



# TOWN OF CHAPEL HILL

## Town Council Meeting Agenda

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

Mayor Pam Hemminger  
Mayor pro tem Michael Parker  
Council Member Jessica Anderson  
Council Member Allen Buansi

Council Member Hongbin Gu  
Council Member Tai Huynh  
Council Member Amy Ryan  
Council Member Karen Stegman

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**Wednesday, December 9, 2020 7:00 PM**

**Virtual Meeting**

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### Virtual Meeting Notification

*Town Council members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.*

*The public is invited to attend the Zoom webinar directly online or by phone. Register for this webinar:*

*[https://us02web.zoom.us/webinar/register/WN\\_I\\_NhzdvoRP2OIe6xzTeGqg](https://us02web.zoom.us/webinar/register/WN_I_NhzdvoRP2OIe6xzTeGqg)  
After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 846 3793 0751*

*View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV ([townofchapelhill.org/GovTV](http://townofchapelhill.org/GovTV)).*

### **OPENING**

### **ROLL CALL**

### **PUBLIC COMMENT FOR ITEMS NOT ON PRINTED AGENDA AND PETITIONS FROM THE PUBLIC AND COUNCIL MEMBERS**

*Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the Status of Petitions*

*to Council webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.*

1. East West Partners Request for Murray Hill Limited Scope SUP Modification. [\[20-0855\]](#)

## **ANNOUNCEMENTS BY COUNCIL MEMBERS**

### **CONSENT**

*Items of a routine nature will be placed on the Consent Agenda to be voted on in a block. Any item may be removed from the Consent Agenda by request of the Mayor or any Council Member.*

2. Approve all Consent Agenda Items. [\[20-0856\]](#)

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.

3. Revise Sections III. D. and III. E.1. of the Council Procedures Manual Regarding Naming Policies and the Acceptance of Gifts and Donations. [\[20-0857\]](#)

By adopting the resolution, the Council adopt revisions to Sections III D. and III E.1 of the Council Procedures Manual.

4. Adopt a Resolution Supporting an Application for Transportation Demand Management (TDM) Grant. [\[20-0858\]](#)

By adopting the resolution, the Council supports an application for the FY22 Transportation Demand Management grant.

5. Continue the Discussion of a Land Use Management Ordinance Text Amendment for Townhomes in the Blue Hill District to February 24, 2021. [\[20-0859\]](#)

By adopting the resolution, the Council continues discussion to February 24, 2021 to consider a text amendment regarding townhome standards in the Blue Hill District.

### **INFORMATION**

6. Receive Upcoming Public Hearing Items and Petition Status List. [\[20-0860\]](#)

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

7. Update on the Airport Hazard District Land Use Management Ordinance Text and Map Amendment. [\[20-0840\]](#)

By accepting the report, the Council receives this update.

## DISCUSSION

- 8.** Update on Town Efforts to Respond to the COVID-19 Crisis. (no attachment) [\[20-0861\]](#)

PRESENTER: Chris Blue, Police Chief/Community Safety Executive Director  
Vencelin Harris, Fire Chief  
Kelly Drayton, Emergency Management Coordinator

The purpose of this item is for the Town Emergency Management/Public Safety staff to provide an overview of Town efforts to respond to the COVID-19 crisis.

- 9.** Open the Public Hearing for Conditional Zoning - Phi Gamma Delta at 108 W. Cameron Avenue from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning. (OI-3-CZ) [\[20-0862\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- a. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- b. Consider approving the Conditional Zoning application at the January 13, 2021 meeting.

RECOMMENDATION: That the Council open the public hearing, close the Public Hearing, receive written public comment for 24 hours following the closed public hearing, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.

- 10.** Public Hearing Continued: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD) (Project) [\[20-0863\]](#)

#19-065).

PRESENTER: Michael Sudol, Planner II

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- g. Consider approving the Conditional Zoning application at the January 13, 2021 meeting.

RECOMMENDATION: That the Council close the Public Hearing, receive written public comment for 24 hours following the closed public hearing, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.

- 11.** Charting Our Future - Consideration for the Adoption of the Future Land Use Map - Update to Chapel Hill 2020.

[\[20-0864\]](#)

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: That the Council consider minor changes to the December draft of the Future Land Use Map - Update to *Chapel Hill 2020* and adopt the Future Land Use Map - Update to *Chapel Hill 2020*.

- 12.** Consider an Application for Conditional Zoning for Bridgepoint at 2214 and 2312 Homestead Road from Residential-5-Conditional (R-5-C) to Residential-5-Conditional Zoning District (R-5-CZD).

[\[20-0865\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adopt the Resolution abandoning the Special Use Permit
- g. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- h. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council adopt the Resolution abandoning the Special Use Permit, and the Resolution of Consistency; and enact Ordinance A, approving the Conditional Rezoning.

- 13.** Consider a Petition to Annex Property at 7000 Millhouse Road. [\[20-0866\]](#)

PRESENTER: Corey Liles, Principal Planner

- a. Introduction and recommendation
- b. Mayor and Town Council discussion
- c. Motion to enact the ordinance to annex the property

RECOMMENDATION: That the Council enact Ordinance A to annex the property with an effective annexation of 11:59 p.m. on December 9, 2020.

- 14.** Close the Public Hearing to Consider a Request to Close a Portion of an Unmaintained and Unimproved Monroe Street Public Right-of-Way. [\[20-0867\]](#)

PRESENTER: Chris Roberts, Manager of Engineering and Infrastructure

- a. Introduction and recommendation
- b. Comments from the public
- c. Comments and questions from the Mayor and Town Council
- d. Motion to Close the Public Hearing and allow additional comments for 24-hours after discussing this item per recent Legislation
- e. Consider adopting the resolution to approve the right-of-way closure at the January 13, 2021 meeting.

RECOMMENDATION: That the Council continue and close a Public Hearing to consider closing the unmaintained and unpaved public right-of-way portion of Monroe Street. On January 13th, the Council may take action on the requested closure.

- 15.** Continue the Public Hearing: Conditional Zoning Application for Columbia Street Annex, 1150 S. Columbia Street, from Residential-2 (R-2) to Mixed Use-Village-Conditional Zoning District (MU-V-CZD). [\[20-0868\]](#)

PRESENTER: Jake Lowman, Senior Planner

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record

- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Referral to the Manager and Attorney
- g. Motion to close the Public Hearing and receive public comment for 24-hours
- h. Consider enacting the ordinance at the January 13, 2021 Council meeting.

RECOMMENDATION: That the Council continue the public hearing, receive comment on the proposed Conditional Zoning and close the public hearing. That the Council then make a motion to close the public hearing and consider the proposed Conditional Rezoning application on January 13, 2021.

**16. East Rosemary Parking Deck Update.**

**[\[20-0869\]](#)**

PRESENTER: Dwight Bassett, Economic Development Officer

RECOMMENDATION: That the Council provide direction on parking technology.

**REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS**



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

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**Item #:** 1., **File #:** [20-0855], **Version:** 1

**Meeting Date:** 12/9/2020

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### **East West Partners Request for Murray Hill Limited Scope SUP Modification.**

**Staff:**

Sabrina M. Oliver, Director and Town Clerk  
Amy T. Harvey, Deputy Town Clerk

**Department:**

Communications and Public Affairs

**Overview:** Petitions and other similar requests submitted by the public, whether written or oral, are heard at the beginning of each regular meeting. Except in the case of urgency and unanimous vote of the Council members present, petitions will not be acted upon at the time presented. After receiving a petition, the Council shall, by simple motion, dispose of it as follows: consideration at a future regular Council meeting; referral to another board or committee for study and report; referral to the Town Manager for investigation and report; receive for information. See the [Status of Petitions to Council <https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>](https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status) webpage to track the petition. Receiving or referring of a petition does not constitute approval, agreement, or consent.



**Recommendation(s):**

That the Council consider the petition.



**Attachments:**

- East West Partners Request

# east west partners

December 3, 2020

Mayor Hemminger and Chapel Hill Town Council  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514

Re: Limited Scope Modification Request for Murray Hill SUP

Dear Mayor Hemminger and Chapel Hill Town Council,

On behalf of Murray Hill, LLC we would like to request a limited scope SUP review of the construction completion date for the Murray Hill townhomes in Meadowmont. The project, consisting of 15 townhomes on Meadowmont Lane just north of the Harris Teeter, is about half complete, with 7 of the 15 homes built and occupied. As a result of market conditions, we were not able to complete the remaining 8 homes prior to the construction completion date in the SUP.

While the site is stable, planted, and compliant with Orange County Erosion Control standards, Meadowmont and the larger community would benefit from the completion of the remaining homes. In addition to beautification of the site, the project will continue to make a significant affordable housing payment as the two remaining buildings are completed.

Thank you for your consideration of this petition and we would be happy to answer any questions you may have.

Best Regards,



Ben Perry  
Senior Managing Partner  
East West Partners Management Company, Inc., Manager of Murray Hill, LLC





# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
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Chapel Hill, NC 27514

## Item Overview

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**Item #:** 2., **File #:** [20-0856], **Version:** 1

**Meeting Date:** 12/9/2020

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### **Approve all Consent Agenda Items.**

**Staff:**

Sabrina M. Oliver, Director/Town Clerk  
Amy T. Harvey, Assistant Town Clerk

**Department:**

Communications and Public Affairs

**Overview:** Items of a routine nature to be voted on in a block. Any item may be removed from the Consent Agenda by the request of the Mayor or any Council Member.



**Recommendation(s):**

That the Council adopt the various resolutions and ordinances.

**Fiscal Impact/Resources:** Please refer to each agenda item for specific fiscal notes.



**Attachments:**

- Resolution

**A RESOLUTION ADOPTING VARIOUS RESOLUTIONS AND ENACTING VARIOUS ORDINANCES  
(2020-12-09/R-1)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby adopts the following resolutions and ordinances as submitted by the Town Manager in regard to the following:

2. Revise Sections III. D. and III. E.1. of the Council Procedures Manual Regarding Naming Policies and the Acceptance of Gifts and Donations. (R-2)
3. Adopt a Resolution Supporting an Application for Transportation Demand Management (TDM) Grant. (R-3)
4. Continue the Discussion of a Land Use Management Ordinance Text Amendment for Townhomes in the Blue Hill District to February 24, 2021. (R-4)

This the 9<sup>th</sup> day of December, 2020.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
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Chapel Hill, NC 27514

## Item Overview

Item #: 3., File #: [20-0857], Version: 1

Meeting Date: 12/9/2020

### Revise Sections III. D. and III. E.1. of the Council Procedures Manual Regarding Naming Policies and the Acceptance of Gifts and Donations.

**Staff:**

Susan Brown, Executive Director

**Department:**

Community Arts & Culture

**Overview:** This item is moving forward on the recommendation of the Council Naming Committee. It proposes revisions to sections III. D. and III. E.1. of the [Council Procedures Manual](https://www.townofchapelhill.org/government/mayor-and-council/mayor-council/council-procedures-manual) <<https://www.townofchapelhill.org/government/mayor-and-council/mayor-council/council-procedures-manual>> regarding Council Naming Committee, naming rights, and gifts and donations to the Town. The intent of this revision is to:

1. Confirm the role of the Council Naming Committee in naming and renaming facilities and streets, and making additions to the marker(s) at Peace and Justice Plaza
2. Confirm the Council and Manager's roles regarding the acceptance of monetary gifts and donations
3. Clarify the policy and procedures by which Naming Rights may be granted and donor acknowledgements may and may not be granted to potential donors, and align those policies and procedures with criteria outlined in the Manager's Marketing Partnership Policy:
  - i. In general, Naming Rights, memorial plaques, donor acknowledgments and labels may be permitted in the name of individuals or organizations that:
    - a. Advance the Town's mission of "Learning, serving and working together to build a community where people thrive."
    - b. Support or promote Town goals of diversity, equity, and inclusion, environmental stewardship and conservation, and historical and cultural awareness.
  - ii. No Plaque or Marker will be permitted in the name of parties:
    - a. Whose business is substantially derived from the sale or manufacture of tobacco products or electronic cigarettes.
    - b. Whose business is substantially derived from the sale or manufacture of guns.
    - c. Whose primary functions include engaging in political speech.
    - d. Whose primary functions are in support of or opposition to a religion, denomination, creed, tenet, or belief.



**Recommendation(s):**

That the Council approve these revisions to Sections III. D. and III. E.1. of the Council Procedures Manual.



**Attachments:**

- Resolution
- Draft revisions to Sections III.D. and III.E.1 of the Council Procedures Manual
- Summary of Revisions to Council Procedures Manual
- Manager's Marketing Partnership Policy
- Council Questions with Staff Response

**A RESOLUTION TO REVISE SECTIONS III. D. AND III. E. 1. OF THE COUNCIL PROCEDURES MANUAL (2020-12-09/R-2)**

WHEREAS, Section III. D. of the Council Procedures Manual establishes the Council Naming Committee and governs the naming or dedicating of Town facilities, and the placement of permanent markers or plaques on Town property; and

WHEREAS, Section III. E. 1. of the Council Procedures Manual governs the acceptance of gifts and donations to the Town; and

WHEREAS, the Manager's Marketing Partnership Policy guides business agreements between the Town and potential sponsors; and

WHEREAS, the Town wishes to provide opportunities for community members to make monetary donations in honor of others to the Town; and

WHEREAS, the Town wishes to appropriately acknowledge monetary donations made in honor of others and in support of Town programs, services, and activities; and

WHEREAS, donor acknowledgements for a defined period of time to recognize the financial contribution of a donor may be distinct from naming.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council revise Section III D. and III E.1. of the Council Procedures Manual as described in the December 9, 2020 meeting materials.

This the 9<sup>th</sup> day of December, 2020.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council adopt revisions to Sections III D. and III E.1 of the Council Procedures Manual.

### III. General Policies and Procedures

#### D. Naming Public Facilities

1. Establishing a Standing Committee on Naming Facilities.

The Council will appoint a standing Naming Committee to make recommendations for naming, renaming, or dedicating Town facilities and streets. The Committee will include two or more Council members.

2. General Procedures for Receiving and Considering Proposals to Name or Rename Town Facilities.

The following process will apply to naming, renaming, or dedicating Town facilities such as buildings, parks, greenways, bikeways, public plaza areas, nature trails, etc.

Separate procedures as authorized below apply to naming and renaming of residential streets (excluding collector and arterial streets) as classified in the Town's Design Manual; to the sale of naming rights to a portion of a Town facility for a predefined, limited period of time; and to the placement of memorial markers at Peace and Justice Plaza.

General Process for Naming Committee to Consider Naming or Renaming Town Facilities.

- a. Requests to name or rename Town facilities will be considered in any of the following ways:
  - (1) Written or oral petition from the public to the Committee or the Council in a regular business meeting.
  - (2) Written or oral petition from an advisory board or commission.
  - (3) Written or oral petition from the Mayor or any Council member.
  - (4) Written or oral request from a donor of a property or a gift who may request a specific recognition as part of offering a gift to the Town.
- b. All requests will be referred to the Naming Committee, which will make recommendations to the Council for a final decision.
- c. The Naming Committee will observe the following process for developing and submitting recommendations to the Council. The Committee will:
  - (1) Seek ideas from appropriate Town boards and commissions and other community organizations or residents before making preliminary recommendations.
  - (2) Invite comments on preliminary recommendations. When the Committee develops preliminary recommendations for naming facilities, it will distribute news releases to the media, to relevant community organizations, and otherwise seek comments from the public for at least one month. The Committee may publish paid notices of proposed facility names and may or may not hold public forums.
  - (3) Submit recommendations for naming or renaming facilities to the Council for consideration at a regular business meeting. The Committee may also recommend deferring or not naming facilities.

Excerpt from TOCH [Council Procedure Manual. III General Policies & Procedures.](#)

3. General Policies for the Naming Committee.
  - a. The Committee will not, except in unusual circumstances, recommend names which would duplicate names of other facilities, including streets.
  - b. The Committee's recommendations to the Council will include a summary of comments received from Town boards, community organizations, and the public, as well as copies of written comments.
  - c. The Committee should give strong preference to naming a facility for persons who are deceased. Naming a facility for a living person will only be considered under extraordinary circumstances.
  - d. The Committee can distinguish between naming a facility for someone and dedicating a facility or portion of a facility in someone's honor. A dedication means that the facility will bear a plaque or marker stating the dedication to the person; however, the facility will not be known by the name of the person.

4. Consideration by the Council.

In addition to receiving the Naming Committee's and Town boards' recommendations, the Council may receive brief comments from the public at Council meetings and may establish time limits in accord with the Council's customs and procedures.

Written comments from the public, community organizations and boards and commissions are invited.

The intent of this policy is that the Council would not call a public forum to receive comments except in unusual circumstances in which a large number of residents desire to address the Council.

After a decision by the Council to name or rename a facility, the Manager shall be responsible for implementation in accord with the Council's guidance.

5. Policies for Naming and Renaming Residential Streets.
  - a. New streets. In new developments, residential streets shall be named under current procedures normally involving developers' submittal of names for approval by the Manager, or, if applicable, in accord with conditions of a development permit. Unless otherwise directed by the Council, the Manager is authorized to name entrance streets or drives to Town facilities, if appropriate, as part of the development process.
  - b. Existing streets. To rename an existing publicly maintained residential street, a group of residents may request the Town Manager to approve its renaming. Names shall not duplicate or be similar to names of existing streets or facilities. The Manager is hereby authorized to establish administrative procedures to carry out this policy.
  - c. Any determination or decision by the Manager may be appealed to the Town Council by a resident or owner of property abutting a street proposed to be renamed.
6. Policies for the Sale of Naming Rights for a Portion of a Town Facility or other Town-owned property.

Excerpt from TOCH [Council Procedure Manual. III General Policies & Procedures.](#)

The Naming of Public Facilities is distinct from the sale of Naming Rights to a portion of a Town facility or other Town-owned property. For portions of Town-facilities such as rooms, meeting rooms, gymnasiums, etc. Naming Rights may be purchased for a defined period of time.

a. CRITERIA

In general, the sale of Naming Rights to may be permitted in the name of individuals or organizations that:

- 1) Advance the Town's mission of "Learning, serving and working together to build a community where people thrive."
- 2) Support or promote Town goals of diversity, equity, and inclusion, environmental stewardship and conservation, and historical and cultural awareness.

No Plaque or Marker will be permitted in the name of parties:

- 1)Whose business is substantially derived from the sale or manufacture of tobacco products or electronic cigarettes.
- 2)Whose business is substantially derived from the sale or manufacture of guns.
- 3)Whose primary functions include engaging in political speech.
- 4)Whose primary functions are in support of or opposition to a religion, denomination, creed, tenet, or belief.

b. PROCEDURE

Individuals or organizations that wish to purchase naming rights to a portion of a Town facility or other Town-owned property for a period of two or more years must submit written proposals to the Council Naming Committee for review.

- 1)Acceptance of payments must be approved by Council.
- 2)Approved proposals will be governed by the terms of an Agreement between the Town and the purchaser, detailing roles, responsibilities, and terms of recognition.
- 3)Agreements will be drafted in coordination with the Director of the Department where the marker will be placed.

7. Policies Regarding Memorial Markers at Peace and Justice Plaza.

- a. Once a year, the Naming Committee may bring forward to the Council for consideration the names of persons nominated to be honored on the Peace and Justice Plaza marker.
- b. Nominees for the Peace and Justice Plaza marker must be deceased.
- c. Nominees must have demonstrated a lifelong commitment to furthering the causes of peace and justice in Chapel Hill.

## **E. Council Adopted Policies and Procedures**

### **1. Acceptance of Gifts and Donations.**

Section 1. The purpose of this policy is to establish a uniform policy for accepting gifts and donations made to the Town of Chapel Hill.

Section 2. Any gifts or donations solicited by or received by the various boards and commissions appointed by the Town Council are construed to be gifts or donations to the Town and therefore governed by this policy.

Section 3. The Council of the Town of Chapel Hill shall be informed through the agenda process of the following types of gifts and donations and shall make a determination in a regular business meeting of whether or not to accept the following types of gifts and donations:

- a. Real estate.
- b. Personal property, ownership of which would require a significant expenditure of Town funds.
- c. Restricted cash to be used for a specified program or purpose which is not included in a current operating plan for the Town, including but not limited to gifts to commission a piece of artwork and gift it to the Town in perpetuity.

Section 4. The Council of the Town of Chapel Hill hereby delegates to the Town Manager the authority to accept other gifts and donations, such as:

- a. Unrestricted cash.
- b. Cash to be used for a specified program or purpose which is included in a current operating plan for the Town, including but not limited to gifts in support of operational supplies and materials.
  - 1. Donors may choose to request placement of a Town-issued marker on items purchased with their donations.
    - a. The text on Town-issued acknowledgment labels may memorialize or honor a person, organization, or event.
    - b. Named parties on acknowledgment labels must meet requirements outlined in the Manager's Marketing Partnership Policy and the Council Policy on Naming Facilities.
    - c. Town-issued acknowledgment labels are for a specified period of time and not intended to be permanent.
    - d. Text must be approved by the Director of the Department to which the donation is directed.
- c. Personal property that does not require a significant expenditure of Town funds.



**Summary of draft revisions to the Council Procedures Manual, Sections III. D. and III. E.**

1. Removed Section III. D. 6 *Policies for Dedications and Memorials* and replaced it with a new section, *Policies for the Sale of Naming Rights for a Portion of a Town Facility or other Town-owned property*
2. Added Criteria for granting Naming Rights and allowing placement of plaques and markers on Town property to Section III. D. 6. These criteria align with Transit Advertising Policy the Manager's Marketing Partnership Policy
3. Moved existing *Policies regarding the placement of memorial markers at Peace and Justice Plaza* into a numbered section, III. D. 7
4. Made additions to Section III. E. 1 *Council Adopted Policies and Procedures – Acceptance of Gifts and Donations*
  - a. Clarifying that Council shall be notified through the agenda review process of proposed restricted cash gifts that are to be used for a specified program or purpose which is **not** included in a current operating plan for the Town, including but not limited to gifts to commission a piece of artwork and gift it to the Town in perpetuity; and
  - b. Permitting the Manager to allow the placement of Town-issued, time-limited acknowledgment labels on restricted cash donations made for a specified purpose which **is** part of the current operating plan for the Town, including but not limited to gifts in support of operational supplies and materials, such as library materials and standard recreational materials

## Manager's Marketing Partnership Policy

### I. Policy

The Town of Chapel Hill will choose marketing partnerships with businesses and organizations who share the Town's commitment to creating a high-quality civic environment and building a community where people thrive.

All marketing partnerships will be governed by a Marketing Partnership Agreement, detailing roles, responsibilities, and terms of recognition.

The Town Manager is responsible for authorizing Town marketing partnership opportunities and agreements.

All Town Departments and recognized Town support groups, including "Friends of" organizations, will follow the guidelines in this policy.

### II. Purpose

The purpose of this policy is to guide all marketing partnerships between the Town and external businesses, organizations, and corporations. The objectives of this policy are:

- A. To guide relationships with existing and potential marketing partners and align those partnerships with Town mission, values, and interests.
- B. To generate revenue, in-kind values, and non-monetary benefits to fund or support existing and additional programs, projects, activities, or facilities.

Marketing partnerships with the Town are not intended to create a public forum for public discourse, or to provide a forum for any existing or potential marketing partner.

This policy supersedes all previous departmental marketing policies or processes.

## Manager's Marketing Partnership Policy

### III. Procedures

#### A. Criteria

1. In general, marketing partnerships are offered to parties that
  - a) Advance the Town's mission of "Learning, serving and working together to build a community where people thrive."
  - b) Support or promote Town goals of diversity, equity, and inclusion, environmental stewardship and conservation, and historical and cultural awareness.
2. The Town reserves the right to refuse to enter into marketing partnerships with parties that do not meet these guidelines.
3. The Town will not enter into marketing partnerships with entities including, but not limited to,
  - a) Parties actively bidding for a Town contract.
  - b) Parties actively seeking approval of a development proposal from the Town.
  - c) Parties whose business is substantially derived from the sale or manufacture of tobacco products or electronic cigarettes.
  - d) Parties whose business is substantially derived from the sale or manufacture of guns.
  - e) Parties whose primary functions include engaging in political speech.
  - f) Parties whose primary functions are in support of or opposition to a religion, denomination, creed, tenet, or belief.
  - g) Marketing Partnerships with parties whose business is substantially derived from the sale, distribution, or manufacture of alcoholic beverages if the primary audience at the sponsored location is youth under the legal drinking age.

#### B. Definitions

1. Donation or gift: Money, personal property, real property, in-kind goods or services, or any other asset that the Town has accepted and the donor did not receive goods or services in return. Acceptance of gifts and donations is governed by Council-Adopted Policies outlined in the Council Procedures Manual III. E. 1.
2. Donor Acknowledgement: Excluding naming, donor acknowledgment is writing on plaques, walls, electronic displays, signs, etc. for a defined period of time to recognize the financial contribution of a donor.
3. Marketing Partnership: A mutually beneficial business arrangement between the Town and an external party when the external party provides cash or in-kind products or services or benefits to the Town in exchange for access to the commercial marketing potential associated with the Town. Paid Advertising on Chapel Hill Transit assets is governed by the Transit Advertising Fee Schedule and Policy.

## Manager's Marketing Partnership Policy

4. Marketing Review Team: An interdepartmental staff team that evaluates potential marketing partners and sponsorship packages to identify opportunities that support the Town of Chapel Hill brand and bring value to the community.
5. Naming: Naming or renaming Town facilities or streets or placing any permanent markers or plaques on Town property. Naming is governed by the Council Naming Committee as outlined in the [Council Procedures Manual](#).
6. Political Speech includes, but is not limited to:
  - a) Speech that promotes or opposes a political party or the election of any candidate(s) for any government offices; or
  - b) Speech that disparages any federal, state, or local jurisdiction or their elected or appointed officials, employees, departments, or services; or
  - c) Speech that promotes or opposes initiatives, referendums or other ballot measures; or
  - d) Speech that is directed or addressed to the action, inaction, prospective action, or policies of a governmental entity; or
  - e) Speech which advocates or expresses a political message, opinion, position, or viewpoint regarding disputed economic, political, moral, religious or social issues or related matters.
7. Town Assets: Tangible or intangible items of value that are owned or created by the Town, including but not limited to Town Facilities and any part of real property or structure owned by the Town.

### C. Marketing Partnership Categories

1. Type A: Time-limited public events or programs at a single Town facility. Examples may include a swim meet or public performance.
2. Type B: Time-limited public events or programs with a Town-wide presence. Examples may include sports league t-shirts and signature Town events, e.g. Festifall.
3. Type C: Temporary advertising or logo display on any Town asset for more than seven days. Examples may include ballfield advertising signs, equipment, temporary art installations, or typical park benches.
4. Type D: Long-term naming on a Town facility, Town street, Peace and Justice Plaza Marker, or on other Town assets for more than two years.

## Manager's Marketing Partnership Policy

### IV. Responsibility

#### A. Administration

1. Department Directors or their designees may develop departmental sales packages and marketing opportunities that are consistent with this policy.
2. Department Directors or their designees will prepare and execute a Town of Chapel Hill Marketing Partnership Agreement governing all terms and responsibilities of Type A, B, and C Marketing Partnerships.
3. Department Directors will share their sales packages, marketing opportunities, and marketing partners with the Town's marketing review team.

#### B. Evaluation

1. The Department Director responsible for the program, project, activity, facility, or other Town asset in question may approve or decline Type A, B, and C Marketing Partnership proposals.
2. Proposals valued at or above \$10,000 must additionally be reviewed by the Town's marketing review team and approved by the Town Manager.
3. The Town reserves the right to refuse any proposed partnership based on the guidelines of this policy. Department Director's decisions may be appealed to the Town Manager who is authorized to make a final determination in consultation with the Town Attorney.
4. Type D Marketing Partnership proposals are governed by Council Policy as outlined in the Council [Procedures Manual](#) III. D. and III. E. 1

## 11-04-2020 Town Council Meeting Responses to Council Questions

### **ITEM #5: Revise Sections III. D. and III. E.1. of the Council Procedures Manual Regarding Naming Policies and the Acceptance of Gifts and Donations**

**Council Question:**

For the changes recommended, what are the current policies and why are these changes being recommended?

**Staff Response:**

*Current policies are posted on the Town's [Council Procedures Manual web page](#)<sup>1</sup>, under Section III D (Naming Public Facilities) and III E 1 (Acceptance of Gifts).*

*These changes are recommended to:*

- *Clarify Town policy and procedures by which Council may approve the sale of Naming Rights to portions of Town facilities*
- *Clarify Town policy and procedures by which the Council and Manager may approve the placement of donor acknowledgement plaques and labels on Town-owned equipment and materials*
- *Align policy & procedures regarding Naming, the potential sale of Naming Rights, and donor acknowledgment with the criteria outlined in the Manager's Marketing Partnership Policy*

**Council Question:**

Who is currently on the Naming Committee?

**Staff Response:**

*Mayor Hemminger, Mayor Pro Tem Parker, Council Member Anderson, and Council Member Stegman.*

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<sup>1</sup> <https://www.townofchapelhill.org/government/mayor-and-council/mayor-council/council-procedures-manual>



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

Item #: 4., File #: [20-0858], Version: 1

Meeting Date: 12/9/2020

### Adopt a Resolution Supporting an Application for Transportation Demand Management (TDM) Grant.

#### Staff:

Colleen Willger, Director  
Bergen Watterson, Transportation Planning Manager  
Len Cone, Transportation Demand Community Manager

#### Department:

Planning

**Overview:** This resolution supports the effort for grant application for the FY22 Transportation Demand Management grant. The Transportation Management Plan (TMP) program supports the Town's broader transportation goals to expand mobility, reduce congestion, increase housing affordability and promote sustainability through alternative modes of transportation. The TMP provides information and incentives to local employers encouraging use of public transit, bicycling and walking. The Town conducts a survey every two years on commuter travel behavior and demographics to inform future efforts and policy decisions.

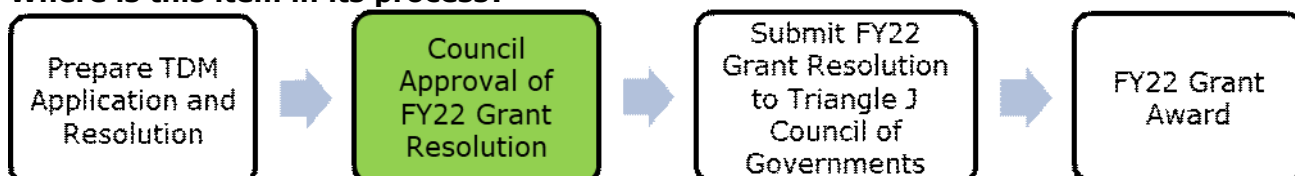
#### ★ Recommendation(s):

That the Council adopt the resolution supporting an application to Triangle J Council of Governments for the FY22 TDM grant.

#### Decision Points:

- The TDM work focuses on reducing traffic congestion, decreasing Chapel Hill's carbon footprint, improving air quality, increasing quality of living, increasing transit ridership and offering a healthier community consistent with the community vision of Chapel Hill 2020 and the Town Mission of building a community where people thrive.
- Participation in the TDM regional program supports the Town's role in regional transportation.
- The TDM Grant 50% match comes from the Active Living by Design Town funding.
- Funding application for FY22 will be determined once the grant guidelines have been determined.
- Current grant amount for FY21 is \$101,933 (\$5,500 is for Carrboro as a subrecipient) with 50% equaling \$50,966.50 from Town and 50% matched by TDM Grant from TJ COG.
- Grant amounts will not exceed FY21 amount unless there is increase to salary and benefits.

#### Where is this item in its process?



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**Item #:** 4., **File #:** [20-0858], **Version:** 1

**Meeting Date:** 12/9/2020

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**Attachments:**

- Resolution



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**A RESOLUTION SUPPORTING THE FY22 CHAPEL HILL TRANSPORTATION DEMAND MANAGEMENT APPLICATION TO THE TRIANGLE J COUNCIL OF GOVERNMENTS FOR A TRANSPORTATION DEMAND MANAGEMENT GRANT (2020-12-09/R-3)**

WHEREAS, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization has provided funding to the Triangle J Council of Governments to support Transportation Demand Management (TDM) Activities in the Region; and

WHEREAS, the Town of Chapel Hill has received Transportation Demand Management funding in FY21 and coordinates with the University of North Carolina at Chapel Hill and the Town of Carrboro in Transportation Demand Management program promotions; and

WHEREAS, the Town has developed a program of Transportation Demand Management activities as part of the FY22 Transportation Demand Management grant application; and

WHEREAS, the Town of Carrboro will be a sub-recipient of the Town's FY22 Transportation Demand Management grant; and

WHEREAS, Town staff will support and administer the Transportation Demand Management program, which requires a 50% match of the total program budget; and

WHEREAS, a resolution is required from the Town of Chapel Hill supporting the Transportation Demand Management grant application.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town Council supports the FY22 Chapel Hill Transportation Demand Management grant application to the Triangle J Council of Governments.

This the 9th day of December, 2020.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council supports an application for the FY22 Transportation Demand Management grant.



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

Item #: 5., File #: [20-0859], Version: 1

Meeting Date: 12/9/2020

### Continue the Discussion of a Land Use Management Ordinance Text Amendment for Townhomes in the Blue Hill District to February 24, 2021.

#### Staff:

Colleen Willger, Director  
Judy Johnson, Operations Manager  
Corey Liles, Principal Planner

#### Department:

Planning

**Overview:** The Town Council held a public hearing on [November 18, 2020](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696359&GUID=0706DB6A-3DFD-4948-B756-83EC7DCCAB25) [\(<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696359&GUID=0706DB6A-3DFD-4948-B756-83EC7DCCAB25>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4696359&GUID=0706DB6A-3DFD-4948-B756-83EC7DCCAB25) to discuss refinements to the Blue Hill Form-Based Code that would encourage townhome projects. Continued discussion and possible action was scheduled for December 9. Staff is now recommending that Council postpone further discussion to February 24, 2021, due to the large number of agenda items scheduled for the December 9 Council Meeting.



#### Recommendation(s):

That the Council adopt the resolution continuing discussion on the proposed text amendment for townhome standards in the Blue Hill District to February 24, 2021.

#### Additional Information:

- During a study of Building Massing standards for Blue Hill, the consultant advised that townhome projects in the Blue Hill District are likely to be unfeasible because of a requirement that projects include commercial space. The proposed text amendment is intended to address this issue.
- On November 18, 2020, Council moved to close the public hearing, receive additional public comment for 24 hours following the conclusion of the hearing, and consider action at the December 9, 2020 meeting.

#### Where is this item in its process?



#### Attachments:

- Resolution

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**A RESOLUTION CONTINUING DISCUSSION OF A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO SECTION 3.11 REGARDING TOWNHOME STANDARDS IN THE BLUE HILL DISTRICT (2020-12-09/R-4)**

WHEREAS, on March 14, 2018, Council Members petitioned the Mayor and Town Manager to consider solutions for the Blue Hill District that would address community interests including increasing non-residential development, accomplishing the existing goal of 300 new affordable housing units, and addressing building size and massing concerns; and

WHEREAS, on February 19, 2020, Council updated the standards for building massing in the Blue Hill District in response to the petition, through approval of text amendments to Section 3.11 of the Land Use Management Ordinance; and

WHEREAS, based on discussion at the public hearing and the findings of the project consultant, Council asked staff to further study and refine the proposed standards for townhome projects that would exempt projects meeting certain criteria from a nonresidential space requirement; and

WHEREAS, the Council considered a Town-initiated proposal to amend the Land Use Management Ordinance to update requirements for nonresidential space within townhome projects at a public hearing on November 18, 2020; and

WHEREAS, the Council moved to close the public hearing, receive additional public comment for 24 hours following the conclusion of the hearing, and consider action on December 9, 2020; and

WHEREAS, the agenda for the December 9, 2020 Council Meeting contains a large number of discussion items.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council continues discussion of the proposed Land Use Management Ordinance text amendment regarding townhome standards in the Blue Hill District to February 24, 2021 at 7:00 p.m..

This the 9<sup>th</sup> day of December, 2020.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council continues discussion to February 24, 2021 to consider a text amendment regarding townhome standards in the Blue Hill District.



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

Item #: 6., File #: [20-0860], Version: 1

Meeting Date: 12/9/2020

### Receive Upcoming Public Hearing Items and Petition Status List.

#### Staff:

Sabrina Oliver, Director and Town Clerk  
Amy Harvey, Deputy Town Clerk

#### Department:

Communications and Public Affairs



#### Recommendation(s):

That the Council accept the reports as presented.

#### Background:

Two pages on our website have been created to track:

- public hearings scheduled for upcoming Council meetings; and
- petitions received, including their status and who you can call for information.

The goal is to provide, in easily available spaces, information that allows people to know when Council will be seeking their comments on a particular topic of development and to know the status of a petition submitted at Council meetings.

In addition to being on the website, these pages will be included in each agenda for Council information,

**Fiscal Impact/Resources:** Staff time was allocated to create the semi-automated web pages, and additional staff time will be needed for maintenance.



#### Attachments:

- Scheduled Public Hearings <<https://www.townofchapelhill.org/government/mayor-and-council/council-minutes-and-videos/scheduled-public-hearings>>
- Status of Petitions to Council <<https://www.townofchapelhill.org/government/mayor-and-council/how-to-submit-a-petition/petition-status>>

**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.

## SCHEDULED PUBLIC HEARINGS

This webpage lists public hearings that are scheduled for a *specific Council meeting date*, although periodically, some may be continued to a future date. Public hearings may relate to the Land Use Management Ordinance (LUMO), Residential or Commercial Development, Budget, Transportation, or Housing issues. Meeting materials are posted at [Council Meeting Agendas](#), [Minutes](#) and [Videos](#).

Interested in a development project not yet scheduled for Council review? See the [Development Activity Report](#) for the project's current status.

### December 9

- Continue the Public Hearing: Land Use Management Ordinance Text Amendment for Townhomes in the Blue Hill District
- Consider an Application for Conditional Zoning - Bridgepoint, 2214 and 2312 Homestead Road (Project 20-001).
- Charting Our Future - Consider Adoption of the Future Land Use Map - Update to Chapel Hill 2020
- Continue the Public Hearing: Conditional Zoning for S. Columbia Street Annex, 1150 S. Columbia Street - Proposed Change from Residential-2 (R-2) to Mixed Use - Village (MU-V)
- Consider a Request to Close a Portion of an Unmaintained and Unimproved Public Right-of-Way on Monroe Street
- Open the Public Hearing: Application for Conditional Rezoning - Phi Gamma Delta at 108 W. Cameron Avenue
- Consider Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD) (Project #19-065).
- Consider Annexation of Properties at 7000 Millhouse Road.

# STATUS OF PETITIONS TO COUNCIL

Petitions submitted during the Town Council meetings are added to the list below, typically within five business days of the meeting date.

To contact the department responsible, click on the department name. Meeting materials are posted at [Council Meetings, Agendas, Minutes and Videos](#).

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
11/04/2020	Residents in the area of Mason Farm Rd., Whitehead Circle, and Purefoy Rd	<a href="#">Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus.</a>	<b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078 <b>Public Works</b> <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.
11/04/2020	Barbara Driscoll	<a href="#">Request for a Leave the Leaves Campaign.</a>	<b>Public Works</b> <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100 <b>Town Manager</b> <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
10/28/2020	Residents of Dixie Drive	<a href="#">Request to Rename Dixie Drive.</a>	<b>Public Works</b> <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Staff is evaluating this request in accordance with the Town's policy for renaming existing residential streets.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
10/28/2020	Stormwater Management Utility Advisory Board	<a href="#">Recommendations Regarding the Development Review Process.</a>	<p><b>Planning &amp; Development Services</b>  <a href="#">Judy Johnson</a>,  Interim Planning Director  Phone: 919-969-5078</p> <p><b>Public Works</b>  <a href="#">Lance Norris</a>,  Public Works Director  Phone: 919-969-5100</p>	Staff is preparing information to respond to this request.
06/10/2020	Community Design Commission	<a href="#">Request to Create a Downtown Design District.</a>	<p><b>Planning &amp; Development Services</b>  <a href="#">Judy Johnson</a>,  Interim Planning Director  Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.
05/20/2020	Parks, Greenways, and Recreation Commission	<a href="#">Request to Designate all 36.2 Acres of the American Legion Property for Use as a Community Park.</a>	<p><b>Town Manager</b>  <a href="#">Ross Tompkins</a>,  Assistant to the Town Manager  Phone: 919-968-2707</p>	This request will be incorporated into the public engagement process for the future use of the site.
05/20/2020	Planning Commission	<a href="#">Request Regarding Payments in Lieu for Pedestrian/Biking Improvements.</a>	<p><b>Planning &amp; Development Services</b>  <a href="#">Judy Johnson</a>,  Interim Planning Director  Phone: 919-969-5078</p>	Staff will produce the information requested and share the results with the Planning Commission.
05/20/2020	Elaine McVey	<a href="#">Request to Amend the Land Use Management Ordinance Related to Deer Fencing.</a>	<p><b>Planning &amp; Development Services</b>  <a href="#">Judy Johnson</a>,  Interim Planning Director  Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
02/26/2020	Lillian Pierce	<a href="#">Request to Abandon Bicycle/Pedestrian Easement at 205 Huntington Way.</a>	<b>Parks &amp; Recreation</b> <a href="#">Phillip Fleischmann</a> , Director Parks and Recreation Phone: 919-968-2785 <b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	Staff has reviewed this request and will follow up with options for taking action.
02/26/2020	Bayberry Drive Residents	<a href="#">Request to Amend the Water and Sewer Management, Planning, and Boundary Agreement to Allow Water and Sewage Services to Their Lots.</a>	<b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	At their 10/28/20 meeting, Council approved an amendment adding these areas to the OWASA Primary Service Area. The boards of the other agencies signed on to the WASMPBA will also need to approve this change.
02/26/2020	Carlisle Willard	<a href="#">Request Regarding Proposed Anti-Corruption Resolution.</a>	<b>Town Manager</b> <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
02/19/2020	Steve Moore	<a href="#">Request Regarding Cemetery Needs.</a>	<b>Parks &amp; Recreation</b> <a href="#">Phillip Fleischmann</a> , Director Parks and Recreation Phone: 919-968-2785 <b>Communications &amp; Public Affairs</b> <a href="#">Sabrina Oliver</a> , Communications & Public Affairs Director Phone: 919-968-2757	Staff is in contact with the petitioner and is working to respond to the items raised in the petition.



Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/08/2020	Renuka Soll	<a href="#">Request for an Improved Petition Process.</a>	<b>Town Manager</b> <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	Staff continues to look for ways to improve this process, including dedicating additional staff resources.
01/08/2020	Beth Waldron	<a href="#">Request Regarding Revising the Deer Management Program.</a>	<b>Parks &amp; Recreation</b> <a href="#">Phillip Fleischmann</a> , Director Parks and Recreation Phone: 919-968-2785 <b>Police</b> <a href="#">Chris Blue</a> , Police Chief Phone: 919-968-2766	Staff met with the petitioner and continue to have conversations with partner agencies on improving communications and safety for residents.
11/20/2019	John Morris	<a href="#">Request Regarding Local &amp; Regional Transit Planning.</a>	<b>Transit</b> <a href="#">Brian Litchfield</a> , Transit Director Phone: 919-969-4908	Staff is preparing information to respond to this request.
10/02/2019	Daniel Dunn	<a href="#">Request Regarding Government Transparency.</a>	<b>Technology Solutions</b> <a href="#">Scott Clark</a> , CIO Phone: 919-968-2735 <b>Communications &amp; Public Affairs</b> <a href="#">Sabrina Oliver</a> , Communications & Public Affairs Director Phone: 919-968-2757	Town staff continue to work on improving and expanding the open data portal. This is one of many data sets that are candidates for inclusion on the portal. This information remains available to the public via a public records request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	<a href="#">Request Regarding Neighborhood Preservation.</a>	<p><b>Police</b> <a href="#">Chris Blue</a>, Police Chief Phone: 919-968-2766</p> <p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.
06/26/2019	Community Design Commission	<a href="#">Request for Modifications to the Concept Plan Review Process.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	The Council most recently discussed this at their 09/16/2020 work session.
06/26/2019	Julie McClintock	<a href="#">Request Regarding the Blue Hill Form Based Code.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.
04/24/2019	Board of Adjustment	<a href="#">Request Regarding Neighborhood Conservation District Ordinances.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.
04/17/2019	Amy Ryan for Planning Commission	<a href="#">Commission Regarding Site Plan Review Process.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
03/20/2019	Cheri Hardman	<a href="#">Request to Explore Local Control over Transit Planning and Funding.</a>	<b>Transit</b> <a href="#">Brian Litchfield</a> , Transit Director Phone: 919-969-4908	The public comment period for the FY20 Work Plan closed 05/30/19. The Town also submitted a funding request for North South BRT project from the Orange County Transit Plan; all of the governing bodies (Orange County, GoTriangle, and DCHC MPO) approved it.
03/06/2019	Environtmental Stewardship Advisory Board	<a href="#">Request to Modify the Blue Hill Form Based Code to Include a Requirement for Installing Roof-Mounted Solar Energy Systems</a>	<b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078 <b>Town Manager</b> <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	As discussed at the 04/24/19 Council meeting, staff will develop options aimed at achieving the Council's energy efficiency goals for new development.
02/13/2019	Citizens	<a href="#">Request Regarding Coal Use and Coal Ash.</a>	<b>Town Manager</b> <a href="#">Ross Tompkins</a> , Assistant to the Town Manager Phone: 919-968-2707	The Town plans to fund interim remedial measures based on recommendations from the human health and ecological risk assessment performed at the coal ash site. The Town continues to monitor NC Division of Air Quality's review of the power plant permit.
12/05/2018	Paul Pritchard	<a href="#">Request to Defer Reforestation at Cleland, Rogerson, and Oakwood Intersection.</a>	<b>Parks &amp; Recreation</b> <a href="#">Phillip Fleischmann</a> , Director Parks and Recreation Phone: 919-968-2785	This topic was added to the 01/15/19 agenda of the Parks, Greenways and Recreation Commission, with time allocated for the neighbors to speak. Another public meeting will be scheduled later in the year.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
10/24/2018	Jeff Charles	<a href="#">Regarding Extended Speaking Time for Individuals with Disabilities.</a>	<p><b>Mayor</b> <a href="#">Pam Hemminger</a>, Mayor Phone: 919-968-2714</p> <p><b>Town Manager</b> <a href="#">Ross Tompkins</a>, Assistant to the Town Manager Phone: 919-968-2707</p>	Staff met with the petitioner and will update the "Comment at Council Meetings" web page to clarify the Town's willingness to extend speaking time and how to request this extension.
10/24/2018	Justice in Action Committee	<a href="#">Request Regarding a New Location for the Teen Center of Chapel Hill.</a>	<p><b>Housing &amp; Community</b> <a href="#">Loryn Clark</a>, Executive Director Phone: 919-969-5076</p> <p>Community Arts and Culture</p>	A staff workgroup, in coordination with the Mayor's Office, has been gathering data and seeking input from teens, service providers, and other stakeholders. The Council received an update on this initiative at their 01/30/19 business meeting.
09/19/2018	Julie McClintock of CHALT	<a href="#">Regarding Land Use Intensification.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p> <p><b>Public Works</b> <a href="#">Lance Norris</a>, Public Works Director Phone: 919-969-5100</p>	The Town's Resiliency Map is part of the map series for the Future Land Use Map. On 06/12/19, the Council received a presentation on the Town's Stormwater program. Staff is preparing information to respond to the additional requests in this petition.
06/27/2018	Susanne Kjemtrup / Brian Hageman	<a href="#">Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Referred to the Future Land Use Map and Land Use Management Ordinance rewrite process, which began in Fall 2017 and is expected to be completed in 2020.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/13/2018	Mayor pro tem Jessica Anderson	<a href="#">Request to Amend Bus Advertising Policy.</a>	Transit <a href="#">Brian Litchfield</a> , Transit Director Phone: 919-969-4908	At their 01/22/19 meeting, the Chapel Hill Transit Public Transit Committee considered the draft nonpublic forum transit advertising policy in order to provide feedback to the Chapel Hill Town Council on the option of amending the policy.
06/13/2018	Ondrea Austin	<a href="#">CHALT's Request to Revise the Tree Ordinance.</a>	Planning & Development Services <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
06/13/2018	Mayor Pam Hemminger	<a href="#">Regarding Reviewing Policies, Procedures, and Practices for Development.</a>	Planning & Development Services <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	A Town web page with TIA exemption requests is available. Staff continues to look for ways to apply the LUMO clearly and consistently for all stakeholders in the development process.
03/14/2018	Council Members Anderson, Gu, and Schaevitz	<a href="#">Request Regarding Addressing Blue Hill District Community Interests.</a>	Planning & Development Services <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	Council enacted ordinance amendments pertaining to stormwater management, affordable housing, and non-residential development, as well as building size, massing, and permeability. Council will consider amendments for townhomes at their 11/18/20 meeting..
09/06/2017	Tom Henkel from the Environmental Stewardship Advisory Board	<a href="#">Request for Modification to the Ephesus-Fordham Form-Based Code for the Purposes of Energy Efficiency.</a>	Planning & Development Services <a href="#">Judy Johnson</a> , Interim Planning Director Phone: 919-969-5078	Where feasible, modifications will be considered as part of the development process for the Blue Hill Design Guidelines.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
01/23/2017	Transportation and Connectivity Advisory Board	<a href="#">Request to Support Low/No Vision Guidelines to be Included in the Town's Engineering Manual as Stated in the April 11, 2016 Petition to Council</a>	<p><b>Public Works</b> <a href="#">Lance Norris</a>, Public Works Director Phone: 919-969-5100</p> <p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p>	Request incorporated into process to update Public Works Engineering Design Manual.
11/07/2016	Mayor Hemminger	<a href="#">Regarding Parking and Transit Needs in Downtown Area.</a>	<p><b>Planning &amp; Development Services</b> <a href="#">Judy Johnson</a>, Interim Planning Director Phone: 919-969-5078</p> <p><b>Police</b> <a href="#">Chris Blue</a>, Police Chief Phone: 919-968-2766</p> <p><b>Public Works</b> <a href="#">Lance Norris</a>, Public Works Director Phone: 919-969-5100</p>	Recent actions include replacing parking pay stations, implementing Downtown Ambassadors program, and including additional parking with required Wallace Parking Deck repairs. Next steps include parking payments-in-lieu and public/private partnerships.
05/09/2016	Stormwater Management Utility Advisory Board	<a href="#">Request for Orange County Commissioners to Increase Staffing in Soil and Erosion Control Division and Improve Efficiency of Temporary Soil Erosion and Sediment Controls During Construction.</a>	<p><b>Public Works</b> <a href="#">Lance Norris</a>, Public Works Director Phone: 919-969-5100</p>	Petition forwarded to Orange County. Consider changes to soil erosion and sediment control as part of Public Works Engineering Design Manual updates.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
04/11/2016	Transportation and Connectivity Advisory Board	<a href="#">Request to Incorporate Proposed No-Vision and Low-Vision Pedestrian Facilities Guidelines into Design Manual and Development Code as Required</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Request incorporated into process to update Public Works Engineering Design Manual.
04/11/2016	Transportation and Connectivity Advisory Board	<a href="#">Request for Senior Citizen Pedestrian Mobility and Complete Street Implementation</a>	Public Works <a href="#">Lance Norris</a> , Public Works Director Phone: 919-969-5100	Request incorporated into process to update Public Works Engineering Design Manual.

Last modified on 12/3/2020 3:15:05 AM



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

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**Item #:** 7., **File #:** [20-0840], **Version:** 1

**Meeting Date:** 12/9/2020

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**Update on the Airport Hazard District Land Use Management Ordinance Text and Map Amendment.**

See Staff Report on next page.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By accepting the report, the Council receives this update.





## AIRPORT HAZARD DISTRICT LAND USE MANAGEMENT ORDINANCE TEXT AND MAP AMENDMENT UPDATE

### STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Judy Johnson, Operations Manager

<b>PROJECT LOCATION</b> Airport Hazard District	<b>MEETING DATE</b> December 9, 2020
<b>STAFF'S RECOMMENDATION</b> That Council receive this update. No further Council action is required.	
<b>OVERVIEW</b> The 2020 Carolina North Annual Report stated that the Horace Williams Airport is closed. Council received this report at its <a href="#">October 7, 2020</a> <sup>1</sup> meeting. Staff has determined that the statement in the report meets the standards of the November 23, 2015 Ordinance as an official notice from the University of North Carolina. The Airport Hazard overlay district will be removed from the Town's zoning map, and Section 3.6.1 of the Land Use Management Ordinance shall be repealed.	
<b>BACKGROUND</b> At the <a href="#">November 23, 2015</a> <sup>2</sup> Council meeting, Council enacted a text amendment removing the Airport Hazard District once the Horace Williams Airport closed. It states:  "Article 3.6.1 within the Chapel Hill Land Use Management Ordinance is hereby repealed.  The Ordinance shall be effective the first day of the first month following the effective date of the closure of the airport as indicated in official notice from the University of North Carolina with closure being defined as termination of all take-offs and landings of aircraft from said property."	<b>DEVELOPMENT AGREEMENT</b> The <a href="#">Carolina North Development Agreement</a> <sup>3</sup> between the University and the Town of Chapel Hill, dated July 1, 2009, Section 5.16.9 requires that UNC install a temporary, non-paved central trail from Estes Drive Extension to Homestead Road within one year of the closing and deactivation of the airport runway. Although the airport is closed, deactivation—meaning removal of equipment, facilities, and structures related to the airport and runway-- has not yet occurred. The airport and runway remain enclosed for public safety as equipment and infrastructure are present on the ground.
<b>AREA MAP</b> 	
<b>ATTACHMENTS</b>	1. November 23, 2015 Land Use Management Text Amendment

<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4655918&GUID=5B2D555B-62A6-4457-BEDF-3D1A162AB541>

<sup>2</sup> [https://chapelhill.granicus.com/MinutesViewer.php?view\\_id=21&clip\\_id=2550&doc\\_id=7541ed78-92c8-11e5-8170-f04da2064c47](https://chapelhill.granicus.com/MinutesViewer.php?view_id=21&clip_id=2550&doc_id=7541ed78-92c8-11e5-8170-f04da2064c47)

<sup>3</sup> <https://www.townofchapelhill.org/government/departments-services/communications-and-public-affairs/current-issues/carolina-north/development-agreement>

**ATTACHMENT  
ORDINANCE**

(Removing the Airport Hazard District upon Closure of the Airport)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REPEAL THE AIRPORT HAZARD DISTRICT OVERLAY AND ASSOCIATED SUBDISTRICTS (2015-11-23/O-17)**

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed amendment to the Chapel Hill Zoning Atlas remove the Airport Hazard District overlay and associated subdistricts and finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted, to achieve the purposes of the Comprehensive Plan; and

WHEREAS, the Council of the Town of Chapel Hill has enacted an ordinance amending the Land Use Management Ordinance (LUMO) to repeal the Airport Hazard District overlay regulations at the time that Horace Williams Airport closes; and

WHEREAS, on October 6, 2015 the Chapel Hill Planning Commission unanimously recommended that the Town Council remove the Airport Hazard District overlay regulations at the time that Horace Williams Airport closes; and

WHEREAS, the Central West Small Area Plan approved on November 26, 2013 by the Town Council as a component of the Chapel Hill 2020 Comprehensive Plan includes exploration of removal of the Airport Hazard District or lessening restrictions as an implementation step.

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas, upon closure of the Horace Williams Airport, shall be amended as follows:

Section 1. The Airport Hazard District overlay and associated subdistricts are hereby no longer designated on the Chapel Hill Zoning Atlas. And the overlay zoning designations are hereby removed from the properties as shown on the attached maps

Section 2. This Ordinance shall be effective on the first day of the first month following the effective date of the closure of Horace Williams Airport as indicated in official notice received by the Town of Chapel Hill from the University of North Carolina or such other agency with the authority to close the airport, closure being defined as the termination of all take-offs and landings of aircraft from said property.

This the 23<sup>rd</sup> day of November, 2015.



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

**Item #:** 9., **File #:** [20-0862], **Version:** 1

**Meeting Date:** 12/9/2020

**Open the Public Hearing for Conditional Zoning - Phi Gamma Delta at 108 W. Cameron Avenue from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning. (OI-3-CZ)**

See Staff Report on next page.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

**PRESENTER:** Anya Grahn, Senior Planner

- a. Without objection, the preliminary report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and preliminary recommendation
- c. Presentation by the applicant
- d. Recommendation of the Planning Commission
- e. Recommendations of other boards and commissions
- f. Comments from the public
- g. Comments and questions from the Mayor and Town Council
- a. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- b. Consider approving the Conditional Zoning application at the January 13, 2021 meeting.

**RECOMMENDATION:** That the Council open the public hearing, close the Public Hearing, receive written public comment for 24 hours following the closed public hearing, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.



**OPEN THE PUBLIC HEARING FOR CONDITIONAL ZONING - PHI GAMMA DELTA AT 108 WEST CAMERON AVENUE FROM OFFICE/INSTITUTIONAL-1 (OI-1) TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD)**

**STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
 Colleen Willger, Planning Director  
 Judy Johnson, Operations Manager  
 Anya Grahn, Senior Planner

PROPERTY ADDRESS	DATE	APPLICANT
108 W. Cameron Avenue	December 9, 2020	Kevin R. Hornik, The Brough Law Firm, on behalf of Phi Gamma Delta

**STAFF RECOMMENDATION**

That the Council open the public hearing and receive comments on the proposed Zoning Atlas Amendment (under the recently enacted legislation authorizing public hearings at remote meetings, public comment may continue to be submitted in the hearing record for 24 hours after the December 9 public hearing).

That the Council then motion to schedule the proposed Zoning Atlas Amendment for possible action on January 13, 2021.

**STAFF ANALYSIS**

The applicant is asking for modifications to regulations. See attached Technical Report for additional information.

**PROCESS**

The Council approved a Special Use Permit (SUP) at this site on July 7, 1997, and the applicant is requesting to replace that entitlement with this Conditional Zoning application.

An SUP holder may request that the Council approve the abandonment of the permit if the development authorized by the permit or modification no longer requires a SUP and all conditions of the SUP have been satisfied. The applicant satisfied the SUP conditions prior to making new changes to the site without required building and zoning permits.

If the proposed Conditional Zoning is approved, the SUP would no longer be required. Conditional Zoning is a legislative process that allows the Council to review the zoning application for consistency with the Land Use Plan in the Comprehensive Plan.

On November 18, 2020, the Council continued this item to the December 9, 2020 meeting.

**DECISION POINTS**

The applicant requests the following:

- Abandon the Special Use Permit, dated July 7, 1997 and replace it with Conditional Zoning.
- Limit the use to only a fraternity or sorority dwelling.
- Modify regulations to reduce required landscape buffers.
- Modify regulations to remove requirement for on-site parking.
- Increase the floor area by 1,547 sf for a total of 13,450 sf.

**PROJECT OVERVIEW**

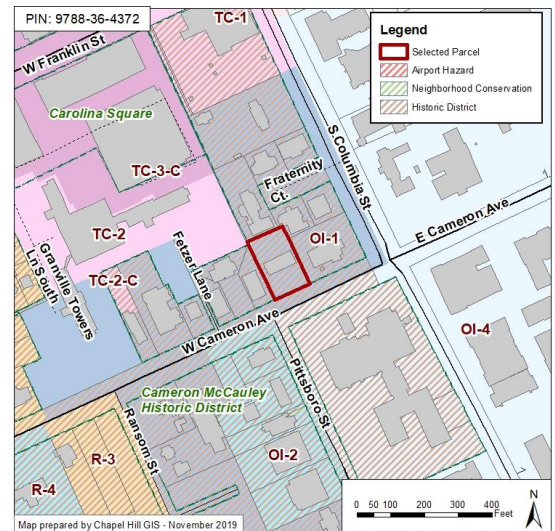
The applicant proposes abandoning the existing Special Use Permit (SUP) and replacing it with Conditional Zoning to allow the following:

- Enclose a rear porch increasing the floor area; and
- Remove all on-site parking.

The site is:

- Currently zoned Office/Institutional-1 (OI-1)
- Proposed zoning to Office/Institutional-3-Conditional Zoning District (OI-3-CZD)
- Lot size is 23,763 sq. ft. (0.55 acres)

**PROJECT LOCATION**



<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. Technical Report</li><li>2. Project Fact Sheet</li><li>3. Draft Staff Presentation</li><li>4. Resolution A, (Resolution of Consistency)</li><li>5. Ordinance A (Approving the Application)</li><li>6. Resolution B (Denying the Application)</li><li>7. Advisory Board Recommendations</li><li>8. Applicant's Materials</li><li>9. Submitted Plans</li></ol>
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# TECHNICAL REPORT

## KEY CONSIDERATIONS

1. Historic District Commission (HDC): At the [March 10, 2020 meeting](#)<sup>1</sup>, the HDC recommended approval as proposed.
2. Environmental Stewardship Advisory Board (ESAB): At the [April 14, 2020 meeting](#)<sup>2</sup>, ESAB recommended approval as proposed.
3. Transportation and Connectivity Advisory Board (TCAB): At the [April 16, 2020 meeting](#)<sup>3</sup>, TCAB recommended approval with the following conditions:
  - a. Applicant shall work with the Fire Department to ensure parking does not occur in the existing shared driveway and impede emergency vehicle access.
  - b. Boulder bollards at the end of the driveway does not impede emergency vehicle access to the backyard.

*Staff Response:* Staff has confirmed with the Fire Department that the proposed improvements would not impede access to the site.

4. Planning Commission: At the [April 21, 2020 meeting](#)<sup>4</sup>, the Planning Commission recommended approval with the following conditions:
  - a. The Town must determine whether fire sprinklers are required.

*Staff Response:* Staff has confirmed that the new enclosed porch does have fire sprinklers and a fire alarm. Additionally, staff has incorporated the following condition of approval:

*33. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]*

## PROJECT OVERVIEW

January 17, 2019

The Town issues a Stop Work Order on the property for changes made to the site without the required permits. Changes include replacing screened openings on the porch

<sup>1</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710237&GUID=3BD2619B-5EA0-43B9-81FA-816B401C8203&Options=info|&Search=>

<sup>2</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710353&GUID=DE1C3022-C223-4250-BF2B-BE48ED63CB7E&Options=info|&Search=>

<sup>3</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=774019&GUID=DC639C8B-7BB7-4CF8-9FF6-43423C13B574&Options=info|&Search=>

<sup>4</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=710322&GUID=A0072D56-8445-4552-BD01-43E57F821856&Options=info|&Search=>

with windows creating floor area, installing new patio/hardscape, and removing on-site parking.

February 15, 2019	The Town issues a Notice of Violation to Phi Gamma Delta for violating the terms and conditions associated with maximum floor area and minimum parking requirements, as outlined in the July 7, 1997 Special Use Permit (SUP).
September 10, 2019	The Historic District Commission (HDC) approves an After-the-Fact Certificate of Appropriateness (ATF COA) for the replacement of screened openings with glass windows on the porch, expanding the floor area of the building; installation of a staircase from the rear deck to ground level as an emergency exit; installation of a fieldstone rear patio; and removal of on-site parking area and replacing with a lawn.
September 10, 2019	Concept Plan for changes already made to the Phi Gamma Delta presented to the HDC. The applicant presented the 1,044 square foot enclosure of a rear porch that increased the floor area as well as the previously removed on-site parking.
November 14, 2019	Applicant submitted a conditional zoning permit application to replace the 1997 SUP and seek approval for the changes made to the site without the required permits.
January 8, 2020	Concept Plan for Phi Gamma Delta presented to Council.
March- April 2020	Advisory Board review of the conditional zoning application.

The applicant proposes applying the Office/Institutional-3-Conditional Zoning District (OI-3-CZD) to accommodate changes made to the site without the required permits. The total floor area of the building is 13,450 square feet, exceeding the allowable floor area in the current Office/Institutional-1 (OI-1) zoning district. More details about the proposed development can be found in the Application Materials.

Information about the site and the proposed zoning district can be found below, as well as the list of proposed Modifications to Regulations, the analysis of the project's consistency with the Comprehensive Plan, and relevant Findings of Fact.

Recommendations by the Historic District Commission (HDC), Housing Advisory Board (HAB), Environmental Stewardship Advisory Board (ESAB), Transportation and Connectivity Advisory Board (TCAB) and Planning Commission are included as attachments.

## **SITE CONTEXT**

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Zoning Atlas Amendment:

- The subject site is located along West Cameron Avenue, within the Town of Chapel Hill town limits. The site has visibility to a high traffic volume; is along the route for over one dozen bus routes that travel through/near campus, including the '420', 'RU', 'A', 'CW' and 'CM' routes; and is located directly north of the Carolina Inn.

