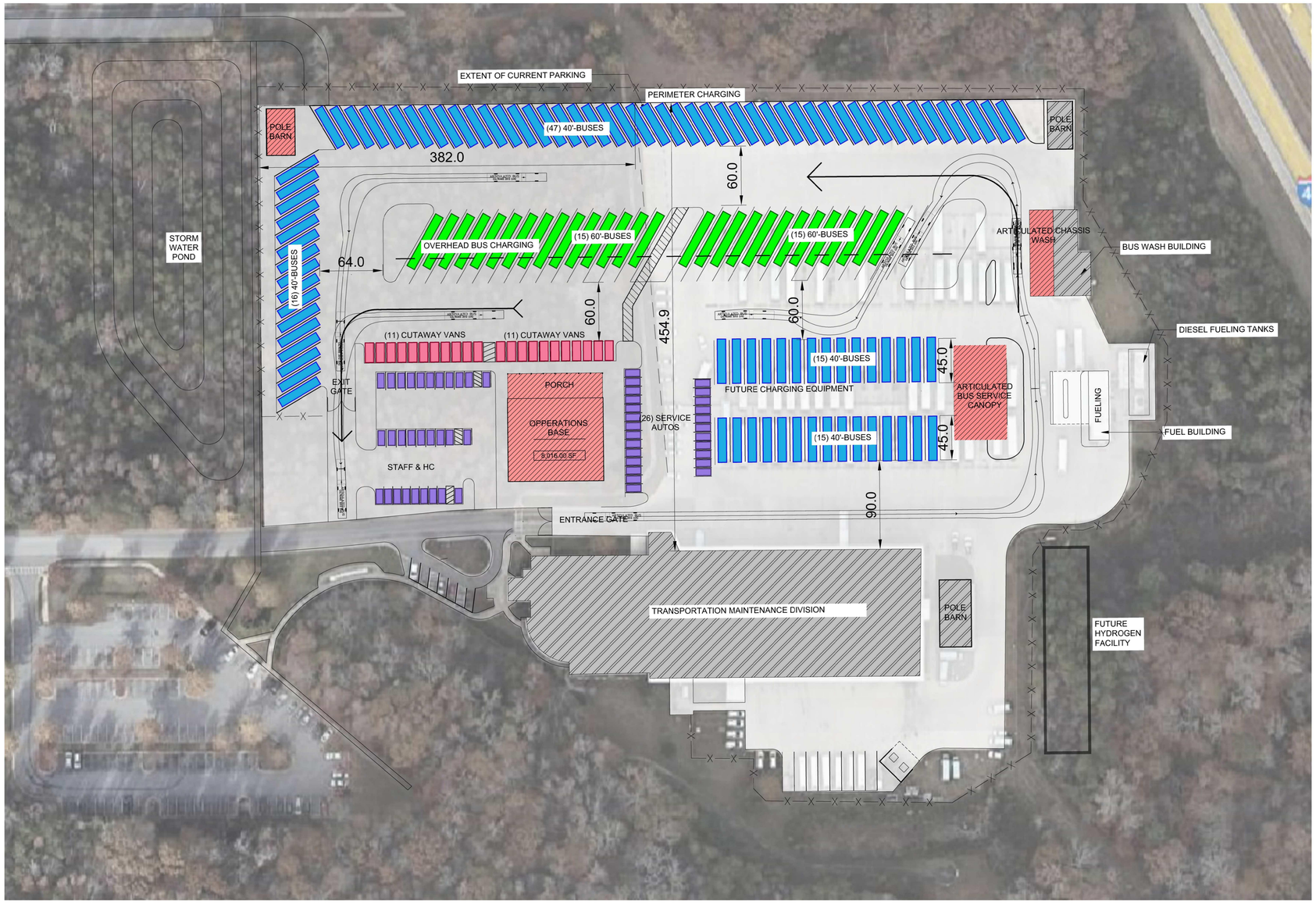
Stormwater management facilities, water, sewer, and other utilities will be provided in accordance with the applicable guidelines, standards and regulations.

Name	Address 1	City, State, Zip
CAROLINA DONOR SERVICES	909 EAST ARLINGTON BLVD	GREENVILLE, NC 27858
CARRAWAY STORAGE LP	1420 E 7TH ST	CHARLOTTE, NC 28204
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MLK JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
CHIP ORANGE INC	405 JONES FERRY RD	CARRBORO, NC 27510
GBL PROPERTY LLC	6805 MILLHOUSE RD	CHAPEL HILL, NC 275164658
GREEN CUBE INVESTMENTS LLC	50051 GOVERNORS DR	CHAPEL HILL, NC 27517
HILLTOP MHP CHAPEL HILL NC LLC	75 W TOWNE RIDGE PKWY	SANDY, UT 84070
JAMES E NICHOLS AND CONNIE B NICHOLS TRUST	525 ETHEL JEAN LN	CHAPEL HILL, NC 27516
KIRSCHNER CORNELIUS GEORGE	2322 WAVERLY DR	WILMINGTON, NC 28403
MERRITT CP1 LLC	2066 LORD BALTIMORE DR	BALTIMORE, MD 21244
MORRIS JOHN B III TRUSTEE	194 FINLEY GOLF COURSE RD	CHAPEL HILL, NC 27517
NICHOLS JAMES TRUSTEE	525 ETHEL JEAN LN	CHAPEL HILL, NC 27516
NICHOLS JAMES TRUSTEE	525 ETHEL JEAN LN	CHAPEL HILL, NC 27516
NICHOLS TREY R	2107 CLYDE RD	CHAPEL HILL, NC 27516
NR EDGE APARTMENTS PROPERTY OWNER LLC	1819 WAZEE ST	DENVER, CO 80202
NR EDGE PROPERTY OWNER LLC	3015 CARRINGTON MILL BLVD	MORRISVILLE, NC 27560
NR EDGE PROPERTY OWNER LLC	3015 CARRINGTON MILL BLVD	MORRISVILLE, NC 27560
NR EDGE PROPERTY OWNER LLC	3015 CARRINGTON MILL BLVD	MORRISVILLE, NC 27560
NR EDGE PROPERTY OWNER LLC	3015 CARRINGTON MILL BLVD	MORRISVILLE, NC 27560
NR EDGE PROPERTY OWNER LLC	3015 CARRINGTON MILL BLVD	MORRISVILLE, NC 27560
OPTIMAL VENTURES LLC	194 FINLEY GOLF COURSE RD	CHAPEL HILL, NC 27517
ORANGE COUNTY	PO BOX 8181	HILLSBOROUGH, NC 27278
ORANGE COUNTY	PO BOX 8181	HILLSBOROUGH, NC 27278
ORANGE COUNTY	PO BOX 8181	HILLSBOROUGH, NC 27278
RALCAR CORP	55 GLENDALE PARKWAY NE	ATLANTA, GA 30328
SCHENLEY KATHLEEN S	6714 MILLHOUSE RD	CHAPEL HILL, NC 27516
TOWN OF CHAPEL HILL	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL, NC 27514
TRAN FAMILY TRUST	504 SPENCER CREST CT	CARY, NC 27513


Town of Chapel Hill Interactive Map
Find Street, Address or Par
6830-100 MILLHOUSE RD
6830-200 MILLHOUSE RD
6850 MILLHOUSE RD
Millhouse Rd
495 ft
6917 MILLHOUSE RD
Mill House Rd
6902 MILLHOUSE RD
6926 MILLHOUSE RD
6924 MILLHOUSE RD
7106 MILLHOUSE RD
508 ft
6900-100 MILLHOUSE RD
6900 MILLHOUSE RD
6922 MILLHOUSE RD
6900-300 MILLHOUSE RD
6900-200 MILLHOUSE RD
496 ft
7000 MILLHOUSE RD
7001 MILLHOUSE RD
1900 EUBANKS RD
7310 MILLHOUSE RD UNIT 180
7300 MILLHOUSE RD UNIT 100
7310 MILLHOUSE RD UNIT 175
7300 MILLHOUSE RD UNIT 105
7310 MILLHOUSE RD UNIT 170
7300 MILLHOUSE RD UNIT 110
7310 MILLHOUSE RD UNIT 165
700 MYRICA ST
7300 MILLHOUSE RD UNIT 115
7310 MILLHOUSE RD UNIT 160
7300 MILLHOUSE RD UNIT 120
7310 MILLHOUSE RD UNIT 155
0 100 200ft
-79.067 35.975 Degrees
Esri Community Maps Contributors, Town of Carrboro, Town of Cary, T

