

**RESOLUTION A**  
(Approving the Site Plan Review Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN REVIEW FOR THE CHAPEL HILL COOPERATIVE PRESCHOOL (PIN's 9787-29-6199, 9787-29-7266, 9787-29-9045, AND 9787-29-0047; PROJECT #16-088)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the Site Plan Review application for the Chapel Hill Cooperative Preschool, proposed by Philip Post and Associates, on property identified as Orange County Property Identifier Numbers 9787-29-6199, 9787-29-7266, 9787-29-9045, 9787-29-0047, if developed according to the Site Plan dated August 24, 2016 (revised November 09, 2016 and November 17, 2016) and the conditions listed below would comply with all required regulations and standards of the Land Use Management Ordinance and Design Manual.

This finding is conditioned on the following:

Stipulations Specific to the Development

1. Construction Deadline: That construction begins by January 25, 2018, to be completed by January 25, 2020.
2. Land Use Intensity: This Site Plan Review authorizes the following:

<b>Use: Child Day Care Facility:</b>	
Floor Area Permitted	9,000 square feet
Vehicular Parking Spaces	23
Minimum Bicycle Parking Spaces	4
Maximum Impervious Surface	26,684 square feet
Maximum Land Disturbance	39,942 square feet

3. Demolition of existing house: That a demolition permit for demolition of the existing house, or a portion thereof, be submitted and approved, and that the house, or a portion thereof, be demolished within three years of the date of the final Certificate of Occupancy and the property brought into compliance with the floor area requirement. That the use of the house cease prior to Certificate of Occupancy.

Land Disturbance

4. Land Disturbance Survey: That prior to the issuance of a Certificate of Occupancy, it will be necessary to provide a survey confirming the amount of land disturbance associated with all on-site improvements. If land disturbance exceeds 40,000 square feet, the application will require approval of a Special Use Permit by the Town Council.

Access

5. Accessibility Requirements: That prior to issuance of a Certificate of Occupancy, the applicant shall provide the minimum required handicapped parking spaces and design all handicapped parking spaces, ramps, and crosswalks, and associated infrastructure according to Americans with Disabilities Act standards, North Carolina Building Code, American National Standards Institute (ANSI) Code, and Town standard.

#### Transportation

6. Payment in Lieu for Bicycle Facilities: ~~Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a payment in lieu of \$36,575 to the Town of Chapel Hill for the construction of a five-foot wide bike lane on Mt. Carmel Church Rd. along the frontage of the property.~~
7. Dedication of Future Greenway Easement: That the applicant agrees to dedicate a variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek. Conditions of the easement will allow for construction and maintenance of a path that is 10-12 feet in width, with additional room for 3 foot shoulders, retaining walls, drainage structures, and other improvements needed to comply with AASHTO and NCDOT standards. The easement will allow access and use by Town maintenance vehicles and personnel, pedestrians, non-motorized vehicles, and reasonable use of motorized vehicles for those with disabilities. The Final Plans submitted for the Zoning Compliance Permit shall designate the specific location of the area to be dedicated as a variable-width pedestrian and non-motorized vehicle easement. The easement must be recorded prior to issuance of the Zoning Compliance Permit.
8. Acceptance of Future Greenway Easement That the Town agrees to accept the dedicated variable-width easement along the property frontage with Mt. Carmel Church Rd and US 15-501 S for the purpose of constructing and maintaining a public multi-use path along Mt. Carmel Church Rd. and under the US 15-501 S bridge over Morgan Creek.
9. Parking Lot/Drive Aisles Town Standards: Prior to a Certificate of Occupancy, the applicant shall construct the parking lot and drive aisles to Town standard, design subject to Town Manager approval prior to issuance of a Zoning Compliance Permit.
10. Bicycle Access and Parking: That prior to the issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details for a minimum of four (4) bicycle parking spaces (four (4) Class II) 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 bicycle parking standards required by the Town Design Manual.
11. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit that the applicant submits a Transportation Management Plan for review and approval by the Town Manager. These plans are updated annually and approved by the Town Manager. The plan

shall include an operations plan that addresses 1) access routes to the site to prevent use of Old Bridge Ln. by preschool parents and teachers; 2) Carpool for parents and teachers and remote parking for teachers; 3) ~~onsite~~ offsite parking management and 4) windows of time for parents to drop-off and pick-up their children. Additional required components of the Transportation Management Plan typically include:

- a. A Transportation Coordinator to communicate and promote alternate modes of transportation;
- b. Submission of an Occupancy Survey due 90 days after building expansion occupancy;
- c. Submission of an updated annual Transportation Management Plan Report;
- d. Submission of Resident, Business and Employee Surveys during survey years; and
- e. Measures to gradually attain the goals of the program.