- Properties immediately to the east, west, and north the site are zoned Office/Institutional-1 (OI-1) and are developed with fraternity houses.
- Property directly to the northwest of the site is zoned Town Center-2 (TC-2).
- Phi Gamma Delta sits west of the intersection of South Columbia Street and Cameron Avenue. Directly across the street, the Carolina Inn is zoned Office/Institutional-4 (OI-4). To the west of the Carolina Inn and southwest of Phi Gamma Delta, the properties containing fraternity houses are zoned Office/Institutional-2 (OI-2).
- There are various multi-family, fraternity, and institutional buildings near the intersection of South Columbia Street and Cameron Avenue.
- There are no streams, stream buffers, floodplains, or wetlands impacting the site.

## PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and allows site-specific standards to be formulated and applied as conditions through a legislative process. A –CZ suffix would be added to the zoning district designation to incorporate the approved conditions. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with Town regulations and adopted plans. A –CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant proposes a Conditional Zoning district for the site, as shown on the site plan: Office/Institutional-3-Conditional Zoning District (OI-3- CZD).

The Office/Institutional-3 (OI-3) Zoning District is characterized by the following standards:

- **Intent:** Section 3.3.5 of the Land Use Management Ordinance states that the Office/Institutional-3 (OI-3) district “is intended to provide for major educational, research, public service, and office uses, and their necessary support functions, while minimizing conflicts with adjacent land uses.”
- **Permitted Uses:** As established in LUMO Table 3.7-1, permitted uses include (but are not limited to) offices and research activities; limited types of businesses; single-family and multifamily residential; fraternity dwellings, and public/institutional facilities.
  - The Conditional Zoning application proposes limiting uses to fraternity or sorority dwelling.
  - The existing Office/Institutional-1 (O-1) zoning limits fraternity dwellings as a special use.
- **Dimensional Standards:** As established in LUMO Table 3.8-1, standards for Office/Institutional-3 include:

	<b>OI-1</b>	<b>OI-3</b>	<b>Proposed</b>
<b>Setbacks:</b>			
<b>Street</b>	24 ft.	0 ft.	24 ft.
<b>Interior</b>	8 ft.	0 ft.	8 ft.
<b>Solar</b>	11 ft	0 ft.	11 ft.
<b>Building Height</b>	29 ft. primary 60 core	N/A	48 ft.



	<b>OI-1</b>	<b>OI-3</b>	<b>Proposed</b>
<b>Floor Area</b>	0.264 (6,266 SF)	0.566 (13,464 SF)	0.566 (13,450 SF)

The proposed zoning would moderately increase the development potential for the site in terms of building scale.

- **Design and Development Standards:** Other standards (including landscape buffers, parking ratios, etc.) are established in LUMO Article 5 and are applicable. The LUMO also has special regulations for fraternity or sorority houses. Section 6.3 requires a minimum of 250 square feet of floor area for each resident.

The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by development. Conditions can also address conformance of the development with town regulations and adopted plans.

## **PROPOSED MODIFICATIONS TO REGULATIONS:**

- 1) Section 3.7.3 Use Groups Modification:** The applicant proposes to limit the allowed uses on the site to a fraternity or sorority dwelling.

*Staff Comment:* Staff believes that Council could find a public purpose for this as the use memorializes the existing fraternity dwelling and is consistent with the neighboring properties.

- 2) Section 4.5.5 (d) Abandonment of Special Use Permit:** The applicant proposes to abandon the 1997 SUP for the fraternity house and replace it with conditional zoning in order to maintain the changes made without the required permits.

*Staff Comment:* An SUP holder may request that the Council approve the abandonment of the permit if the development authorized by the permit or modification no longer requires a SUP and all conditions of the SUP have been satisfied. Staff finds that the applicant had satisfied the SUP conditions prior to making changes to the site without the required permits. If the proposed Conditional Zoning is approved, the SUP would no longer be required.

- 3) Section 5.6.6 Schedule of required buffers:**

<b>Location</b>	<b>Required Buffer</b>	<b>Proposed Buffer</b>
West – shared driveway	10-foot Type 'B'	Modified buffer*
North	10-foot Type 'B'	Alternative buffer*
East	10-foot Type 'B'	Alternative buffer*
South – W. Cameron Avenue	20-foot Type 'C'	Modified buffer*

\*No change proposed

*Staff Comment:* Since the applicant is not proposing changes to the existing bufferyards, staff believes that the Council could find a public purpose for the reduced buffer width and plantings. A low stone wall (approximately eighteen inches in height) wraps the front yard along the driveway and four-foot deep planting bed behind the wall along the Cameron Avenue frontage provides a modified bufferyard. The house is set back almost 75 feet from the front property line. There is an alternate buffer along the north (rear) of the lot provided by a six foot tall (6') stone wall that extends across the back of the

property where the topography drops down and abuts the Sigma Nu fraternity to the north. An alternate buffer is also provided along the east (side) property line where hedges, including mature holly plants, divide the Phi Gamma Delta property from Delta Kappa Epsilon.

A fire in May 1996 destroyed much of the original building that had housed the Phi Gamma Delta fraternity. On July 7, 1997, the Town Council approved a Special Use Permit (SUP) for the reconstructed fraternity house and shed measuring 10,870 square feet in floor area. The SUP required eight to twelve parking spaces behind the house. At that time, a modification to the required 10-foot wide internal bufferyard was granted along the west side of the property, as there was an existing shared driveway along the west property line.







**Council Findings and Public Purpose:** The Council has the ability to modify the regulations according to Section 4.5.6 of the Land Use Management Ordinance. Staff believes that the Council could modify the regulations if it makes a finding in this particular case that public purposes are satisfied to an equivalent or greater degree. If the Council chooses to deny a request for modifications to regulations, the developer's alternative is to revise the proposal to comply with the regulations.

For additional information on the proposed modifications, please refer to the Applicant's Materials.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)<sup>5</sup>, the standards of the [Land Use Management Ordinance](#)<sup>6</sup>, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)<sup>7</sup> and offers the following evaluation:

**Comprehensive Plan Themes:** The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

<input type="checkbox"/>		Create a Place for Everyone	<input type="checkbox"/>		Develop Good Places, New Spaces
<input type="checkbox"/>		Support Community Prosperity	<input type="checkbox"/>		Nurture Our Community
<input type="checkbox"/>		Facilitate Getting Around	<input checked="" type="checkbox"/>		Grow Town and Gown Collaboration

Staff believes the Phi Gamma Delta proposal complies with the above theme of the 2020 Comprehensive Plan.

<sup>5</sup> <http://www.townofchapelhill.org/home/showdocument?id=15001>

<sup>6</sup> [https://www.municode.com/library/#!/nc/chapel\\_hill/codes/code\\_of\\_ordinances?nodeId=CO\\_APXALAUSMA](https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA)

<sup>7</sup> <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

**Land Use Plan:** The [2020 Land Use Plan](#)<sup>8</sup>, a component of the 2020 Comprehensive Plan, designates this site for Town/Village Center. The 2020 Land Use Plan also designates this site as part of the [Downtown Chapel Hill Future Focus Discussion Area](#).<sup>9</sup>

**Staff Evaluation:** North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the Office/Institutional-3 (OI-3) zoning district is to encourage uses supporting the university, such as educational, research, public service, and office uses. It also speaks to minimizing conflicts with adjacent land uses, which is consistent with the 2020 Land Use Plan. The site is in the Downtown Study Area, which calls for multifamily residences along Cameron Avenue.
- The site is located in the Downtown/Area 1 Future Focus Discussion Area. Chapel Hill 2020 characterizes Downtown as an area with opportunities "to preserve the historic/small-town character" of the adjacent residential areas including the Historic District. The plan also identifies traffic congestion, pedestrian and bicycle access, safety, and parking as key issues.
- The applicant states that the increased floor area provides additional space for student residents in the Phi Gamma Delta fraternity house. Further, the replacement of the parking area with green space improves a congested parking area and promotes safety on site.
- The Mobility and Connectivity Plan calls for Cross Cities Connector links along Cameron Avenue. One of the suggested improvements is a two-way cycle track from Merritt Mill Road to Pittsboro Road, directly southwest of Phi Gamma Delta.
- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application.

## FINDINGS OF FACT

To establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- A. To correct a manifest error in the chapter; or
- B. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- C. To achieve the purposes of the Comprehensive Plan.

The Staff evaluation of this application is based on the three findings. Further information may be presented for the Council's consideration during the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

<sup>8</sup> <http://www.townofchapelhill.org/home/showdocument?id=1215>

<sup>9</sup> <https://www.townofchapelhill.org/town-hall/departments-services/chapel-hill-2020/future-focus-areas>

**1.) Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.

*Arguments in Support:* To date, no arguments in support have been submitted or identified by staff.

*Arguments in Opposition:* To date, no arguments in opposition have been submitted or identified by staff.

*Staff Response:* We believe, based on the information entered into the record to date, that there is no manifest error in the Town's Zoning Atlas Amendment related to the project site.

**2.) Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

*Arguments in Support:* To date, no arguments in support have been submitted or identified by staff.

*Arguments in Opposition:* To date, no arguments in opposition have been submitted or identified by staff.

*Staff Response:* We believe, based on the information entered into the record to date, that there has been no change or changing conditions in a particular area or in the jurisdiction generally.

**3.) Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

*Arguments in Support:* The applicant's Statement of Consistency states that the proposed rezoning would contribute to the following elements of the Comprehensive Plan:

- Contribute to providing housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students (*Goal Town and Gown Collaboration.4*)
- Contribute to housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4*)

*Arguments in Opposition:* To date, no arguments in opposition have been submitted or identified by staff.

*Staff Response:* We believe, based on the information entered into the record to date, that the Council could make the finding that the proposed zoning amendment is necessary to achieve the purposes of the Comprehensive Plan.

























# PROJECT FACT SHEET

## Overview


Site Description	
<b>Project Name</b>	Phi Gamma Delta
<b>Address</b>	108 West Cameron Avenue
<b>Property Description</b>	Existing Fraternity
<b>Property Size</b>	23,763 SF (0.55 acres)
<b>Existing</b>	Fraternity Dwelling
<b>Orange County Parcel Identifier Numbers</b>	9788-36-4372
<b>Existing Zoning</b>	Office/Institutional-1 (OI-1)
<b>Proposed Zoning</b>	Office/Institutional-3-Conditional Zoning (OI-3-CZ)

Topic	Comment	Status
<b>Use/Density</b> ( <a href="#">Sec 3.7</a> )	Fraternity	
<b>Dimensional Standards</b> ( <a href="#">Sec. 3.8</a> )	no required street, interior, or solar setbacks in the OI-3 Zoning District	
<b>Floor area</b> ( <a href="#">Sec. 3.8</a> )	Maximum: 13,464 sq. ft. Proposed: 13,464 sq. ft.	
<b>Modifications to Regulations</b> ( <a href="#">Sec. 4.5.6</a> )	<ul style="list-style-type: none"> <li>• Limit use to Fraternity/Sorority House</li> <li>• Eliminate required parking</li> <li>• Eliminate western buffer</li> </ul>	<b>M</b>
<b>Adequate Public Schools</b> ( <a href="#">Sec. 5.16</a> )	Not applicable	
<b>Inclusionary Zoning</b> ( <a href="#">Sec. 3.10</a> )	Not applicable	
Landscape		
<b>Buffer – North</b> ( <a href="#">Sec. 5.6.2</a> )	10' Internal Type "B" buffer	
<b>Buffer – East</b> ( <a href="#">Sec. 5.6.2</a> )	10' Internal Type "B" buffer	
<b>Buffer – South</b> ( <a href="#">Sec. 5.6.2</a> )	15' Modified External Type "B" buffer	<b>M</b>
<b>Buffer - West</b> ( <a href="#">Sec. 5.6.2</a> )	Reduced Modified 0' Internal Type "B"	<b>M</b>
<b>Tree Canopy</b> ( <a href="#">Sec. 5.7</a> )	Tree canopy coverage standards are required for applications proposing tree removal that require council approval. No tree removal is proposed at this time.	
<b>Landscape Standards</b> ( <a href="#">Sec. 5.9.6</a> )	Not applicable	

<b>Environment</b>		
<b>Resource Conservation District</b> ( <a href="#">Sec. 3.6</a> )	Not applicable	
<b>Erosion Control</b> ( <a href="#">Sec. 5.3.1</a> )	Orange County Erosion Control permit required, if greater than 20,000 square feet of land disturbance.	
<b>Steep Slopes</b> ( <a href="#">Sec. 5.3.2</a> )	Not applicable	
<b>Stormwater Management</b> ( <a href="#">Sec. 5.4</a> )	No stormwater measures are required at this time.	
<b>Land Disturbance</b>	4,912 sq. ft.	
<b>Impervious Surface</b> ( <a href="#">Sec. 3.8</a> )	16,634 sq. ft. (70% of gross land area)	
<b>Solid Waste &amp; Recycling</b>	Private trash pickup; County recyclable pickup	
<b>Jordan Riparian Buffer</b> ( <a href="#">Sec. 5.18</a> )	Not applicable	
<b>Access and Circulation</b>		
<b>Road Improvements</b> ( <a href="#">Sec. 5.8</a> )	Not applicable	
<b>Vehicular Access</b> ( <a href="#">Sec. 5.8</a> )	There is an existing concrete driveway along the west side of the site that will remain.	
<b>Bicycle Improvements</b> ( <a href="#">Sec. 5.8</a> )	16 existing spaces	
<b>Pedestrian Improvements</b> ( <a href="#">Sec. 5.8</a> )	Existing sidewalk along frontage	
<b>Traffic Impact Analysis</b> ( <a href="#">Sec. 5.9</a> )	Traffic Impact Analysis not required.	
<b>Vehicular Parking</b> ( <a href="#">Sec. 5.9</a> )	None proposed on-site. Minimum vehicular parking requirements do not apply for uses within the OI-3 zoning district. Bollards have been added to the end of the driveway to keep the residents from parking on the lawn in the backyard.	
<b>Transit</b> ( <a href="#">Sec. 5.8</a> )	Site is served by over one-dozen bus routes, including the '420', 'RU', 'A', 'CW' and 'CM' routes	
<b>Electric Vehicle Parking</b>	None proposed	
<b>Parking Lot Standards</b> ( <a href="#">Sec. 5.9</a> )	No parking on site	

Technical		
<b>Fire</b>	No fire flow studies or reports required at this time.	
<b>Site Improvements</b>	Removal of parking to expand lawn area.	
<b>Recreation Area</b> ( <a href="#">Sec. 5.5</a> )	Not applicable	
<b>Lighting Plan</b> ( <a href="#">Sec. 5.11</a> )	Not applicable	
<b>Homeowners Association</b> ( <a href="#">Sec. 4.6</a> )	Not applicable	

### Project Summary Legend

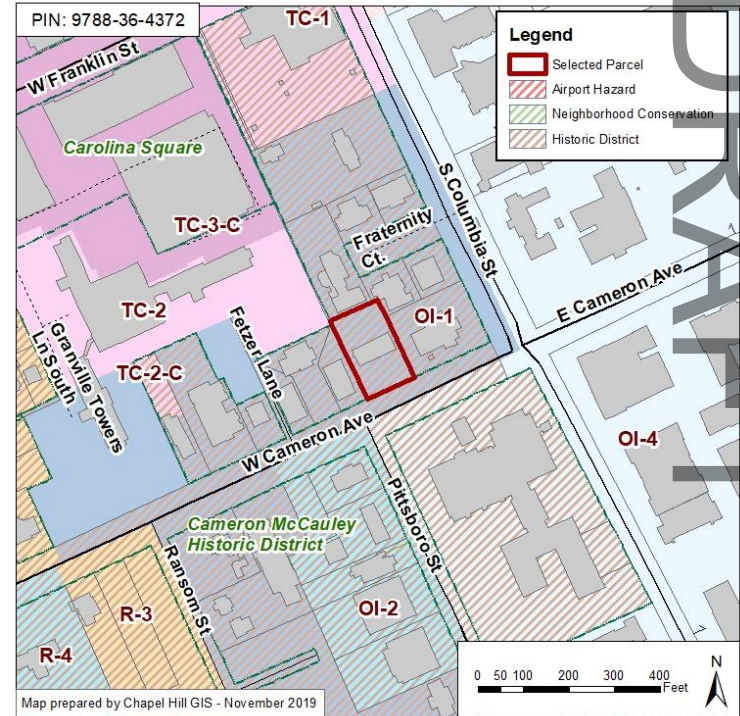
Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plan;
<b>NA</b>	Not Applicable



# Phi Gamma Delta—108 W. Cameron Conditional Zoning

## Town Council Public Hearing

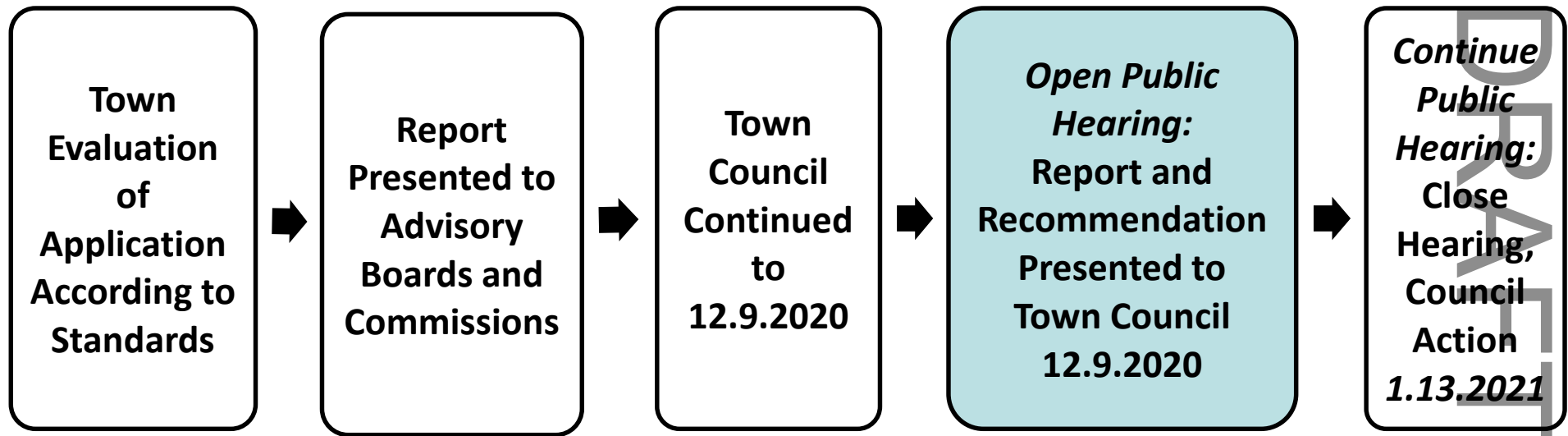
## December 9, 2020





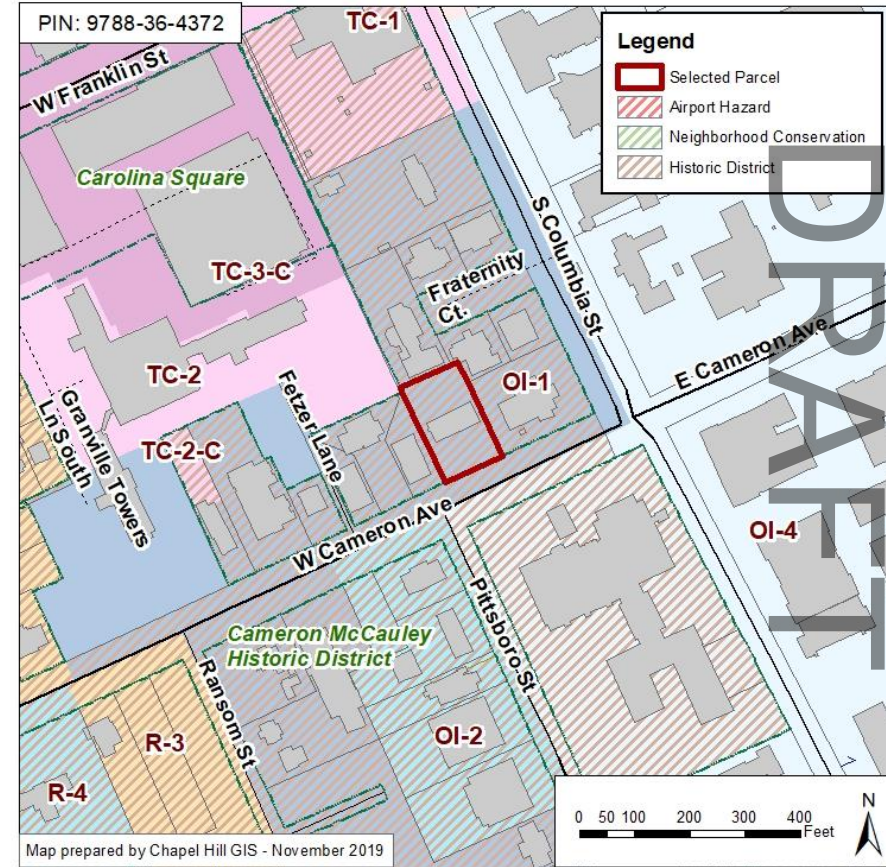
- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at [mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)
- Enact the ordinance on January 13, 2021

DRAFT



# Phi Gamma Delta– Project Summary

- 23,763 SF (0.55 acres)
- Zoning
  - Currently OI-1
  - Proposing OI-3-CZ
- Cameron-McCauley Historic District
- Additional floor area of 1,044 SF
- Removal of parking

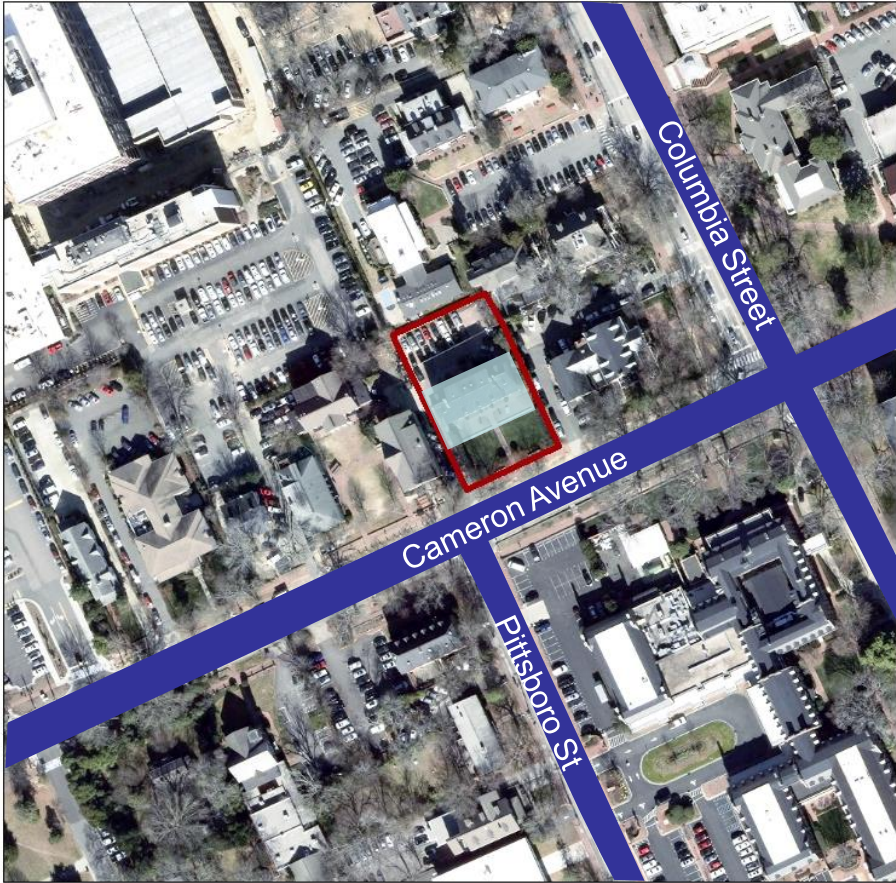


- July 7, 1997: Town Council approved a Special Use Permit (SUP) for fraternity house
- Applicant requesting to abandon the existing SUP and replace it with Conditional Zoning District

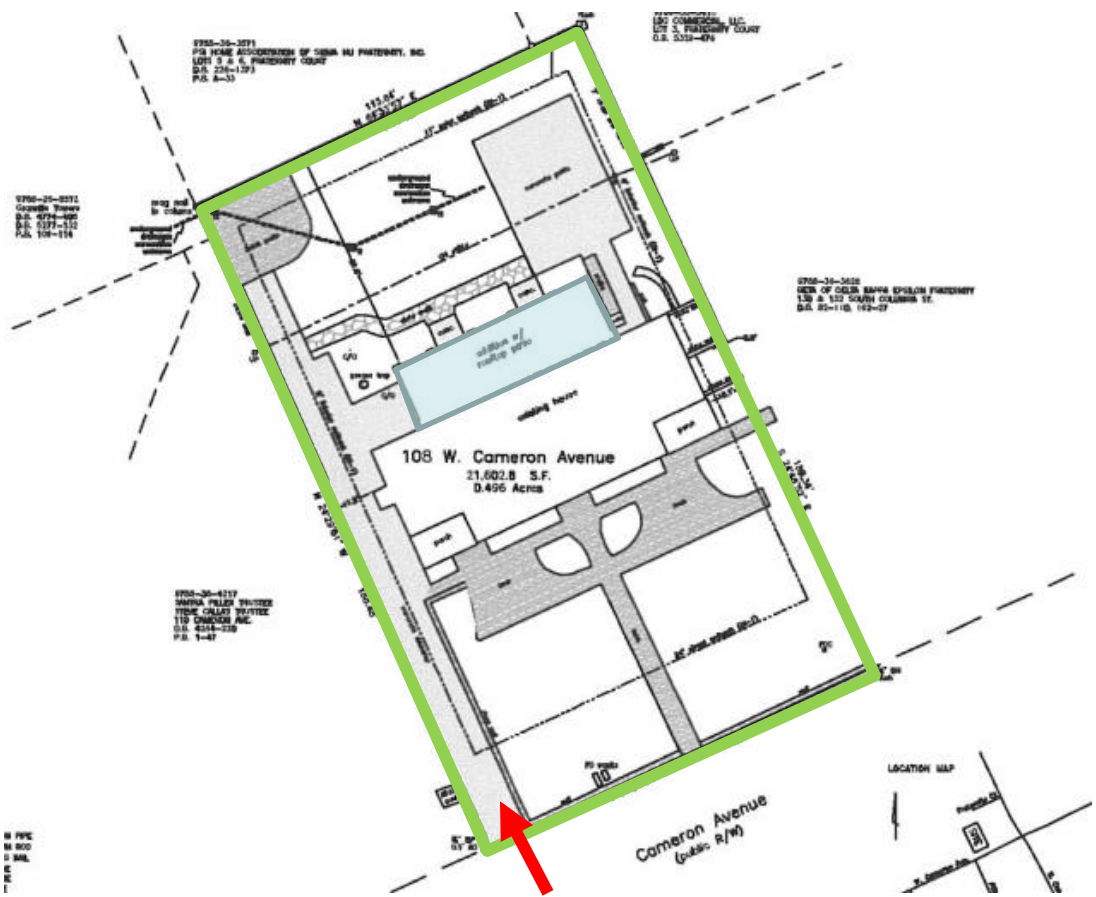
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# Phi Gamma Delta – Existing Conditions

61



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# Phi Gamma Delta– Advisory Boards <sup>63</sup>

Advisory Boards/ Commissions	Recommendation	Conditions
HDC	Approval	None
ESAB	Approval	None
TCAB	Approval	Concerns about fire access
Planning Commission	Approval	Concerns about fire sprinklers on the porch

DRAFT

- Open the Public Hearing
- Receive comments in this meeting and up to 24 hours via email at [mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)
- Enact the ordinance on January 13, 2021

DRAFT



**RESOLUTION A**  
**Resolution of Consistency**

**A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT TO REZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-X-X/R-X)**

WHEREAS, Kevin Hornik, The Brough Law Firm, has filed an application for Conditional Zoning Atlas Amendment on behalf of Epsilon of Phi Gamma Delta, Inc. to rezone a 0.55-acre parcel located at 108 West Cameron Avenue and identified as Orange County Parcel Identifier Number 9788-36-4372 to Office/Institutional-3-Conditional Zoning District (OI-3-CZ) to allow 13,450 square feet of floor area fraternity or sorority dwelling type use; and

WHEREAS, the Town staff have completed a review of the application for compliance with the Land Use Management Ordinance, Town Code, and for Consistency with the Comprehensive Plan; and

WHEREAS, the Planning Commission reviewed the application on April 21, 2020 and recommended that the Council enact the Zoning Atlas Amendment rezoning the property; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment on behalf of Epsilon of Phi Gamma Delta, Inc. to rezone and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community. (*Town and Gown Collaboration.4*)
- Housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4*)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the \_\_\_\_ day of \_\_\_\_\_, 2021.

**ORDINANCE A**

(Abandoning the SUP and Approving the Conditional Zoning Application)

**AN ORDINANCE APPROVING AN ABANDONMENT OF THE 108 WEST CAMERON AVENUE SITE FROM THE EXISTING PHI GAMMA DELTA SPECIAL USE PERMIT AND AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #19-127) (2021-XX-XX/O-#)**

WHEREAS, on July 7, 1997, the Chapel Hill Town Council approved a Special Use Permit for a fraternity dwelling, known as Epsilon of Phi Gamma Delta, Inc., encumbering 23,763 square feet and approximately 0.55 acre, which was recorded at the Orange County Register of Deeds in Deed Book 1776, Page 335, identified as Orange County Parcel Identifier Number (9788-36-4372); and

WHEREAS, the 1997 Special Use Permit limited the Phi Gamma Delta Fraternity to no more than 10,870 square feet of floor area (10,770 sq. ft. for the house, 100 sq. ft. for the shed) and eight to twelve parking spaces; and

WHEREAS, on April 12, 2012, the Historic District Commission (HDC) approved a Certificate of Appropriateness (COA) that included a raised patio (loggia) with screened porch below and restriping parking spaces; and

WHEREAS on March 26, 2018, staff issued a Zoning Compliance Permit (ZCP) for the construction of a raised patio (loggia) with screened porch below; doors, transoms, and lighting; parking lot restriping; and stormwater drainage redesign to be completed in accordance with the 2012 COA; and

WHEREAS on February 15, 2019, staff issued a Notice of Violation to Phi Gamma Delta due to changes to the property that occurred without required permits. These changes included replacing screened openings with windows, installing a new stone patio, and removing parking spaces in the backyard; and

WHEREAS on October 31, 2019, Phi Gamma Delta submitted a request to abandon the Special Use Permit and apply for Conditional Zoning to rezone the property from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning District (OI-3-CZD)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Kevin Hornik, The Brough Law Firm, on behalf of Epsilon of Phi Gamma Delta, Inc., to rezone a 0.55-acre parcel located at 108 West Cameron Avenue on property identified as Orange County Property Identifier Number 9788-36-4372, to allow an addition of 1,547 square feet of floor area to an existing fraternity house and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community. (*Town and Gown Collaboration.4*)
- Housing for students and encourages them to reside in the community (*Goal Town and Gown Collaboration.4*)

WHEREAS, the application, if rezoned to Office/Institutional-3-Conditional Zoning (OI-3-CZ) according to the rezoning plan dated October 31, 2019, and the conditions listed below would:

1. Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
2. Conform with the Comprehensive Plan
3. Be compatible with adjoining uses
4. Mitigate impacts on surrounding properties and the Town as a whole
5. Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
6. Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

### **MODIFICATIONS TO REGULATIONS**

WHEREAS, the Council of the Town of Chapel Hill 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 3.7.3 Use Group Modification:** Modify the Use Group to limit only fraternity or sorority dwellings at this site.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as staff acknowledges that this site has historically been used as a fraternity and that the fraternity or sorority use is consistent with the neighboring properties.

**Section 4.5.5 (d) Abandonment of Special Use Permit (SUP):** Modify the requirement to allow the applicant to abandon the SUP when the development or use authorized by the permit or modification no longer requires a special use permit and not all conditions of the special use permit are currently satisfied.

This finding is based on the determination that public purposes are satisfied to an equivalent or greater degree as the conditions of the 1997 SUP were satisfied prior to the applicant making changes without the required permits in 2018.

**Section 5.6.6 Buffer Modification:** Reduce the required 10-foot internal interior Type "B" buffer requirement along the west lot line by maintaining the alternate buffer.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the applicant is not proposing to change the existing bufferyards. There is an existing low stone wall and four-foot deep planting bed along Cameron Avenue. There is an alternate buffer along the north (rear) of the lot provided by a six foot tall (6') stone wall that extends across the back of the property where the topography drops down and abuts the Sigma Nu fraternity to the north. An alternate buffer is also provided along the east (side) property line where hedges, including mature holly plants, divide the Phi Gamma Delta property from Delta Kappa Epsilon. There is there is an existing shared driveway and an existing low (18") stone wall along the west side of the front yard that provides an alternate buffer along the west side of the property.

## CONDITIONAL ZONING DISTRICT

WHEREAS the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses allowed in Office/Institutional-3 (OI-3), subject to the conditions below, satisfies the purposes of Office/Institutional-3-Conditional Zoning District (OI-3-CZD):

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

### **SECTION I**

The following Orange County parcel identified by Parcel Identifier Number (PIN) 9788-36-4372 along with one-half of the abutting right-of-way of West Cameron Avenue on the southern side of the parcel, described below, shall be rezoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD):

Beginning at an existing iron pin having NC Grid coordinates of N=786,330.55 and East=1,983,671.01 and located in the norther right-of-way line of West Cameron Street, said existing iron pin located South 38 degrees 04 minutes 31 seconds West 304.18 feet from NCGS "Brick Walk" having coordinates North=786,569.99 and East 1,983,858.58, and running thence along and with the northern right-o-way line of West Cameron Street South 64 degrees 33 minutes 40 seconds West 114.74 feet; thence North 24 degrees 56 minutes 20 seconds West 188.16 feet to a parker kalon nail in the top of a stone column; thence North 63 degrees 57 minutes 40 seconds East 113.75 feet to an existing iron pin; thence South 25 degrees 11 minutes 10 seconds East 39.05 feet to an existing iron pin; thence South 25 degrees 15 minutes 30 seconds East 150.30 feet to the point and place of Beginning, containing .495 acres and being the property shown on the survey entitled, "Foundation Location of Epsilon of Phi Gamma Delta, Inc." by John C. Atkins, RLS, dated May 8, 1999.

### **SECTION II**

The following conditions are hereby incorporated by reference:

1. Abandonment Document: The applicant shall record the abandonment document for the parcel identified as Orange County Parcel Identifier Number (PIN 9788-36-4372), for the proposed Phi Gamma Delta Special Use Permit, dated July 7, 1997.
2. Expiration of Conditional Zoning Atlas Amendment: An application for Zoning Compliance Permit must be filed by \_\_\_\_\_ (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
3. Land Use: The use of this property is limited to a *Fraternity or Sorority Dwelling*, subject to no more than 13,450 square feet of floor area.
4. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Use: Fraternity or Sorority, Dwelling Type</b>	
Number of Buildings	1
Gross Land Area	23,763 sq. ft. (0.55 acres)
Maximum Floor Area	13,450 sq. ft.
Total Impervious Surface	16,634 sq. ft. or 70%
Maximum Land Disturbance	4,912 sq. ft.

Maximum Parking Spaces	No maximum required
Minimum Parking Spaces	No minimum required
Minimum Bicycle Parking Spaces	16 spaces

5. Parking: The applicant has removed on-site parking and has committed to renting parking spaces at a neighboring site for the fraternity residents. The applicant shall install "No Parking" signs on the property to prevent parking from occurring in the driveway and on the grass.
6. Landscape Bufferyards: The following landscape bufferyards shall be provided:

Location	Type
West	Modified Type "B"
North	Alternative Type "B"
East	Alternative Type "B"
South	Modified Type "C"

7. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, approval shall be required from the Historic District Commission for any proposed alternate buffer. [LUMO 5.6.8]
8. Fraternity or Sorority Special Regulations: A minimum of 250 square feet of floor area shall be provided for each resident. [LUMO 6.3]
9. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Historic District Commission shall approve a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
10. Historic District Commission Approval: This site is located in the Cameron-McCauley Historic District. The Historic District Commission shall exercise, within the historic district, all powers and duties of the Chapel Hill Community Design Commission. Exterior changes to the building or site may require Historic District Commission approval of a Certificate of Appropriateness (COA).

### **TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS**

Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by a Conditional Zoning Atlas Amendment. The following standard stipulations are supplemental to site-specific conditions as set by Town Council.

#### Access

11. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the applicant shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

#### Transportation

12. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the applicant shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near

building entrances. The spaces must comply with the Spring 2010 Association of Pedestrian and Bicycle Professionals Guidelines and the Class I and Class II bicycle parking standards described in the Town Design Manual. [LUMO 4.5.2]

13. Driveway Permit: The applicant must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of 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.

#### Landscaping and Building Elevations

14. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the applicant shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]
15. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Historic District Commission for any proposed alternate buffer. [LUMO 5.6.8]
16. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]
17. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the applicant shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing 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]
18. 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. [LUMO 4.5.3]
19. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]
20. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
21. Demolition Plan: Prior to beginning any proposed demolition activity, the applicant must obtain demolition permits from both the Planning and Inspections departments. While

the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).

22. Lighting Plan Review: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
23. Community Design Commission Review: The Community Design Commission shall review the building elevations, including the location and screening of all HVAC/Air Handling Units for the site, prior to issuance of a Zoning Compliance Permit. [LUMO 8.5.5] Within the Town's historic districts, the Historic District Commission will act in place of the Community Design Commission. [LUMO 8.4.6]

### Environment

24. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance.
25. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, 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. [Town of Chapel Hill Design Manual]
26. 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. [Town Design Manual Chapter 10]
27. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
28. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in

the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

#### Water, Sewer, and Other Utilities

29. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The applicant 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]
30. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the applicant shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]
31. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA 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. [LUMO 5.12.1]
32. OWASA Approval: Prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]
33. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

#### Fire Safety

34. Fire Sprinklers: The applicant shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]
35. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]
36. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC -2018, 503.2.7, 503.2.8 and D103.2]



37. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.
38. Fire Department Connections and Standpipes: When the building being constructed requires standpipes, a temporary standpipe connection will be constructed with ready Fire Department Access when the building is not more than 40 feet in height. Such standpipes shall provide usable connections adjacent to the stairs and shall continue with building progression always being not more than one floor below the highest floor of the building. [NC FPC 912 & NC FPC 2018 3313]
39. Fire Command Center: Where required in the North Carolina Fire Protection Code and in all high rise buildings, a fire command center must be constructed in accordance with Section 508, NC FPC 2018.
40. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]
41. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1, 503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]
42. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.
43. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DOT APPROVAL]
44. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.

45. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]
46. Hydrants Active: The applicant shall 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. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]
47. Fire Hydrant and FDC Locations: The Final Plans shall 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. [NC FPC 2018 Section 501.5.1.1]
48. Firefighting Access During Construction: 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 FPC 2018, Section 3310.1]
49. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]
50. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC FPC 2018, 506]
51. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 and Town Code 7-56 is required to be installed in non-residential construction.
52. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NC FPC 2018 and Town Code 7-38 for location. FDCs shall be installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5" siamese.
53. Fire Department Connections, Installation: A working space of not less than 36 inches in width and depth and a working space of 78 inches in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected from impacts by an approved barrier. [NC FPC 2018, 912.1, 912.2 912.2.1, 312]
54. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications

(data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.

55. Fire Flow Report: 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]
56. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]
57. Emergency Responder Radio Coverage in New Buildings: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. [NC FPC 2018 Section 510.1]

#### Solid Waste Management and Recycling

58. Solid Waste Management Plan: 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 and Orange County Solid Waste (OCSW). 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. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the applicant shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]

#### State and Federal Approvals

59. State or Federal Approvals: 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]
60. 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

61. Detailed Plans: 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 Chapel Hill Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]

62. As-Built Plans: Prior to the issuance of a Certificate of Occupancy, the applicant 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. [Town Design Manual Chapter 10]
63. Vested Right: Approval of a Conditional Zoning District and the associated district-specific plan constitutes a site specific development plan establishing a vested right. During the period of vesting, this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
64. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
65. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
66. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Council hereby abandons the Special Use Permit for 108 West Cameron Avenue, known as Epsilon of Phi Gamma Delta, Inc., as it pertains to the 0.55-acre parcel, for which the Phi Gamma Delta Conditional Zoning Permit is approved. The abandonment of the Special Use Permit and Modifications would be such that the subject parcel for the Phi Gamma Delta Conditional Zoning District (PIN 9788-36-4372), would no longer be encumbered by the Special Use Permit, subject to the following condition: The Council hereby approves the application for an amendment of the Chapel Hill Zoning Atlas to zone the property located at 108 West Cameron Avenue to Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

This the \_\_\_\_ day of \_\_\_\_\_, 2021.

**RESOLUTION B**

(Denying the Conditional Zoning Application)

**A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO ZONE THE PROPERTY LOCATED AT 108 WEST CAMERON AVENUE TO OFFICE/INSTITUTIONAL-3-CONDITIONAL ZONING DISTRICT (OI-3-CZD) (PROJECT #19-127) (2021-XX-XX/R-#)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Kevin Hornik, The Brough Law Firm on behalf of Epsilon of Phi Gamma Delta, Inc., to zone a 0.55-acre parcel located at 108 West Cameron Avenue on property identified as Orange County Property Identifier Number 9788-36-4372, if zoned to Office/Institutional-3-Conditional Zoning District (OI-3-CZD) according to the rezoning plan dated October 31, 2019, and the conditions listed below would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for an amendment of the Chapel Hill Zoning Atlas to zone the property located at 108 West Cameron Avenue to Office/Institutional-3-Conditional Zoning District (OI-3-CZD).

This the \_\_\_ day of \_\_\_\_\_, 2021.

**HISTORIC DISTRICT COMMISSION**

*To promote, enhance, and preserve the character of the Chapel Hill Historic District.*

**RECOMMENDATION  
108 West Cameron Avenue  
Conditional Zoning  
(PROJECT #17-012)  
March 10, 2020**

**Recommendation:** Approved  Approval with Conditions  Denied

**Motion:** Steifbold moved and Epting seconded to approve the proposed Conditional Zoning at 108 W. Cameron as submitted.

**Vote:** 6 - 0

**Ayes:** David Schwartz, Sean Murphy, Robert Epting, Jennifer Hoffman, Nancy McCormick, and Angela Stiefbold

**Nays:** None

Prepared by: David Schwartz, Chair, Historic District Commission  
Anya Grahn, Staff

## ENVIRONMENTAL STEWARDSHIP ADVISORY BOARD

*The charge of the environmental stewardship advisory board will be to assist the Chapel Hill Town Council in strengthening environmentally responsible practices that protect, promote and nurture our community and the natural world through advice and program support.*

### RECOMMENDATION FOR CONDITIONAL ZONING FOR 108 W. CAMERON AVE

April 14, 2020

**Recommendation to Council:**    Approval     Approval with Conditions     Denial

**Motion:** Tom Henkel moved and John Wallace seconded a motion to recommend that the Council approve the conditional zoning for 108 West Cameron Avenue.

**Vote:**                    8-0

**Yeas:** Adrienne Tucker (Chair), Maripat Metcalf (Vice-Chair), Bruce Sinclair, Gregory Ames, Noel Myers, John Wallace, Julie McClintock, Tom Henkel

**Nays:**

**Conditions:**

- None

**Special Considerations:**

- None

Prepared by:    Adrienne Tucker, Chair, Environmental Stewardship Advisory Board  
John Richardson, Community Resilience Officer, Staff Liaison to ESAB

## TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD

*To assist the Chapel Hill Town Council in creating an inclusive connected community by recommending, advocating and planning for comprehensive, safe, effective and sustainable multi-modal transportation and connectivity*

### RECOMMENDATION

#### Phi Gamma Delta

April 16, 2020

**Recommendation:**   **Approved**           **Approval with Conditions**           **Denied**  

**Motion:**        Vice-Chair Kjemtrup-Lovelace moved and Rudy Juliano seconded to approve the conditional zoning application for Phi Gamma Delta with the following condition:

- a) Applicant shall work with the Fire Department to ensure parking does not occur in the existing shared driveway and impede emergency vehicle access.
- b) Boulder bollards at the end of the driveway does not impede emergency vehicle access to the back yard.

**Vote: 8**

**Ayes: Jason Merrill (Chair), Susanne Kjemtrup-Lovelace (Vice-Chair), Eric Allman, Joshua Kastrinsky, Jack Whaley, Rudy Juliano, Brian Hageman and Heather Brutz**

**Nays:**

Prepared by: Jason Merrill, Chair, Transportation and Connectivity Advisory Board  
Jomar Pastorelle, Transportation Planner I



**PLANNING COMMISSION**

*The charge of the Planning Commission is to assist the Council in achieving the Town’s Comprehensive Plan for orderly growth and development by analyzing, evaluating, and recommending responsible town policies, ordinances, and planning standards that manage land use and involving the community in long-range planning.*

**RECOMMENDATION  
FOR CONDITIONAL ZONING AT 108 W. CAMERON AVE –  
PHI GAMMA DELTA**

April 21, 2020

**Recommendation:** Approval  Approval with Conditions  Denial

**Motion:** Melissa McCullough moved and Neal Bench seconded a motion to recommend that the Council find the Conditional Zoning consistent with the Comprehensive Plan.

**Vote:** 9 – 0

**Yeas:** John Rees (Chair), Louie Rivers (Vice-Chair), James Baxter, Neal Bench, Michael Everhart, Melissa McCullough, Whit Rummel, Buffie Webber, Stephen Whitlow

**Nays:**

**Recommendation:** Approval  Approval with Conditions  Denial

**Motion:** Melissa McCullough moved and James Baxter seconded a motion to recommend that the Council approve the Conditional Rezoning, with the condition that as a requirement of approval the Town must determine whether or not fire sprinklers are required.

**Vote:** 9 – 0

**Yeas:** John Rees (Chair), Louie Rivers (Vice-Chair), James Baxter, Neal Bench, Michael Everhart, Melissa McCullough, Whit Rummel, Buffie Webber, Stephen Whitlow

**Nays:**

Prepared by: Michael Sudol, Planner II



THE  
BROUGH  
LAW FIRM, PLLC

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Kevin R. Hornik	khornik@broughlawfirm.com
Brady N. Herman	bherman@broughlawfirm.com

31 October 2019

Town of Chapel Hill  
Office of Planning and Sustainability  
405 Martin Luther King Jr. Boulevard  
Chapel Hill, North Carolina 27514

Re: Phi Gamma Delta Conditional Rezoning Application for 108 W. Cameron Ave.

To Whom It May Concern,

Please find enclosed the required Conditional Rezoning Application and application materials, submitted by Epsilon of Phi Gamma Delta (hereinafter, the "Applicant"). Additionally, this letter is intended to provide a brief explanation of the procedural history of this property and of the Applicant's efforts to correct certain zoning violations.

Sometime prior to February 22, 1947, a structure was built at 108 W. Cameron Avenue (hereinafter, the "Subject Property") which came to be used as a fraternity house for Epsilon of Phi Gamma Delta. In May of 1996 the structure burned down during a tragic fire, leaving only portions of the exterior façade standing. On July 7, 1997, the Town of Chapel Hill Town Council issued a Special Use Permit, recorded in the Orange County Registry in Book 1776 at Page 335, to the Applicant for the construction or reconstruction of a fraternity house located at the Subject Property. Construction began sometime in 1998 and was completed in the summer of 1999. The Special Use Permit required, in relevant part, that the Applicant be limited to 23,769 square feet of Gross Land Area and 10,870 square feet of Floor Area and required the Applicant to provide eight to twelve parking spaces.

The Applicant's proposed rezoning to OI-3-CZ is made at the recommendation of Town Staff and is intended to remedy certain violations of the Town's Land Use Management Ordinance (hereinafter, the "LUMO") currently existing on the Subject Property. Currently, the Subject Property violates the Floor Area limitation and on-site parking requirement imposed by the existing Special Use Permit.

After first securing a Zoning Compliance Permit and Building Permit from the Town, the Applicant constructed a "[r]aised patio (loggia) with screened porch below[.]" However, as a

result of post-construction practical difficulties with drainage and rain water accumulating inside of the structure, the Applicant installed glass windows in place of the approved screened panels. This resulted in an increase in Floor Area beyond that permitted by the Special Use Permit. Additionally, as part of the project, the Applicant removed the on-site parking lot. This was done in an effort to eliminate parking and vehicle congestion on site—an issue which the Applicant is especially sensitive to, following the 1996 fire.

The installation of glass windows on the new structure, as well as other improvements to the property (including the removal of on-site parking, the installation of an exterior stairway from the top deck to ground level, and the installation of a fieldstone patio at the rear of the Subject Property) were approved by the Town’s Historic District Commission at the Commission’s September 10, 2019 meeting. At that time, the Commission issued an After-the-Fact Certificate of Appropriateness for those improvements and also recommended approval of the Applicant’s Concept Plan, pursuant to Section 8.4.6(q) of the LUMO. As of the date of this letter, the Town Council (or a subcommittee, appointed pursuant to Section 4.3.2(e)(1) of the Land Use Management Ordinance) has not yet reviewed the Applicant’s Concept Plan.

The Applicant proposes to rezoning the Subject Property, which is currently zoned OI-1, to OI-3-CZ. The Applicant proposes to subject the Subject Property to the same standards applicable to the parallel OI-3 district with no modifications or variations, except to limit the use of the Subject Property to Fraternity Dwelling use, which is a permitted use in the OI-3 district and is permitted with a Special Use Permit in the OI-1 district. The Applicant does not intend to change the use of the Subject Property, nor does the Applicant intend to further develop the Subject Property at this time. Rather, the Applicant simply seeks a rezoning of the Subject Property and to continue to use the Subject Property for the purposes for which it is already used.

Due to the unique procedural posture of the Applicant’s proposed Conditional Zoning of the Subject Property, much of the information requested in the Conditional Zoning Application is irrelevant. As a result, the Applicant has not included a Stormwater Impact Statement, a formal Area Map, an Existing Conditions Plan, a Detailed Site Plan, a Stormwater Management Plan, a Landscape Protection Plan, a Planting Plan, a Steep Slope Plan, a Grading and Erosion Control Plan, a Streetscape Plan, a Solid Waste Plan, a Construction Management Plan, or an Energy Management Plan. Instead, the Applicant has included the exterior elevations of the structure, as it currently exists, and an As-Built Survey of the Subject Property. These documents should be sufficient to demonstrate the existing condition of the Subject Property and the structure located thereon. The Applicant does not seek approval to perform additional construction on the Subject Property as part of this Application.

Pursuant to Section 4.4.5(d) of the LUMO, the Town Council’s review of the Applicant’s proposed rezoning to OI-3-CZ shall be based on the criteria described in Section 4.4.3(f)(2) of the LUMO. Those criteria are:

- “a. The conformity of the application with the applicable provisions of [the Land Use Management Ordinance] and town Code.
- b. The conformity of the application with the comprehensive plan.
- c. The compatibility of the proposed application with adjoining uses.

- d. The impacts of the proposed application on the surrounding properties and town as a whole.
- e. The relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities. [and]
- f. The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.”

In response to the criteria requiring “conformity of the application with the applicable provisions of [the Land Use Management Ordinance] and town Code,” the Applicant submits that the Applicant does not intend to perform any additional development on the Subject Property at this time. The Subject Property and structure located thereon conform to all standards and provisions of the LUMO for the OI-3 district. The Applicant does not seek to increase or vary those standards in this Application. Therefore, it is clear that the Applicant’s proposal conforms with the applicable provisions of the LUMO and Town Code.

In response to the criteria requiring “conformity of the application with the comprehensive plan,” the Applicant submits that the Applicant’s proposed rezoning conforms with the Town’s 2020 Comprehensive Plan. The proposed rezoning is consistent with the Goals identified under Theme 6, found on Page 37 of the Comprehensive Plan. Specifically, the proposed rezoning will help to provide “[h]ousing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (TGC.4).” The proposed rezoning provides additional space for students residing at the Phi Gamma Delta fraternity house through the increase in permitted floor area, provides additional green space for those same students through the removal of impervious on-site parking, and promotes safety of those students residing on the Subject Property by removing a congested parking area. Therefore, it is clear that the Applicant’s proposal conforms with the Town’s 2020 Comprehensive Plan.

In response to the criteria requiring “compatibility of the proposed application with adjoining uses,” the Applicant submits that the proposed rezoning is compatible with adjoining uses, all of which are also “Fraternity Dwelling” uses, because the proposed rezoning does not include a change in use of the Subject Property. The Applicant proposes to rezone the Subject Property to OI-3-CZ in an effort to achieve increased permitted floor area and to eliminate the on-site parking requirement while assuring the Town that the existing “Fraternity Dwelling” use, which is permitted in the current zoning OI-1 district and in the OI-3 district, will remain unchanged. Therefore, it is clear that the Applicant’s proposal is compatible with the adjoining uses.

In response to the criteria asking the Town Council to consider the “impacts of the proposed application on the surrounding properties and town as a whole,” the Applicant submits that the proposed rezoning will have little or no effect on the surrounding properties and Town as a whole. The proposed rezoning will not change the current use of the property as a “Fraternity Dwelling.” The proposed rezoning will permit the increased floor area resulting from the “enclosure” of the covered patio area with glass windows, which has no impact on surrounding properties or on the

Town as a whole. Further, the proposed rezoning will eliminate the on-site parking requirement imposed by the Special Use Permit. This will have little impact, if any, on surrounding properties or the Town as a whole due to the fact that the Applicant already requires residents to park at off-site parking areas leased by the Applicant for its residents. The proposed rezoning would simply eliminate an unnecessary requirement imposed by the Special Use Permit. Therefore, it is clear that the Applicant's proposal will have no significant impact on the surrounding properties or the Town as a whole.

In response to the criteria asking the Town Council to consider the "relationship of the application to existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities," the Applicant submits that the relationship of the Subject Property to existing and proposed built systems will not be affected by the proposed rezoning. The Applicant does not intend to use or develop the Subject Property in a way which may place additional burdens on existing and proposed built systems like utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities. From a practical perspective, the status quo will remain unchanged by the Applicant's proposed rezoning. Therefore, it is clear that the Applicant's proposal will not affect the relationship of the Subject Property and existing "Fraternity Dwelling" use to existing and proposed built systems.

In response to the criteria asking the Town Council to consider the "relationship of the application to natural systems such as hydrology, topography, and other environmental constraints," the Applicant submits that the relationship of the Subject Property to natural systems will not be affected by the proposed rezoning. The Applicant does not intend to use or develop the Subject Property in a way which may place additional burdens on natural systems such as hydrology, topography, and other environmental constraints on the Subject Property and surrounding properties. From a practical perspective, the status quo will remain unchanged by the Applicant's proposed rezoning. Therefore, it is clear that the Applicant's proposal will not affect the relationship of the Subject Property and existing "Fraternity Dwelling" use to natural systems.

For the foregoing reasons, it is clear that the Applicant's proposed rezoning of the Subject Property from OI-1 to OI-3-CZ meets all criteria for approval described in Section 4.4.3(f)(2) of the LUMO.

In addition to the Conditional Zoning request, the Applicant also requests that, if the Town Council approves the rezoning, the Town Council also approve the abandonment of the 1996 Special Use Permit pursuant to Section 4.5.5(d)(1)(B.) of the LUMO. If the Town Council approves the rezoning of the Subject Property to OI-3-CZ, the Fraternity Dwelling use located on the Subject Property will no longer require a SUP. In the event that the Town Council approves the rezoning, the Applicant will submit an affidavit formally stating the Applicant's intent to abandon the 1996 Special Use Permit and requesting approval of such abandonment by the Town Council, in accordance with Section 4.5.5(d)(2) of the LUMO.

If you have any questions, or require anything further from my client, please feel free to contact me at [khornik@broughlawfirm.com](mailto:khornik@broughlawfirm.com) or at (919) 929-3905.

Sincerely,

THE BROUGH LAW FIRM, PLLC

A handwritten signature in black ink, appearing to read 'KHORNIK', with a stylized flourish at the end.

Kevin R. Hornik

# CONDITIONAL ZONING APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning Department**  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514  
phone (919) 969-5040 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9788364372

Date: 31 October 2019

## Section A: Project Information


Project Name: Conditional Zoning of Phi Gamma Delta Fraternity House to OI-3-CZ  
Property Address: 108 W. Camberon Ave., Chapel Hill Zip Code: 27516  
Use Groups (A, B, and/or C): B Existing Zoning District: OI-1  
Project Description: Conditional Zoning of Property to allow increased floor area ratio, and removal of on-site parking.

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

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

Name: Kevin R. Hornik, The Brough Law Firm, PLLC  
Address: 1526 E. Franklin St., Suite 200  
City: Chapel Hill State: NC Zip Code: 27514  
Phone: (919) 929-3905 Email: khornik@broughlawfirm.com

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

Signature:  Date: 10/31/2019

### Owner/Contract Purchaser Information:

Owner  Contract Purchaser

Name: Epsilon of Phi Gamma Delta, Inc.  
Address: 1801 Greak Oaks Dr.  
City: Raleigh State: NC Zip Code: 27608  
Phone: (919) 593-2841 Email: jhughes@newhopetech.org

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

Signature: See attached signature page from John Hughes Date: \_\_\_\_\_

Click [here](#) for application submittal instructions.

# CONDITIONAL ZONING APPLICATION



TOWN OF CHAPEL HILL  
Planning Department  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514  
phone (919) 969-5040 fax (919) 969-2014  
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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Signature: John W. Hughes III, Board Member Date: 10-16-19

Click [here](#) for application submittal instructions.





## CONDITIONAL ZONING

TOWN OF CHAPEL HILL  
Planning and Development Service

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

**SIGNED CONDITIONS:** All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

**RECORDATION OF CONDITIONS:** After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Service

**Section A: Project Information**

**Use Type:** *(check/list all that apply)*

- Office/Institutional     Residential     Mixed-Use     Other: \_\_\_\_\_

**Overlay District:** *(check all that apply)*

- Historic District     Neighborhood Conservation District     Airport Hazard Zone

**Section B: Land Area**

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	21,602.8	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=		sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	23,763.1	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, and all grading, including off-site clearing)	None
Area of Land Disturbance within RCD	None
Area of Land Disturbance within Jordan Buffer	None

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	~11,091		16,634.2 (per LUMO Sec. 3.8)	~11,091
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	.46		.7 (per LUMO Sec. 3.8)	
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Service

### Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1			
Number of Floors	4			
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)	11,903		13,449.9	
Total Square Footage of All Units				
Total Square Footage of Affordable Units				
Total Residential Density				
Number of Dwelling Units	1			1
Number of Affordable Dwelling Units				
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

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

Dimensional Requirements		Required by Ordinance	Existing	Proposed
<b>Setbacks (minimum)</b>	Street	24		0
	Interior (neighboring property lines)	8		0
	Solar (northern property line)	11		0
<b>Height (maximum)</b>	Primary			
	Secondary			
<b>Streets</b>	Frontages			
	Widths			



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Services

**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
Cameron Ave	86	14.6	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):

\*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
			<input 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			0
Handicap Spaces			0
Total Spaces			0
Loading Spaces			0
Bicycle Spaces			0
Surface Type			

**Section H: Landscape Buffers**

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



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Services

**Section I: Land Use Intensity**

Existing Zoning District:  
 Proposed Zoning Change (if any):

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
<b>TOTAL</b>							
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

**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 checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning and Development Services

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) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

<input type="checkbox"/>	<b>Application fee (including Engineering Review fee) (refer to fee schedule)</b>	Amount Paid \$	<input type="text"/>
<input type="checkbox"/>	<b>Pre-application meeting</b> –with appropriate staff		
<input type="checkbox"/>	<b>Digital Files</b> – provide digital files of all plans and documents		
<input type="checkbox"/>	<b>Recorded Plat or Deed of Property</b>		
<input type="checkbox"/>	<b>Project Fact Sheet</b>		
<input type="checkbox"/>	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
<input type="checkbox"/>	<b>Description of Public Art Proposal</b> , if applicable		
<input type="checkbox"/>	<b>Statement of Justification</b>		
<input type="checkbox"/>	<b>Response to Community Design Commission and Town Council Concept Plan comments</b>		
<input type="checkbox"/>	<b>Affordable Housing Proposal</b> , if applicable		
<input type="checkbox"/>	<b>Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan</b>		
<input type="checkbox"/>	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)</b>		
<input type="checkbox"/>	<b>Mailing fee for above mailing list (mailing fee is double due to 2 mailings)</b>	Amount Paid \$	<input type="text"/>
<input type="checkbox"/>	<b>Written Narrative describing the proposal, including proposed land uses</b>		
<input type="checkbox"/>	<b>Resource Conservation District, Floodplain, &amp; Jordan Buffers Determination</b> – necessary for all submittals		
<input type="checkbox"/>	<b>Jurisdictional Wetland Determination</b> – if applicable		
<input type="checkbox"/>	<b>Resource Conservation District Encroachment Exemption or Variance (determined by Planning)</b>		
<input type="checkbox"/>	<b>Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)</b>		
<input type="checkbox"/>	<b>Reduced Site Plan Set (reduced to 8.5” x 11”)</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



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning and Development Services

- r) 85% TSS removal for post-development stormwater runoff
- 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" x 36")

Plans should be legible and clearly drawn. All plan set 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

### Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

### 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



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

### 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 and 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
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable





**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning and Development Services

### Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

### Steep Slope Plan

- 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 detail

### Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS**  
TOWN OF CHAPEL HILL  
Planning and Development Services

### Construction Management Plan

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

### Energy 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
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

### Exterior Elevations

- 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)

**2012 APPENDIX B  
BUILDING CODE SUMMARY  
FOR ALL COMMERCIAL PROJECTS**

Name of Project: **Patio Addition to the Phi Gamma Delta House**  
 Address: **108 W. Cameron Ave., Chapel Hill, NC, 27514**  
 Proposed Use: **Addition to existing structure**  
 Owner/Authorized Agent: **Jack Haggerty, Architect; 205 W. Main St.; Carrboro NC  
 919 967-5191 jack@jackhaggertyarchitect.com**  
 Owned By: **Private**  
 Code Enforcement Jurisdiction: **Town of Chapel Hill**

**LEAD DESIGN PROFESSIONAL:** Jack Haggerty, Architect  
 DESIGNER FIRM NAME LICENSE# TELEPHONE# E-MAIL  
**Architectural:** Jack Haggerty, Architect Jack Haggerty 51782 / 6892 919-967-5191 jack@jackhaggertyarchitect.com  
**Electrical:** Alamance Consulting Eng. G. Kevin Bengal 25043 336-449-4558 alamance@ace-nc.net  
**Fire Alarm:** Alamance Consulting Eng. G. Kevin Bengal 25043 336-449-4558 alamance@ace-nc.net  
 Sprinkler-to be submitted under separate permit  
**Structural:** Excel Engineering Rob Munach 19339 919-542-7578 rob@robmunachpe.com

**2012 EDITION OF NC CODE FOR:** X Addition  
 EXISTING:  Reconstruction  Alteration  Repair  
 CONSTRUCTED  ORIGINAL USE  RENOVATED  CURRENT USE

**BUILDING DATA**

Construction Type:  I-A  I-B  II-A  II-B  III-A  III-B  IV  V-A  V-B  
 Mixed construction:  No  Yes Types \_\_\_\_\_  
 Sprinklers:  Yes  No NFPA 13  NFPA 13R  NFPA 13D  
 Standpipes:  No  Yes Class  I  II  III  Wet  Dry  
 Fire District:  No  Yes Flood Hazard Area:  No  Yes  
 Building Height: 48' Number of Stories: 4  
 Mezzanine:  No  Yes  
 Gross Building Area: \_\_\_\_\_

FLOOR	EXISTING (SQ FT)	NEW (SQ FT)	SUB-TOTAL
3 <sup>rd</sup> Floor	2,372		
2 <sup>nd</sup> Floor	2,724		
1 <sup>st</sup> Floor	2,724	1,044 unhtd.	
Basement	3038.5	1,044 unhtd.	
TOTAL			No new htd. sq.ft.