Chapel Hill Transit Existing Conditions Map


DRIVEWAY
ALLEY
DRIVEWAY
DRIVEWAY
DRIVEWAY
DRIVEWAY
MILLHOUSE
I-40
I-40
GeB
GeC
GeC
GeB
TaD
TaE
GeC
GeB
GeB
Ch
490
492
496
482
500
498
486
488
490
484
486
490
482
490
492
496
488
490
486
482
490
484
486
490
482
490
492
496
488
490
486
482
490
484
486
490
482
490
492
496
488
490
486
482



LEGEND

- DIRECTION OF CIRCULATION
- 60 FT ARTICULATED BUS
- 40 FT BUS
- CUTAWY VAN
- SERVICE OR STAFF AUTO

PARKING SUMMARY

40' BUSES	93
60' ARTICULATED BUSES	30
CUTAWAY BUSES	22
AUTOMOBILES (BEHIND GATES)	26

1 EXPANSION CONCEPT PLAN

Scale: 1" = 60'-0"

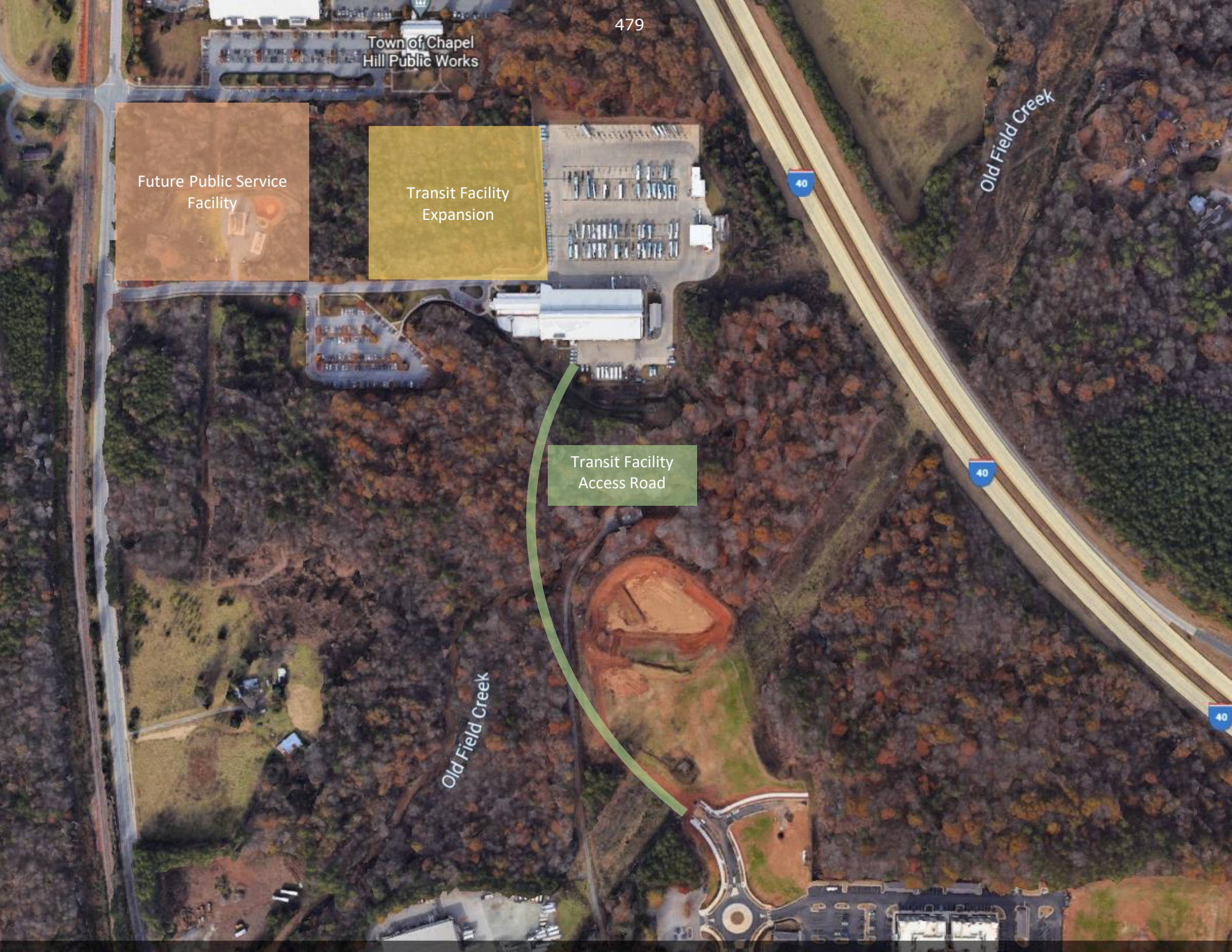
0' 30' 60' 120'

Issue Status: DRAFT FINAL 4/6/2022

AECOM

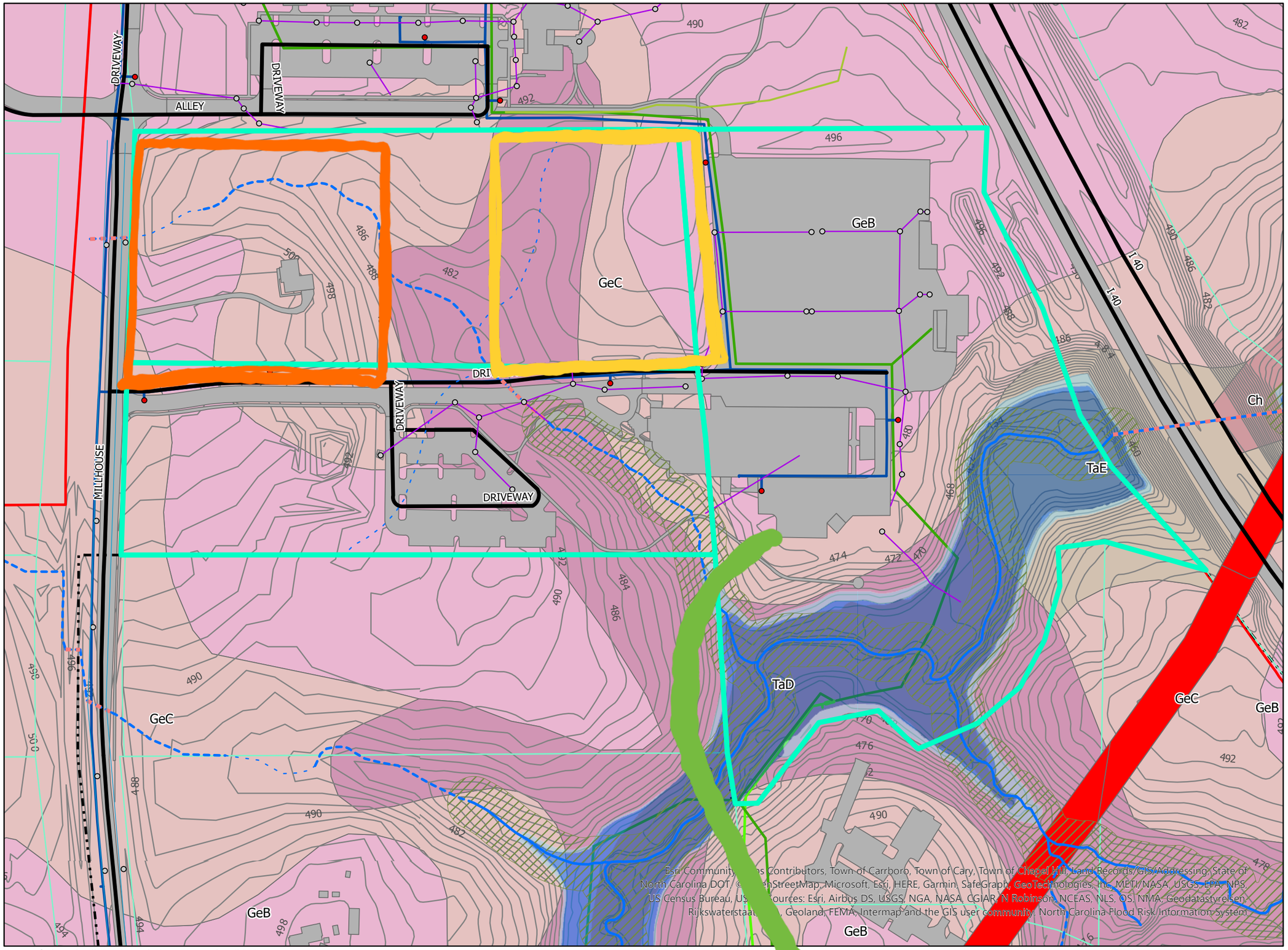
Chapel Hill transit

TRANSIT BUS ELECTRIFICATION PROGRAM
CHAPEL HILL TRANSIT
CHAPEL HILL, NORTH CAROLINA
Project No.: 60562925


Town of Chapel Hill Public Works
Future Public Service Facility
Transit Facility Expansion
Transit Facility Access Road
Old Field Creek
Old Field Creek
40
40
40

