



CONSIDER AN APPLICATION FOR SPECIAL USE PERMIT MODIFICATION - STATE EMPLOYEE CREDIT UNION (SECU) FAMILY HOUSE EXPANSION

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES
 Ben Hitchings, Director
 Judy Johnson, Interim Operations Manager
 Kay Pearlstein, Senior Planner

PROPERTY ADDRESS 123 Old Mason Farm Road	PUBLIC HEARING DATE November 15, 2017	APPLICANT Coulter Jewell Thames PA
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TOWN MANAGER’S RECOMMENDATION

I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the application with the conditions in the attached Revised Resolution A.

UPDATES SINCE PUBLIC HEARING

Resolution A has been revised to: 1) require the applicant to install a bus shelter at the existing bus stop on Old Mason Farm Road; 2) add conditions for Lighting Plan and Construction Management Plan; 3) correct a stipulation for an Erosion Control bond to be approved by the State; and 4) extend Construction Start and Completion dates.

PROCESS

The application is before the Council for approval of a Special Use Permit Modification. The Council must consider the **four findings** for approval of a Special Use Permit, including that the use or development:

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

DECISION POINTS

The proposed development requests a Modification to Regulations for the following:

- Reduce vehicular parking by 14 spaces to allow a minimum of 111 spaces.
- Reduce bicycle parking by 4 spaces to allow a minimum of 12 spaces.
- Reduce northern buffer type and width to double the amount of understory planting to include evergreen trees reducing visibility into the site.
- Reduce southern buffer type and width to require only large trees.
- Eliminate eastern buffer as existing woodland and vacant property is on the east.
- Reduce Ronald McDonald House western buffer type and width to plant only the northern 25% of the buffer to increase visual buffer to Highland Woods.

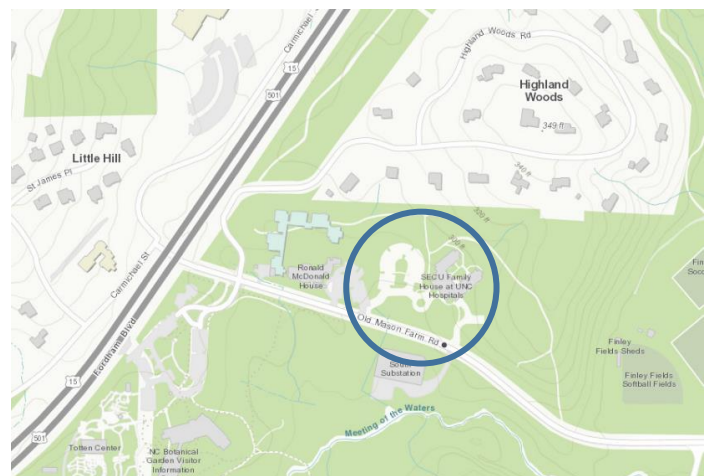
PROJECT OVERVIEW

The applicant proposes expansion on a 10.4-acre site containing an existing 34,336 sq. ft. residential support facility associated with the University of North Carolina hospital system.

The applicant proposes a 28,000 sq. ft. addition providing residential support for 40 families who have family members at UNC Hospital. The applicant also proposes additional parking for 52 vehicular spaces for 111 on-site vehicular spaces.

The property is leased from the University of North Carolina at Chapel Hill and an expansion to the lease area is proposed with this application to accommodate the new addition.

PROJECT LOCATION



ATTACHMENTS

1. Changes to Revised Resolution
2. Revised Resolution A
3. Resolution B
4. Draft Staff Presentation
5. Submitted Plans
6. Application Form
7. Project Summary Form
8. Response to Standards

PROPERTY ADDRESS 123 Old Mason Farm Road	PUBLIC HEARING DATE November 15, 2017 ¹	APPLICANT Coulter Jewell Thames PA
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NEW AND AMENDED STIPULATIONS INCLUDED IN REVISED RESOLUTION A

1. Bus Shelter: That the developer install a new bus shelter at the existing stop on the north side of Old Mason Farm Road in front of the Ronald McDonald House prior to issuance of a Certificate of Occupancy.