11.5 The onsite staking of parked cars in the parking lot drive aisle is prohibited.

Landscaping and Landscape Protection

12. Landscape Buffers: That the Landscape Planting Plan demonstrate compliance with the required buffers as described in the chart below:

<b>Location</b>	<b>Required Buffers</b>	<b>Proposed Buffer</b>
Northern lot line (Morgan Creek)	20-foot wide Type 'C' Internal Buffer	20-foot wide Type 'C' Internal Buffer and
Southeast lot line (Old Bridge Lane properties)	20-foot wide Type 'C' Internal Buffer	Variable width Type 'C' Alternate Internal Buffer
Southwestern lot line (Mt. Carmel Church Rd.)	20-foot wide Type 'C' External Buffer	20-foot wide Type 'D' External Buffer
Western property line (US 15-501 south)	30-foot wide Type 'D' External Buffer	30-foot wide Type 'D' External Buffer

13. Alternate Buffers: That unless the applicant obtains alternate bufferyard approval from the Community Design Commission, that the standard buffers be provided continuously along all property lines. It will be necessary for the Community Design Commission to make the determination that any proposed alternative buffer shall provide the same degree of visual and noise obstruction as the required buffer.

14. Landscape Protection: That a detailed Landscape Protection Plan shall be approved prior to issuance of a Zoning Compliance Permit. The plan shall include critical root zones of all rare and specimen trees, and clearly indicate names and species. The plan shall indicate the area and percentage of existing tree canopy on the site to be preserved. The Plan shall also include details showing tree protection fencing around construction limits, areas designated for construction parking, materials staging/storage areas, and shall include Town standard landscaping protection notes.

15. Tree Protection Fencing Prior to Construction: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site.
16. Landscape Planting Plan: Prior to issuance of a Zoning Compliance Permit the applicant shall provide a detailed Landscape Planting Plan with a detailed planting list, subject to Town Manager approval. The Plan shall meet the required parking landscape requirements in LUMO 5.9.6.

### Environment

17. Steep Slopes Ordinance Compliance: That the final plans application delimit areas containing steep slopes and include construction techniques for areas with steep slopes in accord with Section 5.3.2 of the LUMO
18. Resource Conservation District Encroachment Permit Required: That prior to issuance of a Zoning Compliance Permit that a Resource Conservation District Encroachment Permit application be submitted for review and approval by the Town Manager in accord with section 3.6.3 of the LUMO for work occurring within the Resource Conservation District.
19. Energy Management Plan: That the applicant consider providing an energy management plan that addresses the items listed in the staff's suggested framework, as well as any relevant elements related to the following categories:

Green Building Standard & Certification (e.g., LEED), Design for Performance (e.g., energy, water), Sustainable Energy (e.g., solar, wind, geothermal), Transportation (transit access), Urban Heat-Island Effect (e.g., green roof), Site Selection & Design (e.g., infill, xeriscaping, passive solar, solar orientation), Lighting (e.g., motion sensors, high efficiency fixtures), Building Envelope (e.g., low-e glazing, high R-value insulation), Building Materials (e.g., local, recycled, low VOC), Mechanical Equipment (e.g., highly-rated SEER unit, enthalpy wheel), Health and Safety (e.g., carbon dioxide monitors, access to natural light).

### Stormwater Management and Erosion Control

20. Stormwater Management Plan: That this project must comply with the Section 5.4 Stormwater Management of the Land Use Management Ordinance or whatever stormwater regulations are applicable at the time of issuance of a Zoning Compliance Permit.
21. Silt Control: That the developer takes appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
22. Erosion Control: The developer shall provide a copy of the approved erosion and sediment control permit from Orange County Erosion Control Division prior to receiving a Zoning Compliance Permit. During the construction phase, additional erosion and sediment controls

may be required if the proposed measures do not contain the sediment. Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance.

23. 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.
24. As-Built Plans: That prior to Certificate of Occupancy, the developer shall provide certified as-built plans for building footprints, parking lots, street improvements, storm drainage systems and stormwater management structures, and all other impervious surfaces related to infrastructure development, and a tally of the constructed impervious area. The as-built plans should be in DXF binary format using State plane coordinates and NAVD 88.
25. 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.
26. 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.
27. P.E. Certification: The developer shall provide a certification, signed and sealed by a North Carolina-licensed Professional Engineer, that the stormwater management facilities are constructed in accordance with the approved plans and specifications.
28. Repair/Replacement of Damaged Stormwater Infrastructure: Existing stormwater infrastructure that is damaged as a result the project demolition or construction, must be repaired or replaced, as specified by the Stormwater Management Engineer, prior to Town accepting the streets into its maintenance system.

#### Water, Sewer, and Other Utilities

29. Detailed Construction Drawings: Detailed construction drawings shall be submitted to OWASA for review and approval prior to issuance of a Zoning Compliance Permit.
30. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by the Orange Water and Sewer Authority, Duke Energy, Time Warner, AT&T or other applicable utility providers and the Town Manager before issuance of a Zoning Compliance Permit.
31. Utility Easement Plats: Prior to issuance of a Zoning Compliance Permit, easement and documentation shall be approved by the Town and OWASA and recorded by the applicant.

