

# SITE PLAN REVIEW APPLICATION



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

Parcel Identifier Number (PIN): 9788179085, 9788178503, 9788178220, 9788270111

Date: 03.17.2017

## Section A: Project Information

Project Name: 322 Rosemary Mixed Use

Property Address: 322 W. Rosemary St.

Zip Code: 27516

Use Groups (A, B, and/or C): A

Existing Zoning District: TC-2, R-3

Project Description: Mixed-use development consisting of residential & business uses with  
under building parking.

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

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

Name: Jeremy Anderson - Coulter Jewell Thames

Address: 111 W. Main St.

City: Durham


State: NC

Zip Code: 27701

Phone: 919-682-0368

Email: janderson@cjtpa.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature: 

Date: 03/17/2020

### Owner/Contract Purchaser Information:

**Owner**

**Contract Purchaser**

Name: Larry Short - Amity Station LLC

Address: Post Office Box 150

City: Chapel Hill

State: NC

Zip Code: 27514

Phone: 919-612-7814

Email: ltshort@email.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.

Signature: 

Date: 03/17/2020

Click here <http://chplan.us/TechnicalReviewSubmittals> for application submittal instructions.



# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section A: Project Information

Application type: Site Plan - Northside NH Date: 03.17.2017

Project Name: 322 Rosemary Mixed Use

Use Type: (check/list all that apply)

Office/Institutional     Residential     Mixed-Use     Other: Live / work

Overlay District: (check all those that apply)

Historic District     Neighborhood Conservation District     Airport Hazard Zone

## Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	11,223	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=	1,122	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	0	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	12,345	sq. ft.

## Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

Jordan Buffer     Resource Conservation District     100 Year Floodplain     Watershed Protection District

Land Disturbance	Total (sq ft)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, all grading, including off-site clearing)	38,517
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)	42,249	42,249	9,839	9,839
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %				
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



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Planning Department

## Section D: Dimensions

Dimensional Unit (sq ft)	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Number of Buildings	6037	6037	19,999	19,999
Number of Floors	1			
Recreational Space				

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)			19,999	
Total Square Footage of All Units			19,999	19,999
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units			10-20	
Number of Affordable Dwelling Units			0	
Number of Single Bedroom Units			TBD	
Number of Two Bedroom Units			TBD	
Number of Three Bedroom Units			TBD	

Non-Residential Space (Gross Floor Area in Square Feet)					
Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	0	Min. 200			
Restaurant	6037	0	# of Seats	174	0
Government					
Institutional					
Medical					
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	0		
	Interior (neighboring property lines)	0		0
	Solar (northern property line)	11		11
Height (maximum)	Primary	40 (30 @ R-3)		40
	Secondary	50		49.5
Streets	Frontages	12		46
	Widths	15		



# 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
Rosemary	50	38	2	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

List Proposed Points of Access (Ex: Number, Street Name): Rosemary

\*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
Rosemary	15	Concrete	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

## Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	N/A (TC-2)	34	14
Handicap Spaces			1
Total Spaces			15
Loading Spaces			
Bicycle Spaces	min. 9		min. 9
Surface Type	concrete		

## Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
North	10	10	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Street			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
East	0		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
West	0		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



# PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

## Section I: Land Use Intensity

Existing Zoning District: TC-2

Proposed Zoning Change (if any):

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

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
TC-2	1.97	.120					1,277
R-3	.162	.032					55
<b>TOTAL</b>							1,332
<b>RCD Streamside</b>		0.01					
<b>RCD Managed</b>		0.019					
<b>RCD Upland</b>							

## Section J: Utility Service

Check all that apply

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



**SITE PLAN REVIEW APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning Department**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

x	<b>Application fee</b> (including <a href="#">Engineering Review fee</a> ) ( <a href="#">refer to fee schedule</a> )	Amount Paid \$	<input type="text" value="235.00"/>
x	<b>Pre-application meeting</b> – with appropriate staff		
x	<b>Digital Files</b> - provide digital files of all plans and documents		
x	<b>Recorded Plat or Deed of Property</b>		
x	<b>Project Fact Sheet</b>		
email	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
x	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property</b> ( <a href="#">see GIS notification tool</a> )		
x	<b>Mailing fee for above mailing list (mailing fee is double due to 2</b>	Amount Paid \$	<input type="text"/>
x	<b>Written Narrative describing the proposal</b>		
x	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> - necessary for all submittals		
n/a	<b>Jurisdictional Wetland Determination</b> – if applicable		
x	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>		
n/a	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>		
x	<b>Reduced Site Plan Set (reduced to 8.5"x11")</b>		

**Stormwater Impact Statement (1 copy to be submitted)**

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed Impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm
- r) 85% TSS removal for post-development stormwater run-off



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Planning Department**

- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

**Plan Sets (10 copies to be submitted no larger than 24"x36")**

Plans should be legible and clearly drawn. All plan sets sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

**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 & off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking . Typical pavement sections & surface type
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross-sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

### Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams, note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

### Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable





- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection /silt fence location
- h) Pre-construction/demolition conference note
- j) Landscape protection supervisor note
- k) Existing and proposed tree canopy calculations, if applicable

### Planting Plan

### Steep Slope Plan

- b) On-site barrier
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)
- a) Classify and quantify slopes 0-10%, 10-15%, 15-25% and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

### Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

### Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting details



**Solid Waste Plan**

- a) Existing Solid Waste Management Plan
- b) Existing and proposed dumpster parking and construction equipment parking
- c) Proposed size of parking and materials storage area
- d) Description of any debris prevention measures and pavement project site including construction
- e) Preliminary Chwedeo waste agreement, if applicable

**Construction 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

**Energy Management Plan**

- a) consumption as it affects the community
- 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).

**Exterior Elevations**

March 17, 2017

**New Projects:**

**318-326 West Rosemary Street Mixed Use Buildings**

**Chapel Hill, NC 27516**

The Amity Station Mixed-Use Proposal has been revised in response to community feedback. Five new mixed-use buildings are proposed on West Rosemary Street with commercial, office, and residential uses at a moderate height and with an expanded transition to the Historic Northside Neighborhood including landscape buffering.

Following a 2-year Concept Plan process with the Town of Chapel Hill and in response to feedback received during that time period, this development proposal is in accordance with the Northside Neighborhood Conservation District (NCD) overlay requirements. The new buildings are also in keeping with the strategies of the anticipated Rosemary Street Development Guide that is being created and reviewed by the Town. The proposal now involves construction of 5 Mixed-Use Buildings located along West Rosemary Street in the Town Center-2 zoning:

**318 West Rosemary Street Mixed-Use Bldg.**

**320 West Rosemary Street Mixed-Use Bldg.**

**322 West Rosemary Street Mixed-Use Bldg.**

**324 West Rosemary Street Mixed-Use Bldg.**

**326 West Rosemary Street Mixed-Use Bldg.**

The 5 individual buildings are being developed in accordance with the current Town Center-2 zoning within the NCD as mixed-use development with the goal of promoting a walkable downtown and providing a desired transition to the historic neighborhood. The multiple building construction achieves many objectives of the anticipated Rosemary Street Development Guide including an increased transition between the new development and the historic neighborhood which will continue to preserve the history and charm of the historic community. A rezoning is no longer requested. The by-right construction of the 5 new structures will go before the Planning Commission for approval. A Special Use Permit is no longer required.

The project involves the demolition of the Breadmen's Restaurant and associated parking area along with reconfiguration of the lot layouts. Each new building will involve less than 20,000 square feet of floor area with vehicular parking underneath. Primary vehicular and pedestrian access for each building is to be provided from West Rosemary Street. Regarding each building's appearance, as encouraged, commercial/office space will face West Rosemary Street.

The residential portion of each of the 318-326 West Rosemary Street Mixed-Use Buildings is anticipated to include multiple live/work units with possible conversion of the live/work

units to business/office space. Approximately, 1,000 square feet of commercial/office use is proposed fronting West Rosemary Street in each new building. Residential, commercial, and office uses are all allowed in the downtown. As rental development, the residential portion of each Mixed-Use Building is not subject to the Inclusionary Zoning provisions of the Town's Land Use Management Ordinance.

Traffic impacts should be minimal. Traffic associated with the 5 new Mixed-Use Buildings is anticipated to be less than current conditions due to the closing of the Breadmen's Restaurant.

Each proposed Mixed-Use Building will achieve objectives of the anticipated Rosemary Street Development Guide, currently being developed by the Town. The focus of the new construction will be on West Rosemary Street, protecting the atmosphere and charm of the historic neighborhood. Visual breaks will be provided along West Rosemary Street as part of the appearance of the 5 new buildings and parking will be underneath each building. Improvements will be provided to the West Rosemary Street frontage of each building for an enhanced pedestrian experience.

The developments will occur at a lower density and intensity than proposed with the previous Amity Station Concept Plan. The proposed height of each new building will meet the Northside Neighborhood Conservation District height limits for mixed-use developments. A transition to the neighborhood with landscape buffering will be provided on the north side of the developments with appropriate transitions/solar setbacks to address neighborhood concerns about shadows.

Streetscape improvements on West Rosemary Street will promote an improved pedestrian experience and further connectivity with downtown. A transition of landscape buffer and lower density development is provided adjacent to the historic neighborhood. The 318-326 West Rosemary Street Mixed-Use Buildings will provide desirable mixed-use development on West Rosemary Street by a developer with a long-standing track record for quality development in downtown Chapel Hill.

M  
NB



M

20150423000074070 DEED  
Bk:RB5939 Pg:132  
04/23/2015 12:09:51 PM 1/3

FILED Mark Chilton  
Register of Deeds, Orange Co., NC  
Recording Fee: \$26.00  
NC Real Estate TX: \$0.00

NA

Excise Tax \$0.00 (transfer for business convenience)

Prepared by and return to William A. Anderson, III, PO Box 51579, Durham, NC 27717-1579

**NORTH CAROLINA SPECIAL WARRANTY DEED**

THIS DEED is made this 21<sup>st</sup> day of April, 2015, by and between: 9788-17-8220 DB

GRANTOR: L. SHORT, LLC, a North Carolina limited liability company  
PO Box 150  
Chapel Hill, NC 27514

and

GRANTEE: AMITY STATION, LLC, a North Carolina limited liability company  
PO Box 150  
Chapel Hill, NC 27514

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context).

WITNESSETH: THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain real property, lying and being in Orange County, North Carolina, and being more particularly described as follows (the "Property"):

See Exhibit A attached hereto and incorporated by reference.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND THE GRANTOR covenants with the Grantee, that Grantor has nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor except for ad valorem taxes for 2015 and subsequent years, covenants, easements and restrictions of record, and that certain deed of trust recorded in Book 5450, Page 341, Orange County Registry.



All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of the Grantor.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed the day and year first above written.

L. Short, LLC

By:

~~\_\_\_\_\_  
Larry T. Short, Manager (seal)~~

STATE OF NORTH CAROLINA  
COUNTY OF Durham

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Larry T. Short

*(name of person signing in blank)*

Date: 4/21/15

WA  
Notary Public

Print Name: William A. Anderson III

My commission expires: 2/2/19

[Official Seal]





**EXHIBIT A**

BEGINNING at an old iron, designated as the “control corner” and being the Northeastern corner of the Robert Fetzer property in the western edge of Amity Lane; thence South 70° 58’ West, 122.8 feet to an iron (old iron established) the northwestern corner of the Fetzer property, on the eastern side of Nunn Lane, (a 12 foot lane); North 22° 58’ West 178.5 feet to an iron; thence to an iron (old iron established) marking the northwestern point of an iron (old iron established) marking the northwestern point of this land in the Southern property line of Carrie Foushee (life tenant); thence, North 68° 60’ East 235 feet to a point and iron in the western edge and property line of Andrew’s Lane; thence South 22° 21’ East 236.8 feet with the western edge of Andrew’s Lane, to a point and iron; thence South 65° West 88 feet to an iron in the western edge of Amity Lane (said Amity Lane being 16 feet in width as set forth in Deed Book 149, Page 218, Line 22); thence North 44° 52’ West 62 feet with the western edge of Amity Lane and a part of the eastern property line of the Fetzer property to the PLACE AND POINT OF BEGINNING, will all the structures and improvements thereupon situated, as per plat set forth herein.

There is also conveyed the perpetual right of ingress and egress into, over and out of said property by the 16 foot driveway serving same from the North side of West Rosemary Street, being the westernmost 16 feet of the Laura E. Warnock property, as it extends into the southern property line of Amity Court and as shown in Book 258, Page 542.

Deed References: Book 149, Page 218, Book 151, Page 62, Book 155, Page 396, and Book 173, Page 500 and Book 4326, Page 65, Orange County Registry.

PIN 9788-17-8220



**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

2/3/2017

Jeremy Anderson  
Coulter, Jewell, Thames PA  
111 West Main St.  
Durham, NC 27701

RE: Stream Determination for Parcel #'s 9788-17-8053, 9788-17-8220, 9788-17-9085  
9788-27-0111

Dear Mr. Anderson:

As requested, the Town Public Works Department has performed a stream determination on the properties 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 map. Stream segments regulated by the Jordan Lake Stream Buffer ordinance 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 and the Jordan Lake Watershed Riparian Buffer. Specific land use regulations and restrictions apply within the boundaries of these protected areas. If you are considering any kind of work on your property, including clearing vegetation, paving, grading, or building, please consult with the Town Planning Department to determine the possible extent of the Resource Conservation District and Jordan Lake Watershed Riparian Buffer on your property and corresponding regulations.