Chapel Hill Transit Existing Conditions Map

Phase 1+2 Phase 3 Phase 4



Legend

- Transit Facility Parcels
- Orange County Parcels
- Durham County Parcels
- Chapel Hill Corporate Limits
- Jurisdictional Limits
- Streets
- Impervious Surfaces

Trails

- Paved Greenway
- Unpaved Greenway
- Sidepath
- Bike Lane
- Buffered Bike Lane
- Sharrows

Streams

- N/A
- ephemeral
- intermittent
- not-perennial
- perennial
- unknown
- Inlet Structures
- Stormwater Ditches
- Stormwater Lines
- Culverts
- Approximate Jordan Buffer

FEMA Floodplain Boundaries

- Floodway
- 0.1% Chance Boundary
- 0.02% Chance Boundary
- Hydrants
- Water Lines
- Gravity Sewer Mains
- Pressurized Sewer Mains

Duke Transmission Easements

- Electric
- Gas

Soil Types

- ApB
- ApC
- Ch
- Cp
- EnB
- EnC
- GeB
- GeC
- GlD
- HrB
- HrC
- HwB
- HwC
- IrB
- Lg
- TaD
- TaE
- W
- WmD

N

0 0.03 0.05 0.1 Miles

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

September 27, 2022

Ms. Katy Fontaine
Town of Chapel Hill – Chapel Hill Transit
6900 Millhouse Road
Chapel Hill, NC 27516
kfontaine@townofchapelhill.org

RE: Stream Determination for 6902 & 6900 Millhouse Road, Chapel Hill, NC
PINs 9871-80-0325, 9871-80-9160, 9870-89-0971

Dear Ms. Fontaine:

As requested, the Town Public Works Department has performed a stream determination for the property 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 area map. Stream segments regulated by the Town's Jordan Lake Watershed Riparian Buffer regulations 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 (RCD) and Jordan Lake Watershed Riparian Buffers. Specific land use regulations and restrictions apply within the boundaries of these protected areas. If you are considering any kind of work on this property, including clearing vegetation, paving, grading, or building, please consult with the Town's Planning Department to determine the possible extent of the Resource Conservation District (RCD) and Jordan Lake Watershed Riparian Buffer on this property and the applicable corresponding restrictions.

This stream determination will remain in effect for five years from the date of the last site visit, after which a new stream determination with site visit will be required.

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 this stream determination, please contact me at (919) 969-7202 or aweakley@townofchapelhill.org. If you have questions about the application of the Town's Resource Conservation District (RCD) or Jordan Watershed Riparian Buffer regulations to this property, please contact the Planning Department at planning@townofchapelhill.org or (919) 968-2728. You may also view information about buffer regulations online at: http://www.townofchapelhill.org/stormwater.

Sincerely,

Allison Weakley

Allison Schwarz Weakley
Stormwater Analyst

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

STREAM DETERMINATION SITE VISIT RESULTS

Property Information	
Parcel ID Number (PIN)	**Address / Location Description**
9871-80-0325, 9871-80-9160, 9870-89-0971	6902 & 6900 Millhouse Road, Chapel Hill

These are the results of a site visit to the property(ies) listed above for a stream determination conducted on 9/19/2022 by Town Staff:

☐ No perennial, intermittent, or ephemeral streams or perennial waterbodies were identified on or near the property(ies) in question.

☒ Perennial, intermittent, or ephemeral streams, or perennial waterbodies, were identified on or near the property(ies) in question and are shown on the attached map(s).

A map showing water features, their Town flow classifications, presence of Jordan Watershed Riparian Buffers, and their approximate locations is attached. ***Note that Resource Conservation District (RCD) buffers may also apply but are not shown.*** **Origins or breakpoints that have been flagged in the field are marked on the map. Stream classification forms and additional site visit notes and maps are also attached.**

Other conditions exist which may affect the location of the Resource Conservation District (RCD) or Jordan Watershed Riparian Buffer:

☒ FEMA floodzone is mapped in the area. Precise location of the Base Flood Elevation and associated RCD 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, as shown on the map. These segments do not have an associated Jordan Watershed Riparian Buffer, but do have an associated buffer if the RCD applies.

☒ Possible Jurisdictional Wetlands have been identified in the area. A formal review by a professional certified in Jurisdictional Wetland Delineation is recommended if impacts to wetlands are anticipated.

Allison Weakley

Town Staff Signature

9/27/2022
Date

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

STREAM DETERMINATION RECORDS REVIEW

Property Information	
Parcel ID Number (PIN)	**Address / Location Description**
9871-80-0325, 9871-80-9160, 9870-89-0971	6902 & 6900 Millhouse Road, Chapel Hill

After reviewing Town GIS information, USGS 1:24,000 Topographic maps, and County Soil Survey maps, I have determined:

☐ 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 completed for this property, a property uphill or upstream, or a nearby property as of September 19, 2017 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): 9871-80-0325 (site visit 3-14-2019), 9871-80-9160, 9871-80-0325, 9870-89-0971 (site visit 6-24-2019)

A map showing water features, their Town flow classifications, presence of Jordan Watershed Riparian Buffers, and their approximate locations is attached. ***Note that Resource Conservation District (RCD) buffers may also apply but are not shown.*** **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 Watershed Riparian Buffer:

☒ FEMA floodzone is mapped in the area. Precise location of the Base Flood Elevation and associated RCD 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, as shown on the map. These segments do not have an associated Jordan Watershed Riparian Buffer, but do have an associated buffer if the RCD applies.

☒ Possible Jurisdictional Wetlands have been identified in the area. A formal review by a professional certified in Jurisdictional Wetland Delineation is recommended if impacts to wetlands are anticipated.

Allison Weakley

Town Staff signature

9/27/2022
Date

Stream Determination Area Map

- Ephemeral Stream
- Intermittent Stream
- Perennial Stream
- Possible Jurisdictional Wetlands
- Culverts
- 2-foot Contours
- 10-foot Contours
- Buildings
- Parcels
- OWASA Easements
- Addresses
- Approximate Jordan Buffer
- Subject Property
- 500-year Floodplain
- 100-year Floodplain
- Ephemeral Breakpoint
- Intermittent Breakpoint
- Perennial Breakpoint

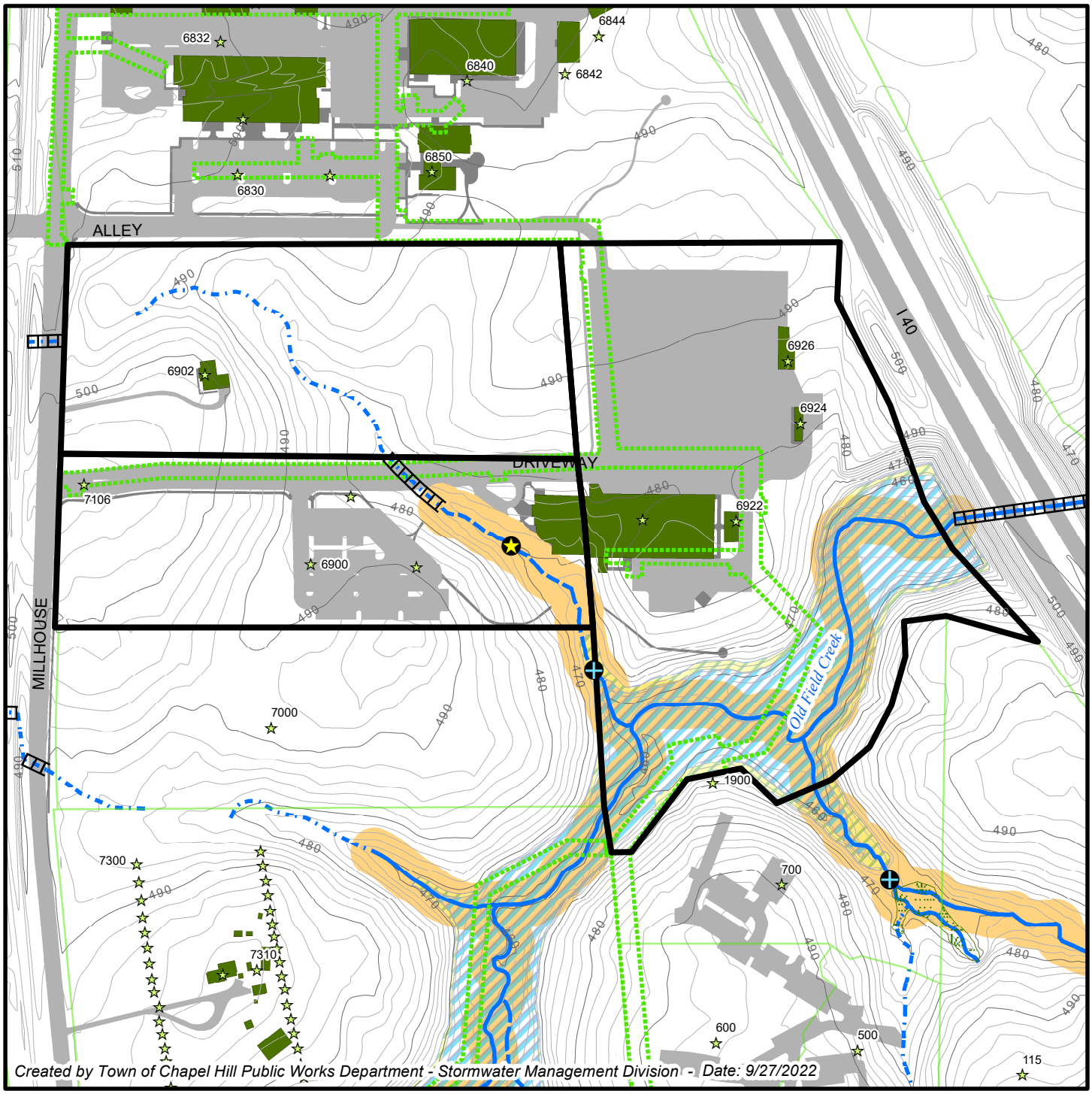
Address: 6902 & 6900 Millhouse Road, Chapel Hill, NC

