



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

Wednesday, May 19, 2021 7:00 PM

Virtual Meeting

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_aiurAMydQs2WbvqyDu42wQ
After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 892 4338 7666*

View Council meetings live at <https://chapelhill.legistar.com/Calendar.aspx> – and on Chapel Hill Gov-TV (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. Phil Post Request to Refer the April 21 Petition Related to 160D to the Planning Commission. [\[21-0440\]](#)
2. Chapel Hill Public Library Advisory Board Request for a Working Group on Equitable Library Funding. [\[21-0441\]](#)

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.

3. Approve all Consent Agenda Items. [\[21-0442\]](#)
By adopting the resolution, the Council can approve various resolutions and ordinances all at once without voting on each resolution or ordinance separately.
4. Authorize the Town Manager to Sign a Letter of Intent on an Exchange of Property Associated with the West Rosemary Hotel Project. [\[21-0443\]](#)
By adopting the resolution, the Council authorizes the Town Manager to sign a Letter of Intent on an exchange of property associated with the West Rosemary Hotel project.

INFORMATION

5. Receive Upcoming Public Hearing Items and Petition Status List. [\[21-0444\]](#)
By accepting the report, the Council acknowledges receipt of the Scheduled Public Hearings and Status of Petitions to Council lists.
6. Receive the Third Quarter Fiscal Year (FY) 2021 Affordable Housing Report. [\[21-0445\]](#)
By accepting this report, the Council receives this Fiscal Year 2021 third quarter report.
7. Update on Town Efforts to Respond to the COVID-19 Crisis. [\[21-0446\]](#)
By accepting the report, the Council acknowledges receipt of an overview of the Town's response activities to the COVID-19 pandemic.

DISCUSSION

- 8.** Consider Land Use Management Ordinance (LUMO) [\[21-0447\]](#)
Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Consider Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council adopt the Resolution of Consistency and enact Ordinance A.

For the Town Code amendments, enact Ordinance B.

- 9.** Consider an Application for Conditional Zoning for 2200 Homestead Road from Residential-4-Conditional Zoning District (R-4-CZD) to Residential-Special Standards- Conditional Zoning District (R-SS-CZD). [\[21-0448\]](#)

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. Comments and questions from the Mayor and Town Council
- d. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- e. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Revised Ordinance A.

- 10.** Open the Public Hearing: Recommended Budget for FY 2021-2022. [\[21-0449\]](#)

PRESENTER: Maurice Jones, Town Manager

- a. Introduction by the Manager
- b. Comments from the public
- c. Comments from the Mayor and Town Council
- d. Motion to close the Public Hearing and receive comments for 24-hours
- e. Consider enacting the Ordinance on June 9, 2021.

RECOMMENDATION: That the Council receive public comment regarding the recommended budget. See <https://www.townofchapelhill.org/government/departments-services/business-management/budget/2021-2022-budget-development>. The Council is considering reducing the recommended tax rate.

SPECIAL USE PERMIT

Special Use Permit: The Application for a Special Use Permit is Quasi-Judicial. Persons wishing to speak are required to take an oath before providing factual evidence relevant to the proposed application.

Witnesses wishing to provide an opinion about technical or other specialized subjects should first establish that at the beginning of their testimony.

11. Evidentiary Hearing Continued: Special Use Permit Modification for University Place, 201 S. Estes Drive. [\[21-0400\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- 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 revised recommendation
- c. Presentation of evidence by the applicant
- d. Recommendations by advisory boards and commissions
- e. Presentation of evidence by the public
- f. Comments and questions from the Mayor and Town Council
- g. Motion to continue the Evidentiary Hearing to June 9, 2021
- h. Referral to Manager and Attorney

RECOMMENDATION: That the Council continue the public hearing, receive evidence, and continue the evidentiary hearing to June 9, 2021.

Continued Discussion

12. Open the Public Hearing: Land Use Management Ordinance Text Amendments - Proposed Changes to Articles 3, 4, 6, and Appendix A Related to Short-Term Rentals. [\[21-0450\]](#)

PRESENTER: Anya Grahn, Senior Planner

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission and Historic District Commission

- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Referral to the Manager and Attorney
- f. Motion to close the Public Hearing and receive written public comments for 24 hours following the closed public hearing
- g. Consider enacting the Ordinance on June 23, 2021.

RECOMMENDATION: That the Council open the public hearing, receive public comments, and make a motion to schedule the proposed Land Use Management Ordinance text amendment decision at the June 23, 2021 Council meeting.

CONCEPT PLAN REVIEW(S)

Concept Plans: Presentations for Concept Plans will be limited to 15 minutes.

Concept Plan review affords Council members the opportunity to provide individual reactions to the overall concept of the development which is being contemplated for future application. Nothing stated by individual Council members this evening can be construed as an official position or commitment on the part of a Council member with respect to the position they may take when and if a formal application for development is subsequently submitted and comes before the Council for formal consideration.

As a courtesy to others, people speaking on an agenda item are normally limited to three minutes. Persons who are organizing a group presentation and who wish to speak beyond the three minute limit are requested to make prior arrangements through the Mayor's Office by calling 968-2714.

- 13.** Concept Plan Review: Jay Street Apartments, 66 Jay Street.

[\[21-0374\]](#)

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission and the Housing Advisory Board
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adopt a resolution transmitting Council comments to the applicant.

RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.

APPOINTMENTS

- 14.** Appointments to the Board of Adjustment. [\[21-0451\]](#)
- 15.** Appointments to the Community Design Commission. [\[21-0452\]](#)
- 16.** Appointments to the Planning Commission. [\[21-0453\]](#)
- 17.** Appointments to the Stormwater Management Utility
Advisory Board. [\[21-0454\]](#)
- 18.** Appointments to the Transportation and Connectivity
Advisory Board. [\[21-0455\]](#)

**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.
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Chapel Hill, NC 27514

Item Overview

Item #: 1., **File #:** [21-0440], **Version:** 1

Meeting Date: 5/19/2021

Phil Post Request to Refer the April 21 Petition Related to 160D to the Planning Commission.

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:

- Phil Post Request

**PHILIP
POST
ENGINEERING**

ENGINEERS
PLANNERS
SURVEYORS

104 St. Andrews Place
Chapel Hill, NC 27517

PO Box 4912
Chapel Hill, NC 27515-4912

FIRM: C-347

Supplement to my PETITION of April 20, 2021

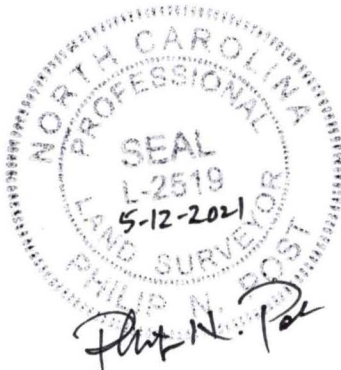
TO:	Mayor and Members of Town Council- Town of Chapel Hill
FROM:	Philip Post, PE, PLS
DATE:	May 12, 2021
RE:	Request for Change to LUMO to Conform to 160D-8-2(a)

On April 21, 2021 I presented a Petition to Council asking that LUMO be changed to comply with 160D-8-2(a). Council referred the matter to Staff.

Shortly thereafter, I met with Alisa Duffey Rogers and I am encouraged to learn that Staff agrees it is appropriate to evaluate the subdivision language in LUMO because the LUMO language is different than as mandated in 160 D.

Because other changes to 160D were reviewed by the Planning Commission, I respectfully request that my April 20 Petition be referred to the Planning Commission for a recommendation back to Council in the Fall of 2021.

I respectfully request that the Town bring LUMO into conformance with the letter and spirit and intent of 160D, and I look forward to your continued review of this matter in order to effect the necessary changes to LUMO.



PHILIP POST ENGINEERING

ENGINEERS
PLANNERS
SURVEYORS

104 St. Andrews Place
Chapel Hill, NC 27517

PO Box 4912
Chapel Hill, NC 27515-4912

FIRM: C-347

PETITION

TO:	Mayor and Members of Town Council- Town of Chapel Hill
FROM:	Philip Post, PE, PLS
DATE:	April 20, 2021
RE:	Request for Change to LUMO to Conform to 160D-8-2(a)

160D-8-2(a) specifies that subdivision regulations 'apply to divisions of a "tract or parcel of land"'. 160D-8-2(a)(4) goes on to exempt the division of "a tract less than 2 acres... "from subdivision regulation". It is, therefore, perfectly evident that a "tract" and "parcel" are synonymous terms for the purposes of subdivision regulation in NC.

LUMO defines a subdivision in 4.6.1 as a division of a "tract or zoning lot". I request that 4.6.1 define a "subdivision" exactly as it is defined in State law, as a "tract or parcel". When this is done, there will be no need to refer to a "zoning lot" within the Subdivision portion (4.6.1) of LUMO and the term "zoning lot" would be removed from 4.6.1, and the definition of a "tract" or parcel in LUMO would also conform to State Law.

The definition of a "parcel" in LUMO should conform to State Law as required by GS 47-30(f)(11)c.1 and GS 47-30(g)c.1.

By changing 4.6.1 to conform to 160D and by changing the definition of a parcel(tract) to conform with GS47-30, will enable LUMO to make clear the State-mandated legal right for exempt divisions under 160D-8-2(a) (4). In Chapel Hill today , because of the use of the term "zoning lot" and the erroneous definition of a "tract", the Town does not allow an exempt division as mandated by 160D-8-2(a) (4).

I respectfully request that the Town Manager and Town Attorney be asked to bring LUMO into conformance with the letter and spirit and intent of 160D.





TOWN OF CHAPEL HILL

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Item Overview

Item #: 2., **File #:** [21-0441], **Version:** 1

Meeting Date: 5/19/2021

Chapel Hill Public Library Advisory Board Request for a Working Group on Equitable Library Funding.

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:**

- Chapel Hill Public Library Advisory Board Request

**Petition For A Task Force to Examine Equitable County Funding For Library Services
Submitted by Tiffany Allen, on behalf of the Chapel Hill Public Library Advisory Board ("The Board")
May 2021**

Whereas: The Memorandum of Understanding with Orange County regarding county funding for Chapel Hill Public Library expired in 2017; and

Whereas: Orange County's funding for Chapel Hill Public Library has not increased since that time; and

Whereas: In December 2019, the Library Advisory Board submitted a letter to the Mayor and Town Council regarding Orange County funding for libraries; and

Whereas: The Board's position is that the current county funding model is inherently inequitable in providing equal funding for library services for all Orange County residents; and

Whereas: The Board has developed several options for a more equitable and sustainable formula for county funding for library services for all Orange County residents;

Therefore, be it resolved: The Library Advisory Board requests that the Town Council work with Orange County to create a task force to study, develop, and recommend an equitable and sustainable approach to County funding for library services for all Orange County residents. Additionally, we recommend Chapel Hill and Orange County share the expense of hiring a trained facilitator this fall to lead these discussions and this process. Thank you for your consideration. We look forward to working with you as needed.



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Item Overview

Item #: 3., **File #:** [21-0442], **Version:** 1

Meeting Date: 5/19/2021

Approve all Consent Agenda Items.

Staff:

Sabrina M. Oliver, Director/Town Clerk
Amy T. Harvey, Deputy 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
(2021-05-19/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:

4. Authorize the Town Manager to Sign a Letter of Intent on an Exchange of Property Associated with the West Rosemary Hotel Project. (R-2)

This the 19th day of May, 2021.