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

#### Fire Safety

33. Hydrants Active: It will be necessary to have active fire hydrant coverage, acceptable to the Fire Department, for any areas where combustible construction materials will be stored or installed, prior to having such materials delivered to the site. All required fire hydrants must be installed, active, and accessible for the Fire Department use prior to the arrival of combustible materials on site. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Code, and NFPA 13.
34. 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.
35. Firefighting Access During Construction: During demolition and/or construction, all aspects of Chapter 14 of the NC Fire Prevention shall be followed. The owner/developer shall designate one person to be the Fire Prevention Program Superintendent who shall be responsible for enforcing Chapter 14 of the NCFPC and the on-site fire prevention program and ensure that it is carried out through completion of the project.
36. Fire Flow Report: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit a fire flow report sealed by an engineer licensed in North Carolina certifying that the water supply available at the nearest fire hydrant(s) will meet the Town's fire flow requirements, 20 psi residual pressure. An Orange Water and Sewer flow test must be included with the report.
37. Fire Access: Any and all roads, driveways or dedicated fire lanes used for fire department access shall be all-weather and designed to support to carry the imposed load of fire apparatus weighing at least 75,000 lbs. Fire access roads shall have a minimum width of 20 feet with overhead clearance of 13ft. 6 in for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Proximity to the building for aerial apparatus shall have at least one of the required access routes be located within 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building.

Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted.

Emergency access designation for apparatus shall be provided. FDC 's shall not be obstructed by landscaping or hindered by parking spaces.

### Solid Waste Management and Recycling

38. Solid Waste Management Plan: That prior to issuance of a Zoning Compliance Permit a Solid Waste Management Plan for managing solid waste shall be approved by Orange County Solid Waste Management and the Town Manager. The plan shall include dimensioned, scaled details of any proposed refuse collection areas, associated screening, gate opening areas, and protective bollards, if applicable.
39. 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.
40. Deconstruction/Demolition: That the applicant shall hold a deconstruction assessment meeting with Orange County Solid Waste Management staff (919-968-2800) concerning the buildings to be removed from this site, with the following note on plans: "Prior to any demolition or construction activity on the site the applicant will hold a deconstruction assessment conference with the County's Solid Waste staff concerning buildings to be removed from this site. Prior to issuance of a Demolition Permit, the developer shall provide a demolition waste management plan.

### State and Federal Approvals

41. State or Federal Approvals: That prior to issuance of a Zoning Compliance Permit, the applicant shall obtain approval of any required State or federal permits or encroachment agreements from the Town Manager and NCDOT and/or OWASA, where necessary.
42. 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 prior to issuance of a Zoning Compliance Permit.

### Miscellaneous

43. 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, 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.
44. Detailed Plans: That prior to the issuance of a Zoning Compliance Permit final detailed site plans, grading plans, utility/lighting plans, stormwater management plans (with hydrologic

calculations), landscape plans, and landscape maintenance plans shall be approved by the Town Manager. Such plans shall conform to plans approved by this application and demonstrate compliance with all applicable regulations and the design standards of the Land Use Management Ordinance and the Design Manual.

45. Community Design Commission Approval: That the developer obtain Community Design Commission approval of the alternative landscape buffers, building elevations and lighting, including the location and screening of all HVAC/Air Handling Units and refuse/recycling facility for this project, prior to issuance of a Zoning Compliance Permit.
46. Recombination Plat Recordation: That prior to issuance of a Zoning Compliance Permit an administrative recombination application for the four residential lots into one lot shall be reviewed and approved by the Town Manager and recorded in the Orange County Register of Deeds office.
47. Engineering Construction Permit Required: That following issuance of a Zoning Compliance Permit and prior to beginning land disturbing activity the applicant submit an Engineering Construction Permit application and four (4) sets plans for stamping to the Development Services Division. Contact Engineering and Design Services 919-969-5084 to discuss the requirements of an Engineering Construction Permit.
48. Traffic and Pedestrian Control Plan: That the applicant shall provide a Work Zone Traffic Control Plan for movement of motorized and non-motorized vehicles on any public street that will be disrupted during construction. The plan must include a pedestrian management plan indicating how pedestrian movements will be safely maintained. The plan must be reviewed and approved by the Town Manager prior to the issuance of a Zoning Compliance Permit. At least 5 working days prior to any proposed lane or street closure the applicant must apply to the Town Manager for a lane or street closure permit.
49. Construction Sign Required: That the applicant shall post a construction sign at the development site that lists the property owner's representative and telephone number, the contractor's representative and telephone number, and a telephone number for regulatory information at the time of issuance of a Building Permit, prior to the commencement of any land disturbing activities. The construction sign may have a maximum of 32 square feet of display area and maximum height of 8 feet. The sign shall be non-illuminated, and shall consist of light letters on a dark background. That prior to the issuance of a Zoning Compliance Permit a detail of the sign shall be reviewed and approved by the Town Manager.
50. Open Burning: That the open burning of trees, limbs, stumps, and construction debris associated with this development is prohibited.
51. 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.

52. 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 Planning Commission hereby approves the application for a Site Plan Review for Chapel Hill Cooperative Preschool in accordance with the plans and conditions listed above.

This the 25<sup>th</sup> day of January, 2017.