This classification will remain in effect for five years from the date of the site visit before a request for reclassification will be considered, unless the stream channel characteristics are significantly altered as a result of watershed changes.

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 stream determinations, please contact me at (919) 969-5083. If you have questions regarding the Town's Resource Conservation Districts or the Jordan Watershed Riparian Buffer regulations, please contact the Planning Department at (919) 968-2728, or view information online at <http://www.townofchapelhill.org/town-hall/departments-services/public-works/stormwater-management/regulations-ordinances>.

Regards,

Dave Milkereit  
Stormwater Specialist





**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
9788-17-8053	W Rosemary St
9788-17-8220	W Rosemary St
9788-17-9085	W Rosemary St
9788-27-0111	W Rosemary St

These are the results of a site visit to the properties listed above for a stream determination conducted on 2/2/2017 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 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. 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 or Jordan Watershed Riparian Buffer:

- FEMA floodzone is mapped in the area. Precise location of the Base Flood Elevation and associated Resource Conservation District must 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.
- Possible Jurisdictional Wetlands have been identified in the area. A formal review by a professional certified in Jurisdictional Wetland Delineation is recommended.

\_\_\_\_\_  
Town Staff signature

2/3/2017  
date

# Stream Determination Area Map

..... Unclassified Stream

--- Ephemeral Stream

— 2-foot Contours

— 10-foot Contours

■ Buildings

□ Parcels

■ Approximate Jordan Buffer

□ Site visited

⊗ Ephemeral Breakpoint

⊛ Intermittent Breakpoint

⊕ Perennial Breakpoint

**Address:** W Rosemary St

**Parcel ID:** 9788-17-8053, 9788-17-8220,  
9788-17-9085; 9788-27-0111



0 87.5 175 350 Feet

1 inch = 175 feet



Stream locations are approximate and must be verified by survey.  
Buffers are measured from top of bank.



# USGS 24K Topographic / County Soil Survey Maps

 Site Parcel Boundary

**Address:** W Rosemary St

0 75 150 225 300 Feet

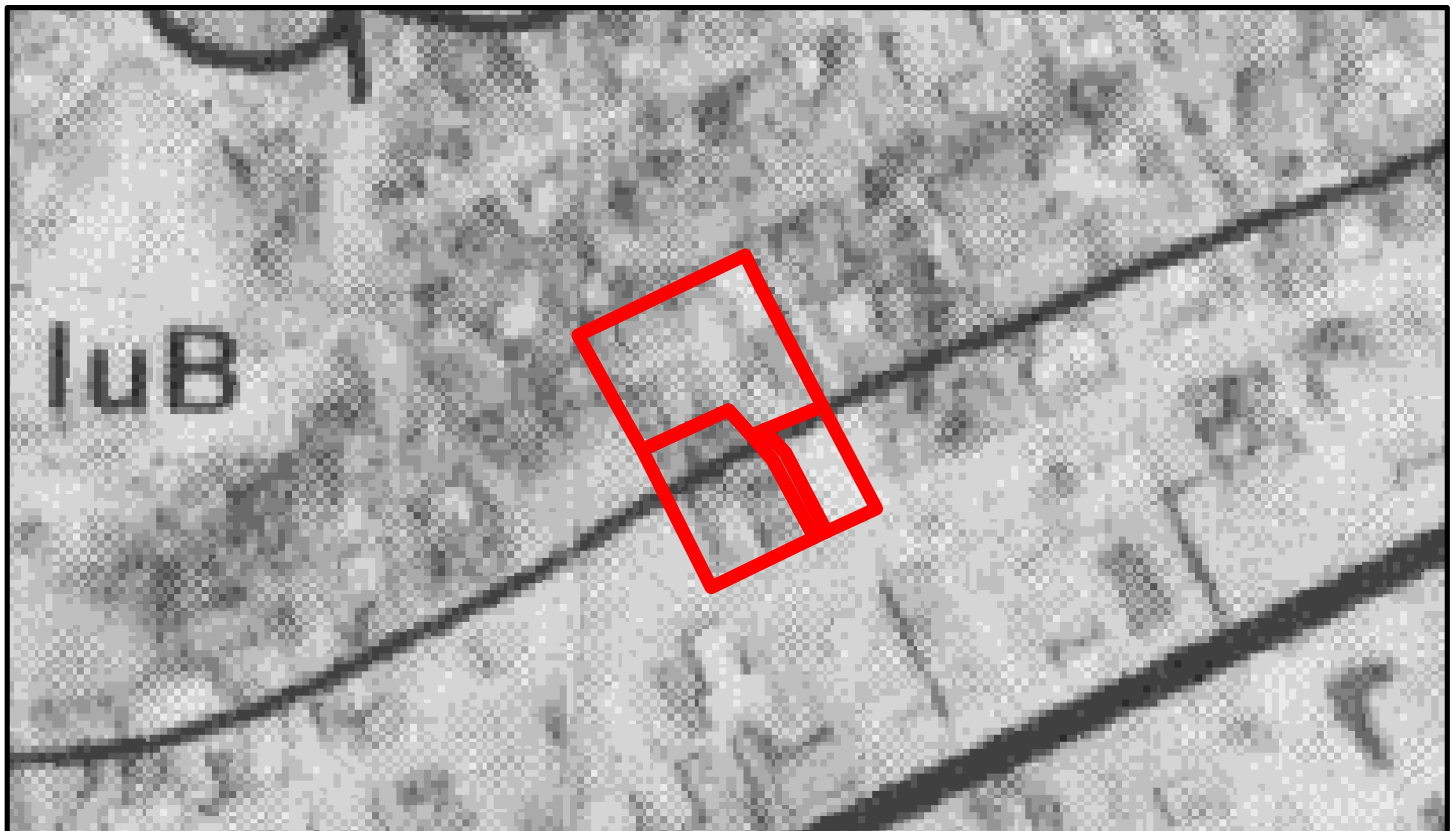
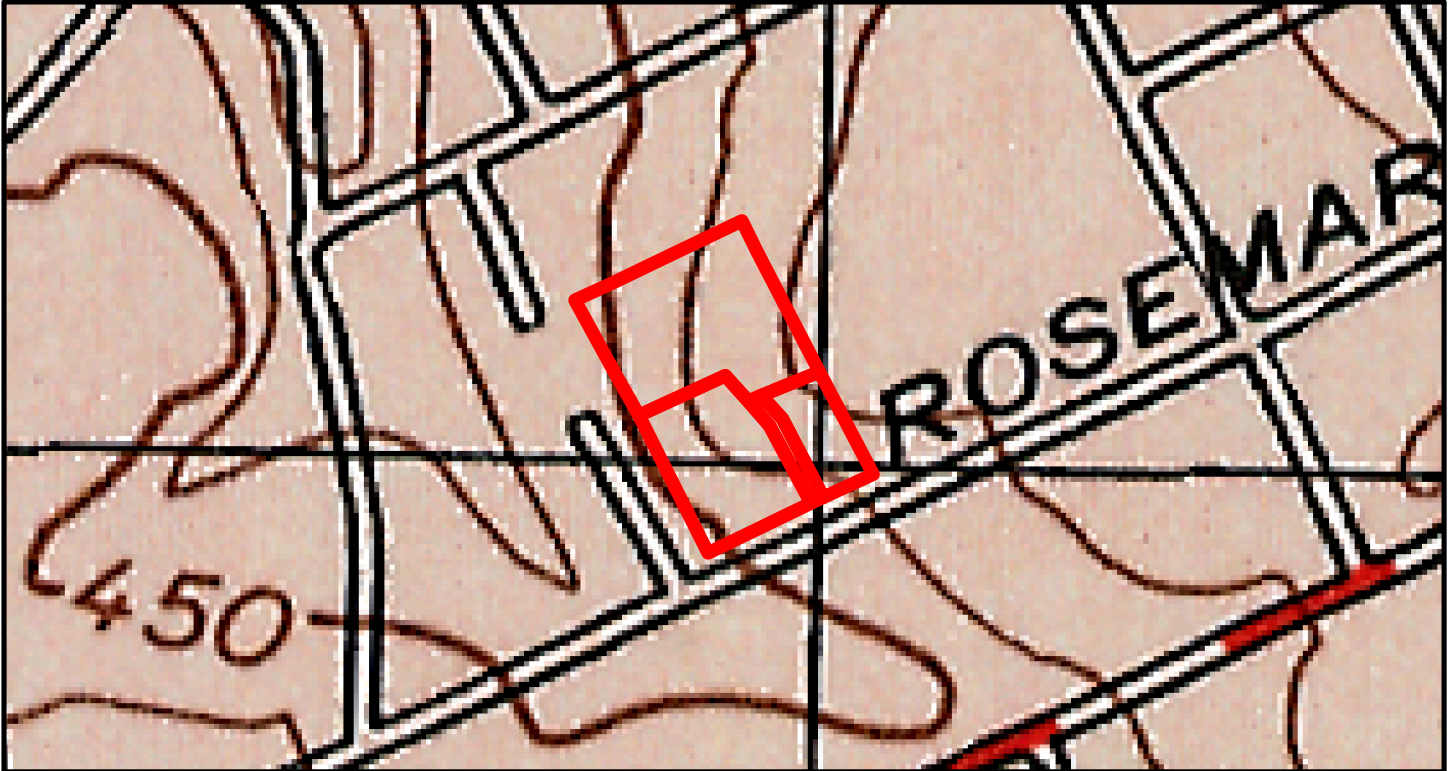


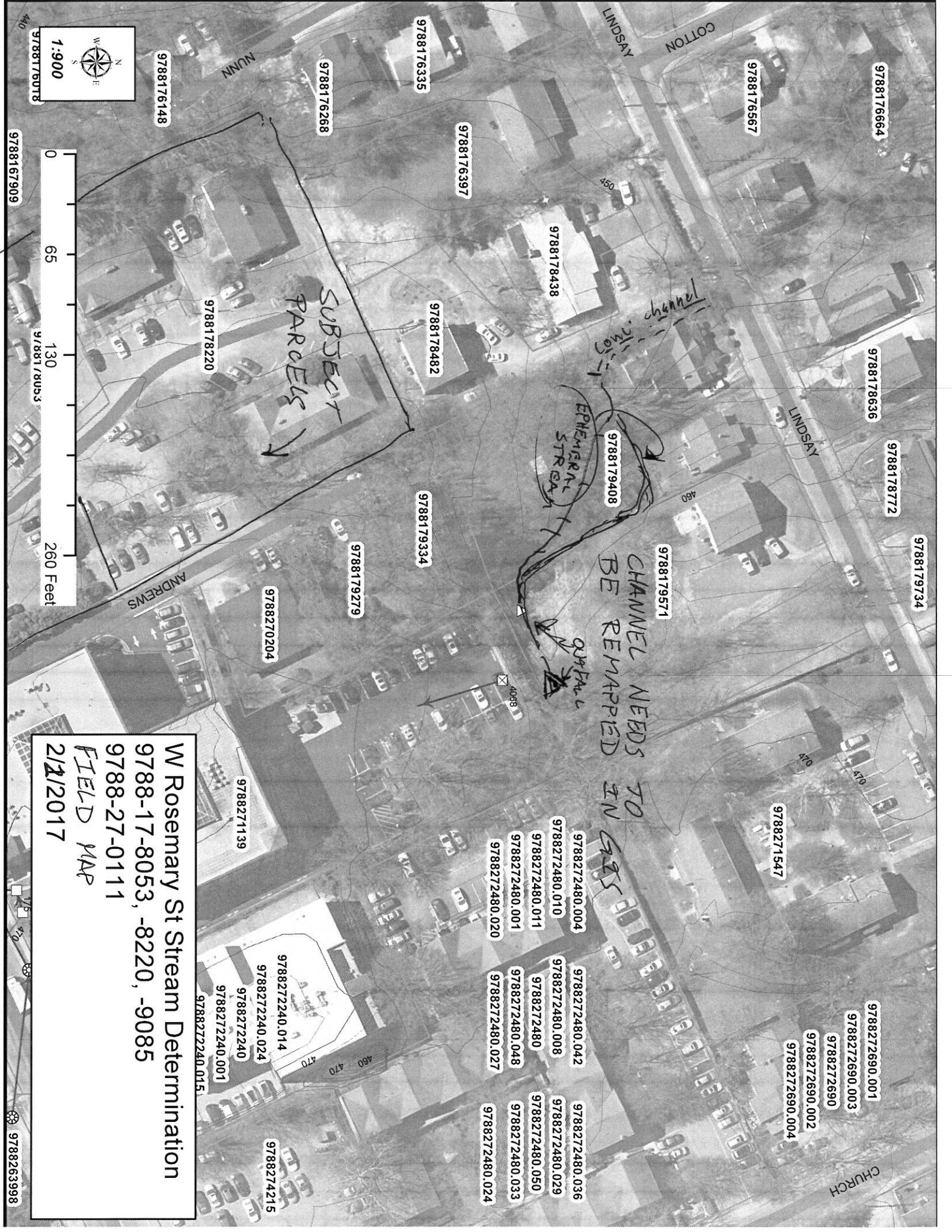
1 inch = 250 feet

**Parcel ID:** 9788-17-8053, 9788-17-8220,  
9788-17-9085; 9788-27-0111



*Created by Town of Chapel Hill Public Works Department - Stormwater Management Division- 2/3/2017*