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

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Item Overview

Item #: 4., File #: [21-0443], Version: 1

Meeting Date: 5/19/2021

Authorize the Town Manager to Sign a Letter of Intent on an Exchange of Property Associated with the West Rosemary Hotel Project.

Staff:

Dwight Bassett, Director

Department:

Economic Development and Parking Services

Overview: The Town owns a small, 16-space parking lot on West Rosemary Street, behind the former Town Hall. The lot is typically under-used as compared to other Town lots.

When the developer of the proposed West Rosemary Hotel purchased the future hotel property, the transaction included a small house on Pritchard Avenue which they do not need for the hotel. The developer is proposing to exchange the Pritchard Avenue parcel for the Town's 16-space lot so he can replace the parking with a green space around former Town Hall. This green space would then be reviewed as part of the hotel entitlement process.

The Town has an interest in creating affordable housing when the opportunity arises. The Town's Housing and Community staff has evaluated the Pritchard Avenue lot and believes we could rehabilitate the house or remove it and build something new on the property.

Appraisals commissioned by the Town and paid for by the developer show the following values on the property:

208 Pritchard Avenue -	\$550,000	Parcel ID: 9788279667
110 West Rosemary Street-	<u>\$640,000</u>	Parcel ID: 9788370535
Difference	\$90,000	

We suggest that the \$90,000 the Town would receive in the exchange be used toward whatever future use the Town decides for the Pritchard Avenue property.

This property exchange was presented at the Council Committee on Economic Sustainability on [May 7, 2021 <https://www.townofchapelhill.org/home/showpublisheddocument/48921/637558011126630000>](https://www.townofchapelhill.org/home/showpublisheddocument/48921/637558011126630000).

This Letter of Intent would also authorize the Town Manager to sign a rezoning application for the Town parcel. This would not prevent the Town from continuing to operate the parking lot or other uses if the sale does not take place.

The Letter of Intent is a non-binding agreement and subject to the authorization of the Purchase and Sale Agreement. The Council would consider a Purchase and Sale Agreement after the final Public Hearing on the SUP permit of the property.



Recommendation(s):

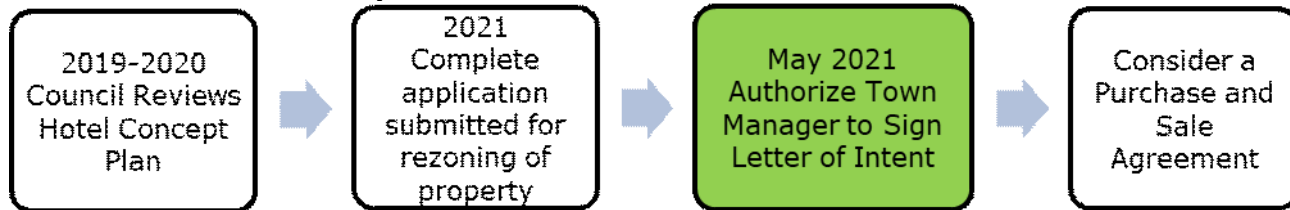
That the Council authorize the Town Manager to sign a Letter of Intent to exchange the parcels. Any further consideration for the Purchase and Sale Agreement would come back to Council after the hotel SUP permit has been considered by the Town.

Item #: 4., File #: [21-0443], Version: 1**Meeting Date: 5/19/2021**

Decision Points:

- Is the Town interested in swapping the West Rosemary parking lot for the Pritchard Avenue parcel?
- Could the swap support Council goals?

Fiscal Impact/Resources: Exchange of parcels and receive the difference of \$90,000 to the Town.

Where is this item in its process?**Attachments:**

- Resolution

A RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO SIGN A LETTER OF INTENT ON AN EXCHANGE OF PROPERTY ASSOCIATED WITH THE WEST ROSEMARY HOTEL PROJECT (2021-05-19/R-2)

WHEREAS, Town Council has previously considered the hotel development in Concept Plan, now known as the West Rosemary Hotel; and

WHEREAS, Town Council considers the exchange of a Town-owned parcel at 110 West Rosemary Street with a developer-owned parcel at 108 Pritchard Avenue, to be a reasonable request; and

WHEREAS, the exchange of these parcels may allow for future uses that support Council Goals; and

WHEREAS, a Letter of Intent would contemplate an exchange of these properties; and

WHEREAS, the property exchange would be authorized by a Purchase and Sale Agreement for Town Council consideration after the potential SUP Permit of the property; and

WHEREAS, a Letter of Intent would also authorize the Town-owned parcel to be included in the developer's development approval application for the East Rosemary Hotel project.

NOW, THEREFORE, BE IT RESOLVED on May 19, 2021 by the Council of the Town of Chapel Hill that the Council authorizes the Town Manager to sign a non-binding Letter of Intent containing the terms set forth in this resolution on an exchange of property associated with the West Rosemary Hotel project.

BE IT FURTHER RESOLVED THAT the Town Manager is authorized to sign the development approval application as it relates to inclusion of the Town-owned parcel at 110 West Rosemary Street in the proposed project.

BE IT FURTHER RESOLVED THAT the Town Manager is authorized to negotiate a Purchase and Sale Agreement to formalize the property exchange to be brought back to the Town Council for consideration.

This the 19th day of May, 2021.

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

By adopting the resolution, the Council authorizes the Town Manager to sign a Letter of Intent on an exchange of property associated with the West Rosemary Hotel project.



TOWN OF CHAPEL HILL

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Item Overview

Item #: 5., File #: [21-0444], Version: 1

Meeting Date: 5/19/2021

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.

May 19

- Consider a Conditional Zoning Application, 2200 Homestead Road (Project 20-081)
- Consider Amendments to the Town Code that Establish Compliance with Chapter 160D of the North Carolina General Statutes
- Open a Public Hearing: Recommended FY2021-22 Budget
- Continued Public Hearing: Special Use Permit Modification, University Place, 201 S. Estes Drive (Project 19-130)
- Open a Public Hearing for a Land Use Management Ordinance Text Amendment Regarding Short Term Rental Regulations Related to Articles 3, 4, and 6 of Appendix A
- Concept Plan: Jay Street Affordable Housing (Project #20-027)

May 26

- Continued Public Hearing: Conditional Zoning Application, Aura Development, 1000 Martin Luther King Jr. Blvd. (Project 20-074)
- Open a Public Hearing: Special Use Permit Modification, Timberlyne Offices, 120 Banks Drive (Project 20-087)
- Open a Public Hearing: Conditional Zoning Application, Putt Putt Fun Center (Project 20-062)
- Open a Public Hearing for a Land Use Management Ordinance Text Amendment to Section 3.11, Blue Hill Form District Pertaining to Non-Residential Use Requirements

June 9

- Consider Closing a Portion of Public Right-of-Way of Maxwell Road within the Glen Lennox Development
- Open a Public Hearing to Consider Closing an Unimproved and Unpaved Portion of Mitchell Lane Public Right-of-Way
- Evidentiary Hearing Continued: Special Use Permit Modification for University Place, 201 S. Estes Drive

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
05/05/2021	C.F. Smith Property Group	Request to Allow Limited Scope (CZD) Conditional Zoning District Review for Construction Start and Construction Completion Timeline Extension Requests for Special Use Permit (Project #14-070), Tri-City Medical Building, 5002 Barbee Chapel Road.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	
05/05/2021	Mayor pro tem Parker, Council Member Buansi, and Council Member Stegman	Request Regarding Chapel Hill Increasing its Minority and Women Business Enterprise/Disadvantaged Business Enterprise (MWBE/DBE) Contracting Targets.	Business Management Amy Oland , Business Management Director Phone: 919-969-5017 Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	
04/21/2021	Brown & Bunch, PLLC	Request for Permission to Proceed with Presentation of Proposal for a Columbarium at the Old Chapel Hill Cemetery.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785	
04/21/2021	Environmental Stewardship Advisory Board	Request Regarding UNC-CH's Request to Renew its Coal-Burning Permit for the Cameron Avenue Co-Generation Power Plant.	Mayor Pam Hemminger , Mayor Phone: 919-968-2714	

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
04/07/2021	Paul Snow and others	Request Regarding Traffic Model in the Area of Estes and MLK.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	On 05/03/21, the Town Council held a public information meeting on this topic. The public hearing for the Aura development project is scheduled for 05/12/21.
03/24/2021	Council Member Anderson	Request Regarding Manufactured Home Parks	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff will coordinate with Orange County and Carrboro to respond to this request.
03/24/2021	Mayor Hemminger	Request Regarding Self Storage	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
02/24/2021	Parks, Greenways, and Recreation Commission	Request Regarding Facilities Repair.	Business Management Amy Oland , Business Management Director Phone: 919-969-5017	This request will be evaluated during the upcoming two-thirds bond issuance and the FY22 budget development process.
02/24/2021	Linda Brown	Regarding 101-111 Development on Erwin Road.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.

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	Request Improvements to Neighborhood Infrastructure to Promote Safe Walking and Biking and Improved Connectivity to Adjacent Neighborhoods and Campus.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.
10/28/2020	Stormwater Management Utility Advisory Board	Recommendations Regarding the Development Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	Staff is preparing information to respond to this request.
06/10/2020	Community Design Commission	Request to Create a Downtown Design District.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff will coordinate with the Council Committee on Boards and Commissions to respond to this request.
05/20/2020	Parks, Greenways, and Recreation Commission	Request to Designate all 36.2 Acres of the American Legion Property for Use as a Community Park.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	This request will be incorporated into the public engagement process for the future use of the site.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
05/20/2020	Elaine McVey	Request to Amend the Land Use Management Ordinance Related to Deer Fencing.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
02/26/2020	Lillian Pierce	Request to Abandon Bicycle/Pedestrian Easement at 205 Huntington Way.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff thoroughly researched the concerns raised in the petition . This request requires a public process per Town ordinances. Petitioner was advised on how to request further action.
02/26/2020	Carlisle Willard	Request Regarding Proposed Anti-Corruption Resolution.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Staff is preparing information to respond to this request.
02/19/2020	Steve Moore	Request Regarding Cemetery Needs.	Parks & Recreation Phillip Fleischmann , Director Parks and Recreation Phone: 919-968-2785 Communications & Public Affairs Sabrina Oliver , 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	Request for an Improved Petition Process.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Additional effort is being made to track and update petition status on this website so that the public has access. Petitioners can contact the Mgr.'s office or responding department if they have questions after reviewing updates.
11/20/2019	John Morris	Request Regarding Local & Regional Transit Planning.	Transit Brian Litchfield , Transit Director Phone: 919-969-4908	Staff is preparing information to respond to this request.
10/02/2019	Daniel Dunn	Request Regarding Government Transparency.	Technology Solutions Scott Clark , CIO Phone: 919-968-2735 Communications & Public Affairs Sabrina Oliver , Communications & Public Affairs Director Phone: 919-968-2757	This information is readily available via a public records request in order to assure accuracy and maintain the security of personally identifiable information.
09/11/2019	East Franklin Neighborhood Steering Committee & Neighbors	Request Regarding Neighborhood Preservation.	Police Chris Blue , Police Chief Phone: 919-968-2766 Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/26/2019	Community Design Commission	Request for Modifications to the Concept Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Council most recently discussed this at their 09/16/2020 work session. Staff is piloting new ways to present Concept Plans to boards, using Town projects as subjects.
06/26/2019	Julie McClintock	Request Regarding the Blue Hill Form Based Code.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
04/24/2019	Board of Adjustment	Request Regarding Neighborhood Conservation District Ordinances.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
04/17/2019	Amy Ryan for Planning Commission	Commission Regarding Site Plan Review Process.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.
02/13/2019	Citizens	Request Regarding Coal Use and Coal Ash.	Town Manager Ross Tompkins , Assistant to the Town Manager Phone: 919-968-2707	Remediation work is almost complete along the Bolin Creek Trail near the Police Department. UNC is expected to release their Climate Action Plan in 2021, which is expected to address UNC coal use in the future.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
09/19/2018	Julie McClintock of CHALT	Regarding Land Use Intensification.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	On 6/12/2019, Council received a presentation on the Town's Stormwater program. On 12/9/2020 Council adopted the use of FEMA Flood Resiliency Maps. In 2/2021, Council received more info on Stormwater programs LUMO update will consider other ideas.
06/27/2018	Susanne Kjemtrup / Brian Hageman	Transportation and Connectivity Advisory Board Request for an Electric Vehicle Provision in the Land Use Management Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	The Town is currently in the process of updating its Land Use Management Ordinance. These ideas are under consideration as a part of this process.
06/13/2018	Mayor pro tem Jessica Anderson	Request to Amend Bus Advertising Policy.	Transit Brian Litchfield , 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	CHALT's Request to Revise the Tree Ordinance.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078	Staff is preparing information to respond to this request.