**ALLOWABLE AREA**

Primary Occupancy:  Assembly  Educational  Business  Hazardous  Institutional  Mercantile  Storage  Utility and Miscellaneous  
 A-1  A-2  A-3  A-4  A-5  
 F-1  F-2  F-3  F-4  
 H-1  H-2  H-3  H-4  H-5  H-6  
 I-1  I-2  I-3  I-4  
 R-1  R-2  R-3  R-4  
 S-1  S-2  S-3  S-4  
 U-1  U-2  U-3  U-4

Secondary Occupancy: N/A  
 Special Uses: N/A - 419 Group R-2 but no effect on dwelling units  
 Special Provisions: N/A  
 Mixed Occupancy: N/A

**ALLOWABLE HEIGHT AREA INCREASE**  
 NO HEIGHT OR AREA INCREASE IS REQUIRED OR REQUIRED

**FIRE PROTECTION REQUIREMENTS**  
 Life Safety Plan Sheet #, if Provided: **A-2, PLAN**  
 Information below is for addition shown in drawings.

BUILDING ELEMENT	FIRE SEPARATION DISTANCE (FEET)	RATING		DETAIL # AND SHEET #	DESIGN # FOR RATED ASSEMBLY	DESIGN # FOR RATED PENETRATION	DESIGN # FOR RATED JOINTS
		REQ'D	PROVIDED (w/ REDUCTION)				
Structural Frame, including columns, girders, trusses							
Bearing Walls							
Exterior							
North							
East	27"	1					
West	30"	1					
South	70"	1					
Interior							
Nonbearing Walls and Partitions							
Exterior walls							
North							
East							
West							
South							
Interior walls and partitions		0					
Floor Construction Including supporting beams and joists		0					
Roof Construction Including supporting beams and joists							
Shaft Enclosures - Exit							
Shaft Enclosures - Other							
Corridor Separation							
Occupancy Separation							
Party/Wall Separation							
Smoke Barrier Separation							
Tenant Separation							
Incidental Use Separation							

\* Indicate section number permitting reduction

**LIFE SAFETY SYSTEM REQUIREMENTS**

Emergency Lighting:  No  Yes  
 Exit Signs:  No  Yes  
 Fire Alarm:  No  Yes  
 Smoke Detection Systems:  No  Yes  Partial \_\_\_\_\_  
 Panic Hardware:  No  Yes

**EXIT REQUIREMENTS**

**NUMBER AND ARRANGEMENT OF EXITS**

FLOOR, ROOM OR SPACE DESIGNATION	MINIMUM NUMBER OF EXITS		TRAVEL DISTANCE		ARRANGEMENT MEANS OF EGRESS <sup>2,3</sup> (SECTION 1015.2)	
	REQUIRED	SHOWN ON PLANS	ALLOWABLE TRAVEL DISTANCE (TABLE 1015.1)	ACTUAL TRAVEL DISTANCE SHOWN ON PLANS	REQUIRED DISTANCE BETWEEN EXIT DOORS	ACTUAL DISTANCE SHOWN ON PLANS
SCREENED ENCLOSURE	2	2	250'	20'	SEE PLAN	SEE PLAN
RAISED PATIO	1	1	250'	35'		

<sup>1</sup> Corridor dead ends (Section 1017.3)  
<sup>2</sup> Buildings with single exits (Table 1019.2), Spaces with one means of egress (Table 1015.1)  
<sup>3</sup> Common Path of Travel (Section 1014.3)

**EXIT WIDTH**

USE GROUP OR SPACE DESCRIPTION	AREA <sup>1</sup>		CALCULATED PER OCCUPANT LOAD (a+b)	EGRESS WIDTH PER OCCUPANT (TABLE 1005.1)		EXIT WIDTH (m) <sup>2,3,4,5,6</sup>	
	(a)	(b)		STAIR	LEVEL	STAIR	LEVEL
PATIO	1,044	200 GROSS	49	2"	20"	70"	

<sup>1</sup> See Table 1004.1.1 to determine whether net or gross area is applicable.  
<sup>2</sup> See definition "Area, Gross" and "Area, Net" (Section 1002)  
<sup>3</sup> Minimum stairway width (Section 1009.1); min. corridor width (Section 1017.2); min. door width (Section 1008.1)  
<sup>4</sup> Minimum width of exit passageway (Section 1021.2)  
<sup>5</sup> See Section 1004.5 for converging exits.  
<sup>6</sup> The loss of one means of egress shall not reduce the available capacity to less than 50 percent of the total required (Section 1005.1)  
<sup>7</sup> Assembly occupancies (Section 1025)

**STRUCTURAL DESIGN**

**DESIGN LOADS:**

**Importance Factors:** Wind (I<sub>w</sub>) 1.0  
 Snow (I<sub>s</sub>) 1.0  
 Seismic (I<sub>e</sub>) 1.0

**Live Loads:** Roof \_\_\_\_\_ psf  
 Mezzanine \_\_\_\_\_ psf  
 Floor 100 psf

**Ground Snow Load:** 10 psf

**Wind Load:** Basic Wind Speed 90 mph (ASCE-7)  
 Exposure Category B  
 Wind Base Shears (for MWFRS) V<sub>x</sub> = 1.6 V<sub>y</sub> = 5.2

**SEISMIC DESIGN CATEGORY**  A  B  C  D  
 Provide the following Seismic Design Parameters:  
 Occupancy Category (Table 1604.5)  I  II  III  IV  
 Spectral Response Acceleration S<sub>s</sub> 21 %g S<sub>1</sub> 8 %g  
 Site Classification  Field Test  Presumptive  Historical Data  
 Basic structural system (check one)  
 Bearing Wall  Dual w/Special Moment Frame  
 Building Frame  Dual w/Intermediate R/C or Special Steel  
 Moment Frame  Inverted Pendulum  
 Seismic base shear V<sub>x</sub> = 2.0 V<sub>y</sub> = 2.0  
 Analysis Procedure  Simplified  Equivalent Lateral Force  Modal  
 Architectural, Mechanical, Components anchored? \_\_\_\_\_

**LATERAL DESIGN CONTROL:** Earthquake \_\_\_\_\_ Wind X \_\_\_\_\_

**SOIL BEARING CAPACITIES:**  
 Field Test (provide copy of test report) \_\_\_\_\_ psf  
 Presumptive Bearing capacity 2000 psf  
 Pile size, type, and capacity \_\_\_\_\_

**PLUMBING FIXTURE REQUIREMENTS**

**NO OCCUPANT INCREASE**

**ACCESSIBLE PARKING**

LOT OR PARKING AREA	TOTAL # OF PARKING SPACES		# OF ACCESSIBLE SPACES PROVIDED		TOTAL # ACCESSIBLE PROVIDED
	REQUIRED	PROVIDED	REGULAR WITH 5' ACCESS AISLE	VAN SPACES WITH 8' ACCESS AISLE	
PARKING IN REAR OF BLDG.	8-12	9		1	1
TOTAL					

**General Notes**

The scope of work shall include all labor, materials, equipment, temporary services (including toilet, space heating, generators, etc.) building and other permits and fees necessary to complete the job as shown on these documents.

All Work shall conform to all applicable State and Local Codes, Regulations and Ordinances, and shall be constructed to the highest standards of craftsmanship by properly licensed and qualified Subcontractors of the respective trades. All defective work shall be reconstructed to the approval of the Architect at no cost to the Owner. It shall be the Contractor's responsibility to report any code or workmanship discrepancies to the Owner before proceeding with the Work; otherwise, it is assumed that the represented conditions are accurate and satisfactory, and that the Work can be performed as indicated in the Construction Documents.

All equipment and materials shall be installed according to manufacturers' instructions unless noted otherwise. The Contractor shall provide the owner with a one year warranty on all workmanship and materials, with such warranty beginning at the date of Substantial Completion.

If any material is discovered during excavation or demolition which is in any way considered to contain asbestos or other hazardous or toxic material, construction shall be stopped immediately and the condition reported to Owner.

Drawings shall not be scaled. If there is a discrepancy or absent dimension, contact Architect for clarification.

The Contractor shall take all reasonable precautions to minimize water entering building during construction, and that the building and site remain secure and safe at all times, providing all necessary components for construction safety, care of adjacent existing property and construction. The Contractor shall comply with all County, State and Federal Regulations regarding safety.

General Contractor shall keep job site clean, free of trash and orderly. Work area, interior and exterior, shall be cleaned at end of project.

All new construction shall be plumb, straight and square, and in proper alignment.

General Contractor shall protect all existing construction and finishes to remain, and shall repair any that are disturbed by his operations.

General Contractor shall engage qualified sprinkler contractor for design and extension of sprinklers to basement ceiling. Piping to sprinkler shall be above ceiling. Sprinkler cost and associated construction shall be included in General contractor's proposal.

**General Site Notes**

General Contractor shall coordinate w/ Owner on location for material storage.

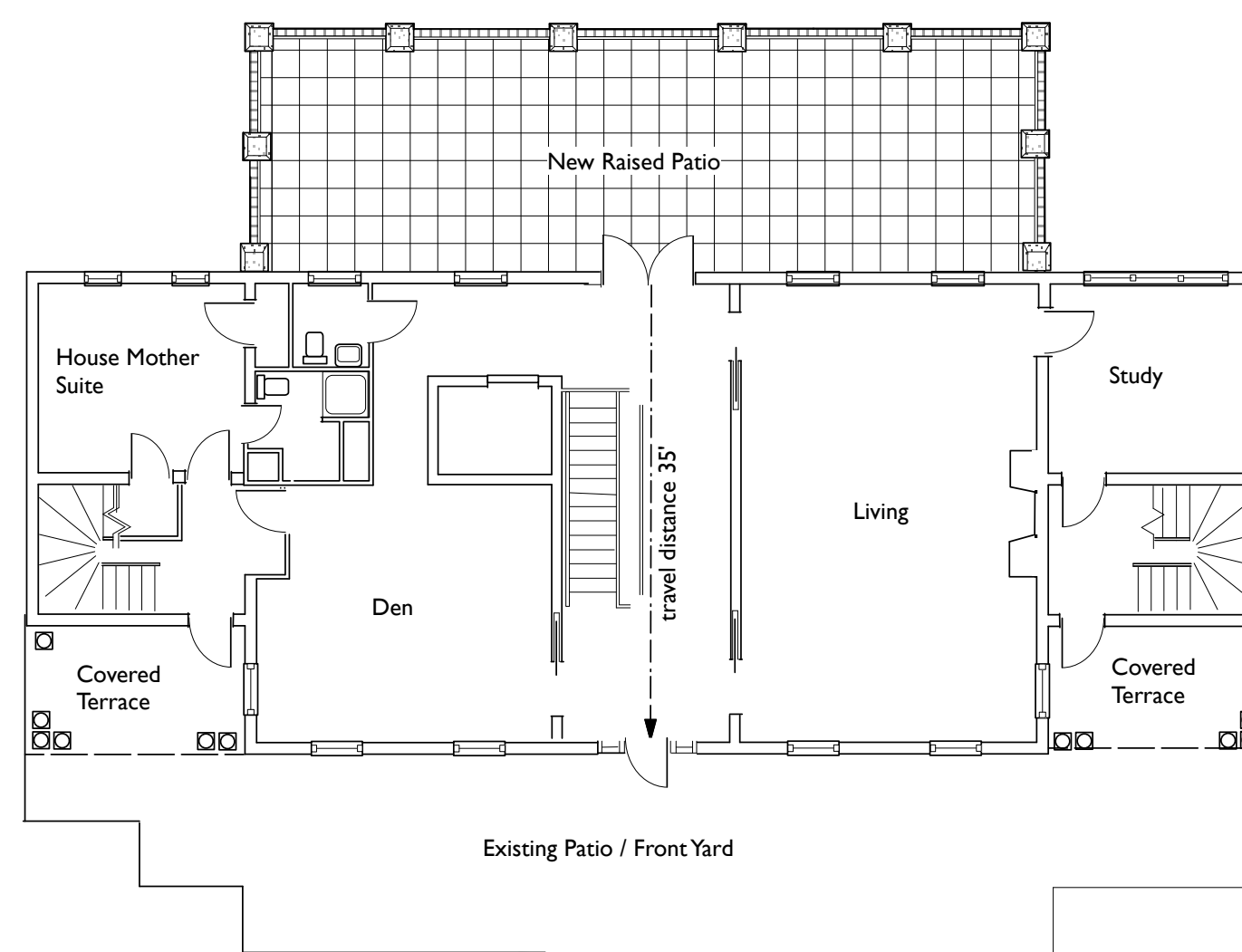
Erosion Control: Contractor shall do all that is possible to minimize soil erosion and siltation caused by his operations. He shall comply with all applicable Town of Chapel Hill regulations relating to erosion prevention and control.

Earth Excavation: Footing trenches shall extend into adequate bearing soil a minimum of 6", and be a minimum of 12" below finish grade or as indicated on drawings. Provide fences, barricades or any other safety devices around all open trenches, excavations or any other hazardous area. Protect all graded and excavated areas from traffic and erosion.

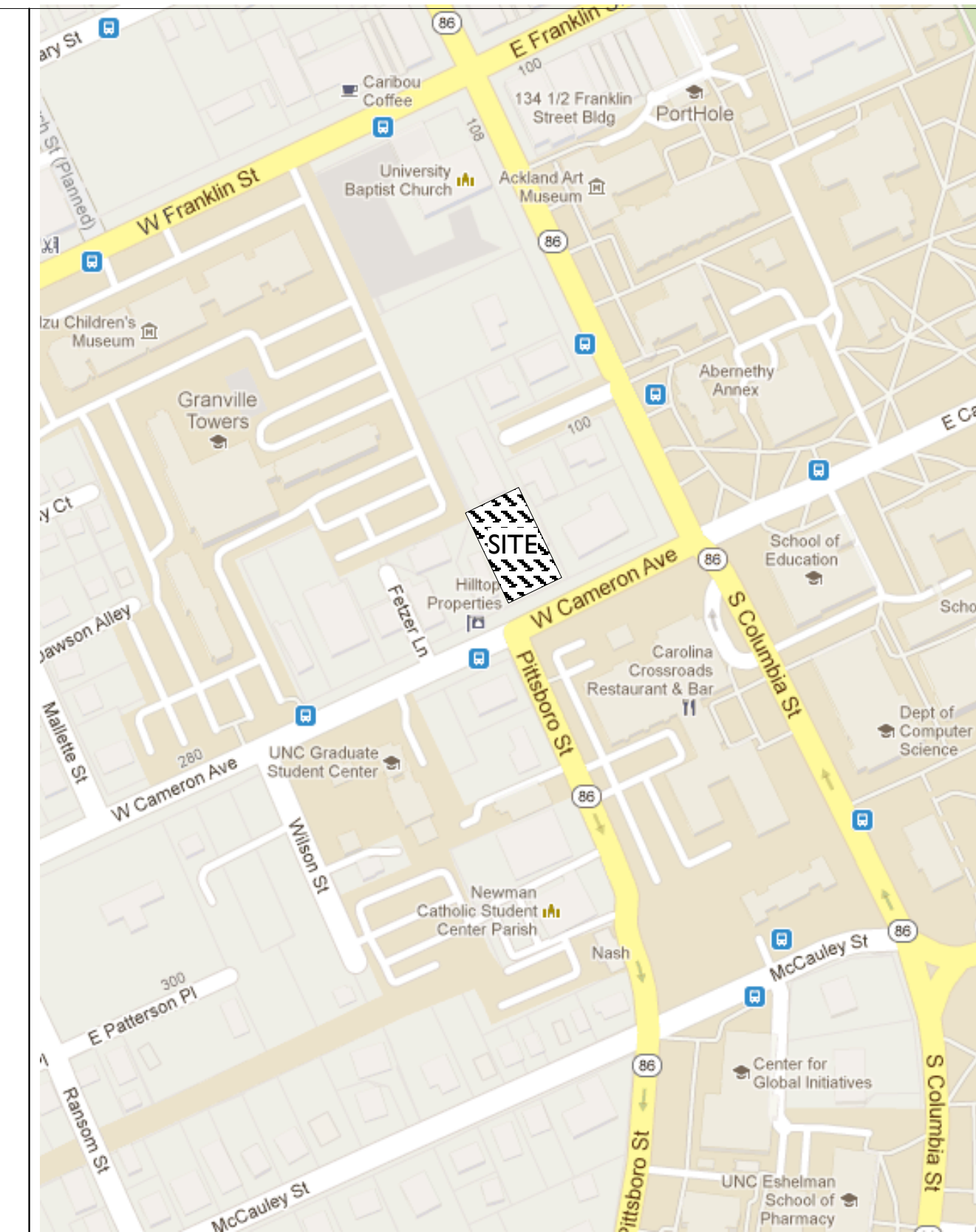
General Contractor shall protect all existing construction to remain.

Termite Treatment shall be according to N.C. State Building Code.

All plantings shall have 1 year warranty.



**First Floor Life Safety Plan**



**Location Map**

**Project Team**

Jack Haggerty, Architect - Designer  
 Alamance Engineers- Plumbing, Mechanical, Electrical & Fire Alarm  
 Rob Munach, P.E. - Structural Design

**Sheet Index**

a drawing for extension of sprinkler system will be supplied by sprinkler contractor

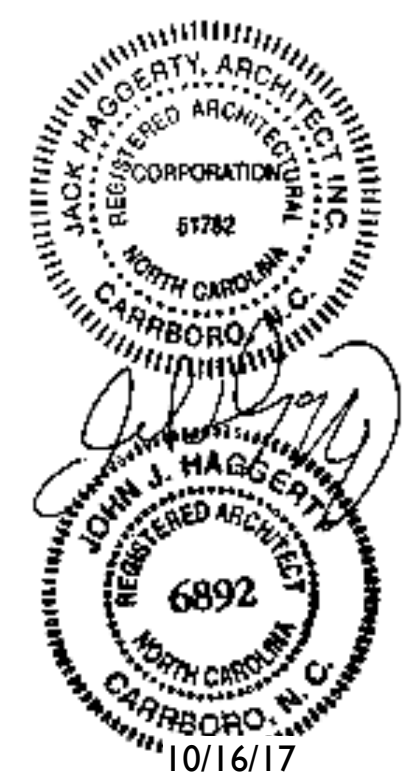
- COVER - Appendix B
- A-1 - Site Plans, New & Exist.; Demolition Plan
- A-2 - Raised Patio and Screened Enclosure Plan
- A-3 - Drain Plan; Reflected Ceiling Plan
- A-4 - North Elevation
- A-5 - West Elevation; Details
- A-6 - Section and Elevation Details
- S-1 - Structural Plan and Details (Excel Engineering)
- P-1 - Patio Drain Plan (Alamance Consulting Engineers)
- E-1 - Lighting Plan (Alamance Consulting Engineers)
- E-2- Electrical Plan (Alamance Consulting Engineers)
- E-3- Panel Schedule & Notes (Alamance Consulting Engineers)
- FA-1- Fire Alarm Plan (Alamance Consulting Engineers)

for construction

**COVER**

October 13, 2017

1 of 13

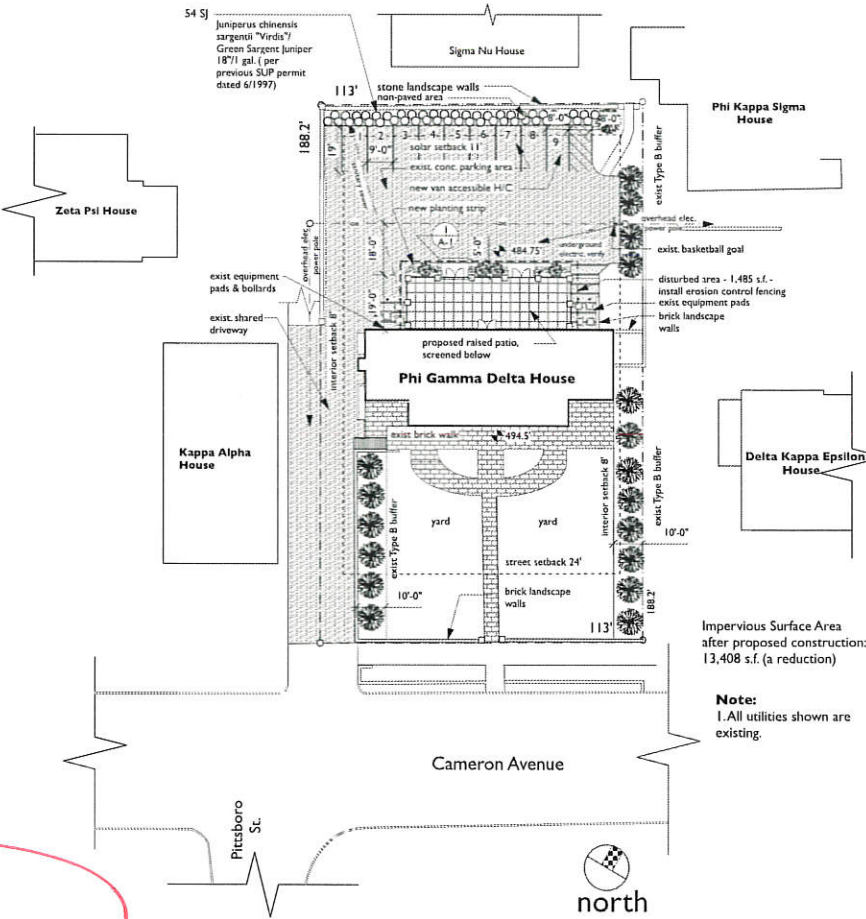
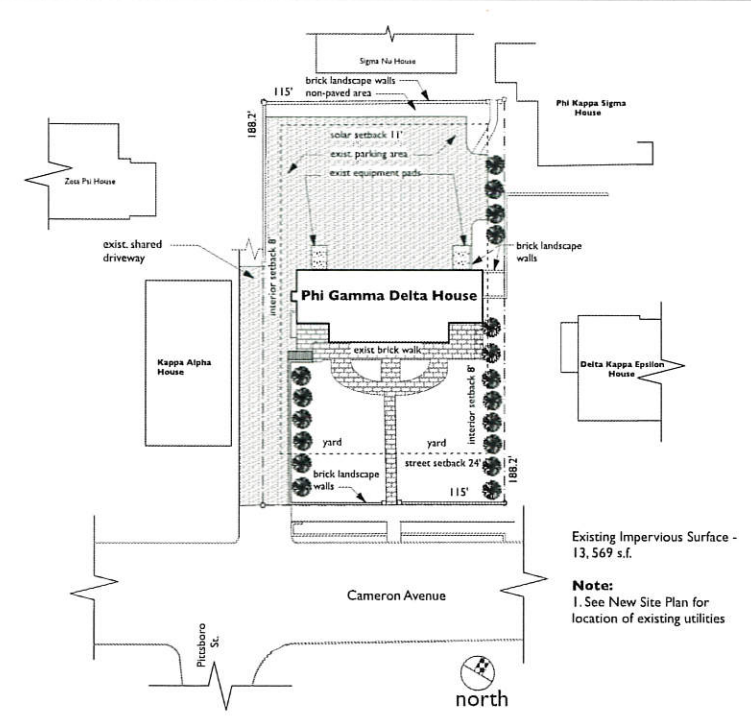
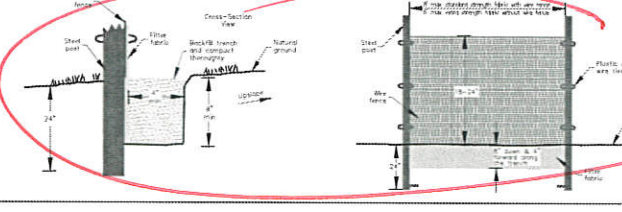
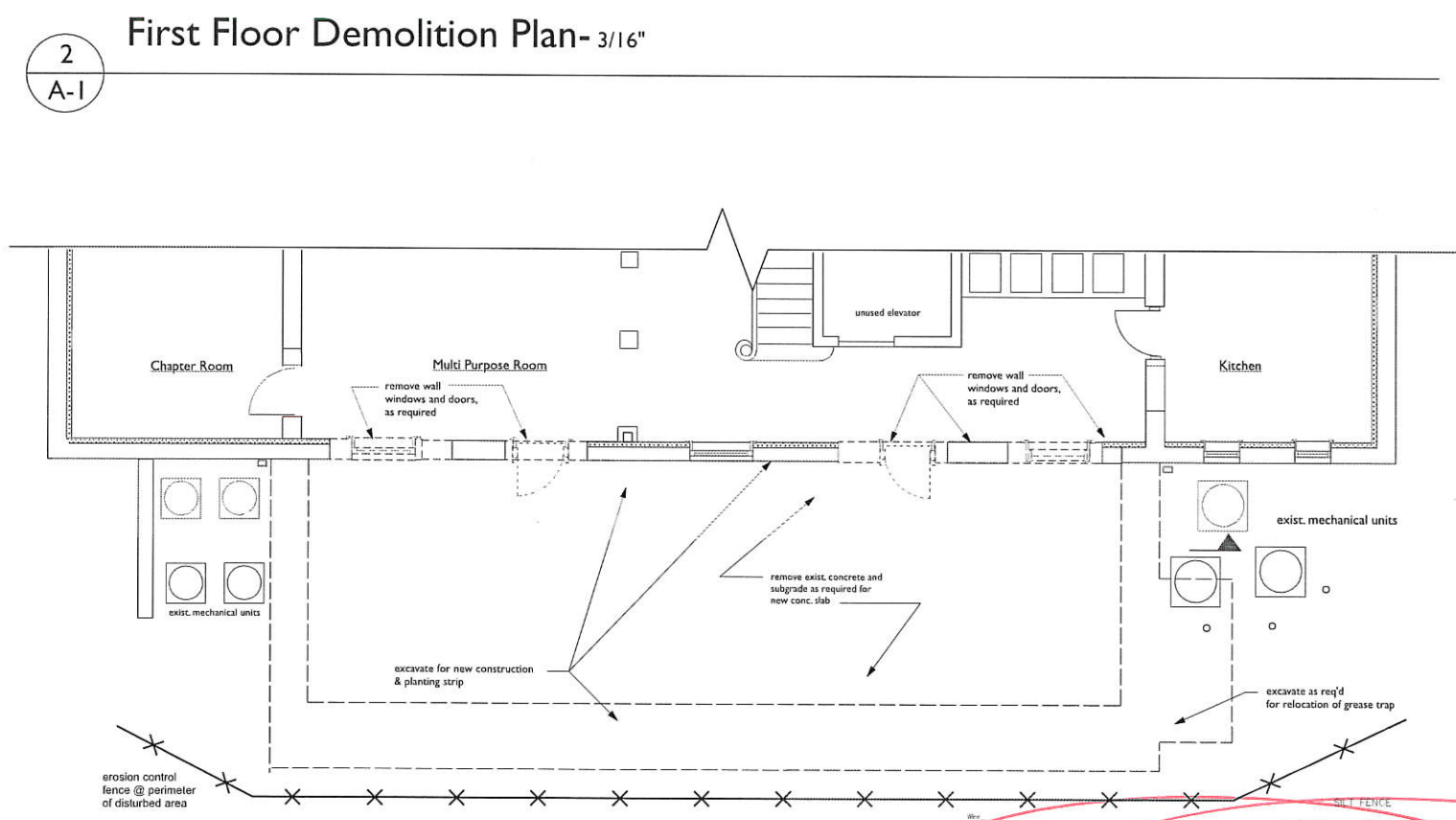
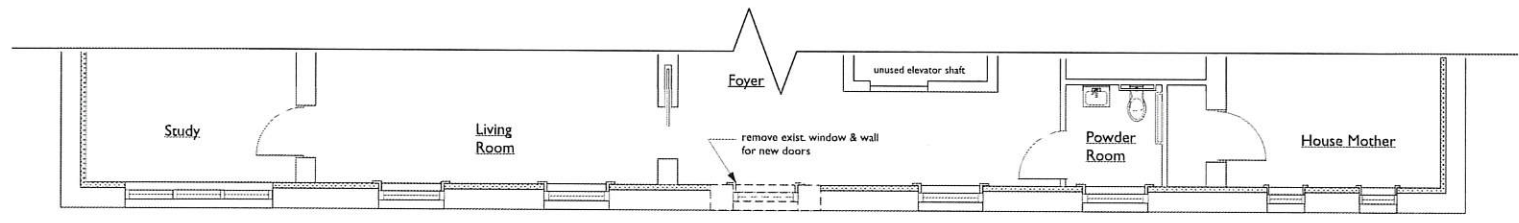
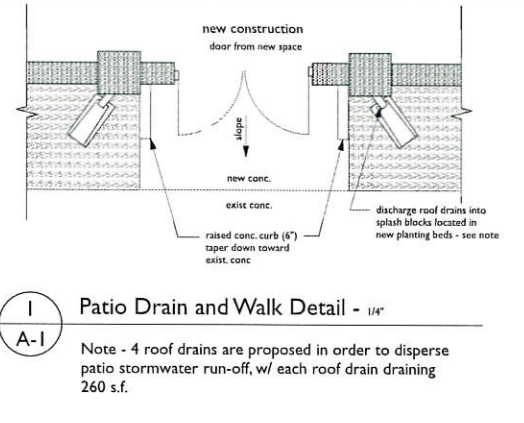


**Phi Gamma Delta  
Fraternity House**  
 108 W. Cameron St., Chapel Hill, North Carolina

**Demolition Notes**

- All demolition work may not be shown. General Contractor shall coordinate demolition work with work shown on other drawings
- General Contractor shall provide means of temporary support at areas where walls are removed.
- General Contractor shall coordinate w/ fraternity representatives regarding any utility stoppage or disruptions.
- General Contractor shall provide protection and warning around any open excavations
- General Contractor shall protect existing mechanical equipment and re-install any bollards disturbed by construction
- General Contractor shall protect existing downspouts and divert temporarily from construction activity.
- General Contractor shall keep building interior secure and protected from the weather during construction.
- General Contractor shall coordinate w/ Sprinkler Contractor on any req'd demolition for installation of sprinklers.

- |                                |   |                                 |
|--------------------------------|---|---------------------------------|
| adj. - adjacent                | flg. - flooring   | rein. - reinforcement           |
| a.f.f. - above finished floor  | fr. ext. - fire extinguisher                              | r.o. - rough opening            |
| blk. - block/blocking          | gwb - gypsum wall board                                   | sch. - schedule                 |
| cab (s) - cabinet(s)           | ht. - height  | s.h. - sill height              |
| clg. - ceiling                 | insul. - insulation                                       | sim. - similar                  |
| col. - column                  | lav. - lavatory   | spec (s). - specifications      |
| cont. - continuous             | mat. - material   | std. - steel                    |
| conc. - concrete               | max. - maximum  | t.o.p. - top of wall            |
| ds - downspout                 | mfr. - manufacturer                                       | typ. - typical                  |
| dtl. - detail                  | min. - minimum  | u.o.n. - unless otherwise noted |
| dwg. - drawing                 | misc. - miscellaneous                                     | vert. - vertical                |
| elec. - electric               | moist. resist. gwb - moisture resistant gypsum wall board | wd. - wood                      |
| eq. - equal                    | o.c. - on center  |                                 |
| e.w.c. - electric water cooler | opng. - opening   |                                 |



**Jack Haggerty, Architect**  
205 W. Main St., Ste. 213, Carrboro, NC 27510  
919-967-5191



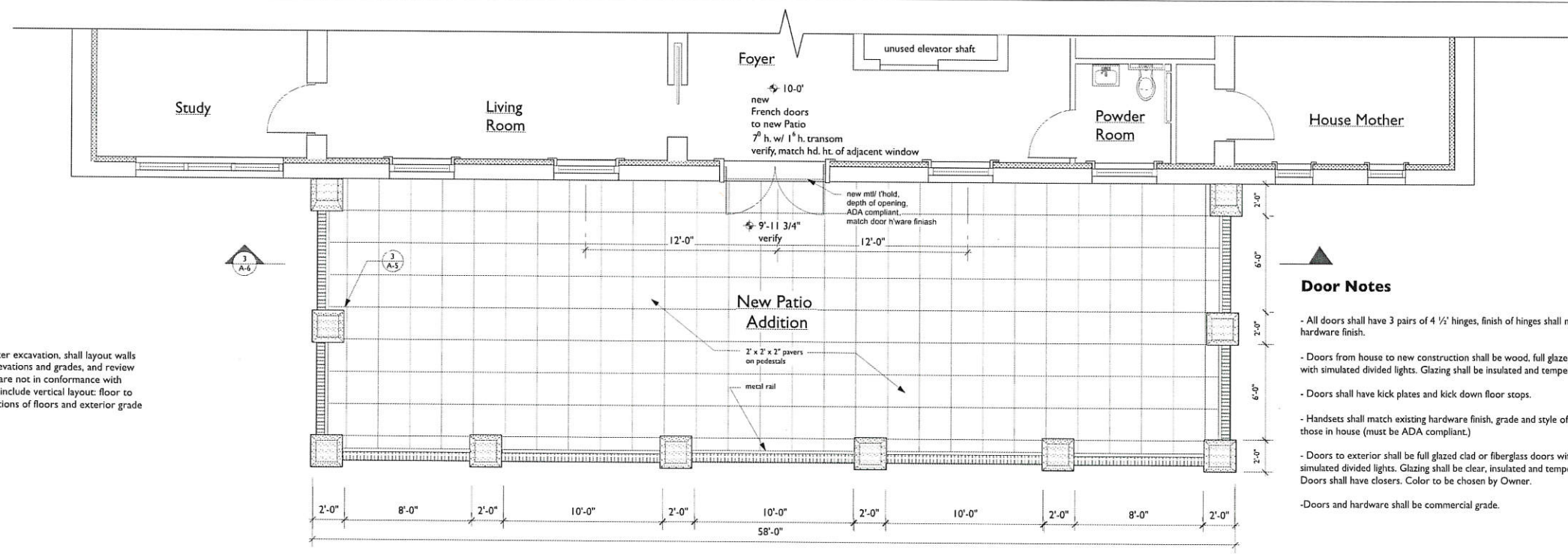
**Phi Gamma Delta Fraternity House**  
108 W. Cameron St., Chapel Hill, North Carolina

for construction  
10/13/17  
A-1  
13

*see attached updated details MKC*

**Lay-Out Note**

General Contractor, prior to and after excavation, shall layout walls and openings, and proposed floor elevations and grades, and review with Architect if existing conditions are not in conformance with proposed construction. Layout shall include vertical layout: floor to floor, top of openings, finished elevations of floors and exterior grade outside of doors.



1 First Floor Plan- 1/4"  
A-2

**Concrete**

Concrete Slabs and Footings: Mix design for concrete shall develop a minimum strength of 3000 psi in 28 days, or as indicated in drawings.

Concrete for sidewalks shall be air-entrained type, and shall be placed on gravel or compacted subgrade with construction joints every 5' on center.

All cast-in-place concrete shall be poured continuously with no cold joints.

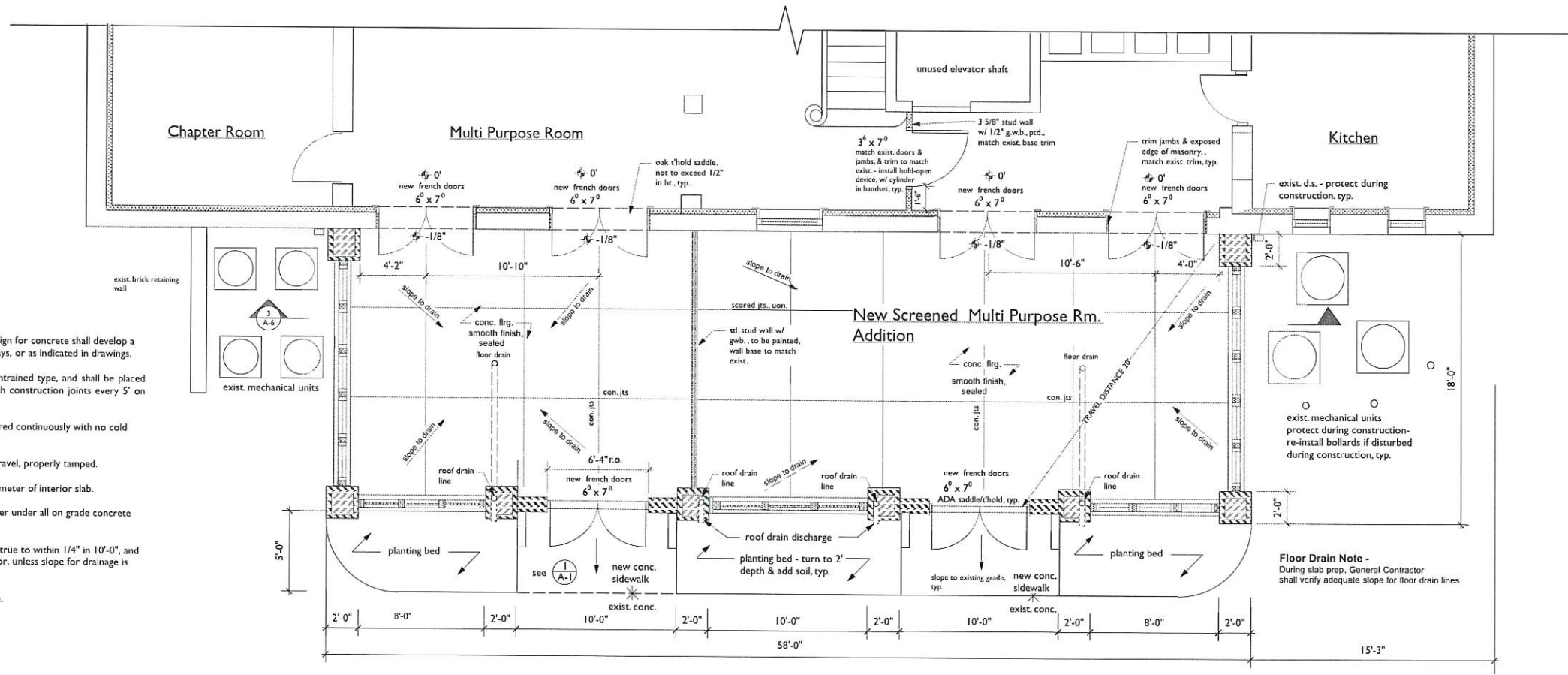
Concrete shall be placed on washed gravel, properly tamped.

Install expansion joint material @ perimeter of interior slab.

Install 12 mil. polyethylene vapor barrier under all on grade concrete slabs.

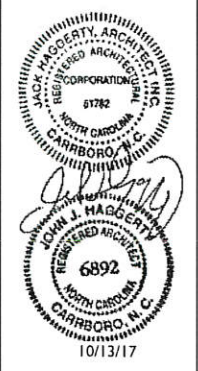
All concrete shall be poured level and true to within 1/4" in 10'-0", and not to exceed 1/2" in entire run of floor, unless slope for drainage is indicated.

Interior slab shall have broom finish.



2 Basement Plan- 1/4"  
A-2

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27510  
919-967-5191



**Phi Gamma Delta  
Fraternity House**  
108 W. Cameron St., Chapel Hill, North Carolina

for construction

10/13/17

A-2

13

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**Masonry**

All masonry work shall comply with recommendations of the Brick Institute of America and the Carolinas Concrete Masonry Association.

Concrete Masonry Units (CMU): Provide manufacturer's standard units as indicated on Drawings. Provide units complying with ASTM C 90, Grade N-1.

Mortar for Unit Masonry: Provide commercial mortar mix, type "S", for all exposed brick and CMU masonry work.

Brick shall match brick at fraternity house in size, color and texture. Brick bond shall match that of brick at the same building. Provide sample for owner review prior to ordering.

Layout walls in advance for accurate spacing of bond patterns, with uniform joint widths and to properly locate openings.

Clean mortar from all walls as work progresses. At the end of the job clean masonry walls with stiff brushes and cleaning compound as recommended by the manufacturer.

General Contractor and Masonry Contractor shall coordinate on work to be installed in masonry - See electrical and architectural plans.

**Aluminum Railing Note**

Railings at Patio shall be by Superior Aluminum Products, Inc., Series 9100.

Rail height shall be 36", with double top rail and ring inserts.

Rails shall be side-mounted, with intermediate heavy-duty base mounts. All rail components shall be by Superior Aluminum Products, Inc.

Finish shall be dark bronze.

Location of anchor-verticals and bases are schematic. Manufacturer shall determine number and location of anchor verticals and mounting bases based on support required for rails and length of rail run.

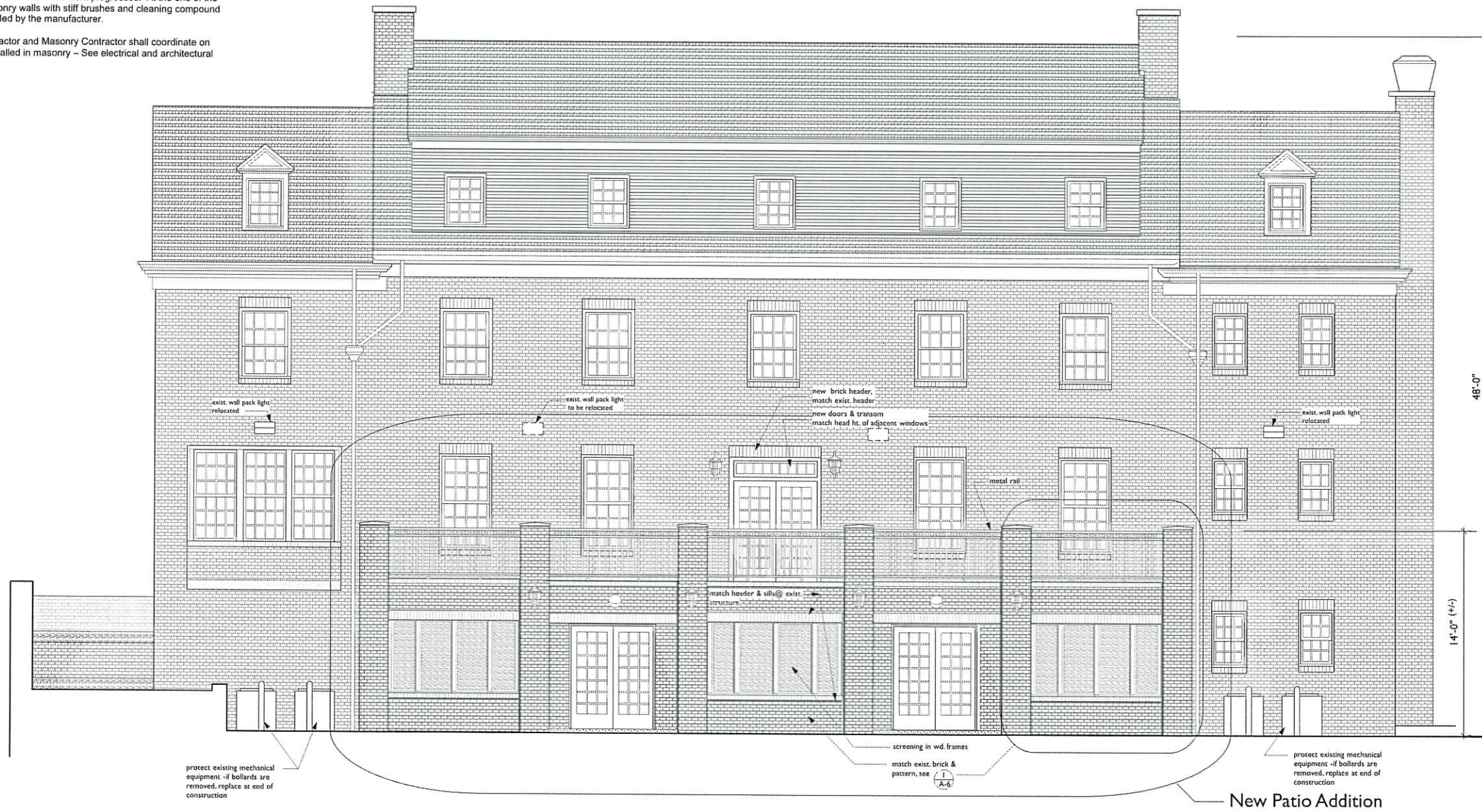
**Exterior Finish Notes**

Brick

- Exterior brick walls shall be sealed with clear sealant.
- Sealer shall be silane/siloxane based.
- Brick shall be clean and dry before application of sealant.
- apply per manufacturer's instructions.

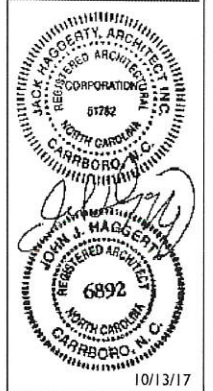
Screening Frames

- Pressure treated material shall be stained with a solid color stain.
- Prep surface and apply stain per manufacturer's recommendation.
- Color to be chosen by Owner.



I  
A-4  
**North Elevation - 1/4"**

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919-967-5191

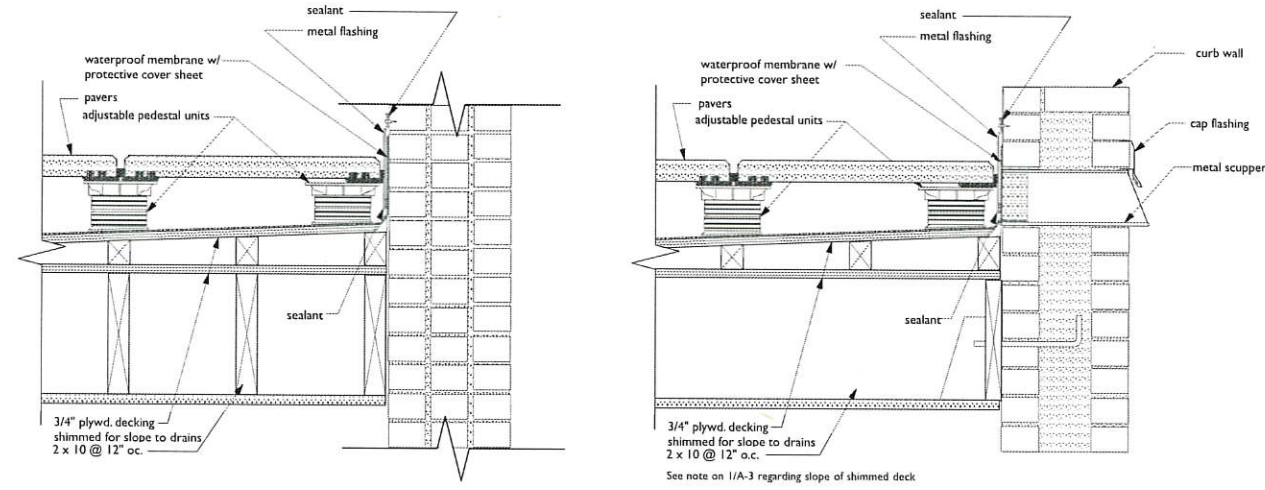


**Phi Gamma Delta Fraternity House**  
108 W. Cameron St., Chapel Hill, North Carolina

for construction

Oct. 13, 2017  
A-4

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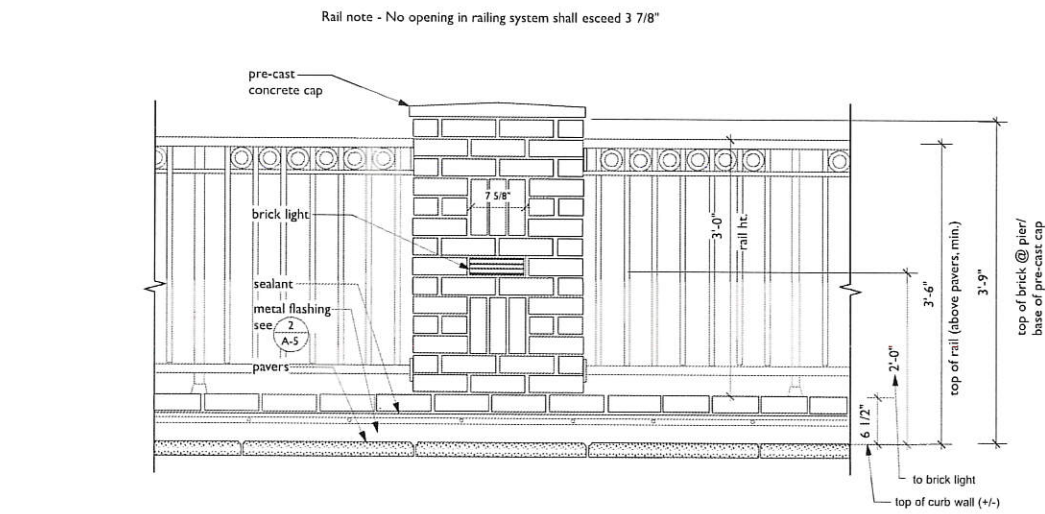


2  
A-5  
Flashing @ Existing House Wall - 1 1/2"

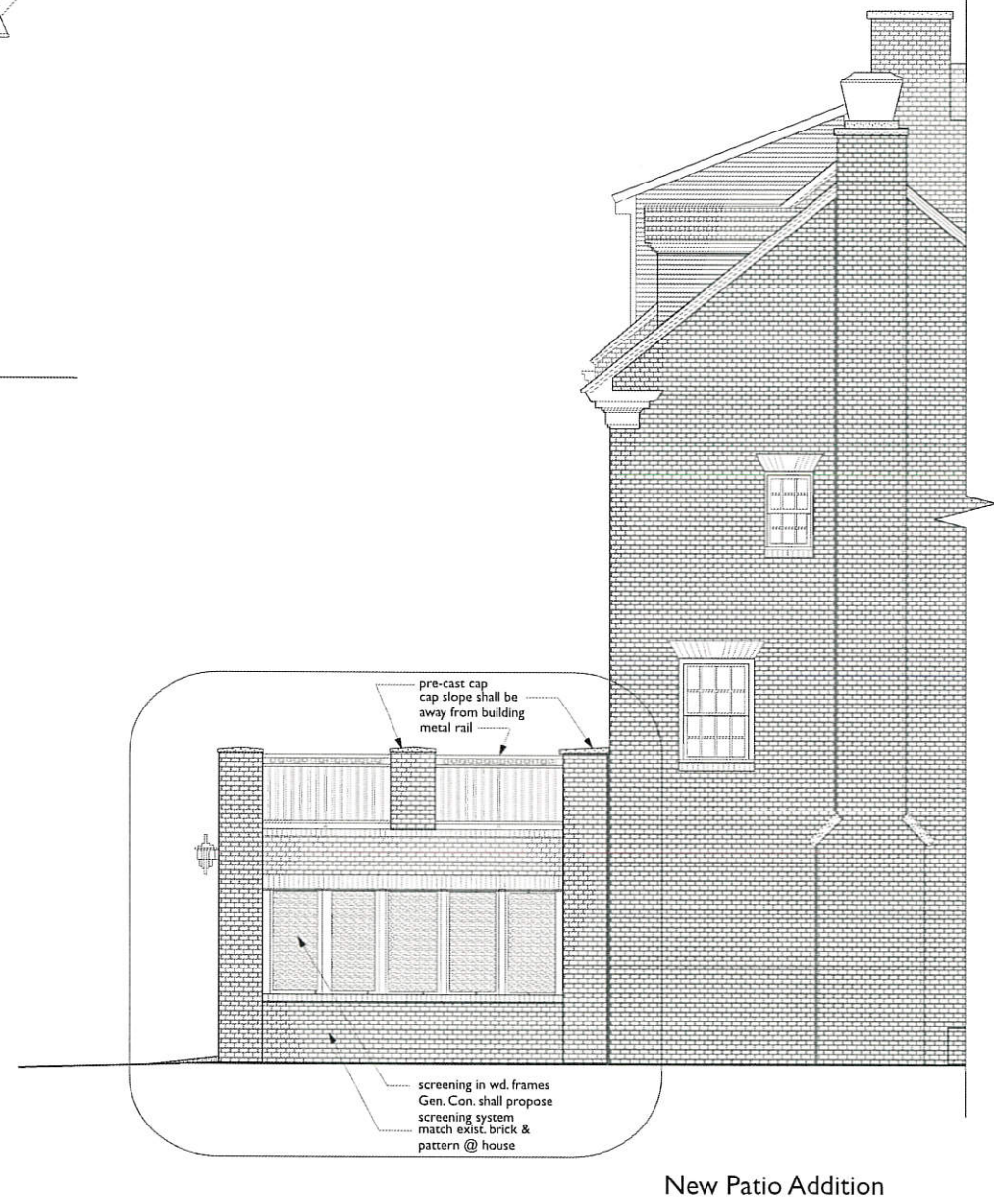
Flashing @ Patio Curb - 1 1/2"

**Paver and Pedestal System** shall be Terra-Stand Pedestal system by Tectura Designs and Wausau. Installation shall include all components necessary for system – spacers (3/16"), Terra-Tabs, shims, waffle reducers and pedestals and any other required components. Pavers shall be by Tectura Design Pavers, and shall be compatible with pedestal system. Color of pavers to be selected by Owner from manufacturer's standard palette, allow for two colors in checkerboard pattern. Contractor experienced with pedestal/paver system shall install system.

**Waterproof Membrane Note:** General Contractor shall consult with Paving/Pedestal System Contractor and Roofing Contractor on roofing membrane recommendation – type of membrane, thickness, type of protective cover sheet and required slope for membrane drainage. Roofing membrane shall be compatible with paver/pedestal system and roofing substrate. Coordinate roofing membrane installation with roof drains, scuppers and perimeter flashing to achieve water-tight installation.



3  
A-5  
Piers @ Patio - 1"



1  
A-5  
West Elevation - 1/4"  
Note: East Elevation of Raised Patio is identical to the West Elevation

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919-967-5191



10/13/17

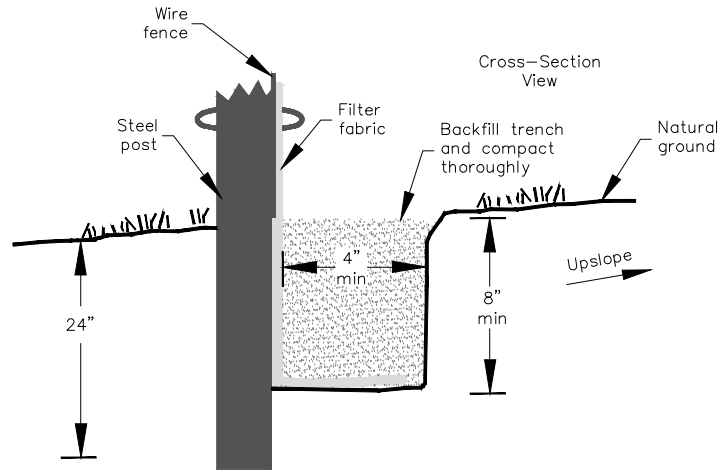
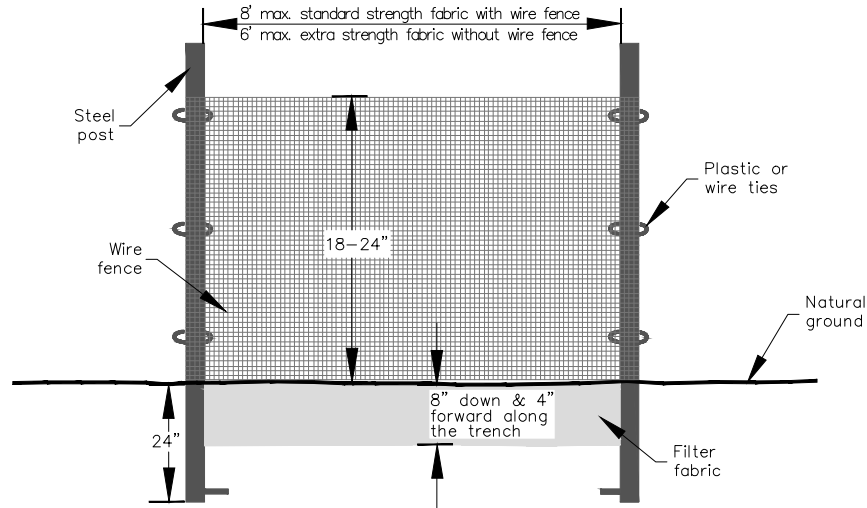
**Phi Gamma Delta  
Fraternity House**  
108 W. Cameron St., Chapel Hill, North Carolina

for  
construction

Oct. 13, 2017 A-5

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SILT FENCE



GENERAL NOTES:

1. Use silt fence only when drainage area does not exceed ¼ acre and never in areas of concentrated flow.
2. Silt fence shall not be removed unless site is stabilized and inspected by Town of Chapel Hill staff.

NOTE: DRAWING NOT TO SCALE



ENGINEERING DEPARTMENT  
STANDARD DETAILS

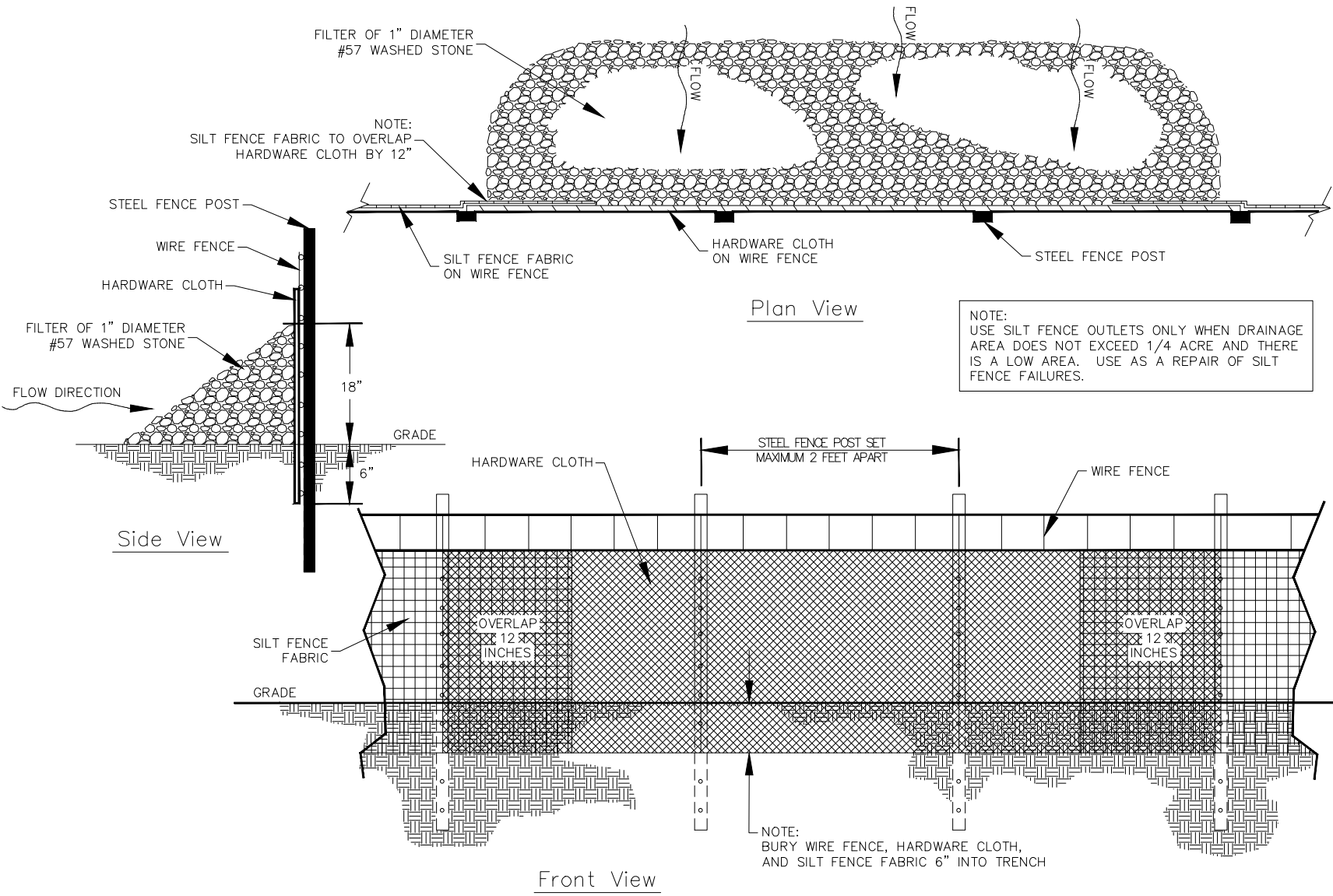
TITLE:		REVISIONS		DET. NO.
SILT FENCE		08/13	15	SD-18





ENGINEERING DEPARTMENT  
STANDARD DETAILS

SILT FENCE OUTLET



NOTE: DRAWING NOT TO SCALE

TITLE:	REVISIONS	DET. NO.
SILT FENCE OUTLET	08/13 15	SD-19



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

## Item Overview

---

**Item #:** 10., **File #:** [20-0863], **Version:** 1

**Meeting Date:** 12/9/2020

---

**Public Hearing Continued: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD) (Project #19-065).**

See the Staff Report on the next page.

---

**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

**PRESENTER:** Michael Sudol, Planner II

- a. Without objection, the revised report and any other materials submitted at the hearing for consideration by the Council will be entered into the record
- b. Introduction and revised recommendation
- c. Presentation by the applicant
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to close the Public Hearing and receive written public comment for 24 hours following the closed public hearing
- g. Consider approving the Conditional Zoning application at the January 13, 2021 meeting.

**RECOMMENDATION:** That the Council close the Public Hearing, receive written public comment for 24 hours following the closed public hearing, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.



**CONTINUE A PUBLIC HEARING FOR CONDITIONAL ZONING AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. FROM RESIDENTIAL-4 (R-4) AND NEIGHBORHOOD COMMERCIAL (NC) TO OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) AND NEIGHBORHOOD COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD)(PROJECT #19-065)**

**STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Colleen Willger, Director  
Judy Johnson, Operations Manager  
Michael Sudol, Planner II

<b>PROPERTY ADDRESS</b>	<b>MEETING DATE</b>	<b>APPLICANT</b>
1200 & 1204 Martin Luther King Jr. Blvd.	December 9, 2020	Jeremy Anderson, Coulter Jewell Thames, PA on behalf of Stackhouse Properties, LLC

**CHANGES SINCE THE NOVEMBER 4, 2020 PUBLIC HEARING:**

- A meeting was held between Town Staff and residents of the mobile home park on November 19, 2020. The meeting summary is attached.
- Added a modification to regulations for nonconforming uses, allowing the mobile homes to be moved around the site for the proposed configuration.
- Several new conditions have been added to Revised Ordinance A:
  - Signage on the driveways to the rear of the self-storage building that says “no access to loading dock from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends”.
  - Developer shall notify the Town when a mobile home lot is available. Town will have the right to make this known to current residents of other mobile home parks.
  - Fence will be constructed along the driveway behind the storage building.
  - Approves a minor variance to allow disturbance in Zone 2 of the Jordan Buffer.
  - Developer will survey lot rents in the greater Raleigh and Charlotte markets for comparable mobile home park lot rents. If their report determines that lot rents at this mobile home park are more than 15% higher than comparable properties, the developer will modify rents to conform to this standard within 30 days.
  - Existing leaseholders will be offered an option to convert to annual leases within 30 days of entitlement and have 30 days to accept or decline.
  - Increased the minimum number of years that mobile homes must be retained on-site to fifteen (15) years.
  - Require right-in/right-out northern access point to be converted to right-out only when BRT is built.
  - Allow 7 of the new units to be placed in “Upland” and “Managed Use” RCD zones.

**STAFF RECOMMENDATION**

That the Council close the Public Hearing on the proposed Zoning Atlas Amendment. (Under the state legislation authorizing public hearings at remote meetings, public comment may continue to be submitted into the hearing record for 24 hours after the December 9 public hearing).

That the Council then adopt a motion to schedule the proposed Zoning Atlas Amendment for possible decision on January 13, 2021.

**ZONING**

*Current:* Residential-4 (R-4) and Neighborhood Commercial (NC)

*Proposed:* Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD), with a Planned Development-Housing (PD-H)

**PROCESS**

Conditional Zoning is a legislative process that allows Town Council to review the rezoning application for consistency with the Land Use Plan in the Comprehensive Plan and establish standards that address any impacts on surrounding properties.