Staff Response: At the November 15, 2017 Public Hearing, a council member supported the Planning Commissioner's recommendation for a bus shelter at the existing Old Mason Farm Road bus stop. We have added a new stipulation in Revised Resolution A to reflect this request, and the applicant has agreed to it.

2. Lighting Plan: That prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan with foot-candles; cross sections through the site including Highland Woods, depicting vehicle light screening; providing for adequate lighting on public sidewalks, including driveway crossings, and beneath awnings demonstrating compliance with Town standards, sealed by a Professional Engineer, for Town Manager review and approval. [LUMO 5.11]

Staff Response: At the November 15, 2017 public hearing concern was expressed by adjacent neighbors in Highland Woods with possible light spillage from the proposed parking lot following construction completion. We added additional conditions to the existing Lighting Plan stipulation in Revised Resolution A to address the concern. The proposed parking lot is located below the adjacent Highland Woods neighborhood due to the sloping site. Mid-level landscape buffers proposed along the property line will help screen and shield vehicle lights from the neighborhood. Section 5.11.4 of the Land Use Management Ordinance requires no more than 0.3 foot-candle may trespass onto adjacent property.

3. Construction Management Plan: That a Construction Management Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods (Old Mason Farm Road, Ronald McDonald House, Highland Woods Drive, or specific locations on the Family House site), no spillover of vehicle lights onto adjacent neighbor's properties 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance. [LUMO 4.5.2, TOWN CODE 17-42]

Staff Response: At the November 15, 2017 public hearing, a Highland Woods neighbor expressed concern with potential construction workers parking in adjacent residential neighborhoods. We have added additional conditions to the Construction Management Plan stipulation in Revised Resolution A.

4. Noise: That prior to issuance of a Zoning Compliance Permit, the developer demonstrate the HVAC units are in compliance with the Town's Noise Ordinance. [TOWN CODE 17-42]

Staff Response: At the November 15, 2017 public hearing, a Highland Woods neighbor expressed concern with potential noise levels and visual screening of proposed HVAC Units associated with the new addition. We have added a stipulation to Revised Resolution A. HVAC units are proposed on the rear of the new addition, facing Highland Woods. The applicant is agreeable to conduct a test to measure noise levels from the HVAC units based on decibels and distance from adjacent neighbor's houses and/or decks. The applicant says the proposed new HVAC units are built to minimize noise.

¹ http://chapelhill.granicus.com/MediaPlayer.php?view_id=7&clip_id=3364&meta_id=180450

The units are also proposed to be screened with landscaping.

5. Erosion Control Permit: An erosion control permit approval from North Carolina Division of [Energy, Mineral and Land Resources](#)² is required for land disturbance of one acre or more.

Staff Response: The property is owned by the University of North Carolina and as State-owned land, is subject to State agencies for review and issuance of erosion control permits. We have added the stipulation for erosion control permits from issuance by Orange County to the North Carolina Division of Energy, Mineral and Land Resources.

6. Construction Deadline: That construction begin by January 17, 2023 (five years from the date of approval) to be completed by January 17, 2025 (seven years from the date of approval). [LUMO 4.5.5]

Staff Response: At the November 15, 2017 public hearing, the applicant requested a longer construction start date in order to do fundraising. A combination of the Land Use Management Ordinance and state statute allows the Town Council to grant an extension of up to five years for the construction start date. We believe the applicant's request to extend the construction start date to five years is a reasonable request. The applicant has also requested a seven year Construction Completion date from the time of approval. We believe that if the construction start date is extended five years that construction completion should equally be extended. We have included the revised dates in Revised Resolution A.