1.900

9788176148



9788167909

9788178220

9788178220

9788176148

9788176268

9788176335

9788176397

9788178438

9788178482

9788179334

9788179279

9788270204

9788271139

9788272240.014

9788272240.024

9788272240

9788272240.001

9788272240.015

9788274215

LINDSAY COTTON

9788176567

9788176664

9788178636

9788178772

9788179734

9788179571

CHANNEL NEEDS TO BE REMAPPED IN GIS

EPHEMERAL STRIA

SPRINKLER

40088

9788271547

9788272690.001

9788272690.003

9788272690

9788272690.002

9788272690.004

9788272480.004

9788272480.010

9788272480.011

9788272480.001

9788272480.020

9788272480.042

9788272480.008

9788272480

9788272480.048

9788272480.027

9788272480.036

9788272480.029

9788272480.050

9788272480.033

9788272480.024

CHURCH

ANDREWS

NUNN

W Rosemary St Stream Determination

9788-17-8053, -8220, -9085

9788-27-0111

FIELD MAP

2/2/2017

9788263998

201702030848

NC DWQ Stream Identification Form Version 4.11

Date: 2/2/2017	Project/Site: Rosemary	Latitude:
Evaluator: M. Kover	County:	Longitude:
Total Points: 10.5 <small>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30'</small>	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 6)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . 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	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	

<sup>a</sup> artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2.5)

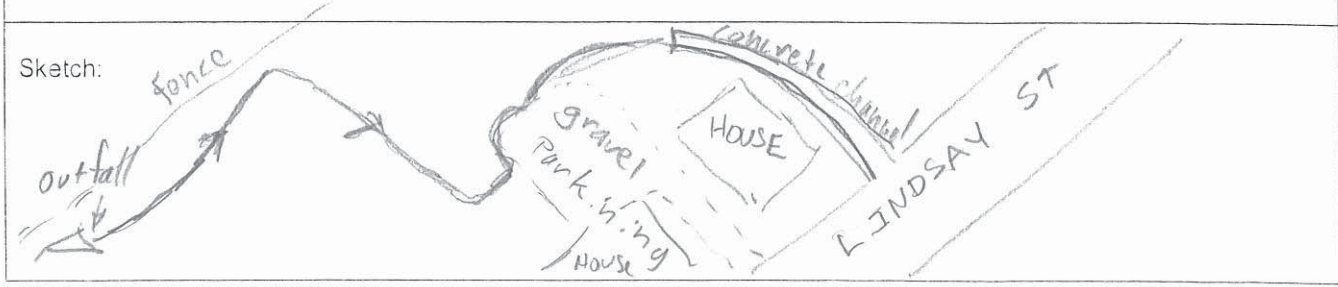
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 2)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (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			

<sup>a</sup> perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:





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 are used to determine whether the Resource Conservation District or the Jordan Stream Buffer will apply to a property, and the areas protected if that is the case. By default, we will notify you if a new stream determination will not be needed for a property and provide copies of the relevant prior records. Turnaround time is one to three business days. There is no fee for stream determinations.

[X] Check here if you want Town staff to conduct a new stream determination even if a new site visit is not required. No new site visit will be made if a determination has been done in the last 5 years. Turnaround time is two weeks for single-family lots depending on weather conditions and staff availability, and longer for larger lots.

Requests may be emailed (dmilkereit@townofchapelhill.org), faxed, dropped off at Town Hall or the Stormwater Office, or mailed to the above address care of "Stormwater Engineering Technician".

Requestor's Name: JEREMY ANDERSON, CJTPA

Mailing Address: 111 WEST MAIN ST. DURHAM, NC 27701

City, State, ZIP:

Phone / FAX / Email: 919-682-0368 JANDERSON@CJTPA.COM

Check method(s) for report to be sent: [X] US Mail [X] 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:

Jeremy Anderson (signature) 01/27/2017 (date)

Owner Name(s): AMITY STATION LLC - LARRY SHORT (Please print)

Table with 2 columns: Parcel ID Number (PIN) and Address / Location Description. Rows include parcel numbers 9788 17 8053, 9788 17 8220, 9788 17 9085, and 9788 27 0111 with corresponding addresses like W. ROSEMARY ST, BETWEEN ANDREWS & NUNN LANE.

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.



208 West Franklin

This map contains sensitive information, not to be copied or distributed without the express written permission of OWASA. This data is being provided as a visual representation and at no time should the data be considered exact. The data is not guaranteed to be accurate and is not intended as a substitute for a field survey. OWASA assumes no legal liability or responsibility for this data.





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## 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 ([dmilkereit@townofchapelhill.org](mailto:dmilkereit@townofchapelhill.org)), faxed, dropped off at Town Hall or the Stormwater Office, or mailed to the above address in care of the "Stormwater Specialist."

Requestor's Name: JEREMY ANDERSON · COULTER JEWELL THAMES PA

Mailing Address: 111 WEST MAIN ST.

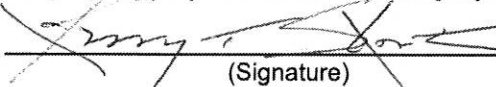
City, State, ZIP: DURHAM, NC, 27701

Phone / FAX / Email: 919-682-0368 / 688-5646 / JANDERSON@CJTPA.com

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:**

 (Signature)      1.30.17 (Date)

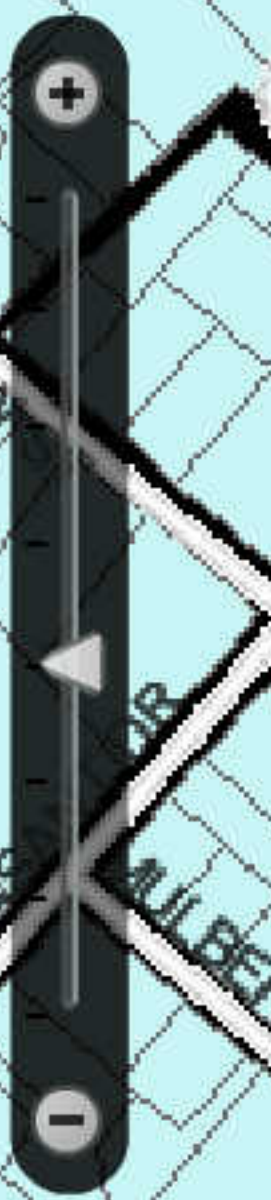
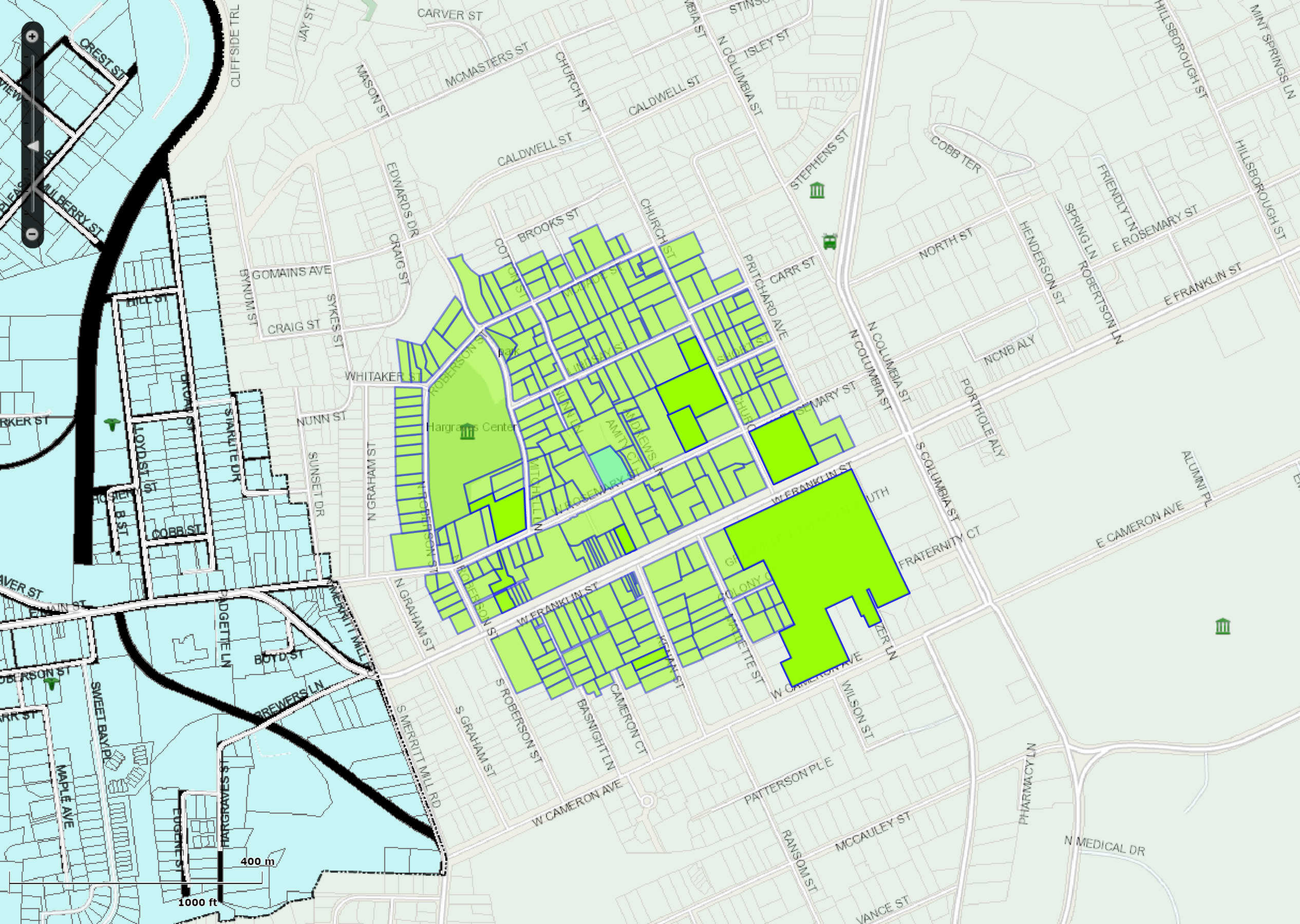
Owner Name(s): AMITY STATION LLC - LARRY SHORT  
 (Please print)

Company Name (if applicable): ↓

Property Information	
Fill in both columns, <u>or</u> fill in Parcel ID Number (PIN) and attach a site map indicating location.	
Parcel ID Number (PIN)	Address / Location Description
9788-17-8053, 8220, 9085	WEST ROSEMARY ST. BETWEEN
9788-27-0111	ANDREWS LN & NUNN LANE.

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.