**DECISION POINTS**

The applicant requests the following modifications to regulations allowing:

- Conditioned self-storage facility, to be on the same zoning lot as an accessory use to a Mobile Home Park
- conditioned self-storage facility to be located across from an intersection, but not on a corner lot created by two intersecting streets.
- Service station/convenience store within 300 feet of any intersecting street or within 750 feet of driveways intersecting the same street and serving another existing or approved service station.
- Mobile home residences to be relocated on-site and to remain in or be moved into the RCD
- Modified northern and eastern buffers
- Fewer parking spaces than required (45 commercial spaces)
- Existing Class B manufactured homes to be allowed within a Planned Development-Housing (PD-H)

**PROJECT OVERVIEW**

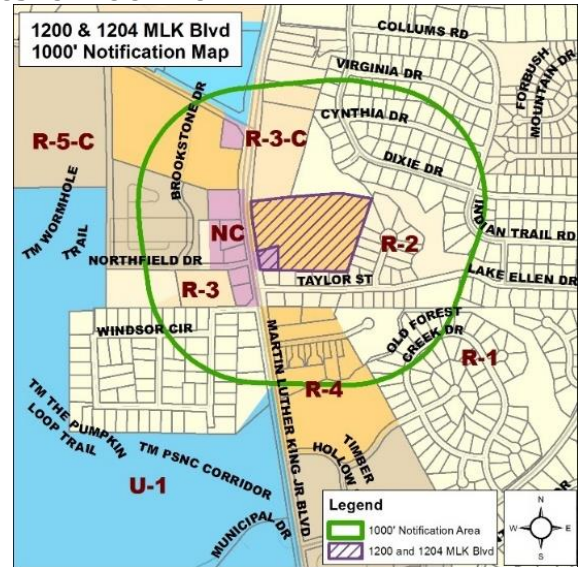
The site consists of two parcels, totaling approximately 13.9 acres. The applicant proposes:

- replacing the existing service station/convenience store with a new service station/convenience store and a 4-story self-storage facility, conditioned building.
- relocating approximately 16 of the existing 73 dwelling units on-site.

The applicant requests:

- two access points to Martin Luther King Jr. Blvd.
  - one as a full-access
  - one as a right-in/right-out access only.

Due to NCDOT requirements, the right-in/right-out access has conflicts with the proposed Bus Rapid Transit (BRT) system in this corridor. The applicant has indicated a need for the second access point. Staff has been working with NCDOT and the applicant to accommodate the BRT design and the access proposal. A condition is now included that requires the right-in/right-out northern access point to be converted to right-out only when BRT is built.

**PROJECT LOCATION****ATTACHMENTS**

1. Technical Report
2. Project Fact Sheet
3. Draft Staff Presentation
4. Resolution of Consistency
5. Revised Ordinance A (Approval)
6. Resolution B (Denial)
7. Applicant materials
8. Plan Set
9. Emails from the Public
10. Council Questions with staff responses
11. Supplemental Information to Council about Stackhouse (prepared by Applicant)
12. Stackhouse rules for Mobile Home Parks
13. Summary of Community Engagement Meeting



# TECHNICAL REPORT

## PROJECT OVERVIEW

The application proposes a Conditional Zoning to rezone the property from Residential-4 (R-4) and Neighborhood Commercial (NC) to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD), with a Planned Development-Housing (PD-H) designation for the Mobile Home Park portion of the site. The 13.9-acre site currently consists of two parcels with one existing single-family home, 72 mobile home units, and a gas station/convenience store. The applicant is proposing to replace the existing gas station/convenience store with a new 5,000-square foot gas station/convenience store and a 134,400-square foot 4-story self-storage facility, conditioned, building. Three stories of the proposed self-storage building are indicated to be above-grade, with one story below-grade. The existing 73 dwelling units will be maintained on site, relocating 16 of the existing units on-site as part of the redevelopment. An additional 10 mobile home units are also proposed.

The developer's Narrative explains that the applicant is seeking to modernize the service station, add a new self-storage building, and preserve or reposition all of the existing mobile home residential units onsite. The developer states that they understand the significance that the existing affordable housing plays in the Town's naturally occurring affordable housing, thus retaining as many of the existing units, while redeveloping a portion of the site, is important. More details about the proposed development can be found in the Developer's Program found on page 25 of the applicant materials.

Information about the site and zoning districts can be found below, as well as a list of proposed Modifications to Regulations, and a Technical Report.

## SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land which are relevant to consideration of a Conditional Zoning:

- The 13.9-acre subject site fronts on and has access to Martin Luther King Jr. Blvd., an arterial street with high traffic volume and existing bus service.
- The right-in/right-out access, requested by the applicant, has potential conflicts with the Bus Rapid Transit (BRT) system proposed for Martin Luther King Jr. Blvd. Further flexibility of the design is requested by the applicant with minor adjustments to be approved administratively if approved by NCDOT and Town staff.
- Properties on the opposite side of Martin Luther King Jr. Blvd. are zoned Neighborhood Commercial (NC), and consist of an assortment of commercial buildings, including a car wash and service station/convenience store.
- The property adjacent to the north is zoned Residential-3-Conditional (R-3-C) and contains a place of worship.
- Properties to the south and east are zoned Residential-2 (R-2) and consist of single-

family dwelling units.

- A perennial stream runs through the northern portion of the site and is subject to a 150-foot Resource Conservation District (RCD) and 50-foot Jordan Buffer. Multiple mobile homes are currently located in both the RCD and Jordan Buffer.

## PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal as part of a rezoning. It also allows site-specific standards to be formulated and applied as condition of the rezoning through a legislative process. The Conditional Zoning application provides an opportunity to establish conditions that modify use, intensity, and development standards in order to address impacts reasonably expected to be generated by the development. Conditions can also address conformance of the development with town regulations and adopted plans. A -CZD suffix would be added to the zoning district designation to incorporate the approved conditions. The applicant has proposed two different Conditional Zoning districts for different areas of the site, as shown on the site plan: Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial Conditional Zoning District (NC-CZD).

The intent of the Office/Institutional-2 (OI-2) zoning district is to "provide for medium-intensity office and institutional development".

The intent of the Neighborhood Commercial (NC) zoning district is to "provide for the development of low-intensity commercial and service centers that are accessible by pedestrians from the surrounding neighborhoods, serve the daily conveniences and personal service needs of the surrounding neighborhoods, and are of such nature as to minimize conflicts with surrounding residential uses." This Conditional Zoning application proposes limiting uses to a narrower range of retail/service/business uses.

## PROPOSED MODIFICATIONS TO REGULATIONS

The applicant has proposed modifications to regulations for the proposed conditional zoning districts for this development. These include:

- 1. Section 6.23.4, Self-storage Facility, Conditioned:** Section 6.23 specifies standards requiring self-storage facilities to be only allowed on the same zoning lot as other office, commercial, or institutional. The applicant is requesting to allow self-storage facility, conditioned, to be on the same zoning lot and accessory to a Mobile Home Park (in terms of land area)

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the additional uses as the proposal will maintain 72 mobile homes, naturally occurring affordable housing, on the site for up to ten years.

- 2. Section 6.23.2, Self-storage Facility, Conditioned:** Section 6.23 requires that self-storage facilities shall not be permitted on property located at an intersection with any arterial street. The applicant contends that the self-storage building is not located at an intersection, but across from the intersection of Martin Luther King Jr. Blvd. and Northfield. The applicant is requesting to allow a self-storage facility, conditioned, building to be located across from an intersection, but not on a corner lot created by two intersecting streets.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the site location as the proposal will maintain 72 mobile homes, naturally occurring affordable housing, on the site for up to ten years.

- 3. Section 6.12(d), Service station/convenience store:** Section 6.12 states that service stations shall not be located within three hundred (300) feet of any intersecting street or within seven hundred fifty (750) feet of driveways intersecting the same street and serving another existing or approved service station. The applicant is requesting to allow a service station/convenience store to be located within the thresholds listed above as an existing service station/convenience store was previously approved and permitted on this site.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the service station location to continue to operate and provide for economic opportunities.

- 4. Section 3.6.3-2, Permitted Uses within Resource Conservation District:** Section 3.6.3-2 limits uses within the Resource Conservation District. The applicant requests a modification to allow mobile home residences to remain in or be moved into the RCD, to preserve the residences onsite, within the existing mobile home park.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the mobile homes to remain providing opportunities to maintain diverse housing stock in the Town limits.

- 5. Section 5.9.7, Minimum and maximum parking space requirements: Section 5.9.7:** The applicant requests a modification to the required minimum number of parking spaces for the Self-storage facility, conditioned. Based on the standards of the Land Use Management Ordinance, a minimum of 1 space per 2,500 sf, the minimum requirement would be 90 spaces. The developer feels this is almost 5 times the actual need, and that based on market experience at other facilities, this facility would require 16-20 spaces during a peak period.

*Staff Comment:* Staff believes that the Council could find a public purpose for reducing the amount of parking to reduce the amount of impervious surfaces and environmental impacts.

- 6. Section 3.7.3, Use Groups:** The applicant requests a modification to the Use Group Table that would allow existing Class B manufactured homes to be allowed within a PD-H. The existing mobile home community consists of Class B units, and this modification would allow the existing units to remain onsite, as outlined elsewhere in this Developer Narrative.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the mobile homes to remain providing opportunities to maintain diverse housing stock in the Town limits.

- 7. Section 5.6.6, Schedule of Required Buffers:** The applicant requests to allow a modification to the 10-foot Type B and 20-foot Type C required buffers along the eastern and northern property line. Modified buffers in these areas are to be comprised of existing vegetation and existing fence.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the existing mobile homes and existing vegetation to remain.

- 8. Section 7.3.2 Nonconforming Uses:** Modify the nonconforming uses standard to allow relocation of existing mobile homes on-site and addition of new mobile homes.

*Staff Comment:* Staff believes that the Council could find a public purpose for allowing the mobile homes to be reconfigured on-site, providing opportunities to maintain diverse housing stock in the Town limits.

## CONSISTENCY WITH THE COMPREHENSIVE PLAN

North Carolina General Statute Section 160A-383 requires the Council to approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other applicable officially adopted plan when adopting or rejecting any zoning amendment.

Staff provides the following evaluation of this application's consistency with the 2020 Comprehensive Plan and other adopted plans:

- The intent of the Neighborhood Commercial (NC) district notes low-intensity commercial uses, which is consistent with the Commercial designation of a portion of the site on the 2020 Land Use Plan. The intent of the Planned Development-Housing (PD-H) special regulation, applied to the OI-2 zoning area, supports housing appropriate to the site which is consistent with the Medium Residential designation of the remainder of the site on the 2020 Land Use Plan.
- The site is located within the S MLK Jr Blvd/Area 3 Future Focus Discussion Area. Chapel Hill 2020 identifies S MLK Jr Blvd as an opportunity to proactively plan for character and to coordinate development with investment in higher capacity bus service. The Statement of Consistency notes that "the project is making significant improvements to the access, commercial services, and streetscape for the projects frontage, which all support these future transit improvements along the corridor."
- The Mobility and Connectivity Plan shows a future trail forming part of the 'Timberlyne Corridor' running along the eastern edge of the site. This bicycle/pedestrian-focused corridor would provide a parallel route to Martin Luther King Jr. Blvd., allowing more safe and comfortable travel between the Timberlyne area and central Chapel Hill. Bicycle and pedestrian facilities are also shown along Martin Luther King Jr. Blvd. in the Mobility Plan, to support access to local destinations and Bus Rapid Transit stations. A more robust multimodal network would support growth and redevelopment in the corridor. However, it should be noted that new facilities proposed in the associated application (service station and self-storage) do not represent uses typically associated with bicycle, pedestrian, or transit activity.
- The associated application proposes a condition to retain 72 mobile homes in the existing mobile home park. This condition along with the planned nature of the PD-H overlay would support Comprehensive Plan goals for a range of housing options and a range of neighborhood types. It also would further the theme of making Chapel Hill A Place for Everyone.



- Finding #3 in the next section notes additional purposes of the 2020 Comprehensive Plan which may be achieved through this application, as well as those that would be in conflict with this application.

## FINDINGS OF FACT

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance (as stated in Section 4.4) shall not be amended except:

- 1) To correct a manifest error in the chapter; or
- 2) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- 3) To achieve the purposes of the Comprehensive Plan.

Below is an evaluation of this application based on the three findings. Further information may be presented for the Council’s consideration as part of the public hearing process, and will be included in the record of the hearing.

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**Finding #1:** The proposed zoning amendment is necessary to correct a manifest error.

Arguments	No information provided
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**Finding #2:** The proposed zoning amendment is necessary because of changed or changing conditions in a particular area or in the jurisdiction generally.

Arguments in Support	<p>Staff notes that the Comprehensive Plan identifies the site as part of a Focus Area (S MLK Jr Blvd) which suggests it is an appropriate location for investment, improvement, and/or development.</p> <p>Staff notes that the mobile home park is over 35 years old and that since its establishment there has been continued development along the Martin Luther King Jr. Blvd. corridor.</p> <p>The applicant notes that generally, new commercial facilities need more space to meet modern standards, and that over time new commercial uses are becoming in demand in Chapel Hill.</p>
Arguments in Opposition	<p>Staff notes that uses proposed in the application, specifically fuel pumps and self-storage, are typically considered more vehicle-oriented and therefore not complementary to transit service such as BRT.</p>

**Finding #3:** The proposed zoning amendment is necessary to achieve the purposes of the comprehensive plan.

Arguments in Support	<p>The applicant’s Statement of Consistency suggests that the proposed rezoning would contribute to the following elements of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>• A range of housing options for current and future residents (<i>Goal-Place for Everyone.3</i>)</li> </ul>
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	<ul style="list-style-type: none"> <li>• Balance and sustain finances by increasing revenues and decreasing expenses (<i>Goal-Community Prosperity and Engagement.1</i>)</li> <li>• A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (<i>Goal-Good Places, New Spaces.5</i>)</li> <li>• A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (<i>Goal Getting Around.2</i>)</li> <li>• Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. (<i>Goal-Nurturing Our Community.3</i>)</li> </ul>
Arguments in Opposition	<p>The development proposed in the associated application would retain the existing number of mobile homes in a smaller area by relocating some homes. The relocation plan indicates that several homes would be placed close to the Kings Branch Stream, within the Resource Conservation District (RCD). In addition, the existing community open space for the mobile home park would be removed to accommodate relocated homes. Staff notes that these impacts are in conflict with the following elements of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>• Open and accessible common spaces for community gathering, cultural uses, and community development (<i>Goal-Good Places, New Spaces.7</i>)</li> <li>• Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems (<i>Goal- Nurturing Our Community.2</i>)</li> </ul>

















# PROJECT FACT SHEET







## Project Details

Site Description	
<b>Project Name</b>	1200 MLK (Tarheel Mobile Home Park)
<b>Address</b>	1200 & 1204 Martin Luther King Jr. Blvd.
<b>Property Size (NLA)</b>	13.9 acres
<b>Existing</b>	Mobile home park and service station/convenience store
<b>Orange County Parcel Identifier Numbers</b>	9789-29-7279 and 9789-39-2409
<b>Existing Zoning</b>	Neighborhood Commercial (NC) and Residential-4 (R-4)
<b>Proposed Zoning</b>	Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD) with Planned Development-Housing (PD-H) overlay


## Site Development Standards

Topic	Comment	Status
<b>Development Intensity</b>		
<b>Use/Density (Sec. 3.7)</b>	Mobile home park; Service station/convenience store; Self-storage facility, conditioned	<b>M</b>
<b>Dimensional Standards (Sec. 3.8)</b>	No change proposed	
<b>Floor area (Sec. 3.8)</b>	139,400 sq. ft. commercial, 52,358 sq. ft. residential	
<b>Landscape</b>		
<b>Buffer – North (Sec. 5.6.2)</b>	<i>Required:</i> Internal 20' Type "C"	<b>M</b>
<b>Buffer – East (Sec. 5.6.2)</b>	<i>Required:</i> Internal 10' Type "B"	<b>M</b>
<b>Buffer – South (Sec. 5.6.2)</b>	<i>Required:</i> Internal 20' Type "C"	
<b>Buffer - West (Sec. 5.6.2)</b>	<i>Required:</i> External 30' Type "D"	
<b>Tree Canopy (Sec. 5.7)</b>	<i>Required:</i> 30%	
<b>Landscape Standards (Sec. 5.9.6)</b>	<i>Required:</i> 5' foundation buffer planting strip <i>Required:</i> Landscaped interior islands every 10 spaces	

	<p><i>Required:</i> Maximum distance of 75' that a parking space may be located from a shade tree</p> <p><i>Required:</i> 8' minimum landscaped buffer strip requirement for parking entrance drives</p>	
<b>Environment</b>		
<b>Resource Conservation District (Sec. 3.6)</b>	<p><i>Proposed:</i> Existing Mobile Homes to remain, with new disturbance as follows:</p> <ul style="list-style-type: none"> <li>- <i>Streamside Zone:</i> 4,960 sq. ft.</li> <li>- <i>Managed Use Zone:</i> 11,036 sq. ft.</li> <li>- <i>Upland Zone:</i> 24,261 sq. ft.</li> </ul>	<b>M</b>
<b>Erosion Control (Sec. 5.3.1)</b>	Orange County Erosion Control permit required	
<b>Steep Slopes (Sec. 5.3.2)</b>	<p><i>Required:</i> Disturb &lt; 25% of slopes greater than 25% slope</p> <p><i>Proposed:</i> Disturb 3.6% (1,269 sq. ft.) of slopes &gt; 25%</p>	
<b>Stormwater Management (Sec. 5.4)</b>	No stormwater measures currently on-site; applicant proposes to install measures, inlets, and piping designed to meet or exceed LUMO 5.4 standards	
<b>Land Disturbance</b>	247,779 sq. ft. (40% of site)	
<b>Impervious Surface</b>	271,416 sq. ft. (45% of site)	
<b>Solid Waste &amp; Recycling</b>	Private trash pickup proposed	
<b>Jordan Riparian Buffer (Sec. 5.18)</b>	<i>Proposed:</i> 4,960 sq. ft. of land disturbance; existing Mobile Homes to remain in Jordan Buffer	<b>M</b>
<b>Access &amp; Circulation</b>		
<b>Road Improvements (Sec. 5.8)</b>	Addition of right turn lane into development	
<b>Vehicular Access (Sec. 5.8)</b>	Two points of access proposed at the intersection with Martin Luther King Jr. Blvd.	
<b>Bicycle Improvements (Sec. 5.8)</b>	No improvements proposed	
<b>Pedestrian Improvements (Sec. 5.8)</b>	5' sidewalk proposed along Martin Luther King Jr. Blvd.	
<b>Traffic Impact Analysis (Sec. 5.9)</b>	TIA completed and Executive Summary attached	
<b>Vehicular Parking (Sec. 5.9)</b>	<p><i>Required:</i> 68 commercial, 73 residential</p> <p><i>Proposed:</i> 45 commercial, 158 residential</p>	<b>M</b>
<b>Transit (Sec. 5.8)</b>	Construct a transit stop to accommodate future Bus Rapid Transit service with a shelter	
<b>Bicycle Parking (Sec. 5.9)</b>	<p><i>Required:</i> 10 spaces</p> <p><i>Proposed:</i> 10 spaces</p>	
<b>Electric Vehicle Parking</b>	None proposed	

<b>Parking Lot Standards (Sec. 5.9)</b>	Constructed to Town Standards	
<b>Technical</b>		
<b>Fire</b>	Meet Town Standards	
<b>Site Improvements</b>	As shown on plans	<b>NA</b>
<b>Schools Adequate Public Facilities (Sec. 5.16)</b>	Application must comply	
<b>Inclusionary Zoning Ordinance (Sec. 3.10)</b>	All mobile home units are proposed remain on-site for a minimum of ten years	
<b>Recreation Area (Sec. 5.5)</b>	<i>Required: 27,887 sq. ft. Proposed: 27,887 sq. ft.</i>	
<b>Lighting Plan (Sec. 5.11)</b>	Maximum of 0.3 foot-candles at property line	<b>FP</b>
<b>Homeowners Association (Sec. 4.6)</b>	Yes	

### Project Summary Legend

Symbol	Meaning
	Meets Requirements
<b>M</b>	Seeking Modification
<b>C</b>	Requires Council Endorsement
<b>FP</b>	Required at Final Plan
<b>NA</b>	Not Applicable



# **1200 MLK Conditional Zoning**

Town Council  
December 9, 2020

DRAFT

- New condition: Signs that say “no access to loading dock from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends”.
- New condition: Developer shall notify the Town when a lot is available. Town will have the right to make this known to current residents of other mobile home parks.
- New condition: Fence will be constructed along driveway behind the storage building
- New condition: Minor variance to allow disturbance in Zone 2 of the Jordan Buffer

DRAFT

- New condition: Developer will retain a NC licensed real estate broker to survey lot rents in the greater Raleigh and Charlotte markets for comparable mobile home park lot rents. If their report determines that lot rents at this mobile home park are more than 15% higher than comparable properties, the developer will modify rents to conform to this standard within 30 days.
- New condition: Existing leaseholders will be offered an option to convert to annual leases within 30 days of entitlement and have 30 days to accept or decline.



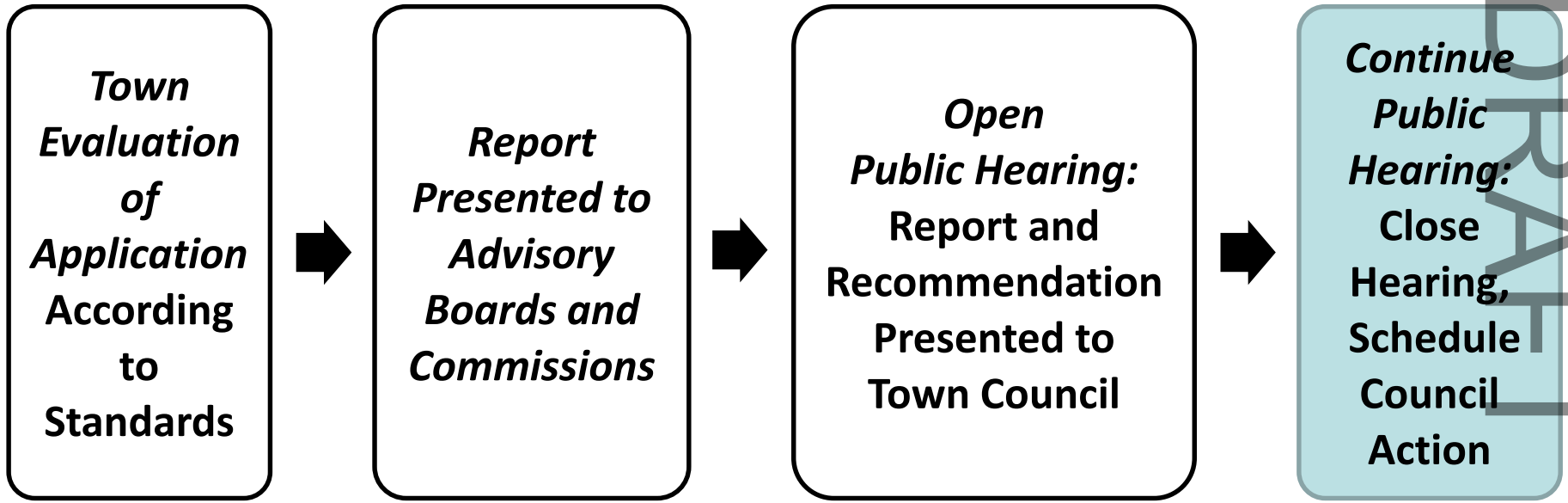
- Revised condition: Mobile homes must be retained on-site for fifteen (15) years (January 1, 2035).
- Revised condition: Require right-in/right-out northern access point to be converted to right-out only when BRT is built.
- Revised condition: Allow 7 of the new units to be placed in “Upland” and “Managed Use” RCD zones
- Modification: Allow mobile homes to be moved around the site for the proposed configuration.

DRAFT

- Close the Public Hearing, receive public comment for 24 hours, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.

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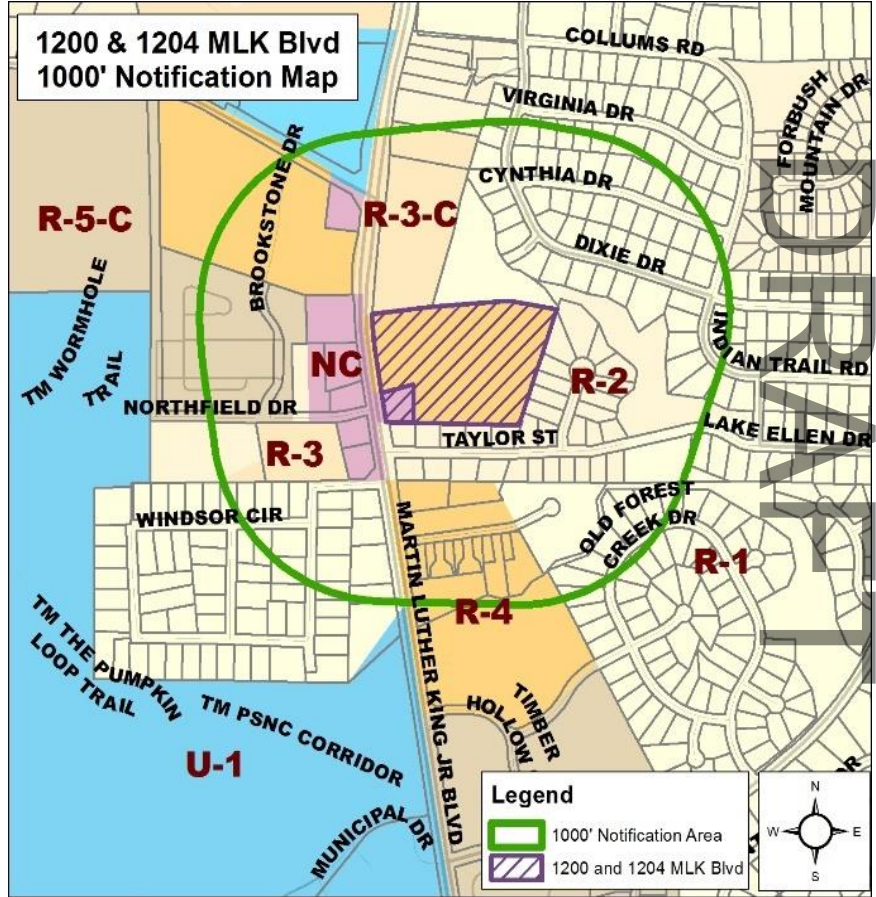
# Process



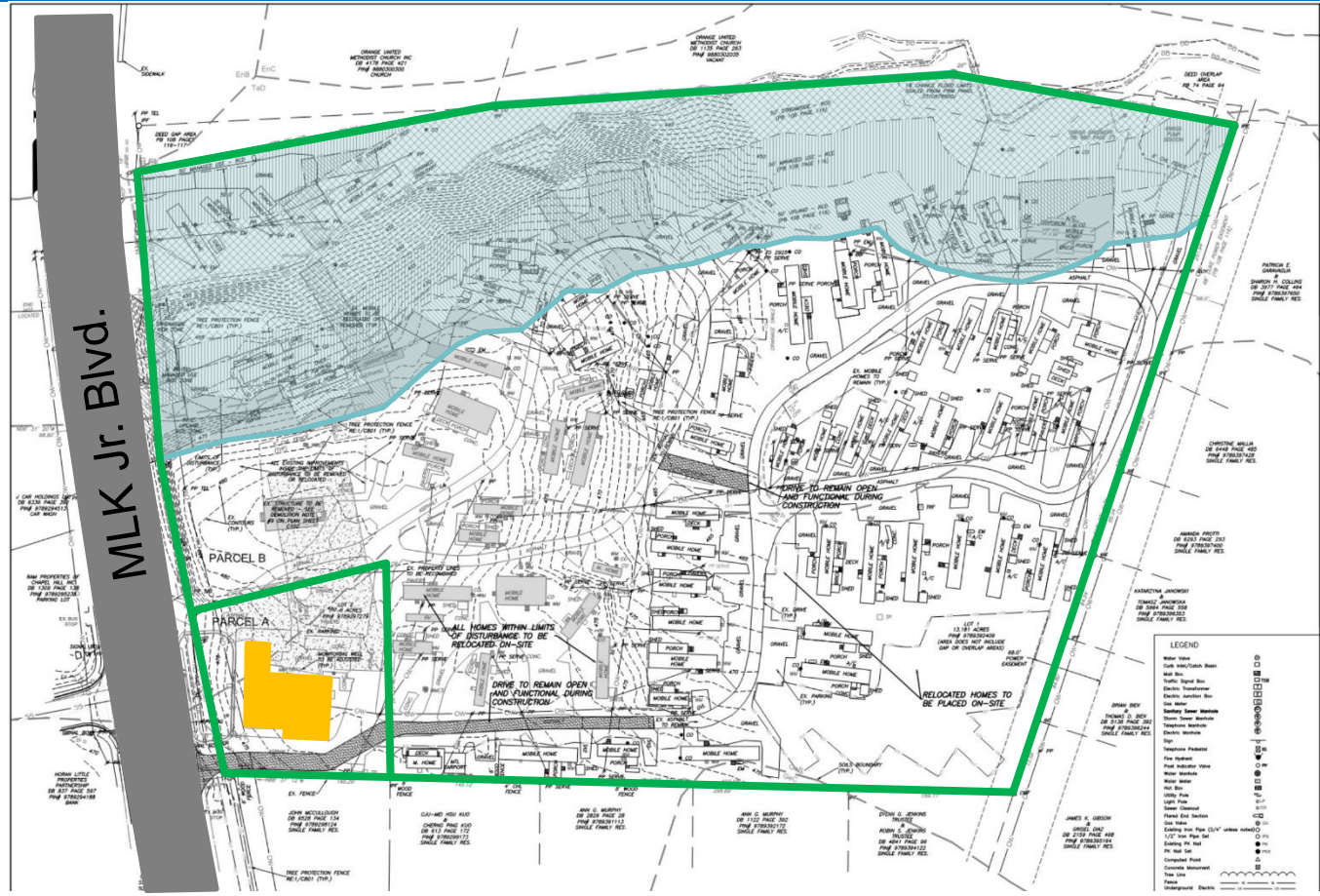
- Special Use Permit
  - Quasi-judicial
  - Four findings of fact (LUMO 4.5.2)
- Conditional Zoning
  - Legislative

DRAFT

- 13.9-acre site
- Rezoning required
  - Currently R-4 and NC
  - Proposing NC-CZ, OI-2-CZ, and PD-H
- Demolish existing gas station
- Construct gas station and self-storage



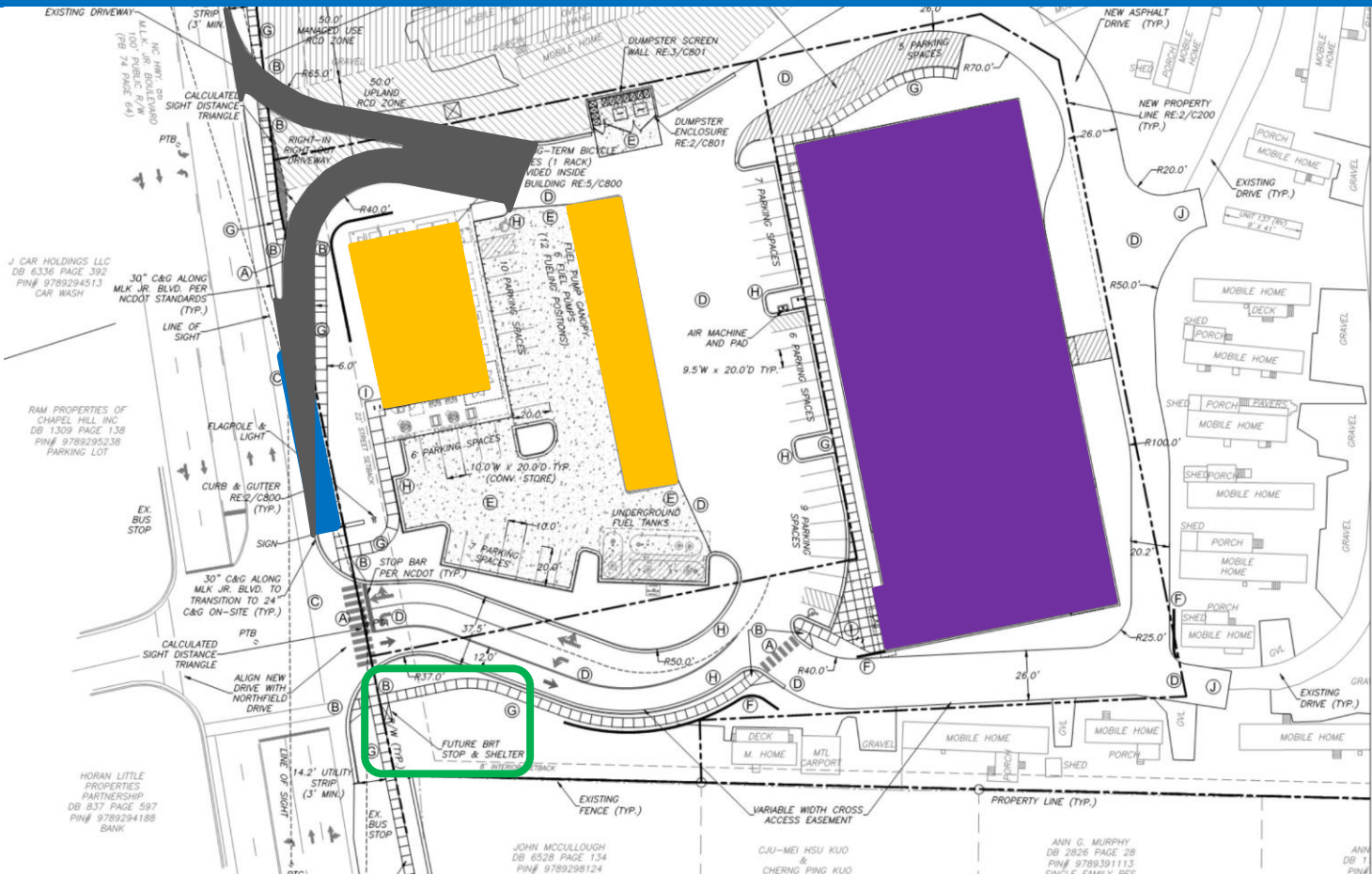
# 1200 MLK – Existing Conditions 126



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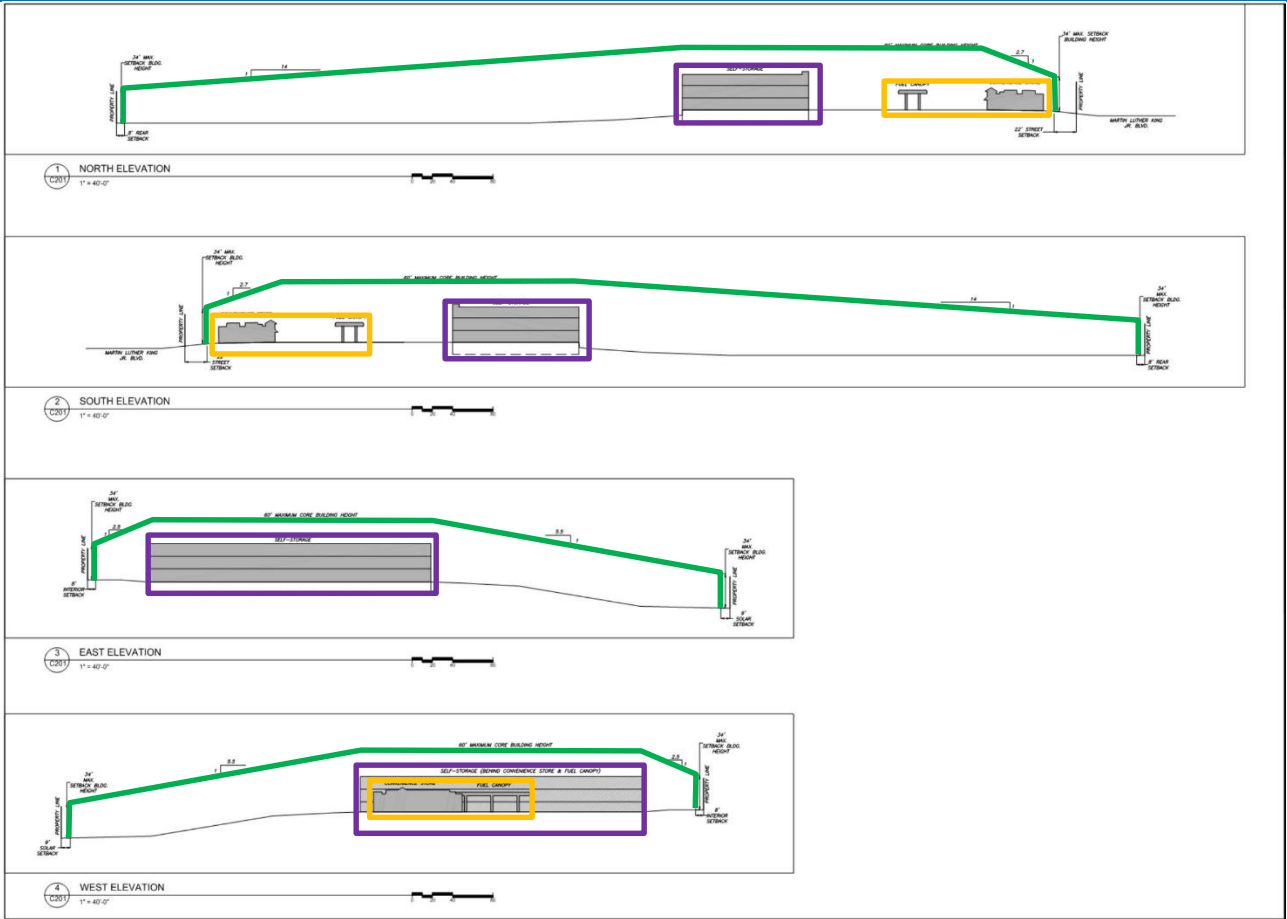


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- ~16 homes affected
- Affected homes have option to remain on-site
- 10 new units proposed
- Commitment to keep mobile homes in place for 15 years
- Option to convert to annual leases at entitlement



# 1200 MLK – Modifications to Regulations

<b>LUMO Ref.</b>	<b>Modification</b>
6.23	Allow self-storage to share zoning lot with a residential use
6.23	Allow self-storage at an intersection with an arterial street
6.12	Allow gas station within 300 feet of any intersecting street or within 750 feet of driveways intersecting the same street and serving another gas station
3.7.3	Allow Class B mobile homes within a PD-H designation
3.6.3-2	Allow mobile homes to remain in or be moved to the RCD
5.9.7	Reduce required parking for self-storage from 90 spaces to 16-20 spaces
5.6.6	Allow existing vegetation to remain as buffers for non-commercial areas
7.3.2	Modify nonconforming uses to allow relocation of existing mobile homes on-site and addition of new mobile homes

DRAFT

Advisory Boards/Commissions	Meeting Date	Recommendation
Community Design Commission	July 28 <sup>th</sup>	Denial
Transportation and Connectivity Board	Aug 25 <sup>th</sup>	Approval w/ conditions
Housing Advisory Board	Sept 8 <sup>th</sup>	Approval w/ conditions
Environmental Stewardship	Sept 14 <sup>th</sup>	Approval w/ conditions
Planning Commission	Sept 15 <sup>th</sup>	Denial

DRAFT

- Close the Public Hearing, receive public comment for 24 hours, and make a motion to schedule consideration of the item at the Council Meeting on January 13, 2021.

DRAFT

**RESOLUTION A**  
(Resolution of Consistency)

**A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING ATLAS AMENDMENT AT THE PROPERTY THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) WITH A PLANNED DEVELOPMENT-HOUSING (PD-H) DESIGNATION AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-X-X/R-X)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application from Jeremy Anderson of Coulter Jewell Thames on behalf of Stackhouse Properties, LLC to amend the Zoning Atlas to rezone property described in the accompanying rezoning application for the 1200 MLK project at 1200 and 1204 Martin Luther King Jr. Blvd. from Residential-4 (R-4) and Neighborhood Commercial (NC) to Neighborhood Commercial-Conditional Zoning District (NC-CZD), Office/Institutional-2-Conditional Zoning District (OI-2-CZD), and Office/Institutional-2-Conditional Zoning District (OI-2-CZD) with Planned Development-Housing (PD-H); and

WHEREAS, the Town staff have completed a review of the application for compliance with the Land Use Management Ordinance, Town Code, and for Consistency with the Comprehensive Plan; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning Atlas Amendment finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A range of housing options for current and future residents (*Goal-Place for Everyone.3*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal-Community Prosperity and Engagement.1*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (*Goal-Good Places, New Spaces.5*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal-Getting Around.2*)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. (*Goal-Nurturing Our Community.3*)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Conditional Zoning Atlas Amendment to be reasonable and consistent with the Town's Comprehensive Plan.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**REVISED ORDINANCE A**

(Rezoning from Residential-4 (R-4) and Neighborhood Commercial (NC) to Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD, with Planned Development-Housing (PD-H))

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL -2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) WITH A PLANNED DEVELOPMENT - HOUSING (PD-H) DESIGNATION (2021-X-X/R-X)**

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by Jeremy Anderson of Coulter Jewell Thames, PA, on behalf of Stackhouse Properties, LLC for property located at 1200 and 1204 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Numbers 9789-29-7279 and 9789-39-2409, and finds that the amendment if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A range of housing options for current and future residents (*Goal-Place for Everyone.3*)
- Balance and sustain finances by increasing revenues and decreasing expenses (*Goal-Community Prosperity and Engagement.1*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students. (*Goal-Good Places, New Spaces.5*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal Getting Around.2*)
- Protect, acquire, and maintain natural/undeveloped open spaces and historic sites in order to protect wildlife corridors, provide recreation, and ensure safe pedestrian and bicycle connections. (*Goal-Nurturing Our Community.3*)

WHEREAS, the application, if rezoned to Office/Institutional-2-Conditional Zoning District (OI-2-CZD) and Neighborhood Commercial-Conditional Zoning District (NC-CZD) according to the rezoning plan dated May 31, 2019, and last revised August 19, 2020, and the conditions listed below would:

- 1) Conform with the applicable provisions of the Land Use Management Plan and Town Code
- 2) Conform with the Comprehensive Plan
- 3) Be compatible with the adjoining uses
- 4) Mitigate impacts on surrounding properties and the Town as a whole
- 5) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- 6) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

## **MODIFICATIONS TO REGULATIONS**

WHEREAS, the Town of Chapel Hill 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:

- 1. Section 6.23.4 – Self-storage facility, conditioned:** Modify the standards to allow Self-storage facilities, conditioned, to be an accessory use to a mobile home park on a zoning lot, and not on the same zoning lot as other office, commercial, and/or institutional uses permitted in the zoning district

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposal maintain 72 mobile homes, naturally occurring affordable housing, on the site for up to ten years.

- 2. Section 6.23.2 – Self-storage facility, conditioned:** Modify the standards to allow a Self-Storage facility, conditioned to be located across from an intersection, but not on a corner lot created by two intersecting streets.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the proposal maintain 72 mobile homes, naturally occurring affordable housing, on the site for up to ten years.

- 3. Section 6.12(d) – Service station/convenience store:** Modify the spacing of driveways for a service station/convenience store as the existing facility was previously approved and permitted on the site.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree by allowing the service station location to continue to operate and provide for economic opportunities.

- 4. Section 3.6.3-2, Permitted Uses within Resource Conservation District:** Modify the uses permitted within the Resource Conservation District to allow mobile trailers to remain in or be moved into the Resource Conservation District.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree to preserve the residence onsite, within the existing mobile home park.

- 5. Section 5.9.7, Minimum and maximum parking space requirements:** Modify the minimum parking standards based on the applicant's experience of other similar uses and require a minimum of 20 parking spaces.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as based on the Applicant's market experience of other facilities, this facility would require 16-20 spaces during a peak period and reduce the environmental impacts of the development.

- 6. Section 3.7.3, Use Groups:** Modify the standard to allow existing Class B manufactured homes to be permitted within a Planned Development-Housing.



This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as allowing the existing Class B manufactured homes to be allowed to remain onsite would increase diversity in the housing stock.

- 7. Section 5.6.6 Required Buffers:** Modify the buffer standards to allow the existing vegetation and fence to provide buffers for the northern and eastern property lines.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree by allowing the existing vegetation and fence to remain and provide buffering.

- 8. Section 7.3.2 Nonconforming Uses:** Modify the nonconforming uses standard to allow relocation of existing mobile homes on-site and addition of new mobile homes.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as allowing the existing mobile homes to be reconfigured onsite would increase diversity in the housing stock.

### **CONDITIONAL USES**

BE IT ORDAINED by the Council of the Town of Chapel Hill that it finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD), with Planned Development-Housing (PD-H).

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

#### **SECTION I**

The following Orange County parcels identified by Parcel Identifier Number (PIN) 9789-29-7279 and 9789-39-2409, described below, shall be rezoned to Neighborhood Commercial-Conditional Zoning District (NC-CZD) and Office/Institutional-2-Conditional Zoning District (OI-2-CZD), with Planned Development-Housing (PD-H):

New Parcel #1 Legal Description – Zone Neighborhood Commercial-Conditional Zoning District (NC-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°20'52"E a distance of 257.93'; thence S11°20'49"E a distance of 265.36'; thence S78°39'11"W a distance of 259.39'; thence N11°37'00"W a distance of 67.56'; thence N11°37'20"W a distance of 30.00'; thence N11°37'20"W a distance of 51.55'; thence N11°06'20"W a distance of 93.87'; thence N06°31'20"W a distance of 21.08', which is the point of beginning, having an area of 68,739.55 square feet, or 1.578 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #2 Legal Description – Zone Office/Institutional-2-Conditional Zoning District (OI-2-CZD):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N78°39'11"E a distance of 259.39'; thence N11°20'49"W a distance of 265.36'; thence N78°20'52"E a distance of 119.42'; thence S59°24'39"E a distance of 47.22';

thence S11°20'49"E a distance of 338.80'; thence S87°13'16"W a distance of 254.54'; thence S01°26'25"E a distance of 32.56'; thence N88°37'12"W a distance of 160.26'; thence N11°37'20"W a distance of 30.76'; thence N11°37'00"W a distance of 32.45', which is the point of beginning, having an area of 75,123.73 square feet, or 1.725 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

New Parcel #3 Legal Description – Zone Office/Institutional–2–Conditional Zoning District (OI-2-CZD), with Planned Development-Housing (PD-H):

beginning at a point on the eastern right of way of Martin Luther King Junior Boulevard; thence N79°38'47"E a distance of 352.29'; thence N85°55'23"E a distance of 446.13'; thence S79°36'38"E a distance of 277.05'; thence S18°22'41"W a distance of 679.83'; thence N88°37'12"W a distance of 603.58'; thence N01°26'25"W a distance of 32.56'; thence N87°13'16"E a distance of 254.54'; thence N11°20'49"W a distance of 338.80'; thence N59°24'39"W a distance of 47.22'; thence S78°20'52"W a distance of 377.35'; thence N06°31'20"W a distance of 77.82'; thence N04°22'27"W a distance of 183.88', which is the point of beginning, having an area of 462,379.49 square feet, or 10.615 acres plus one-half of the abutting Martin Luther King Junior Boulevard right-of-way.

**SECTION II**

BE IT FURTHER ORDAINED by the Council of the Town of Chapel Hill that the following conditions are hereby incorporated by reference:

1. Construction Deadline: Construction shall begin by \_\_\_\_\_ (two years from the date of approval) to be completed by \_\_\_\_\_ (four years from the date of approval). [LUMO 4.5.5]
2. Consent to Conditions: This approval is not effective until the petitioner provides written consent to the approval. Written consent must be provided within 10 days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

<b>Use: Service Station/Convenience Store, Self-Storage Facility, Conditioned, and Mobile Home Park</b>	
Number of Buildings	2 commercial, 83 dwelling units
Gross Land Area	635,644 sq. ft.
Maximum Commercial Floor Area	139,400 sq. ft
Maximum Height	34 ft. setback, 60 ft. core (FFE)
Total Impervious Surface	271,416 sq. ft.
Maximum Land Disturbance	247,779 sq. ft.
Maximum Land Disturbance in RCD	Streamside Zone: 4,960 sq. ft. Managed Use Zone: 11,036 sq. ft. Upland Zone: 24,261 sq. ft.
Maximum Parking Spaces	45 commercial, 158 residential
Minimum Bicycle Parking Spaces	10 Spaces
Recreation Area	27,887 sq. ft.

4. Permitted Construction: This Conditional Zoning authorizes the construction or maintenance of two (2) commercial buildings and eighty-three (83) mobile home lots. Up to 7 new mobile home lots can be developed and located within the "managed" and/or "upland" zones of the Resource Conservation District in a manner that meets the requirements of the Town and protects the home and its occupants. Any additional future buildings and other new development would need to meet all applicable Town requirements.
5. Mobile Homes: The existing seventy-three (73) mobile homes while occupied by the current home owners as of the date of this approval shall be allowed to remain on-site until January 1, 2035, so long as each lot lease remains in good standing. Each home must remain compliant with the park rules, and all health, safety, and environmental regulation.
6. Accepting Local Mobile Homes: The developer shall notify the Town in writing when a lot is available for a mobile home. The Town will then have the right to make this known to current residents of other existing mobile home parks within the Chapel Hill Town limits (qualified buyer). Developer shall hold any available lot for 30 days from notification to the Town to allow qualified buyers an opportunity to secure the lot.
7. Restricted Hours: Prior to Final Zoning Inspection, the developer shall install signs on the driveways to the rear of the self-storage building that say "no access to loading dock from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends", subject to Town Manager approval.
8. Jordan Buffer Variance: A minor variance for land disturbance in Zone 2 of the Jordan Buffer for placement of mobile homes and construction of stormwater management is hereby approved, in accordance with the approved plans. Any land disturbance proposed in Zone 1 must be approved by the State of North Carolina.
9. Subdivision of Lots: That all proposed new lots shall front or have direct access to a public street right-of-way, or a public-street easement, or private street easement that is built to Town standards. New lots fronting a private street easement must provide documentation that the lot has direct access to public right of way or public street easement. That review and approval of new subdivision lots shall be processed as an administrative approval of a minor subdivision or commercial subdivision during Final Plan Review process.
10. Martin Luther King Jr. Blvd. Intersection Improvements: Prior to Final Zoning Inspection, the developer shall construct a right-in/right-out entrance north of the existing entrance, subject to NC Department of Transportation (NCDOT) and Town approval. Should the proposed BRT Station be located along the property frontage north of the traffic light, developer shall close the right-in entrance at their own expense, in a safe configuration that is acceptable to NCDOT and the Town. A note shall be added to any future plats or encroachment agreements that includes the language of this stipulation. Any sale or lease of the property will include the language of this stipulation.
11. Pedestrian Improvements: Pedestrian crosswalks shall be installed at both entrances on the northbound approach of Martin Luther King Jr. Blvd. prior to Final Zoning Inspection.

12. Transit Stop: Prior to Final Zoning Inspection, the developer shall provide a payment-in-lieu of \$15,000 for Bus Rapid Transit (BRT) stop improvements.
13. Multi-Use Path: As part of the Final Plans Zoning Compliance Permit, the developer shall work with the Town to identify an appropriate alignment of a multi-use path along Martin Luther King Jr. Blvd. associated with the North-South Bus Rapid Transit plan, and shall construct said path. Any minor changes to the site plan to accommodate this path may be approved administratively.
14. Landscape Bufferyards: The following landscape bufferyards shall be provided:

<b>Location</b>	<b>Required Buffer</b>
West	30' External Type "D"
South	20' Internal Type "C"
East	10' Internal Type "B" (Modified)
North	20' Internal Type "C" (Modified)

15. Landscaping within ROW: All landscaping within NCDOT right-of-way shall comply with the NCDOT Guidelines for Planting within Highway Right-of-way, including a Landscape Encroachment Agreement and private maintenance of landscaping in the right-of-way.
16. Demolition Plan: The Landscape Protection Plan shall be consistent with the Demolition Plan.
17. Solid Waste: Solid waste and mixed recycling (including corrugated cardboard) will be collected by a private waste contractor, once the new buildings are built and in service.
18. Stormwater Structures: No stormwater management structures are permitted in the rights-of-way or building setbacks. This includes the outlet structure and stabilization, any underdrains, side slopes, and the downgradient toe of french drains. Further, the discharge must be in a sheet flow condition.
19. 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.
20. Building Height: Prior to issuance of a Certificate of Occupancy, a secondary fire apparatus access shall be reviewed and approved by the Town of Chapel Hill and NCDOT. Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. NC FPC 2012, D104.1, D104.3
21. Fence Between Storage Building and Homes: Prior to issuance of a Zoning Final Inspection for the storage building, the developer will construct a fence along the eastern edge of the proposed driveway directly behind the storage building.
22. Conversion to Annual Leases: The existing signed leaseholders as of the date of approval of Ordinance A will be offered an option to convert to annual leases within 30 days of approval of Ordinance A and shall have 30 days to accept or decline this option.

23. Market Rate Lot Rents: In 2025, 2029, and 2033, the developer shall retain a NC licensed real estate broker that has a professional expertise in mobile home parks (“expert”) to survey lot rents in the greater Raleigh and Charlotte markets for comparable mobile home park lot rents. The expert will affirm in writing to the developer (with copy to Town designee), whether the lot rents at this mobile home park for the current residents are consistent with comparable properties. For clarity, consistent with peer properties shall be defined as within 15 percent. If the expert written report determines that lot rents at this mobile home park are more than 15 percent higher than comparable properties, then developer shall modify rents to conform to this standard within 30 days.

### **TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS**

The following standard stipulations are supplemental to site-specific conditions as set by Town Council-approved resolution. Unless modified by the site-specific conditions noted above, these standards apply to all development permitted by Conditional Zoning.

#### Access

24. Accessibility Requirements: Prior to issuance of a Certificate of Occupancy, the developer shall provide the minimum required handicapped infrastructure according to the Americans with Disabilities Act and associated codes and standards.

#### Transportation

25. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit a Transportation Management Plan, subject to Town Manager approval. The Transportation Management Plan shall include monitoring of electric vehicle parking spaces usage. [LUMO 4.5.2]
26. Bicycle Parking: Prior to issuance of a Zoning Compliance Permit, the developer shall provide dimensioned details that comply with the Town parking standards for required and/or proposed bicycle parking spaces. Bicycle parking spaces should be placed near building entrances. The spaces 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 4.5.2]
27. Parking Lot: Any newly proposed parking lots, including additions to existing parking lots, shall be constructed to Town standards for dimensions and pavement design. [LUMO 5.9.5]
28. Parking Lot Landscape and Screening: The parking lot landscape design shall adhere to the standards of the Chapel Hill Land Use Management Ordinance. [LUMO 5.9.6]
29. Lighting: Prior to issuance of a Zoning Compliance Permit, the developer shall design and install street lighting along the site frontage. Design and construction details must be approved by the Town Manager and the North Carolina Department of Transportation (NCDOT).
30. Driveway Permit: The developer must obtain an approved driveway permit and/or encroachment agreement(s) prior to beginning any proposed work within the NCDOT right-of-way. As a condition of the permit, the permittee shall be responsible for the design and construction of 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.

31. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic. Pavement markers shall be installed if they previously existed on the roadways.
32. Off-Site Construction Easements: Prior to any development associated land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
33. Sight Distance Triangles: Prior to issuance of a Certificate of Occupancy, the developer shall provide the Town of Chapel Hill with standard sight distance triangles at the proposed driveway locations. [Town Design Manual]
34. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
35. Repairs in Public Right-of-Way: Prior to issuance of a Certificate of Occupancy, the developer shall repair 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 of such repairs must be reviewed and approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. [Town Code 17-40]
36. Street Closure Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a street closure plan, subject to Town Manager and NCDOT approval, for any work requiring street, sidewalk, or lane closure(s). [Town Code 21-7.1]
37. Work Zone Traffic Control Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a Work Zone Traffic Control Plan and a Construction Management Plan for approval by the Town Manager and NCDOT. The Work Zone Traffic Control Plan shall comply with the U.S. Department of Transportation 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]

#### Landscaping and Building Elevations

38. Invasive Exotic Vegetation: Prior to issuance of a Zoning Compliance Permit, the developer shall identify on the planting plan any known invasive exotic species of vegetation, as defined by the Southeast Exotic Pest Plant Council (SE-EPPC), and provide notes indicating removal of these species from the landscape buffer areas prior to planting. [Town Design Manual]
39. Alternate Buffer: Prior to issuance of a Zoning Compliance Permit, review shall be required from the Community Design Commission for any proposed alternate buffer. [LUMO 5.6.8]
40. Landscape Protection: Prior to issuance of a Zoning Compliance Permit, a detailed Landscape Protection Plan shall be approved. The plan shall include a complete and currently updated tree survey showing critical root zones of all rare and specimen trees and labeled according to size and species. The plan shall also indicate which trees will be

removed and which will remain. The plan shall also include standard notes, fencing details, and location of fencing. [LUMO 5.7.3]

41. Tree Protection Fencing: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a detail of a tree protection fence and a note on the Final Plans indicating that tree protection fencing will be installed prior to land-disturbing activity on the site. The plans shall include continuous tree protection fencing 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]
42. 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. [LUMO 4.5.3]
43. Tree Canopy: A minimum of tree canopy coverage shall be provided through a combination of retained and replanted trees, unless a modification to regulations is approved. Calculations demonstrating compliance with Chapel Hill Land Use Management Ordinance Section 5.7.2 shall be included. [LUMO 5.7.2]
44. Retaining Wall Construction: If applicable, the final design and location of all retaining walls shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.
45. Demolition Plan: Prior to beginning any proposed demolition activity, the developer must obtain demolition permits from both the Planning and Inspections departments. While the demolition component may be submitted to Planning in tandem with the Zoning Compliance Permit for new construction, a separate stand-alone demolition permit shall be issued prior to an Inspection's Demolition permit. Further, prior to the issuance of a demolition permit for all existing structures 500 square feet or larger, Orange County Solid Waste staff shall conduct a deconstruction assessment pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO).
46. Lighting Plan Approval: Prior to issuance of a Zoning Compliance Permit, the Community Design Commission shall review a lighting plan and shall take additional care during review to ensure that the proposed lighting plan will minimize upward light pollution and off-site spillage of light. [LUMO 8.5.5]
47. Community Design Commission: The CDC shall review and provide a recommendation on building elevations and site lighting. Building elevation review and site lighting shall be complete within 2 meetings of an accepted application for final plans. The commission shall also approve any alternate buffer request prior to issuance of a Zoning Compliance Permit.

#### Environment

48. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
49. Phasing Plan: If phasing of the project is proposed, then the applicant shall provide a Phasing Plan as part of the Zoning Compliance Permit. The Phasing Plan also shall detail which public improvements and stormwater management structures will be completed in each phase prior to requesting a Certificate of Occupancy. Construction for any phase

shall not begin until all public improvements in previous phases have been completed, and a note to this effect shall be provided on the final plans. [LUMO 4.5.3]

50. Erosion Control Bond: If one acre or more is to be uncovered by land-disturbing activities for the project, then a performance guarantee in accordance with *Section 5-97.1 Bonds* of the Town Code of Ordinances shall be required prior to final authorization to begin land-disturbing activities. [Town Code 5-98]
51. Sediment Control: The developer shall take appropriate measures to prevent and remove the deposit of wet or dry sediments on adjacent roadways. [Town Code 5-86]
52. Erosion Control Inspections: In addition to the requirement during construction for inspection after every rainfall, the developer shall inspect the erosion and sediment control devices daily, make any necessary repairs or adjustments to the devices, and maintain inspection logs documenting the daily inspections and any necessary repairs. [Orange County Erosion Control]
53. 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. [Town Code 5-98]
54. Stormwater Control Measure: The proposed stormwater control measures for the site shall be designed to meet the current North Carolina Division of Environmental Quality Design Manual and Town of Chapel Hill Public Works Engineering Design Manual. [LUMO 5.4.3]
55. Storm Drain Inlets: The developer shall provide pre-cast inlet hoods and covers stating, "Dump No Waste! Drains to Jordan Lake", in accordance with the specifications of the Town Standard Detail SD-4A, SD-5A, SD-5C include all applicable details, for all new inlets for private, Town and State rights-of-way. [Town of Chapel Hill Design Manual]
56. On-Site/Adjacent Stormwater Features: The final plans shall locate and identify existing site conditions, including all on-site and adjacent stormwater drainage features, 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. [Town of Chapel Hill Design Manual]
57. 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. [Town of Chapel Hill Design Manual]
58. Performance Guarantee: A performance and maintenance guarantee in an amount satisfiable to the Town Manager shall be provided to meet the requirement of Section 4.9.3 of the Land Use Management Ordinance prior to the approval of Constructional plans. The performance guarantees and maintenance guarantees shall be satisfactory as to their form and manner of execution, and as to the sufficiency of their amount in



securing the satisfactory construction, installation, or maintenance of the required stormwater control measure. The performance surety shall be an amount equal to one hundred and twenty-five percent (125%) of the total cost of uncompleted stormwater control measure(s) and conveyances prior to final plat recordation. The total cost of the storm water control measure(s) and conveyance(s) shall include the value of all materials, piping and other structures, seeding and soil stabilization, design and engineering, grading, excavation, fill, and other work. The applicant shall submit unit cost information pertaining to all storm water control measure(s) and/or bids from the grading contractor hired to perform the work and any change orders related thereto as a method to determine the basis for cost of the work. The final cost determination shall be made by the Stormwater Management Division, taking into consideration any additional costs as deemed necessary for completion of the stormwater control measure(s) and conveyance(s).

Upon completion of the storm water control measures(s) and other improvements and acceptance by the Town after final site inspection, the one hundred and twenty-five percent (125%) of the performance surety shall be released to the developer and a maintenance bond in an amount of twenty-five (25) percent of the construction cost estimate shall submitted by the developer prior to the issuance of certificate of occupancy. No sooner than one year after the recording date of the deed(s), easements and maintenance agreement, the owner may request release of the remainder of the maintenance bond. Upon request by the owner, the Stormwater Management Division shall inspect the storm water control structure(s) to determine that the storm water measure(s) are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control(s) are performing as required by this Ordinance, and after any repairs to the storm water control structure(s) are made by the owner, shall release the remaining maintenance bond. [LUMO 4.9.3]

59. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit, an energy efficiency plan shall incorporate a "20 percent more energy efficient" feature relative to the 90.1 energy efficiency standard of the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE), as amended and in effect at the time of Special Use Permit issuance. Comparable standards generally recognized as applicable to building energy consumption, as amended and in effect at the time of building permit issuance, may be used by the applicant when incorporating the "20 percent more energy efficient" feature into the final plans. An energy model should be used to demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]
60. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit an Energy Management Plan (EMP) for Town approval. The plan shall: a) consider utilizing sustainable energy, currently defined as solar, wind, geothermal, biofuels, hydroelectric power; b) consider purchase of carbon offset credits and green power production through coordination with the NC GreenPower program; c) provide for 20 percent more efficiency that also ensures indoor air quality and adequate access to natural lighting, and allows for the proposed utilization of sustainable energy in the project; and (d) if requested, provide for the property owner to report to the Town of Chapel Hill the actual energy performance of the plan, as implemented, during the period ending one year after occupancy. [Town Policy April 2007]

#### Recreation

61. Recreation Space (Multi-Family): A minimum of 25 percent of the required Recreation

Space for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.

62. Recreation Area (Subdivision): A minimum of 25 percent of the required Recreation Area for the project shall be provided in the form of a payment in lieu. The payment in lieu shall be paid prior to the issuance of a Zoning Compliance Permit.

#### Water, Sewer, and Other Utilities

63. Utility/Lighting Plan Approval: The final utility/lighting plan shall be approved by Orange Water and Sewer Authority (OWASA), Duke Energy Company, other applicable local utility service providers, and the Town Manager before issuance of a Zoning Compliance Permit. The developer 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]
64. Lighting Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall submit site plans, sealed by a Professional Engineer, for Town Manager approval, as well as other required documents to satisfy the lighting requirements of Section 5.11 of the Land Use Management Ordinance including: submission of a lighting plan; providing for adequate lighting on public sidewalks, including driveway crossings; and demonstrating compliance with Town standards. [LUMO 5.11]
65. Water/Sewer Line Construction: All public water and sewer plans shall be approved by and constructed according to OWASA 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. [LUMO 5.12.1]
66. OWASA Approval: Prior to issuance of a Zoning Compliance Permit, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]
67. Irrigation: If permanent irrigation is proposed to support landscaping, an irrigation plan shall be submitted which includes the use of smart technologies to conserve water and energy.

#### Homeowner Association

68. Homeowners' Association: A Homeowners' Association shall be created that has the capacity to place a lien on the property of a member who does not pay the annual charges for maintenance of all common areas, however designated. The Homeowners' Association documents shall be approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and shall be cross-referenced on the final plat. The Homeowners' Association documents shall comply with *Section 4.6.7 Neighborhood or Homeowners' Associations* of the Land Use Management Ordinance. That the Homeowners' Association covenants shall not exclude home occupation businesses as regulated by the Town of Chapel Hill.
69. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open

space, recreation areas, paths, community garden, and shared stormwater management facilities.