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR SECU FAMILY HOUSE EXPANSION AT 123 OLD MASON FARM ROAD (PROJECT #17-012)(2018-01-24/R-10)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by UNC Facilities Services and Coulter Jewell Thames, PA, for SECU Family House Expansion located at 123 Old Mason Farm Road on property identified as Orange County Property Identifier Number 9788-54-3697, if developed according to the Site Plan dated January 17, 2017, last revised August 14, 2017 and the conditions listed below would:

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

MODIFICATIONS TO REGULATIONS

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

1. Land Use Management Ordinance Section 5.9.7. Decrease Bicycle Parking requirements by four spaces to allow a minimum of 12 bicycle spaces. This finding is based on the determination that the use is a residential support facility with families not wishing to ride bicycles, and past demand for bicycle services has not been a concern.
2. Land Use Management Ordinance Section 5.9.7. Decrease Vehicular Parking requirements by 14 spaces to allow a minimum of 111 vehicular parking spaces. This finding is based on the determination that the developer proposes a total of 75 guest rooms and most guests have one car. Employees number ten to twelve and volunteers number six to eight at peak times. Extra handicapped parking is proposed as the facility uses handicapped parking in larger amounts than most facilities.
3. Land Use Management Ordinance Section 5.6.6-1. Reduce the southern landscape buffer requirement to plant only 10 large trees. This finding is based on the determination that no new buildings are proposed between the existing building and Old Mason Farm Road and the existing forest will remain in place.
4. Land Use Management Ordinance Section 5.6.6-1. Eliminate the eastern landscape buffer requirement. This finding is based on the determination that the eastern property has a mature woodland proposed to remain untouched and none of the building expansion is proposed in this area. The adjacent eastern property is vacant.
5. Land Use Management Ordinance Section 5.6.6-1. Reduce the northern landscape buffer requirement to plant only understory trees at double the required amount including evergreen understory plants maturing between 10 and 25 feet in height. High tree canopy currently exists in the location. This finding is based on the determination that the modification was requested by the adjacent Highland Woods neighbors and designed in conjunction with their input. Plant material shall be installed at a 6-foot height and field located with input from the adjacent neighbors in order to provide maximum

visual buffering and eliminate the need to reduce existing canopy trees in order to plant the new material.

6. Land Use Management Ordinance Section 5.6.6-1. Reduce the western landscape buffer requirement to plant only 25 percent of the northern portion of the buffer. This finding is based on the determination that the western property line is shared with Ronald McDonald House, a similar use. Landscaping is already in place, but the planting in the northern portion will increase the visual buffer between the Highland Woods neighbors and the proposed project.

STIPULATIONS SPECIFIC TO SECU FAMILY HOUSE EXPANSION

1. Construction Deadline: That construction begin by January 17, 2023 (five years from the date of approval) to be completed by January 17, 2025 (seven years from the date of approval).[LUMO 4.5.5 and state statute]
2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Residential Support Facility	
Gross Land Area	244,251 square feet (10.4 acres)
Total Floor Area Allowed	119,278 sq. ft. Proposing a total of 62,336 square feet (addition 28,000 sq. ft.)
Minimum Vehicular Parking Spaces	111 spaces
Minimum Bicycle Parking Spaces	12 Spaces: 20% Class I and 80% Class II
Total Impervious Surface Area Allowed	118,919 square feet
Total number beds	35 new beds; 75 total beds
Land Disturbance	108,331 square feet

[LUMO Articles 3.4.5]

Access

3. NCDOT Three-Party Encroachment Agreement: That the developer obtain a Three-Party Encroachment Agreement with the Town for work in the Old Mason Farm Road right-of-the including sidewalk, curb ramps, bus stop pad and appurtenances prior to issuance of a Zoning Compliance Permit.
4. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to Americans with Disabilities Act and associated codes and standards. [LUMO 5.9.5]
5. Performance Bond: That prior to beginning construction, it will be necessary to submit a performance bond to the Town to cover 125 percent of the cost of the infrastructure improvements in the public right-of-way. [LUMO 4.5.2]
6. Driveway Sidewalk: That a 5-foot wide concrete sidewalk be constructed along the Old Mason Farm Road frontage extending the existing sidewalk to the eastern edge of the lease line prior to issuance of a Certificate of Occupancy.
7. Driveway Permit: That the developer obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning work on the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of the stipulated improvements in accordance with NCDOT requirements. An approved permit will be issued upon receipt of approved roadway and signal construction plans, inspection fees, and any necessary performance and indemnity bonds.