Meeting Date	Petitioner	Petition Request	Departments Responsible	Petition Status
06/13/2018	Mayor Pam Hemminger	Regarding Reviewing Policies, Procedures, and Practices for Development.	Planning & Development Services Judy Johnson , 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	Request Regarding Addressing Blue Hill District Community Interests.	Planning & Development Services Judy Johnson , 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 02/24/21 meeting.
11/07/2016	Mayor Hemminger	Regarding Parking and Transit Needs in Downtown Area.	Planning & Development Services Judy Johnson , Interim Planning Director Phone: 919-969-5078 Police Chris Blue , Police Chief Phone: 919-968-2766 Public Works Lance Norris , Public Works Director Phone: 919-969-5100	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.

Last modified on 5/14/2021 3:15:05 AM



27
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 6., File #: [21-0445], Version: 1

Meeting Date: 5/19/2021

Receive the Third Quarter Fiscal Year (FY) 2021 Affordable Housing Report.

Staff:

Loryn B. Clark, Executive Director
Faith Brodie, Public Housing Director
Sarah Osmer Viñas, Assistant Director
Nate Broman-Fulks, Affordable Housing Manager
Stacey Todd, Public Housing Management Analyst

Department:

Housing and Community

Overview: This quarterly report on affordable housing activities for Fiscal Year 2021 tracks:

- Community indicators related to the housing market and affordable housing,
- Our progress toward affordable housing targets,
- The status of projects funded with Town resources,
- General housing conditions in Chapel Hill, and
- Public Housing Highlights

Key Results from the Third Quarter FY 21 (January 1 - March 31, 2021)

- The Town has continued to focus on COVID-19 response efforts and supported 74 Emergency Housing Assistance payments for Town residents. This assistance is reflected in the total units preserved.
- The 2200 Homestead Road affordable housing development project began Advisory Board review
- The Jay Street development team began community engagement and submitted an affordable housing concept plan
- Three affordable home repair projects were completed in the Northside Neighborhood
- This report also includes the status of Public Housing operations and steps that we are taking to exceed expectations outlined by the U.S. Department of Housing and Urban Development, including:
 - Continued COVID-related efforts to ensure the safety of staff and residents,
 - Expenditures and proposed actions for property restoration and tenancy management,
 - Continued implementation of the Public Housing Master Plan including redevelopment of Trinity Court, and
 - Efforts to increase resident engagement and programming.



Recommendation(s):

That the Council receive this Fiscal Year 2021 third quarter report.



Attachments:

- Affordable Housing Quarterly Report - Fiscal Year 2021 Quarter 3
- Public Housing Quarterly Report - Fiscal Year 2021 Quarter 3

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

By accepting this report, the Council receives this Fiscal Year 2021 third quarter report.

AFFORDABLE HOUSING QUARTERLY REPORT






FISCAL YEAR 2021 QUARTER 3
(JANUARY 1 – MARCH 31, 2021)



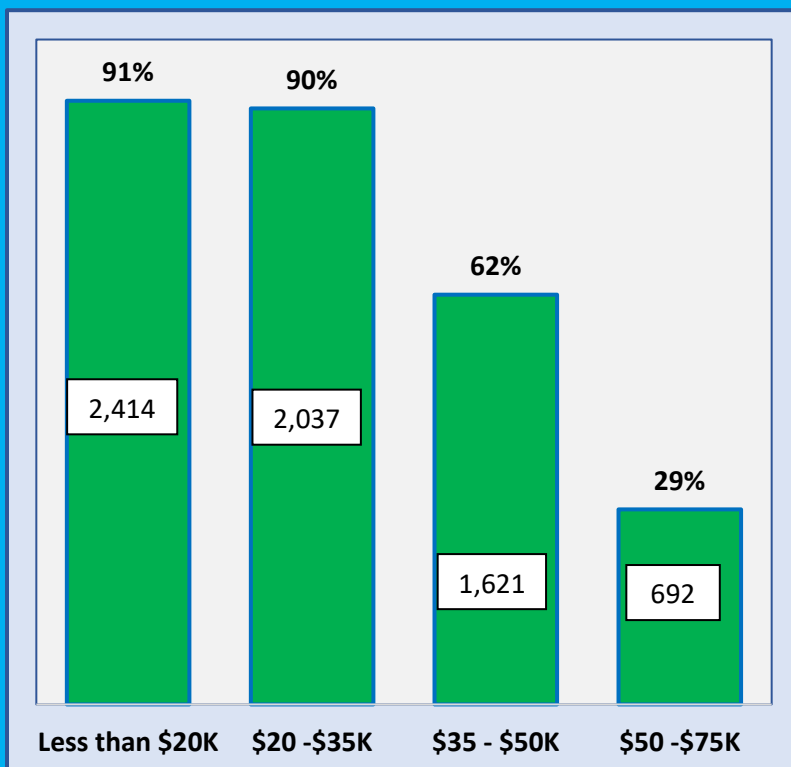
OUR GOAL

To increase access to housing for residents across a range of incomes, and to constantly strive for more equitable outcomes and opportunities for historically underserved populations.

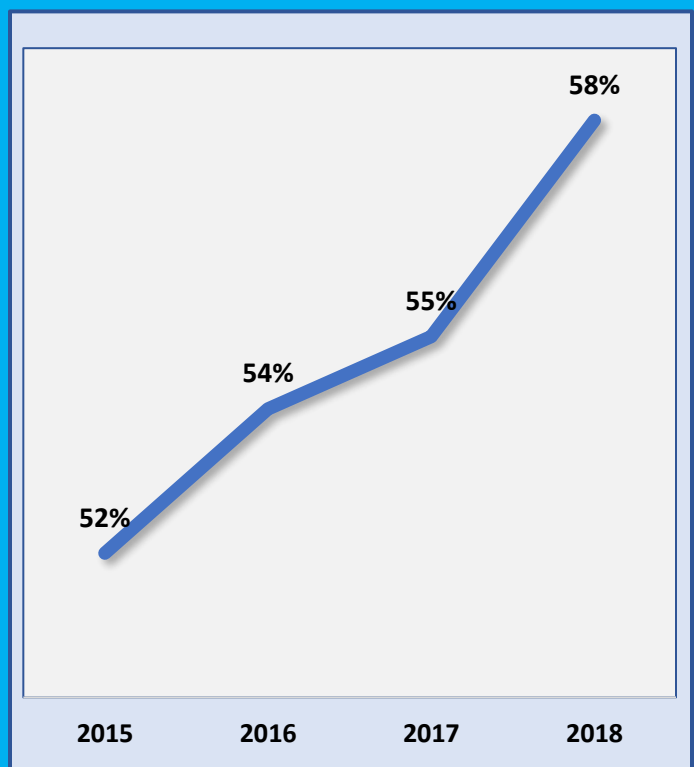
COMMUNITY INDICATORS

<p>\$6,226,205</p> <p>Town Budget for Affordable Housing Strategies</p> 	<p>\$90,900</p> <p>Median Household Income</p> 	<p>58%</p> <p>of Renters spend more than 30% of income on Housing</p>	<p>40%</p> <p>of Housing Units (7,459) affordable to households with income at 80% AMI</p>
	<p>\$410,105</p> <p>Median Home Value</p> 	<p>22.5%</p> <p>of Homeowners spend more than 30% of income on Housing</p>	<p>21,708</p> <p>Total housing units in town</p>

Number and Percent of Households that are Cost-Burdened by Income Level

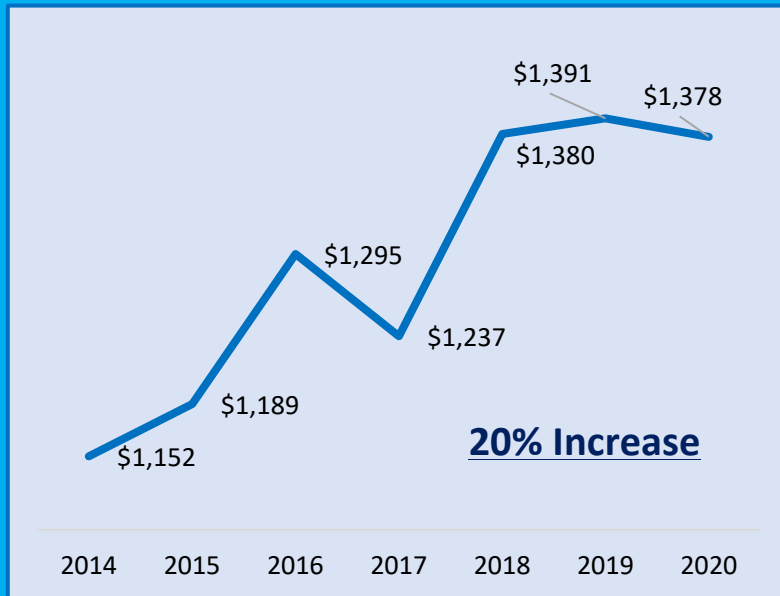


Percentage of Renters Cost-Burdened by Year

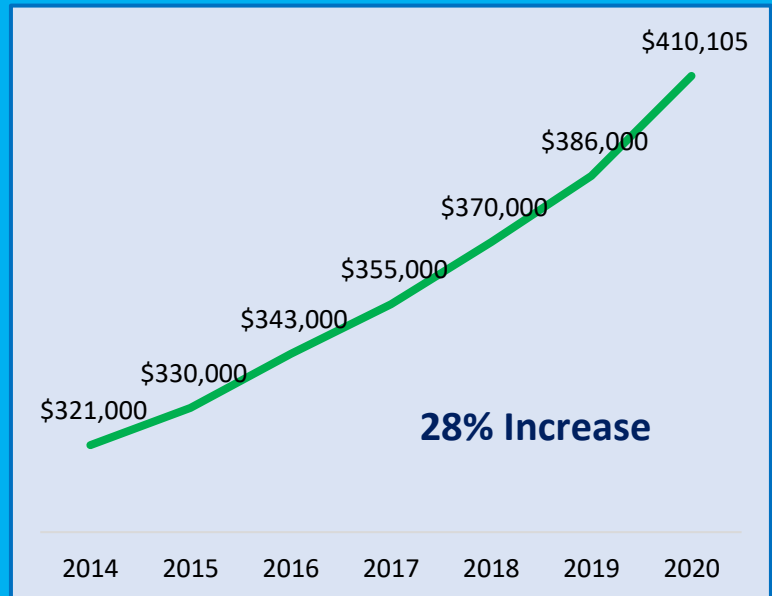


Housing costs have been rising in Chapel Hill since 2014:

Rise in Rental Rates

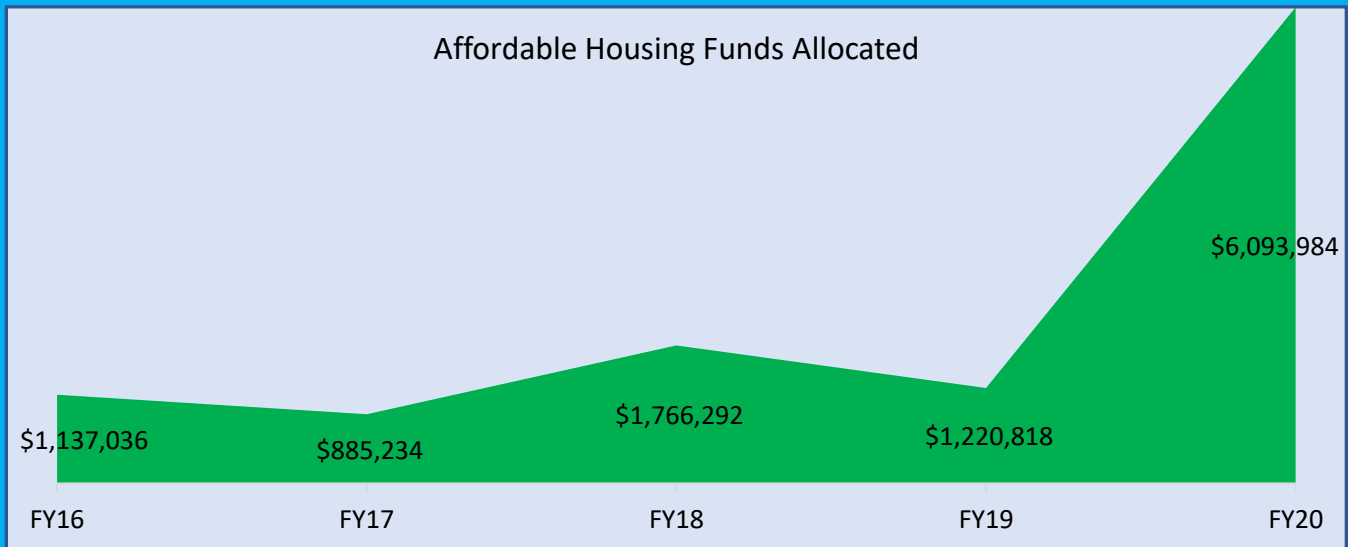


Rise in Home Values

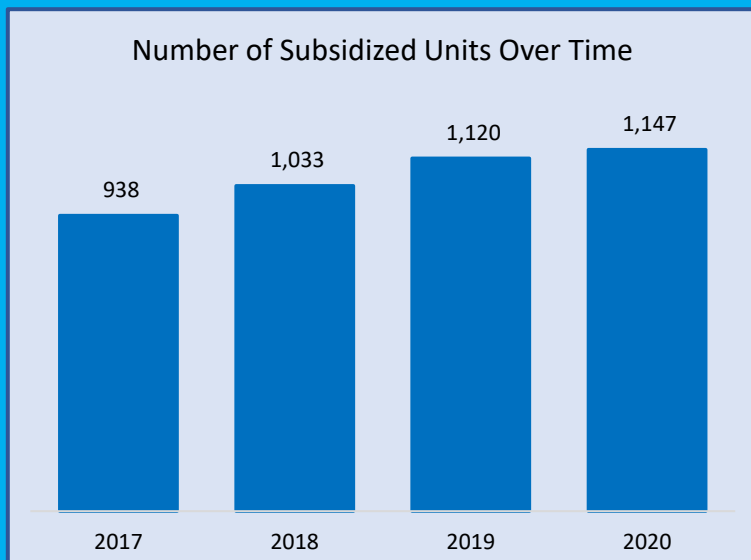


The Town has increased its support for affordable housing to address housing needs:

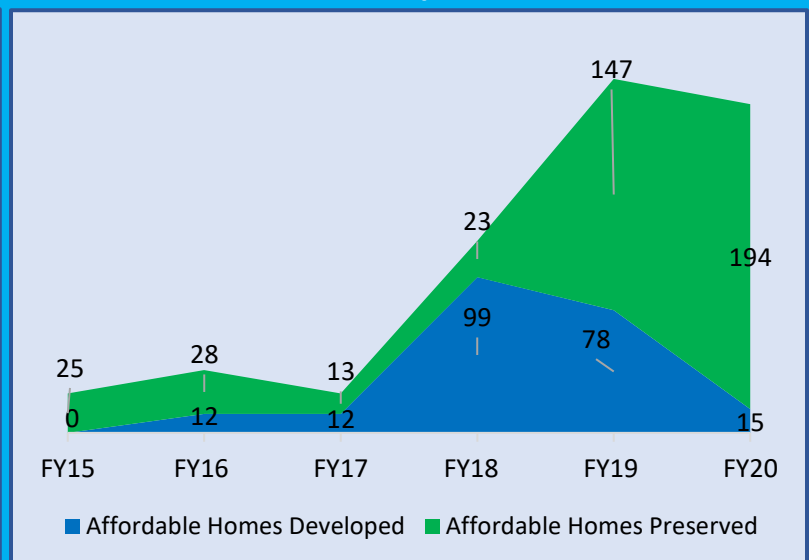
Affordable Housing Funds Allocated



Increase in Number of Subsidized Units



Increase in Units Developed and Preserved

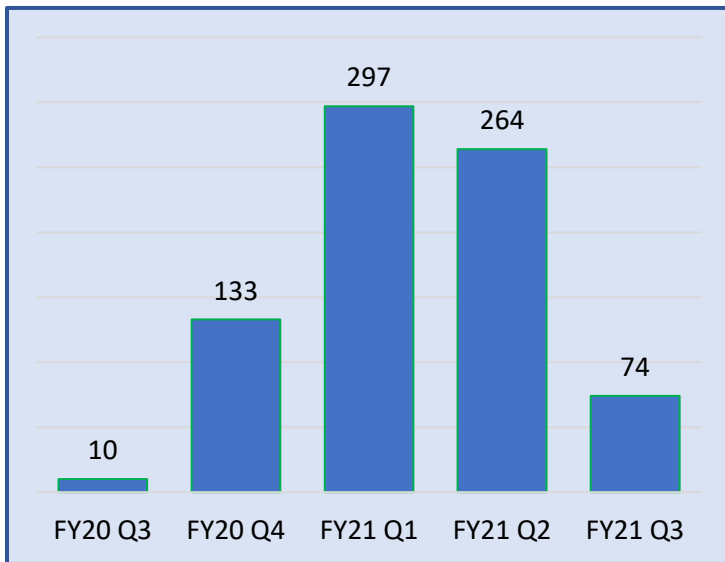


FY21 Q3 Highlights

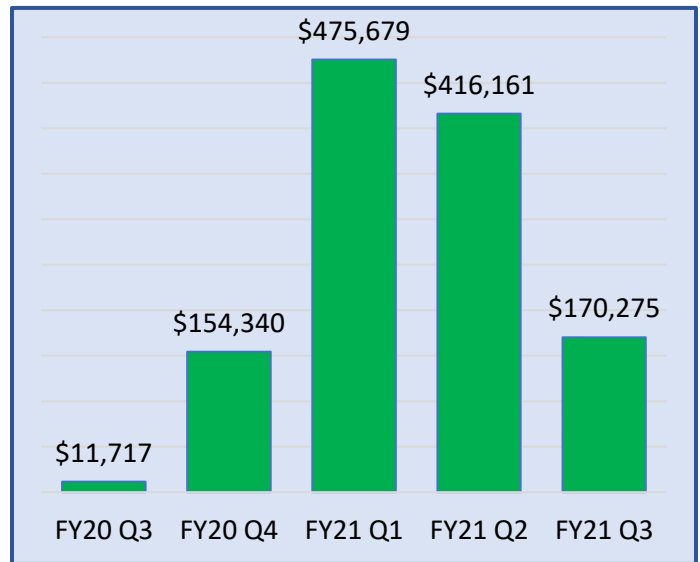
- The Town has continued to focus on COVID-19 response efforts and supported 74 Emergency Housing Assistance payments for Town residents. This assistance is reflected in the total units preserved.
- The 2200 Homestead Road affordable housing development project began Advisory Board review
- The Jay Street development team began community engagement and submitted an affordable housing concept plan
- Three affordable home repair projects were completed in the Northside Neighborhood

Emergency Housing Assistance

Households Provided Emergency Housing Assistance



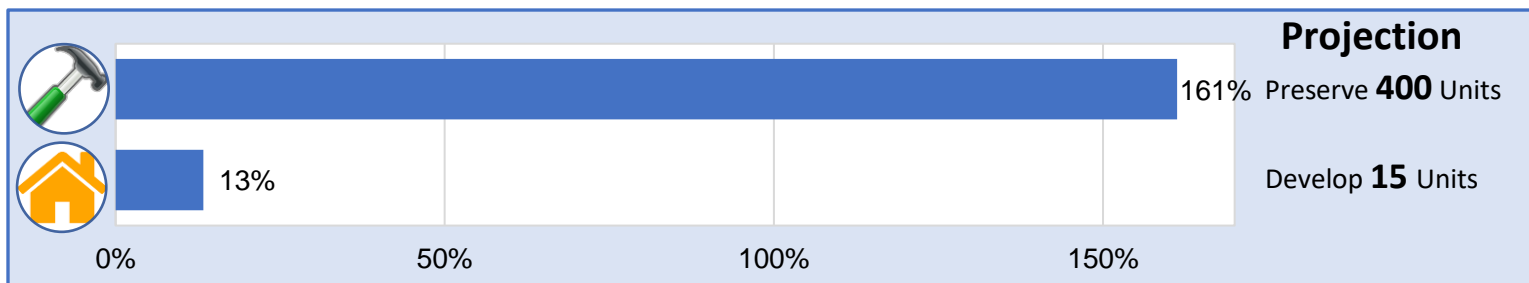
Amount of Assistance Provided



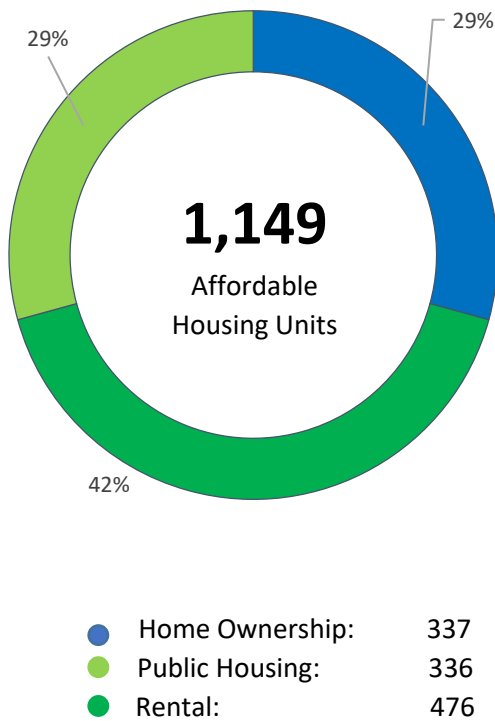
FY21 Town Performance-to-Date

2	645	95%	84%	\$1.39 Million
Units Developed	Units Preserved	of Projects on Track	of Funding Available for Projects Allocated	Allocated to Emergency Housing Assistance