70. Dedication and Maintenance of Common Area to Homeowners' Association: That the applicant provide for Town Manager review and approval, a deed conveying to the Homeowners' Association all common areas, however designated, including the community garden; recreation space; open space and common areas; the bufferyards; and stormwater management facilities. That the Homeowners' Association shall be responsible for the maintenance of the proposed internal subdivision roads until the NCDOT or the Town assumes ownership of the internal streets. These documents shall be reviewed and approved by the Town Manager prior to recordation at the Orange County Register of Deeds Office and cross-referenced on the final plat.
71. Solar Collection Devices: That the Homeowners' Association, or similar entity, shall not include covenants or other conditions of sale that restrict or prohibit the use, installation, or maintenance of solar collection devices, including clotheslines.

#### Fire Safety

72. Fire Sprinklers: The developer shall install sprinklers under the North Carolina Fire Protection Code (NC FPC) prior to issuance of a Certificate of Occupancy. Prior to issuance of a Zoning Compliance Permit, the plans shall show all proposed fire department connections to such systems. [TOWN CODE 7-56]
73. Gates and Barricades: Where required or authorized by the fire code official and permanent or temporary (construction), any gates across fire apparatus access roads shall be a minimum width of 20 feet, be of swinging or sliding type, have an emergency means of operation, shall be openable by either forcible entry or keyed, capable of being operated by one person, and shall be installed and maintained according to UL 325 and ASTM F 2200. [NC FPC 2018, 503.5, 503.6, D103.5]
74. Grade and Approach: Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the fire chief, and all approach and departure angles shall be within the limits established based on the Fire Department's apparatus. [NC FPC -2018, 503.2.7, 503.2.8 and D103.2]
75. Fire Protection and Utility Plan: A fire flow report for hydrants within 500 feet of each building shall be provided and demonstrate the calculated gallons per minute with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of North Carolina and accompanied by a water supply flow test conducted within one year of the submittal. Refer to the Town Design Manual for required gallons per minute.
76. Fire Department Connections and Standpipes: When the building being constructed requires standpipes, a temporary standpipe connection will be constructed with ready Fire Department Access when the building is not more than 40 feet in height. Such standpipes shall provide usable connections adjacent to the stairs and shall continue with building progression always being not more than one floor below the highest floor of the building. [NC FPC 912 & NC FPC 2018 3313]
77. Fire Command Center: Where required in the North Carolina Fire Protection Code and in all high rise buildings, a fire command center must be constructed in accordance with Section 508, NC FPC 2018.

78. Aerials: Where a building exceeds 30 feet in height OR 3 stories above the lowest level of Fire Department Access, overhead power and utility lines shall not be allowed within the aerial apparatus access roadway and the roadway shall have an unobstructed width of 26 feet exclusive of the shoulders. At least one of the apparatus access roadways shall be located within a minimum of 15 feet and maximum of 30 feet from one complete side of the building. [NC FPC 2018 D105.1, D105.2, D105.3, D105.4]
79. Fire Apparatus Access Road: Any fire apparatus access roads (any public/private street, parking lot access, fire lanes and access roadways) used for fire department access shall be all-weather and designed to carry the imposed load of fire apparatus weighing at least 80,000 lbs. Fire apparatus access roads shall have a minimum width of 20 feet exclusive of shoulders with an overhead clearance of at least 13 feet 6 inches for structures not exceeding 30 feet in height and shall provide access to within 150 feet of all exterior portions of the building. Structures exceeding 30 feet in height shall be provided with an aerial apparatus access road 26 feet in width in the immediate vicinity of the building or portion thereof and shall provide at least one of the required access roads to be located not less than 15 feet and not more than 30 feet from the structure parallel to one entire side of the structure. [NC FPC 2018 502.1, 503.1.1, 503.2.1, D102.1 SECOND ACCESS DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]
80. Dead End Access Roads: Dead end fire apparatus access roads exceeding 150 feet shall have a designated turn around. The turnaround shall meet one of the design standards of NC FPC 2018, Appendix D table D 103.4.
81. Building Height: Buildings exceeding 30 feet or three stories in height must have at least two means of fire apparatus access separated by at least one half the diagonal distance of the building. [NC FPC 2018, D104.1, D104.3 DEPENDENT UPON NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL]
82. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
83. Fire Apparatus Access Road Authority: The fire code official shall have the authority to increase the minimum access widths where they are deemed inadequate for fire and rescue operations. [NC FPC 2018 503.2.2]
84. Hydrants Active: The developer shall 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. Fire protection systems shall be installed according to Town Ordinance, the NC Fire Protection Code, and National Fire Protection Association Standard #13. [NC Fire Protection Code 2018 Section 501.1 & 3312]
85. Fire Hydrant and FDC Locations: The Final Plans shall 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. [NC FPC 2018 Section 501.5.1.1]

86. Firefighting Access During Construction: 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 FPC 2018, Section 3310.1]
87. Premise Identification: Approved building address numbers, placed in a position acceptable to the fire code official, shall be required on all new buildings. [NC FPC 2018, 505.1]
88. Key Boxes: Where required by the fire code official, a secure key box, mounted on the address side of the building, near the main entrance, shall be provided to ensure adequate access to the building based on life safety and/or fire protection needs. [NC FPC 2018, 506]
89. Automatic Fire Sprinkler System Required: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 and Town Code 7-56 is required to be installed in non-residential construction.
90. Fire Department Connections, Locations: Any required FDCs for any buildings shall meet the design and installation requirements for the current, approved edition of NFPA 13, 13D, 13R, or 14 of the NC FPC 2018 and Town Code 7-38 for location. FDCs shall be installed within 100 feet of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping. FDCs shall be equipped with National Standard Thread (NST) and be a 2.5" siamese.
91. Fire Department Connections, Installation: A working space of not less than 36 inches in width and depth and a working space of 78 inches in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected from impacts by an approved barrier. [NC FPC 2018, 912.1, 912.2 912.2.1, 312]
92. Fire Apparatus Access for Chapel Hill Fire Department: All fire department access determinations shall be based upon Chapel Hill Fire Department apparatus specifications (data specifications provided by Office of the Fire Marshal/Life Safety Division) and field verification. All proposed fire department access designs shall be reviewed and shall also pass field inspection.
93. Fire Flow Report: 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]
94. Fire Lane: Prior to issuance of a Certificate of Occupancy, any fire lane shall be marked and signed in accordance with Town standards, with the associated plans approved by the Town Manager prior to issuance of a Zoning Compliance Permit. [NC FPC, Sections 2018 503.3, D103.6, D103.6.1, D103.2]
95. Emergency Responder Radio Coverage in New Buildings: All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at

the exterior of the building. This section shall not require improvement of the existing public safety communication systems. [NC FPC 2018 Section 510.1]

#### Solid Waste Management and Recycling

96. Solid Waste Management Plan: 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 and Orange County Solid Waste (OCSW). 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. If a refuse compactor is proposed or if the collection enclosure is not accessible by Town vehicles, the developer shall provide documentation of an agreement for solid waste collection by a private provider prior to issuance of a Zoning Compliance Permit. [Orange County Solid Waste]
97. Construction Waste: Clean wood waste, scrap metal and corrugated cardboard (Regulated Recyclable Materials), all present in construction waste, must be recycled. All haulers of construction waste containing Regulated Recyclable Materials must be properly licensed with Orange County Solid Waste. 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]
98. Deconstruction Assessment: For any existing structure 500 square feet or larger a deconstruction assessment shall be conducted by OCSW staff prior to the issuance of a demolition permit pursuant to the County's Regulated Recyclable Materials Ordinance (RRMO). Prior to any demolition or construction activity on the site, the developer shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be held at the same pre-construction meeting held with other development/enforcement officials.

#### State and Federal Approvals

99. State or Federal Approvals: 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]
100. 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

101. Construction Management Plan: A Construction Management Plan shall 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. [Town Design Manual Chapter 10]

102. Traffic and Pedestrian Control Plan: The developer 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 developer must apply to the Town Manager for a lane or street closure permit. [Town Code 17-42]
103. Construction Sign Required: The developer 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. Prior to the issuance of a Zoning Compliance Permit, a detail of the sign shall be reviewed and approved by the Town Manager. [LUMO 5.14.4]
104. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public Schools or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]
105. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]
106. Detailed Plans: 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 Chapel Hill Land Use Management Ordinance and the Design Manual. [LUMO 4.5.3]
107. Certificates of Occupancy: No Certificates of Occupancy shall be issued until all required public improvements are complete. A note to this effect shall be placed on the final plats.
- If the Town Manager approves a phasing plan, no Certificates of Occupancy shall be issued for a phase until all required public improvements for that phase are complete, and no Building Permits for any phase shall be issued until all public improvements required in previous phases are completed to a point adjacent to the new phase. A note to this effect shall be placed on the final plats.
108. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
109. New Street Names and Numbers: The name of the development and its streets and house/building numbers shall be approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

110. As-Built Plans: 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. [Town Design Manual Chapter 10]
111. Vested Right: Approval of a Conditional Zoning District and the associated district-specific plan constitutes a site specific development plan establishing a vested right. During the period of vesting, this permit may be subject to subsequent changes to Town regulations to the extent such regulations have been enacted under authority other than the Town's zoning authority.
112. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
113. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
114. Not-Comprehensive: The listing of these standard stipulations, and the specific stipulations applicable to this Permit, is not intended to be comprehensive and does not exclude other state and local laws and regulations which may be applicable to this Permit and development project.

BE IT FURTHER RESOLVED that the Council hereby approves the application for a Conditional Zoning for 1200 MLK at 1200 and 1204 Martin Luther King Jr. Blvd.

This the \_\_\_\_ day of \_\_\_\_\_, 2021.



**RESOLUTION B**

(Denying the Conditional Zoning Application)

**A RESOLUTION DENYING AN APPLICATION TO AMEND THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 1200 AND 1204 MARTIN LUTHER KING JR. BLVD. TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL ZONING DISTRICT (NC-CZD) AND OFFICE/INSTITUTIONAL-2-CONDITIONAL ZONING DISTRICT (OI-2-CZD) WITH A PLANNED DEVELOPMENT-HOUSING (PD-H) DESIGNATION (2021-\_\_-\_\_ /R-\*\*) )**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Jeremy Anderson of Coulter Jewell Thames, PA, on behalf of Stackhouse Properties, LLC for property located at 1200 and 1204 Martin Luther King Jr. Blvd. and having Orange County Property Identifier Numbers 9789-29-7279 and 9789-39-2409, if developed according to the Site Plan dated \_\_\_\_\_ and last revised \_\_\_\_\_, the conditions listed below would not:

- a) Conform with the applicable provisions of the Land Use Management Ordinance and Town Code
- b) Conform with the Comprehensive Plan
- c) Be compatible with adjoining uses
- d) Mitigate impacts on surrounding properties and the Town as a whole
- e) Be harmonious with existing and proposed built systems including utility infrastructure, transportation facilities, police and fire coverage, and other public services and facilities
- f) Be harmonious with natural systems such as hydrology, topography, and other environmental constraints

BE IT FURTHER RESOLVED that the Council hereby denies the application for a Conditional Zoning for 1200 MLK at 1200 and 1204 Martin Luther King Jr. Blvd.

This the \_\_ day of \_\_\_\_\_, 2021.

# CONDITIONAL ZONING APPLICATION



**TOWN OF CHAPEL HILL**  
**Planning and Development Services**  
 405 Martin Luther King Jr. Blvd.  
 Chapel Hill, NC 27514  
 phone (919) 969-5066 fax (919) 969-2014  
 www.townofchapelhill.org

Parcel Identifier Number (PIN): 9789297279 & 9789392409

Date: 12 / 03 / 2020

## Section A: Project Information

Project Name: 1200 MLK

Property Address: 1200 & 1204 Martin Luther King Jr. Blvd. Zip Code: 27514

Use Groups (A, B, and/or C): A & C Existing Zoning District: NC & R-4

Project Description: Replacement convenience store, new self storage building, & repositioned mobile homes  
Minimal disturbance to existing mobile home residences, approx. 16 units to be relocated onsite.

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

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


Name: Coulter Jewell Thames, PA – c/o Jeremy Anderson

Address: 111 West Main Street

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 their knowledge and belief, all information supplied with this application and accurate.

Signature:  Date: 04-12-2019

### Owner/Contract Purchaser Information:

**Owner**

**Contract Purchaser**


Name: Stackhouse Properties, LLC

Address: PO Box 14466

City: RTP State: NC Zip Code: 27709

Phone: 919-408-7150 Email: accounting@rentstackhouse.com

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

Signature:  Date: 04-12-2019

Click [here](#) for application submittal instructions.



## CONDITIONAL ZONING

TOWN OF CHAPEL HILL  
Planning and Development Service

Conditional Rezoning applications are reviewed by staff, Planning Commission, and Town Council. The application is part of an open public process that enables Town Council to discuss and decide on the key issues of a rezoning proposal. If a rezoning is approved, the applicant may then submit a detailed final plan application to staff for compliance review with the technical development standards and with the Council rezoning approval.

The establishment of a Conditional Zoning District shall be consistent with the Land Use Plan in the Comprehensive Plan. A proposed Conditional Zoning District is deemed consistent if the proposed District will be located in conformance with an adopted small area plan and/or in one of the following Land Use Categories:

- Medium Residential
- High Residential
- Commercial
- Mixed Use, Office/Commercial Emphasis
- Mixed Use, Office Emphasis
- Town/Village Center
- Institutional
- Office
- University
- Development Opportunity Area
- Light Industrial Opportunity Area

If the proposed conditional zoning districts is located in a Low Residential or a Rural Residential Land Use Category, the Town Council must approve a Land Use Plan amendment prior to proceeding.

**SIGNED CONDITIONS:** All conditions shall be in writing, prepared by the owner of the property or an attorney and must be signed by all property owners and contract purchasers, if applicable. The Town Attorney may require additional signatures if necessary and will determine whether or not the conditions statement is legally sufficient. Within thirty (30) days after receipt of the conditions the Planning Division Manager will notify the applicant of any deficiencies in the conditions statement or if any additional information is needed. The applicant may make changes to the written conditions statement provided it is submitted at least thirty (30) prior to Planning Commission meeting or thirty (30) days prior to Town Council public hearing.

**RECORDATION OF CONDITIONS:** After a rezoning has been approved by the Town Council, the conditions statement shall be recorded with the Register of Deeds Office. After a rezoning has been approved by Town Council and recorded by the Register of Deeds Office, the conditions may not be amended except through a new rezoning application.



**Section A: Project Information**

**Use Type:** (check/list all that apply)

- Office/Institutional     Residential     Mixed-Use     Other: Commercial (Convenience store & self storage)

**Overlay District:** (check all that apply)

- Historic District     Neighborhood Conservation District     Airport Hazard Zone

**Section B: Land Area**

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	537,504 (OI-2) 68,740 (NC)	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=	16,250 (OI-2) 13,150 (NC)	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=	n/a	sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	553,754 (OI-2) 81,890 (NC)	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, and all grading, including off-site clearing)	247,779 sf
Area of Land Disturbance within RCD	40,257 sf
Area of Land Disturbance within Jordan Buffer	4,960 sf

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	185,316	Per SIA	Per SIA	Per SIA
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%		Per SIA	Per SIA	Per SIA
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Service

### Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	57,100	4,742	5,000 + 134,400	139,400
Number of Floors	1		1 & 4	
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)	54,704	2,346	0	52,358
Total Square Footage of All Units	54,704	2,346		<b>52,358</b>
Total Square Footage of Affordable Units	54,704	2,346		<b>52,358</b>
Total Residential Density	5.9			5.9
Number of Dwelling Units	73		10	<b>83</b>
Number of Affordable Dwelling Units	73		10	<b>83</b>
Number of Single Bedroom Units				
Number of Two Bedroom Units				
Number of Three Bedroom Units				

Non-Residential Space (Gross Floor Area in Square Feet)					
Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial		139,400			
Restaurant			# of Seats		
Government					
Institutional					
Medical					
Office					
Hotel			# of Rooms		
Industrial					
Place of Worship			# of Seats		
Other					

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22	65	22
	Interior (neighboring property lines)	8	36	8
	Solar (northern property line)	9	35	9
Height (maximum)	Primary	34		34
	Secondary	60		60
Streets	Frontages			
	Widths			



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Services

### 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
Martin Luther King Jr. Blvd.	100'	66'	5	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

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

\*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
Martin Luther King Jr. Blvd.	5 and 6	Conc.	<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	57		43
Handicap Spaces	3		2
Total Spaces	60		45
Loading Spaces	2		4
Bicycle Spaces	10		10
Surface Type	Concrete or asphalt		

### Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
West (MLK JR. BLVD.)	30'	30'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
South	20'	20'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
			<input type="checkbox"/> Yes	<input type="checkbox"/> Yes



**PROJECT FACT SHEET**  
**TOWN OF CHAPEL HILL**  
 Planning and Development Services

### Section I: Land Use Intensity

Existing Zoning District: NC & R4  
 Proposed Zoning Change (if any): NC & OI-2

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
OI-2	.264	.046				146,191	25,473
N.C.	.264					21,619	
<b>TOTAL</b>						167,810	25,473
RCD Streamside		0.01					
RCD Managed		0.019					
RCD Upland							

### 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 type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Telephone</b>	<input type="checkbox"/> Underground	<input checked="" type="checkbox"/> Above Ground		
<b>Solid Waste</b>	<input type="checkbox"/> Town	<input checked="" type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

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) 969-5066 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org).

X	<b>Application fee (including Engineering Review fee) (refer to fee schedule)</b>	Amount Paid \$	See attached slip
2/4	<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>		
X	<b>Traffic Impact Statement</b> – completed by Town’s consultant (or exemption)		
n/a	<b>Description of Public Art Proposal</b> , if applicable		
X	<b>Statement of Justification</b>		
X	<b>Response to Community Design Commission and Town Council Concept Plan comments</b>		
n/a	<b>Affordable Housing Proposal</b> , if applicable		
X	<b>Statement of Consistency with Comprehensive Plan or request to amend Comprehensive Plan</b>		
X	<b>Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)</b>		
X	<b>Mailing fee for above mailing list (mailing fee is double due to 2 mailings)</b>	Amount Paid \$	286.40
X	<b>Written Narrative describing the proposal, including proposed land uses</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		
n/a	<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” x 11”)</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





**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

- r) 85% TSS removal for post-development stormwater runoff
- 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" x 36")

Plans should be legible and clearly drawn. All plan set 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

### Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

### 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



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

### 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 and 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
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

### Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

### Steep Slope Plan

- 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 detail

### Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



**CONDITIONAL ZONING APPLICATION  
SUBMITTAL REQUIREMENTS  
TOWN OF CHAPEL HILL  
Planning and Development Services**

### Construction Management Plan

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

### Energy 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
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

### Exterior Elevations

- 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)



Coulter Jewell Thames, PA

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Planning for the Future

## **1200 MLK**

### Conditional Zoning

05.30.2019

08.06.2019 - revised

04.13.2020 - revised

06.18.2020 - revised

08.19.2020 - revised

## **DEVELOPER'S PROGRAM**

This is a request for review of a Conditional Zoning applications by the Town of Chapel Hill.

### **Introduction**

The '1200 MLK' project is the redevelopment of the existing Tar Heel Mobile Home Park and non-operational Marathon Service Station, on the east side of Martin Luther King Boulevard, across from the intersection with Northfield Drive. The project is proposing to modernize the service station, add a new self-storage building, and preserve or reposition all of the existing mobile home residential units onsite. The developer understands the significance that the existing affordable housing plays in the Towns variety of housing options, thus retaining as many of the existing units, while redeveloping a portion of the site, is important. The parcel addresses are 1200 and 1204 MLK Jr. Blvd.

The proposal is to enlarge the Commercial Neighborhood (NC) Zoning at the front of the site, and rezone the R-4 to O-I2 at the sides and rear of the site. The O-I2 portion at the rear of the site will include a PD(H) overlay, to allow for the existing mobile home park.

The project was previously submitted as a Concept Plan and reviewed by Town staff, the Housing Advisory Board and Town Council earlier this year. An outlined of the applicant responses to comments made at the Council meeting are attached to this application.

**Site Description**

The site consists of two parcels, totaling approximately 13.9 acres. The site is partially wooded, with the old Marathon service station at the front of the site, and approximately 73 existing mobile home residential units and 1 single family residence at the rear and sides of the site. The site has access via multiple access points off of MLK Jr. Blvd. Two of these access points are oddly positioned on either side of the signalized intersection with Northfield Drive. There are existing bus stops on both the east and west sides of MLK Jr. Blvd, adjacent to the site.

The project site is bounded by the Orange United Methodist Church to the north, an existing single family residential neighborhood to the east and south, and various commercial businesses on the west side of MLK Jr Blvd.

The site slopes gently from the front (west) to the rear (east). An existing OWASA lift station is positioned at the northeast corner of the project site.

**Site Access and Circulation**

The site is currently accessed via a split driveway spanning the across the signalized intersection at Northfield Drive. This pair of driveways will be reworked to align with the signalized intersection, improving access functionality and safety. There are two additional residential driveways off of MLK Jr Blvd. that will remain unchanged. The project will improve vehicular circulation into to the mobile home park via the reworked signalized intersection. Pedestrian sidewalk improvements will be provided along the frontage of the site, which currently does not have one. Adequate onsite parking will be provided for both of the proposed uses.

Per the Town of Chapel Hill LUMO, the combined parking requirement for the commercial components of the project is a minimum of 68 spaces and a maximum of 110 spaces. The proposed site plan shows 46 spaces, which based on the real market demands for the parking of these uses (30 for Gas/Convenience Store and 16 for Self-Storage), is adequate. See below for a modification request to reduce the minimum required spaces for the Self-Storage facility.

**Building Orientation and Site Layout**

The convenience store building will be oriented so that the parking is at the side or rear, with the fuel pump canopy positioned behind the building. The multi-story self-storage building will be located approximately 250' from the ROW, minimizing visibility, and serving a buffer to the existing mobile home units. Several of the existing mobile home units (~16) will have to be relocated for the proposed site redevelopment, but the developer has analyzed the units and opportunity rezoned within the existing property, to relocate all of the units that can physically be moved. The building architecture will meet or exceed the LUMO requirements.

**Environmental and Landscaping**

The 13.9 acre site contains 4.5 acres of protected RCD buffer area, extending 150' from the Kings Branch Stream along the northern property line. The existing mobile home park contains a variety of mature trees, with the majority of these to be retained. New landscaping and street trees will be provided for the redeveloped portion of the site. Required tree coverage, parking lot shading, and landscape buffers will provide screening and visual interest. The developer will continue to work with the existing residents to best utilize the open space areas onsite, including the open play field, the frontage RCD areas, and landscaping along the rear of the storage building.

**Stormwater**

The existing site currently doesn't have stormwater treatment. The proposed redevelopment will comply with the current stormwater quality and quantity regulations through the installation of Stormwater Control Measures, inlets and piping. The project will comply with all sedimentation and erosion control requirements utilizing and on and offsite protection measures.

**Utilities**

The project site is currently served by OWASA water and sewer services. The new commercial buildings will have new water and sewer services designed to current standards and specifications. Water and sewer services to the existing and relocated residences will remain as is, or be reconnected to the new lines run as part of the commercial project. The existing OWASA pump station will remain.

**PD-H Determination**

Per LUMO section 6.18.1, the following points are provided in support of the location of the PD-H designation.

- The creation of this PD-H is unique in the fact that this is an established residential community that has existed at this location for over 30 years.
- The community is located with access to a major street, with pedestrian and bicycle access. This site is located along the route of the future BRT transportation improvements. The site does not require access through a residential neighborhood outside the development.
- The site has access to public water and sewer facilities, without requiring public extensions. The project will be incorporating new stormwater improvements, as the site currently does not have any.
- The proposal to keep the residential community in place means the current public infrastructure (schools, parks, etc,) will continue to serve the community and its residents. The site is within walking distance to Homestead Park, and well as the greenway trails within the Carolina North nature area. In addition to surrounding public amenities, the project is proposing a new playground within the site for the residents.

- The continuation of this residential community should cause an increase on maintenance or operation cost of the existing public facilities.

In summary, the developer finds that the existing residential community would continue to serve and be served by the adjacent public infrastructure, and not have an appreciable negative impact of the adjacent residential neighborhoods.

### **Outline of Modifications requested**

The following is list of Modifications to the LUMO that are being requested as part of this Conditional Zoning Application:

1. *Per LUMO section 6.23, self-storage is only allowed on the same zoning lot as other office, commercial, or institutional.*

A Modification to regulations is requested to allow Self-Storage to be on the same zoning lot and accessory to a Mobile Home Park (in terms of land area)

2. *Per LUMO section 6.23, self-storage facilities shall not be permitted on property located at an intersection with any arterial street.*

The applicant contends that the Self-Storage building is not located at an intersection, but across from the intersection of MLK Jr. Blvd and Northfield.

A Modification to regulations is requested to allow a Self-Storage building to be located across from an intersection, but not on a corner lot created by two intersecting streets.

3. *Per LUMO section 6.12, a service station/convenience store shall not be located within three hundred (300) feet of any intersecting street or within seven hundred fifty (750) feet of driveways intersecting the same street and serving another existing or approved service station.*

A Modification to regulations is requested to allow a service station / convenience store to be located within the thresholds listed above if an existing service station / convenience store was previous approved and permitted on this site.

4. *Per LUMO section 3.6.3-2, Permitted Uses within Resource Conservation District*

The applicant requests a modification to allow mobile home residences to remain in or be moved into the RCD, to preserve the residence onsite, within the existing mobile home park.

5. *Per LUMO section 5.9.7, Minimum and maximum parking space requirements*

The applicant requests a modification to the required minimum number of parking spaces for a Conditioned Self Storage Facility. Based on the LUMO calculation of a minimum of 1 space per 2,500 sf, the minimum requirement



would be 90 spaces. The Developer feels this is almost 5x the actual requirement. Based market experience of other facilities, this facility would require 16-20 spaces during a peak period.

6. *Per LUMO section 3.7.3, Use Groups*

The applicant requests a modification to the Use Group Table that would allow existing Class B manufactured homes to be allowed within a PD-H. The exiting mobile home community consists of Class B units, and this modification would allow the existing units to remain onsite, as outlined elsewhere in this Developer Narrative.

## ENERGY MANAGEMENT PLAN

1200 MLK – CONDITIONAL ZONING  
CHAPEL HILL, NORTH CAROLINA

Prepared by: CJTpa

The current Town of Chapel Hill Energy Management Plan Section list of requests are included below, accompanied by the applicants response:

1. **Description of how project will be 20% more energy efficient than ASHRAE Standards**
  - a. While final designs are still being developed and construction costs evaluated, areas of consideration to increase the energy efficiency of the building will be:
    - i. Tight building envelope construction.
    - ii. Explore energy recovery HVAC systems with variable speed motors.
    - iii. High-efficiency domestic hot water system, utilizing condensing water.
    - iv. Heat-absorbing, low-emissivity or energy-star window strategies.
    - v. Use of energy star appliances and equipment will be used for all appliance as practical.
    - vi. Use of masonry walls and concrete floors that increase the thermal mass of the building to reduce the temperature swings in the building.
    - vii. Use of energy efficient LED lighting for interior and exterior.
    - viii. Occupancy sensors for light controls provided in areas as required per ASHRAE 90.1
    - ix. Programmable mechanical systems controls.
2. **Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)**
  - a. The possible use of a solar energy source hot water system is the only current option to explore.
3. **Participation in NC GreenPower program**
  - a. Participation in the program will be explored through either a probable contribution or solar array.
4. **Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy**
  - a. The project will investigate appropriate ways to achieve these goals through use of the following methods:
    - i. An outdoor air make-up system beyond industry standards.
    - ii. Paints, sealants, fabrics and finishes to have low VOC content.
    - iii. The common space areas to utilize large exterior windows to bring daylight into interior spaces, balance energy needs and views.
    - iv. Mechanical systems will be designed to operate with controllable fresh air intakes and economizers.
5. **Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time**
  - a. While this project is not pursuing LEED certification, the research and use of green oriented products, materials and equipment will provide for long-term reduction in carbon footprint.
  - b. Light Pollution Reduction: The proposed light fixtures are dark sky friendly and the project will utilize LEED-compliant forms of light pollution reduction design practices to improve nighttime visibility and reduce the consequences of development for wildlife and people
  - c. White roofing materials to promote reflectivity.

- d.* Outdoor Water Use Reduction: through LEED-compliant forms of outdoor water use reduction design practices involving selective irrigation areas and careful choice of planting materials that should thrive in years of normal rainfall
- e.* Indoor Water Use Reduction: through LEED-compliant forms of indoor water use reduction design practices involving specification of low flow, water-saving plumbing fixtures
- f.* Fundamental Refrigerant Management: through LEED-compliant forms of fundamental refrigerant management design practices to reduce stratospheric ozone depletion.
- g.* Construction and Demolition Waste Management Planning: through LEED-compliant forms of demolition and construction waste management planning and practices.
- h.* Through education of staff of building utilization to maintain awareness of energy usage and reduction.
- i.* Indoor Environmental quality: through LEED-compliant forms of minimum indoor air quality performance compliance, environmental tobacco smoke control and minimum acoustic performance strategies

**6. Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community**

- a.* Proposed project siting provides LEED-compliant access to bus routes for guests and employees and accommodations for bike riders

**7. An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)**

- a.* Height from mean natural grade indication is provided on the Drawings

# 1200 MLK REDEVELOPMENT

## TRAFFIC IMPACT STUDY

### EXECUTIVE SUMMARY



**Prepared for:**

The Town of Chapel Hill  
Public Works Department - Engineering

**Prepared by:**

***HNTB North Carolina, PC***

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*NCBELS License #: C-1554*

June 2019



# 1200 MLK REDEVELOPMENT

## TRAFFIC IMPACT STUDY

### EXECUTIVE SUMMARY



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June 2019





## EXECUTIVE SUMMARY

### **Project Overview**

A redevelopment of an existing site parcel, known as the 1200 MLK Redevelopment, is being proposed along NC 86 (Martin Luther King Jr. Boulevard) at its intersection with Northfield Drive in Chapel Hill, NC. The project proposes to redevelop an existing gas station/convenience mart site with a new, larger 5,700 square foot facility along with a 100,000 square foot indoor storage facility. The site also currently features residential mobile homes which will continue to occupy existing areas in the rear of the property. **Figure ES-1** shows the general location of the site. The overall project is anticipated to be fully complete and occupied by 2021. This report analyzes the build-out scenario for the year 2022 (one year after anticipated completion), the no-build scenario for 2022, as well as 2019 existing year traffic conditions.

The proposed site concept plan shows a provision for two access driveways, one full movement and one right-turn in/right-turn out only (RIRO) that connect to NC 86 (Martin Luther King, Jr. Boulevard). The full movement driveway will form the fourth leg of the NC 86 signalized intersection with Northfield Drive. No other external vehicular access connections are proposed. The site driveways are proposed to have internal connectivity with on-site buildings and their respective parking areas as well as existing driveway aisles that serve the mobile home park. **Figure ES-2** displays the preliminary concept plan of the 1200 MLK Redevelopment and nearby land uses and roadways. The site is expected to provide approximately 75 parking spaces on surface lots. This report analyzes and presents the transportation impacts that the 1200 MLK Redevelopment will have on the following intersections in the project study area:

- NC 86 (Martin Luther King, Jr. Boulevard) and Homestead Road / Church Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Proposed Right-In/Right-Out Site Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Northfield Drive / Proposed Main Site Driveway
- NC 86 (Martin Luther King, Jr. Boulevard) and Piney Mountain Road / Municipal Drive

The impacts of the proposed site at the study area intersections will be evaluated during the AM, noon, and PM peak hours of an average weekday.

### **Existing Conditions**

#### **Study Area**

The site is located in north Chapel Hill along the NC 86 (Martin Luther King, Jr. Boulevard) corridor. The study area contains three signalized intersections along NC 86 at Homestead Road, Northfield Drive and Piney Mountain Road. All future site traffic is expected use the two proposed site driveways along NC 86. Internal driveways shown on the preliminary site plan will circulate site traffic to designated parking areas and fuel pump locations. NC 86 is a principal north-south arterial providing connectivity throughout Chapel Hill and points beyond in Orange County. Homestead Road is a minor arterial street for access to areas in western Chapel Hill and Carrboro. Remaining study area network roadways are local neighborhood/commercial/institutional access streets.

#### **Site Traffic Generation**

With the addition of new peak hour trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to the study area intersections. **Table ES-1** shows the site trip generation details, with generation rates taken from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 10* and the most conservative estimates of potential trip generation yield taken from information on potential development land use types included in the *ITE Trip Generation Manual*.



**Table ES-1. Weekday Vehicle Trip Generation Summary**

TRIP TYPE	Daily			AM Peak Hour			Noon Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
NEW SITE TRIPS	935	935	1,870	85	83	168	66	66	132	84	85	169
PASS-BY SITE TRIPS	1,235	1,235	2,470	129	129	258	84	84	168	97	97	194
<b>TOTAL TRIPS</b>	<b>2,170</b>	<b>2,170</b>	<b>4,340</b>	<b>214</b>	<b>212</b>	<b>426</b>	<b>150</b>	<b>150</b>	<b>300</b>	<b>181</b>	<b>182</b>	<b>363</b>

Trip generation estimates account for both new site trips and “pass-by” type trips that occur at the driveway entrances/exits and do not add new trips to the traffic stream. Existing trip generation data was also collected for the mobile home park and was included in the 2022 analysis year traffic volumes.

### Background Traffic

Background traffic growth for the 2022 analysis year is expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Historic growth patterns taken from daily traffic volume information do not indicate substantial increases in the project study area, however a number of development projects are occurring or are expected to occur just outside the project study area, which may contribute to future area-wide traffic growth. To conservatively account for this potential, a 0.5 percent per year ambient growth rate was applied to 2019 traffic volumes, along with the inclusion of four nearby specific background traffic generating projects to estimate 2022 background traffic on study area roadways.

### Impact Analysis

#### Peak Hour Intersection Level of Service

Existing 2019 traffic operations at all study area intersections are acceptable during all three peak hours analyzed. Projected ambient and background development traffic growth will increase impacts in the study area by 2022, but not cause any intersection to operate at deficient levels in any peak hour. With the addition of peak hour site-generated trips to the projected 2022 background traffic volumes, no additional study area intersections are expected to experience deficient traffic operations in any peak hour. A summary of the traffic operations for each intersection, related to vehicular delays (intersection average as a whole if signalized, critical movement if stop-controlled) and the corresponding Level-of-Service (LOS) is shown in **Table ES-2** on the following page.

#### Access Analysis

Vehicular site access is to be accommodated at two proposed access driveways connecting to NC 86 (Martin Luther King, Jr. Blvd). The southern (main) site driveway will connect as a fourth leg to the NC 86 (Martin Luther King, Jr. Blvd) signalized intersection with Northfield Drive. The other driveway connection will be a limited access RIRO driveway located to the north of the signalized intersection. The main driveway connection would have a throat length of approximately 175 feet and the RIRO driveway would have a throat length of 50 feet prior to internal parking lot connections. Throat lengths are acceptable, based on 50 foot minimum throat length standards found on Page 69 of the 2019 *Town of Chapel Hill Public Works Design Manual*. 2003 NCDOT *Policy on Street and Driveway Access to North Carolina Highways* throat length recommendations are 100 feet, which is not provided for the RIRO driveway.

The distance between the proposed driveway connections is approximately 225 feet. Driveway connection separations from an intersection are acceptable, based on recommendations of 100 foot minimum corner clearance as set forth in the 2003 NCDOT *Policy on Street and Driveway Access to*



**Table ES-2. Peak Hour Intersection Capacity Analysis Summary**

Intersections	Peak Hour	2019 Existing		2022 No-Build		2022 Build		2022 Build – Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
NC 86 (Martin Luther King, Jr. Boulevard) & Homestead Road / Church Driveway	AM	C	24.5	C	26.2	C	25.6	N/A	N/A
	NOON	C	23.2	C	24.9	C	24.0	N/A	N/A
	PM	C	21.8	C	24.1	C	23.5	N/A	N/A
NC 86 (Martin Luther King, Jr. Boulevard) & Proposed RIRO Driveway#	AM	N/A	N/A	N/A	N/A	B	14.4	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	B	12.8	N/A	N/A
	PM	N/A	N/A	N/A	N/A	D	26.6	N/A	N/A
NC 86 (Martin Luther King, Jr. Boulevard) & Northfield Drive / Proposed Main Site Driveway	AM	A	3.6	A	3.6	B	19.6	B	16.4
	NOON	A	4.2	A	4.0	B	15.4	B	14.1
	PM	A	9.9	B	10.6	B	18.8	B	16.7
NC 86 (Martin Luther King, Jr. Boulevard) & Piney Mountain Road / Municipal Drive	AM	B	12.7	B	12.7	B	11.6	N/A	N/A
	NOON	A	8.9	A	8.7	A	8.7	N/A	N/A
	PM	B	12.1	B	13.0	B	12.9	N/A	N/A

N/A – Not Applicable or No Improvements Necessary

**BOLD/ITALICS** – Critical Movement or Overall Intersection Requires Mitigation Analysis Per Town TIS Guidelines

# - Worst-Case LOS/Delay for Two-Way Unsignalized/Stop-Controlled Critical Movement

*North Carolina Highways* and the recommended 150 foot spacing between a driveway and an intersection along arterial roadways found in Table 3.2 – Street Standards in the Town Design Manual. The driveway separation distance is less than the 500 foot minimum along arterial streets specified in the Town Design Manual, but the proposed design improves the current parcel driveway access alignment, where the two existing driveways are full access, separated by only 125 feet and do not align with the current signalized intersection at Northfield Drive.

Access for pedestrians and bicycles is lacking connectivity in the project study area. Sidewalk is present along the NC 86 (Martin Luther King, Jr. Blvd) corridor, but not continuously along both sides of the road south of Homestead Road. Bicycle lanes are present along the segment of NC 86 (Martin Luther King, Jr. Blvd) in the project study area north of Homestead Road, but no other bicycle facilities exist in the project study area.

### Crash Analysis

A crash analysis of the NC 86 (Martin Luther King, Jr. Boulevard) corridor was completed using the NCDOT TEAAS crash data base for the last five years 2014-2019. Analysis results indicate that the study area corridor segment of NC 86 has lower crash rates for all reported crash types/categories than similar five-lane undivided urban North Carolina routes.

### Other Transportation-Related Analyses

Other transportation-related analyses relevant to the 2001 Town of Chapel Hill Guidelines for the preparation of Traffic Impact Studies were completed as appropriate. The following topics listed in **Table ES-3** are germane to the scope of this study.





**Table ES-3. Other Transportation-Related Analyses**

Analysis	Comment
Turn Lane Storage Requirements	Storage bay lengths at study area intersections were analyzed using Synchro and HCM 95 <sup>th</sup> percentile (max) queue length estimates for all analyzed scenarios. At the intersection of NC 86 (Martin Luther King, Jr. Blvd) and Northfield Drive/Main Site Driveway, projected 95 <sup>th</sup> percentile queue lengths may exceed the driveway stem length in the 2022 AM and PM peak hours for with site redevelopment. A recommended improvement to provide separate left-turn and through/right-turn lanes would mitigate this issue.
Appropriateness of Acceleration / Deceleration Lanes	The site concept plan shows no specific related to new acceleration/deceleration lanes along NC 86. It is assumed that the existing two-way center left-turn lane would be utilized for southbound left-turns into the site at the Northfield Drive intersection. Auxiliary turn lanes are provided at most locations along NC 86 (Martin Luther King, Jr. Blvd) and at select minor street approaches. No other specific acceleration or deceleration lane issues were analyzed in the project study area
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity currently lacking along NC 86 on the east side of the road adjacent to the site, but some pedestrian connections and crosswalk/pedestrian signals are present along the NC 86 corridor. Striped bicycle lanes are present along the facility, but only to the north of Homestead Road. Pedestrian sidewalk is shown along a portion of the site frontage with NC 86, but additional sidewalk connections should be considered along the entirety of the site frontage as well as to areas internal to the site to connect to the mobile home park and directly to the convenience store site.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is excellent, with bus stops directly serving the site parcel and multiple local CHT T bus routes along NC 86 (Martin Luther King, Jr. Blvd) in both directions proximate to the site.

### **Mitigation Measures/Recommendations**

#### **Planned Improvements**

There are no planned transportation improvement projects by NCDOT or the Town of Chapel Hill expected to be complete between 2019 and 2022 in the immediate project study area. The Town is currently moving forward on planning for bus rapid transit (BRT) service along the NC 86 corridor but no specific changes or improvements to the facility were analyzed for this study.

#### **Background Committed Improvements**

There are no specific transportation network improvements to study area roadway intersections related to background private development projects that are expected to be completed between 2019 and 2022.

#### **Applicant Committed Improvements**

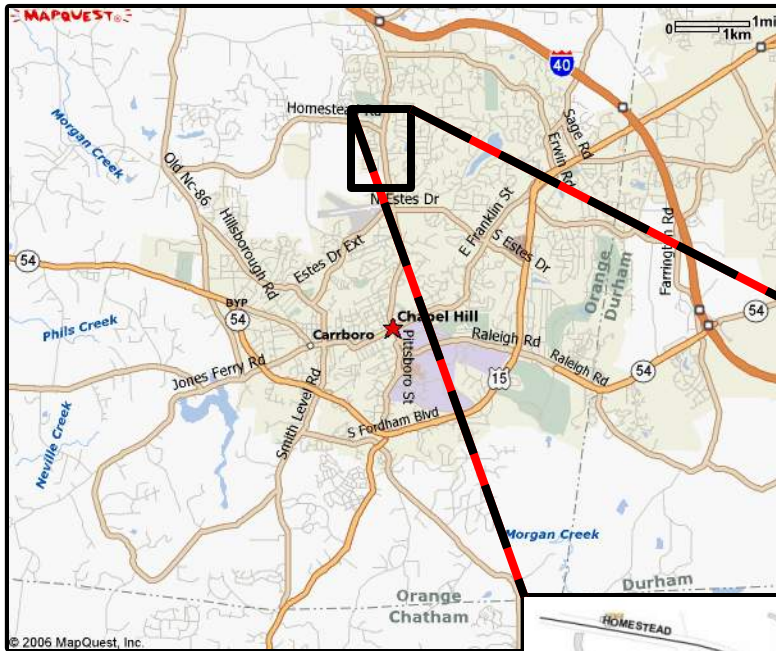
Based on the preliminary site plans and supporting development information provided, the Applicant is proposing to reconfigure driveways that access the site. The two existing full access driveways will be closed, and a full access driveway is proposed to align with Northfield Drive and utilize the existing traffic signal. A second proposed RIRO driveway is to be located to the north of the signalized intersection. Additional reconfiguration of existing internal driveways that serve the mobile home park are also proposed to allow better traffic circulation throughout the site development. The two proposed site driveways along NC 86 and initial laneage assumptions are schematically shown in **Figure ES-3**, based on the preliminary concept plans shown in **Figure ES- 2**.








### **Necessary Improvements**


Based on traffic capacity analyses for the 2022 design year, and analyses of existing study area turning bay storage lengths and site access, the following improvements are recommended as being necessary for adequate transportation network operations (see **Figure ES-3**).

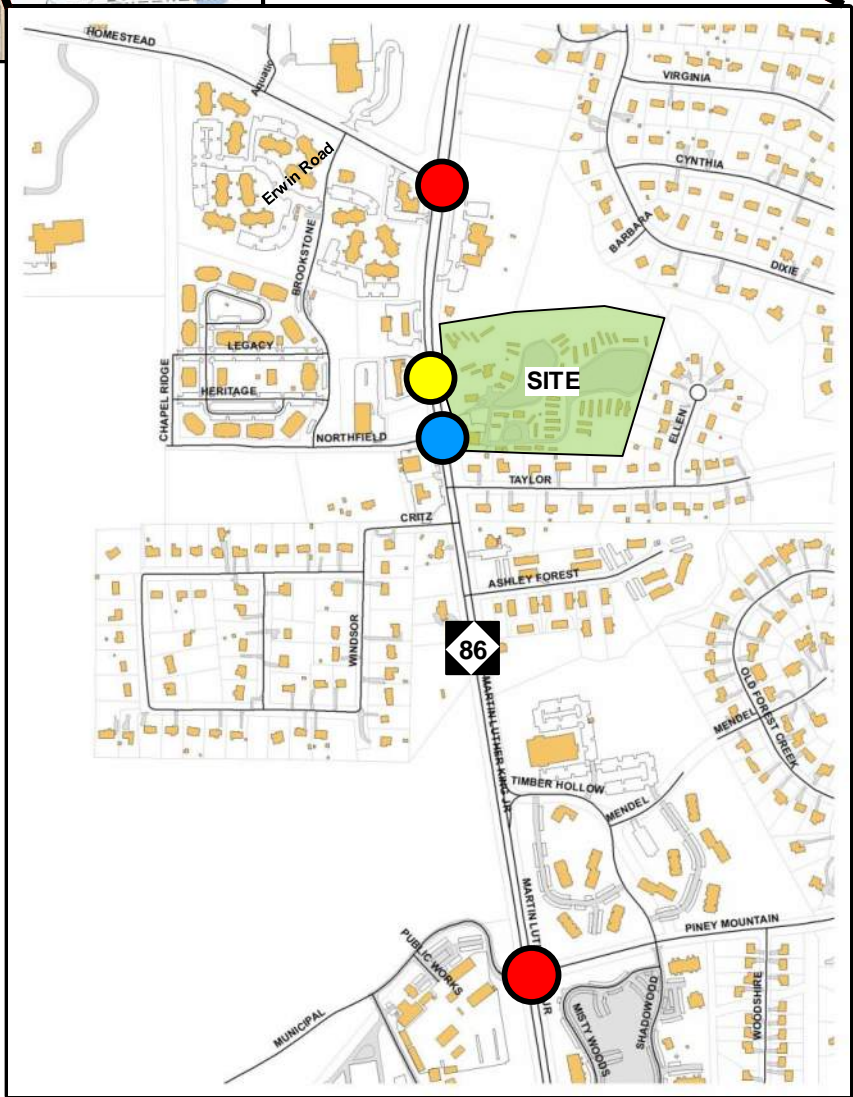
- 1) To provide adequate traffic operations and improve pedestrian safety and connectivity, the existing traffic signal at NC 86 and Northfield Drive should be upgraded to allow the Main Site Driveway to operate as a concurrent signal phase with Northfield Drive. The southbound and westbound approaches at the intersection include crosswalk and pedestrian signalization. The northbound and southbound left-turn lanes along NC 86 should operate with protected+permitted signal phasing. The signal should be retimed for all peak periods to maximize efficiency along the NC 86 corridor. These improvements are recommended for the 1200 MLK Redevelopment project.
- 2) Capacity analysis results indicate that a single westbound lane exiting at the Main Site Driveway may have maximum queues that exceed the proposed driveway stem length in 2022 AM and PM peak hours. To mitigate this issue, separate westbound left-turn and through/right-turn lanes are recommended to improve overall queue storage. This improvement is recommended for the 1200 MLK Redevelopment project.
- 3) The concept plan design for the RIRO driveway along NC 86 has limited driveway stem length and the nearby driveway aisle along the frontage of the convenience store may cause safety issues with turning traffic into/exiting this driveway in the vicinity of the external RIRO driveway. To mitigate this issue, extension of the proposed concrete median island at the RIRO driveway past the adjacent internal driveway is recommended, along with making this driveway aisle a one-way southbound movement. **Figure ES-4** schematically shows these proposed changes. This improvement is recommended for the 1200 MLK Redevelopment project.
- 4) An extension of sidewalk along the site frontage with NC 86 north of the proposed RIRO Driveway will allow better pedestrian connectivity along the corridor. In addition, provision of a sidewalk connection from the NC 86 sidewalk directly to the convenience store would improve safety. This improvement is recommended for the 1200 MLK Redevelopment project.



**LEGEND**

-  = Existing Building Footprint
-  = Proposed Site Parcel
-  = Existing Study Area Intersection
-  = Proposed Full Access Site Driveway
-  = Proposed Future RIRO Driveway

 **NOT TO SCALE**



**1200 MLK Redevelopment  
Traffic Impact Study**

**PROJECT STUDY AREA MAP**

DATE: June 2019

**FIGURE ES-1**

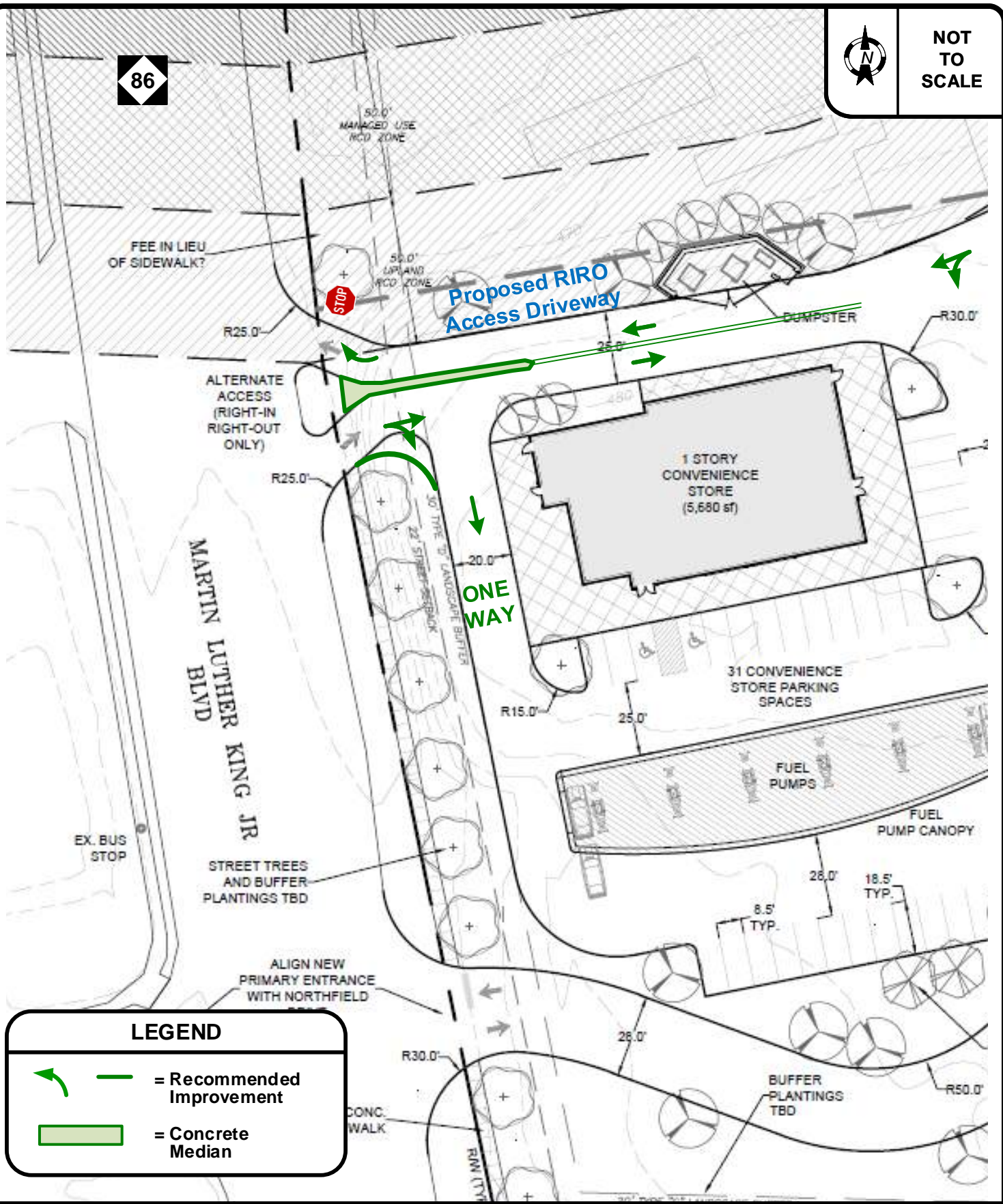









NOT TO SCALE

86



**LEGEND**

-   = Recommended Improvement
-  = Concrete Median



**1200 MLK Redevelopment  
Traffic Impact Study**

DATE: June 2019

**RECOMMENDED RIRO DRIVEWAY  
IMPROVEMENTS SCHEMATIC**

**FIGURE ES-4**

# 1200 MLK

## CONDITIONAL ZONING APPLICATION CHAPEL HILL, NORTH CAROLINA



**Coulter  
Jewell  
Thames PA**

111 West Main Street  
Durham, N.C. 27701  
p 919.682.0368  
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www.cjtpa.com

NC BOARD OF EXAMINERS FOR  
ENGINEERS AND SURVEYORS  
LIC # C-1269  
NC BOARD OF LANDSCAPE  
ARCHITECTS LIC # C-104

**OWNER / CLIENT:**

STACKHOUSE PROPERTIES, LLC  
PO BOX 14466  
RTP, NC 27709  
919-408-7150

**APPLICANT / CONSULTANT:**

LANDSCAPE ARCHITECT / LAND PLANNER:  
COULTER JEWELL THAMES, PA  
111 WEST MAIN STREET  
DURHAM, NC 27701  
919-682-0368  
CONTACT: JEREMY ANDERSON

ENGINEER:  
COULTER JEWELL THAMES, PA  
111 WEST MAIN STREET  
DURHAM, NC 27701  
919-682-0368  
CONTACT: PRESTON ROYSTER

**PROJECT DATA:**

EXISTING PARCELS

PARCEL A:  
ADDRESS 1200 MARTIN LUTHER KING JR. BLVD.  
PIN 9789297279  
ACREAGE 32,068.98 SF / 0.736 AC  
ZONE NC

PARCEL B:  
ADDRESS 1204 MARTIN LUTHER KING JR. BLVD.  
PIN 9789392409  
ACREAGE 574,173.80 SF / 13.181 AC  
ZONE R-4

GROSS LAND AREA: 606,242.78 SF / 13.917 AC

PROPOSED PARCELS

RE: 2/C200  
PARCEL 1:  
ACREAGE 68,739.55 SF / 1.578 AC  
PROPOSED ZONE NC

PARCEL 2:  
ACREAGE 75,123.73 SF / 1.725 AC  
PROPOSED ZONE OI-2

PARCEL 3:  
ACREAGE 462,379.49 SF / 10.615 AC  
PROPOSED ZONE OI-2 WITH PLANNED DEVELOPMENT OVERLAY (PD-H)

GROSS LAND AREA: 606,242.78 SF / 13.917 AC

LAND USE:

EXISTING CONVENIENCE STORE & MOBILE HOME PARK  
PROPOSED PRINCIPAL USE - CONVENIENCE STORE  
PARCEL 1 ACCESSORY USE TO PARCEL 3 - SELF STORAGE  
PARCEL 2 PRINCIPAL USE - MOBILE HOME PARK  
PARCEL 3

ZONING:

EXISTING NC & R-4  
PROPOSED NC - 68,739.55 SF / 1.578 AC  
OI-2 - 537,503.22 SF / 12.339 AC

ALLOWABLE FAR FOR

PROPOSED ZONE: .264

EXISTING BUILDINGS:

5,200 SF CONVENIENCE STORE TO BE REMOVED  
EXISTING 73 CLASS B MOBILE HOMES LOCATED IN PROJECT AREA TO BE RELOCATED WITHIN PROJECT SITE

PROPOSED BUILDINGS:

CONVENIENCE STORE +/- 5,000 SF FOOTPRINT  
SELF STORAGE +/- 33,600 SF FOOTPRINT (4 STORY / 134,400 SF OVERALL)  
EX. RESIDENTIAL EXISTING 73 CLASS B UNITS TO REMAIN (ALL WILL BE RELOCATED ONSITE)  
PROPOSED RESIDENTIAL 10 NEW UNITS

VEHICULAR PARKING:

REQUIRED 14 TO 20 - CONVENIENCE STORE (MIN. 1/375 SF, MAX. 1/250 SF)  
54 TO 90 - SELF STORAGE (MIN. 1/2500 SF, MAX. 1/1500 SF)  
= 68 TO 100 SPACES REQUIRED  
73 TO 146 - RESIDENTIAL (MIN. 1 PER UNIT, MAX. 2 PER UNIT)

PROPOSED

= 45 SPACES PROVIDED  
158 SPACES PROVIDED FOR RESIDENTIAL

BICYCLE PARKING:

REQUIRED 6 - CONVENIENCE STORE (4 MIN + 2/2,500 SF)  
+ 4 - SELF STORAGE  
= 10 SPACES REQUIRED

PROPOSED

8 - SHORT TERM SPACES (4 LOOPS)  
+ 2 - LONG TERM SPACES (1 LOOP LOCATED INSIDE CONVENIENCE STORE)  
= 10 SPACES (5 LOOPS) PROVIDED

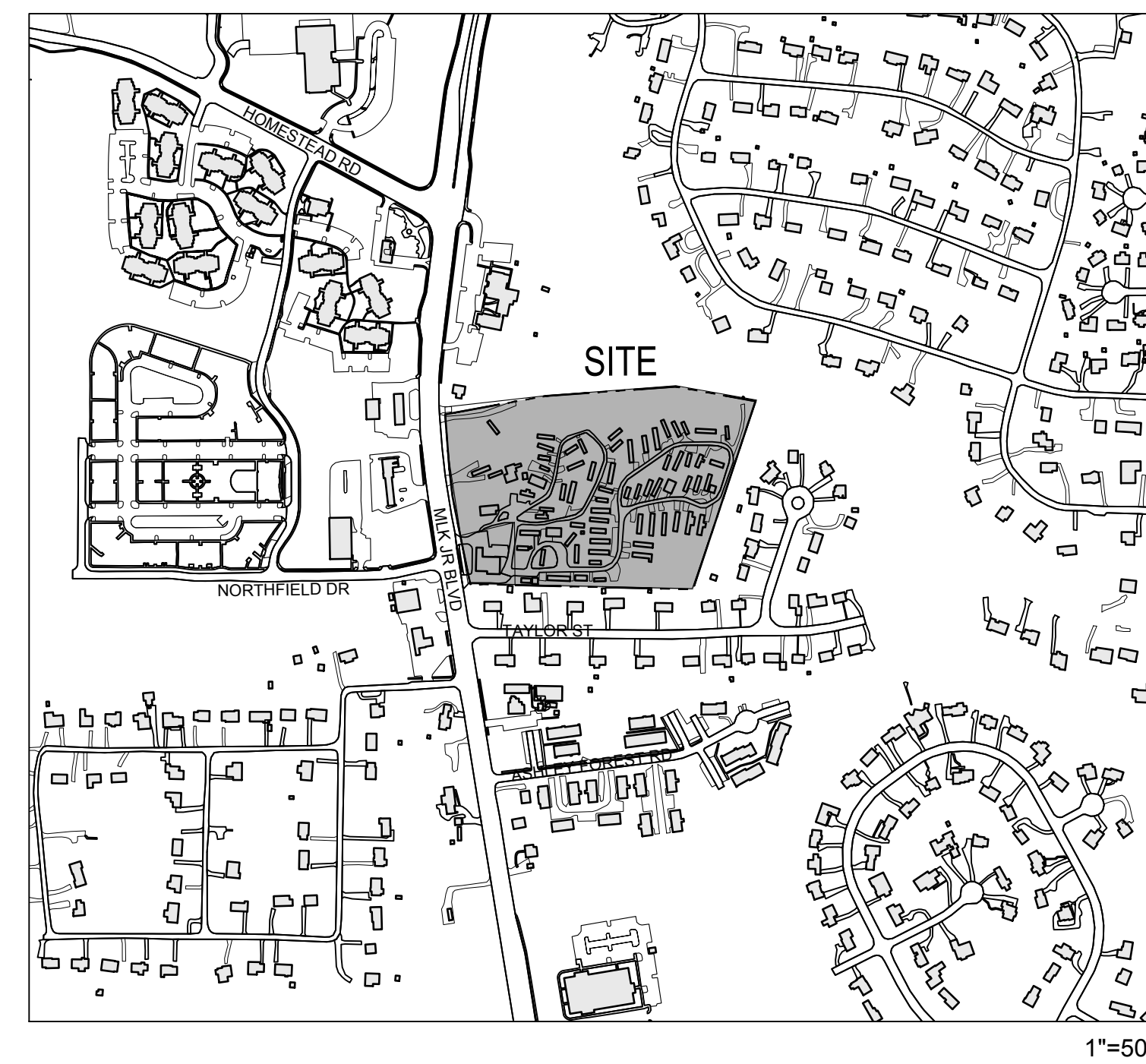
IMPERVIOUS SURFACE:

EXISTING 185,732 SF

PROPOSED

271,416 SF

**VICINITY MAP**



**CONDITIONS OF APPROVAL**

- Main Site Entrance at Northfield Dr and Martin Luther King Jr Blvd:** The Applicant shall construct the main entrance with a three lane section with minimum 11-foot wide lanes (two-lane outbound and one lane inbound). Construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit. Construction shall be completed prior to the issuance of Certificate of Occupancy.
- Second Site Entrance on Martin Luther King Jr Blvd:** The Applicant shall design and construct the second entrance on Martin Luther King Jr Blvd as Right-In and Right-Out-Only entrance. Construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit. Construction shall be completed prior to the issuance of Certificate of Occupancy.
- Traffic Signal Upgrade:** The Applicant shall upgrade the traffic signal at the intersection of Martin Luther King Jr Blvd and Northfield Dr/ Site Entrance with pedestrian amenities (high visibility crosswalks on all approaches and APS equipment), bike activated loops, and appropriate traffic signal phasing and other elements as approved by NCDOT and the Town. Upgraded traffic signal design plans and construction details shall be approved prior to the issuance of Zoning Compliance Permit. Construction shall be completed prior to the issuance of Certificate of Occupancy.
- Payment-in-Lieu for Traffic Signal Timing:** The Applicant shall provide a payment-in-lieu of \$5,000 for traffic signal timing plan revisions shall be provided prior to the issuance of Zoning Compliance Permit. Signal Timing Plans will be revised by the Town Consultant after six months of issuance certificate of occupancy.
- Street lighting:** Prior to the issuance of Certificate of Occupancy, the Applicant shall upgrade the street lighting along the site frontage to LED lighting and AASHTO standards. The design and construction details shall be approved by the Town and NCDOT prior to the issuance of Zoning Compliance Permit.

**TOWN OF CHAPEL HILL NOTES**

- A FIRE FLOW REPORT SHALL BE SUBMITTED TO THE TOWN FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A ZCP.
- P.E. CERTIFICATION: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY PHASE, THE APPLICANT SHALL PROVIDE A CERTIFICATION, SIGNED AND SEALED BY A NORTH CAROLINA-LICENSED PROFESSIONAL ENGINEER, THAT THE STORMWATER MANAGEMENT FACILITY IS CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.
- AS-BUILT PLANS: PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE APPLICANT 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.
- JORDAN SURETY: PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE OWNER SHALL POST A MAINTENANCE BOND OR OTHER SURETY INSTRUMENT SATISFACTORY TO THE TOWN MANAGER, IN AN AMOUNT EQUAL TO ONE HUNDRED TWENTY-FIVE (125) PERCENT OF THE CONSTRUCTION COST OF EACH STORMWATER MANAGEMENT FACILITY TO ASSURE MAINTENANCE, REPAIR, OR RECONSTRUCTION NECESSARY FOR ADEQUATE PERFORMANCE OF THE STORMWATER MANAGEMENT FACILITY, OR ESTABLISH A STORMWATER MAINTENANCE (SINKING FUND) BUDGET AND ESCROW ACCOUNT IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 5.19 OF THE LAND USE MANAGEMENT ORDINANCE.
- STORMWATER FACILITIES, EASEMENTS, AND OPERATIONS AND MAINTENANCE PLANS: ALL STORMWATER DETENTION, TREATMENT AND CONVEYANCE FACILITIES LOCATED ON AND BELOW THE GROUND SHALL BE WHOLLY CONTAINED WITHIN AN EASEMENT ENTITLED: "RESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATED" AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A COPY OF THE FINAL PLAT OR EASEMENT EXHIBIT, SIGNED AND SEALED BY A NORTH CAROLINA-REGISTERED LAND SURVEYOR AND RECORDED BY THE COUNTY REGISTER OF DEEDS, AND CONTAINING THE FOLLOWING NOTES SHALL BE SUBMITTED PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY.
  - ALL ENGINEERED STORMWATER MANAGEMENT CONTROL, TREATMENT, AND CONVEYANCE STRUCTURES ON AND BELOW THE GROUND SHALL BE WHOLLY LOCATED WITHIN AN EASEMENT ENTITLED: "RESERVED STORMWATER FACILITY EASEMENT HEREBY DEDICATED" AND SHALL BE RESERVED FROM ANY DEVELOPMENT WHICH WOULD OBSTRUCT OR CONSTRICT THE EFFECTIVE MANAGEMENT, CONTROL, AND CONVEYANCE OF STORMWATER FROM OR ACROSS THE PROPERTY, OTHER THAN THE APPROVED DESIGN AND OPERATION FUNCTIONS. A SUITABLE MAINTENANCE ACCESS (MINIMUM 20' WIDE) TO ACCOMMODATE HEAVY EQUIPMENT FROM THE NEAREST PUBLIC RIGHT-OF-WAY TO THE RESERVED STORMWATER FACILITY EASEMENT MUST BE PROVIDED AND SHOWN ON THE PLANS.
  - THE "RESERVED STORMWATER FACILITY EASEMENT(S)" AND THE FACILITIES IT THEY PROTECT ARE CONSIDERED TO BE PRIVATE, WITH THE SOLE RESPONSIBILITY OF THE OWNER TO PROVIDE FOR ALL REQUIRED MAINTENANCE AND OPERATIONS AS APPROVED BY THE TOWN MANAGER.
  - THE RESERVED STORMWATER FACILITY EASEMENT AND THE OPERATIONS AND MAINTENANCE PLAN ARE BINDING ON THE OWNER, HEIRS, SUCCESSORS, AND ASSIGNS.
- JORDAN STORMWATER MANAGEMENT FOR NEW DEVELOPMENT: THAT PRIOR TO THE ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT THE FINAL JORDAN ACCOUNTING TOOL SPREADSHEET, STORMWATER REPORT, AND PLANS FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE JORDAN STORMWATER MANAGEMENT REGULATIONS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE THE REQUIRED REDUCTIONS IN NITROGEN AND PHOSPHORUS LOADS FOR NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS.
- STORMWATER MANAGEMENT PLAN: THAT PRIOR TO THE ISSUANCE OF A ZONING COMPLIANCE PERMIT, THE APPLICANT SHALL SUBMIT A STORMWATER MANAGEMENT PLAN FOR REVIEW AND APPROVAL BY THE TOWN MANAGER. THIS PROJECT MUST COMPLY WITH THE STORMWATER MANAGEMENT REQUIREMENTS OF THE LAND USE MANAGEMENT ORDINANCE TO PROVIDE FOR 85 PERCENT TOTAL SUSPENDED SOLIDS REMOVAL FROM THE INCREASED IMPERVIOUS AREA, RETENTION FOR 2-5 DAYS OF THE INCREASED VOLUME OF STORMWATER RUNOFF FROM THE 2-YEAR, 24-HOUR STORM, AND CONTROL OF THE STORMWATER RUNOFF RATE FOR THE 1-YEAR, 2-YEAR, AND 25-YEAR STORMS.