8. 10-foot Asphalt Path: That the existing 10-foot asphalt path be relocated where shown on the approved plans and that the existing path be improved prior to issuance of a Certificate of Occupancy.
9. Mulch Trail: That a mulched trail be field-located on the eastern portion of the site prior to issuance of a Certificate of Occupancy.
10. Western Driveway Crosswalk: That a striped pedestrian crosswalk across the western driveway be installed prior to issuance of a Certificate of Occupancy.
11. Bus Stop Pad and Crosswalk: That a concrete bus stop pad be constructed at the bus stop on the south side of Old Mason Farm Road and a high visibility crosswalk be constructed connecting the bus pad and stop to the existing sidewalk on the north side of Old Mason Farm Road prior to issuance of a Certificate of Occupancy.
12. Bus Shelter: That the developer provide a new bus shelter at the existing stop on the north side of Old Mason Farm Road in front of the Ronald McDonald House and that it be constructed to Town Standards prior to issuance of a Certificate of Occupancy.
13. Electric Charging Station: That the developer lay conduit and provide two electric vehicle charging stations and dedicate four electric car parking spaces prior to issuance of a Certificate of Occupancy.
14. Transportation Management Plan: That the developer update the Transportation Management Plan (TMP) and evaluate the demand for bicycle use for a potential future bike share station location and conduct a survey of both employee and guest interest in purchasing electric vehicles prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.2]

Landscaping

15. Additional Tree Protection Fencing: That additional tree protection fencing be indicated on the plans on both sides of the proposed stormwater connection at Old Mason Farm Road, between trees to remain and the following proposed improvements: the community garden, sanitary sewer work between the existing manhole and MH1, and retaining wall demo/storm drain additions east of the building addition prior to issuance of a Zoning Compliance Permit. [LUMO 5.7.3]

Solid Waste

16. Private Collection: That prior to issuance of a Zoning Compliance Permit, the developer shall provide a letter from a private solid waste hauler indicating their ability to serve the development.

Environment

17. Low Flow Toilets: That the developer install low flow toilets in the building to conserve water usage.
18. Architecture 2030 for energy performance standards: That the developer strive to attain the Architecture 2030 for energy performance standards with their development.
19. Solar Energy Systems: That the developer evaluate using solar energy systems in their building addition.
20. Energy Management Plan: That prior to issuance of a Zoning Compliance Permit, the developer provide an Energy Management Plan (EMP) for Town approval. We suggest a goal to incorporate a "20 percent more energy efficient" feature to outperform the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) energy efficiency standard in place at the time of approval. [LUMO 4.5.2]
21. New Fire Hydrants: That two new hydrants be installed, one at the northwest corner of the new building and one along the service drive near the dumpster enclosure prior to issuance of a Certificate

of Occupancy. The hydrants must flow a minimum of 2500 gpm per Town Engineering Standards unless approved by the fire code official. [NC Fire Code]

22. Noise: That prior to issuance of a Zoning Compliance Permit, the developer demonstrate the HVAC units are in compliance with the Town's Noise Ordinance. [TOWN CODE 17-42]
23. Lighting Plan: That prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans and other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan with foot-candles; cross sections through the site including Highland Woods, depicting vehicle light screening; adequate lighting on public sidewalks and driveway crossings; beneath awnings and porte cochere demonstrating compliance with Town standards, sealed by a Professional Engineer, for Town Manager review and approval. [LUMO 5.11]
24. Construction Management Plan: That a Construction Management Plan be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The construction management plan shall: 1) indicate how construction vehicle traffic will be managed, 2) identify parking areas for on-site construction workers including plans to prohibit parking in residential neighborhoods (Old Mason Farm Road, Ronald McDonald House, Highland Woods Drive, or specific locations on the Family House site), no spillover of vehicle lights onto adjacent neighbor's properties 3) indicate construction staging and material storage areas, 4) identify construction trailers and other associated temporary construction management structures, and 5) indicate how the project construction will comply with the Town's Noise Ordinance and the applicant shall demonstrate compliance based on decibels and distance. [LUMO 4.5.2, TOWN CODE 17-42]