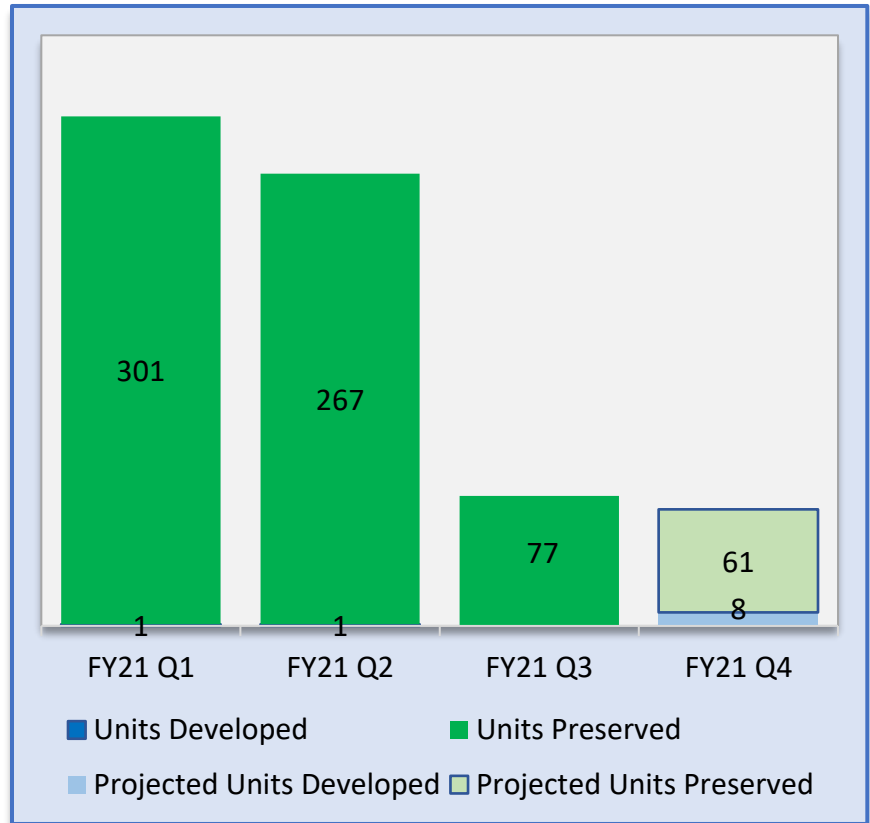
Progress Towards FY21 Projection



Number of Subsidized Units in Town



















Actual and Projections by Quarter – Number of Units








Affordable Housing Projects Underway Supported by the Town

Project Type	Provider	Project Name	Number of Units	Projected Completion	Status
	Community Home Trust	Culbreth Park Acquisition	1	FY21 Q1	✓
	Community Home Trust	Graham Street Acquisition	1	FY21 Q2	✓
	Town of Chapel Hill Public Housing	Church Street Renovation	1	FY21 Q2	✓
	Town of Chapel Hill Transitional Housing	Sykes Street Renovation	1	FY21 Q4	✓
	Orange County Preservation Coalition	Homeowner Rehab	3	FY21 Q4	●
	Self-Help	Grisham Cottages	2	FY21 Q4	●
	Town of Chapel Hill Public Housing	Oak Avenue Furnace Replacement and Fire Repair	3	FY21 Q4	●
	Orange County	Emergency Housing Assistance	400	FY21 Q4	●
	Self-Help	Northside Neighborhood Initiative Housing Rehabilitation	10	FY21 Q4	●
	Town of Chapel Hill Transitional Housing	Ashley Forest Renovation	1	FY21 Q4	●
	Town of Chapel Hill	Employee and Transitional Housing Program Master Leasing	5	FY21 Q4	●
	Habitat for Humanity	Sunset Drive Home Construction	1	FY21 Q4	●
	Community Home Trust	Homebuyer Subsidy	2	FY21 Q4	●

	Pee Wee Homes	Mitchell Lane Tiny-plex	2	FY22 Q1	
	CASA	Merritt Mill Road Multi-Family Development	24	FY22 Q4	
	Town of Chapel Hill	Transitional Housing at Umstead Road	1	FY22 Q4	
	Town of Chapel Hill	2200 Homestead Road	120	FY24 Q2	
	EmPOWERment, Inc.	PEACH Apartments	10	FY24 Q2	
	Town of Chapel Hill	Jay Street	48	FY25 Q2	
	Town of Chapel Hill	Trinity Court	54	FY25 Q2	
	Habitat for Humanity	Weavers Grove	100	FY28 Q2	

Legend:

- ✓: The project has been completed
- : The project is on track to meet its project scope and schedule
- : The project has been delayed in meeting its previous quarter project scope and schedule
- : The project has stalled and may not be completed
- : Development Project
- : Preservation Project

Affordable Housing Work Plan Highlights

Project	Progress Update
DEVELOPMENT	
2200 Homestead	<ul style="list-style-type: none"> Staff and the Homestead Collaborative submitted a Conditional Zoning Application in October to develop around 120 affordable homes Advisory boards unanimously recommended approval of project Council Public Hearing held in April Council to consider project approval in May
Jay Street	<ul style="list-style-type: none"> Town executed a Memorandum of Understanding with a development partner Development team submitted a Concept Plan Application in March and began community engagement Housing Advisory Board, Community Design Commission, and Council review in May
Trinity Court	<ul style="list-style-type: none"> Staff finalizing a memorandum of understanding with potential development partner Development team to begin implementing community engagement over the summer Anticipate submitting Concept Plan application in late summer
Bennett Road	<ul style="list-style-type: none"> Staff are finalizing a proposed visioning process designed to engage the Council and community, assess development options, and create a concept plan for the site
PRESERVATION	
Implement Manufactured Home Communities Strategy	<ul style="list-style-type: none"> In collaboration with the other jurisdictions in Orange County, staff in the process of re-working existing strategy into a County-wide Manufactured Home Action Plan.
Affordable Housing Preservation Strategy	<ul style="list-style-type: none"> The Town continues to support the County-wide Emergency Housing Assistance (EHA) program Staff is conducting additional research on implementation options for the Preservation Strategy based on Council's feedback
POLICY	
Implement Employee Housing Program	<ul style="list-style-type: none"> Conducted employee survey and interviews to evaluate the program in March and April Anticipate providing Manager with update on findings of program evaluation in spring
FUNDING	

Implement Investment Plan for Affordable Housing – Affordable Housing Bond	<ul style="list-style-type: none"> • Council approved bond sale for projects previously awarded funding in April • Staff planning for next RFP process this summer for second half of bond funding
Manage Funding Programs <ul style="list-style-type: none"> ▪ Affordable Housing Fund (AHF) ▪ Development Reserve (AHDR) ▪ CDBG 	<ul style="list-style-type: none"> • The Town Council has allocated all available funding from the Affordable Housing Development Reserve for the remainder of this fiscal year • Public Forum held for CDBG program plan at April meeting. Anticipate Council approval of CDBG, HOME and Capital Fund grants in May
MANAGING TOWN-OWNED HOUSING	
Transitional Housing Program	<ul style="list-style-type: none"> • Renovations of Ashley Forest units underway • Identifying tenants for Union units with anticipated move in date by May

Notes & Citations

- The percentage of renters and homeowners that pay more than 30% of their income on Housing, the number and percentage of cost-burdened housing, and total occupied housing units in town data source is U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates
- HUD defines cost-burdened families as those who pay more than 30% of their income for all housing-related expenses and may have difficulty affording necessities such as food, clothing, transportation, and medical care.
- The median household income data source is the HUD 2020 Median Family Income Estimates based on American Community Survey data for the Durham-Chapel Hill Metropolitan Statistical Area.
- The median home value data source is Zillow.com and average rent rate is RentJungle.com
- The total budget this fiscal year for affordable housing strategies captures all Town expenditures for affordable housing. This includes the Affordable Housing Fund, CDBG Funds, the affordable housing bond, and operating funds, among others.
- The percentage of housing units that are affordable to households with income under 80% AMI includes naturally occurring affordable housing and units subsidized by the Town. The data source for this metric and corresponding chart is the commercial real-estate research firm Co-Star and the County-wide data inventory created through the Orange County Affordable Housing Coalition.
- The percent-of-budget allocated metric displays the percentage of the Town budget for affordable housing projects allocated as of the date of the quarterly report.
- The data source for the number of units subsidized by the Town is the County-wide Data Inventory created through the Orange County Affordable Housing Coalition.
- The data source for subsidized housing unit development projections is the County-wide data inventory created through the Orange County Affordable Housing Coalition.
- The number of subsidized units listed in this report has decreased by 35 units from the FY20 Q4 Report as an error in the jurisdictional classification of some units was discovered and corrected.



PUBLIC HOUSING QUARTERLY REPORT

FY21 Q3/ January to March 2021

Our quarterly reports are designed to provide an overview of the Town's Public Housing's rating as identified by the Department of Housing & Urban Development's (HUD) Public Housing Assessment System (PHAS). The PHAS was created by HUD to evaluate the overall condition of each housing agency to obtain results that are objective, uniform, and verifiable. The current PHAS score is a result of the Oct. 2019 Real Estate Assessment Center (REAC) inspection.

Chapel Hill Public Housing received these scores:

- Physical Condition: 19 (out of 40)
- Management: 5 (out of 25)
- Capital Fund: 5 (out of 10)
- Total Score: 54 out of 100 = **Troubled Status**

Troubled Status resulted in a **Recovery Agreement** with HUD, which included the following corrective actions:

- Elected officials participating in training
- Increasing quantity and quality of contractors
- Improving expenditure of capital funds
- Evaluate maintenance staffing and performance
- Increase use of previous REAC reports for capital fund and maintenance cost planning

The methodology uses four evaluation tools referred to as **PHAS Indicators**. Public Housing leadership added a fifth, Community Engagement, to identify opportunities for further connections with tenants. The five indicators are listed below, as well as their evaluation measures and steps taken to positively influence those measures.

