

RESOLUTION A
(Approving the Request)

A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION FOR TIMBERLYNE OFFICES, 120 BANKS DRIVE (2021-06-23/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Pamela Porter, TMTLA Associates, on behalf of Parkway Holdings Phase Two LLC, Owner, located at 120 Banks Drive on property identified as Orange County Property Identifier Number 9880-35-3244, if developed according to the plans dated February 18, 2021 and the conditions below would:

1. Be located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. Comply with all required regulations and standards of the Land Use Management Ordinance;
3. Be located, designed, and operated so as to maintain or enhance the value of contiguous property; and
4. Conform to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the 2020 Comprehensive Plan.

STIPULATIONS SPECIFIC TO TIMBERLYNE OFFICE

1. Permitted Uses: The following uses are permitted within the Timberlyne Office development

Use and Type	
Office - Medical Office, Clinic	
Maximum Floor Area	19,930 sq. ft.
Minimum Bicycle Parking	12 spaces
Minimum Vehicle Parking	88 spaces
Maximum Vehicle Parking	91 spaces

2. Existing Permit: The existing Special Use Permit Modification dated July 6, 1992 on file at the Town of Chapel Hill Planning Department, and recorded in the Orange County Registry (Book 1048, Page 274) remains in effect except as modified by these stipulations.
3. Shared Parking Agreement: The shared parking agreement with Timberlyne shopping center shall no longer be required, as all spaces will be accommodated on site.
4. Recombination Plat: The recombination requirement referenced in the prior Special Use Permit has been satisfied and shall no longer be required.
5. Easement Dedication: The Developer shall provide half of 45-foot right-of-way easement along the northern portion of the subject property for a future roadway connectivity between Sparrow Street and Banks Drive.

6. Solar Readiness: Prior to issuance of a Zoning Final Inspection, conduit infrastructure will be run to the roof of the building to support solar photovoltaics.
7. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
8. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council approves the application for a Special Use Permit Modification for Timberlyne Offices, 120 Banks Drive.

This the 23rd day of June, 2021.