Parcel ID: 9871-80-0325, 9871-80-9160, 9870-89-0971

0 150 300 600 Feet

1 inch = 300 feet

Stream locations are approximate and must be verified by survey. Buffers are measured from top of bank. RCD buffers are not shown but may apply. Please contact the Town of Chapel Hill Planning Department to verify all applicable buffers.



USGS 24K Topographic / County Soil Survey Maps

Subject Property

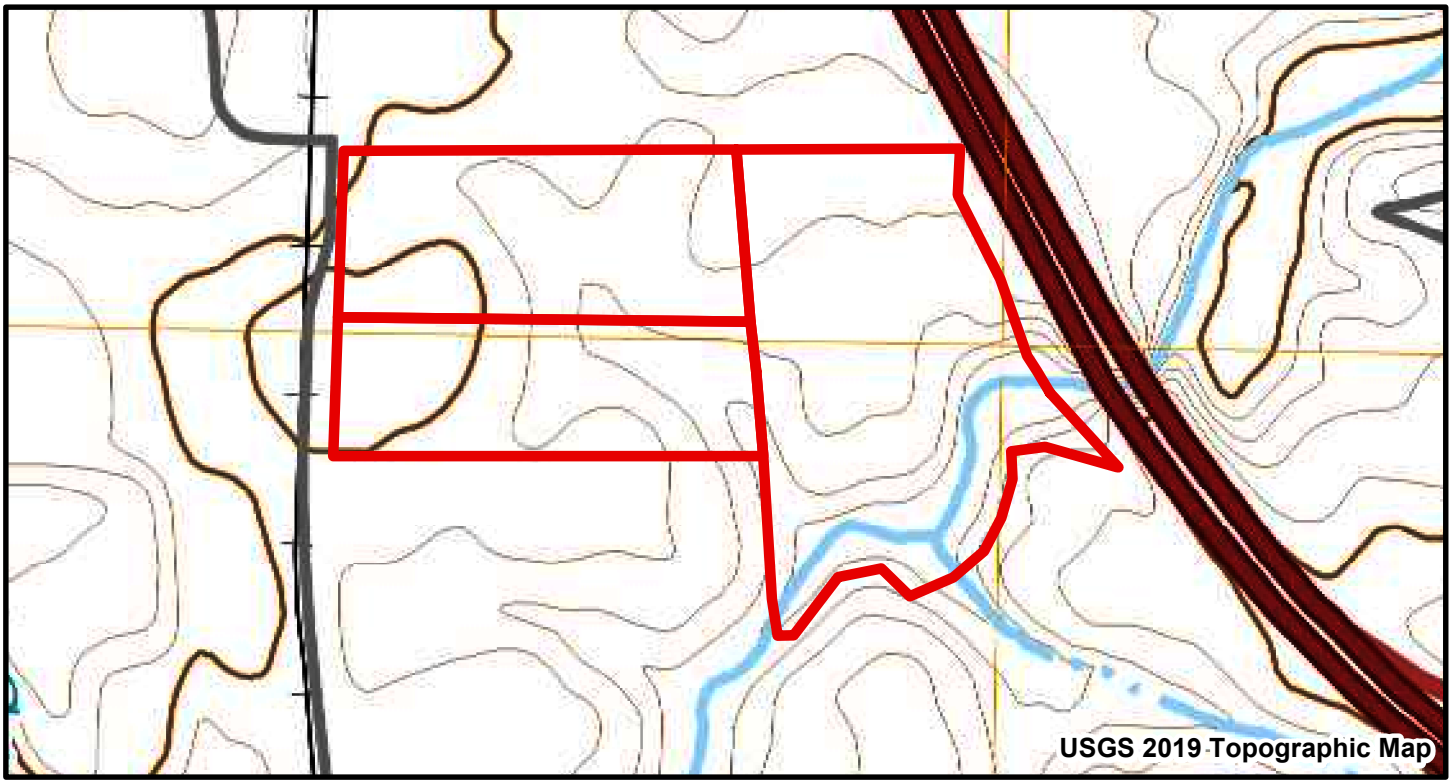
0 150 300 450 600 Feet

1 inch = 500 feet

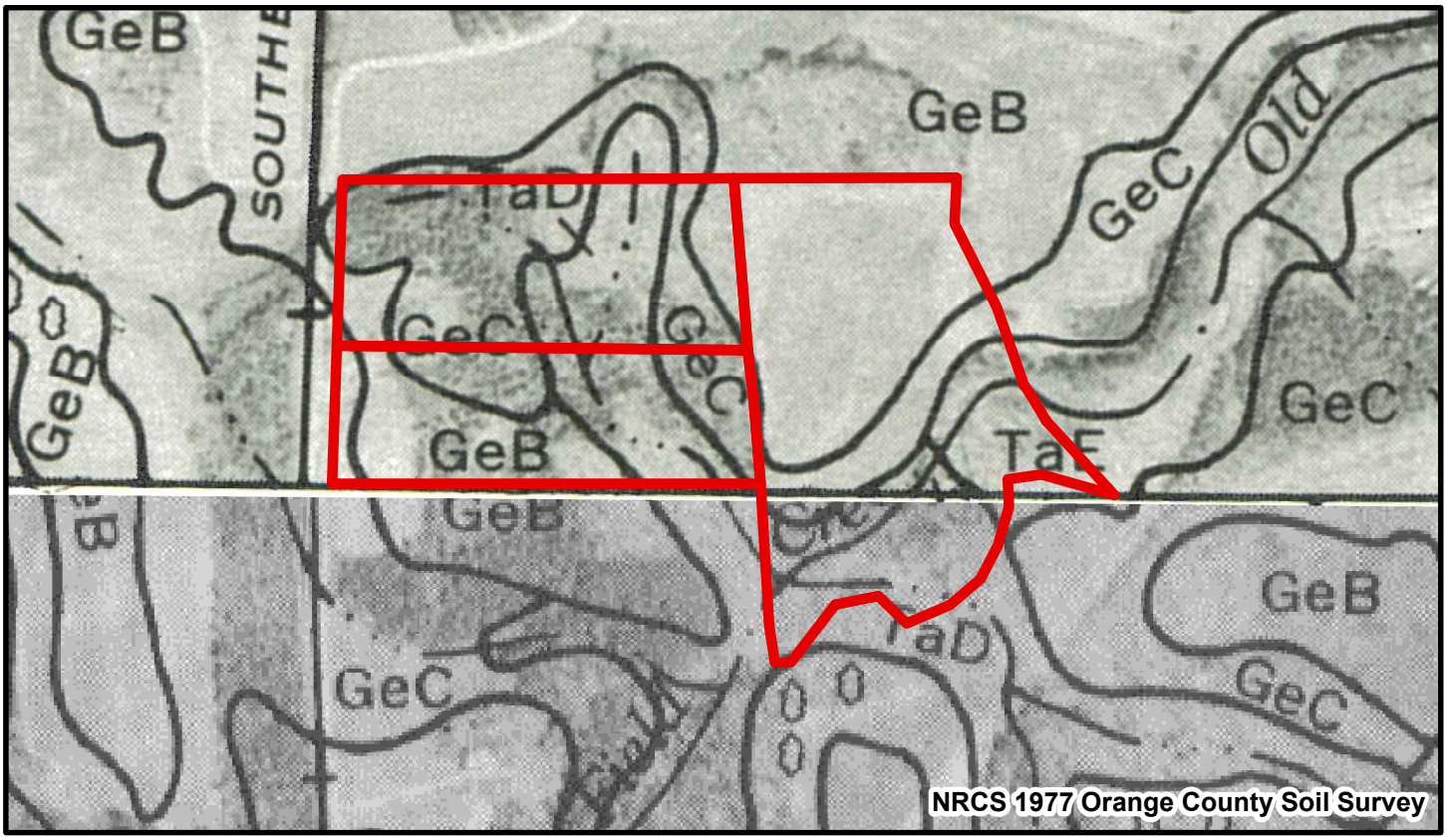
Address: 6902 & 6900 Millhouse Road, Chapel Hill, NC