INDICATOR	HUD EVALUTION MEASURES	ACTIONS TAKEN TO IMPROVE SCORE
Physical Condition	<ul style="list-style-type: none"> ▪ Physical inspections 	<ul style="list-style-type: none"> ▪ Building improvements ▪ Repairs
Financial Condition	<ul style="list-style-type: none"> ▪ Management of funds 	<ul style="list-style-type: none"> ▪ Pay all invoices within 30 days
Management	<ul style="list-style-type: none"> ▪ Tenant Accounts Receivable ▪ Occupancy Rate ▪ Accounts Payable 	<ul style="list-style-type: none"> ▪ Account for reductions in rent due to loss of income during pandemic ▪ Offering timely rent payment incentives ▪ Increase quantity of contractors
Capital Fund	<ul style="list-style-type: none"> ▪ Obligation of HUD funds ▪ Occupancy Rate 	<ul style="list-style-type: none"> ▪ Obligate funds to specific projects – Create timeline to show exactly which properties will be improved and how ▪ Decrease time units are vacant
Community Engagement*	<ul style="list-style-type: none"> ▪ Create additional methods to maintain contact with residents 	<ul style="list-style-type: none"> ▪ Distribute Monthly newsletter ▪ Sponsor weekly Food Bank ▪ Facilitates Resident's Council ▪ Provide masks to residents ▪ Surveyed residents reference programming interest

*added by Public Housing leadership to maintain and improve connections with residents.



COVID-19 CHANGES TO NORMAL OPERATIONS

- Continued pre-screening process (employees, residents, and applicants)
- Distributed face guards to Public Housing staff
- Postponed PHAS inspection this quarter
- Continued abbreviated monthly safety inspections.
- Responded to Emergency Work Orders only (maintained record of Routine Work Orders)



PHYSICAL CONDITION

QUARTER 1: JULY to SEPTEMBER 2020

- Responded to 184 Emergency Work Orders; 167 (90%) closed within 24 hours.
- Responded to Pest Control as needed; halted regular inspections for safety of residents and staff.
- New contract with landscape company for Public Housing properties
- Repair contracts completed or in progress:
 - Rebuilding of fire damaged units at Oakwood (E1 and E2)

QUARTER 2: OCTOBER to DECEMBER 2020

- Responded to 179 Emergency Work Orders; 173 (98%) closed within 24 hours.
- Responded to monthly Pest Control and air conditioner filter changes.
- Continued residential entry level inspections.
- Repair contracts completed or in progress:
 - Repair of brick wall at Sykes St. playground
 - Reroofing of Craig/ Gomains and Lindsay St. (19 buildings)
 - Continued rebuilding of fire damaged units at Oakwood (E1 and E2)

QUARTER 3: JANUARY to MARCH 2021

- **Responded to 152 Emergency Work Orders; 148 (96%) closed within 24 hours.**
- **Responded to monthly Pest Control and air filter changes.**
- **Repair contracts completed or in progress:**
 - **Continued rebuilding of fire damaged units at Oakwood (E1 and E2)**
 - **New sidewalk at Oakwood (D unit)**
 - **4 abandoned units reclaimed and repaired for leasing.**
 - **Replaced flooring and completed asbestos remediation in 509C at Craig/Gomains**
 - **Resurfaced bathtubs at Airport Gardens (21 bathtubs)**



Oakwood, side of unit



Oakwood, rear of unit



New sidewalk at Oakwood



FINANCIAL CONDITION/ OPERATING FUND

- Public Housing had no debt service and gained maximum points.
- Adequacy of Reserves has increased in percentage, which is a good thing.
- At the end of Quarter 3, we are on target with our expenditure rate.
- We have used 88% of our funds.

Quarter 1	10%
Quarter 2	52%
Quarter 3	26%



MANAGEMENT

QUARTER 1: JULY to SEPTEMBER 2020

- Tenant Account Receivable: 94% of accounts receivable paid
- Occupancy Rates: 6 vacant units at the end of the quarter, all being prepared to lease.

QUARTER 2: OCTOBER to DECEMBER 2020

- Tenant Account Receivable: 98% of accounts receivable paid
- Occupancy Rates: 7 vacant units at the end of the quarter
 - 2 units under repair due to fire damage, 5 being prepared to lease

QUARTER 3: JANUARY to MARCH 2021

- Tenant Account Receivable: 99% of accounts receivable paid**
- Occupancy Rates: 8 vacant units at the end of the quarter**
 - 2 units under repair due to fire damage, 6 being prepared to lease.**



CAPITAL FUND

- Funds used for development, preservation, financing, modernization, and management improvements.
- Continued to exceed HUD's requirement of allocating 100% of funds to identified projects.
- FY 22 award amount \$935,260
- Summary of Capital Fund Grant balances per quarter.
 - Declining balances from Q1 to Q3 indicate we are spending funds timely.

Quarter	Current Encumbrances	Available Balance
3	\$260,031.55	\$2,137,648.83
2	\$333,313.41	\$2,182,249.84
1	\$304,688.85	\$2,363,794.71

- Projects from Quarter 3: Virtual Staff Retreat, Ballentine Associates-Affordable Housing Development analysis, Re-glazing bathtubs, asbestos testing and abatement, reroofing at Craig Gomains.



COMMUNITY ENGAGEMENT

QUARTER 1: JULY to SEPTEMBER 2020

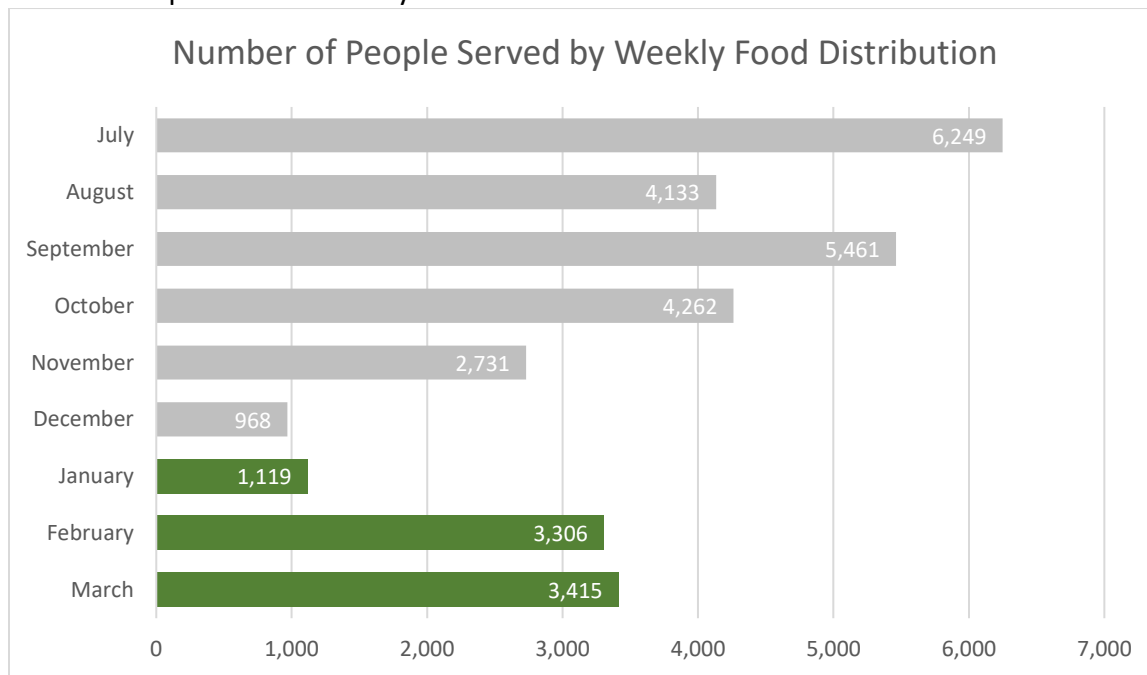
- Mailed monthly newsletter to residents.
- Continued operation of weekly food distribution.

QUARTER 2: OCTOBER to DECEMBER 2020

- Mailed monthly newsletter to residents.
- Mailed 2021 Calendars to residents including information on community resources.
- Mailed invitations to the new Resident Council to residents
- Partnered with Piedmont Health Services to administer COVID tests and flu shots.
- Distributed over 2,500 masks to residents.
- Continued operation of weekly food distribution.

QUARTER 3: JANUARY to MARCH 2021

- Mailed monthly newsletter to residents.
- Held monthly Resident Council Meetings in January, February, and March
- Continued re-certification of Residents' employment and family size.
- Continued operation of weekly food distribution.



**** NOTES AND DEFINITIONS**

HUD- U.S. Department of Housing and Urban Development

PHAS- Public Housing Assessment System- An assessment tool used by HUD to measure Public Housing Agencies uniformly and consistently.

PHAS Indicators - Four areas of Public Housing Agency operations that are inspected and rated; they are physical condition, financial condition, management, and capital fund.

Liquidity- The ratio between cash and current liabilities.

- The higher the ratio, the better the score.

Adequacy of Reserves-the ratio between unrestricted resources and average monthly operating expenses

- The higher the ratio, the better the score.

Unrestricted Resources- Access to anything that can be turned into cash (unrestricted cash, tenant's security deposits, unrestricted investments)

Monthly Operating Expenses- dwelling rent expense, operating expense, and extraordinary maintenance (divided by 12 for a monthly average)

Adjusted Operated Income-the ratio between operating income and annual debt service.

Accounts Payable-the ratio between total vendor accounts payable and monthly operating expense.

- The lower the ratio, the higher the score
- Accounts payable-(both > and < than 90 days)/Monthly operating expenses



40
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 7., **File #:** [21-0446], **Version:** 1

Meeting Date: 5/19/2021

Update on Town Efforts to Respond to the COVID-19 Crisis.

See Update on next page.

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 an overview of the Town's response activities to the COVID-19 pandemic.



MEMORANDUM

To: Manager Jones
From: EOC Manager
Date: May 14, 2021
Subject: COVID Update

Background

The following report offers an overview of the Town's response activities to the COVID-19 pandemic. The Town's Emergency Operations Center remains activated, Monday through Friday, from 8:00am to 5:00pm. This report is not comprehensive but offers information and updates about key initiatives as well as responses to Council Member questions from the past week. Additional information is available upon request.

Summary of this Week's COVID-19 Press Briefings

Thursday, May 13, 2021 –The Centers for Disease Control and Prevention (CDC) updated their guidance for fully vaccinated people, stating that fully vaccinated people no longer need to wear a mask or physically distance in any setting, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.

Updated information is available on the CDC's [Guidance for Fully Vaccinated People](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html)¹ page.

Friday, May 14, 2021 – Following yesterday's CDC announcement, Governor Roy Cooper and Dr. Mandy Cohen announced that, effective immediately, most statewide COVID-19 mask-wearing and capacity requirements are lifted. There are still some exceptions for mask-wearing in group settings like buses, hospitals, and homeless shelters. He still urged people to get vaccinated if they have not yet and to continue wearing a mask until they're vaccinated. Anyone already vaccinated who feels more comfortable wearing a mask may do so.

Local government agencies and private businesses are still able to establish their own requirements, though Cooper noted that most local governments are following State guidance and he expects them to continue to do so.