400 m  
1000 ft

CARVER ST

MCMASTERS ST

CALDWELL ST

CHURCH ST

CALDWELL ST

N COLUMBIA ST

STEPHENS ST

COBB TER

HENDERSON ST

E FRANKLIN ST

CLIFFSIDE TRL

JAY ST

MASON ST

EDWARDS DR

COT BROOKS ST

CHURCH ST

PRITCHARD AVE

NORTH ST

GOMAINS AVE

CRAIG ST

SYKES ST

WHITAKER ST

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COT BROOKS ST

9788068399	CHEN NAN-MING	452 ROBIN RD	CHAPEL HILL	NC	27514
9788068539	ST JOSEPH CHRISTIAN METHODIST EPISCOPAL	510 W ROSEMARY ST	CHAPEL HILL	NC	27514
9788068747	PATMORE MARK R	101 CARVER ST	CHAPEL HILL	NC	27516
9788068921	LOWELL WILLIAM J ETAL	204 HOLLY GREEN LN	HOLLY SPRINGS	NC	27540
9788068927	BRODEY BENJAMIN B	213 N ROBERSON ST	CHAPEL HILL	NC	27516
9788069299	SUN PUBLISHING COMPANY INC	107 N ROBERSON ST	CHAPEL HILL	NC	27516
9788069677	NEAL TODD MICHAEL	628 ARLINGTON ST	CHAPEL HILL	NC	27514
9788077598	LOWRY HOLDING LLC	244 SALTER PATH RD	PINE KNOLL SHOR	NC	28512
9788078025	LINDSAY LEPRENIA TRUSTEE	215 NORTH ROBERSON STREET	CHAPEL HILL	NC	27516
9788078122	ROACH JULIE M	217 N ROBERSON ST	CHAPEL HILL	NC	27516
9788078127	EMPOWERMENT INC STE 200	109 N GRAHAM ST	CHAPEL HILL	NC	27516
9788078212	MERCIA RESIDENTIAL PROPERTIES INC	P O BOX 2371	CHAPEL HILL	NC	27515
9788078227	FOUSHEE FLOYD A JR	17202 KLEE CIR	SPRING	TX	77379
9788078312	MASTIN HOLDINGS LLC	319 PROVIDENCE RD	Chapel Hill	NC	27514
9788078317	LEAK EDWARD K	2320 STAGECOACH DR	HILLSBOROUGH	NC	27278
9788079584	GATTIS STELLA HRS	PO BOX 884	BRONX	NY	10458
9788079612	WELLS GRAYUM TRUSTEE	310 AMBER LN	PITTSBORO	NC	27312
9788153958	FRANKLIN WEST LLC	5310 S ALSTON AVE #210	DURHAM	NC	27713
9788155869	PENDERGRAFT JAMES W C	103 PRINCE ST	CARRBORO	NC	275102215
9788155884	CRAIG P H JR	7503 SUNRISE RD	CHAPEL HILL	NC	275149718
9788155918	RIDDLE JOSEPH P III	PO BOX 53729	FAYETTEVILLE	NC	283053729
9788156987	WATSON RICHARD HRS	111 BASNIGHT LN	CHAPEL HILL	NC	275162309
9788157834	ALBERNAZ PROPERTIES LLC	3800 CHARLESTON CT	GREENVILLE	NC	27834
9788158808	MCGUFFIN GREGORY M	110 CAMERON CT	Chapel Hill	NC	27516
9788159943	MUNDAY SHAWN B	201 COMMONS WAY	CHAPEL HILL	NC	27516
9788160168	PONS FAMILY LLC	307 SAINT DAVIDS LN	RICHMOND	VA	23221
9788160214	FOUSHEE ARMINTA D	105 N ROBERSON ST	CHAPEL HILL	NC	275162332
9788160634	FIRST BAPTIST CHURCH OF CHAPEL HILL	106 N ROBERSON ST	CHAPEL HILL	NC	27516
9788160675	BRACEY WILLIAM H	512 HILLSBOROUGH ST	Chapel Hill	NC	27514
9788160734	SARAH E CARTER ENTERPRISES	8410 FARRINGTON MILL RD	CHAPEL HILL	NC	27517
9788162398	WEST END PROPERTIES OF CHAPEL HILL LLC	605 W MAIN ST	Carrboro	NC	27510
9788162398	SSP REAL ESTATE LLC	412 GEORGE AVE	CHATTANOOGA	TN	37403
9788162712	BURNETTE RUTH S HRS	2802 BEAVER LODGE CT	HYATTSVILLE	MD	20783
9788162715	MAMA DIPS PROPERTIES LLC	408 W ROSEMARY ST	CHAPEL HILL	NC	27516

9788163306	HOLLAND PROPERTIES LLC	608 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	275145703
9788163347	UNIQUITIES HOLDINGS LLC	452 W FRANKLIN ST	CHAPEL HILL	NC	27516
9788163530	CARSON THOMAS W	2535 JACK BENNETT RD	CHAPEL HILL	NC	27517
9788163910	WOODSON JONATHAN T	209 MITCHELL LN	Chapel Hill	NC	27514
9788164155	ELIADIS PROPERTIES II LLC	2844 HAWTHORN ST	SAN DIEGO	CA	92104
9788164178	DDIC PRODUCTIONS LLC	423 W FRANKLIN ST	Chapel Hill	NC	27516
9788164814	LEVINE BARBARA J ETAL	400 W ROSEMARY ST #101	CHAPEL HILL	NC	27516
9788164814	HENDRIX JOHN R	19630 INDIAN SUMMER LN	MONUMENT	CO	80132
9788164814	WYATT EDWARD A V	2 CALDWELL CREEK DR	Chapel Hill	NC	27517
9788164814	ORAL TECHNOLOGY & SCIENCES LLC	202 WOOD LILY LN	CARY	NC	27518
9788164814	SCHOSSOW RICHARD C	400 W ROSEMARY ST #105	Chapel Hill	NC	27516
9788164814	DAVIS G PARKER	2106 HERMITAGE ROAD	WILSON	NC	278961365
9788164814	JOHNSON DANIEL C	PO BOX 637	HATTERAS	NC	27943
9788164814	KANG KI HO	642 BEAR TREE CRK	Chapel Hill	NC	27517
9788164814	MODISETT JOSEPH N	250 WEST 99TH ST	NEW YORK	NY	10025
9788164814	JOYNER SID	400 W. ROSEMARY ST. UNIT 110	CHAPEL HILL	NC	27516
9788164814	SICKLES RICHARD	605 CASCADE AVE	WINSTON SALEM	NC	27127
9788164814	HENRY GARY T	2215 BELMONT BLVD	NASHVILLE	TN	37212
9788164814	BAKER WILLIAM R	4759 171ST AVE SE	BELLEVUE	WA	98006
9788164814	POGUE JIMMIE	4839 ROYAL DORNOCH CIR	BRADENTON	FL	34211
9788164814	MMAJIC LLC	106 S EAST ST	RALEIGH	NC	27601
9788164814	KASHEFSKY HOWARD	2 SPRING DELL LN	CHAPEL HILL	NC	27517
9788164814	SIMON JOHN M ETAL	56 E BAYBERRY RD	ISLIP	NY	117514902
9788164814	WILLIAMS SHAMMOND O	200 GARDER CIR	CHAPEL HILL	NC	27516
9788164814	FISHER GANNA V	3104 CROASDAILE DR	DURHAM	NC	27705
9788164814	NKB PROPERTIES LLC	6920 CREEK WOOD DR	CHAPEL HILL	NC	27514
9788164814	MAI JACQUELINE	50 31 229TH ST	OAKLAND GARDEN	NY	11364
9788164814	JOHNSON BRENT ETAL	400 W ROSEMARY #322	CHAPEL HILL	NC	27514
9788164814	GLADIEUX JAY	306 SUNSTONE DR	CARY	NC	27519
9788164814	CIVIOK MARK	1600 E FRANKLIN ST	CHAPEL HILL	NC	27514
9788164814	ELLIOTT CHRISTOPHER	31 TURTLE POINT BEND	CHAPEL HILL	NC	275168081
9788164814	ESPOSITO KATHLEEN	5224 MASONBORO HARBOUR DR	WILMINGTON	NC	28409
9788164814	DROZD EDWARD	105 COMMANCHE TRL	LEXINGTON	NC	29295
9788164814	AGAPION EMANUEL A	616 WILLOUGHBY BLVD	GREENSBORO	NC	27408

9788164814	PATEL ASHVIN C ETAL	5131 CYPRESS SPRING DR	MISSOURI CITY	TX	77459
9788164814	YOUNG GEOFFREY J	5339 LUCAS FARM LN	Chapel Hill	NC	27516
9788164814	LANDS END DEVELOPMENT LLC	PO BOX 890	AVON	NC	27915
9788164814	COLEMAN RHONDA	400 WEST ROSEMARY ST	Chapel Hill	NC	27516
9788164814	1002 W ROSEMARY LLC	6610 FALCONBRIDGE RD	Chapel Hill	NC	27517
9788164814	ORR ROSINA	7250 NC 751	DURHAM	NC	27707
9788164814	SMITH WILLIAM P II	400 W ROSEMARY ST #1004	CHAPEL HILL	NC	27516
9788164814	TUCKER THOMAS C	414 E. MAIN STREET	Carrboro	NC	27510
9788164871	PURDIE SHIRLEY W TRUSTEE	542 PINEY MOUNTAIN RD	Chapel Hill	NC	27516
9788164979	BROOKS COURTNEY F	226 E 36TH ST APT 2C	NEW YORK	NY	10016
9788165593	STATE OF NORTH CAROLINA	UNKNOWN ADDRESS	RALEIGH	NC	27603
9788165648	L SHORT LLC	P O BOX 150	CHAPEL HILL	NC	27514
9788165901	TATE CONSTRUCTION & REALTY CO	342 W ROSEMARY ST	CHAPEL HILL	NC	27514
9788166296	411 WEST FRANKLIN STREET INC	PO BOX 7	CHAPEL HILL	NC	27516
9788166869	SHORTBREAD LOFTS LLC	PO BOX 150	CHAPEL HILL	NC	27514
9788167128	308 SUNSET DR LLC	412 YATES MOTOR COURT ALLEY	CHAPEL HILL	NC	27516
9788167270	SNOW PAUL	SUITE 206	CHAPEL HILL	NC	27514
9788167686	HUMPHREYS ROBERT P	107 SATATOGA TRL	CHAPEL HILL	NC	27516
9788168035	FRANKLIN CAMERON PROPERTIES I LLC	404 EDINBURGH DR	CARY	NC	27511
9788168237	FRANCHISE RLTY INTST	PO BOX 13284	RTP	NC	27709
9788168528	JAZK LLC	410 W FRANKLIN ST	CHAPEL HILL	NC	27516
9788168559	GRAY CLARENCE N ETAL	107 HIGH ST	CARRBORO	NC	27510
9788168634	BROWN ROY D	113 LINDSAY ST	CARRBORO	NC	27510
9788168645	WILLIAMS LINDA	128 DIXIE DR	CHAPEL HILL	NC	27514
9788168666	SILK HOPE INVESTORS	PO BOX 1329	CHAPEL HILL	NC	27514
9788168680	BOLIN CREEK BOOKS INC	612 N GREENSBORO ST	CARRBORO	NC	275101702
9788169027	KRUEGER THOMAS B	421 YATES CT	CHAPEL HILL	NC	275162340
9788169104	CIDER 6 LLC	2230 FOREST DR	CHARLOTTE	NC	28211
9788169278	PARSIFAL NANCY C	110 CHARLESBERRY LN	CHAPEL HILL	NC	275177902
9788169303	STARJOB CO LLC	5338 THAYER DR	RALEIGH	NC	276125946
9788169319	SEXTER DEBORAH	147 DOVER RD	PITTSBORO	NC	27312
9788169357	405 W FRANKLIN LLC	342 BEACON ST	CHESTNUT HILL	MA	2467
9788169454	EVER CHAPEL HILL LLC	108 PINE LN	CHAPEL HILL	NC	27514
9788169764	H SPIKE LLC	1434 ARBORETUM DR	Chapel Hill	NC	27517

9788170766	BROOKS KOZIE	317 MITCHELL LN	CHAPEL HILL	NC	27514
9788170821	WATSON NAOMI S	309 MITCHELL LN	CHAPEL HILL	NC	275161917
9788171945	CHAPEL HILL HOUSING AUTHORITY	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL	NC	27514
9788172051	MAK HOMES LLC	213 MITCHELL LN	CHAPEL HILL	NC	27516
9788172839	COBB JEFFREY	407 JAMES ST	CARRBORO	NC	27510
9788172972	404 MCDADE LLC	2923 SYMPHONY WOODS DR	CHARLOTTE	NC	28269
9788173786	ZINN ADAM	301 MONTCLAIR WAY	CHAPEL HILL	NC	27516
9788173938	JONES VIRGINIA P	505 COTTON ST	CHAPEL HILL	NC	275162026
9788173962	PATTERSON WILLIE MAE	400 MCDADE ST	CHAPEL HILL	NC	275162036
9788174004	KIM EUN AH	220 TOWNE RIDGE LN	CHAPEL HILL	NC	27516
9788174298	FARRINGTON MELVIN CLIFTON JR	PO BOX 698	CARRBORO	NC	27510
9788174353	LINCOLN ROBERT L	123 HUNTERS RIDGE RD	CHAPEL HILL	NC	27517
9788174445	SWEENEY NOLAN	107 HILL ST #A	CARRBORO	NC	27510
9788174469	HSIEH SHOWCHIEN	PO BOX 17281	Chapel Hill	NC	27516
9788174489	JONES VERNELLE B	102 BARRINGTON OVERLOOK DR	DURHAM	NC	27703
9788174518	KAST CHARLES G	406 MITCHELL LN	CHAPEL HILL	NC	275161918
9788174617	BROOKS S A M	408 MITCHELL LANE	CHAPEL HILL	NC	27516
9788174692	SON JUNG S	108 CHESLEY LN	CHAPEL HILL	NC	27514
9788174699	SELF HELP VENTURES FUND	301 W MAIN ST	DURHAM	NC	27701
9788174796	CURRIER JENNA M	3501 TALLISON DR	WINSTON SALEM	NC	27106
9788174840	COTTON VADNAY B	413 COTTON ST	CHAPEL HILL	NC	27514
9788174976	JOHNSON BRIAN	PO BOX 4302	CHAPEL HILL	NC	27515
9788175041	TATE GEORGE HRS JR	450 PINEY MOUNTAIN RD	CHAPEL HILL	NC	27514
9788175147	TROWBRIDGE DAVID B	12705 PARCHMENT LN	RICHMOND	VA	23233
9788175254	ZEMAN PAMELA	PO BOX 16968	CHAPEL HILL	NC	27516
9788175273	BRITT WILLIE M HRS	121B FORSYTH DR	CHAPEL HILL	NC	275175508
9788175335	RIGGSBEE RANDEL L	1403 FOXGLEN CT	CHAPEL HILL	NC	27516
9788175833	CHRISTOPHER W AND KIMBERLY ENGEN FAMILY TR	73 HEADLAND DR	RANCHO PALOS VE	CA	90275
9788176268	LOSEE ROBERT G ETAL	123 HUNTERS RIDGE RD.	CHAPEL HILL	NC	27517
9788176335	BULBROOK JAMES D	112 NEW CASTLE DR	CHAPEL HILL	NC	27517
9788176397	AMBRISTER ESTELLE B ETAL	327 LINDSAY ST	CHAPEL HILL	NC	275162126
9788176410	AVERY GRACE L HRS	3709 COLCHESTER ST	Durham	NC	27707
9788176567	ALSTON JANIE D	326 LINDSAY ST	CHAPEL HILL	NC	275162127
9788176706	FOSTER ESPHUR E	410 COTTON ST	CHAPEL HILL	NC	275162022

