

RESOLUTION A

(Approving the Special Use Permit Modification Application)

A RESOLUTION APPROVING AN APPLICATION FOR A SPECIAL USE PERMIT MODIFICATION FOR THE OAKS CONDOMINIUMS STORMWATER DRAINAGE IMPROVEMENTS (PROJECT #18-046) (2018-09-19/R-3)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by John R. McAdams Company for the Oaks Homeowners Association, located at 101 Oak Tree Drive on property identified as Orange County Property Identifier Number 9798-45-1394, if developed according to the Site Plan dated July 24, 2018 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 modifications to regulations satisfies public purposes to an equivalent or greater degree:

Section 5.6.6 Buffer Modification: To modify the eastern property line buffer from the required minimum 20 foot Type "C" buffer adjacent to Burning Tree Drive to a variable width buffer with reduced planting quantities.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the stormwater system improvements will reduce flooding on the property, make the area safer during rain events, reduce flood damage to homes, and reduce the need for flood-prone property owners to obtain Flood Insurance.

STIPULATIONS SPECIFIC TO THE OAKS CONDOMINIUMS

1. Construction Deadline: That construction begin by September 19, 2019 (one year from the date of approval) to be completed by September 19, 2020 (two years from the date of approval). ^[LUMO 4.5.5]
2. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Multi-Family Residential	
Gross Land Area	680,407 sq. ft.
Maximum Land Disturbance	33,214 sq. ft.

3. Jordan Buffer Authorization: Prior to issuance of a Zoning Compliance Permit, a Jordan Buffer Authorization must be approved and issued by the Town's Stormwater Management Department.
4. The existing Special Use Permit Modification dated March 11, 1974, on file at the Town of Chapel Hill Planning Department, remains in effect except as modified by these stipulations.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Special Use Permit Modification for 101 Oak Tree Drive.

This the 19th day of September, 2018.