STANDARD STIPULATIONS

Transportation

25. Repairs in Public Right-of-Way: That prior to issuance of a Certificate of Occupancy, the developer shall be responsible for repairing all damage for work in the public right-of-way related to the construction of this project, which may include pavement milling and overlay. The design must be reviewed and approved by NCDOT and the Town Manager prior to issuance of a Zoning Compliance Permit. [TOWN CODE 6.10]
26. Street Closure Plan: That prior to the issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager approval, for any work requiring street, sidewalk, or lane closures. [TOWN CODE 21-7.1]
27. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager. The Work Zone Traffic Control Plan shall comply with the Manual on Uniform Traffic Control Devices. The Construction Management Plan shall provide staging, construction worker parking, construction vehicle routes, and hours of construction. [TOWN CODE 17-47]
28. Bicycle Parking Dimensions: That prior to the issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details for the bicycle parking spaces that comply with Town parking standards. The bicycle parking design must comply with the spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines, and the Class I and Class II bicycle parking standards required by the Town Design Manual. [LUMO 5.9.7]
29. Parking Lot Standards: Prior to issuance of a Certificate of Occupancy, the developer shall construct the parking lot and drive aisles to Town standards for pavement design and dimensions. [TOWN CODE 5.9.5]

The developer shall also landscape the parking lot to Town standards for placement and spacing of plant material. [LUMO 5.9.5]

Landscape and Architecture

30. Invasive Exotic Vegetation: That prior to the issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan, known invasive exotic species of vegetation, as defined by the [Southeast Exotic Pest Plant Council \(SE-EPPC\)](#)³ and provide notes indicating removal from the landscape buffer areas, prior to planting. [LUMO 5.7.3]
31. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include which trees will be removed and which will be preserved, critical root zones of all rare and specimen trees, and clearly indicate names and species. [LUMO 5.7.3]
32. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. Tree protection fencing shall be provided around construction limits and indicated construction parking and materials staging/storage areas, and Town standard landscaping protection notes, subject to Town Manager approval. [LUMO 5.7.3]
33. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall include canopy trees that are proposed to shade any surface parking areas. [LUMO 4.5.3]
34. Tree Canopy: That the final plans exhibit 40 percent canopy coverage through a combination of retained and replanted trees. [LUMO 5.7.2]
35. Planting Strip: That the developer provide a planting strip at least 5-feet wide between the building and parking areas. [LUMO 5.7.2]
36. Demolition Plan: Prior to beginning building demolition, the developer shall submit a Demolition Plan showing how materials will be recycled. [LUMO 5.13(a)]
37. Steep Slopes: That prior to issuance of a Zoning Compliance Permit, the developer shall include a map indicating how development and construction will comply with the steep slopes regulations in the Land Use Management Ordinance, subject to Town Manager review and approval. [LUMO 5.3.2]
38. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall approve a lighting plan for this site and shall take additional care during review to ensure that the proposed lighting plan will minimize 1) upward light pollution and 2) off-site spillage of light. [LUMO 8.5.5]
39. Community Design Commission Approval: That the developer obtain Community Design Commission approval of building elevations prior to issuance of a Zoning Compliance Permit. [LUMO 8.4.6]

Stormwater Management

40. Stormwater Management Plan: That this project comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance. [LUMO 8.5]
41. Watershed Protection District: That the project comply with Section 3.6.4 Watershed District of the Land Use Management Ordinance. [LUMO 3.6.4]
42. Stormwater Control Measure: The proposed stormwater control measure for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual. The design manual requires that the storage volume of each chamber of the proposed sand filter shall be equivalent. [LUMO 3.6.3]