9788176806	TRUE BLUE PROPERTIES LLC	712 MARKET ST	WILMINGTON	NC	28401
9788176875	JOHNSON SAMUEL S	560 MACON ST	BROOKLYN	NY	11233
9788177529	BUCKLEW KATHRYN ELIZABETH	3611 38TH ST NW	WASHINGTON	DC	20016
9788177970	BRADSHAW SHIRLEY M ETAL	106 CREST DR	CHAPEL HILL	NC	27516
9788178438	SHAW ANDREA	119 HUNTERS RIDGE RD	Chapel Hill	NC	27517
9788178456	WEBB GEORGE H	PO BOX 130	UPPER MARLBORC	MD	207730130
9788178636	HIGH ROAD LLC	34 VALLEY MEADOW	Chapel Hill	NC	27517
9788178772	ATWATER KATHY A	314 LINDSAY ST	CHAPEL HILL	NC	275162127
9788178923	MERRITT HENRY HRS	531 UZZLE ST	DURHAM	NC	27713
9788179279	VAUGHN WILLIAM EDWARD	206 KIRKWOOD DR	CHAPEL HILL	NC	27514
9788179334	FALK DONALD H	212 ANDREWS LN	CHAPEL HILL	NC	27516
9788179408	GORFKLE KEN	3 LANIER DR	CHAPEL HILL	NC	27517
9788179571	PERRY JUSTIN	2725 SARAZEN DR	MOUNT PLEASANT	SC	29466
9788179891	HABITAT FOR HUMANITY ORANGE COUNTY NC INC	88 VILCOM CENTER DR	CHAPEL HILL	NC	27514
9788184058	O'BRYANT A M E ZION CHURCH	509 CHAPEL ST	CHAPEL HILL	NC	275162012
9788185040	ROBINSON GINA B	320 MCDADE ST	CHAPEL HILL	NC	27516
9788185068	DEANS PAULETTE ETAL	503 CHAPEL ST	CHAPEL HILL	NC	275162012
9788186003	MCALLISTER JOHN S	1871 9TH STREET DR NW	HICKORY	NC	286011215
9788186078	EDWARDS KEITH M	314 MCDADE ST	CHAPEL HILL	NC	275162034
9788187199	NORTH STREET PROPERTIES LLC	705 GIMGHOUL RD	CHAPEL HILL	NC	27514
9788188186	BOOTH CHARLES A	306 MCDADE ST	CHAPEL HILL	NC	27516
9788188254	RUSHING JOHN W	119 MURRAY HILL DR	DURHAM	NC	27712
9788189128	BOOTH ANITA	304 MCDADE ST	CHAPEL HILL	NC	275162034
9788250968	ATP PROPERTIES LLC	273D BLUE POND RD	CLAYTON	NC	27520
9788251901	GIJOLU LLC	1434 ARBORETUM	Chapel Hill	NC	27517
9788260016	FEARRINGTON FRANK WYNNE	1006 E FRANKLIN ST	CHAPEL HILL	NC	275143220
9788260051	CIVIOK MARK ETAL	PO BOX 4062	CHAPEL HILL	NC	27515
9788260135	HUNT WILLIAM M	260B EDGEWOOD DR	Chapel Hill	NC	27517
9788260201	PRAZMA JIRI	807 KENMORE RD	CHAPEL HILL	NC	275141445
9788260736	WEST SIDE LIMITED PTNS & TRIANGLE V LIMITED PT	PO BOX 13004	DURHAM	NC	277093004
9788260770	COATES CHARLES J	5001 COLE MILL RD	Durham	NC	27705
9788261279	GRIFFIN ALFRED W	43 W 75TH ST #2A	NEW YORK	NY	10023
9788261416	FRANKLIN HOTEL INVESTORS LLC	157 E FRANKLIN ST	CHAPEL HILL	NC	27514
9788262039	NEVILLE ALMA HRS	625 CEDAR CLUB CIRCLE	CHAPEL HILL	NC	27517

9788262574	301 WEST FRANKLIN LIMITED PARTNERSHIP	PO BOX 2734	CHAPEL HILL	NC	27515
9788262905	WEST FRANKLIN PRESERVATION PARTNERS	106 SILO DR	CHAPEL HILL	NC	27514
9788263258	FISHER THOMAS G	920 COWPER ST	RALEIGH	NC	27608
9788263273	FISHER LEASING COMPANY INC	P O BOX 6579	RALEIGH	NC	27628
9788263324	BAUCOM CAROLYN C	P O BOX 2836	CHAPEL HILL	NC	27515
9788263876	RUMFELT JAMES M	P O BOX 520	SNOW CAMP	NC	273490520
9788263998	NORTH CAROLINA STATE OF	P O BOX 629	RALEIGH	NC	276020629
9788264019	LC PARTNERS LLC	PO BOX 3000	WHITSETT	NC	273773000
9788264535	213 LLC & 721 LLC	121 S ESTES DR STE 101	CHAPEL HILL	NC	27514
9788265246	LEE FREDRICK P	P O BOX 1021	WINONA	MN	559877021
9788265442	FISHER STEPHEN T ETAL	2804 WINNINGHAM RD	CHAPEL HILL	NC	27516
9788266200	SPENCER JAMES C III	121 MALLETT ST	CHAPEL HILL	NC	27516
9788266284	SPENCER CAROLINE R	PO BOX 385	CARRBORO	NC	27510
9788266395	KAIRYS PROPERTIES LLC	721 MT CARMEL CHURCH RD	Chapel Hill	NC	27517
9788268572	CHAPEL HILL FOUNDATION REAL ESTATE HOLDINGS	300 SOUTH BLDG CB#1000 UNC	CHAPEL HILL	NC	275991000
9788270532	RICHARDSON CASANDRA ETAL	450 WATSON BAY	STONE MT	GA	30087
9788270778	LASSITER CAROL	233 BUXBURY LN	DURHAM	NC	27713
9788271139	REGENCY WAREHOUSE LLC	PO BOX 530292	BIRMINGHAM	AL	35253
9788271872	PENDERGRAFT SALLIE S	403 CHURCH ST	CHAPEL HILL	NC	275162109
9788271901	WELLS RANDY	4701 TEE BOX CT	FUQUAY-VARINA	NC	27526
9788272090	LUX LIMITED PARTNERSHIP	750 WEAVER DAIRY RD 194	CHAPEL HILL	NC	27514
9788272240	KAPLAN INC	1015 WINDWARD RIDGE PKWY	ALPHARETTA	GA	30005
9788272240	INVESTORS TITLE COMPANY	121 N COLUMBIA ST	Chapel Hill	NC	27514
9788272240	A & K LLC	308 W ROSEMARY	CHAPEL HILL	NC	27516
9788272240	OFFICE LLC	SUITE 302	CHAPEL HILL	NC	27514
9788272240	BCJ GROUP	SUITE 307	CHAPEL HILL	NC	27516
9788272240	REDHAWK PROPERTIES LLC	502 DOGWOOD DR	Chapel Hill	NC	27516
9788272240	ZAITZ TRUST	P O BOX 2408	CHAPEL HILL	NC	27515
9788272240	KEEFE BERNADETTE	308 W ROSEMARY ST SUITE 401	CHAPEL HILL	NC	27516
9788272240	BOAK JEFFREY R	308 W ROSEMARY ST #305	CHAPEL HILL	NC	27516
9788272240	LIND CLIFFORD M	5463 S E MILES GRANT RD B105	STUART	FL	34997
9788272480	COX RICHARD JR	8523 CABIN GROVE DR	LEWISVILLE	NC	27023
9788272480	CORK RANDY	4 WINSLOW PL	CHAPEL HILL	NC	27517
9788272480	COCHE ROXANE	1960 N PARKWAY	MEMPHIS	TN	38112

9788272480	PODGORNY PROPERTIES OF CHAPEL HILL NC LLC	6 BLUEBIRD CT	DURHAM	NC	27713
9788272480	QURESHI AYYAZ M	816 OAK RIDGE DR	EDEN	NC	27288
9788272480	REDMON TIFFANY M	16015 KELLY PARK CIR	HUNTERSVILLE	NC	280782721
9788272480	GORE S TONY III	105 BRADFORD PL	CHAPEL HILL	NC	275176504
9788272480	HOLLAND HELEN H	891 WILLOW DR	CHAPEL HILL	NC	27514
9788272480	POLLOCK MARY LUCILLE	849 SHADY LAWN RD	CHAPEL HILL	NC	27514
9788272480	BOWERS CHRISTOPHER A	214 CONNOR DR #13	CHAPEL HILL	NC	27514
9788272480	420 CIVIC BLVD LLC	3301 DRYDEN CT	RALEIGH	NC	27609
9788272480	PORTER THOMAS J JR	1615 CHESTNUT ST	WILMINGTON	NC	28401
9788272480	MANSFIELD MELVA J	2113 ARENDELL ST	MOREHEAD CITY	NC	28557
9788272480	JENKINS MICHAEL S	P O BOX 2097	CHAPEL HILL	NC	275152097
9788272480	SHORT MARTHA ROSSITER	3224 CHAUCER DR	CHARLOTTE	NC	282104809
9788272480	COX RICHARD H III	92476 OHIO ST	KAPOLEI	HI	96707
9788272480	COX MICHAEL	5971 JOHNSON RD	CLOVER	SC	29710
9788272480	NEMEROFF CHARLES	1780 ESPANOLA DR	MIAMI	FL	33133
9788272480	ASPEGREN JOHAN	1785 DEER RUN CT	OAK RIDGE	NC	27310
9788272480	SINGLETON SEBRELL C	4034 MURPHY RD	FAYETTEVILLE	NC	28312
9788272480	LONG LINDA W	1805 OAK TREE DR	Chapel Hill	NC	27517
9788272480	SNYDER MICHAEL E JR	915 PEE DEE AVE	ALBEMARLE	NC	280015024
9788272480	211 CHURCH STREET LLC	1431 COVENTRY RD	CHARLOTTE	NC	28211
9788272480	GILBERT FAMILY 211 LLC	775 OAKLAWN AVE	WINSTON-SALEM	NC	27104
9788272480	D2 PROPERTIES LLC	108 MILLBRAE LN	CHAPEL HILL	NC	27514
9788272480	GJG FAMILY LIMITED PARTNERSHIP	346 2ND ST PL NW	HICKORY	NC	28601
9788272480	SYLVESTER LEON WARD III	PO BOX 295	RICHLANDS	NC	285740295
9788272480	STEVENS RICHARD Y	132 LOCHWOOD DR WEST	CARY	NC	275188301
9788272480	WALDEN ALEX	210 FOREST RUN PL	CARY	NC	27518
9788272480	BOWLES DORIS T	VILLA 102 CAROLINA MDWS	CHAPEL HILL	NC	275178511
9788272480	SPEISER SCOTT M	12018 WICKER DR	CHAPEL HILL	NC	27517
9788272480	EHRENFELD CHRISTOPHER D	50201 GOVERNORS DR	CHAPEL HILL	NC	27517
9788272480	PATHFINDER HOLDINGS LLC	2511 RIDGEWOOD RD	Chapel Hill	NC	27516
9788272480	HESTER JOHN F	2710 ROTHGEB DR	RALEIGH	NC	276097704
9788272690	HESTER JOSEPH M JR	4322 N BROWNTOWN	BATTLEBORO	NC	27809
9788272690	307D CHURCH STREET LLC	3022 LORIDAN WAY SE	ATLANTA	GA	30339
9788272690	REED MICHAEL L	6839 WATERSTONE XING SW	OCEAN ISLE BEACH	NC	28469