¹ <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>

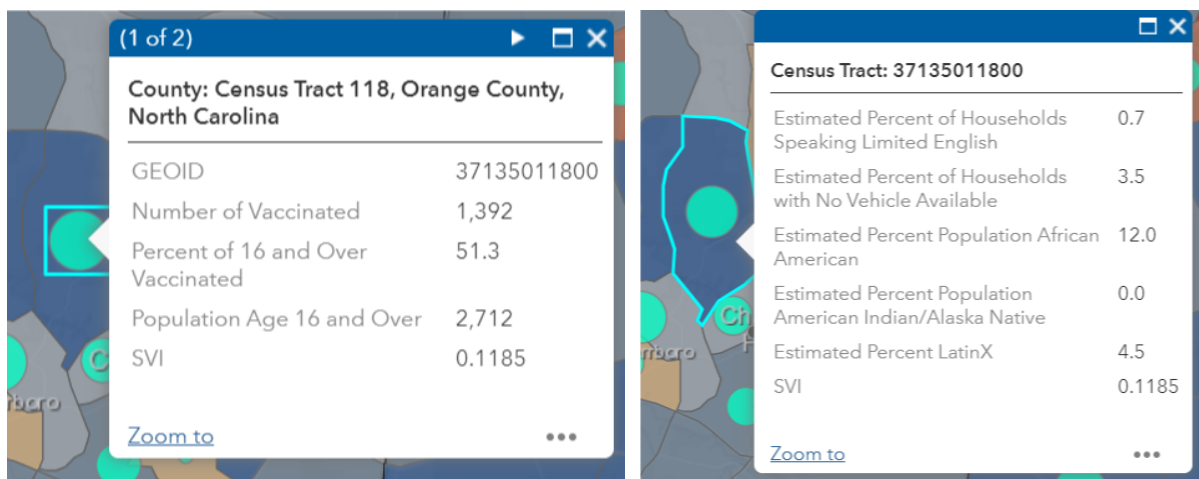


North Carolina Department of Health and Human Services (NCDHHS) Secretary Mandy Cohen noted that COVID cases among North Carolinians under age 17 are still increasing. For this reason, mask requirements for children in childcare, schools, camps, and similar settings remain in effect.

The State's [Bringing Summer Back](https://covid19.ncdhhs.gov/BringSummerBack)² initiative will continue urging all North Carolina residents to get vaccinated.

Vaccination Update

The NCDHHS has begun sharing an interactive map of [Vaccinations by Census Tract](https://nc.maps.arcgis.com/apps/webappviewer/index.html?id=31df85b470ad49809445a2d83e80d269)³. (Note: Click anywhere in the Census Tract for demographic info. Click in the middle of a circle for vaccination info for that Census Tract. See images below.) Orange County Health Department (OCHD) is using this data to help inform decisions about targeted outreach for their mobile vaccination team.



On a related note, OCHD's mobile team now has three vans (up from one) that they're using to deliver vaccines to hard-to-reach populations. The County allocated fuel to the mobile team this week during the shortage, ensuring their vans were able to keep all vaccine appointments.

Beginning Friday, May 14, OCHD will vaccinate community members 12-15 years old. This can be done by scheduling an appointment or walking into a vaccine clinic. OCHD is also partnering with Chapel Hill-Carrboro City Schools to provide vaccine clinics on school sites, open to parents and eligible students. The first clinic is scheduled for Friday, May 21.

² <https://covid19.ncdhhs.gov/BringSummerBack>

³ <https://nc.maps.arcgis.com/apps/webappviewer/index.html?id=31df85b470ad49809445a2d83e80d269>



Human Services Update

This week the Food Bank fed 260 families and 540 individuals. This fell short of the goal for the week with the weather (rain on Wednesday) and fuel shortages believed to have affected turnout.

OCHD reported that, with help from the County's Street Outreach (SOHRAD) team, officials have been successfully delivering vaccinations to unsheltered community members. This includes following back up with a second dose for a two-dose vaccine.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 8., File #: [21-0447], Version: 1

Meeting Date: 5/19/2021

Consider Land Use Management Ordinance (LUMO) Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Consider Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

Staff:

Alisa Duffey Rogers, LUMO Project Manager
Corey Liles, Principal Planner
Gene Poveromo, Zoning/Code Enforcement Coordinator

Department:

Town Manager's Office
Planning
Building & Development Services

Overview: Chapter 160D of NC General Statutes was established under Session Law 2019-111, which was signed into law on July 11, 2019. Before July 1, 2021, it is necessary for the Town to update the Land Use Management Ordinance (LUMO) to continue planning and zoning functions in compliance with State law.



Recommendation(s):

For the LUMO text amendments, that the Council adopt the Resolution of Consistency and enact Ordinance A.

For the Town Code amendments, enact Ordinance B.

Decision Points:

- Staff recommends delaying action on the petition submitted during the 160D public hearing to allow for a more complete evaluation of the request and for review by the Planning Commission.

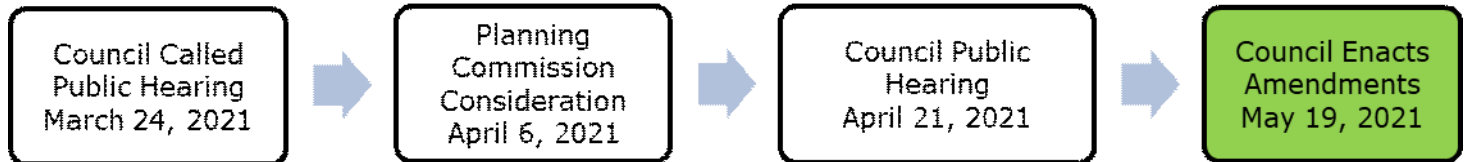
Key Issues:

- Part I of Session Law 2019-111 is already in effect and impacts how the Town conducts development review procedures.
- As a vehicle for modernizing North Carolina's land use laws, Part II requires the Town to update the LUMO to comply with this newly enacted State Statute.
- At previous Work Sessions, Council provided input on eliminating Conditional Use District Zoning, determining which approvals had Vested Rights, and how to utilize advisory board/commissions when considering Special Use Permits. Staff incorporated all input received from these Work Sessions into the proposed LUMO text amendments.

Fiscal Impact/Resources: Codifying these text amendments will require funding from Communication and Public Affairs budget.

Where is this item in its process?

Item #: 8., File #: [21-0447], Version: 1**Meeting Date: 5/19/2021**

**Attachments:**

- Staff Report and Text Amendment Overview
- Draft Staff Presentation
- Planning Commission Recommendation
- Resolution of Consistency
- Ordinance A (Enactment of Land Use Management Text Amendment Proposal)
- Resolution B (Deny Land Use Management Text Amendment Proposal)
- Ordinance B (Proposed Amendments to the Town Code)
- 160D Petition

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

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council adopt the Resolution of Consistency and enact Ordinance A.

For the Town Code amendments, enact Ordinance B.



CONSIDER LAND USE MANAGEMENT ORDINANCE (LUMO) TEXT AMENDMENTS – PROPOSED CHANGES TO ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NORTH CAROLINA GENERAL STATUTE 160D

CONSIDER AMENDMENTS TO THE TOWN CODE – PROPOSED CHANGES TO CHAPTERS 5, 7, AND 9 TO UPDATE REFERENCES IN THESE CHAPTERS TO ALIGN WITH NORTH CAROLINA GENERAL STATUTE 160D

STAFF REPORT

TOWN OF CHAPEL HILL MANAGER'S OFFICE, PLANNING DEPT., &
BUILDING & DEVELOPMENT SERVICES
Alisa Duffey Rogers, Land Use Management Ordinance Project Manager
Corey Liles, Principal Planner
Gene Poveromo, Zoning/Code Enforcement Coordinator

AMENDMENT REQUEST

- Amend portions of Articles 1, 3, 4, 5, 8 and Appendix A of the Land Use Management Ordinance (LUMO) to bring the LUMO into compliance with 160D, which is the State legislation modifying the North Carolina statutes for development regulations.
- Amend portions of Chapters 5, 7, and 9 of the Town Code to update references from North Carolina General Statutes (NCGS) 160A to NCGS 160D

DATE

May 19, 2021

TOWN MANAGER'S REPORT AND RECOMMENDATION

I have reviewed and discussed the key issues with Town staff. Based on the information in the record to date, I believe the Council can consider the factors required to approve the Ordinance amending the text of the Land Use Management Ordinance. Of the three factors for consideration listed below in the Process section, changing conditions and achieving the purposes of the Comprehensive Plan are most applicable as the proposed text amendments provide for bringing the Land Use Management Ordinance (LUMO) into compliance with 160D.

Because the proposed text amendments are consistent with the Comprehensive Plan, I recommend that the Council adopt the Resolution of Consistency and enact Ordinance A.

UPDATES FROM THE LEGISLATIVE HEARING

- At the legislative hearing, the Council received a petition requesting that the LUMO subdivision provisions in Section 4.6.1 be amended to comply with 160D-802. While there are no substantive changes in the enabling statutes from 160A to 160D, staff does think careful consideration should be given to this petition, which is not possible prior to the state's June 30th deadline for 160D compliance. Therefore, staff requests that action on the petition be delayed until the fall, which would also permit any proposed LUMO amendments to be evaluated by the Planning Commission.
- Since the development review process for Special Use Permits is changing due to the proposed 160D amendments, Council requested that staff provide additional guidance to advisory boards and commissions since their review will be limited to a preliminary forum after enactment of the 160D amendments. Staff recommends that this guidance be provided to boards and commissions after the 160D amendments have taken effect on June 30, 2021.

<p>LUMO PROCESS</p> <p>The Council must consider the following three factors for enactment of the Land Use Management Ordinance Text Amendment:</p> <ol style="list-style-type: none"> 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. 	<p>KEY ISSUES FOR PROPOSED LUMO AMENDMENTS</p> <ul style="list-style-type: none"> • '160D' refers to the new section of the NC General Statutes that contains the rules for how local jurisdictions can exercise land use authority in areas such as zoning and subdivisions. Chapter 160D was established under Session Law 2019-111 (with later technical corrections under Session Law 2020-25) and was signed into law in the summer of 2019. Part I of the Session Law went into effect at that time. Part II, which clarifies, consolidates, and reorganizes land-use regulatory laws, will go into effect on or before July 1, 2021 (the effective date varies based on when jurisdictions adopt amendments to implement 160D). • Updates to the LUMO are necessary for the Town's development regulations and procedures to continue operating in compliance with State law. • Most updates are technical in nature and will not require the Town to amend its development regulations. • There are two noteworthy amendments proposed: <ol style="list-style-type: none"> 1. Elimination of Conditional Use District Zoning; and, 2. Discontinue advisory boards recommendations on special use permits. • Other amendments: <ol style="list-style-type: none"> 1. Define major & minor modifications to approved plans and the development review process for such changes; 2. Permit variances under the Federal Fair Housing Act for a person with a disability; 3. Distinguish between administrative, legislative, & evidentiary hearings; 4. Update the Master Land Use Plan provisions to permit conditional zoning; 5. Remove the minimum square footage requirement for affordable dwelling units in the Inclusionary Zoning provisions; 6. Add & revise definitions as required by 160D; and, 7. Update references from 160A, the previous North Carolina code section, to 160D.
<p>CONSISTENCY WITH COMPREHENSIVE PLAN</p> <p>The proposed LUMO text amendments promote the following <i>Chapel Hill 2020</i> Comprehensive Plan goals:</p> <ul style="list-style-type: none"> • A community that welcomes and supports change and creativity (GPNS.6) • A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3) 	
<p>ATTACHMENTS</p>	<ol style="list-style-type: none"> 1. Text Amendment Overview 2. Draft Staff Presentation 3. Planning Commission Recommendation 4. Resolution of Consistency (for proposed Land Use Management Ordinance amendments) 5. Ordinance A (Enactment of Land Use Management Text Amendment Proposal) 6. Resolution B (Deny Land Use Management Text Amendment Proposal) 7. Ordinance B (Proposed Amendments to the Town Code) 8. 160D Petition



PROPOSED CHANGES: TEXT AMENDMENTS TO THE LAND USE MANAGEMENT ORDINANCE (LUMO) ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NCGS 160D

The following is a summary of the proposed text amendments necessary to bring the LUMO into compliance with 160D.

