

11-10-2021 Town Council Meeting Responses to Council Questions

ITEM #9: Close the Legislative Hearing and Consider a Conditional Zoning Application - Residence Inn and Summit Place Townhomes, 101-111 Erwin Road, Mixed Use-Village-Conditional Zoning District (MU-V-CZD)

Council Question:

What were the SW requirements when the hotel/apartments were originally built? Are/have those requirements been met?

Staff Response:

Per the SUP recorded with the Orange County of Register of Deeds on July 15, 2005 in Book 3808 Page 334, the following stormwater requirement applied to the original construction of the Marriot Residence Inn Hotel.

34. Stormwater Management Plan: That a Stormwater Management Plan shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit. The plan shall be based on the 1-year, 2-year, and 25-year frequency, 24-hour duration storms, where the post-development stormwater run-off rate shall not exceed the pre-development rate and the post-development stormwater runoff volume shall not exceed the pre-development volume for the local 2-year frequency, 24-hour duration storm event. Engineered stormwater facilities shall also remove 85% total suspended solids and treat the first inch of precipitation utilizing NC Division of Water Quality design standards.

Depending on the development site location, size in area and the condition of the existing conveyance system and associated lands, the Manager may waive or change the peak discharge rate criteria in part or in whole if, based on an approved Stormwater Management Plan, it is demonstrated that detention would intensify existing peak discharges or may cause other problems on abutting or downstream properties. In addition, the plans shall show all storm drainage outlets and address any impact the stormwater from these outlets may have on abutting properties.

The Town approved a design plan on July 25, 2005 that met the stormwater requirements listed in the 2005 SUP.

Council Question:

What are the requirements for the new project and do those requirements apply to the existing construction as well?

Staff Response:

The stormwater requirements for the new project are the same as the requirements in the 2005 SUP because both projects are subject to the 2003 Town of Chapel Hill Land Use Management Ordinance. The state stormwater design manual for building stormwater control measures has changed in the intervening period revising design guidance for construction and improved performance.

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Council Question:

Will the new project meet or exceed those requirements and will the situation for folks in Summerfield be improved?

Staff Response:

The applicant is agreeing to construct a swale in order to reduce the downstream flow to the Summerfield neighborhood by collecting stormwater runoff from their site and directing it to the stream along Dobbins Drive. Preliminary analysis indicates that the post-development flow rate from the 100-year, 24-hour storm event is not exceeding the pre-development flow rate from the project site. Council with applicant consent could add the following stormwater requirement to ensure that this is met during the final plan development.

Stormwater Management Plan: The applicant shall provide prior to the ZCP, a stormwater impact analysis demonstrating that the post-development peak flow rates for the 100-year storm event do not exceed the pre-development peak flow for the site at each point of analysis.

Council Question:

What does the Town do post-construction to ensure that SW goals/requirements are being met on an ongoing basis?

Staff Response:

The Town is requiring owners to submit third-party annual inspections of the stormwater control measures on site. The Town is systematically reaching out to owners to request inspections and conduct any necessary maintenance of stormwater control measures and tracking requests and inspections in a database.