³<http://www.se-eppc.org/weeds.cfm>

43. Erosion Control Inspections: That, in addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices and offsite roadways daily, make any necessary repairs or adjustments to the devices, remove deposition of wet or dry silt on adjacent roadways and maintain inspection logs documenting the daily inspections and any necessary repairs. [LUMO 4.5.2]
44. Phasing Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall obtain approval of a Phasing Plan that provides details of which improvements are to be constructed during each phase. The phasing plan shall detail public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase may not begin until all public improvements in previous phases are complete, with a note to this effect on the final plans and plats.
45. Erosion Control Permit: An Erosion Control Permit approval from North Carolina Division of Energy, Mineral and Land Resources required for land disturbance of one acre or more.
46. Silt Control: That the developer take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways. [LUMO 4.5.2; TOWN CODE Chapter 5]
47. Curb Inlets: The developer shall provide pre-cast curb inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-5A, for all new curb inlets for private, Town and State rights-of-way. [LUMO 4.5.2]
48. As-Built Plans: That prior to the issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. [LUMO 4.9.2]
49. On-Site/Adjacent Stormwater Features: That the final plans locate and identify existing site conditions including all on-site and adjacent stormwater drainage features on the plans prior to issuance of a Zoning Compliance Permit. The final plans must provide proper inlet protection for the stormwater drainage inlets on or adjacent to the site to ensure the stormwater drainage system will not be obstructed with construction debris. [LUMO 4.9.2]
50. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result of the project demolition or construction must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to requesting a Certificate of Occupancy.

Water, Sewer, and Other Utilities

51. Utility/Lighting Plan Approval: That the final utility/lighting plan shall be approved by Orange Water and Sewer Authority, Duke Energy, and other local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The property owner shall be responsible for assuring that these utilities can continue to serve the development. In addition, detailed construction drawings shall be submitted to OWASA for review/approval prior to issuance of a Zoning Compliance Permit. [LUMO 4.5.3]
52. Relocation of Overhead Utilities Underground: Prior to issuance of a Certificate of Occupancy, it will be necessary to provide for the underground installation of all public utilities as specified by Section 5.12.2 in the Land Use Management Ordinance. [LUMO 5.12.2]
53. Water/Sewer Line Construction: That all public water and sewer plans be approved by OWASA and constructed according to their standards. Where sewer lines are located beneath drive aisles and parking areas, construction methods approved by OWASA shall be employed to ensure that sewer lines will not be damaged by heavy service vehicles. That prior to issuance of a Zoning Compliance Permit, final plans shall be approved by OWASA and the Town Manager. [LUMO 5.12.1]

54. NCDOT Three-Party Encroachment Agreement with OWASA: That the developer obtain a Three-Party Encroachment Agreement with OWASA for the waterline connection prior to issuance of a Zoning Compliance Permit, if required.
55. OWASA Approval: That prior to issuance of a Zoning Compliance Permit, easement plats and documentation as required by OWASA and the Town Manager shall be recorded if necessary. [LUMO 5.12.1]

Police and Fire Safety

56. Firefighting Access during Construction: That as required by NC Fire Code (Section 1410.1 Required Access), vehicle access for firefighting shall be provided to all construction or demolition sites including vehicle access to within 100 feet of temporary or permanent fire department connections and hydrants. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. [NC Fire Code, Section 1410.1]
57. Fire Flow Report: That the Final Plan application shall include a fire flow report sealed by an Engineer registered in the State of North Carolina. An OWASA flow test must be provided with the report. Fire flow shall meet the 20 psi or exceed the requirements set forth in the Town Design Manual. The Fire Flow Report shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [Town Design Manual]
58. Automatic Sprinkler System: That the developer install automatic sprinkler systems in accordance with Town Code and NC Fire Code.
59. Hydrants Active: That the developer provide active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. That fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
60. Fire Hydrant and FDC Locations: That the Final Plans indicate the locations of existing and proposed fire hydrants and Fire Department Connections (FDC). Fire Department Connections shall be located on the street side of the building within 100 feet of a hydrant. Hydrant spacing shall comply with the Town Design Manual. Design shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
61. Fire Hydrant Accessibility: That all structures be located within 500 feet of a fire hydrant. That the developer maintains a 50-foot maximum distance between fire hydrants and fire department connections, in a clearly visible and accessible location on the street side of buildings.
62. Public Safety Survey: Prior to issuance of a Zoning Compliance Permit, the developer shall hold a security survey with the Police Department to identify and consider opportunities for public safety improvements. [LUMO 4.5.2]