9788272741	STOTLER JAMES	309 CHURCH ST	CHAPEL HILL	NC	27516
9788273756	LAWLER DANIEL J	121 STINSON ST	CHAPEL HILL	NC	27516
9788273798	LLOYD BARTON JR ETAL	205 CARR ST	CHAPEL HILL	NC	275162105
9788273948	J W & S HOLDINGS LLC	2207 WHITE OAK RD	RALEIGH	NC	27608
9788274180	PUECH ANTOINE A	121 S ESTES DR	CHAPEL HILL	NC	27514
9788274215	RAM SHACK LLC	P O BOX 776	GREENVILLE	NC	278350776
9788274495	LAWLER DEVELOPMENT GROUP LLC	420 WESTWOOD DR	CHAPEL HILL	NC	27516
9788274656	LLOYD BARTON MYERS JR	106 JONES FERRY RD	CARRBORO	NC	27510
9788274696	MACIOLOWSKI ANTONI	2016 BILLABONG LN	CHAPEL HILL	NC	27516
9788274841	NOORANI SEZMIN S	203 CARR ST	CHAPEL HILL	NC	27516
9788274968	RUBISH & IVES RENTALS LLC	646 CHRISTOPHER RD	CHAPEL HILL	NC	27514
9788275353	CHAPEL HILL HOTELS LLC	100 DUNBAR ST	SPARTANBURG	SC	29306
9788275437	HOPPIN KIMBERLY	207 SHORT ST	CHAPEL HILL	NC	27516
9788275489	LONG LEONARD D II	205 SHORT ST	CHAPEL HILL	NC	27516
9788275750	JOESTING ROBERT M	204 SHORT ST	CHAPEL HILL	NC	27516
9788275796	BALLEW KATHERINE C	645 ROCK CREEK RD	CHAPEL HILL	NC	27514
9788275842	BUCHHOLTZ CHRISTOPHER F	108 GLEN HAVEN DR	CHAPEL HILL	NC	27516
9788275965	PARSONS CHRISTOPHER A	PO BOX 886	DEL MAR	CA	92014
9788276498	BELL FAMILY PROPERTIES LLC	PO BOX 1113	CHAPEL HILL	NC	27514
9788276524	WEIDEN CONRAD S	525 NORTH ST	CHAPEL HILL	NC	27514
9788276558	MALLETT ELIZABETH HRS	30180 RUFFINS	Chapel Hill	NC	27517
9788276574	MALLETT ELIZABETH G HRS	30180 RUFFIN	CHAPEL HILL	NC	27517
9788276712	L RIVERS PROPERTIES LLC	1013 ROOSEVELT DR	Chapel Hill	NC	27514
9788277462	ROSEMARY STREET LIMITED PARTNERSHIP	825 KENMORE RD	CHAPEL HILL	NC	27514
9788279172	126 WEST FRANKLIN LLC	919 E MAIN ST 14TH FLOOR	RICHMOND	VA	23219
9788279260	E A P WALKER LLC	P O BOX 506	HILLSBOROUGH	NC	272780506
9788280048	COWELL JOHN W III	4601 DUTCHESS LN	Durham	NC	27707
9788280076	HALL RICHARD A	311 W ROSEMARY ST	CHAPEL HILL	NC	27516
978828230	140 WEST CONCIERGE	140 WEST FRANKLIN STR	CHAPEL HILL	NC	27514

STATE OF NORTH CAROLINA

**REFUSE COLLECTION EASEMENT**

COUNTY OF ORANGE

Prepared by and RETURN TO: Eric W. Hinson, 1709 Legion Rd, Ste 229, Chapel Hill NC 27517

THIS REFUSE COLLECTION EASEMENT, (hereinafter **“Easement”**), is made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by **AMITY STATION, LLC**, a North Carolina limited liability company;

**LENDER**, joins in the execution of this instrument to provide its consent and subordination of its Deed(s) of Trust and other lien or security instruments to this Easement and the provisions hereof.

**WITNESSETH:**

WHEREAS, Amity Station, LLC is the owner of those certain adjacent tract(s) of real property located on the 300 block of West Rosemary Street, Chapel Hill, Orange County, North Carolina 27516, briefly described as follows:

<u>Address</u>	<u>Brief Legal</u>	<u>PIN:</u>
318 W. Rosemary	Lot 1	9788-xx-xxxx
320 W. Rosemary	Lot 2	9788-xx-xxxx
322 W. Rosemary	Lot 3	9788-xx-xxxx
324 W. Rosemary	Lot 4	9788-xx-xxxx
326 W. Rosemary	Lot 5	9788-xx-xxxx
328 W. Rosemary	Lot 6	9788-xx-xxxx

said tract(s) of real property being described and shown on that certain map and survey recorded in Plat Book \_\_\_\_, Page \_\_\_\_, Orange County Registry, which said map and survey is incorporated herein by reference for a more particular description of same;

WHEREAS, said Lots 2-6 [inclusive] (hereinafter **“Lots 2-6”**) do not have a location for the proper placement of a Refuse Collection System [as hereinafter defined] on their respective properties which can be serviced by the Town of Chapel Hill and/or a third-party vendor/contractor;

WHEREAS, said Lot 1 (hereinafter “**Lot 1**”) does have a location for the proper placement of a Refuse Collection System on its property which can be serviced by the Town of Chapel Hill and/or a third-party vendor/contractor;

WHEREAS, it is the desire of the owner(s) of said Lots 2-6 (hereinafter a “**User**”) to have a permanent, non-exclusive, easement for the use of the Refuse Collection System located upon said Lot 1 for the collection and removal of a said User’s refuse;

WHEREAS, the owner of said Lot 1 (hereinafter the “**Provider**”) has agreed to allow the User(s) a permanent, non-exclusive, easement for access to and use of the Refuse Collection System.

NOW, THEREFORE, Provider, in consideration of the recitals and premises, the mutual promises and covenants of the parties hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto each User a permanent, non-exclusive, easement upon the Provider’s real property, situated in the Town of Chapel Hill, Chapel Hill Township, Orange County, North Carolina, more particularly described as follows:

**that certain tract or area of land, being a portion of said Lot 1, containing \_\_\_\_\_ square feet or \_\_\_\_\_ acres, more or less, as shown on that certain map and survey recorded in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Orange County Registry, which said map and survey is incorporated herein by reference for a more particular description of same,**

(hereinafter the “**Easement Area**”).

The terms, conditions and restrictions of this Easement are as follows:

1. Recitals. The capitalized terms defined in the preamble are incorporated into this by reference. The recitals above are incorporated into this by reference.
2. Definitions. The term "Refuse Collection System" shall mean those certain facilities and infrastructure located within the Easement Area, including the refuse collection equipment, (e.g. dumpster(s)/compactor(s) and associated control(s)), the concrete pad upon which the same is located, any fence or other screening device, and the real property immediately adjacent thereto as reasonably necessary for the purposes described and intended herein.
3. Limitation of Easement. The easement granted herein is strictly for the permanent, non-exclusive, use of the Provider’s Refuse Collection System for the purposes described and intended herein and no other rights, privileges, licenses or easements are granted. Each User shall have the non-exclusive right of ingress, egress and regress (including pedestrian and vehicular) over and across the Provider’s said Lot 1 to, from and within the Easement Area for the use of the Refuse Collection System and the purposes of collection and removal of a User’s refuse. Provider shall not impound water; construct or install barriers; or, construct building or other improvements which might reasonably impair access to and the use of the Refuse Collection System within the Easement Area; but, Provider shall retain the fee simple ownership of the land subject to said easement.

4. Disclaimer of Warranties. **PROVIDER MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESS OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR FITNESS FOR A PARTICULAR USE OF THE REFUSE COLLECTION SYSTEM OR THE EASEMENT GRANTED HEREIN OR ANY PART THEREOF AND NO REPRESENTATION OR WARRANTY WITH RESPECT TO THE REFUSE COLLECTION SYSTEM OR THE EASEMENT OR ANY PART THEREOF GRANTED HEREIN IS GIVEN.** In no event shall the Provider be liable for any direct or indirect, incidental, special or consequential damage in connection with or arising out of the use of the Refuse Collection System or easement or the existence, functioning or use by anyone of any use or service provided for herein.

5. Care and Use. Each User, for itself, or any of its agents, contractors, tenants, sub-tenants, invitees, and/or employees, or the agents, contractors, tenants, sub-tenants, invitees, and/or employees of same hereby covenant and warrant that they shall only use the Easement Area and the Refuse Collection System for the purposes described and intended herein and shall not cause nor allow to be caused any action or omission of action which would cause any damage, including but not limited to environmental damage, to the real or personal property of the Provider and shall comply with all applicable laws, statutes, ordinances, rules or regulations that apply or may hereafter apply to the easement granted herein or to the uses for which the easement were created or intended.

6. Rules and Regulations. This Easement shall be subject to such reasonable rules and regulations as may be promulgated from time to time by the Provider, written notice of same to be made to each User of record, by first class mail, postage prepaid at its last known address.

7. Monthly Assessments. It is anticipated that the collection and removal of each User's refuse will be in common with the collection and removal of the Provider's refuse by a single third-party vendor/contractor. As such, each User shall be responsible for and shall bear one-sixth (1/6) of the cost and expense for the leasing, operation, routine maintenance and collection services fees directly related to the Refuse Collection System, it being agreed that the purpose of the Monthly Assessments shall be the payment of these expenses only. Provider shall establish the initial Monthly Assessments, based solely on the estimated expenses. Thereafter, Provider may adjust the Monthly Assessments from time to time to account for any change in the actual estimated expense of the Refuse Collection System as set forth in this paragraph. Any change in the amount of the Monthly Assessment shall become effective as determined by Provider, but in any event not earlier than thirty (30) days from the delivery of prior written notice of any such change sent to said User of record, by first class mail, postage prepaid at its last known address.

The Monthly Assessments shall be paid to the Provider by a User, directly or indirectly, on or before the first (1<sup>st</sup>) day of each month. A late fee charge of \$25.00 or five percent (5%), whichever is greater, shall be assessed for any Monthly Assessment not received by the tenth (10<sup>th</sup>) day of the month in which the same becomes due and payable. In the event of a User's default in payment of any Monthly Assessment, which is not cured by the twentieth (20<sup>th</sup>) day of the month in which the same becomes due and payable, Provider shall have the right to terminate said User's rights under this Easement upon written notice thereof and accelerate payment of balance of any outstanding assessments due at the time of said termination.

8. Special Assessments. In addition to the Monthly Assessments set forth above, Provider shall have the right to make reasonable repairs or replacements or to perform any work or modification to the Refuse Collection System directly related to the compliance with the uses contemplated by this Easement or to comply with the requirements of any applicable laws, statutes, ordinances, rules or regulations. Each User shall be responsible for and shall bear one-sixth (1/6) the cost and expense of such repair, replacement, work or modification. Sixty (60) days prior to the commencement of any repair, replacement, work or modification, written notice of the proposed endeavors, (and estimates thereof), shall be made to all User(s) of record, by first class mail, postage prepaid at its last known address. Payment of such Special Assessments shall be due within thirty (30) days of written notice of same. A late fee charge of \$25.00 or five percent (5%), whichever is greater, shall be assessed for any Special assessments not received within ten (10) days of the date in which the same becomes due and payable. In the event of a User's default in payment of any Special Assessments, which is not cured by the within twenty (20) days of the date in which the same becomes due and payable, Provider shall have the right to terminate said User's rights under this Easement upon written notice thereof and accelerate payment of balance of any outstanding assessments, due at the time of said termination.

9. Lien and Personal Obligation for Assessment(s). Each assessment provided for in this Easement, together with late charges, other costs, interest from and after the due date of such assessments at the rate of one and one-half percent (1 1/2%) per month and collection costs, including reasonable attorneys' fees, shall be a charge on and continuing lien upon a defaulting User's real property, when a notice of such lien has been filed with the Clerk of Superior Court of Orange County, North Carolina and in a manner provided in Chapter 44A of the North Carolina General Statutes, as amended; provided that such notice of lien shall not be filed until thirty (30) days after the same shall become due. Such notice of lien shall also secure any assessment(s) becoming due thereafter until the lien has been satisfied. ***Provider may bring enforcement of the lien in law or equity and Provider is specifically granted the power of sale and the right to foreclose the lien pursuant to Chapter 45 of the North Carolina General Statutes, as amended.***

In addition, each User shall be personally liable for any assessments which becomes due and payable. Each User shall be entitled to a statement from Provider setting forth an account of any unpaid assessments, late charges, other costs, interest and collection costs, and a grantee of said User shall not be liable for, nor shall the said User's real property conveyed be subject to a lien for any unpaid assessments in excess of the amount set forth in a true statement thereof.

10. Effect of Non-payment of Assessments. During any period in which a User shall be in default in payment of any assessments, the same not being paid within twenty (20) days of its due date, in addition to or in lieu of the other remedies contained herein, Provider may suspend the rights and privileges granted herein until all unpaid assessments, late charges, other costs, interest and collection costs have been paid in full. Additional costs and expenses incurred by a defaulting User may include the cost of "re-keying" of the Refuse Collection System necessitated by User's default and the resulting suspension.

11. Priority of Lien. The lien for assessments as provided for herein shall be prior and superior to all other liens except: (a) ad valorem property taxes; (b) the lien of all first deeds of trust, [and any second deed of trust should Provider agree to such subordination in a writing duly recorded; a User shall be entitled to and Provider shall grant such subordination if a User is current on all

assessments and has made timely payment of same for six (6) months preceding such subordination request, the preparation of which shall be at no cost to Provider]; or (c) any lien of record prior to the recording of this Easement. The sale or transfer of a User's real property shall not affect the assessments against such real property; provided that the sale or transfer of a User's real property pursuant to a foreclosure sale, execution sale, or deed in lieu of foreclosure by the holder of a first deed of trust or a superior lienholder shall extinguish the lien against the User's real property, but no such sale or transfer shall relieve such real property from liability for any assessments thereafter becoming due or for any future lien in connection therewith. Provider shall share in the excess, if any, realized by the foreclosure or execution sale instituted by the holder of a first deed of trust or a superior lienholder, in accordance with the provisions of Chapter 45 of the North Carolina General Statutes, as amended.