**LIST OF SHEETS:**

C000	COVER SHEET
C100	AREA MAP
C101	EXISTING CONDITIONS PLAN
C102	PLAN NOTES
C200	SITE PLAN
C201	ELEVATION MASSING
C202	UNIT RELOCATION PLAN
C300	GRADING PLAN
C900	UTILITY PLAN
	LIGHTING PLAN
	LANDSCAPE PLAN
C700	SITE DETAILS
C800	SITE DETAILS
C801	ARCHITECTURAL ELEVATION
A-1	ARCHITECTURAL ELEVATION
A-2	ARCHITECTURAL ELEVATION

**RESOURCE CONSERVATION NOTES**

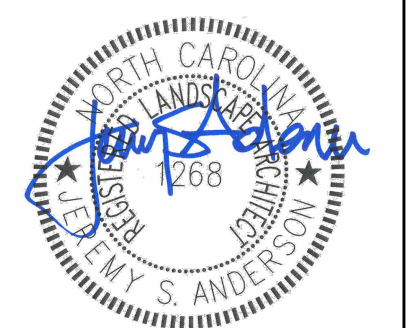
- STREAM BUFFERS:**  
THERE IS A MAPPED STREAM AND ASSOCIATED STREAM BUFFER LOCATED ON SITE. A DETERMINATION WAS COMPLETED BY CHAPEL HILL PUBLIC WORKS TO VERIFY THAT THE STREAM SHOWING UP ON THE ORANGE COUNTY SOIL SURVEY EXISTS.
- FLOODPLAIN PROTECTION:**  
THE SITE IS AN AREA AFFECTED BY A MAPPED FLOODPLAIN ACCORDING TO FIRM MAPS 3710978900 J (FEB. 2 2007).
- STEEP SLOPE PROTECTION:**  
THERE ARE STEEP SLOPES ON SITE LOCATED PRIMARILY WITHIN THE RCD.
- WETLANDS:**  
THERE ARE NO MAPPED WETLANDS ONSITE.
- TREE PROTECTION:**  
REFER TO SHEET C101 AND C700.

**Project:**

**1200 MLK**

1200 & 1204  
Martin Luther King Jr.  
Boulevard  
Orange County,  
North Carolina

PIN:  
9789297279  
9789392409



**PRELIMINARY-DO NOT USE FOR CONSTRUCTION**

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional zoning

Sheet Title:

**COVER SHEET**

Sheet Number

**C000**



**TOPOGRAPHY/SLOPES:**  
 THE SITE SLOPES FROM SOUTHWEST TO NORTHEAST, AND DROPS APPROXIMATELY 44 FEET OVER THE LENGTH OF THE SITE.  
 THE SITE HAS SLOPES OF 1% TO OVER 25%. THE MAJORITY OF THE SITE HAS SLOPES UNDER 10%.  
 EXISTING SLOPES:  
 THERE ARE STEEP SLOPES LOCATED IN THE RCD ON THIS SITE.

**HYDROLOGICAL FEATURES/DRAINAGE**  
 THE SITE GENERALLY DRAINS FROM SOUTHWEST TO NORTHEAST, EVENTUALLY DRAINING INTO A TRIBUTARY OF KINGS BRANCH STREAM THAT RUNS ROUGHLY PARALLEL WITH THE NORTHERN PROPERTY LINE.

**SOIL TYPES**  
 THE USDA / NRCS WEB SOIL SURVEY CLASSIFIES TWO SOIL TYPES ON THIS SITE.  
 -T0D: TARRUS SILT LOAM  
 -H1C: HERNDON SILT LOAM  
 -G0B: GEORVILLE SILT LOAM (2-6% SLOPES)  
 -G0C: GEORVILLE SILT LOAM (6-10% SLOPES)

**SUN/SHADE PATTERNS**  
 THE SUN WILL PASS AROUND THE SOUTH SIDE OF THE STRUCTURES DURING THE COURSE OF THE DAY. THE FRONT ENTRIES WILL GET MORNING SUN. EXISTING TREES WILL BE RETAINED SOUTH AND WEST OF THE BUILDING TO PROVIDE SHADE FOR THESE SIDES OF THE BUILDING.  
 TREES WILL BE ADDED TO THE NEW PARKING TO PROVIDE SHADE AND MEET MINIMUM REQUIREMENTS. TREES AND SHRUBS WILL BE ADDED TO ALL UNPAVED AREAS TO PROVIDE AS MUCH SHADE AND LANDSCAPING AS POSSIBLE.

**FEMA FLOODPLAIN INFORMATION.**  
 THERE IS MAPPED FLOODPLAIN ON SITE PER FEMA PANEL 3710978900J DATED 2/2/2007

**SPECIAL FEATURES**  
 THIS PROPERTY HAS FRONTAGE ON MARTIN LUTHER KING JR. BLVD.

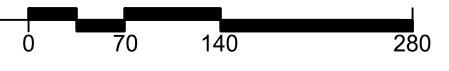
**VEGETATION**  
 THE SITE CONTAINS OF MIX OF VARIOUS HARDWOODS AND PINES.

**2 SITE NOTES**  
 C100

**LEGEND**

Water Valve	⊗
Curb Inlet/Catch Basin	⊠
Mail Box	⊠
Traffic Signal Box	⊠ TSB
Electric Transformer	⊠
Electric Junction Box	⊠
Gas Meter	⊠
Sanitary Sewer Manhole	⊠
Storm Sewer Manhole	⊠
Telephone Manhole	⊠
Electric Manhole	⊠
Sign	⊠
Telephone Pedestal	⊠ TEL
Fire Hydrant	⊠ FH
Post Indicator Valve	⊠ PIV
Water Manhole	⊠
Water Meter	⊠
Hot Box	⊠
Utility Pole	⊠
Light Pole	⊠ OLP
Sewer Cleanout	⊠ COO
Flared End Section	⊠
Gas Valve	⊠ GV
Existing Iron Pipe (3/4" unless noted)	⊠ IPS
1/2" Iron Pipe Set	⊠
Existing PK Nail	⊠ PK
PK Nail Set	⊠ PKS
Computed Point	⊠
Concrete Monument	⊠
Tree Line	⊠
Fence	⊠ X
Underground Electric	⊠ UE
Underground Telephone	⊠ UT
Gas Line	⊠ GAS
Water Line	⊠ W
Overhead Utilities	⊠ OU
Storm Sewer	⊠ S
Sanitary Sewer	⊠ SS
Guard Rail	⊠

**1 AREA MAP**  
 C100  
 1" = 140'-0"



**Coulter Jewell Thames**  
 ENGINEERING, PLANNING, LANDSCAPE ARCHITECTURE

111 West Main Street  
 Durham, N.C. 27701  
 p 919.682.0368  
 f 919.688.5646  
 www.cjtpa.com

NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1269  
 NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

**1200 MLK**

1200 & 1204  
 Martin Luther King Jr.  
 Boulevard  
 Orange County,  
 North Carolina

PIN:  
 9789297279  
 9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1658

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional zoning

Sheet Title:

**AREA MAP**

Sheet Number  
**C100**





Coulter Jewell Thames PA

111 West Main Street Durham, N.C. 27701 p 919.682.0368 f 919.688.5646 www.cjtpa.com

NO BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1289 NO BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN: 9789297279 9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ
	12-03-2020 PLAYGROUND

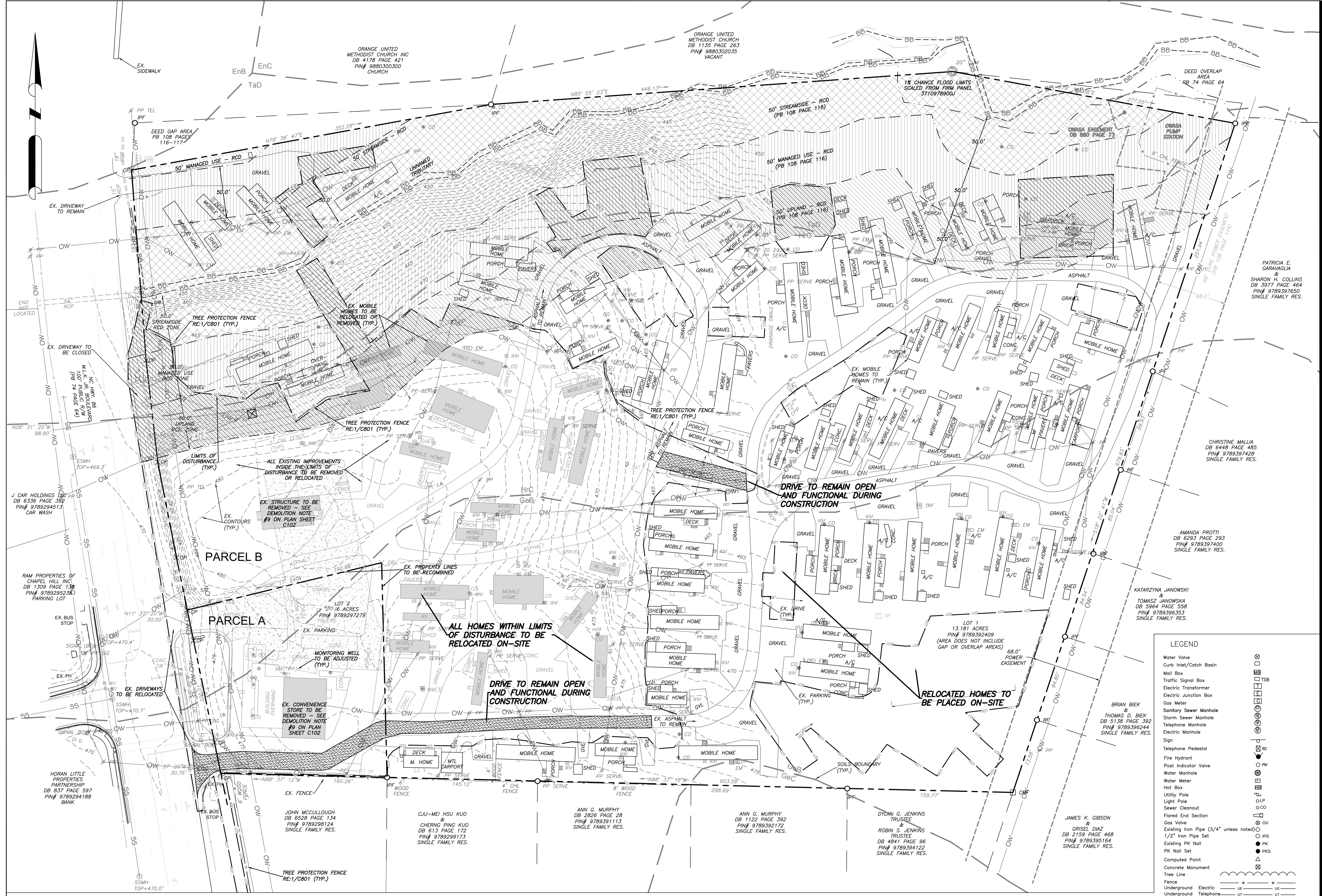
Conditional zoning

Sheet Title:

EXISTING CONDITIONS & DEMOLITION

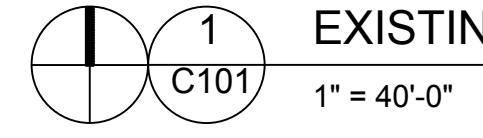
Sheet Number

C101

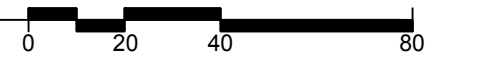


LEGEND

Water Valve	⊗
Curb Inlet/Catch Basin	⊠
Mail Box	⊞
Traffic Signal Box	⊞
Electric Transformer	⊞
Electric Junction Box	⊞
Gas Meter	⊞
Sanitary Sewer Manhole	⊞
Storm Sewer Manhole	⊞
Telephone Manhole	⊞
Electric Manhole	⊞
Sign	⊞
Telephone Pedestal	⊞
Fire Hydrant	⊞
Post Indicator Valve	⊞
Water Manhole	⊞
Water Meter	⊞
Hot Box	⊞
Utility Pole	⊞
Light Pole	⊞
Sewer Cleanout	⊞
Flored End Section	⊞
Gas Valve	⊞
Existing Iron Pipe (3/4" unless noted)	⊞
1/2" Iron Pipe Set	⊞
Existing PK Nail	⊞
PK Nail Set	⊞
Computed Point	⊞
Concrete Monument	⊞
Tree Line	⊞
Fence	⊞
Underground Electric	⊞
Underground Telephone	⊞
Gas Line	⊞
Water Line	⊞
Overhead Utilities	⊞
Storm Sewer	⊞
Sanitary Sewer	⊞
Guard Rail	⊞



1 C101 EXISTING CONDITIONS & DEMOLITION PLAN 1" = 40'-0" SEE NOTES RE:2/C102



### ADA route notes apply to all sheets

FOR ALL SIDEWALKS THE FOLLOWING APPLIES:

- SIDEWALK SLOPES TO BE A MAXIMUM 4.8%.
- SIDEWALK CROSS SLOPES TO BE A MAXIMUM 1.8%.
- MINIMUM 1" SHOULDER AT MAXIMUM 2% SLOPE ADJACENT TO ADA PAVED ROUTES UNLESS A HANDRAIL IS CALLED OUT.
- ADA PARKING TO BE A MAXIMUM 1.8% SLOPE IN ANY DIRECTION FOR ENTIRE AREA – PARKING SPACES AND AISLES.
- ALL DOORS EXITING THE BUILDING REQUIRE AN ADA ACCESSIBLE COMPLIANT ROUTE TO A PUBLIC WAY.
- PARKING – NUMBER OF SPACES TO COMPLY WITH NCBC 2012 SECTION 1106.1, 1 PER 6 COMPLIANT SPACES OR PORTION THEREOF MUST BE VAN ACCESSIBLE, NO SLOPE TO EXCEED 2% IN ANY DIRECTION. SIGNAGE PER NC REQUIREMENTS, MUT-CD AND ICC A 117.7.
- CURB CUTS AND ACCESSIBLE ROUTES PER ICC A117.1 2009 ED. CROSS SLOPE LIMITED TO 2%, CALL FOR INSPECTION BEFORE PLACEMENT OF CONCRETE.
- SLOPE GREATER THAN 5% REQUIRES CONSTRUCTION AS A RAMP.

1  
C102

### GENERAL NOTES

- ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION.
- SEE SITE PLAN SHEET C101 FOR LAYOUT DIMENSIONS OF EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
- UTILITIES: SEE UTILITY PLAN C500. CONTRACTOR TO COORDINATE WITH UTILITY COMPANIES FOR LOCATION, REMOVAL AND RELOCATION OF ANY UTILITIES. CONTRACTOR RESPONSIBLE FOR DETERMINING EXTENT AND LOCATION OF UTILITIES. THIS MAY INCLUDE CONTACTING "NO-CUTS" TO HELP LOCATE SOME UTILITIES.
- CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
- CONTRACTOR RESPONSIBLE FOR OBTAINING ANY PERMITS FOR WORK IN THE NCDOT AND TOWN OF CHAPEL HILL RIGHTS OF WAY. ANY DAMAGED INFRASTRUCTURE IN THE RIGHT OF WAY CAUSED BY CONSTRUCTION ACTIVITIES MUST BE REPAIRED TO TOWN OF CHAPEL HILL STANDARDS. THIS INCLUDES, BUT IS NOT LIMITED TO UTILITIES, SIDEWALKS, CURB AND GUTTER, ASPHALT.
- CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
- CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
- ABANDONMENT OF WATER SERVICES SHALL INCLUDE EXCAVATING DOWN TO CORPORATION, TURNING IT OFF AND CUTTING SERVICE LINE FREE FROM CORPORATION, THE METER, IF PRESENT, SHALL BE RETURNED TO OWASA.
- ABANDONMENT OF SANITARY SEWER SERVICE LINES SHALL CONSIST OF PLUGGING THE LATERAL AT THE RIGHT-OF-WAY LINE.
- ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
- A DECONSTRUCTION ASSESSMENT MUST BE CONDUCTED BY OCSW STAFF PRIOR TO THE APPROVAL OF THE DEMOLITION PERMIT FOR THE EXISTING CONVENIENCE STORE AND 2 STORY STRUCTURE. CONTACT OCSW ENFORCEMENT STAFF AT 919-988-2788 TO REQUEST THE ASSESSMENT.
- BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
- BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
- THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL (ACM) OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
- ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
- DEMOLITION PERMIT REQUIRED TO REMOVE 5,200 SF STORE.
- ASBESTOS ABATEMENT REPORT REQUIRED BEFORE DEMOLITION PERMIT MAY BE ISSUED.
- A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO REMOVE ANY FLAMMABLE / COMBUSTIBLE LIQUIDS FROM UNDERGROUND OR ABOVE-GROUND TANKS OTHER THAN BY THE ON-SITE PUMPS. 2018 NC FIRE CODE SECTION 105.6.17 #5.
- A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO REMOVE ANY UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE / COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17 #7.
- TREE PROTECTION SEMINAR TO BE COMPLETED BY CONTRACTOR PRIOR TO TREE PROTECTION FENCE INSTALLATION. PLEASE CALL ADAM NICHOLSON AT 919-969-5006

2  
C102

### DEMOLITION NOTES

- ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
- DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
- LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
- REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
- ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-80 MAXIMUM FINE SIGN PER GS 20-37.6 OF THE NORTH CAROLINA HANDICAP CODE. ADA RAMPS SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
- REFERENCE EXISTING CONSTRUCTION SHEET C101 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
- BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
- BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT WILL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
- THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIAL (ACM) OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION AND DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY AND ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND GUIDELINES.
- MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CHAPEL HILL AND OWASA MAINTAINED UTILITIES.
- THERE WILL BE TWO CLASS 1 BIKE RACKS LOCATED INSIDE THE BUILDING.
- KEY BOXES FOR FIRST RESPONDERS WILL BE REQUIRED NEAR THE FRONT DOOR AND SPRINKLER RISER ROOM AREAS. 2012 NC FIRE CODE, SECTION 506.
- MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE BASE FLOOD ELEVATION + 2 FEET.
- PRIOR TO PERFORMING WORK IN THE NCDOT R/W, THE APPLICANT WILL NEED TO OBTAIN THE FOLLOWING:
  - APPROVED NCDOT DRIVEWAY PERMITS FOR PROPOSED ACCESSES TO NC 86.
  - APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH TOCH FOR PROPOSED / STIPULATED SIDEWALK AND APPURTENANCES.
  - APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH OWASA FOR PROPOSED WATER AND SEWER CONNECTIONS.
- PRIOR TO ISSUANCE OF THE DRIVEWAY PERMITS AND ENCROACHMENT AGREEMENTS, THE APPLICANT WILL NEED TO PROVIDE COMPLETE AND DETAILED DESIGN PLANS PER NCDOT, TOCH, AND OWASA REQUIREMENTS FOR REVIEW AND APPROVAL.

3  
C102

### SITE PLAN NOTES

- ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
- CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES INDEPENDENT OF "NORTH CAROLINA ONE CALL".
- CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
- EXISTING UTILITIES AND STRUCTURES SHOWN, BOTH UNDERGROUND AND ABOVE GROUND, ARE BASED ON A FIELD SURVEY AND THE BEST AVAILABLE RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY FIELD CONDITIONS PRIOR TO BEGINNING RELATED CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
- SOIL UNDER BUILDING PAD, PAVED AREAS AND WITHIN SLOPES GREATER THAN 3:1 (H:V) SHALL BE APPROVED, PLACED AND COMPACTED AS RECOMMENDED BY THE GEOTECHNICAL ENGINEER. THESE SOILS SHALL BE COMPACTED AS SPECIFIED UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL ENGINEER. ANY UNDEPOSIT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO QUANTIFIED BY THE GEOTECHNICAL ENGINEER.
- ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR NET LAWN AREAS, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.
- ALL SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM 1.8% CROSS SLOPE IN THE DIRECTION SHOWN ON THE PLAN.
- CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
- CURB INLETS: 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.
- BW (BOTTOM OF WALL) ELEVATION IS FINISH GRADE, NOT THE FOOTING. REFERENCE RETAINING WALL PLANS/DETAILS FOR DEPTH OF FOOTING.
- ANY DISTURBANCE WITHIN THE FORESTED "NO LAND DISTURBANCE AREA" WILL REQUIRE AN UPDATE TO THE JORDAN ACCOUNTING TOOL.
- AN TOWN OF CHAPEL HILL ENCROACHMENT AGREEMENT WILL BE NEEDED FOR THE ROUGH GRADING FOR THE FUTURE SIDEWALK WITHIN THE COLERIDGE ROAD RIGHT-OF-WAY.
- AN ENCROACHMENT AGREEMENT WILL BE NEEDED FOR THE ROUGH GRADING FOR THE FUTURE SIDEWALK WITHIN THE COLERIDGE ROAD RIGHT-OF-WAY.

4  
C102

### GRADING NOTES

- ALL STORM DRAINAGE PIPES SHOWN ARE TO BE CLASS III REINFORCED CONCRETE (RCP) UNLESS NOTED OTHERWISE.
- ALL STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS.
- ALL CONCRETE SHALL MEET A MINIMUM 3000 PSI COMPRESSIVE STRENGTH.
- ALL PIPE IN STORM DRAIN STRUCTURES SHALL BE STRUCK EVEN WITH INSIDE WALL.
- ALL PIPE JOINTS SHALL BE MADE WITH PREFORMED JOINT SEALER, WHICH CONFORMS TO AASHTO SPECIFICATION M-198 FOR TYPE B FLEXIBLE PLASTIC GASKETS UNLESS OTHERWISE NOTED.
- THE INTERIOR SURFACES OF ALL STORM DRAINAGE STRUCTURES SHALL BE POINTED AND SMOOTHED TO AN ACCEPTABLE STANDARD USING MORTAR MIXED TO MANUFACTURER'S SPECIFICATIONS.
- ALL BACKFILL SHALL BE NON-PLASTIC IN NATURE, FREE FROM ROOTS, VEGETATION MATTER, WASTE CONSTRUCTION MATERIAL OR OTHER OBJECTIONABLE MATERIAL. SAID MATERIAL SHALL BE ADEQUATELY BEING COMPACTED BY MECHANICAL MEANS AND SHALL HAVE NO TENDENCY TO FLOW OR BEHAVE IN A PLASTIC MANNER UNDER THE TAMPING BLOWS OR PROOF ROLLING.
- MATERIALS DEEMED BY THE OWNER'S REPRESENTATIVE AS UNSUITABLE FOR BACKFILL PURPOSES SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL.
- BACKFILLING OF TRENCHES SHALL BE ACCOMPLISHED IMMEDIATELY AFTER PIPE IS LAID. THE FILL AROUND THE PIPE SHALL BE THOROUGHLY COMPACTED TO 95% OF THE MAXIMUM DRY DENSITY OBTAINABLE WITH THE STANDARD PROCTOR TEST. THE TOP EIGHT (8) INCHES SHALL BE COMPACTED TO 100% STANDARD PROCTOR.
- UNDER NO CIRCUMSTANCES SHALL WATER BE ALLOWED TO RISE IN UNBACKFILLED TRENCHES AFTER PIPE HAS BEEN PLACED.
- RISER STRUCTURES WITH MULTIPLE BARREL SECTIONS SHALL HAVE GASKETTED JOINTS, AND EACH SECTION SHALL BE BOLTED TO ADJACENT SECTIONS WITH STAINLESS STEEL STRAPS.

5  
C102

### STORM DRAINAGE NOTES

- EROSION CONTROL BOND: IF ONE (1) ACRE OR MORE IS UNCOVERED BY LAND-DISTURBING ACTIVITIES FOR THIS PROJECT, THEN A PERFORMANCE GUARANTEE IN ACCORDANCE WITH SECTION 5-97.1 BONDS OF THE TOWN CODE OF ORDINANCES SHALL BE REQUIRED PRIOR TO FINAL AUTHORIZATION TO BEGIN LAND-DISTURBING ACTIVITIES. THIS FINANCIAL GUARANTEE IS INTENDED TO COVER THE COSTS OF RESTORATION OF FAILED OR FAILING SOIL EROSION AND SEDIMENTATION CONTROLS, AND/OR TO REMEDY DAMAGES RESULTING FROM LAND-DISTURBING ACTIVITIES, SHOULD THE RESPONSIBLE PARTY OR PARTIES FAIL TO PROVIDE PROMPT AND EFFECTIVE REMEDIES ACCEPTABLE TO THE TOWN.
- THE APPLICANT 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.
- THE CONTRACTOR SHALL TAKE THE APPROPRIATE MEASURES TO PREVENT AND REMOVE THE DEPOSIT OF WET OR DRY SILT ON ADJACENT PAVED ROADWAYS.
- EROSION CONTROL INSPECTIONS: IN ADDITION TO THE REQUIREMENT DURING CONSTRUCTION FOR INSPECTION AFTER EVERY RAINFALL, THE APPLICANT SHALL INSPECT THE EROSION AND SEDIMENT CONTROL DEVICES WEEKLY, MAKE ANY NECESSARY REPAIRS OR ADJUSTMENTS TO THE DEVICES, AND MAINTAIN INSPECTION LOGS DOCUMENTING THE DAILY INSPECTIONS AND ANY NECESSARY REPAIRS.

6  
C102

### EROSION CONTROL NOTES

- CONTRACTOR SHALL NOTIFY "NORTH CAROLINA ONE CALL" (1-800-632-4949) AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. CONTRACTOR TO CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICE INDEPENDENT OF "NORTH CAROLINA ONE CALL".
- ALL WATER AND SEWER MAINS WITHIN PUBLIC EASEMENTS AND RIGHT-OF-WAYS TO BE OWNED, OPERATED AND MAINTAINED BY THE TOWN OF CHAPEL HILL.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CHAPEL HILL STANDARDS AND SPECIFICATIONS.
- ALL EXISTING UNDERGROUND UTILITIES ARE APPROXIMATELY LOCATED. ACTUAL LOCATION AND DEPTH SHALL BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION.
- BEFORE STARTING ANY CONSTRUCTION OF IMPROVEMENTS WITHIN ANY TOWN OR N.C.D.O.T. STREET OR HIGHWAY RIGHT-OF-WAY THE FOLLOWING PROCEDURES SHALL BE UNDERTAKEN; TOWN RIGHT-OF-WAY: CONTACT LOCAL AUTHORITIES' TRAFFIC ENGINEERING DEPT. FOR INFORMATION ON DETOURS, OPEN CUTTING OF STREETS OR FOR ANY CONSTRUCTION WITHIN RIGHT-OF-WAY. N.C.D.O.T. RIGHT-OF-WAY: CONTACT PROJECT ENGINEERS AND OBTAIN ALL PERMITS AND ENCROACHMENTS (KEEP COPIES ON CONSTRUCTION SITE, ALSO CONTACT N.C.D.O.T. DISTRICT OFFICE 24 HOURS IN ADVANCE BEFORE PLACING CURB AND GUTTER).
- ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE OWNER IF ANY DISCREPANCIES EXIST. PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADING CHANGES, NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY WORK DONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- POWER, TELEPHONE, AND GAS SERVICES TO BUILDINGS SHALL BE UNDERGROUND. ACCESS AND SERVICE ROUTES TO BE COORDINATED WITH THE PUBLIC UTILITIES, CONTRACTOR AND THE OWNER.
- RESURFACING OF STREET DUE TO UTILITY CUTS SHALL BE REQUIRED AT THE DIRECTION OF ENGINEERING. (MINIMUM 50' TO EITHER SIDE OF UTILITY CUTS).
- PROVIDE 10-FT OF HORIZONTAL SEPARATION BETWEEN PROPOSED NEW WATER AND SEWER MAINS

SANITARY SEWER:

- BACKFLOW PREVENTORS SHALL BE PROVIDED FOR ALL UNITS WITH FINAL FLOOR ELEVATIONS OF BUILDINGS LESS THAN 1'-0" ABOVE UPSTREAM MANHOLE.
- MINIMUM COVER OF 5 FEET IN TRAFFIC AREAS TO BE PROVIDED FOR ALL COLLECTOR LINES 4 INCHES AND LARGER. IF LESS THAN 5 FEET, DUCTILE IRON PIPE SHALL BE REQUIRED.
- MINIMUM SLOPE FOR 4 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 2.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.
- MINIMUM SLOPE FOR 6 INCH SANITARY SEWER COLLECTION LINES SHALL BE NO LESS THAN 1.0% WITH CLEANOUTS EVERY 75 LINEAL FEET.

WATER:

- WATERLINES WILL BE 3' OFF CURB AND GUTTER UNLESS SHOWN OTHERWISE.
- LAY WATER MAINS AT LEAST 10 FEET LATERALLY FROM EXISTING OR PROPOSED SANITARY SEWERS. IF LOCAL CONDITIONS OR BARRIERS PREVENT A 10 FOOT SEPARATION, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER PIPE EITHER IN A SEPARATE TRENCH OR IN THE SAME TRENCH ON A BENCH OF UNDISTURBED EARTH.
- WHEN A PROPOSED WATER MAIN CROSSES OVER A PROPOSED OR EXISTING SANITARY SEWER, LAY THE WATER MAIN WITH AT LEAST 18" VERTICAL SEPARATION ABOVE THE TOP OF THE SANITARY SEWER. IF LOCAL CONDITIONS PREVENT AN 18" VERTICAL SEPARATION, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER FOR A DISTANCE OF 10 FEET ON EACH SIDE TO THE POINT OF CROSSING WITH FERROUS PIPE, HAVING WATER MAIN QUALITY JOINTS.
- WHEN A PROPOSED WATER MAIN CROSSES UNDER A PROPOSED OR EXISTING SANITARY SEWER, CONSTRUCT BOTH THE WATER MAIN AND THE SANITARY SEWER OF FERROUS MATERIALS WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. CENTER THE SECTION OF WATER PIPE AT THE POINT OF CROSSING.
- MAINTAIN A MINIMUM COVER OF 36" AND MAXIMUM COVER OF 42" BELOW FINISHED GRADE OVER ALL PIPES UNLESS OTHERWISE DIRECTED OR SHOWN ON THE PLANS. DUE TO THE HEIGHTS OF VALVES, INCREASE THE COVER DEPTHS ADJACENT TO THE VALVES OR VARIED AT POINTS OF TIE-IN TO EXISTING LINES.
- ALL FDC(S) AND HYDRANT(S) SHALL BE SIAMASE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
- A FIRE SPRINKLER SYSTEM WILL BE REQUIRED FOR THE SELF-STORAGE FACILITY.
- A PERMIT FROM THE CHAPEL HILL FIRE MARSHAL'S OFFICE IS REQUIRED TO INSTALL ANY NEW UNDERGROUND OR ABOVE-GROUND TANKS THAT CONTAINED FLAMMABLE/COMBUSTIBLE LIQUIDS. 2018 NC FIRE CODE SECTION 105.6.17.

7  
C102

### UTILITY NOTES

LIGHTING CONDUIT

LIGHTING CONDUIT SHALL MEET THE FOLLOWING GUIDELINES.

- CONDUIT DESIGN MUST BE APPROVED BY DUKE ENERGY PRIOR TO INSTALLATION. CHANGING THE CONDUIT LAYOUT CAN CAUSE CONDUCTOR LENGTH TO EXCEED ACCEPTABLE VOLTAGE LEVEL WHICH WILL AFFECT THE LIGHTS' ABILITY TO OPERATE.
- ALL CONDUITS ARE TO BE 2" SCHEDULE 40 GRAY ELECTRICAL PVC.
- ALL JOINTS ARE TO BE GLUED.
- ALL ENDS ARE TO BE MARKED WITH SCRAP CONDUIT OR A BOARD (PAINTING THE GROUND WITH MARKING PAINT IS NOT ACCEPTABLE). IT IS STRONGLY SUGGESTED THAT THE ENDS SHOULD BE IDENTIFIED BY GPS COORDINATES.
- ALL ENDS ARE TO BE CAPPED TO PREVENT ENTRY OF DEBRIS.
- ALL CONDUITS MORE THAN 30' IN LENGTH SHALL HAVE A STRING INSTALLED.
- TO COMPLY WITH NESC, ALL CONDUIT ARE TO BE INSTALLED AT A MINIMUM DEPTH OF 30" FROM FINISH GRADE TO TOP OF CONDUIT. CONDUITS THAT CAN NOT MEET THIS CRITERIA MUST BE INCASED IN 3" MINIMUM CONCRETE ENVELOPE. (FLOWABLE FILL IS ACCEPTABLE IN PLACE OF CONCRETE).
- IF CONCRETE ENCASED CONDUIT IS REQUIRED AT ANY POINT, IT MUST BE ENCASED IN CONCRETE UNTIL PIPE IS BACK DOWN TO REQUIRED DEPTH.
- PEDESTAL AREAS WHERE MULTIPLE CONDUIT ENDS TERMINATE ARE TO HAVE THE CONDUIT ENDS WITHIN 12" OF EACH OTHER.
- DIRECT BURIED LIGHT POLE AREAS ARE TO HAVE CONDUITS TERMINATE 36" APART AND 12" BACK OF POLE LOCATION.
- CONDUITS SERVING LIGHTS ON CONCRETE REVEALS ARE TO BE CONTINUOUS FROM REVEAL TO REVEAL.

LIGHTING NOTES

- MEASURES SHALL BE PROVIDED TO PREVENT LIGHT SPILLOVER ONTO ADJACENT PROPERTIES AND GLARE TOWARD MOTOR VEHICLE OPERATORS. EXTERIOR LIGHTS SHALL BE SHIELDED SO THEY DO NOT CAST DIRECT LIGHT BEYOND THE PROPERTY LINE.
- PROVIDE 2" PVC CONDUIT UNDER PAVEMENT, UNDER HEAVILY LANDSCAPED AREAS AS NECESSARY, AND AS DETERMINED BY DUKE ENERGY TO PROVIDE ACCESS TO ALL LIGHT FIXTURES. COORDINATE WITH DUKE ENERGY TO FINALIZE CONDUIT LOCATIONS AND LENGTHS.

SPECIAL COORDINATION NOTES:

- CONTRACTOR IS TO COORDINATE LIGHT POLE AND CONDUIT LOCATIONS WITH DUKE ENERGY PRIOR TO INSTALLATION OF WALLS AND PAVING.
- ABOVE GROUND PEDESTALS AND LIGHT POLES WILL BE PROVIDED AND INSTALLED BY DUKE ENERGY.
- CONTRACTOR IS TO REFER TO DUKE ENERGY SPECIFICATIONS FOR CONDUIT INSTALLATION.
- CONDUIT IS TO BE FURNISHED AND INSTALLED BY CONTRACTOR.

8  
C102

### LIGHTING NOTES

- LANDSCAPING MUST BE IN PLACE PRIOR TO REQUEST FOR A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE.
- CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, DEPTHS, QUANTITIES, DISTANCES, ANGLES AND SLOPES PRIOR TO ORDERING MATERIALS OR INSTALLING PROJECT.
- IN AREAS OF GROUND COVER, MAINTAIN A 12" MINIMUM DISTANCE BETWEEN PLANTS AND HARD IMPROVEMENTS.
- BED LINES SHALL CONFORM TO CONFIGURATION SHOWN ON THE PLANS. BED LINES SHALL MEET CURBS, WALKS, BUILDINGS, ETC. AT RIGHT ANGLES UNLESS SHOWN OTHERWISE.
- CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE THEMSELV WITH ACTUAL CONDITIONS AND VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL REPORT ALL DISCREPANCIES AT LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL ACCEPT ACTUAL CONDITIONS AT SITE AND PERFORM THE WORK SPECIFIED INCLUDING FINE GRADING AND INCORPORATION OF TOP SOIL INTO PLANTING AREAS, WITHOUT ADDITIONAL COMPENSATION FOR POSSIBLE VARIATION FROM GRADES AND CONDITIONS SHOWN, WHETHER SURFACE OR SUBSURFACE, EXCEPT AS PROVIDED FOR IN CONTRACT DOCUMENTS.
- IN LAWN AREAS, 2" TOPSOIL SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING.
- CONTRACTOR WILL OBTAIN WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY PLANT SUBSTITUTIONS OF SPECIES, SIZE, OR TYPE OF CONTAINER.
- CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF THESE UTILITIES DURING INSTALLATION, AND SHALL PROMPTLY REPAIR AND RESTORE SERVICES AT NO ADDITIONAL COST TO THE OWNER IF DAMAGE OCCURS DURING INSTALLATION. CONTRACTOR SHALL BECOME THOROUGHLY FAMILIAR WITH THE FULL SET OF CONSTRUCTION DRAWINGS AND SPECIFICATIONS FOR COORDINATION WITH UTILITIES, ARCHITECTURAL FEATURES, ETC.
- CONTRACTOR WILL LEAVE DISTURBED AREAS LEVEL AND RAKED SMOOTH, REMOVING ALL ROCKS AND DEBRIS.
- MULCH IS TO BE A 3" LAYER OF TRIPLE SHREDDED HARDWOOD MULCH. MULCH IS TO BE KEPT AWAY FROM TREE TRUNKS.
- ANY DAMAGE TO EXISTING CONDITIONS OUTSIDE THE CONTRACT LIMITS, INCLUDING CURBS, SIDEWALKS, TURF AREAS AND PAVING, SHALL BE RESTORED TO ORIGINAL CONDITION BY THE CONTRACTOR WITHOUT EXTRA COST TO THE OWNER.
- IN CASE OF DISCREPANCY BETWEEN THE QUANTITY OF PLANTS ON THE PLANS COMPARED TO THE PLANT LIST, THE CONTRACTOR SHALL SUPPLY QUANTITIES AS SHOWN ON THE PLANS.
- ALL UNPAVED SURFACES ARE TO BE COVERED IN PLANTS, MULCH, OR GRASS.
- LINE OF SIGHT NOTE; NO PROPOSED LANDSCAPING WITHIN THE LINE OF SIGHT EASEMENT SHALL EXCEED 24" AT MATURITY. ANY NEW TREES SHALL BE LIMBED TO 7' ABOVE FINISHED GRADE.
- ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
- THE AREA WITHIN THE SIGHT TRIANGLE AREA SHALL BE THINNED OF ALL SHRUBS, UNDERSTORY TREES UNDER 1" IN CALIPER, VINES, AND DEAD PLANT MATERIAL. EXISTING TREES LARGER THAN 1" SHALL BE LIMBED UP TO 7' ABOVE EXISTING GRADE TO IMPROVE VISIBILITY.

9  
C102

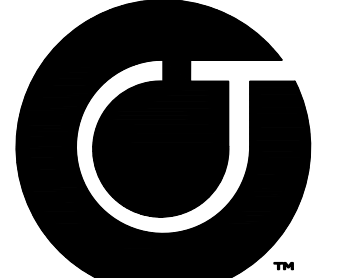
### LANDSCAPE NOTES

- NCFFC Section 510. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- FIRE WATCH: During construction and demolition where hot work, materials subject to spontaneous combustion, or other hazardous construction or demolition is occurring, the owner or their designee shall be responsible for maintaining a fire watch. The fire watch shall consist of at least one person with a means of communicating an alarm to 911, shall have a written address posted in a conspicuous location, and shall maintain constant patrols. 2018 NCFE Section 3304.5
- CONSTRUCTION/DEMOLITION: All construction and demolition conducted shall be in compliance of the current edition of the NC Fire Code. 2018 NCFE Chapter 33
- FIRE DEPARTMENT CONNECTIONS, INSTALLATION: A working space of not less than 36" in width and depth and a working space of 78" in height shall be provided on all sides with the exception of wall mounted FDCs unless otherwise approved by the fire code official. The FDCs where required must be physically protected by an approved barrier from impacts. 2018 NCFE Section 912
- FIRE PROTECTION AND UTILITY PLAN: Shall include the fire flow report; for a hydrant within 500' of each building, provide the calculated gallons per minute of water with a residual pressure of 20 pounds per square inch. The calculations should be sealed by a professional engineer licensed in the State of NC and accompanied by a water supply flow test conducted within one year of the submittal. Reference Town Design Manual for required gallons per minute.
- AUTOMATIC FIRE SPRINKLER SYSTEM REQUIRED: An automatic fire sprinkler system meeting the requirements of NFPA Standard #13 is required to be installed in non-residential construction, as follows.
  - In new non-residential structures if:
    - The building has more than 6,000 square feet of floor area;
    - Twenty (20) per cent or more of the total floor area is more than two hundred (200) feet of travel distance from the nearest access point for a fire truck; or
    - The building exceeds two (2) stories or twenty-four (24) feet in height from the average grade of the lot to the windows on the topmost occupied floor.

- In addition, all connections shall be located on the street side of each building, and activation of the sprinkler system shall activate both a local building alarm and a supervisory alarm at a twenty-four (24) hour certified and licensed alarm monitoring service. Town Ordinance 7-56
- WATER SUPPLY FOR FIRE PROTECTION: When required. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. 2018 NCFE 3312
- KEY BOXES; 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official. 2018 NCFE 506.1
- ADDRESS IDENTIFICATION; 505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road from the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (153 mm) high with a minimum stroke width of 3/4 inch (20 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained. 2018 NCFE 505.1
- AERIAL FIRE APPARATUS ACCESS ROADS; D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official. 2018 NCFE Appendix D105
- FIRE LANES; Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. 2018 NCFE Section 503.3 and Appendix D D 103.6, D 103.6.1, D 103.6.2
- FIRE APPARATUS ACCESS ROADS AUTHORITY; 503.2. Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. 2018 NCFE Section 503
- FIRE APPARATUS ACCESS ROADS;
  - 503.1.3 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3
- TRAFFIC CALMING DEVICES. Traffic calming devices shall be prohibited unless approved by the fire code official. 2018 NCFE 503.4.1
- OBSTRUCTION OF FIRE APPARATUS ACCESS ROADS. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times. 2018 NCFE 503.4
- FIRE DEPARTMENT ACCESS/CONSTRUCTION: During construction, vehicle access for firefighting shall be provided. Temporary street signs shall be installed at each street intersection when construction allows the passage of vehicles. Signs shall be of an approved size, weather resistant, and maintained until replaced by permanent signs. 2018 NCFE Section 505.2
- FIRE DEPARTMENT ACCESS/CONSTRUCTION: Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any access which will be inaccessible for firefighting or rescue operations shall be noted. Emergency access designation for apparatus shall be provided. 2018 NCFE Section 503, Appendix D.
- FIRE DEPARTMENT ACCESS: All turns, radii, bridges, and depressions within roadways shall be designed and constructed to be accessible by the largest fire apparatus operated by the Town of Chapel Hill. Technical information on this equipment is available from the Towns Fire Marshal. 2018 NCFE Section 503, Appendix D.

10  
C102

### FIRE NOTES • FIRE NOTES ABOVE WILL BE ADDRESSED DURING ZCP AND/OR BUILDING PERMIT PLANS.



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NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1289 NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

## 1200 MLK

1200 & 1204  
Martin Luther King Jr.  
Boulevard

Orange County,  
North Carolina

PIN:  
9789297279  
9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

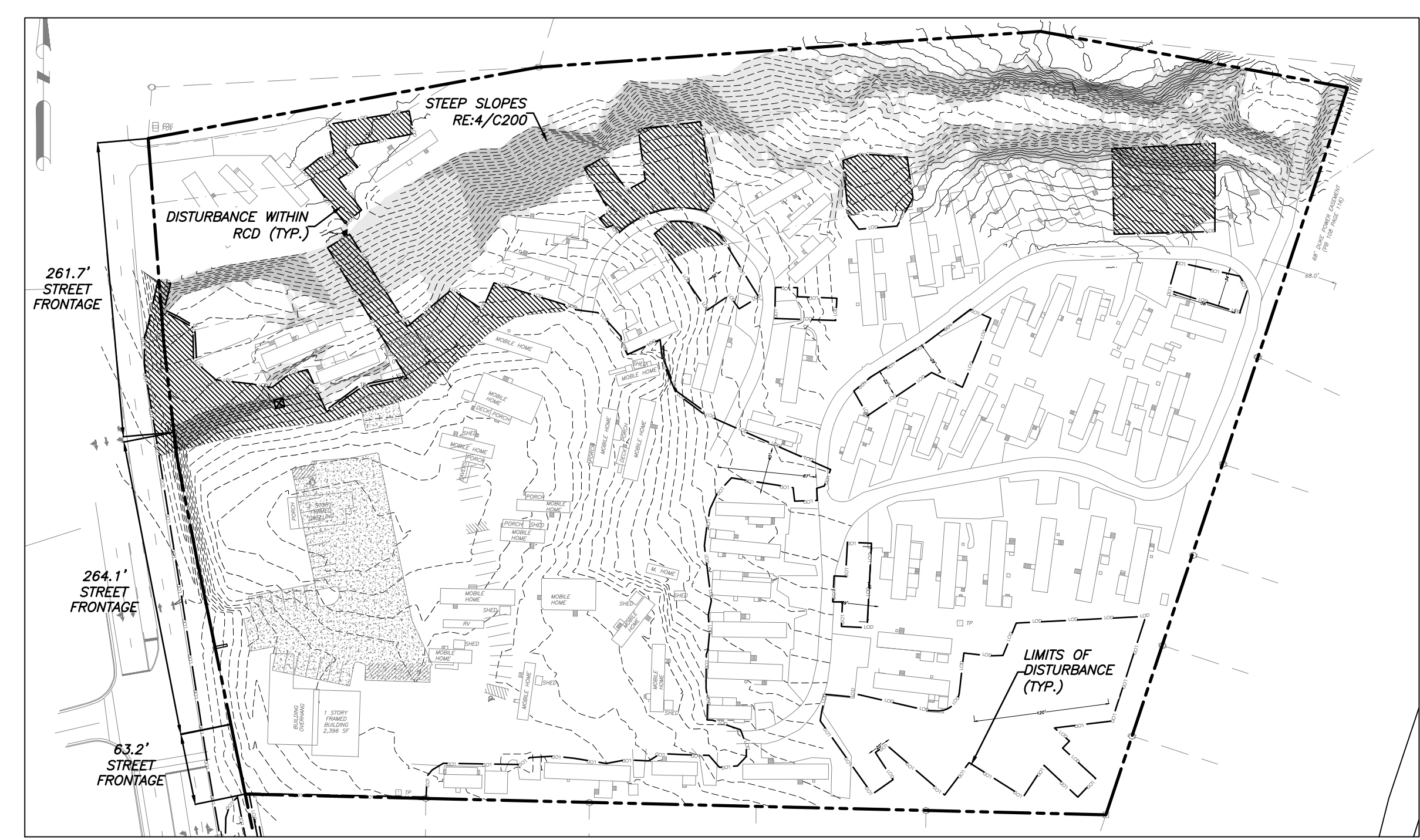
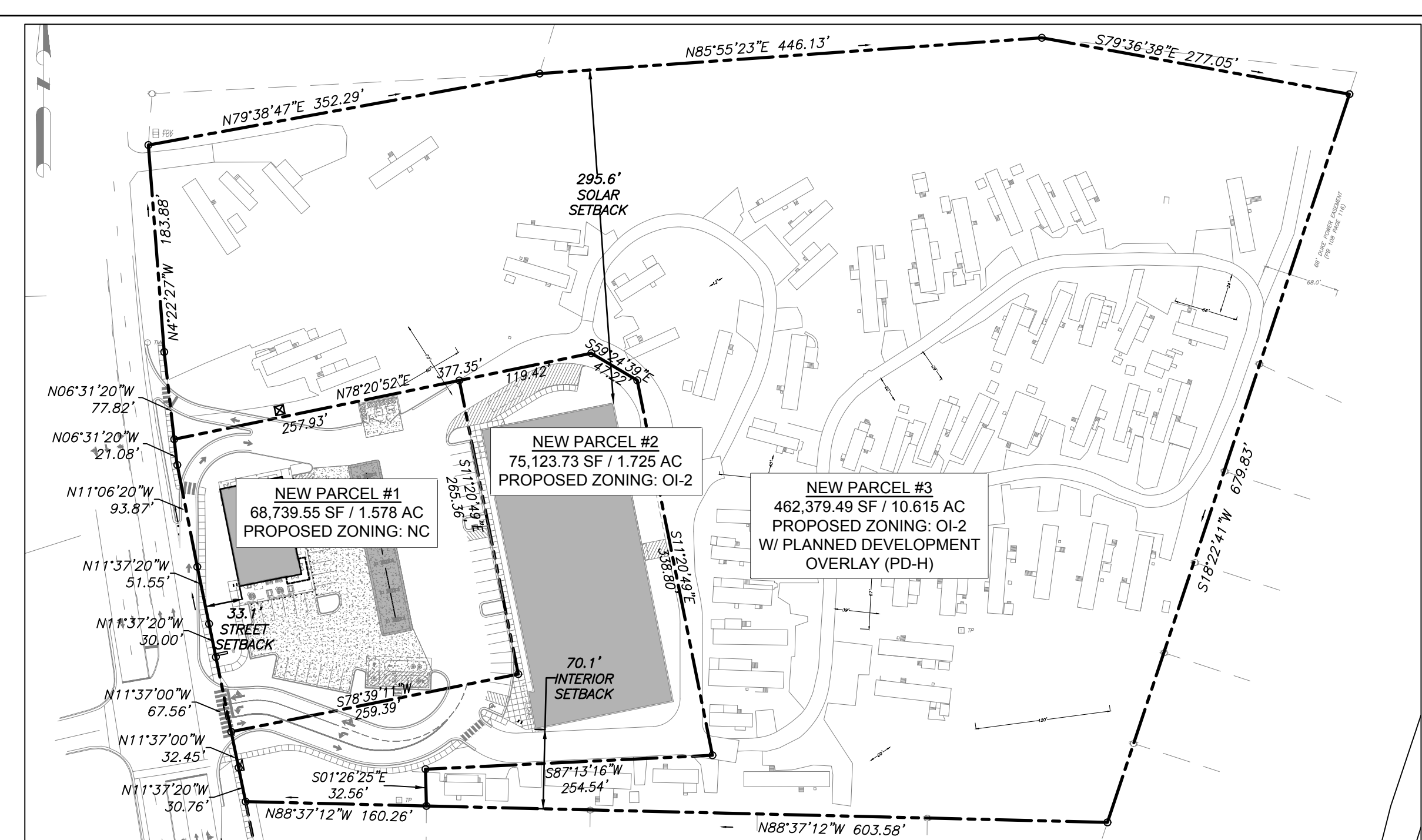
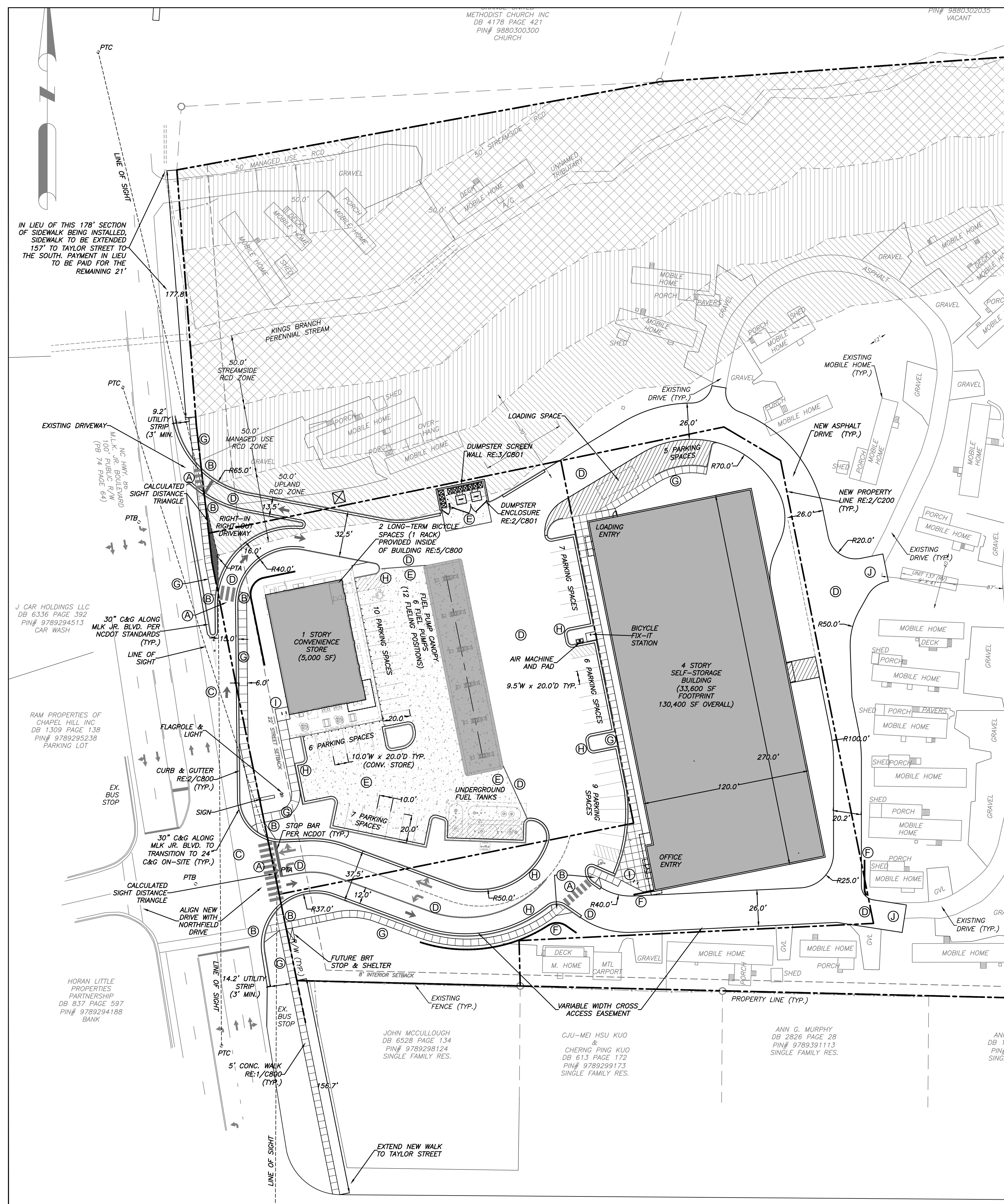
Conditional zoning

Sheet Title:

## NOTES

Sheet Number

# C102



**SITE PLAN KEY**

- (A) CROSSWALK RE: 10/C800
- (B) ADA RAMP WITH DETECTABLE WARNING DOMES PER TOWN OF CHAPEL HILL STANDARD DETAIL ST-5.1 RE: 8/C801
- (C) VALLEY GUTTER RE: 9/C800
- (D) HEAVY DUTY ASPHALT PAVEMENT RE: 3/C800
- (E) HEAVY DUTY CONCRETE PAVEMENT RE: 4/C800
- (F) KEYSTONE RETAINING WALL
- (G) CONCRETE SIDEWALK RE: 1/C800
- (H) CURB & GUTTER RE: 2/C800
- (I) BICYCLE RACK RE: 7/C801
- (J) FIRE TRUCK TURNAROUND

**DIMENSIONAL STANDARDS**

Zone	Size (min.)	Frontage (min.)	Width (min.)
NC	5,500 sf	40'	40'
OI-2	5,500 sf	40'	40'

**LEGEND**

- SLOPES > 25%  
34,976 SF  
PROPOSED 1,269 SF ESTIMATED  
DISTURBANCE OF SLOPES >25%
- SLOPES 15%-25%  
32,651 SF  
PROPOSED 1,423 SF ESTIMATED  
DISTURBANCE OF SLOPES >25%
- AREA NOT HATCHED  
REPRESENTS SLOPES <15%  
538,616 SF

**4 SLOPE SUMMARY**  
C200

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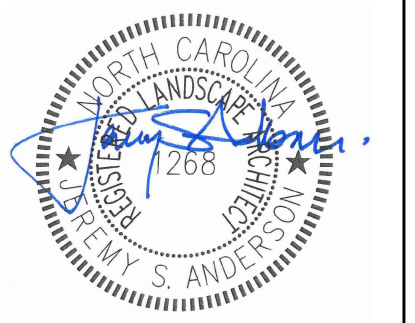
NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1289  
NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

**Project:**

**1200 MLK**

1200 & 1204  
Martin Luther King Jr. Boulevard  
Orange County,  
North Carolina

PIN: 9789297279  
9789392409



**PRELIMINARY-DO NOT USE FOR CONSTRUCTION**

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	8-19-2020 CZ
	12-03-2020 PLAYGROUND

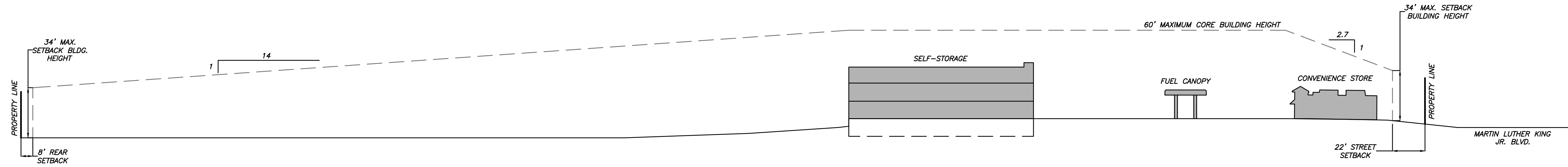
Conditional zoning

Sheet Title:

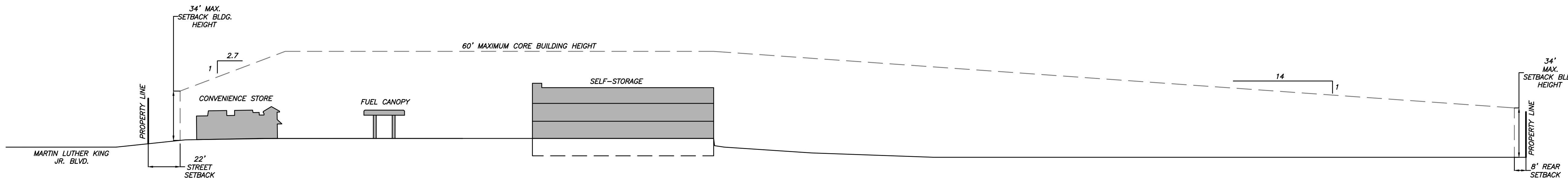
**SITE PLAN**

Sheet Number

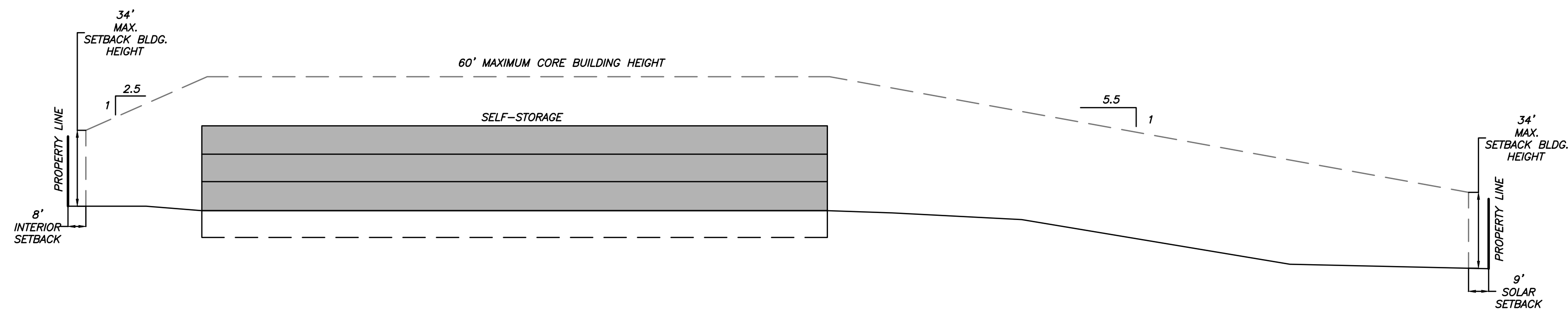
**C200**



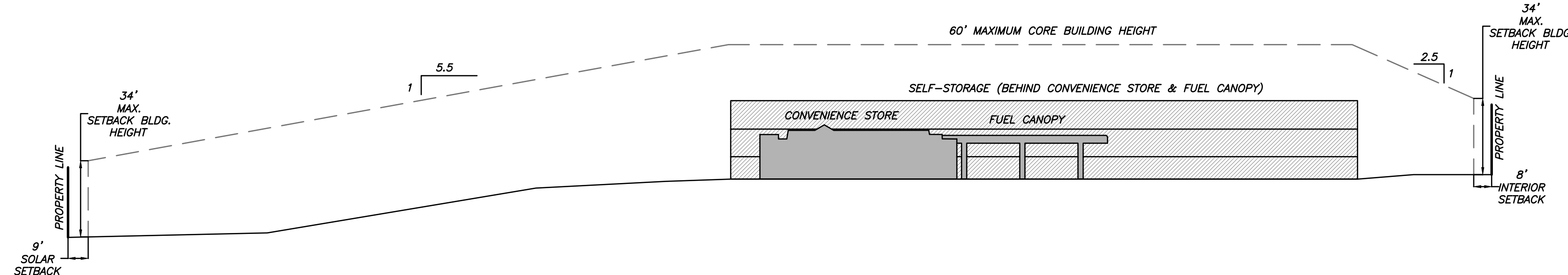
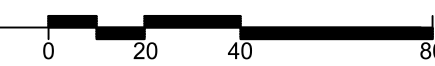
1 NORTH ELEVATION  
C201 1" = 40'-0"



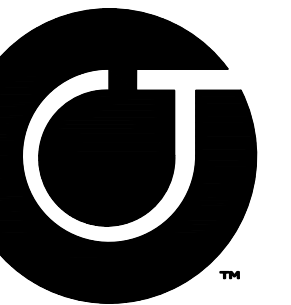
2 SOUTH ELEVATION  
C201 1" = 40'-0"



3 EAST ELEVATION  
C201 1" = 40'-0"



4 WEST ELEVATION  
C201 1" = 40'-0"



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NC BOARD OF EXAMINERS FOR  
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LIC # C-1209  
NC BOARD OF LANDSCAPE  
ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204  
Martin Luther King Jr.  
Boulevard

Orange County,  
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PIN:  
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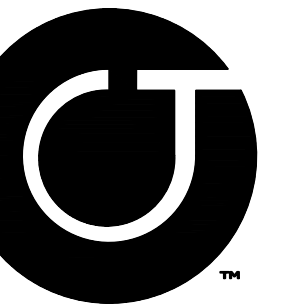
Conditional zoning

Sheet Title:

EXTERIOR  
ELEVATION  
MASSING

Sheet Number

C201



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NO BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1289 NO BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN: 9789297279 9789392409

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	8-19-2020 CZ
	12-03-2020 PLAYGROUND

Conditional zoning

Sheet Title:

UNIT RELOCATION PLAN

Sheet Number

C202



ORANGE UNITED METHODIST CHURCH INC DB 4178 PAGE 421 PIN# 9880300300 CHURCH

ORANGE UNITED METHODIST CHURCH DB 1135 PAGE 263 PIN# 9880300335 VACANT

PATRICIA E. GARAVAGLIA & SHARON H. COLLINS DB 3977 PAGE 464 PIN# 9789397650 SINGLE FAMILY RES.