Solid Waste Management and Recycling

63. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit, a detailed Solid Waste Management Plan, including a recycling plan and a plan for managing and minimizing construction debris, shall be approved by the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse/recycling collection areas, associated screening, and protective bollards, if applicable. Each bulk waste container shall be labeled as to type of material to be collected. [LUMO 5.13]
64. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard, all present in construction waste, must be recycled. All haulers of construction waste must be properly licensed. The developer shall provide the name of the permitted waste disposal facility to which any land clearing or demolition waste will be delivered. [Orange County Solid Waste]

65. Recycling Service: The developer shall contact Orange County Solid Waste Management to establish commercial recycling and cardboard collection services. [Orange County Solid Waste]

State and Federal Approvals

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

Miscellaneous

68. Temporary Construction Access Agreements: Prior to issuance of a Zoning Compliance Permit, the developer shall provide construction agreements with adjacent property owners where necessary, subject to Town Manager approval. If the abutting property is to be used as part of construction access, provide documentation of permission from the owner of said property. [LUMO 5.12.2.d]
69. Traffic and Pedestrian Control Plan: That the developer provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least five working days prior to any proposed lane or street closure, the developer must apply to the Town Manager for a lane or street closure permit.
[LUMO 4.5.2, TOWN CODE 17-42]
70. Construction Sign Required: That the developer post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. (§5.14.3(g) of Land Use Management Ordinance). The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.3]
71. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited. [TOWN CODE, Article 9]
72. Detailed Plan Review and Approval: Prior to issuance of a Zoning Compliance Permit, final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic calculations), landscape plans, and landscape maintenance plans shall be approved. Such plans shall conform to plans approved by the Council and demonstrate compliance with all applicable regulations and standards of the Land Use Management Ordinance and Design Manual.
- Plans, plats, and associated detailed requirements as set forth in the stipulations of this resolution and incorporated into the Special Use Permit shall be reviewed and approved by the Town Manager, or his designee, as well as outside agencies, such as NCDOT, OWASA, and Duke Energy, where indicated. [LUMO 4.5.3.m]
73. As-Built Plans: That prior to issuance of a Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88. The developer shall

also contact the Town's Engineering and Design Services Division for address assignment of each unit.
[LUMO 4.5.3m]

74. Vested Right: This Special Use Permit Modification constitutes a site specific development plan establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance.
75. Continued Validity: That continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
76. Non-Severability: That if any of the above conditions is held to be invalid, approval in its entirety shall be void.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for SECU Family House Expansion at 123 Old Mason Farm Road.

This the 24th day of January, 2018

**RESOLUTION B
DENYING THE SPECIAL USE PERMIT MODIFICATION**

A RESOLUTION DENYING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR SECU FAMILY HOUSE EXPANSION AT 123 OLD MASON FARM ROAD (PROJECT #17-012) (2018-01-24/R-11)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Coulter Jewell Thames for SECU Family House Expansion and the University of North Carolina Hospital System, located at 123 Old Mason Farm Road on property identified as Orange County Property Identifier Number 9788-54-5304, if developed according to the Site Plan dated January 17, 2017, last revised August 14, and the conditions listed below would not:

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

BE IT FURTHER RESOLVED that the Council hereby denies the application for a Special Use Permit Modification for SECU Family House Expansion at 123 Old Mason Farm Road.

This the 24th day of January, 2018.