Parcel ID: 9871-80-0325, 9871-80-9160, 9870-89-0971

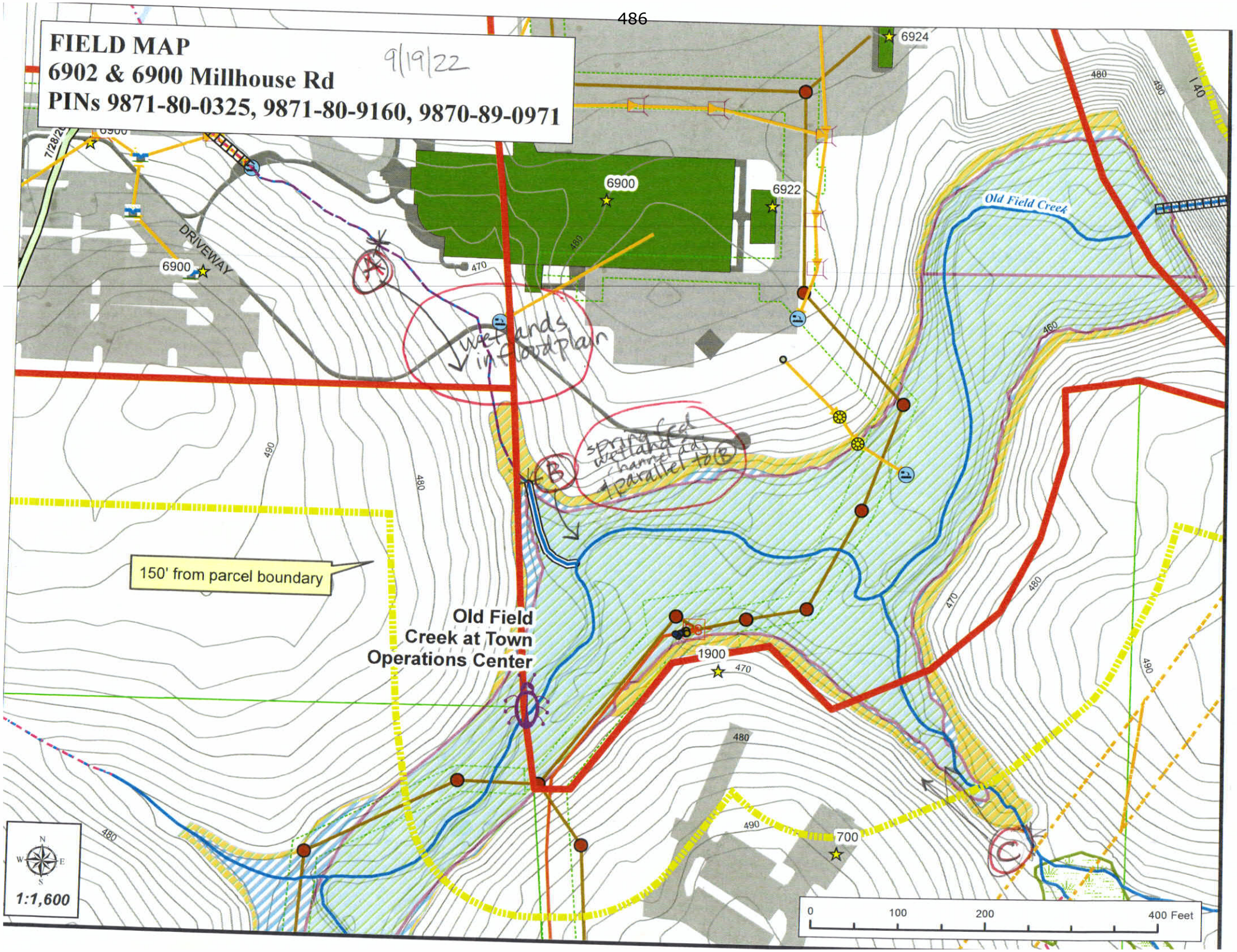
Created by Town of Chapel Hill Public Works Department - Stormwater Management Division- 9/27/2022



USGS 2019 Topographic Map



NRCS 1977 Orange County Soil Survey


FIELD MAP
6902 & 6900 Millhouse Rd
PINs 9871-80-0325, 9871-80-9160, 9870-89-0971
9/19/22
6924
6900
6922
Old Field Creek
DRIVEWAY
6900
A
470
480
wetlands in floodplain
490
480
B
spring fed wetland & channel d/s parallel to B
150' from parcel boundary
Old Field Creek at Town Operations Center
1900
470
480
490
700
C
480
N
W
E
S
1:1,600
0
100
200
400 Feet

20220919 1018

Feature (A)

NC DWQ Stream Identification Form Version 4.11

Date: 9/19/22	**Project/Site:** 6902 & 6900 Millhouse Rd	**Latitude:** 35.9755
Evaluator: Weakley & Salat	**County:** Orange	**Longitude:** -79.0727
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 22.5	**Stream Determination (circle one)** Ephemeral (Intermittent) Perennial	**Other** *e.g. Quad Name:*

A. Geomorphology (Subtotal = 11.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain scoured, drift lines	0	1	(2)	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	(1)	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 7)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	(1.5)	1	0.5	0
15. Sediment on plants or debris	0	0.5	(1)	1.5
16. Organic debris lines or piles in FP	0	0.5	1	(1.5)
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 4)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 (Other = 0) none			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch: Feature begins @ prominent headcut/grade control (flagged). Braided channel below paved trail then re-concentrates before breakpoint to Feature (B).

20220919 1035

NC DWQ Stream Identification Form Version 4.11

Feature (B)

Date: 9/19/22	Project/Site: 690246900 Millhouse Rd	Latitude: 35.9748
Evaluator: Weakley & Salat	County: Orange	Longitude: -79.0721
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 35.5	Stream Determination (circle one) Ephemeral Intermittent (Perennial)	Other *e.g. Quad Name:*

A. Geomorphology (Subtotal = 15.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2) →	3
2. Sinuosity of channel along thalweg	0	(1) →	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2)	3
4. Particle size of stream substrate gravel/cobble sand	0	1	2	(3)
5. Active/relict floodplain scoured	0	1	(2)	3
6. Depositional bars or benches	0	1	(2)	3
7. Recent alluvial deposits some in FP	0	1	(2)	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 10.5)				
12. Presence of Baseflow active flow throughout	0	1	(2) →	3
13. Iron oxidizing bacteria of GW from	0	1	(2)	3
14. Leaf litter seeps in bank	(1.5)	1	0.5	0
15. Sediment on plants or debris in FP	0	0.5	(1)	1.5
16. Organic debris lines or piles	0	0.5	(1)	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 9.5)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	(1)	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	0	(0.5)	1	1.5
23. Crayfish	0	(0.5)	1	1.5
24. Amphibians	0	0.5	1	(1.5)
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 (Other = 0)			

(*) perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: mosquito larvae, cricket frogs abundant, dragonfly, 3 larval salamanders Tipulea, crayfish, fish

Sketch: Feature begins @ prominent grade control (flagged) Good flow despite drought!

(★) Wetland seep w/ channel parallels main channel; confluence w/ (B) @ Old Field Creek. See photos.