CHRISTINE MALLIA DB 6448 PAGE 485 PIN# 9789397428 SINGLE FAMILY RES.

AMANDA PROTTI DB 6293 PAGE 293 PIN# 9789397400 SINGLE FAMILY RES.

KATARZYNA JANOWSKI & TOMASZ JANOWSKA DB 5964 PAGE 558 PIN# 9789396353 SINGLE FAMILY RES.

BRIAN BIEK & THOMAS D. BIEK DB 5138 PAGE 392 PIN# 9789396244 SINGLE FAMILY RES.

JAMES K. GIBSON & GRISEL DIAZ DB 2159 PAGE 468

ANN G. MURPHY DB 2826 PAGE 28 PIN# 9789391113 SINGLE FAMILY RES.

ANN G. MURPHY DB 1122 PAGE 392 PIN# 9789392172 SINGLE FAMILY RES.

DYLAN G. JENKINS TRUSTEE & ROBIN S. JENKINS TRUSTEE DB 4841 PAGE 96 PIN# 9789394122 SINGLE FAMILY RES.

JOHN MCCULLOUGH DB 6528 PAGE 134 PIN# 9789298124 SINGLE FAMILY RES.

CHU-MEI HSU KUO & CHERNG PING KUO DB 613 PAGE 172 PIN# 9789299173 SINGLE FAMILY RES.

J CAR HOLDINGS LLC DB 6336 PAGE 392 PIN# 9789294513 CAR WASH

RAM PROPERTIES OF CHAPEL HILL INC DB 1309 PAGE 138 PIN# 9789295238 PARKING LOT

HORAN LITTLE PROPERTIES PARTNERSHIP DB 837 PAGE 597 PIN# 9789294188 BANK

1 UNIT RELOCATION PLAN 1" = 40'-0"

2 UNIT RELOCATION NOTES

1. A BUILDING PERMIT WILL BE REQUIRED FOR EACH MANUFACTURED HOME TO BE RELOCATED.
2. NO PORTION OF A MANUFACTURED HOME, EXCLUDING THE TONGUE, SHALL BE LOCATED CLOSER THAN 10' SIDE TO SIDE, 8' END TO SIDE, OR 6' END TO END HORIZONTALLY FROM ANY OTHER MANUFACTURED HOME OR COMMUNITY BUILDING UNLESS THE EXPOSED COMPOSITE WALLS AND ROOF OF EITHER STRUCTURE ARE WITHOUT OPENINGS AND CONSTRUCTED OF MATERIALS THAT WILL PROVIDE A 1-HOUR FIRE RESISTANCE RATING OR THE STRUCTURES ARE SEPARATED BY A 1-HOUR FIRE RATED BARRIER.
3. ALL EXISTING UNITS ARE CLASS B MOBILE HOME UNITS.



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Project:

1200 MLK

1200 & 1204 Martin Luther King Jr. Boulevard

Orange County, North Carolina

PIN: 9789297279 9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Table with columns: Drawn, Checked, Date, Revisions. Includes names like JSA, MTC, JGJ and dates like 5-31-2019.

Conditional zoning

Sheet Title:

GRADING & STORM DRAINAGE PLAN

Sheet Number

C300



RCD DISTURBANCE BY ZONE:  
STREAMSIDE RCD ZONE: 4,960 SF  
MANAGED USE RCD ZONE: 11,036 SF  
UPLAND RCD ZONE: 24,261 SF  
JORDAN STREAM BUFFER DISTURBANCE: 4,960 SF

2 DISTURBANCE C300

LEGEND

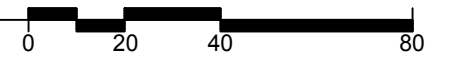
- List of symbols and their corresponding utility types: Water Valve, Curb Inlet/Catch Basin, Mail Box, Traffic Signal Box, Electric Transformer, Electric Junction Box, Gas Meter, Sanitary Sewer Manhole, Storm Sewer Manhole, Telephone Manhole, Electric Manhole, Sign, Telephone Pedestal, Fire Hydrant, Post Indicator Valve, Water Manhole, Water Meter, Hot Box, Utility Pole, Light Pole, Sewer Cleanout, Flored End Section, Gas Valve, Existing Iron Pipe (3/4" unless noted), 1/2" Iron Pipe Set, Existing PK Nail, PK Nail Set, Computed Point, Concrete Monument, Tree Line, Fence, Underground Electric, Underground Telephone, Gas Line, Water Line, Overhead Utilities, Storm Sewer, Sanitary Sewer, Guard Rail.

1 C300

GRADING & STORM DRAINAGE PLAN

1" = 40'-0"

SEE NOTES RE: 4/C102, 5/C102, 6/C102



ORANGE UNITED METHODIST CHURCH INC DB 4178 PAGE 421 PIN# 9880300300 CHURCH

ORANGE UNITED METHODIST CHURCH DB 1135 PAGE 263 PIN# 9880302035 VACANT

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KATARZ TOMAS DB 594 PIN# SINGLE

ORANGE UNITED  
METHODIST CHURCH INC  
DB 4178 PAGE 421  
PIN# 9880300300  
CHURCH

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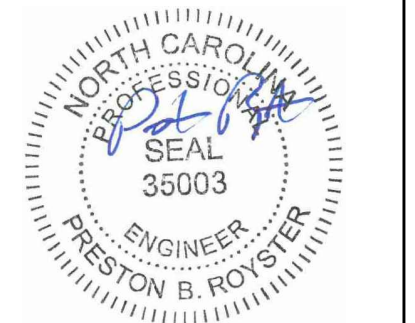
NC BOARD OF EXAMINERS FOR  
ENGINEERS AND SURVEYORS  
LIC # C-1289  
NC BOARD OF LANDSCAPE  
ARCHITECTS LIC # C-104

Project:

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9789392409



PRELIMINARY-DO NOT  
USE FOR CONSTRUCTION

Job Number: 1858

Drawn JSA, MTC, JGJ  
Checked JSA, PBR  
Date 5-31-2019 SUP  
Revisions 8-06-2019 SUP Rev. 1  
4-17-2020 SUP Rev. 2  
6-18-2020 SUP Rev. 3  
8-19-2020 CZ

Conditional zoning

Sheet Title:

UTILITY  
PLAN

Sheet Number  
C500

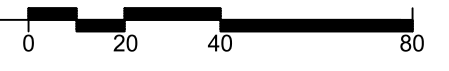


LEGEND

- Water Valve
- Curb Inlet/Catch Basin
- Mail Box
- Traffic Signal Box
- Electric Transformer
- Electric Junction Box
- Gas Meter
- Sanitary Sewer Manhole
- Storm Sewer Manhole
- Telephone Manhole
- Electric Manhole
- Sign
- Telephone Pedestal
- Fire Hydrant
- Post Indicator Valve
- Water Manhole
- Water Meter
- Hot Box
- Utility Pole
- Light Pole
- Sewer Cleanout
- Flored End Section
- Gas Valve
- Existing Iron Pipe (3/4" unless noted)
- 1/2" Iron Pipe Set
- Existing PK Nail
- PK Nail Set
- Computed Point
- Concrete Monument
- Tree Line
- Fence
- Underground Electric
- Underground Telephone
- Gas Line
- Water Line
- Overhead Utilities
- Storm Sewer
- Sanitary Sewer
- Guard Rail

1  
C500  
UTILITY PLAN  
1" = 40'-0"

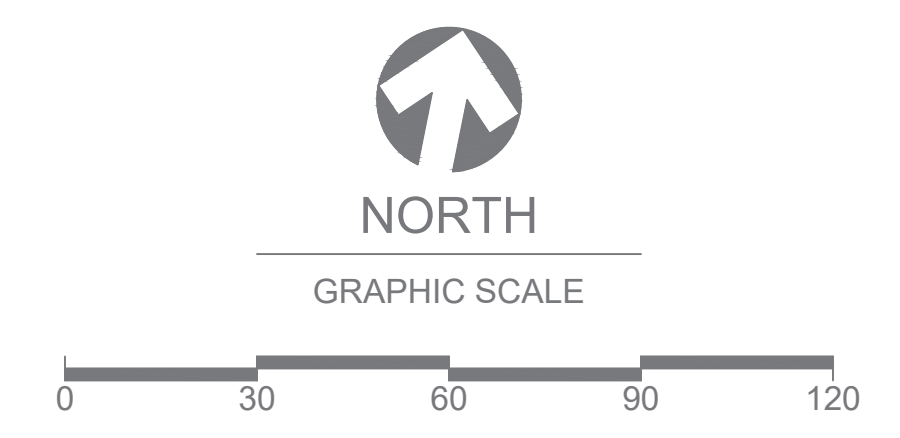
SEE NOTES RE: 7/C102



LUMINAIRE LOCATION SUMMARY		
LUM NO.	LABEL	MTG. HT.
1 - 24	A	16
25	B	1
26 - 41	C	3
42, 43	D	9.33
44 - 49	D	12
50 - 61	E	12
62 - 69	F	23
70, 71	G	23
72 - 77	H	23
78 - 88	J	11.33

NOTE:  
 - ALL AREA LIGHTS ON NEW 20 FT. POLE MOUNTED ON 3 FT. CONCRETE BASE

FOOTCANDLE LEVELS CALCULATED AT GRADE USING INITIAL LUMEN VALUES					
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
SITE PAVED AREA	4.11	15.1	1.1	3.74	13.73
UNDEFINED	0.53	7.2	0.0	N.A.	N.A.
UNDER CANOPY	40.06	50	23	1.74	2.17



LUMINAIRE SCHEDULE										
SYMBOL	QTY	LABEL	ARRANGEMENT	LUMENS	LLF	BUG RATING	WATTS/LUMINAIRE	TOTAL WATTS	MANUFACTURER	CATALOG LOGIC
[Symbol A]	24	A	SINGLE	11213	1.020	B3-U0-G0	99	2376	CREE, INC.	CAN-228-PS-RM-06-E-UL-XX-525
[Symbol B]	1	B	SINGLE	11678	1.020	B4-U0-G0	86	86	CREE, INC.	OSQ-AAXX W/PGM-1 + OSQ-A-NM-15D-B-57K-UL-XX
[Symbol C]	16	C	SINGLE	1441	1.020	B1-U0-G1	22	352	CREE, INC.	PWY-EDG-3M-P3-02-E-UL-XX-350-57K
[Symbol D]	8	D	SINGLE	2947	1.020	B1-U0-G1	36	288	CREE, INC.	SEC-EDG-3M-WM-02-E-UL-XX-525
[Symbol E]	12	E	SINGLE	5893	1.020	B2-U0-G2	68	816	CREE, INC.	SEC-EDG-3M-WM-04-E-UL-XX-525
[Symbol F]	8	F	SINGLE	11648	1.020	B2-U0-G2	86	688	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
[Symbol G]	2	G	2 @ 90 DEGREES	11648	1.020	B2-U0-G2	86	344	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX
[Symbol H]	6	H	SINGLE	8950	1.020	B1-U0-G2	86	516	CREE, INC.	OSQ-DAXX + OSQ-A-NM-4ME-B-57K-UL-XX_OSQ-BLSMF
[Symbol J]	11	J	SINGLE	328	1.000	N.A.	8.1	89.1	B-K LIGHTING, INC.	BKLT CH-LED-e17-FL-BZP-12 (BY OTHERS)

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ILLUMINATION RESULTS SHOWN ON THIS LIGHTING APPLICATION ARE BASED ON PROJECT PARAMETERS PROVIDED BY THE MANUFACTURER LISTED. USED IN CONJUNCTION WITH LUMINAIRE TEST PROCEDURES CONDUCTED UNDER LABORATORY CONDITIONS. ACTUAL PRODUCT PERFORMANCE DIFFERS FROM THESE PARAMETERS MAY AFFECT FIELD RESULTS. THE CUSTOMER IS RESPONSIBLE FOR VERIFYING COMPLIANCE WITH ANY APPLICABLE ELECTRICAL, LIGHTING, OR ENERGY CODE.

SCALE:  
 1" = 30'

LAYOUT BY:  
 DAR

DWG SIZE:  
 D

DATE:  
 6/18/20

CHAPEL HILL, NC  
 DRAWING NUMBER:  
 RL-6830-S1







PRODUCT	QTY	LABEL	DESCRIPTION
<b>CANOPY</b>			

	24	A	CAN-228-PS-RM-06-E-UL-XX-525
--	----	---	------------------------------

**228 Series™**  
LED Recessed Canopy Luminaire

**Product Description**  
Slim, low profile, easy-mounting from below or above the deck. Luminaire sides are rugged cast aluminum with high performance extruded aluminum heat sinks specifically designed for LED luminaires mounted directly to the canopy deck and secured in place with compression rods from front. Luminaire housing is provided with factory applied foam gasket and gaskets for a weatheright seal. Luminaire housing and canopy deck. Suitable for use in single or double sided canopy with 12" (305mm) or 14" (356mm) wide panels. Designed for 14-gauge (3.5mm) aluminum (A6063-T6).

**Applications:** Perimeter stations, concession stands, drive-thru car washes, and restaurants, retail and sports.

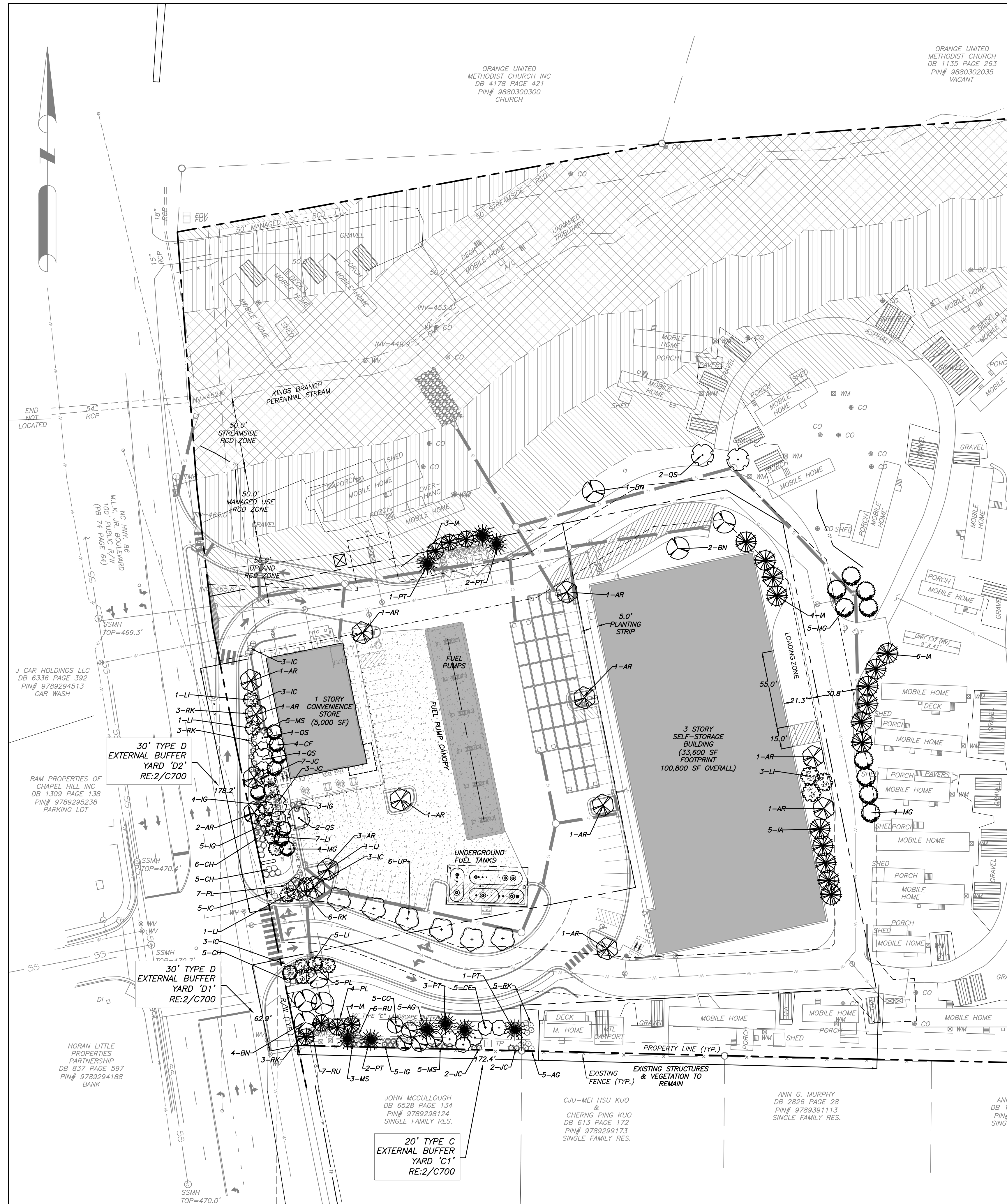
**Performance Summary**

- Patented NanoDial™ Product Technology
- Assembled in the U.S.A. of U.S. and imported parts
- CEC Minimum 90 CRI
- CEC 4000K-14-3000K, 5700K-14-5000K standard
- Limited Warranty: 10 years on luminaires/5 years on Colorfast DeluGuard® finish

**Accessories**

**Upgrade Panel Kit - Plastic**

Part Number	Description
14-CT228PWR-18-LED	14" x 18" (356mm x 457mm) white polycarbonate panel with 18 LED's
14-CT228PWR-30-LED	14" x 30" (356mm x 762mm) white polycarbonate panel with 30 LED's
14-CT228PWR-48-LED	14" x 48" (356mm x 1219mm) white polycarbonate panel with 48 LED's
14-CT228PWR-60-LED	14" x 60" (356mm x 1524mm) white polycarbonate panel with 60 LED's
14-CT228PWR-72-LED	14" x 72" (356mm x 1829mm) white polycarbonate panel with 72 LED's
14-CT228PWR-96-LED	14" x 96" (356mm x 2438mm) white polycarbonate panel with 96 LED's
14-CT228PWR-120-LED	14" x 120" (356mm x 3048mm) white polycarbonate panel with 120 LED's
14-CT228PWR-144-LED	14" x 144" (356mm x 3658mm) white polycarbonate panel with 144 LED's
14-CT228PWR-168-LED	14" x 168" (356mm x 4268mm) white polycarbonate panel with 168 LED's
14-CT228PWR-192-LED	14" x 192" (356mm x 4878mm) white polycarbonate panel with 192 LED's
14-CT228PWR-216-LED	14" x 216" (356mm x 5488mm) white polycarbonate panel with 216 LED's
14-CT228PWR-240-LED	14" x 240" (356mm x 6098mm) white polycarbonate panel with 240 LED's
14-CT228PWR-264-LED	14" x 264" (356mm x 6708mm) white polycarbonate panel with 264 LED's
14-CT228PWR-288-LED	14" x 288" (356mm x 7318mm) white polycarbonate panel with 288 LED's
14-CT228PWR-312-LED	14" x 312" (356mm x 7928mm) white polycarbonate panel with 312 LED's
14-CT228PWR-336-LED	14" x 336" (356mm x 8538mm) white polycarbonate panel with 336 LED's
14-CT228PWR-360-LED	14" x 360" (356mm x 9148mm) white polycarbonate panel with 360 LED's
14-CT228PWR-384-LED	14" x 384" (356mm x 9758mm) white polycarbonate panel with 384 LED's
14-CT228PWR-408-LED	14" x 408" (356mm x 10368mm) white polycarbonate panel with 408 LED's
14-CT228PWR-432-LED	14" x 432" (356mm x 10978mm) white polycarbonate panel with 432 LED's
14-CT228PWR-456-LED	14" x 456" (356mm x 11588mm) white polycarbonate panel with 456 LED's
14-CT228PWR-480-LED	14" x 480" (356mm x 12198mm) white polycarbonate panel with 480 LED's
14-CT228PWR-504-LED	14" x 504" (356mm x 12808mm) white polycarbonate panel with 504 LED's
14-CT228PWR-528-LED	14" x 528" (356mm x 13418mm) white polycarbonate panel with 528 LED's
14-CT228PWR-552-LED	14" x 552" (356mm x 14028mm) white polycarbonate panel with 552 LED's
14-CT228PWR-576-LED	14" x 576" (356mm x 14638mm) white polycarbonate panel with 576 LED's
14-CT228PWR-600-LED	14" x 600" (356mm x 15248mm) white polycarbonate panel with 600 LED's
14-CT228PWR-624-LED	14" x 624" (356mm x 15858mm) white polycarbonate panel with 624 LED's
14-CT228PWR-648-LED	14" x 648" (356mm x 16468mm) white polycarbonate panel with 648 LED's
14-CT228PWR-672-LED	14" x 672" (356mm x 17078mm) white polycarbonate panel with 672 LED's
14-CT228PWR-696-LED	14" x 696" (356mm x 17688mm) white polycarbonate panel with 696 LED's
14-CT228PWR-720-LED	14" x 720" (356mm x 18298mm) white polycarbonate panel with 720 LED's
14-CT228PWR-744-LED	14" x 744" (356mm x 18908mm) white polycarbonate panel with 744 LED's
14-CT228PWR-768-LED	14" x 768" (356mm x 19518mm) white polycarbonate panel with 768 LED's
14-CT228PWR-792-LED	14" x 792" (356mm x 20128mm) white polycarbonate panel with 792 LED's
14-CT228PWR-816-LED	14" x 816" (356mm x 20738mm) white polycarbonate panel with 816 LED's
14-CT228PWR-840-LED	14" x 840" (356mm x 21348mm) white polycarbonate panel with 840 LED's
14-CT228PWR-864-LED	14" x 864" (356mm x 21958mm) white polycarbonate panel with 864 LED's
14-CT228PWR-888-LED	14" x 888" (356mm x 22568mm) white polycarbonate panel with 888 LED's
14-CT228PWR-912-LED	14" x 912" (356mm x 23178mm) white polycarbonate panel with 912 LED's
14-CT228PWR-936-LED	14" x 936" (356mm x 23788mm) white polycarbonate panel with 936 LED's
14-CT228PWR-960-LED	14" x 960" (356mm x 24398mm) white polycarbonate panel with 960 LED's
14-CT228PWR-984-LED	14" x 984" (356mm x 25008mm) white polycarbonate panel with 984 LED's
14-CT228PWR-1008-LED	14" x 1008" (356mm x 25618mm) white polycarbonate panel with 1008 LED's
14-CT228PWR-1032-LED	14" x 1032" (356mm x 26228mm) white polycarbonate panel with 1032 LED's
14-CT228PWR-1056-LED	14" x 1056" (356mm x 26838mm) white polycarbonate panel with 1056 LED's
14-CT228PWR-1080-LED	14" x 1080" (356mm x 27448mm) white polycarbonate panel with 1080 LED's
14-CT228PWR-1104-LED	14" x 1104" (356mm x 28058mm) white polycarbonate panel with 1104 LED's
14-CT228PWR-1128-LED	14" x 1128" (356mm x 28668mm) white polycarbonate panel with 1128 LED's
14-CT228PWR-1152-LED	14" x 1152" (356mm x 29278mm) white polycarbonate panel with 1152 LED's
14-CT228PWR-1176-LED	14" x 1176" (356mm x 29888mm) white polycarbonate panel with 1176 LED's
14-CT228PWR-1200-LED	14" x 1200" (356mm x 30498mm) white polycarbonate panel with 1200 LED's
14-CT228PWR-1224-LED	14" x 1224" (356mm x 31108mm) white polycarbonate panel with 1224 LED's
14-CT228PWR-1248-LED	14" x 1248" (356mm x 31718mm) white polycarbonate panel with 1248 LED's
14-CT228PWR-1272-LED	14" x 1272" (356mm x 32328mm) white polycarbonate panel with 1272 LED's
14-CT228PWR-1296-LED	14" x 1296" (356mm x 32938mm) white polycarbonate panel with 1296 LED's
14-CT228PWR-1320-LED	14" x 1320" (356mm x 33548mm) white polycarbonate panel with 1320 LED's
14-CT228PWR-1344-LED	14" x 1344" (356mm x 34158mm) white polycarbonate panel with 1344 LED's
14-CT228PWR-1368-LED	14" x 1368" (356mm x 34768mm) white polycarbonate panel with 1368 LED's
14-CT228PWR-1392-LED	14" x 1392" (356mm x 35378mm) white polycarbonate panel with 1392 LED's
14-CT228PWR-1416-LED	14" x 1416" (356mm x 35988mm) white polycarbonate panel with 1416 LED's
14-CT228PWR-1440-LED	14" x 1440" (356mm x 36598mm) white polycarbonate panel with 1440 LED's
14-CT228PWR-1464-LED	14" x 1464" (356mm x 37208mm) white polycarbonate panel with 1464 LED's
14-CT228PWR-1488-LED	14" x 1488" (356mm x 37818mm) white polycarbonate panel with 1488 LED's
14-CT228PWR-1512-LED	14" x 1512" (356mm x 38428mm) white polycarbonate panel with 1512 LED's
14-CT228PWR-1536-LED	14" x 1536" (356mm x 39038mm) white polycarbonate panel with 1536 LED's
14-CT228PWR-1560-LED	14" x 1560" (356mm x 39648mm) white polycarbonate panel with 1560 LED's
14-CT228PWR-1584-LED	14" x 1584" (356mm x 40258mm) white polycarbonate panel with 1584 LED's
14-CT228PWR-1608-LED	14" x 1608" (356mm x 40868mm) white polycarbonate panel with 1608 LED's
14-CT228PWR-1632-LED	14" x 1632" (356mm x 41478mm) white polycarbonate panel with 1632 LED's
14-CT228PWR-1656-LED	14" x 1656" (356mm x 42088mm) white polycarbonate panel with 1656 LED's
14-CT228PWR-1680-LED	14" x 1680" (356mm x 42698mm) white polycarbonate panel with 1680 LED's
14-CT228PWR-1704-LED	14" x 1704" (356mm x 43308mm) white polycarbonate panel with 1704 LED's
14-CT228PWR-1728-LED	14" x 1728" (356mm x 43918mm) white polycarbonate panel with 1728 LED's
14-CT228PWR-1752-LED	14" x 1752" (356mm x 44528mm) white polycarbonate panel with 1752 LED's
14-CT228PWR-1776-LED	14" x 1776" (356mm x 45138mm) white polycarbonate panel with 1776 LED's
14-CT228PWR-1800-LED	14" x 1800" (356mm x 45748mm) white polycarbonate panel with 1800 LED's
14-CT228PWR-1824-LED	14" x 1824" (356mm x 46358mm) white polycarbonate panel with 1824 LED's
14-CT228PWR-1848-LED	14" x 1848" (356mm x 46968mm) white polycarbonate panel with 1848 LED's
14-CT228PWR-1872-LED	14" x 1872" (356mm x 47578mm) white polycarbonate panel with 1872 LED's
14-CT228PWR-1896-LED	14" x 1896" (356mm x 48188mm) white polycarbonate panel with 1896 LED's
14-CT228PWR-1920-LED	14" x 1920" (356mm x 48798mm) white polycarbonate panel with 1920 LED's
14-CT228PWR-1944-LED	14" x 1944" (356mm x 49408mm) white polycarbonate panel with 1944 LED's
14-CT228PWR-1968-LED	14" x 1968" (356mm x 50018mm) white polycarbonate panel with 1968 LED's
14-CT228PWR-1992-LED	14" x 1992" (356mm x 50628mm) white polycarbonate panel with 1992 LED's
14-CT228PWR-2016-LED	14" x 2016" (356mm x 51238mm) white polycarbonate panel with 2016 LED's
14-CT228PWR-2040-LED	14" x 2040" (356mm x 51848mm) white polycarbonate panel with 2040 LED's
14-CT228PWR-2064-LED	14" x 2064" (356mm x 52458mm) white polycarbonate panel with 2064 LED's
14-CT228PWR-2088-LED	14" x 2088" (356mm x 53068mm) white polycarbonate panel with 2088 LED's
14-CT228PWR-2112-LED	14" x 2112" (356mm x 53678mm) white polycarbonate panel with 2112 LED's
14-CT228PWR-2136-LED	14" x 2136" (356mm x 54288mm) white polycarbonate panel with 2136 LED's
14-CT228PWR-2160-LED	14" x 2160" (356mm x 54898mm) white polycarbonate panel with 2160 LED's
14-CT228PWR-2184-LED	14" x 2184" (356mm x 55508mm) white polycarbonate panel with 2184 LED's
14-CT228PWR-2208-LED	14" x 2208" (356mm x 56118mm) white polycarbonate panel with 2208 LED's
14-CT228PWR-2232-LED	14" x 2232" (356mm x 56728mm) white polycarbonate panel with 2232 LED's
14-CT228PWR-2256-LED	14" x 2256" (356mm x 57338mm) white polycarbonate panel with 2256 LED's
14-CT228PWR-2280-LED	14" x 2280" (356mm x 57948mm) white polycarbonate panel with 2280 LED's
14-CT228PWR-2304-LED	14" x 2304" (356mm x 58558mm) white polycarbonate panel with 2304 LED's
14-CT228PWR-2328-LED	14" x 2328" (356mm x 59168mm) white polycarbonate panel with 2328 LED's
14-CT228PWR-2352-LED	14" x 2352" (356mm x 59778mm) white polycarbonate panel with 2352 LED's
14-CT228PWR-2376-LED	14" x 2376" (356mm x 60388mm) white polycarbonate panel with 2376 LED's
14-CT228PWR-2400-LED	14" x 2400" (356mm x 60998mm) white polycarbonate panel with 2400 LED's
14-CT228PWR-2424-LED	14" x 2424" (356mm x 61608mm) white polycarbonate panel with 2424 LED's
14-CT228PWR-2448-LED	14" x 2448" (356mm x 62218mm) white polycarbonate panel with 2448 LED's
14-CT228PWR-2472-LED	14" x 2472" (356mm x 62828mm) white polycarbonate panel with 2472 LED's
14-CT228PWR-2496-LED	14" x 2496" (356mm x 63438mm) white polycarbonate panel with 2496 LED's
14-CT228PWR-2520-LED	14" x 2520" (356mm x 64048mm) white polycarbonate panel with 2520 LED's
14-CT228PWR-2544-LED	14" x 2544" (356mm x 64658mm) white polycarbonate panel with 2544 LED's
14-CT228PWR-2568-LED	14" x 2568" (356mm x 65268mm) white polycarbonate panel with 2568 LED's
14-CT228PWR-2592-LED	14" x 2592" (356mm x 65878mm) white polycarbonate panel with 2592 LED's
14-CT228PWR-2616-LED	14" x 2616" (356mm x 66488mm) white polycarbonate panel with 2616 LED's
14-CT228PWR-2640-LED	14" x 2640" (356mm x 67098mm) white polycarbonate panel with 2640 LED's
14-CT228PWR-2664-LED	14" x 2664" (356mm x 67708mm) white polycarbonate panel with 2664 LED's
14-CT228PWR-2688-LED	14" x 2688" (356mm x 68318mm) white polycarbonate panel with 2688 LED's
14-CT228PWR-2712-LED	14" x 2712" (356mm x 68928mm) white polycarbonate panel with 2712 LED's
14-CT228PWR-2736-LED	14" x 2736" (356mm x 69538mm) white polycarbonate panel with 2736 LED's
14-CT228PWR-2760-LED	14" x 2760" (356mm x 70148mm) white polycarbonate panel with 2760 LED's
14-CT228PWR-2784-LED	14" x 2784" (356mm x 70758mm) white polycarbonate panel with 2784 LED's
14-CT228PWR-2808-LED	14" x 2808" (356mm x 71368mm) white polycarbonate panel with 2808 LED's
14-CT228PWR-2832-LED	14" x 2832" (356mm x 71978mm) white polycarbonate panel with 2832 LED's
14-CT228PWR-2856-LED	14" x 2856" (356mm x 72588mm) white polycarbonate panel with 2856 LED's
14-CT228PWR-2880-LED	14" x 2880" (356mm x 73198mm) white polycarbonate panel with 2880 LED's
14-CT228PWR-2904-LED	14" x 2904" (356mm x 73808mm) white polycarbonate panel with 2904 LED's
14-CT228PWR-2928-LED	14" x 2928" (356mm x 74418mm) white polycarbonate panel with 2928 LED's
14-CT228PWR-2952-LED	14" x 2952" (356mm x 75028mm) white polycarbonate panel with 2952 LED's
14-CT228PWR-2976-LED	14" x 2976" (356mm x 75638mm) white polycarbonate panel with 2976 LED's
14-CT228PWR-3000-LED	14" x 3000" (356mm x 76248mm) white polycarbonate panel with 3000 LED's
14-CT228PWR-3024-LED	14" x 3024" (356mm x 76858mm) white polycarbonate panel with 3024 LED's
14-CT228PWR-3048-LED	14" x 3048" (356mm x 77468mm) white polycarbonate panel with 3048 LED's
14-CT228PWR-3072-LED	14" x 3072" (356mm x 78078mm) white polycarbonate panel with 3072 LED's
14-CT228PWR-3096-LED	14" x 3096" (356mm x 78688mm) white polycarbonate panel with 3096 LED's
14-CT228PWR-3120-LED	14" x 3120" (356mm x 79298mm) white polycarbonate panel with 3120 LED's
14-CT228PWR-3144-LED	14" x 3144" (356mm x 79908mm) white polycarbonate panel with 3144 LED's
14-CT228PWR-3168-LED	14" x 3168" (356mm x 80518mm) white polycarbonate panel with 3168 LED's
14-CT228PWR-3192-LED	14" x 3192" (356mm x 81128mm) white polycarbonate panel with 3192 LED's
14-CT228PWR-3216-LED	14" x 3216" (356mm x 81738mm) white polycarbonate panel with 3216 LED's
14-CT228PWR-3240-LED	14" x 3240" (356mm x 82348mm) white polycarbonate panel with 3240 LED's
14-CT228PWR-3264-LED	14" x 3264" (356mm x 82958mm) white polycarbonate panel with 3264 LED's
14-CT228PWR-3288-LED	14" x 3288" (356mm x 83568mm) white polycarbonate panel with 3288 LED's
14-CT228PWR-3312-LED	14" x 3312" (356mm x 84178mm) white polycarbonate panel with 3312 LED's
14-CT228PWR-3336-LED	14" x 3336" (356mm x 84788mm) white polycarbonate panel with 3336 LED's
14-CT228PWR-3360-LED	14" x 3360" (356mm x 85398mm) white polycarbonate panel with 3360 LED's
14-CT228PWR-3384-LED	14" x 3384" (356mm x 86008mm) white polycarbonate panel with 3384 LED's
14-CT228PWR-3408-LED	14" x 3408" (356mm x 86618mm) white polycarbonate panel with 3408 LED's
14-CT228PWR-3432-LED	14" x 3432" (356mm x 87228mm) white polycarbonate panel with 3432 LED's
14-CT228PWR-3456-LED	14" x 3456" (356mm x 87838mm) white polycarbonate panel with 3456 LED's
14-CT228PWR-3480-LED	14" x 3480" (356mm x 88448mm) white polycarbonate panel with 3480 LED's
14-CT228PWR-3504-LED	14" x 3504" (356mm x 89058mm) white polycarbonate panel with 3504 LED's
14-CT228PWR-3528-LED	14" x 3528" (356mm x 89668mm) white polycarbonate panel with 3528 LED's
14-CT228PWR-3552-LED	14" x 3552" (356mm x 90278mm) white polycarbonate panel with 3552 LED's
14-CT228PWR-3576-LED	14" x 3576" (356mm x 90888mm) white polycarbonate panel with 3576 LED's
14-CT228PWR-3600-LED	14" x 3600" (356mm x 91498mm) white polycarbonate panel with 3600 LED's
14-CT228PWR-3624-LED	14" x 3624" (356mm x 92108mm) white polycarbonate panel with 3624 LED's
14-CT228PWR-3648-LED	14" x 3648" (356mm x 92718mm) white polycarbonate panel with 3648 LED's
14-CT228PWR-3672-LED	14" x 3672" (356mm x 93328mm) white polycarbonate panel with 3672 LED's
14-CT228PWR-3696-LED	14" x 3696" (356mm x 93938mm) white polycarbonate panel with 3696 LED's
14-CT228PWR-3720-LED	14" x 3720" (356mm x 94548mm) white polycarbonate panel with 3720 LED's
14-CT228PWR-3744-LED	14" x 3744" (356mm x 95158mm) white polycarbonate panel with 3744 LED's
14-CT228PWR-3768-LED	14" x 3768" (356mm x 95768mm) white polycarbonate panel with 3768 LED's
14-CT228PWR-3792-LED	14" x 3792" (356mm x 96378mm) white polycarbonate panel with 3792 LED's
14-CT228PWR-3816-LED	14" x 3816" (356mm x 96988mm) white polycarbonate panel with 3816 LED's
14-CT228PWR-3840-LED	14" x 3840" (356mm x 97598mm) white polycarbonate panel with 3840 LED's
14-CT228PWR-3864-LED	14" x 3864" (356mm x 98208mm) white polycarbonate panel with 3864 LED's
14-CT228P	



Buffer "C1"	# Required per 100'	Required Plantings:	Existing Plantings:	Plantings Provided
20' Wide	4 Large Tree = 6.9	7 Large Trees	0	7 Large Trees
172.4 LF (Internal)	8 Small Tree = 13.8	14 Small Trees	0	14 Small Trees
	30 Shrubs = 51.8	52 Shrubs	0	52 Shrubs

Buffer "D1"	# Required per 100'	Required Plantings:	Existing Plantings:	Plantings Provided
30' Wide	6 Large Tree = 3.8	4 Large Trees	0	4 Large Trees
62.9 LF (External)	12 Small Tree = 7.6	8 Small Trees	0	8 Small Trees
	40 Shrubs = 25.2	26 Shrubs	0	26 Shrubs

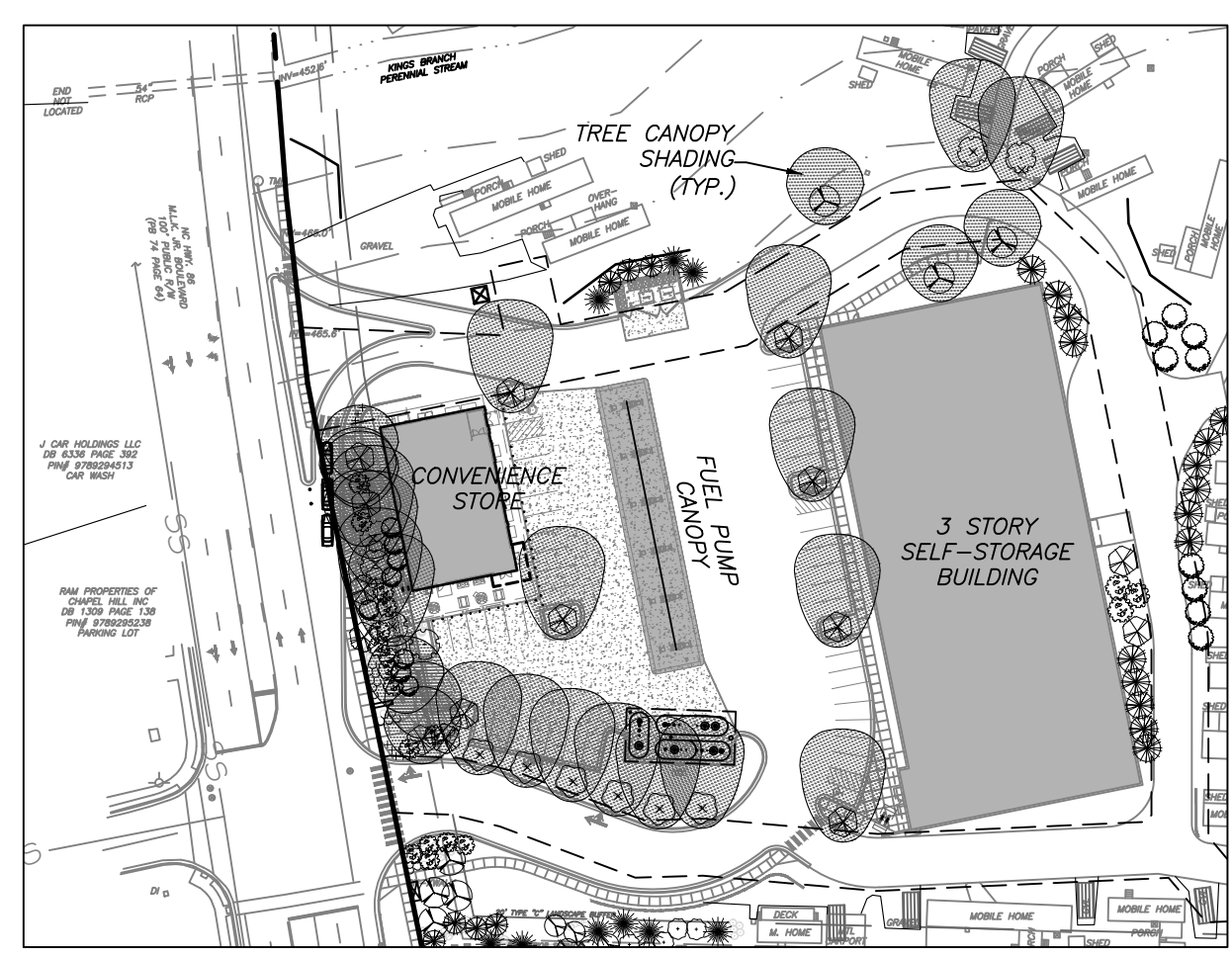
  

Buffer "D2"	# Required per 100'	Required Plantings:	Existing Plantings:	Plantings Provided
30' Wide	6 Large Tree = 10.7	11 Large Trees	0	11 Large Trees
178.2 LF (External)	12 Small Tree = 21.4	22 Small Trees	0	22 Small Trees
	40 Shrubs = 71.3	72 Shrubs	0	72 Shrubs

2 LANDSCAPE BUFFER CALCULATIONS  
C700

QTY	%	EVGN	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	REMARKS
<b>CANOPY TREES</b>								
15		N	AR	Acer Rubrum	Red Maple	2.5" CAL. 14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
7		N	BN	Betula nigra 'heritage'	Heritage River Birch	3" CAL tot 14' ht.	AS SHOWN	3 TRUNK MINIMUM
9		Y	PT	Pinus tadea	Loblolly Pine	2" cal. 12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
6		N	QS	Quercus shumardii	Shumard Oak	2.5" CAL. 12' ht.	AS SHOWN	SINGLE TRUNK & LEADER
6		N	UP	Ulmus parvifolia 'BSNUPP'	Everclear Lacebark Elm	2.5" CAL. 14' ht.	AS SHOWN	SINGLE TRUNK & LEADER
43	0%							
<b>UNDERSTORY TREES</b>								
5		N	CC	Cercis chinensis 'Avondale'	Chinese Avondale Redbud	1" cal. 8' HT.	AS SHOWN	SINGLE TRUNK & LEADER
10		N	CF	Cornus florida	Dogwood	1" cal.		
22		Y	IA	Ilex x attenuata 'Fosteri'	Foster Holly	1" cal. 6' HT.	8' O.C.	SINGLE TRUNK & LEADER
19		N	LI	Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle	8-10' HT.	AS SHOWN	MULTI-TRUNK
15		Y	MG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	1.5" cal. 8' ht.	10' O.C.	FULL AND MATCHING
71	0%							
<b>SHRUBS</b>								
10		Y	AG	Abelia x grandiflora 'Edward Goucher'	Edward Goucher Abelia	15" HT.	30" O.C.	FULL AND MATCHING
17		Y	CH	Cotoneaster horizontalis	Rock Spray Cotoneaster	12" HT.	30" O.C.	FULL AND MATCHING
17		Y	IC	Ilex cornuta 'carissa'	Carissa Holly	15" HT.	30" O.C.	FULL AND MATCHING
17		Y	IG	Ilex glabra	Inkberry Holly	15" HT.	36" O.C.	FULL AND MATCHING
14		Y	JC	Juniperus chinensis 'Sea Green'	Sea Green Juniper	18" HT.	36" O.C.	FULL AND MATCHING
13		Y	MS	Miscanthus sinensis 'morning light'	Morning Light Miscanthus	15" HT.	36" O.C.	FULL AND MATCHING
16		Y	PL	Loropetalum chinense	Loropetalum	15" HT.	36" O.C.	FULL AND MATCHING
20		N	RK	Rosa 'Radrazz'	Knock Out Rose	15" HT.	36" O.C.	FULL AND MATCHING
13		Y	RU	Raphiolepis umbellata	Indian Hawthorn	18" HT.	36" O.C.	FULL AND MATCHING
137	0%							
<b>GROUND COVER</b>								
AR				LAWN	AS REQUIRED TO MATCH EXISTING			

3 PLANT LIST  
C700



4 PROPOSED TREE CANOPY SHADING  
C700  
1" = 100'-0"

PARKING LOT OUTSIDE ROW  
TOTAL PAVED AREA: 47,015 SF  
TOTAL SHADED AREAS: 17,700 SF = 37.6%

**Coulter Jewell Thames** PA  
ENGINEERING - PLANNING - LANDSCAPE ARCHITECTURE  
111 West Main Street  
Durham, N.C. 27701  
p 919.682.0368  
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www.cjtpa.com  
NC BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LIC # C-1289  
NC BOARD OF LANDSCAPE ARCHITECTS LIC # C-104

Project:  
**1200 MLK**  
1200 & 1204  
Martin Luther King Jr.  
Boulevard  
Orange County,  
North Carolina

PIN: 9789297279  
9789392409

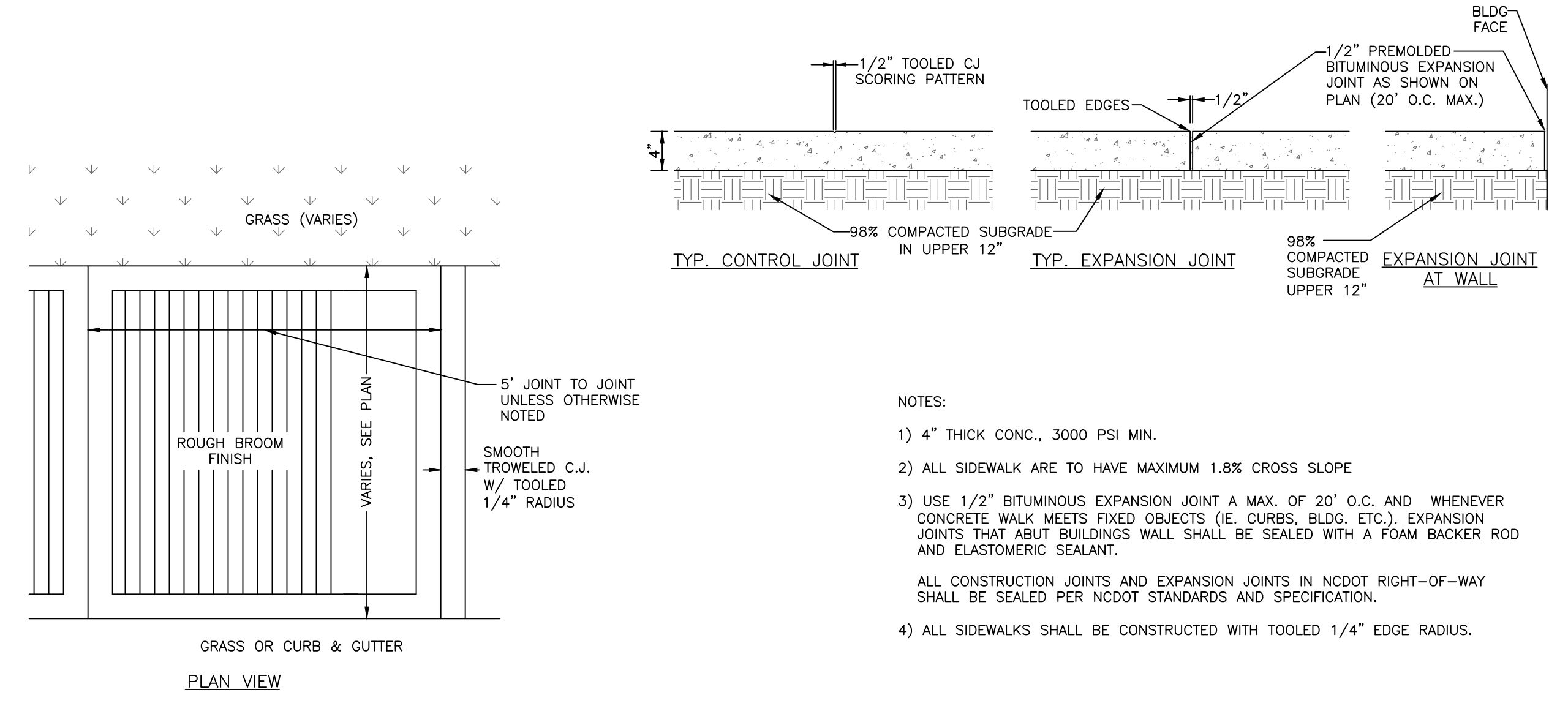


PRELIMINARY-DO NOT USE FOR CONSTRUCTION

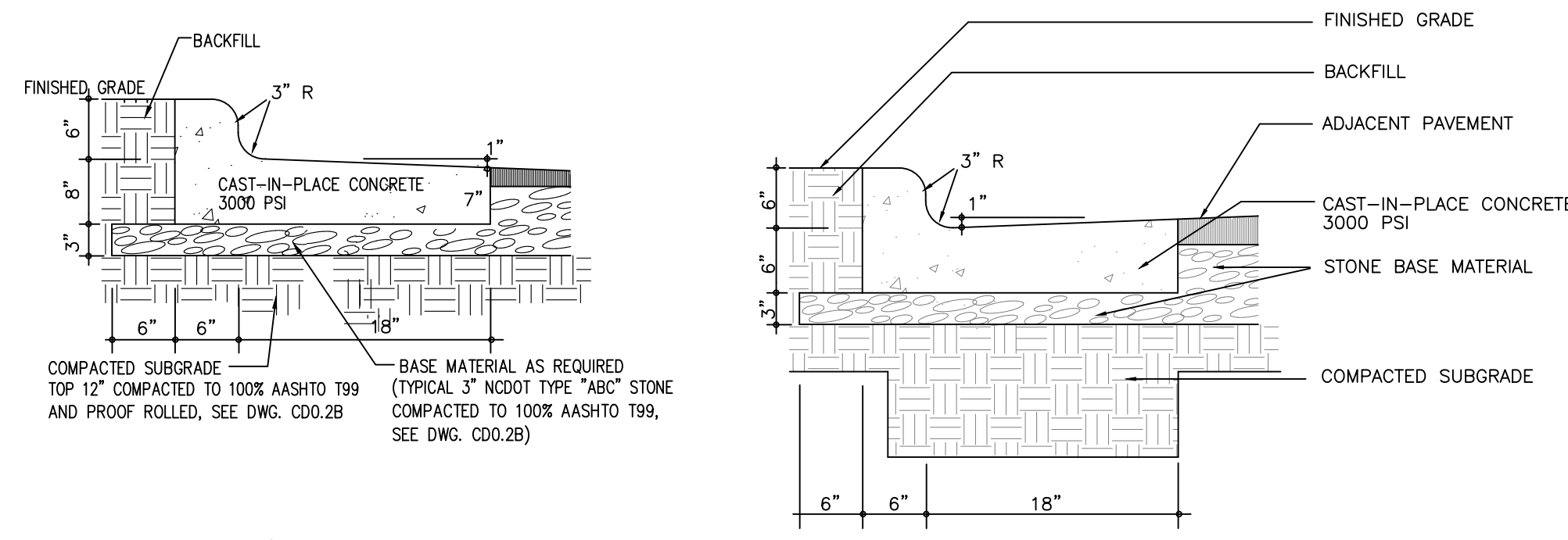
Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional zoning  
Sheet Title:  
**LANDSCAPE PLAN**  
Sheet Number:  
**C700**



**1 CONCRETE SIDEWALK**  
no scale



**2 CURB AND GUTTER**  
no scale

-CONTRACTION JOINTS SHALL BE SPACED AT 10 FOOT INTERVALS. EXCEPT THAT A 15 FOOT SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10 FOOT INTERVALS. JOINT SPACING MAY BE ALTERED BY THE ENGINEER TO PREVENT UNCONTROLLED CRACKING.

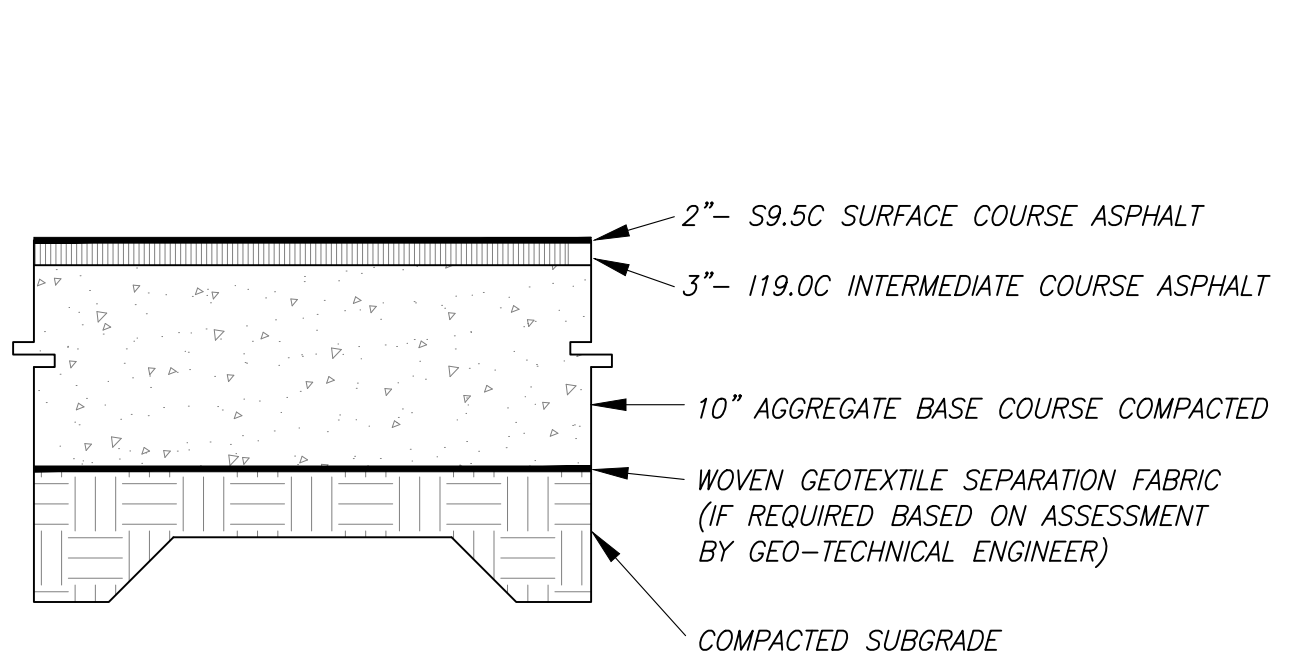
-CONTRACTION JOINTS MAY BE INSTALLED BY THE USE OF TEMPLATES OR FORMED BY OTHER APPROVED METHODS. WHERE SUCH JOINTS ARE NOT FORMED BY TEMPLATES, A MINIMUM DEPTH OF 1 1/2" SHALL BE MAINTAINED.

-CONCRETE FOR CURBING SHALL HAVE A MINIMUM COMPRESSION STRENGTH OF 3000 PSI AT 28 DAYS.

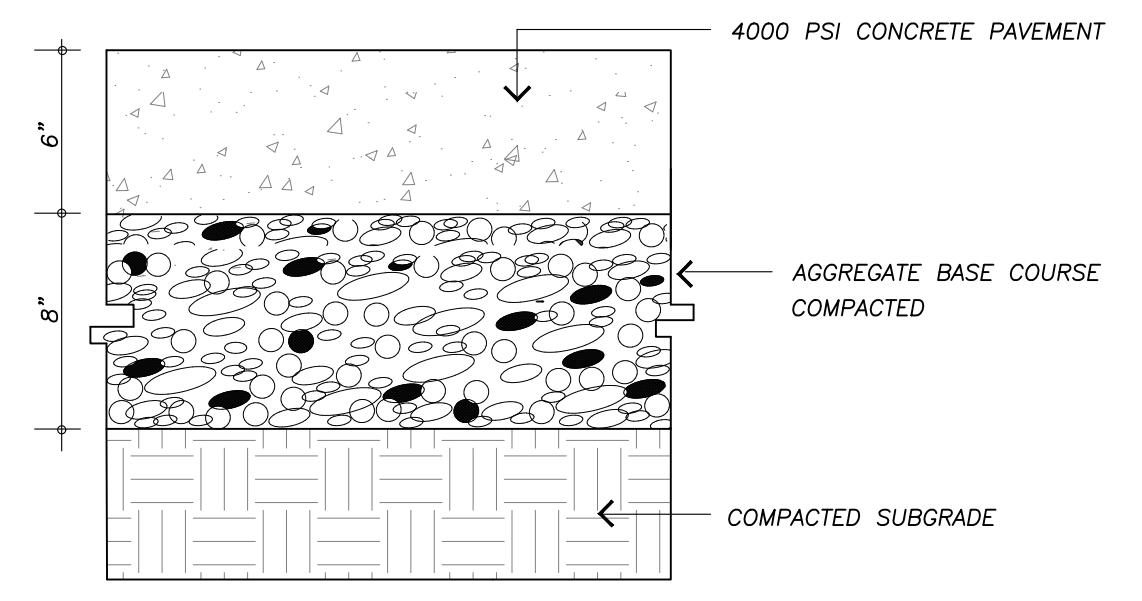
-ALL CONTRACTION JOINTS SHALL BE FILLED WITH JOINT FILLER.

-JOINTS SHALL MATCH LOCATIONS WITH JOINT IN ABUTTING SIDEWALK.

-EXPANSION JOINTS SHALL BE SPACED AT 90 FOOT INTERVALS AND ADJACENT TO ALL RIGID OBJECTS.

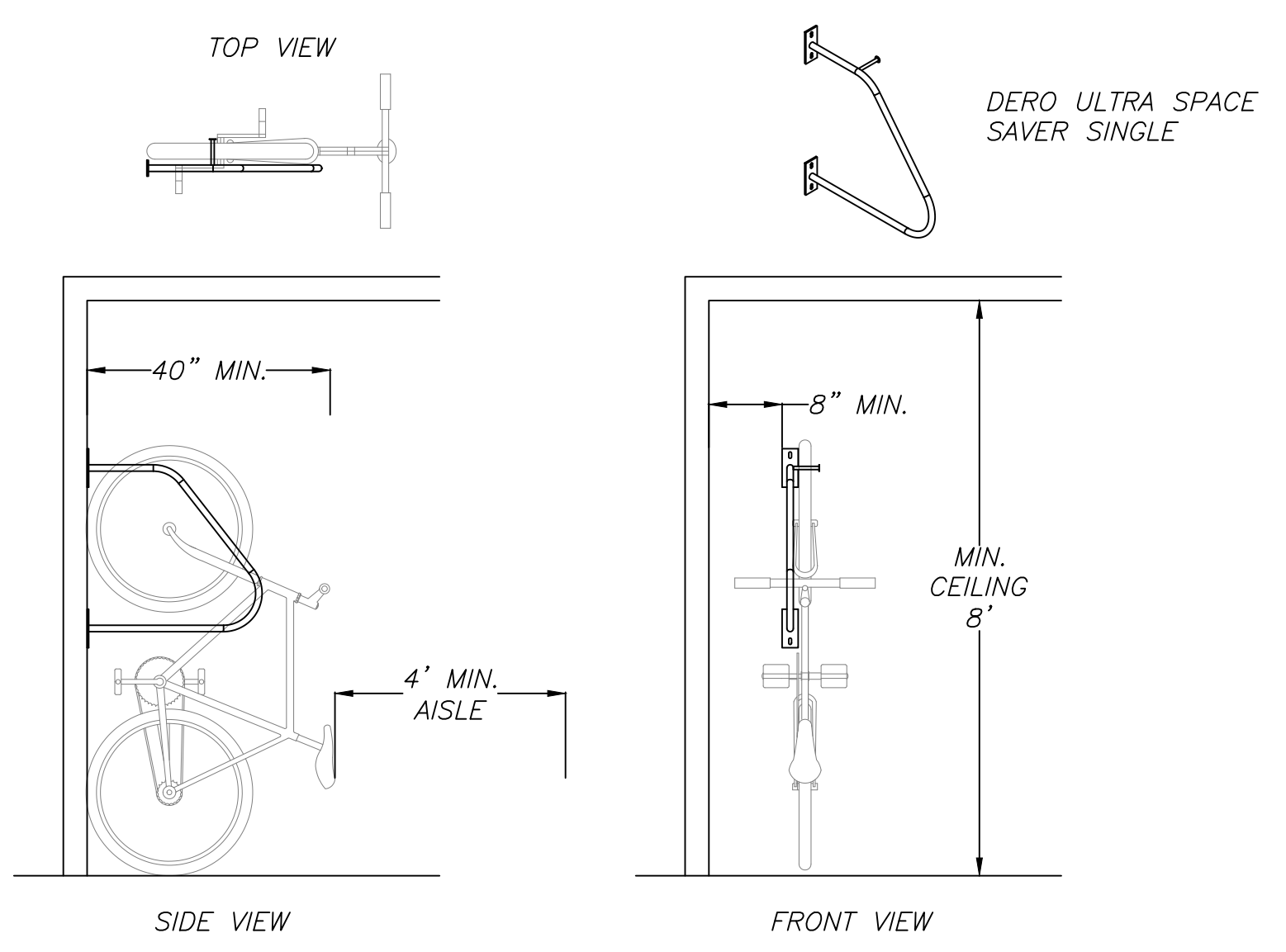


**3 HEAVY DUTY ASPHALT PAVING**  
no scale

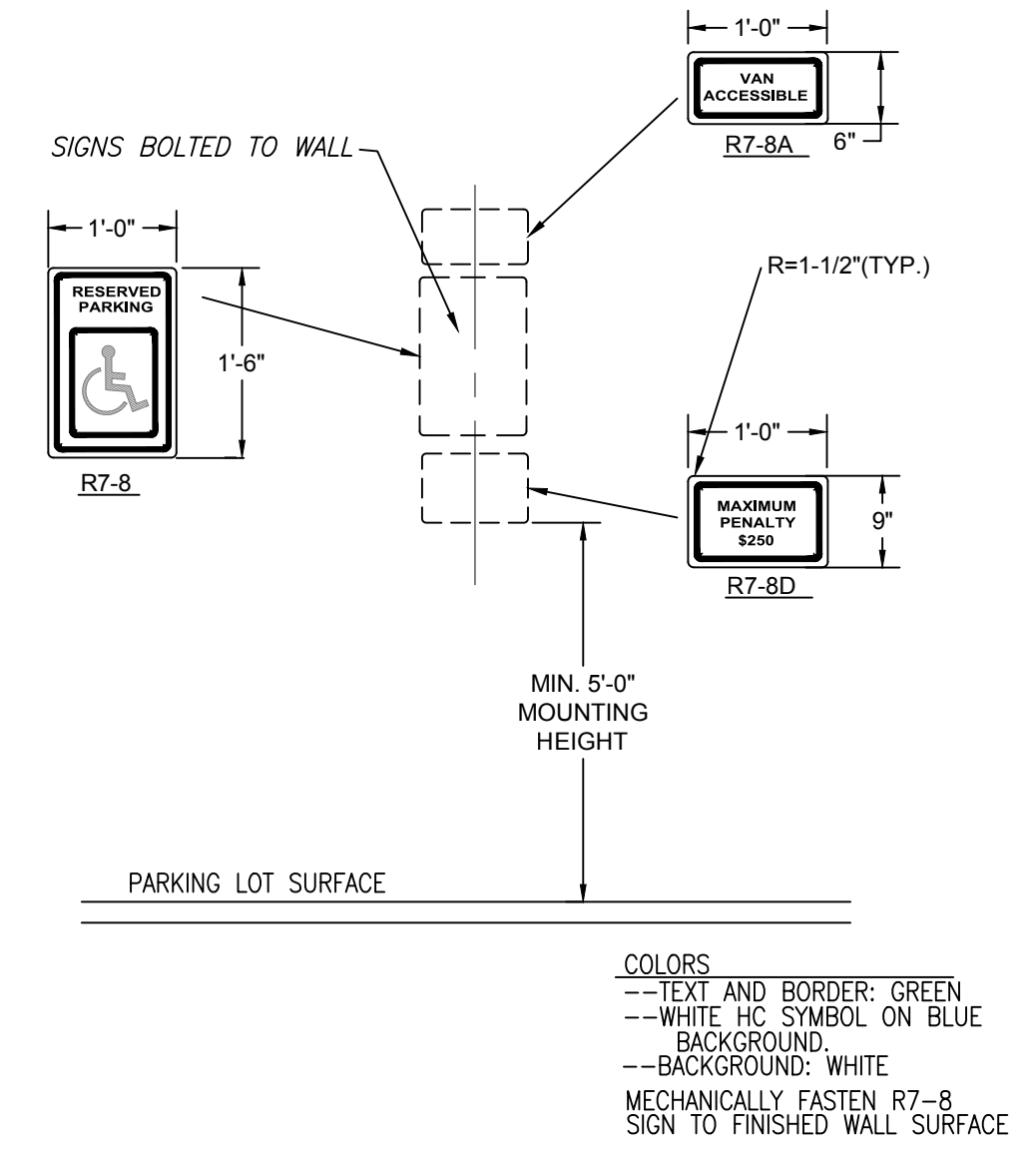


**4 HEAVY DUTY CONCRETE PAVING**  
no scale

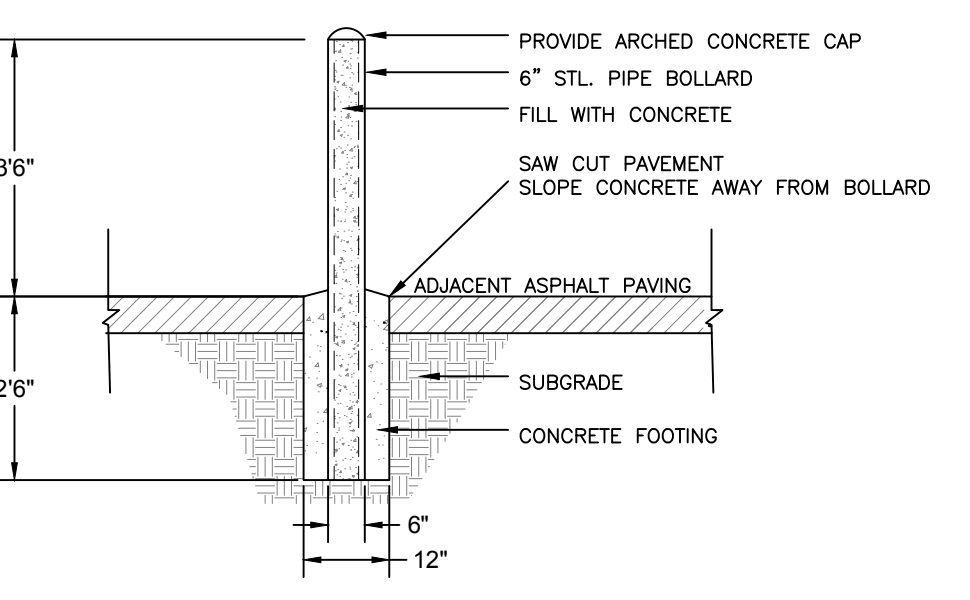
**NOTES:**  
1. ALL CONCRETE TO 4000 PSI, PROPERLY AIR ENTRAINED FOR EXTERIOR GRADE CONCRETE MIXES.  
2. CARC BASE AND SOIL SUBGRADE TO BE COMPACTED TO 98% OF THE ASTM D-898 STD. PROCTOR MOD IN ACCORDANCE WITH THE REPORT BY THE GEOTECHNICAL ENGINEER AND PROOFROLLED AND APPROVED BY GEOTECHNICAL PERSONNEL.  
3. CONTRACTOR SHALL INSTALL CONTRACTION AND EXPANSION JOINTS AS NECESSARY TO MINIMIZE CRACKING. CONTRACTION JOINTS SHALL BE SPACED AT 10' MAXIMUM EACH WAY WITH ACTUAL PATTERN BASED ON FIELD CONDITIONS. JOINTS SHALL BE TOOLED OR SAW CUT TO A MINIMUM DEPTH OF 2". EXPANSION JOINTS SHALL BE INSTALLED BETWEEN PAVEMENT AND ANY RIGID OBJECTS AND SPACED AS SPECIFIED IN LATEST VERSION OF ACI STANDARDS.  
4. ALL PAVEMENT CONSTRUCTION SHALL BE IN ACCORDANCE WITH LATEST VERSION OF ACI STANDARDS AND THE REPORT BY THE GEOTECHNICAL ENGINEER.