12. Indemnification. Each User, to the extent allowed by law, shall hold Provider, its successors, heirs and assigns, harmless and indemnify the same from and against any and all claims, judgments, transgressions, losses, demands, damages, penalties, fines, costs and liabilities, (including sums paid in settlement of claims), or causes of action of any kind, character or nature, known or unknown, at law or in equity, in contract, tort or under statute or otherwise, for, or in connection with, any environmental matter, accident, loss of life, injury or damage whatsoever caused to any person or property, and from payment of monies or otherwise, arising directly or indirectly, out of the use or related to or arising out of the operation of the rights and easements granted herein and from and against any and all costs, expenses and liability incurred, including reasonable attorney's fees, consultant fees and expert fees, (with attorneys, consultants and experts selected by the Provider, its successors, heirs and assigns), in connection with such claim or proceeding. The indemnification provisions contained herein and borne by a User shall extend to (a) any act of negligence; (b) any violation of applicable laws, statutes, ordinances, rules or regulations; and/or (c) the breach of any covenant or warranty of this Easement by a User or any of its agents, contractors, vendors, tenants, sub-tenants, invitees, and/or employees, or any agent, contractor, vendor, tenant, sub-tenant, invitee, and/or employee of same; provided Provider shall not be held harmless from liability caused by the active conduct or instrumentalities of Provider, its agents, contractors, vendors, tenants, sub-tenants, invitees, and/or employees, or any agent, contractor, vendor, tenant, sub-tenant, invitee, and/or employee of same or by acts or omissions which violates the terms and conditions of this Easement. The indemnification provisions contained herein shall survive the termination, extinguishment, lapse or abandonment of the Easement granted herein.

13. Non-Financial Violation. In the event Provider is of the commercially reasonable opinion that a User is in non-compliance or violation of the terms, conditions or restrictions of this Easement, Provider may immediately suspend the rights and privileges granted herein until said non-compliance or violation is cured. Contemporaneously with such suspension, Provider shall provide written notice of the non-compliance or violation to the violating User of record, by first class mail, postage prepaid at its last known address and said notice shall be reasonably descriptive to appropriately identify the non-compliance or violation. If the non-compliance or violation is not cured by the within thirty (30) days of the date of the written notice, Provider shall have the right to terminate said User's rights under this Easement upon written notice thereof and accelerate payment of balance of any outstanding assessments, due at the time of said termination.

14. Covenants Running with the Land. The rights, easements and obligations of this Easement shall run with the land and shall inure to the benefit of, and shall be binding upon, Provider and each User, their successors, heirs and assigns.

15. Governing Law. This Easement shall be governed by and construed under the laws of the State of North Carolina.

16. Headings. The section headings as set forth in this Easement are for convenience or reference only and shall not be deemed to vary the content of this Easement or limit the provisions or scope of any section herein.

17. Pronouns and Terms. In this Easement, whenever the context so requires: (a) the masculine gender includes the feminine and/or neuter; (b) the neuter includes the feminine and/or masculine; (c) the singular includes the plural; and (d) the use of the word "including" shall not be deemed to limit the generality of the term or clause to which it has reference, whether or not non-limiting language (such as "without limitation," or "but not limited to," or words of similar import) is used with reference hereto.

18. Modification and Waiver. A modification of any of the provisions of this Easement shall be effective only if made in writing and executed with the same formality as this Easement. The failure of either party to insist upon strict performance of any of the provisions of this Easement shall not be construed as a waiver of any subsequent default of the same or similar nature.

19. Severability. It is expressly understood and agreed that in the event of any one or more of the provisions of this shall be unenforceable for any reason, the remaining portions of this shall, nevertheless, remain in full force and effect, and the unenforceable provision or provisions shall be reformed to form enforceable provision or provisions consistent with the intent of the parties as evidence herein.

20. Binding Effect. This Easement shall be binding on the parties, and their respective officers, owners, partners, members, directors, shareholders, agents, contractors, vendors, tenants, sub-tenants, invitees, and/or employees, or the agents, contractors, vendors, tenants, sub-tenants, invitees, and/or employees of the same, and their respective successors, heirs and/or assigns.

21. No Merger. **In the event that there is an identity of interest between Provider and a User, such that the interests are identical or mutual, no merger of such interests shall be deemed to occur.**

*[remainder of page intentionally left blank]*

TO HAVE AND TO HOLD all the rights, privileges and easements as aforesaid, in, under, upon, upon, along and through said premises, for the past, present and future use thereof and for all purposes which a User is authorized by law to use or subject the same.

And Amity Station, LLC the Provider covenants with each User, that Amity Station, LLC is seized of the premises in fee simple, has the right to convey the same by easement as indicated, that title thereto is marketable and free and clear of all encumbrances, and that Amity Station, LLC will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

- Restrictions, covenants, easements and rights-of-way of record.
- Ad valorem property taxes for current and subsequent years.
- Such matters as would be disclosed by a survey and physical inspection of the subject property.
- This conveyance is made, and each and every User, upon recordation of this instrument, acknowledges and accepts the subject property in its “AS-IS, WHERE-IS” physical condition and “WITH ALL FAULTS”, and other than the title warranties contained in this instrument, this conveyance is made without any representations or warranties of any kind, express or implied, including without limitation, any representations or warranties of habitability or merchantability.

*[Signature Page Follows]*



IN WITNESS WHEREOF, Amity Station, LLC has executed this Easement as of the day and year first above written.

**Amity Station, LLC**

By: \_\_\_\_\_ (Seal)  
Larry T. Short, Manager

\*\*\*\*\*

**STATE OF NORTH CAROLINA, COUNTY OF ORANGE ss:**

I, \_\_\_\_\_, a Notary Public of the County of \_\_\_\_\_, State of North Carolina, do hereby certify that Larry T. Short, personally appeared before me this day and acknowledged that (s)he is a Manager of Amity Station, LLC, a North Carolina Limited Liability Company and further acknowledged the due execution of the foregoing and annexed instrument on behalf of the said limited liability company.

Witness my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

*(Official Seal or Stamp)*

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

\*\*\*\*\*

**JOINDER, CONSENT AND SUBORDINATION OF LENDER**

LENDER, (“Lender”), owner and holder of a note secured by:

- (1)
- (2)
- (3)
- (4)

[collectively the “**Security Instruments**”]

hereby consents to the execution, delivery and recording of the foregoing Easement to which this Joinder, Consent and Subordination of Lender is attached and agrees that any subsequent foreclosure of the Security Instruments shall not extinguish the Easement and that the Security Instruments, the liens created thereby, and Lender’s interest and Trustee’s interest (if any) in the property described therein by virtue of the Security Instruments, are, and shall be, subject and subordinate to the Easement and the provisions thereof.

IN WITNESS WHEREOF, the undersigned has duly executed these presents under due authority as of this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

**LENDER,**  
a \_\_\_\_\_ banking \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\*\*\*\*\*

STATE OF \_\_\_\_\_, \_\_\_\_\_ COUNTY ss:

I, \_\_\_\_\_, a Notary Public of the State of \_\_\_\_\_

\_\_\_\_\_, County of \_\_\_\_\_, do hereby

certify that the following person(s) personally appeared before me this day, acknowledging to me that

they voluntarily signed the foregoing document for the purpose stated therein and in the capacity

indicated: \_\_\_\_\_

\_\_\_\_\_ [Printed Name(s) & Title(s)] of **LENDER,**

a \_\_\_\_\_ banking \_\_\_\_\_, executed the

foregoing on behalf of the same for the purposes stated therein.

Witness my hand and notarial seal, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Official Seal or Stamp)

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

\*\*\*\*\*



148 Stone Park Court | Durham, NC 27703 | 919.596.1363

2 February 2020

318 Rosemary Mixed – Use  
318 W Rosemary Street  
Chapel Hill, NC 27516

To Whom It May Concern,

GFL Environmental is a private waste collector headquartered in Raleigh, NC. We verify that we have reviewed the plans dated 17 March 2017 (Sheet C200), provided by Coulter Jewell Thames P.A.. Based upon these plans, GFL Environmental has the capabilities to provide municipal solid waste and commingled recycling service to the project at 318 W Rosemary Street, located in Chapel Hill, NC.

Regards,

A handwritten signature in black ink, appearing to read "J. McMillan", written over a horizontal line.

Jason McMillan  
Account Manager  
GFL Environmental



Coulter | Jewell | Thames, PA

111 WEST MAIN STREET  
DURHAM, NC 27701  
p 919.682.0368 f 919.688.5646

Planning for the Future

April 20, 2020

Town of Chapel Hill – Stormwater Management  
208 N. Columbia Street  
Chapel Hill, NC 27514

Re: 318-324 W. Rosemary Mixed-Use  
Site Plan  
Stormwater Impact Statement


To Whom It May Concern:

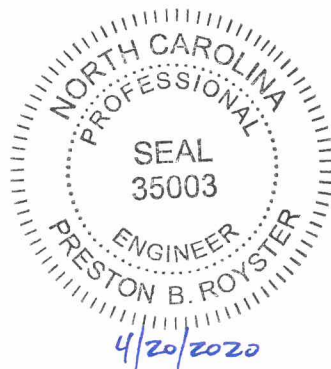
These projects located at 318-324 W. Rosemary Street are considered to be a larger common plan of development by the Town of Chapel Hill's Stormwater Management Department. Proposed work involves the redevelopment of the project sites with the construction of multifamily buildings and the associated infrastructure. The sites are located in the Jordan Lake sub-basin of the Cape Fear Basin and is not inside the Chapel Hill Watershed Protection District.

As a result of the proposed development, there is a decrease in impervious surface proposed for the entire site. The proposed development does not alter the current drainage patterns. As a result of the proposed decrease in impervious surface, there will be no increase in peak flow or runoff volume for this project. Additionally, since there is no net increase in impervious surfaces, no treatment for 85% TSS removal is proposed. For these reasons, no stormwater BMPs are proposed for this project. In addition, no stormwater impact statement has been prepared for this project.

Please feel free to contact me should you have any questions or comments.

Sincerely,  
Coulter Jewell Thames, PA

  
Preston B. Royster, P.E.  
Project Manager



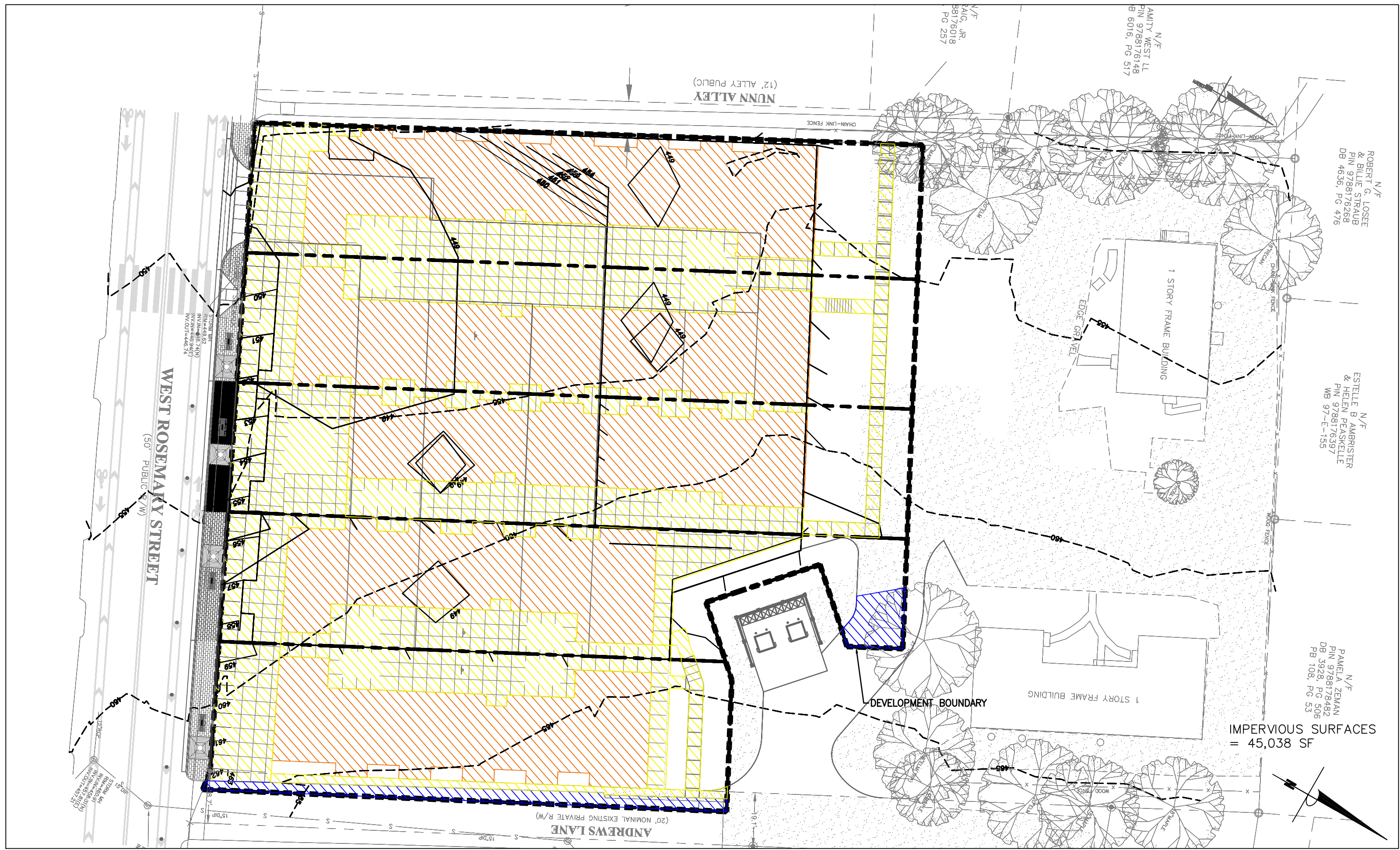


N/F  
 ROBERT G. LOSEF  
 & BILLIE STRAUB  
 PIN 9788176268  
 DB 4636, PG 476

N/F  
 ESTELLE B AMBRISTER  
 & HELEN PEASKELLE  
 PIN 9788176397  
 WB 97-E-155

N/F  
 PAMELA ZEMAN  
 PIN 9788178482  
 DB 3928, PG 506  
 PB 108, PG 53

IMPERVIOUS SURFACES  
 = 45,565 SF



COULTER JEWELL THAMES, PA  
 111 WEST MAIN STREET  
 DURHAM, NC 27701  
 (919) 682-0368

**POST-DEVELOPMENT**  
 AMITY STATION

IMPERVIOUS SURFACES  
 = 45,038 SF

APRIL 17, 2020  
 SCALE: 1"=30'  
 DRAWN BY: TRM

N/F  
 AMITY WEST LL  
 PIN 9788176148  
 PB 6016, PG 517

N/F  
 ROBERT G. LOSEF  
 & BILLIE STRAUB  
 PIN 9788176268  
 DB 4636, PG 476

N/F  
 ESTELLE B AMBRISTER  
 & HELEN PEASKELLE  
 PIN 9788176397  
 WB 97-E-155

N/F  
 PAMELA ZEMAN  
 PIN 9788178482  
 DB 3928, PG 506  
 PB 108, PG 53



Coulter | Jewell | Thames, PA

111 WEST MAIN STREET  
DURHAM, NC 27701  
p 919.682.0368 f 919.688.5646

Planning for the Future

March 17, 2017

Town of Chapel Hill – Planning & Transportation Departments  
208 N. Columbia Street  
Chapel Hill, NC 27514