20220919 1129

Feature ©

NC DWQ Stream Identification Form Version 4.11

Date: 9/19/22	**Project/Site:** 6902 & 6900 Millhouse Rd	**Latitude:** 35.9736
Evaluator: Weakley & Salat	**County:** Orange	**Longitude:** -79.0701
Total Points: *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30** 37	**Stream Determination (circle one)** Ephemeral Intermittent (Perennial)	**Other** *e.g. Quad Name:*

A. Geomorphology (Subtotal = 16.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	2	(3)
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	(2) ←	3
4. Particle size of stream substrate bedrock	0	1	2	(3)
5. Active/relict floodplain scouring very rocky	0	1	2	(3)
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	0	1	(2)	3
8. Headcuts	(0)	1	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	0.5	(1)	1.5
11. Second or greater order channel	No = 0		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 12.5)				
12. Presence of Baseflow active flow throughout	0	1	2	(3)
13. Iron oxidizing bacteria	0	1	2	(3)
14. Leaf litter	(1.5)	1	0.5	0
15. Sediment on plants or debris lots of silt	0	0.5	(1)	(1.5)
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 8)				
18. Fibrous roots in streambed	(3)	2	1	0
19. Rooted upland plants in streambed	(3)	2	1	0
20. Macrobenthos (note diversity and abundance)	0	(1) →	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	0	(0.5)	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	0	(0.5)	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed Polygonum on bench	FACW = 0.75; OBL = 1.5 Other = 0			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: fish (1) in pool, larval salamander, dragonfly, caddisfly larvae

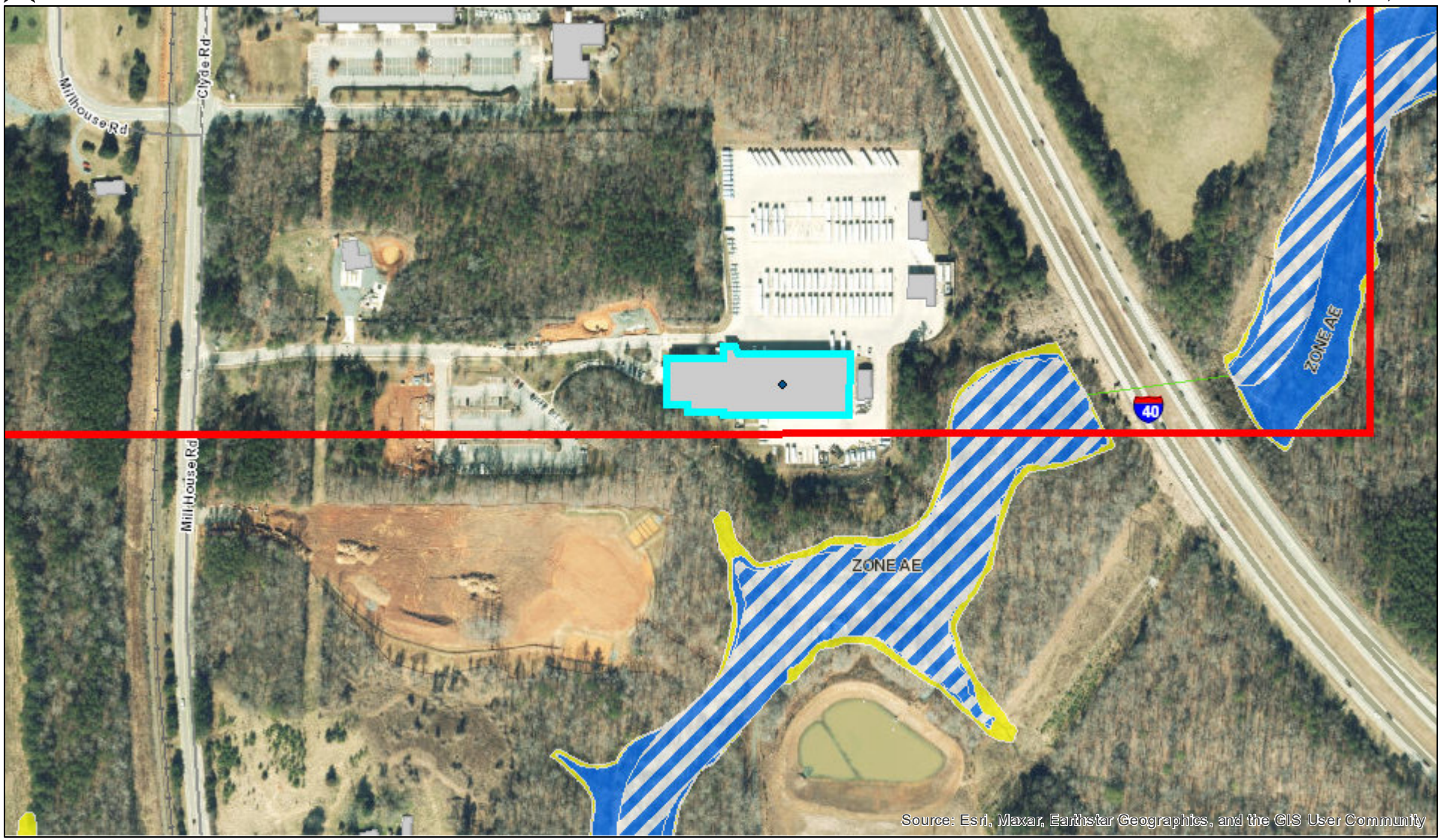
Sketch: Feature begins @ edge of transmission line ROW & ends @ confluence w/ Old Field Cr.

→ New SCM @ Carraway Village discharges perpendicular to channel & is beginning to blow out portion of (R) bank - see photos.

N

6902 & 6900 Millhouse Rd

Sep 27, 2022



Legend

- Panels
- Political Areas
- Stream Centerline
- Cross Sections
- Levee

Flood Hazard Areas

- AE
- Floodway (AE)
- 0.2 % Chance Annual Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard

North Carolina Floodplain Mapping Program

Northing: = 811,842, Easting = 1,977,014

Northing: = 811,842, Easting = 1,980,483

Without Base Flood Elevation (BFE)
Zone A, V, A99
With BFE or Depth
Zone AE, AO, AH, VE, AR
Regulatory Floodway
0.2% Annual Chance Flood Hazard
Future Conditions 1% Annual Chance Flood Hazard *Zone X*
Areas Determined to be Outside the 0.2% Annual Chance Flood Hazard *Zone X*
Jurisdiction Boundary
FIRM Panel Boundary

North Carolina State Plane Projection Feet (Zone 3200)
Datum: NAD 1983 (Horizontal), NAVD 1988 (Vertical)

1 inch = 500 feet 1:6000

0 125 250 500 Feet

0 25 50 100 Meters

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

Panel(s):9871,9881,9870,9880

CONTAINS:

COMMUNITY	CID
ORANGE COUNTY	370342
TOWN OF CHAPEL HILL	370180

Notice to User: The Map Number(s) shown below should be used when placing map orders; the Community Number(s) shown above should be used on insurance applications for the subject community.

SELECTED PANELS:

MAP NUMBER	EFFECTIVE DATE
3710987100K	11/17/2017
3710988100K	11/17/2017
3710987000K	11/17/2017
3710988000K	11/17/2017

Northing: = 808,374, Easting = 1,977,014

Northing: = 808,374, Easting = 1,980,483

This is an official copy of a portion of the above referenced flood map. This map incorporates changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov.

FEMA: National Flood Insurance Program

Panel(s):9871,9881,9870,9880

CONTAINS:

COMMUNITY	CID
ORANGE COUNTY	370342
TOWN OF CHAPEL HILL	370180

Notice to User: The Map Number(s) shown below should be used when placing map orders; the Community Number(s) shown above should be used on insurance applications for the subject community.

SELECTED PANELS:

MAP NUMBER	EFFECTIVE DATE
3710987100K	11/17/2017
3710988100K	11/17/2017
3710987000K	11/17/2017
3710988000K	11/17/2017

NOTES TO USERS

This is an official FIRMette of a portion of the effective panels listed in the Title Block shown on Page 1. The information represented on this FIRMette was extracted from the effective digital flood hazard data available at http://fris.nc.gov/fris.

Base flood elevation data, floodway, nonencroachment widths, information on certain areas no in the Special Flood Hazard Areas protected by flood control structures, and other pertinent data are available in the Flood Insurance Study (FIS) available at http://fris.nc.gov/fris. Users should be aware that flood elevations shown on this FIRMette represent elevations rounded to one tenth of a foot (0.1') and should be utilized in conjunction with data available in the FIS.

NOTES TO USERS

Base map information and geospatial data used to develop this FIRMette were obtained from various organizations, including the participating local community(ies), state and federal agencies, and/or other sources. The primary base for this FIRM is aerial imagery acquired by the State in 2010. Information and geospatial data supplied by the local community(ies) that met FEMA base map specifications were considered the preferred source for development of the base map.

See geospatial metadata for the associated digital FIRMette for additional information about base map preparation. Base map features shown on this FIRMette, such as corporate limits, are based on the most up-to-date data available at the time of publication. Changes in the corporate limits may have occurred since this map was published. Map users should consult the appropriate community official or website to verify current conditions of jurisdictional boundaries and base map features. This map may contain roads that were not considered in the hydraulic analysis of streams where no new hydraulic model was created during the production of this statewide format FIRM.

Flood elevations on this map are referenced to either or both the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Datum of 1929 (NGVD 29), and are labeled accordingly. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. To obtain current elevation, description, and/or location information for bench marks shown on this map, or for information regarding conversion between NGVD 29 and NAVD 88, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at http://www.ngs.noaa.gov/.