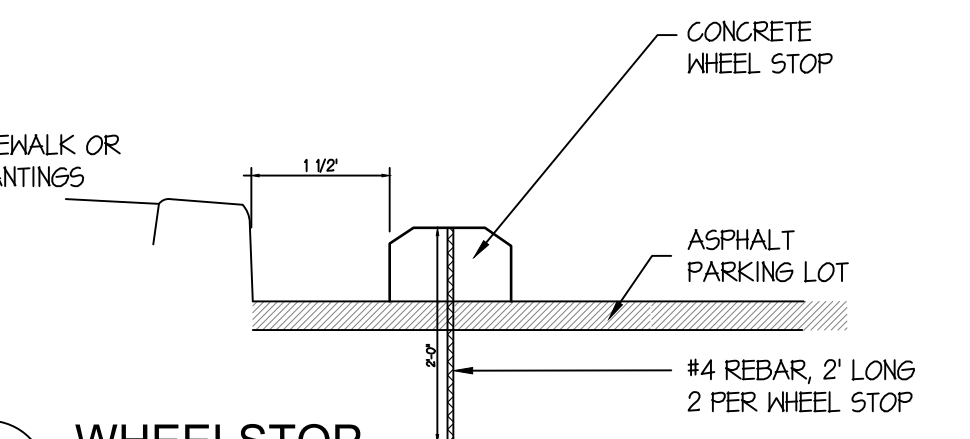
**5 WALL MOUNTED BICYCLE RACK**  
no scale



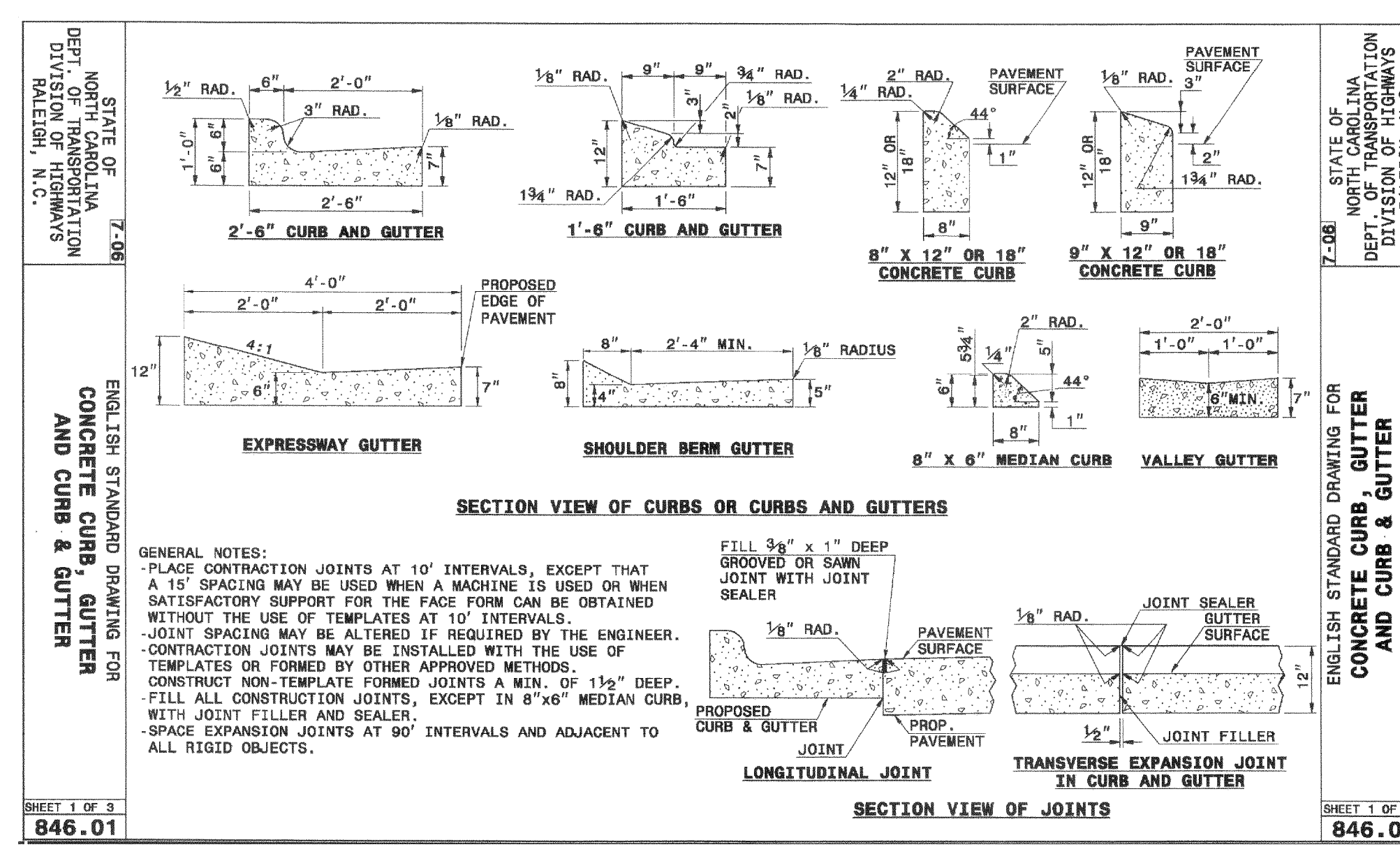
**6 ADA SIGNAGE**  
no scale



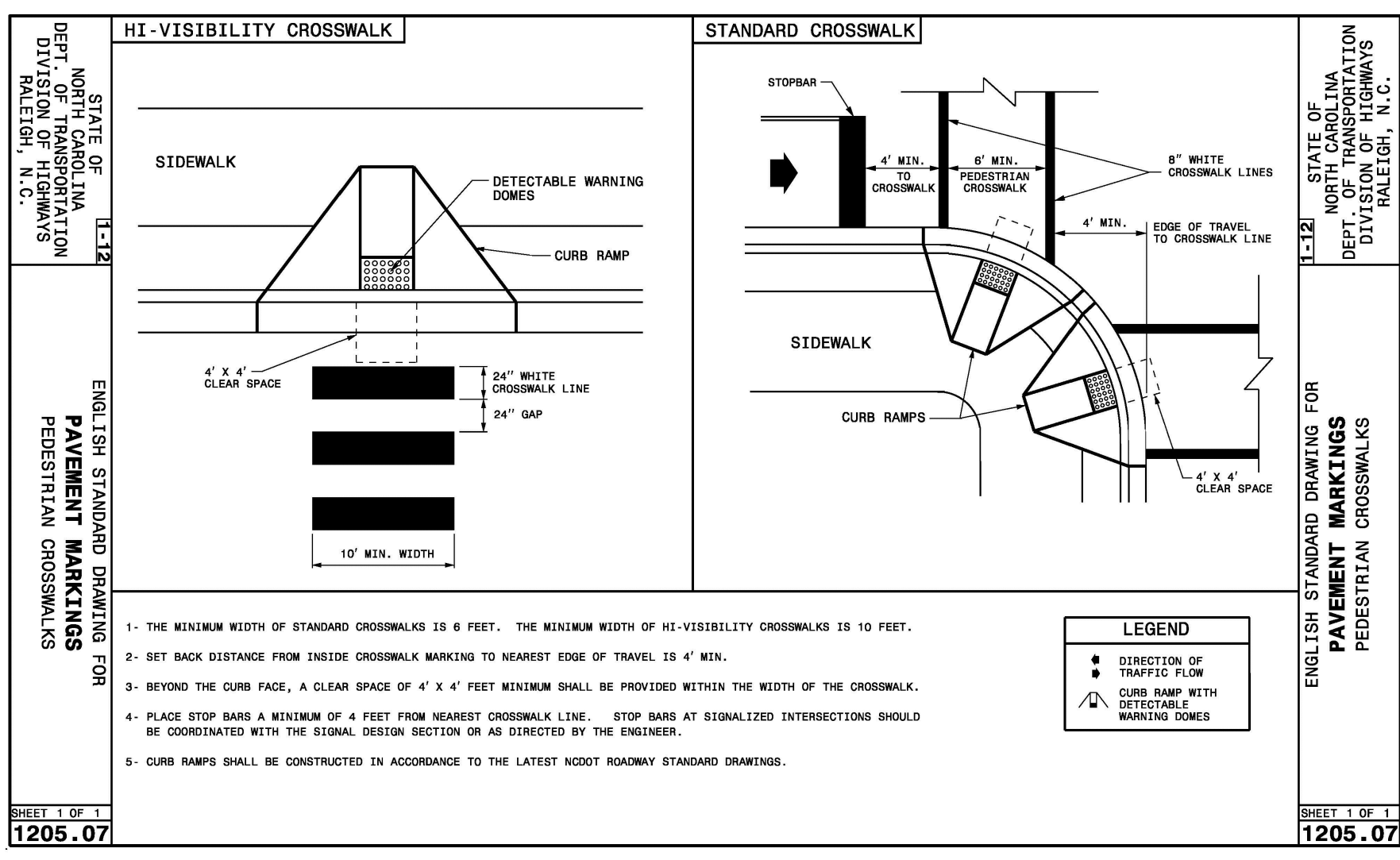
**7 BOLLARD**  
no scale



**8 WHEELSTOP**  
no scale



**9 VALLEY GUTTER**  
no scale



**10 CROSSWALK**  
no scale

Project:

**1200 MLK**

1200 & 1204  
Martin Luther King Jr. Boulevard  
Orange County,  
North Carolina

PIN:  
9789297279  
9789392409



PRELIMINARY-DO NOT USE FOR CONSTRUCTION

Job Number: 1858

Drawn	JSA, MTC
Checked	JSA
Date	5-31-2019 SUP
Revisions	8-06-2019 SUP Rev. 1
	4-17-2020 SUP Rev. 2
	6-18-2020 SUP Rev. 3
	8-19-2020 CZ

Conditional Zoning

Sheet Title:

**SITE DETAILS**

Sheet Number  
**C800**



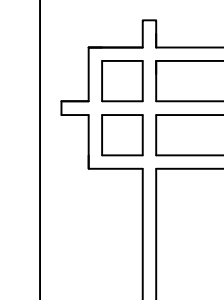
**1200 MLK  
SELF STORAGE CENTER**

ORANGE COUNTY  
NORTH CAROLINA

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GENERAL NOTES:  
1. THIS DRAWING IS SCHEMATIC DESIGN ONLY AND NOT FOR CONSTRUCTION. IT IS FOR REVIEW AND DISCUSSION

REV. DATE:	REVISION DESCRIPTION
8/1/19	BRICK PANELS
10/31/19	REV. PER SITE
1/30/20	SITE OWN. REV



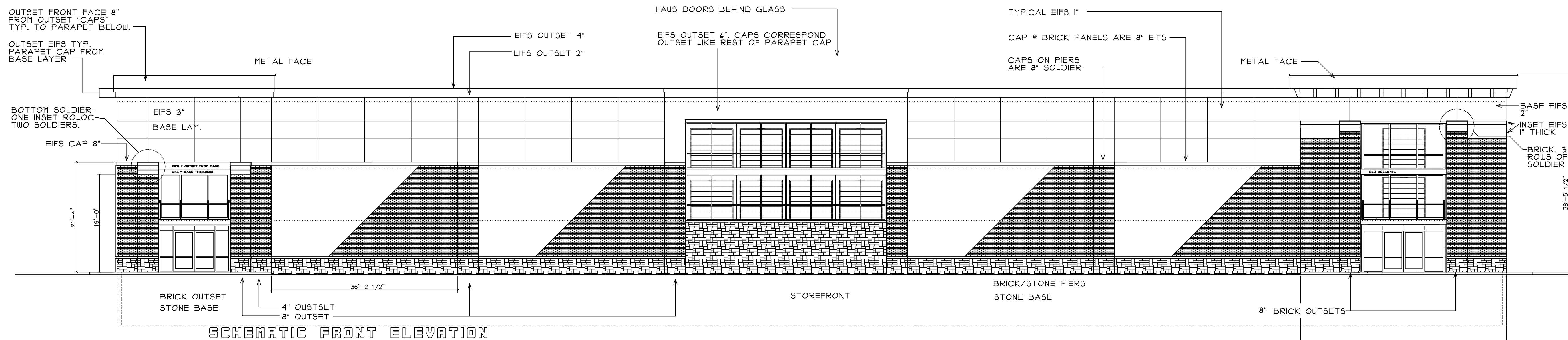
G. CLEVELAND PATE, PLLC  
Architecture • Planning  
6013 Fordland Drive, Raleigh, NC 27606  
919-851-0052

SEALS:  
  
REVIEW

SEALS:  
**NOT FOR CONSTRUCT**

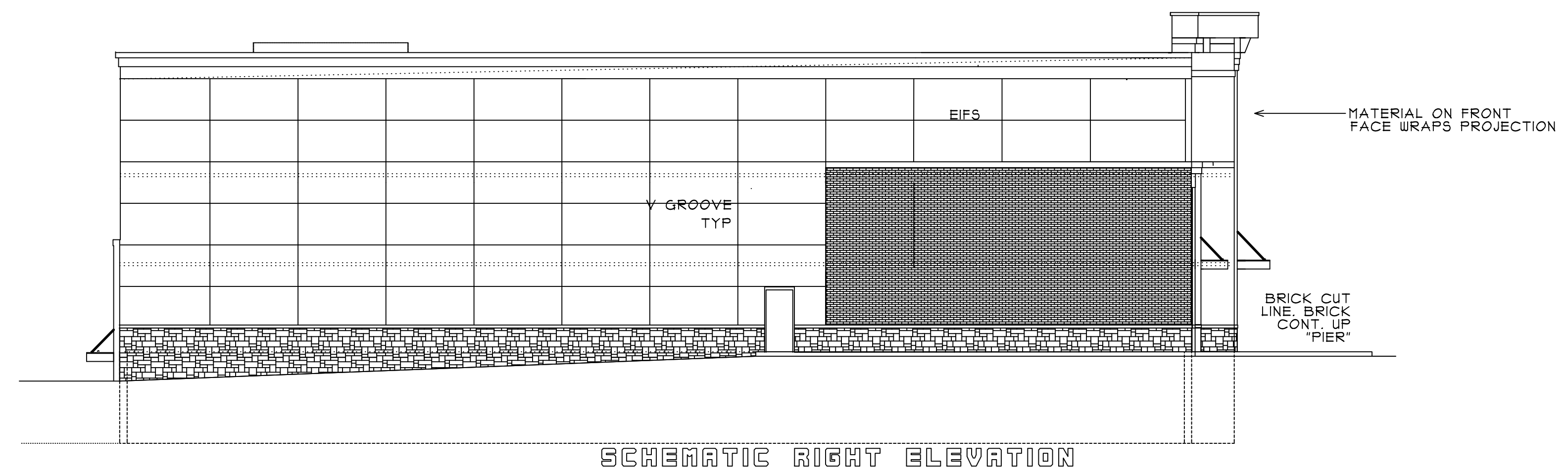
ELEVATIONS

GCP	GCP	SHEET:
DESIGNED BY:	DRAWN BY:	A-1
GCP	GCP	
CHECKED BY:	APPROVED BY:	OF:
1200MLK	1200MLKA	1/19/19
CAD FILE NAME:	PROJECT #	DATE:



SCHEMATIC FRONT ELEVATION

ALL ALUMINUM STOREFRONT KAWNEER RED  
CANOPY'S WHITE  
MAN DOORS SIDE RED



SCHEMATIC RIGHT ELEVATION

**MATERIAL COLOR KEY:**  
RED METAL-METAL CAP AS CALLED AND ALUMINUM STOREFRONT-REGAL RED KAWNEER RED IS ACCEPTABLE. GENERALLY MATCH REDS ON RENDERING  
RED CAP-SEE SAMPLE COLOR ELEV (EARLIER VERSION USE COLOR ONLY) RED IS CALLED METAL AT TOP CAP ON ELEVATION.  
EIFS MAIN BLDG COLOR-DRYVIT MOUNTAIN FOG GRAY 132  
EIFS TRIM COLOR-DRYVIT DRIFTWOOD GRAY 133  
NOTE: THESE COLOR DIFFERENCES ARE SUBTLE. FOR RENDERING IF TRIM COLOR NEEDS TO BE DARKER SOME FOR CONTRAST DO SO AND WE WILL REVISE IN ACTUAL FIELD APPROVALS  
SEE SAMPLE COLOR ELEV. AREAS FOR GENERAL BASE VS ACCENT EIFS COLOR.  
BRICK-GENERAL SHALE SMOKE GREY VELOUR OR SIMILAR GREY THIS BRICK SHOULD RENDER SOMEWHAT DARKER THAT THE EIFS TRIM COLOR  
STONE BASE SIM TO CULTURED STONE -"LIMESTONE SUEDE". NOTE THAT REAL STONE OR SIM. ARCHITECTURAL CONC. STONE MAY BE USED.

ALL © 8/22"

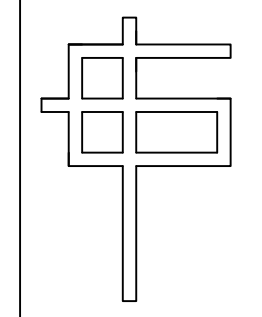
# 1200 MLK SELF STORAGE CENTER

ORANGE COUNTY  
NORTH CAROLINA

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REV. DATE:	REVISION DESCRIPTION
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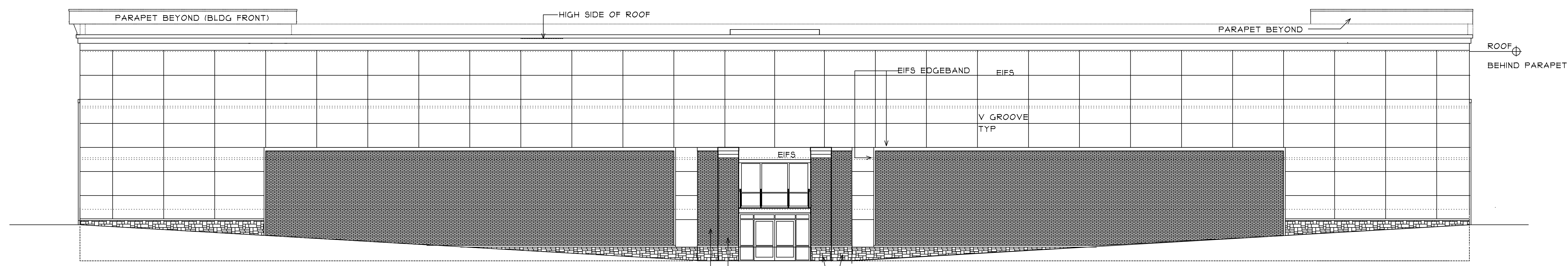
G. CLEVELAND PATE, PLLC  
Architecture • Planning  
6013 Fordland Drive, Raleigh, NC 27606  
919-851-0052

SEALS:  
  
REVIEW

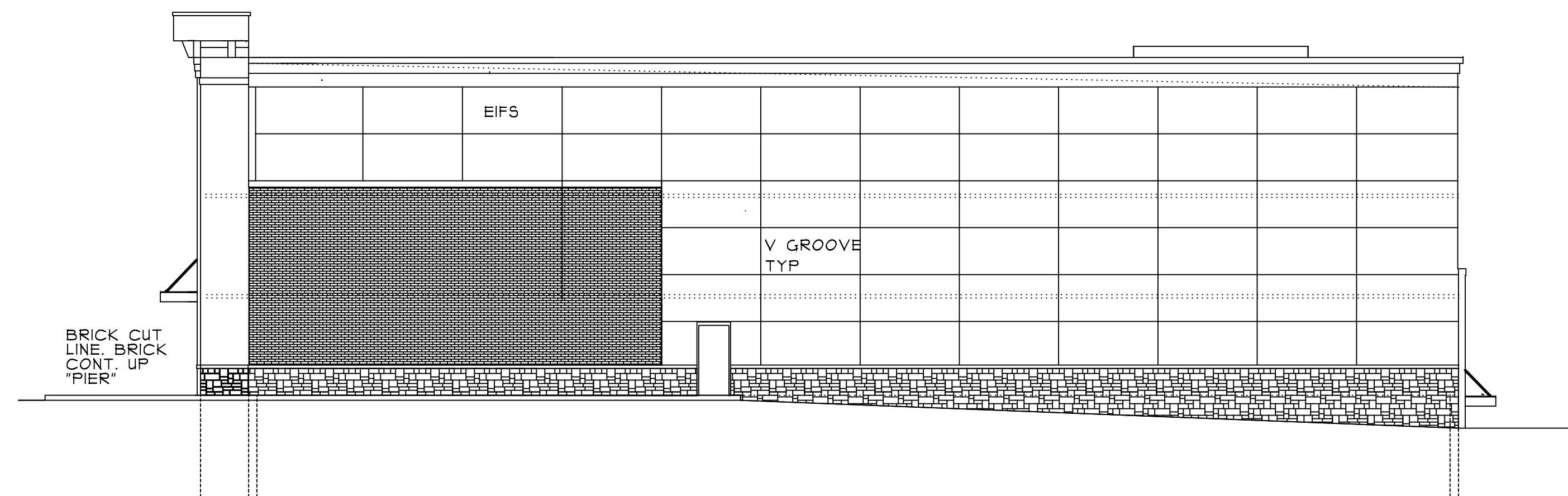
SEALS:  
**NOT FOR  
CONSTRUCT**

## ELEVATIONS

DESIGNED BY: GCP	DRAWN BY: GCP	SHEET: <b>A-2</b>
CHECKED BY: GCP	APPROVED BY: GCP	
1200MLK	1200MLKA	DATE: 1/19/19
CAD FILE NAME:	PROJECT #	DATE:



**SCHEMATIC REAR ELEVATION**  
SEE FRONT ELEVATION FOR TYP. MATERIAL /COLOR NOTES



**SCHEMATIC RIGHT ELEVATION**

ALL @ 3/32"

## Amy Harvey

---

**From:** Jeanette Coffin  
**Sent:** Tuesday, November 03, 2020 9:57 AM  
**To:** John Rees  
**Cc:** Judy Johnson; Allen Buansi; Amy Ryan; Hongbin Gu; Jeanne Brown; Jess Anderson; Karen Stegman; Michael Parker; Pam Hemminger; Shakera Vaughan; Tai Huynh; Amy Harvey; Ann Anderson; Carolyn Worsley; Flo Miller; Laura Selmer; Mary Jane Nirdlinger; Maurice Jones; Rae Buckley; Ran Northam; Ross Tompkins; Sabrina Oliver  
**Subject:** RE: Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd.

Thank you for your correspondence with the Town of Chapel Hill. The Mayor and Town Council are interested in what you have to say. By way of this email, I am forwarding your message to the Mayor and each of the Council Members, as well as to the appropriate staff person who may be able to assist in providing additional information or otherwise addressing your concerns.

Again, thank you for your message.

Sincerely,

Jeanette Coffin



Jeanette Coffin  
 Office Assistant  
[Town of Chapel Hill Manager's Office](#)  
[405 Martin Luther King Jr. Blvd.](#)  
[Chapel Hill, NC 27514](#)  
 (o) 919-968-2743 | (f) 919-969-2063

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**From:** John Rees [mailto:jreesnc@gmail.com]  
**Sent:** Monday, November 2, 2020 5:05 PM  
**To:** Town Council <mayorandcouncil@townofchapelhill.org>  
**Cc:** Michael Sudol <msudol@townofchapelhill.org>; Elizabeth Webber <buffie.webber@gmail.com>; Melissa McCullough <melissamccnc@gmail.com>; Louie Rivers <lrsiversiii@gmail.com>; James Baxter <james.baxter56@gmail.com>; Michael Everhart <mikemail08@gmail.com>; Whit Rummel <whitr@icloud.com>; sbwhitlow <sbwhitlow@gmail.com>; Neal Bench <nj397bench@gmail.com>; Kai Nilsen <kaicnilsen@gmail.com>  
**Subject:** Conditional Zoning for 1200 & 1204 Martin Luther King Jr. Blvd.

**External email:** Don't click links or attachments from unknown senders. To check or report forward to [reportspam@townofchapelhill.org](mailto:reportspam@townofchapelhill.org)

To the mayor and town council.

On Wednesday, you will be reviewing the conditional zoning application for the Tarheel Trailer park, 1200 and 1204 Martin Luther King Jr. Blvd.

The planning commission moved to recommend Resolution B, denying the Special Use Permit Modification. This was not an easy decision for our advisory board to make.

We felt it important to explain to the council the detailed reasons for the denial. The planning commission formed a sub committee to draft the letter below. It was then reviewed by the entire commission and approved, by vote, at a subsequent meeting to be sent as representative of the feelings of the entire planning commission membership.

**Date:** October 20<sup>th</sup>, 2020

**From:** The Chapel Hill Planning Commission

**To:** The Chapel Hill Town Council

**Memorandum:** SUP Proposal for 1200/1204 MLK Blvd.

On October 6<sup>th</sup>, 2020, the Chapel Hill Planning Commission voted 5-2 to adopt Resolution B, recommending a denial of the Special Use Permit modification application for 1200/1204 MLK Blvd. Commissioners broadly agreed that the project as proposed presents several significant drawbacks for the residents of the neighborhood, and the Town at large.

The driver of this project is the proposed addition of a large, conditioned, self-storage building on the site, which requires moving several mobile homes, which are currently elsewhere on the site, into the Resource Conservation District to make space for the new building. The proposal prompts numerous requested changes to the Land Use Management Ordinance.

The Commission in no way wants to threaten the existence or location of the familial community in the existing neighborhood, and our decision is based foremost in this belief. We want the town to actively work to help protect this underserved community. This neighborhood is in fact identified on the current draft of the Future Land Use Map as a “Sensitive Displacement Area.” According to the applicant, the new owner of the site purchased the property with the promise that they would preserve the home locations of those that live there. We expect them to honor this promise.

Please note that even the two Commissioners who voted against Resolution B had concerns about the project, and one commented that this was a “bad, bad project.” Their votes reflected a belief that accepting this proposal might be better than waiting for a different proposal that might not retain all current homes on site.

Overall, while we laud the applicant for presenting a plan that does **not** directly displace any residents, we find that the proposal is asking the Town for too much in return.

1. Requested change to LUMO 6.23.4
  - The Commission recommends denial of this request because both the present zoning and the FLUM designate this area for community and residential uses. Self-storage is not an appropriate “community use” for the limited Chapel Hill infill land, especially alongside a future major Bus Rapid Transit line that was designed and funded in order to get cars off the road and foster transit-oriented development. We believe that self-storage as an accessory use is intended exclusively for situations where on-site storage facilities are provided for the use of the residents.
2. Requested change to LUMO 6.23.2
  - The Commission recommends denial of this request because this regulation is intended to be applied regardless of being a “T” intersection or not, and is intended to promote walkable and lively streetscapes. Additionally, the FLUM calls for an active frontage on this portion of MLK, as well as the aforementioned BRT stop. A large self-storage building will effectively be dead space. It is distinctly inactive and placing it here will work against the goals of the Town to invigorate this area and make it more pedestrian and bicycle friendly.
3. Requested change to LUMO 6.12(d)
  - The commission has no major objections to the reconstruction of the gas service station and the required access driveway. The developer has agreed to work with the Town when the BRT stop necessarily changes whatever sidewalk/driveway frontage is in place at the time.
4. Requested change to LUMO 3.6.3-2
  - The Commission recommends denial of this request. The Resource Conservation District was established to protect the Town’s waters and water quality and we recommend that the protections of the



RCD be respected, there is not substantial justification to grant an exemption. This plan proposes grading nearly 1 acre of the RCD, negatively impacting the water quality and hydrology of the site, which feeds directly into Lake Ellen, and then into Booker Creek and across town. We are not opposed to any homes that currently sit within the RCD remaining where they are. However, a good plan would move homes out of the RCD, and certainly not into it.

- The developer contends that this relocation is necessary to prevent displacement, but that is only true if the storage building is constructed in the first place, and the assertion presents a false choice for the Town.
  - Additionally, the relocation of homes into the RCD presents potential and unknowable issues for those residents in the long term. The developer cited the testimony of someone who grew up there that “it hadn’t flooded” in their memory. However, we know that climate change is creating new patterns of flooding in our area and the past is a poor indicator of what is likely to come. Putting vulnerable mobile homes into what could be an active floodplain is a disservice to those residents.
5. Requested change to LUMO 5.9.7
    - Were the project to be built, we agree with the applicant that a reduction in the minimum number of parking spaces is appropriate.
  6. Requested change to LUMO 3.7.3,
    - Were the project to be built, we agree with the applicant that this modification is appropriate. Otherwise, many of the mobile homes currently on site would be in violation of the LUMO and people would likely be displaced.

In conclusion, the Planning Commission recognizes that the process of matching infill development projects with appropriate locations, and the needs and wants of the Town is difficult. However, we do not believe that making so many significant precedent-setting exceptions in the LUMO is wise or appropriate in this case. Other projects in Chapel Hill would suggest that this proposal is not the only viable commercial option for the applicant. We implore both the Town Council and the project applicant to arrive at better solutions.

Respectfully,  
The Chapel Hill Planning Commission.



TOWN OF CHAPEL HILL  
 Planning Department  
 405 Martin Luther King Jr. Blvd.  
 Chapel Hill, NC 27514-5705

phone (919) 968-2728  
[www.townofchapelhill.org](http://www.townofchapelhill.org)

## Response to Town Council Questions for 1200 MLK December 9, 2020

**Council Question:** A few council members expressed an interest in having town staff have meetings with residents of the mobile home park, separate and apart from the management to gauge the concerns of residents in a comfortable setting. Can staff accommodate this request?

**Staff Response:** Housing and Community and Planning staff are planning a meeting with residents on Thursday, November 19<sup>th</sup>. We are working closely with Empowerment to plan the meeting and they, along with Family Success Alliance will assist with outreach to residents in advance of the meeting. We will also be noticing the meeting in English-Spanish and providing interpretation for the meeting for Spanish speakers.

**Council Question:** Regarding the gas station that is proposed as part of the application, is it proposed to be a 24/7 gas station or will there be specific times it will be open and closed? If so, what are those hours?

**Applicant Response:** The station will be open 24/7.

**Council Question:** A council member brought up, in a small group session, that the hours the proposed self-storage building would be open and suggested that the contemplated 10 pm closing time be moved to an earlier time, in consideration of the neighboring residents of the Tar Heel Mobile Home Park. Dan Jewell seemed amenable to this. Is the applicant willing to accommodate that request?

**Applicant Response:** In order to further limit the hours that residents might encounter someone pulling around to the north side of the building to use the loading dock, we will restrict the hours that that dock and back door are open to something less than the 6 AM to 10 PM time frame. We are surveying potential customers and will have those hours for you prior to the next Public Hearing. Signs will be installed on the driveways to the rear of the building that say “no access to loading dock from XX AM to XX PM”, or similar.

**Council Question:** A resident in the Tar Heel Mobile Home Park, during public comment, referenced a community rules packet that residents had been sent. What is the rules packet for residents of the Tar Heel Manufactured Home Park and its purpose. Can we, council members, be provided a copy of this?

**Applicant Response:** Park rules are attached.

**Council Question:** A few council members requested that the 10-year commitment to a mobile home park be extended to upwards of 15 years. Is the applicant willing to accommodate this request?

**Applicant Response:** The applicant is in fact considering extending this to 15 years subject to acceptance of our proposed rental increase schedule.

**Council Question:** Is the applicant willing to use CPI or some other objective measure by which to limit rent increases, so as to establish reasonable expectations for residents, as to rent increases?

**Applicant Response:** The applicant is working on a proposal for a predictable graduated rental increase schedule based on some manner of market-based metric. This will be provided to Staff in the next week to 10 days.

**Council Question:** A couple of council members expressed a desire for longer lease periods to be provided to residents. Dan Jewell asserted that month-to-month leases are the standard with mobile home parks but he was willing to see if mobile home parks do longer leases. Can town staff investigate this for ourselves?

**Staff Response:** Staff is gathering additional information and will share additional information prior to the Public Hearing.

## **Tarheel Mobile Home Park Supplemental Information for the Town Council**

Stackhouse Management is the property management firm for Tarheel Mobile Home Park. Stackhouse is a Durham based company that specializes in managing mobile home parks across a 5 state region. Across nearly 20 NC properties, Stackhouse uses uniform rules and policies including those at Tarheel. The specific resident comment at Council meeting was referring to the recent distribution of the updated standard rules and concerned normal daily issues like pets, trampolines, parking spots, etc. There are / have been no significant rule changes for Tarheel residents. These rules have been provided to the Town as requested. All resident communications are in both English and Spanish – both written and verbal communications.

As part of the potential rezoning in Chapel Hill, Stackhouse has worked collaboratively with Town Housing Officials and Empowerment to facilitate open discussions about the project. Town Officials have been invited to every meeting and were represented at nearly all or all of the meetings. Moreover, Stackhouse made onsite space available for Town Officials and Empowerment to hold multiple onsite meetings with residents where the developer and Property Manager were not present.

We believe Town Housing officials can list all of the different interactions that they have had with residents to illustrate this point since Council had concerns about sufficient engagement with residents. It should be noted that residents have been invited to at least 5 onsite meetings and also been invited to participate in at least 10 public hearings. We are confident that residents have had full and transparent access to information and this process. As demonstrated in public comments, most residents are supportive of this project.

Neighborhood Meetings that the Developer organized, participated in or was aware of include:

12/2/2018 Park Meeting all residents

12/4/2018 Park Meeting all residents

1/26/2019 Empowerment Inc w/ affected residents

2/7/2019 Park meeting with affected residents

9/10/2019 One on One with Empowerment Inc & affected residents

9/22/2019 Park Meeting all residents

9/23/2019 Park Meeting all residents

9/30/2019 Park One on One with residents

10/1/2019 Park One on One with residents

10/19/2019 Park Community Day Q&A

5/14/2020 Park One on One with residents

5/28/2020 Park One on One with residents

Also met with the residents that purchased new homes separately on 2/5/2020, 6/1/2020, 9/25/2020.

We respectfully ask the Council to delineate between normal ongoing property management concerns of residents (rules about pets, trampolines, tree trimming, parking spaces) from the fundamentally critical issues addressed in this Conditional Zoning application.

Stackhouse Management has proactively worked with residents whose homes are in the potential construction area. Every family that wanted to move to a different location on site has been accommodated (some homes were moved and some families moved to a different home). The remaining residents in the construction zone have asked to remain in their current location until / if the project is approved. Those requests are being honored. For families whose homes were not moveable, Stackhouse provided an alternative home onsite as a temporary residence at no cost to that family. For families that needed to be relocated, Stackhouse offered them the option to purchase a brand-new home at cost with zero interest – 1 family took advantage of this offer.

## STACKHOUSE MANAGEMENT, LLC

**RULES FOR NORTH CAROLINA MOBILE HOME PARKS**

Welcome! To protect your investment and for the best interest of your community certain rules have been adopted to ensure each resident has the benefit of enjoying their home and the park. If these standards are not maintained, residents will receive a notice of violation, followed by a fine and possible eviction.

**PAYMENT**

All rents are payable in advance by the first of each month. After the 5th of the month a late fee penalty of \$15, or 5% of full rent (whichever is greater), shall be applied to the rental payment. If full rental payment is not received within 7 days after it becomes due, anyone who does not have rents paid on time, unless otherwise arranged for in writing, shall be directed to leave the park within thirty (30) days at the option of management.

**COMMUNITY**

1. All homes and yards are kept in an outwardly presentable condition and not allowed to deteriorate or fall in disrepair so as to become an eyesore or nuisance to the neighborhood. The home should not have fading or flaking paint, broken windows, unsightly awning, and home accessories. No trees or shrubs may be planted. Vegetable and flower gardens are permitted. Failure to maintain a garden may result in fines or revocation of approval.
  - a. House and/ or lot numbers must be visible on the top left corner of the front and back of the home. Standard 6" reflective number labels should be used to ensure the address is visible from the road.
  - b. Lawn furniture, bicycles, toys and other outdoor articles, when not in use detract from the attractive appearance of the community. Therefore, no storage of any kind will be permitted around the home except in a utility building that has received written approval by management.
  - c. No alterations, additions, or changes, such as outside buildings, antennas, fences, patios on the premises or fixtures thereon without the written consent of the management. As all the utility lines are underground, no fences, poles, or stakes can be driven into the ground.
  - d. Towing hitches must be removed or covered per Federal Government Insurance guidelines (HUD).
2. Management provides for pickup of trash at specified times. All garbage must be in plastic bags and placed in garbage containers. Garbage containers used for mobile home site shall be tightly covered and fastened to prevent their blowing freely in park. Plastic garbage bags may not be left exposed out of doors. Any cardboard or other large items must be torn apart, smashed, or otherwise compressed as much as possible.
3. Communities with curbside trash service, may move garbage container to the curb after 3 PM the day before trash pick-up and must be returned to the home by 10 PM the day of trash pick-up. Trash service is provided for 1 solid waste container per household. Having more than 1 trash container for pick up or having more than one pick-up at your residence will result in a fine. If your trash is placed in dumpsters any trash found outside the dumpsters or placed improperly on top of dumpsters will result in a fine assessed to all residents.
4. To install approved steps and metal skirting around the mobile home within 60 days after home is placed on site. If inclement weather or other unforeseen matters cause a delay, this will be taken into consideration. Skirting shall be installed according to park standards.
5. Disorderly conduct, abusive language, noisy disturbances, or disregard of the rules and regulations contained herein shall be grounds for immediate removal of all persons committing said offenses from the premises.
6. Parents will be held responsible for any damage caused by their children. Tenants will be responsible for their guests and pets.

**VEHICLES**

1. Two vehicles are allowed at each homesite. Do not park on the Grass or in or along park roads, or in undesignated areas on the lots. Parking Spaces are 20X20.
2. Reasonable speed limits are essential to safeguard residents and the children, the speed limit of 10 miles per hour is strictly enforced. Please report excessive speeding.
3. Vehicles which are unlicensed, having plates that are expired or are inoperable cannot be parked or stored on

## STACKHOUSE MANAGEMENT, LLC

the premises. Any vehicle found to be in violation of this rule will be towed, at the owner's expense.

4. Tenants are not allowed to store, park or repair boats, "off road" vehicles, dirt bikes, Box Trucks or ATV on premises.
5. No automobiles can have a "for sale" sign on the car.

### **RESIDENT RESPONSIBILITIES**

1. All water lines must be insulated at all times, by insulation or heat tape. Any damage caused to the park water lines or mobile home water system, because of frost or water lines freezing of resident water pipes and connections shall be repaired at the tenant's expense.
2. The only three things you should flush down the toilet are feces, urine, and toilet paper. Anything that is not dissoluble should not be put in the sewer. This means do not flush paper towels, disposable diapers, sanitary napkins, "flushable" wipes or cat litter.
3. No peddling, soliciting or commercial enterprises are permitted in the park. Signs or any type of advertisement is prohibited.
4. No leased lots shall be used for commercial or business purposes – this means you cannot operate a business or store business materials on your lot.
5. No home or lot shall be subleased or put in the possession of another party without prior written approval from management. All mobile homes and lots are to only be occupied by the applicant(s) and occupants listed on the signed lease. Prior to selling a home the tenant must have written approval from management. To receive obtain approval the prospect must complete an application, background check and provide valid photo identification. Without approval the home must be vacated.

### **REPAIR CHARGES:**

Repair of any underground utility lines damaged by digging or planting on the premises will be charged to the appropriate resident causing the damage. Repair to common areas and other homes/buildings damaged by a resident's activities will be charged to the resident causing or participating in the cause of the damage. Any and all repairs that are required due to negligence or improper use on the part of the Resident will be charged to the tenant's lot rent account.

### **MANAGEMENT**

1. The owner reserves the right to increase any fees or change or alter these rules providing the owner delivers to every resident a notice in writing at least 30 days in advance of increase of park fee or rule change.
2. Management shall not be liable for loss or damages to a home or any personal property owned by resident unless may be caused by negligence of management.
3. The management will not be responsible for accidents, injuries, or loss of property by fire, theft, wind, floods, or other natural acts which are beyond its control. Equipment and apparatus furnished on the grounds are solely for the convenience of residents and all persons using same do so at their own risk.
4. There are certain rules and ordinances for mobile homes set forth by the county and state that we all must abide by. These will be strictly enforced.
5. The park owner retains the right, in its sole discretion, to waive, any one or more of these rules with respect to any one or more homeowners. Waiver of any rule or right unless expressly stated herein, nor shall a waiver on behalf of any specified individual or individuals be deemed a waiver for any unspecified individuals. ANY violation of the above rules could be cause for eviction from the park.

### **PETS**

**NO FARM ANIMALS ALLOWED – this includes but is not limited to chickens, roosters, goats, cows, or sheep.**

1. The presence of all animals shall be reported to the park owner within five (5) days of the acquisition of

## STACKHOUSE MANAGEMENT, LLC

the animal or pet.

Management requires proof of registration for all pets residing in the park. If you currently have a pet in your home, you have 30 days from the date you received the park rules and regulations to provide proof of registration from your county of residence or remove the pet from the premises.

2. Registered Pets are allowed in the park only so long as-
  - a) they are not allowed to run loose at any time
  - b) they are never chained outside the mobile home. -They are only outside while being walked on a leash.
  - c) they do not annoy or disturb the neighbors.
3. All Pet excrement must be removed by the pet owner from the pet owner's yard or any other place or location within the community where the pet may have access. When pets are walked in the common areas, the pet owner must clean up after the animal. A \$25.00 per incident fine will be imposed upon the owner of any pet who does not clean up after their animal anywhere in the community, including their lot.
4. All Pet owners are responsible for any damage caused by the pet to community property or the property of another resident. Such damage must be repaired and/or paid for by the pet owner.
5. No dog runs, dog houses, cage or fenced areas for a pet are permitted. All pets must be kept inside the home. Anytime time pet is outside, it must be kept on a leash and may not be left unattended.
6. No more than two pets are permitted per home
7. Under no circumstance are cats allowed to roam the property
8. Any homeowner who has a dog known to be unfriendly, aggressive or a dog that has previously bitten or attacked someone is prohibited. Management reserves the right to demand a pet be removed from the community in the event of a serious attack or aggressive behavior.
9. Prohibited Breeds – Specific breeds of dogs or mixes including those breeds are not permitted
  - a) Pitbull
  - b) Chow
  - c) Doberman
  - d) Rottweiler
  - e) Husky
  - f) Great Dane
  - g) German Shepard
  - h) Malamute
10. **INSURANCE REQUIRED.** Management requires proof of insurance from any resident housing a dog or any other pet in the community. Homeowners are advised to contact their insurance company/agent to make certain liability coverage for pets is included to their homeowner policy.

#### **OUTSIDE PLAY/RECREATION EQUIPMENT**

1. Outside play equipment, weightlifting or exercise equipment, spa, whirlpool or any other unit, device or equipment is **not permitted**.
2. **Trampolines of any size are not permitted**
3. **Pools of any size are not permitted**
4. **Swing sets are not permitted**

#### **STORAGE AROUND & UNDER THE HOME**

1. Mobile home tires, axles, hitches, and non-hazardous items may be stored beneath the manufactured home.
2. Up to ½ cord of firewood may be kept at least six feet from the home and 12 inches above the ground in a



## STACKHOUSE MANAGEMENT, LLC

freestanding frame.

3. Other combustible or hazardous materials are prohibited. The only items permitted on a patio are:
4. Patio furniture, picnic tables, potted plants, all in good condition.
5. Bikes, toys, garbage cans, lawn and garden equipment, tools and other large items must be stored in the shed, under the home or out of sight from the street.
6. Grills (gas or charcoal) may not be stored on the deck, porch or steps of any home. When in use the grill must be located at least 10 feet from any structure.

**STORAGE SHEDS**

Each lot is permitted one shed of an approved size and style as directed by management. Sheds must be in compliance with health regulations regarding proximity to neighboring structures. No auxiliary structures may be constructed or affixed to a shed to create additional covered storage area. Shed must be maintained in good appearance and condition.

**DAMAGE TO DRIVEWAYS,**

1. A homeowner will be held responsible for damage to a patio area, driveway, sidewalks or yard.
2. Management reserves the right to assess a fee to correct and/or clean any area for which the homeowner is responsible.

**CONSTRUCTION AND SAFETY STANDARDS**

1. Oil and propane gas tanks are to be located to the rear of the home, and out of sight from the road.
2. Fireworks, open fire-pits and any burning are prohibited on the park property and the areas around the park.
3. All mobile homes must be power washed annually.
4. All homes to be placed on lot according to the management specifications and all connections to water, electric and sewer lines must be with management approval.
5. All connections between the meter and the mobile home is to be made by a licensed electrician approved by the owner. The cost of such connections and maintenance is the Residents responsibility. Each homeowner will be responsible for any clogging of sewer lines, pumping of the sewer system necessitated by excessive use of water due to faulty or leaking fixtures or other detrimental usage.

## STACKHOUSE MANAGEMENT, LLC

**REGLAS PARA EL PARQUE DE CASA MÓVIL**

¡Bienvenido! Para proteger su inversión y para el mejor interés de su comunidad, se han adoptado ciertas reglas para asegurar que cada residente tenga el beneficio de disfrutar de su hogar y el parque. Si no se mantienen estos estándares, los residentes recibirán un aviso de violación, seguido de una multa y un posible desalojo.

**PAGO**

El alquiler de un sitio para viviendas se paga por adelantado y vence el primer día de cada mes. Si los alquileres no se reciben dentro de los 5 días de la fecha de vencimiento, se agregará un cargo por servicio del 5% o \$ 15.00, el que sea mayor. La falta de pago de la renta provocará el desalojo del parque.

**COMUNIDAD**

1. Todas las casas y patios se mantienen en una condición aparentemente presentable y no se les permite deteriorarse o caer en mal estado para convertirse en una molestia para el vecindario. La casa no debe tener pintura descolorida o desconchada, ventanas rotas, toldo antiestético y accesorios para el hogar. No se pueden plantar árboles o arbustos. Vegetales y jardines de flores están permitidos. No mantener un jardín puede resultar en multas o revocación de la aprobación.
  - a. Los números de casa y / o lote deben estar visibles en la esquina superior izquierda de la parte delantera y trasera de la casa. Se deben usar etiquetas de números reflectantes estándar de 6 "para asegurar que la dirección sea visible desde la carretera. segundo.
  - b. Muebles de jardín, bicicletas, juguetes y otros artículos de exteriores, cuando no están en uso, restan valor a la apariencia atractiva de la comunidad. Por lo tanto, no se permitirá ningún tipo de almacenamiento en el hogar, excepto en un edificio de servicios públicos que haya recibido la aprobación por escrito de la administración. do.
  - c. No se permiten modificaciones, adiciones o cambios, como edificios externos, antenas, cercas, patios en las instalaciones o accesorios sin el consentimiento por escrito de la administración. Como todas las líneas de servicios públicos están bajo tierra, no se pueden colocar vallas, postes o estacas en el suelo.
  - d. Los enganches de remolque deben retirarse o cubrirse según las pautas de seguro del gobierno federal (HUD)
2. La administración proporciona la recolección de basura en momentos específicos. Toda la basura debe colocarse en contenedores apropiados y colocarse en el lugar designado

## STACKHOUSE MANAGEMENT, LLC

3. Instalar pasos aprobados y zócalos de metal alrededor de la casa móvil dentro de los 60 días posteriores a la colocación de la casa en el sitio. Si las inclemencias del tiempo u otros asuntos imprevistos causan un retraso, esto se tendrá en cuenta. Los zócalos se instalarán de acuerdo con las normas del parque.
4. Instalar escalones aprobados y zócalos de metal alrededor de la casa móvil dentro de los 60 días posteriores a la colocación de la casa en el sitio. Si las inclemencias del tiempo u otros asuntos imprevistos causan un retraso esto se tendrá en cuenta. Los zócalos se instalarán de acuerdo con los estándares del parque.
5. La conducta desordenada, el lenguaje abusivo, los disturbios ruidosos o el incumplimiento de las reglas y regulaciones contenidas en este documento serán motivo para la expulsión inmediata de todas las personas que cometan dichos delitos de las instalaciones.
6. Los padres serán responsables por cualquier daño causado por sus hijos. Los inquilinos serán responsables de sus invitados y mascotas.

**VEHICULOS**

1. Se permiten dos vehículos en cada sitio. No se estacione en la hierba o fuera de la calle. Los límites de velocidad razonables son esenciales para proteger a los residentes y los niños, el límite de velocidad de 10 millas por hora se aplica estrictamente. Por favor, informe de exceso de velocidad.
2. Los vehículos que no tienen licencia, que tienen placas vencidas o inoperables no se pueden estacionar ni almacenar en las instalaciones. Cualquier vehículo que se encuentre en violación de esta regla será remolcado, a cargo del propietario.
3. Los inquilinos no tienen permitido almacenar, estacionar o reparar embarcaciones, camiones de caja vehículos "off road" ,ATV en las instalaciones.
4. Ningún automóvil puede tener un letrero de "venta" en el automóvil.

## STACKHOUSE MANAGEMENT, LLC

**RESPONSABILIDADES DE LOS RESIDENTES**

1. Todas las líneas de agua deben estar aisladas en todo momento, mediante aislamiento o cinta de calor. Cualquier daño causado a las líneas de agua del parque o al sistema de agua de la casa móvil, debido a la congelación o la congelación de las tuberías y conexiones de agua residentes se reparará por cuenta del inquilino.
2. No se permite el tráfico, la solicitud o las empresas comerciales en el parque. Las señales o cualquier tipo de publicidad está prohibida.
3. No se deben usar lotes arrendados con fines comerciales o comerciales; esto significa que no puede operar un negocio o almacenar materiales comerciales en su lote.
4. Las únicas tres cosas que debe tirar en el inodoro son las heces, la orina y el papel higiénico. Cualquier cosa que no sea soluble no debe ser puesta en la alcantarilla. Esto significa que no debe tirar toallas de papel, pañales desechables, toallas sanitarias, toallitas desechables o arena higiénica para gatos.
5. Ningún hogar o lote será subarrendado o puesto en posesión de otra parte. Todas las casas móviles y lotes solo deben ser ocupados por los solicitantes y los ocupantes que figuran en el contrato firmado. Antes de vender una casa, el inquilino debe contar con la aprobación por escrito de la administración. Para recibir y obtener la aprobación, el prospecto debe completar una solicitud, verificación de antecedentes y proporcionar una identificación con foto válida. Sin aprobación el hogar debe ser desalojado.

**CARGOS DE REPARACIÓN:**

La reparación de cualquier línea de servicio subterráneo dañada por la excavación o plantación en las instalaciones se cargará al residente correspondiente que cause el daño. La reparación de las áreas comunes y otras casas / edificios dañados por las actividades de un residente se cargará al residente que cause o participe en la causa del daño. Todas y cada una de las reparaciones que sean necesarias debido a negligencia o uso indebido por parte del Residente se cargarán a la cuenta de alquiler del lote del inquilino.

**ADMINISTRACIÓN**

1. El propietario se reserva el derecho de aumentar cualquier tarifa o cambio o alterar estas reglas, siempre que el propietario envíe a cada residente un aviso por escrito al menos 30 días antes del aumento de la tarifa del parque o el cambio de reglas.
2. La administración no será responsable por pérdidas o daños a un hogar o propiedad personal que sea propiedad del residente, a menos que sea causada por negligencia de la administración.
3. La administración no será responsable por accidentes, lesiones o pérdida de propiedad por incendio, robo, viento, inundaciones u otros actos naturales que estén fuera de su control. Los equipos y aparatos suministrados en el terreno son únicamente para la comodidad de los residentes y todas las personas que los usan lo hacen bajo su propio riesgo.
4. Hay ciertas reglas y ordenanzas para casas móviles establecidas por el condado y el estado que todos debemos cumplir. Estos serán estrictamente aplicados.
5. El propietario del parque se reserva el derecho, a su exclusivo criterio, de renunciar a cualquiera de estas reglas o más con respecto a cualquiera o más propietarios de viviendas. Renuncia a cualquier regla o derecho, a menos que se indique expresamente en el presente documento, ni una renuncia a nombre de ninguna persona o personas específicas se considerará una renuncia para personas no especificadas. CUALQUIER violación de las reglas anteriores podría ser causa de desalojo del parque.

**MASCOTAS**

**NO SE PERMITEN ANIMALES DE GRANJA** - esto incluye, pero no se limita a pollos, gallos, cabras, vacas o ovejas.

1. La presencia de todos los animales se informará al propietario del parque dentro de los cinco (5) días posteriores a la adquisición del animal o mascota. La administración requiere comprobante de registro para todas las mascotas que residen en el parque. Si actualmente tiene una mascota en su hogar, tiene 30 días a

## STACKHOUSE MANAGEMENT, LLC

- partir de la fecha en que recibió las reglas y regulaciones del parque para proporcionar un comprobante de registro de su condado de residencia o retirar a la mascota de las instalaciones.
2. Se permiten mascotas registradas en el parque solo por un tiempo a) no se les permite correr sueltos en ningún momento b) nunca se encadenan fuera de la casa móvil. -Sólo están afuera mientras caminan con una correa. c) No molestan ni molestan a los vecinos.
  3. Todos los excrementos de mascotas deben ser retirados por el dueño de la mascota del patio del propietario de la mascota o cualquier otro lugar o ubicación dentro de la comunidad donde la mascota pueda tener acceso. Cuando las mascotas son paseadas por las áreas comunes, el dueño de la mascota debe limpiar después del animal. Se impondrá una multa de \$ 25.00 por incidente al propietario de cualquier mascota que no limpie después de su animal en ninguna parte de la comunidad, incluido su lote.
  4. Todos los dueños de mascotas son responsables por cualquier daño causado por la mascota a la propiedad de la comunidad o la propiedad de otro residente. Dicho daño debe ser reparado y / o pagado por el dueño de la mascota.
  5. No se permiten corridas de perros, casetas de perros, jaulas o áreas cercadas para mascotas. Todas las mascotas deben mantenerse dentro de la casa. En cualquier momento en que la mascota esté afuera, debe mantenerse con una correa y no puede dejarse desatendida.
  6. No se permiten más de dos mascotas por hogar.
  7. Bajo ninguna circunstancia se les permite a los gatos vagar por la propiedad
  8. Se prohíbe cualquier propietario de casa que tenga un perro conocido como hostil, agresivo o que haya mordido o atacado previamente a alguien. La administración se reserva el derecho de exigir que una mascota sea removida de la comunidad en caso de un ataque serio o comportamiento agresivo.
  9. Razas prohibidas: no se permiten razas específicas de perros o mezclas, incluidas aquellas razas
    - a. Pitbull
    - b. Chow
    - c. Doberman
    - d. Rottweiler
    - e. Husky
    - f. Gran danés
    - g. Pastor Alemán
    - h. Malamute

**SEGURO REQUERIDO.** La administración requiere prueba de seguro de cualquier residente que aloje a un perro o cualquier otra mascota en la comunidad. Se recomienda a los propietarios de viviendas que se pongan en contacto con su compañía / agente de seguros para asegurarse de que la cobertura de responsabilidad para mascotas se incluya en su póliza de propietario.

### **JUEGO EXTERIOR / EQUIPO DE RECREACIÓN**

1. **No se permite el equipo de juego exterior, levantamiento de pesas o equipo de ejercicios, spa, hidromasaje o cualquier otra unidad, dispositivo o equipo.**
2. **No se permiten trampolines de cualquier tamaño.**
3. **No se permiten piscinas de cualquier tamaño.**
4. **No se permiten columpios.**

### **ALMACENAMIENTO ALREDEDOR Y BAJO EL HOGAR**

1. Los neumáticos, los ejes, los enganches y los elementos no peligrosos de las casas móviles pueden almacenarse debajo de la casa manufacturada.
2. Se puede mantener hasta media cuerda de leña al menos a seis pies de la casa y 12 pulgadas por encima del suelo en un marco independiente.
3. Otros materiales combustibles o peligrosos están prohibidos. Los únicos artículos permitidos en un patio son:
4. Muebles de patio, mesas de picnic, macetas, todo en buenas condiciones.

## STACKHOUSE MANAGEMENT, LLC

5. Las bicicletas, los juguetes, los botes de basura, el equipo para el césped y el jardín, las herramientas y otros artículos grandes deben almacenarse en el cobertizo, debajo de la casa o fuera de la vista de la calle.
6. Las parrillas (gas o carbón) no pueden almacenarse en la terraza, el porche o los escalones de ninguna casa. Cuando esté en uso, la parrilla debe ubicarse al menos a 10 pies de cualquier estructura.

**TALLER DE ALMACENAMIENTO**

Cada lote tiene permitido un cobertizo de un tamaño y estilo aprobados según lo indique la administración. Los cobertizos deben cumplir con las regulaciones de salud con respecto a la proximidad a las estructuras vecinas. Ninguna estructura auxiliar puede construirse o colocarse en un cobertizo para crear un área de almacenamiento cubierta adicional. El cobertizo debe mantenerse en buen aspecto y condición.

**DAÑO A LAS CONDUCCIONES,**

1. Un propietario será responsable por daños a un área de patio, camino de entrada, aceras o patio.
2. La administración se reserva el derecho de cobrar una tarifa para corregir y / o limpiar cualquier área de la cual el propietario sea responsable.

**NORMAS DE CONSTRUCCIÓN Y SEGURIDAD**

1. Los tanques de petróleo y gas propano deben ubicarse en la parte trasera de la casa, y estar fuera de la vista de la carretera.
2. Los fuegos artificiales, fogatas abiertas y cualquier quema están prohibidos en la propiedad del parque y las áreas alrededor del parque.
3. Todas las casas móviles deben ser lavadas a presión anualmente.
4. Todas las viviendas que se colocarán en el lote de acuerdo con las especificaciones de administración y todas las conexiones a las líneas de agua, electricidad y alcantarillado deben ser aprobadas por la administración.
5. Todas las conexiones entre el medidor y la casa móvil deben ser realizadas por un electricista autorizado y aprobado por el propietario. El costo de tales conexiones y mantenimiento es responsabilidad de los residentes. Cada propietario será responsable de cualquier obstrucción de las líneas de alcantarillado, bombeo del sistema de alcantarillado debido al uso excesivo de agua debido a accesorios defectuosos o con fugas u otro uso perjudicial.



## Summary of Tar Heel Community Engagement Meeting November 19, 2020



Town staff, in partnership with EmPOWERment, Inc., held a community meeting for Tar Heel Mobile Home Park residents on November 19 to hear residents' thoughts about neighborhood issues and feedback on the development proposal under consideration for the site. At least ten residents attended the virtual meeting, and seven residents spoke. Below is a summary of the feedback received from those residents:

Feedback about the development proposal:

- Happy they would be fixing the traffic light and entrance to the neighborhood.
- Generally like the project and am happy with it.
- Don't understand the point of another gas station. There are already two nearby.
- Safety concerns between the new development and neighborhood. A fence might help but people can climb over a fence or go around.
- Concerns about how close the homes will be once everyone is relocated and the new buildings are built.
- Encourage the town to think about our most vulnerable population when considering affordable housing projects.

Feedback about the neighborhood:

- The lighting in the community needs improving. There are several areas of the community that are very dark.
- The intersection at the entrance and exit of the neighborhood is dangerous and there are car accidents.
- The roads in the neighborhood can be dangerous. Stop signs and other measures to slow down cars would be helpful. There are potholes in the roads. Roads are narrow and dangerous if cars are driving in different directions on the road at the same time.
- Trees are an issue. A resident was killed several months ago, and there continue to be dangerous branches falling that could hurt residents. Have sent requests to property management, but they have not improved tree safety.
- Concern that any improvements that are made to the neighborhood will be charged back to the residents.
- Management keep sending new rules and regulations but won't say how they're going to improve the neighborhood.
- There aren't options for kids to play in the neighborhood. Many of the rule changes have limited types of play equipment we can keep outside of our houses, which limits options available for kids.
- Concern that some neighbors may not be coming to the meetings or speaking due to worries they could be retaliated against.
- Believe that technology has been a barrier for many families to participate in the meeting and provide feedback.