

RESOLUTION A
(Approving the Site Plan Review Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR 623 MARTIN LUTHER KING JR. BLVD (PIN 9788-39-1873; PROJECT SPR-25-3)

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the development at 623 Martin Luther King Jr. Boulevard, submitted by Adam Zinn, on property identified as Orange County Property Identifier Number 9788-39-1873, if developed according to the Site Plan dated March 31, 2025 (last revised July 19, 2025) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: Construction activity shall begin by September 16, 2026. The Town Manager may grant extensions as provided in LUMO 4.7.6. The deadline for completion of construction shall be established by the Zoning Compliance Permit(s) issued pursuant to this approval.
2. Land Use Intensity: This Site Plan Review authorizes the following:

Use: Multi-family, 5—10 units, attached or detached	
Maximum Floor Area	6,314 sq. ft.
Dwelling Units	7 units
Vehicular Parking Spaces	13 spaces
Minimum Bicycle Parking Spaces	2 spaces
Maximum Impervious Surface	10,967.3 sq. ft.
Maximum Land Disturbance	19,900 sq. ft.

3. Modifications to Land Use Intensity: This approval establishes minimums and maximums as indicated in the above Land Use Intensity Table. These amounts apply to the entire project site. These amounts may be modified according to the criteria and procedures established in LUMO 4.7.5. In addition, an increase in the maximum total impervious surface or maximum land disturbance up to 10 percent shall constitute a minor modification. An increase over 10 percent shall constitute a major modification. All increases shall be considered cumulatively.

Town of Chapel Hill - Site Plan Standard Stipulations

Access

4. 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.

Stormwater Management and Erosion Control

5. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
6. Sediment Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
7. 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, if land disturbance exceeds 20,000 square feet. 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.
8. As-Built Plans: Prior to 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 related to infrastructure development, 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.
9. Phasing Plan: If phasing is proposed, prior to issuance of a Zoning Compliance Permit the developer shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The phasing plan shall detail public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase 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.
10. On-Site/Adjacent Stormwater Features: The final plans locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris.
11. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result the project demolition or construction, must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy.

Water, Sewer, and Other Utilities

12. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, other applicable local utility 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.

13. 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.
14. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans and other required documents to satisfy the lighting requirements in Section 5.11 of the Land Use Management Ordinance, including submission of a lighting plan sealed by a Professional Engineer, to be reviewed and approved by the Town Manager. The lighting plan shall also address the requirements of Section 5.11.5 of the Land Use Management Ordinance.

Fire Safety

15. 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.
16. 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.
17. 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.
18. 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.
19. 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.

Solid Waste Management and Recycling

20. 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.
21. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled. All haulers of construction waste must be properly licensed. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered.
22. Deconstruction/Demolition: 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

23. State or Federal Approvals: Any required State or federal permits or encroachment agreements (e.g., 401 water quality certification, 404 permit) shall be approved and copies of the approved permits and agreements be submitted to the Town of Chapel Hill prior to the issuance of a Zoning Compliance Permit.

Miscellaneous

24. 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.
25. 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 Land Use Management Ordinance and the Design Manual.
26. 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.

27. 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.
28. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited.
29. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
30. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the application for a Site Plan Review for 623 Martin Luther King Jr. Blvd in accordance with the plans and conditions listed above.

This the 16th day of September 2025.