MORE INFORMATION

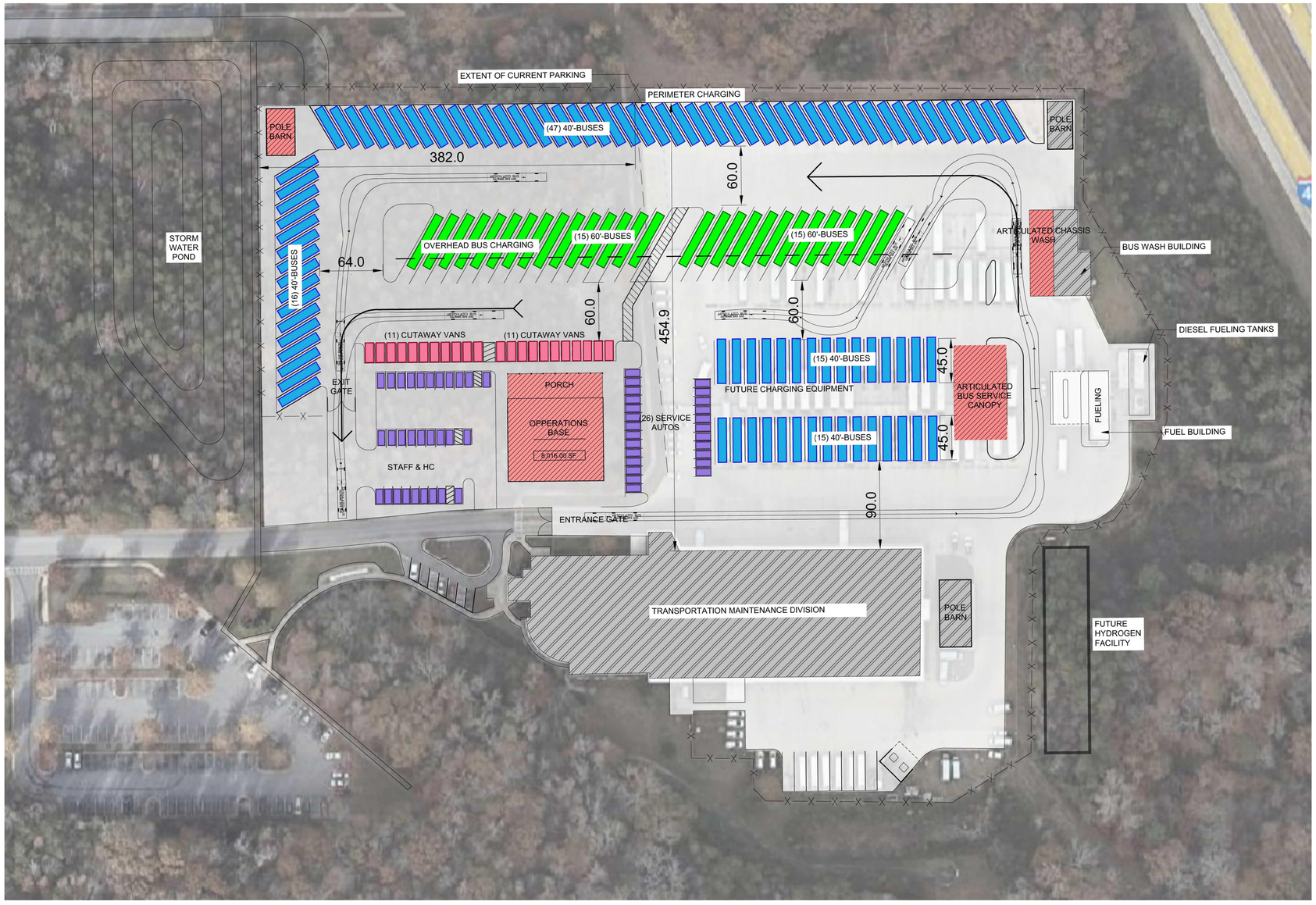
Letters of Map Amendment (LOMA)	1-877-336-2627 http://msc.fema.gov/
Letters of Map Revision (LOMR)	919-715-5711 www.ncfloodmaps.com
Flood Insurance Availability	
North Carolina Division of Emergency Management (NCDEM)	919-715-5711 http://www.nccrimecontrol.org/nfip
National Flood Insurance Program (NFIP)	1-877-638-6620 http://www.fema.gov/business/nfip
Questions about this FIRMette	1-877-336-2627 http://fema.gov

LEGEND

LEGEND

MAP REVISIONS

There are no map revisions for the selected area.



LEGEND

- DIRECTION OF CIRCULATION
- 60 FT ARTICULATED BUS
- 40 FT BUS
- CUTAWY VAN
- SERVICE OR STAFF AUTO

PARKING SUMMARY

40' BUSES	93
60' ARTICULATED BUSES	30
CUTAWAY BUSES	22
AUTOMOBILES (BEHIND GATES)	26

1 EXPANSION CONCEPT PLAN

Scale: 1" = 60'-0"

0' 30' 60' 120'

Issue Status: DRAFT FINAL 4/6/2022

AECOM

Chapel Hill transit

TRANSIT BUS ELECTRIFICATION PROGRAM
CHAPEL HILL TRANSIT
CHAPEL HILL, NORTH CAROLINA
Project No.: 60562925

6902 MILLHOUSE RD
6926 MILLHOUSE
6924 MILLHOUSE RD
7106 MILLHOUSE RD
508 ft
6900-100 MILLHOUSE RD
6900 MILLHOUSE RD
6922 MILLHOUSE RD
6900-300 MILLHOUSE RD
6900-200 MILLHOUSE RD
Old Field Creek
496 ft
7000 MILLHOUSE RD
7310 MILLHOUSE RD UNIT 180
7300 MILLHOUSE RD UNIT 100
7310 MILLHOUSE RD UNIT 175
7300 MILLHOUSE RD UNIT 105
7310 MILLHOUSE RD UNIT 170
700 MYRICA ST
Mill House Rd
40
100
200ft

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

REQUEST FOR STREAM DETERMINATION

Stream determinations provide information used to determine whether the Town's Resource Conservation District (RCD) or Jordan Watershed Riparian Buffer Protection regulations apply to a property. Town staff will typically conduct a field visit to classify streams on the property(ies) indicated below within two weeks of a request, depending on weather conditions, staff availability, and scope of the request. Please note that stream determinations cannot be conducted within 48 hours of a rain event. There is no fee for stream determinations conducted by Town staff.

A stream determination report indicates the results of a stream classification. Stream classifications expire after five years. If a stream determination has been completed on or near the property(ies) listed below within the last five years, a site visit may not be required unless local hydrology has changed significantly or the stream classification has expired. If a site visit is not required, the stream determination will be based on a records review.

Requests may be emailed (aweakley@townofchapelhill.org), faxed, dropped off at Town Hall or the Stormwater Office, or mailed to the above address in care of the "Stormwater Analyst."

Requestor's Name: Katy Fontaine

Mailing Address: 6900 Millhouse Road

City, State, ZIP: Chapel Hill, NC 27516

Phone / FAX / Email: 919-969-4957 kfontaine@townofchapelhill.org

Check method(s) for report to be sent: ☐ US Mail ☑ Email ☐ FAX ☐ Call for pickup

Signature of property owner or designated legal agent granting permission to Town Staff to enter the property(ies) indicated below for purposes of a Stream Determination:

Kathryn Fontaine (Signature) 09/01/2022 (Date)

Owner Name(s): Katy Fontaine
(Please print)

Company Name (if applicable): Chapel Hill Transit

Property Information

Fill in both columns, *or* fill in Parcel ID Number (PIN) and attach a site map indicating location.

Parcel ID Number (PIN)	Address / Location Description
9871800325	6902 Millhouse Road (Property between Transit & PW)
9871809160	6900 Millhouse Road (Transit Facility closest to I-40)

Where the **total area** of the property(ies) to visit is **over 3 acres,** please attach an as-built drawing or a topographic map with current landmarks.

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

REQUEST FOR STREAM DETERMINATION

Stream determinations provide information used to determine whether the Town's Resource Conservation District (RCD) or Jordan Watershed Riparian Buffer Protection regulations apply to a property. Town staff will typically conduct a field visit to classify streams on the property(ies) indicated below within two weeks of a request, depending on weather conditions, staff availability, and scope of the request. Please note that stream determinations cannot be conducted within 48 hours of a rain event. There is no fee for stream determinations conducted by Town staff.

A stream determination report indicates the results of a stream classification. Stream classifications expire after five years. If a stream determination has been completed on or near the property(ies) listed below within the last five years, a site visit may not be required unless local hydrology has changed significantly or the stream classification has expired. If a site visit is not required, the stream determination will be based on a records review.