Re: 318, 320, 322, 324, 326 Rosemary Mixed Use  
TIA Exemption Request


To Whom It May Concern:

This cover letter is a formal request for a TIA exemption, as outlined in the support materials, for the Site Plan submittals for 318 through 326 West Rosemary St. Although the five projects identified above are being submitted and permitted separately, we have chosen to evaluate the collective traffic impact, as a worst case scenario. As outlined in the attached materials, if all five projects were completely built out, the total Average Daily Trips would result in a net reduction from the existing, which would qualify this project for an exemption, as outlined in the Chapel Hill Guideline for Traffic Impact Analysis (less than 500 net trip increase or 250 vehicles per day).

We have submitted the attached documentation and are waiting for approval to submit the formal request.

Please feel free to contact me should you have any questions or comments.

Sincerely,  
Coulter Jewell Thames, PA



Jeremy S. Anderson RLA  
Project Manager



**Trip Generation Rates Summary  
Proposed Rezoning, Chapel Hill, NC**

Trip Generation Results									
Land Use Code	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
220	Apartment	100 du	665	10	41	51	40	22	62
710	General Office	5,500 sf	61	8	1	9	1	7	8
932	High Turnover/Sit Down Restaurant	-6,900 sf	-877	-41	-34	-75	-41	-27	-68
	<i>Development Total</i>		<i>-151</i>	<i>-23</i>	<i>8</i>	<i>-15</i>	<i>0</i>	<i>2</i>	<i>2</i>

## Notes:

1. Land Use Code was determined based on ITE Trip Generation, 9th Edition
2. Due to the small sizes of the proposed uses, trip generation was conducted based on average rates.
3. To be conservative, internal capture between mixed uses was not assumed.
4. To be conservative, multimodal reduction was not assumed.

**From:** [Jeremy Anderson](#)  
**To:** "Kumar Neppalli"  
**Subject:** RE: Apartment Building - Rosemary St.  
**Date:** Thursday, March 09, 2017 1:51:00 PM

---

Kumar,  
Following up on this.  
Thanks

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Jeremy Anderson [mailto:janderson@cjtpa.com]  
**Sent:** Wednesday, March 01, 2017 5:34 PM  
**To:** 'Kumar Neppalli' <kneppalli@townofchapelhill.org>  
**Subject:** RE: Apartment Building - Rosemary St.

Thanks Kumar.  
I'll wait to hear from you.

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Kumar Neppalli [<mailto:kneppalli@townofchapelhill.org>]  
**Sent:** Monday, February 27, 2017 12:06 PM  
**To:** Jeremy Anderson <[janderson@cjtpa.com](mailto:janderson@cjtpa.com)>  
**Subject:** RE: Apartment Building - Rosemary St.

Jeremy,

I need to discuss this with few other key staff before I can make a recommendation. Will get back to you later this week.

Kumar

**From:** Jeremy Anderson [<mailto:janderson@cjtpa.com>]  
**Sent:** Monday, February 27, 2017 10:54 AM  
**To:** Kumar Neppalli <[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>  
**Subject:** RE: Apartment Building - Rosemary St.

Kumar,  
See attached from VHB. The removal of the Breadmen's restaurant nets an overall trip reduction for the potential project. Please confirm this meets the criteria for exemption.

With your authorization, we will send a \$350 check fee to Town, via your office.

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Jeremy Anderson [mailto:[janderson@cjtpa.com](mailto:janderson@cjtpa.com)]  
**Sent:** Tuesday, February 14, 2017 4:26 PM  
**To:** 'Kumar Neppalli' <[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>  
**Subject:** RE: Apartment Building - Rosemary St.

Kumar,

See attached from VHB. The removal of the Breadmen's restaurant nets an overall trip reduction for the potential project.

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Kumar Neppalli [mailto:[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)]  
**Sent:** Tuesday, February 14, 2017 12:45 PM  
**To:** Jeremy Anderson <[janderson@cjtpa.com](mailto:janderson@cjtpa.com)>  
**Subject:** RE: Apartment Building - Rosemary St.

Hi Jeremy,

Please revise the trip generation table to show the net increase and/or decrease in trips and email me. Thanks.

Kumar

**From:** Jeremy Anderson [mailto:[janderson@cjtpa.com](mailto:janderson@cjtpa.com)]  
**Sent:** Tuesday, February 14, 2017 10:41 AM  
**To:** Kumar Neppalli <[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>  
**Subject:** RE: Apartment Building - Rosemary St.

Kumar,

I forgot to mention that was the trip generation provided, this does not deduct the existing traffic generated by the current use (Breadmen's restaurant). Even though the Trip Generation provided is below the 500 required to require a TIA, the deduct of the existing use would deduct the net increase well below.

Sorry for omitting this from my previous email.

Thanks

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Jeremy Anderson [mailto:[janderson@cjtpa.com](mailto:janderson@cjtpa.com)]  
**Sent:** Friday, February 10, 2017 3:04 PM  
**To:** 'Kumar Neppalli' <[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>  
**Subject:** RE: Apartment Building - Rosemary St.

Thanks Kumar,

Please find attached the information you requested to evaluate this request.

Attached is the trip generation prepared by VHB and a site exhibit showing the location of the driveway. This would be the only driveway for the project, and as outlined previously, we do not have a site plan prepared that parking, but you can assume a surface parking lot.

With your authorization, we will send a \$350 check fee to Town, via your office.

Thanks

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Kumar Neppalli [mailto:[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)]  
**Sent:** Monday, January 30, 2017 9:21 AM  
**To:** Jeremy Anderson <[janderson@cjtpa.com](mailto:janderson@cjtpa.com)>  
**Subject:** RE: Apartment Building - Rosemary St.

Hi Jeremy,

In order to review and approve TIA exemption we need to understand the traffic circulation including any changes to the driveways. Therefore, We need to see at least a preliminary site plan.  
Thanks.

Kumar

**From:** Jeremy Anderson [mailto:[janderson@cjtpa.com](mailto:janderson@cjtpa.com)]  
**Sent:** Friday, January 27, 2017 3:19 PM  
**To:** Kumar Neppalli <[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)>  
**Subject:** RE: Apartment Building - Rosemary St.

Kumar,

We don't yet have a site plan developed. Could I send a plot map of the parcel?

Jeremy S. Anderson  
Coulter Jewell Thames P.A.

**From:** Kumar Neppalli [mailto:[kneppalli@townofchapelhill.org](mailto:kneppalli@townofchapelhill.org)]  
**Sent:** Friday, January 27, 2017 2:38 PM  
**To:** Jeremy Anderson <[janderson@cjtpa.com](mailto:janderson@cjtpa.com)>

**From:** Edwards, Charles N  
**Sent:** Tuesday, March 21, 2017 9:12 PM  
**To:** Jeremy Anderson  
**Cc:** DeAngelo Jones; Judy Johnson; Kay Pearlstein; Jared Martinson; Larry T. Short; Doug Jewell; Kumar Neppalli; Chris Jensen  
**Subject:** Re: 318 - 326 Rosemary Mixed Use - West Rosemary St.

Jeremy,

I do not anticipate any required action by NCDOT on this development. It is not necessary to submit any additional materials to us. As always, we are happy to provide any needed assistance to you and the Town.

Charles N. Edwards Jr., PE (Chuck)  
District Engineer  
N. C. Department of Transportation  
Division of Highways  
Division 7, District 1

[336 570 6833](tel:3365706833)  
[cnedwards@ncdot.gov](mailto:cnedwards@ncdot.gov)

[115 East Crescent Square Drive](#)  
[P. O. Box 766](#)  
[Graham, NC 27253](#)

On Mar 21, 2017, at 5:38 PM, Jeremy Anderson <[janderson@cjtpa.com](mailto:janderson@cjtpa.com)> wrote:

Chuck/DeAngelo,

We submitted Site Plans to the Town of Chapel Hill yesterday for five separate site plans on W. Rosemary Street. Each project is Mixed-Use, with 20 residential units and 1,000sf of office, and parking under the building.

The five site plans are immediately adjacent to each other, have been submitted as separate projects, but would ultimately share one driveway access onto West Rosemary Street. Attached are the Site Plan sheets from each of the submittal packages.

We understand West Rosemary St. is a Town street, not NCDOT's, thus before sending you a truck load of paperwork to review, I wanted to send PDF's and ask if you wanted full hard copy site plan package for each of the five Site Plans to review.

Lastly, we have requested a TIA exemption from Kumar. Per the attached Trip Generation, the ADT for the five combined projects nets an overall reduction in trips based on the fact that the existing restaurant use on this site would go away with the construction of this project.

Please advise if you do want paper hard copies of the 5 separate plans sets.

Thanks

Mhnp | #7#Dqghvrg#JOD/#DHG#S  
#  
Frroh#nzh#kdp hv#D#  
Hqj lnhubj#Ddgyfdsh#Dufkhwuh#Ddgg#vxyh|lj  
444#z hw# d#whw#SR#r(#45  
Gxkdp /#F#5::34  
wk4<D;5B69;  
ik4<D;;;B979  
[moghvrc fwsdfrp](#)

- <320 Rosemary-C200 Site Plan.pdf>
- <318 Rosemary - C200 Site Plan.pdf>
- <322 Rosemary - C200 Site Plan.pdf>
- <324 Rosemary - C200 Site Plan.pdf>
- <326 Rosemary - C200 Site Plan.pdf>
- <Trip Generation Update - 20170227.pdf>

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Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

**To:** Nick Parker  
**Cc:** Preston Royster  
**Subject:** RE: 318-326 W. Rosemary

Nick,  
Good morning. Please find attached our resubmittal for **322 Rosemary**.

- Response to comments
- Project Fact Sheet
- Revised Site Plans

We will be in touch regarding the BFP's and if we need to apply for variance to have them within the sprinkler riser room in lieu of in the streetscape.

Jeremy S. Anderson  
Coulter Jewell Thames P.A.  
t.919.682.0368

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**From:** Nick Parker <nparker@owasa.org>  
**Sent:** Thursday, April 2, 2020 11:21 AM  
**To:** Jeremy Anderson <janderson@cjtpa.com>; Preston Royster <proyster@cjtpa.com>  
**Cc:** Dan Jewell <djewell@cjtpa.com>; Jessica Godreau <jgodreau@owasa.org>; J Johnson <jjohnson@townofchapelhill.org>  
**Subject:** 318-326 W. Rosemary

Jeremy and Preston,

I reviewed the 5 sets of drawings and have comments for you to address:

- Backflow preventers must be located outside.
- If any of the "Business" areas will be for restaurants or food prep, include exterior space for grease interceptor. If it is known that a restaurant will be at any of the units, submit information for grease interceptor
- Shift dry fire line to be at least 10-ft away from sanitary sewer mains, manholes, and meter vaults.
- If there will be any floor drains, from interior parking areas, connecting to sanitary sewer, include oil water separators.
- If there will be hydraulic elevator shafts that need a discharge to sanitary, include a device to keep oil from being pumped. Don't know if Stancore's Oil Minder is still around but that device is specifically approved.
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If these are 5 different projects with different schedules, we will need to treat them as separate projects. Since each includes only new service connections to existing main, permitting via DWR won't be necessary but each project will require the following items:

- Project Fact Sheet
- Payment of Plan Review fee - \$200 per project, required with your next submission. We will need to collect payment for the Construction Observation fee before we can approve construction drawings.
- Certificate of Compliance
- Meter Request Form

Please plan to submit the next round by email or link. Most of us will be working from home for a while.