Requests may be emailed (aweakley@townofchapelhill.org), faxed, dropped off at Town Hall or the Stormwater Office, or mailed to the above address in care of the "Stormwater Analyst."

Requestor's Name: Katy Fontaine

Mailing Address: 6900 Millhouse Road

City, State, ZIP: Chapel Hill, NC 27516

Phone / FAX / Email: 919-969-4957 kfontaine@townofchapelhill.org

Check method(s) for report to be sent: ☐ US Mail ☑ Email ☐ FAX ☐ Call for pickup

Signature of property owner or designated legal agent granting permission to Town Staff to enter the property(ies) indicated below for purposes of a Stream Determination:

Kathryn Fontaine (Signature) 09/01/2022 (Date)

Owner Name(s): Katy Fontaine (Please print)

Company Name (if applicable): Chapel Hill Transit

Property Information

Fill in both columns, *or* fill in Parcel ID Number (PIN) and attach a site map indicating location.

Parcel ID Number (PIN)	Address / Location Description
9870890971	6900 Millhouse Road (Transit Employee lot, closest to Millhouse)

Where the **total area** of the property(ies) to visit is **over 3 acres,** please attach an as-built drawing or a topographic map with current landmarks.

TOWN OF CHAPEL HILL

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

Item Overview

Item #: 17., **File #:** [23-0077], **Version:** 1 **Meeting Date:** 1/25/2023

Appointments to the Housing Advisory Board.

Staff:
Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Brenton Hodge, Assistant Town Clerk

Department:
Communications and Public Affairs

Recommendation(s):

That the Council make appointments to the Housing Advisory Board for two seats.

Attachments:

- Recommendation
- Ballot
- Applications

MEMORANDUM

TO: Mayor and Town Council

FROM: Sue Hunter, Chair Housing Advisory Board

SUBJECT: Recommendation for the vacancy(s)

DATE: January 10, 2023

RECOMMENDATION: The Housing Advisory Board met on Tuesday, January 10, 2023 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Jamauria Burris, Appointment, Non-Market Rate Housing Resident seat
- Valencia Thompson, Appointment, Non-Profit Housing Provider/Professional seat

SPECIAL REQUEST(s): None.

BACKGROUND: The Board recommended Jamauria Burris based on her personal experience searching for and securing affordable housing for her family in the Town of Chapel Hill.

The Board recommended Valencia Thompson based on her professional experience with both the rental and for sale housing markets while acting as a property manager and housing counselor for Empowerment and as a licensed real estate broker locally.

Note: Communications and Public Affairs notes that the Housing Advisory Board reviewed the following applications: Jamauria Burris, Kimberly Sykes (*Non-Market Rate Housing Resident Seat Category*) and Valencia Thompson (*Non-Profit Housing Provider/Professional Seat Category*). Kimberly Sykes withdrew her application during the Housing Advisory Board meeting. Three other applications received were not eligible for the vacant seats at the time of application: Chinita Howard, Boone Williams, and Joelle Permutt. One additional application was received between January 10 and January 25, 2023: Samad Rangoonwala.

powered by Legistar™

BALLOT

HOUSING ADVISORY BOARD

JANUARY 25, 2023

Total Membership:	9	(1 Non-Market Rate Housing Resident, 3 Homeowner or Tenant, 1 Affordable Housing Advocate, 1 Non-Profit Housing Provider/Professional, 1 For-Profit Developer, 1 Real Estate Broker, and 1 Housing, Planning or Public Policy Expert)
Current Membership:	7	(2 Female, 5 Male; [1] African American, [6] Caucasian; [1] 18-24, [3] 35-54, [3] over 55)
Current Vacancies:	2	(1 Non-Market Rate Housing Resident, 1 Non-Profit Housing Provider/Professional)
Number of Applicants:	2	

Non-Market Rate Housing Resident
Please vote for up to one (1) applicant

_____ Jamauria Burris

Non-Profit Housing Provider/Professional
Please vote for up to one (1) applicant

_____ Valencia Thompson

APPLICATION FOR MEMBERSHIP ON COUNCIL, ADVISORY BOARD, COMMISSION, COMMITTEE OR TASK FORCE

Submit Date: Nov 08, 2022

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☑ I Agree

jamauriaburris@yahoo.com
Email Address

Jamauria — First Name
Middle Initial
Burris — Last Name

104 Old Larkspur Way — Street Address
Suite or Apt

Chapel Hill — City
NC — State
27516 — Postal Code

Mobile: (919) 768-2797 — Primary Phone
Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☑ Chapel Hill Town limits (Purple)

Please consult the town maps HERE if you are unsure .

If you are a Chapel Hill Resident, How long have you lived here?

☑ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Housing Advisory Board: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☑ Non-Market Rate Housing Resident

Which Board is your First Choice? *

☑ Housing Advisory Board

How did you find out about this opportunity? (select all that apply)

☑ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I moved to Carrboro from Durham with my husband & 2 children in 2015 . A better education was the only thing on our mind . The opportunity to provide opportunities to our children , a safe environment to foster growth , and being right down the street from home were all key factors that have led to me now calling Chapel Hill my home. After about 2 years in Carrboro our family grew from 4 to 5. In 2017 we left our 2 bedroom $900 townhome and moved to a 3 bedroom apartment in Chapel Hill that rented for about $1250for 12 months . In 2022 the cheapest lease renewal option we were offered was $1750 for 14months . My income however, has not increased 40% over the past 5 years like my rent. I worked relentlessly to build my credit, pay off debt, & increase my income I hopes of one day purchasing a home in the town that my family has grown to love. Even with all of that hard work, finding a property that met the needs and reflected the values of our family was simply out of reach financially . My budget returned 1 bedroom condos, 2 bedroom brick homes, or just a plot of land. Just as I began to wake up from a dream , an affordable housing program had an opportunity of a lifetime. I know first hand how affordable housing can make a difference & just how difficult it can be to obtain that difference.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Participant in BCBS Association Fellowship program . Affordable housing Cohort

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the Childcare and Transportation Assistance pilot for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

- [x] African American

Gender *

- [x] Female

If other, please describe:

Please select your age from the following list. *

- [x] 25-34

Occupation

Are you a caregiver for or identify with a disability?

- ○ Yes ◉ No

Have you participated in the Peoples Academy?

- ○ Yes ◉ No

Are you a Town of Chapel Hill employee?

- ○ Yes ◉ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards "shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter." Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☑ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

APPLICATION FOR MEMBERSHIP ON COUNCIL, ADVISORY BOARD, COMMISSION, COMMITTEE OR TASK FORCE

Submit Date: Nov 09, 2022

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☑ I Agree

vthompsonmba@gmail.com
Email Address

Valencia
First Name

Middle Initial

Thompson
Last Name

5002 Millstone Drive
Street Address

Suite or Apt

Durham
City

NC
State

27713
Postal Code

Business: (919) 967-8779
Primary Phone

Mobile: (919) 824-3440
Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☑ Durham County (not Chapel Hill limits)

Please consult the town maps HERE if you are unsure .

If you are a Chapel Hill Resident, How long have you lived here?

None Selected

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Housing Advisory Board: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☑ Non-Profit Housing Provider/Professional

Which Board is your First Choice? *

☑ Housing Advisory Board

How did you find out about this opportunity? (select all that apply)

☑ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have several years of experience in the housing industry and therefore have a panoramic view of the different facets of housing and how it works. As a HUD Housing Counselor, I provide education as well as rental and pre-purchase counseling to families disabled as well as seniors and to families from all income brackets throughout NC. I understand the unique situations a family may encounter, and I have seen firsthand the stress that families face when struggling to pay their rent or when evictions or foreclosures are pending. My training has helped me help them locate valuable resources to shelter in place while their financial situation stabilizes. As a Real Estate Broker, I have seen the increase in housing cost and watch hard working families have to defer their dream of homeownership despite the unjustified increase in their rents. I have been able to connect them to programs that offer down payment assistance to help bridge that gap. My accounting and financing background has help me understand money from the viewpoint of a consumer as well as from the prospective of an organization. Therefore, I feel that all my experience will bring a valuable prospective to the Board.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

HUD Certified Housing Counselor, Real Estate Broker, MBA Accounting/Finance , Property Management

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the Childcare and Transportation Assistance pilot for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

- [x] African American

Gender *

- [x] Female

If other, please describe:

Please select your age from the following list. *

- [x] 35-54

Occupation

Are you a caregiver for or identify with a disability?

- ○ Yes ◉ No

Have you participated in the Peoples Academy?

- ○ Yes ◉ No

Are you a Town of Chapel Hill employee?

- ○ Yes ◉ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to General Statute 160D-109(d), members of these boards "shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter." Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member shall recuse himself/herself from voting on the matter. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☑ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.