TEXT AMENDMENT OVERVIEW

- **Elimination of Conditional Use District Zoning.** 160D does not permit conditional use district zoning, which is the process of combining a rezoning with a special use permit. It does allow conditional zoning. Existing conditional use districts were converted to conditional zoning districts in October of 2020, which you can see on the Town's [Interactive Map¹](#). Applicants may continue to request conditional zoning districts.
- **Discontinue advisory board recommendations on special use permits.** Instead, development review boards will hold preliminary forums where applicants present their applications and hear concerns from the board members and any public in attendance. A formal recommendation will not be transmitted to the Town Council. Currently, the LUMO only requires the Planning Commission to provide a recommendation on Special Use Permits, and other advisory boards provide a recommendation because of Town policy. As a result of 160D, LUMO text amendments are proposed that remove the requirement for a Planning Commission recommendation on special use permits and allows the Planning Commission to hold a preliminary forum. Other development review boards may also hold preliminary forums.
- **Clarifying the types of Public Hearings.** In order to distinguish between the various public hearings required by statute, 160D creates three separate types of hearings based on the required approval process. These are legislative, evidentiary, and administrative hearings. 160D requires legislative hearings when a legislative decision is being considered such as a proposed conditional zoning district. When a special use permit is requested, 160D requires an evidentiary hearing due to the required quasi-judicial process. For decisions that do not involve discretion, such as site plan review, an administrative hearing may be held.

SUMMARY OF PROPOSED ORDINANCE

1. Section 2 – LUMO Section 1.2

- Clarifies references to the North Carolina General Statutes

2. Sections 5 through 6 & 9 – LUMO Article 3 Introduction, Section 3.1.2, Section 3.4.1 (a)

- Eliminates Conditional Use District Zoning & retains Conditional Zoning

3. Sections 13 through 29 - LUMO Section 3.5

- Defines and outlines the process for minor and major modifications in OI-4 and for approved development agreements
- Specifies a legislative hearing, rather than a public hearing

4. Section 32 – LUMO Section 3.6.2 (d)

- Clarifies that decisions on Certificates of Appropriateness are quasi-

¹

judicial and must follow quasi-judicial procedures

- Clarifies that hearings regarding Certificates of Appropriateness are evidentiary hearings

5. Section 35 – LUMO Section 3.10.2 (f)

- Eliminates the minimum net livable square footage requirement for affordable dwelling units under the Inclusionary Zoning provisions
- Replaces this provision with a requirement that market rate and affordable units be substantially similar in livable square footage

6. Sections 37 through 40 – LUMO Section 3.11.4.7

- Defines major modifications to a Form District Permit in the Blue Hill Form District
- Clarifies that the Community Design Commission is holding administrative hearings and making administrative decisions

7. Section 43 – Adds new LUMO Sections 4.1.3; 4.1.4; and 4.1.5

- Adds vested rights provisions
- Defines a development review process for parcels located in two jurisdictions

8. Section 44 – LUMO Section 4.2

- Clarifies the process for adopting or amending the comprehensive plan

9. Section 47 – New LUMO Section 4.4.1 (d)

- Permits down-zoning only when initiated by the Town or when agreed to by the property owner

10. Section 48 – LUMO Section 4.4.2

- Clarifies the process for general use/conventional rezoning requests
- Clarifies that legislative hearings, not public hearings, are required for proposed general use/conventional zoning atlas amendments

11. Sections 48, 49, & 51– LUMO Sections 4.4.2 (d) & (g); 4.4.3 (c) (1) & 4.4.3 (f)

- Includes requirement for Planning Commission and Town Council consideration of Plan Consistency statements & Statements of Reasonableness for LUMO amendments

12. Section 53 & 56 through 57 - LUMO Sections 4.4.4 & 4.4.5 (g) & (h)

- Defines and outlines the process for minor and major modifications for previously approved Light Industrial Conditional Zoning Districts and other Conditional Zoning Districts

13. Section 60 – LUMO Section 4.5.3

- Removes the requirement for Planning Commission to provide a

recommendation to the Town Council for Special Use Permits

- Planning Commission holds a preliminary forum for Special Use Permits
- Specifies hearings for Special Use Permits are evidentiary hearings

14. Section 61 – LUMO Section 4.5.4

- Defines and outlines the process for minor and major modifications to previously approved Special Use Permits

15. Section 65 – New LUMO Section 4.6.1 (e)

- Exempts divisions of tracts into parcels as the result of a probated will from LUMO Subdivision Regulations

16. Section 72 – LUMO Section 4.7.5

- Defines and outlines the process for minor and major modifications for previously approved Site Plans

17. Sections 73 through 80 – LUMO Section 4.8

- Inserts conditional zoning into Master Land Use Plans
- Defines and outlines the process for minor and major modifications for previously approved Master Land Use Plans

18. Sections 86 – LUMO 4.12.2 (a)(2)

- Permits the granting of a variance to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability

19. Sections 91 through 96 - LUMO Section 5.16

- Inserts Conditional Zoning into the Adequate Public School Facilities provisions
- Clarifies the exception provisions
- Clarifies associated hearings

20. Section 105 – LUMO 8.2.4 (m)

- Planning Commission will provide recommendations on proposed conditional zoning districts, but not Special Use Permits

21. Section 110 – LUMO 8.5.5 (r)

- Community Design Commission will provide comments and recommendations to applicants, rather than the Town Council for Special Use Permits

22. Section 111 & 112 Appendix A - Definitions

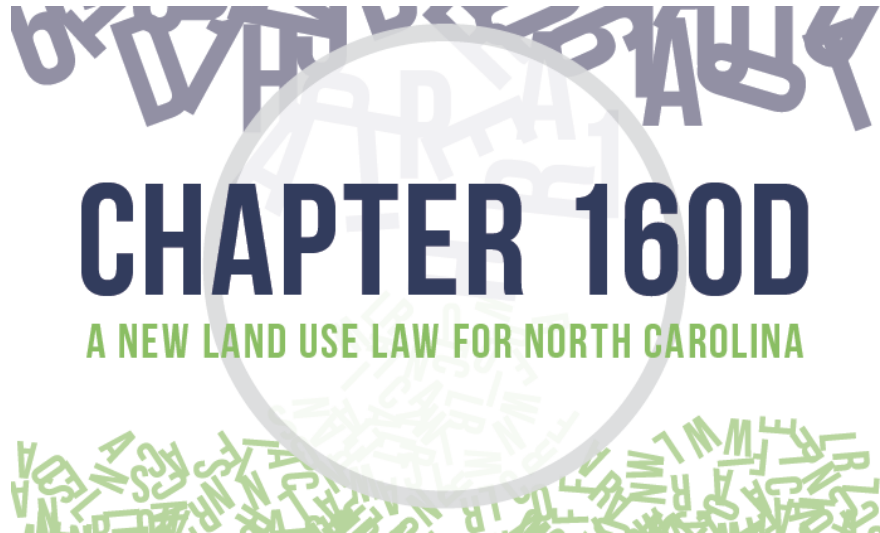
- Includes new definitions and revises existing definitions as required by 160D

TOWN COUNCIL MAY 19, 2021

Agenda:

- Process for I 60D Amendments
- Background on I 60D
- Overview of I 60D changes
- Staff Recommendation

DRAFT



PROCESS

**March 24,
2021**

**April 6,
2021**

**April 21,
2021**

**May 19,
2021**

Town Council
Calls the Public
Hearing



Planning
Commission
Consideration



Town Council
Open & Close
Public Hearing



Council Action

DRAFT

STAFF RECOMMENDATION

For LUMO Text Amendments:

- Adopt the Resolution of Consistency
- Enact Ordinance A

DRAFT

**STAFF
RECOMMENDATION**

**For Town Code Text
Amendments:**

Enact Ordinance B

DRAFT

BACKGROUND

Chapter 160D – new section of NC General Statutes containing rules for local land use authority

- Created by Session Law 2019-111
- Revised by Session Law 2020-25

PART I

In effect now

Revisions to development review procedures –

no text amendments required

PART II

Compliance required by July 2021

Updates to LUMO and Town Code

DRAFT

CHAPTER 160D

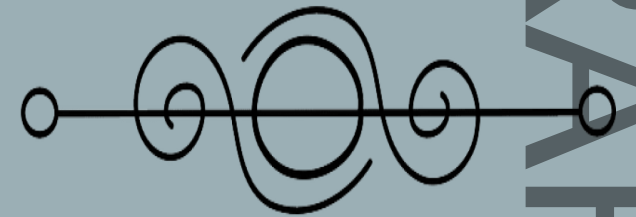
A NEW LAND USE LAW FOR NORTH CAROLINA

DRAFT

MANY LUMO CHANGES ARE MINOR AND
TECHNICAL AMENDMENTS

SUBSTANTIVE CHANGES

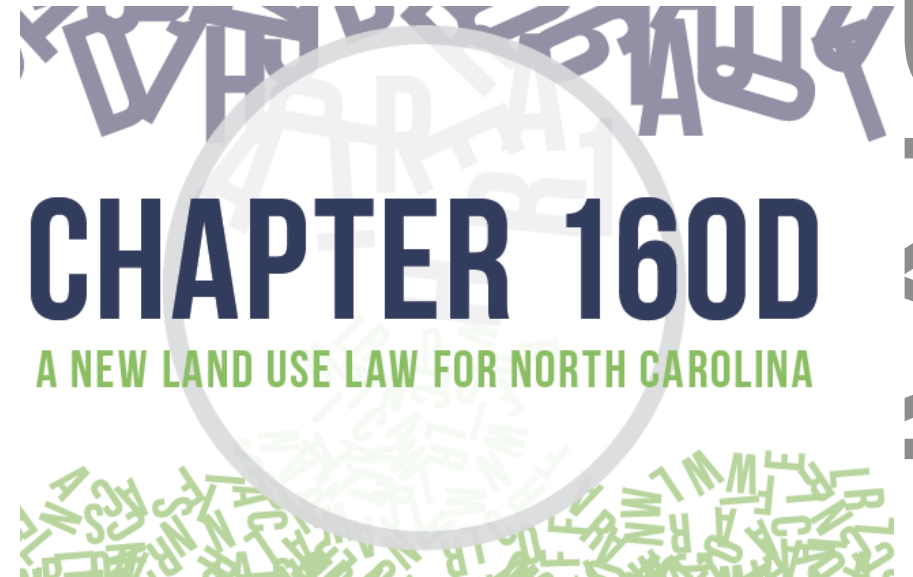
- Advisory Board Review of Special Use Permits
- Elimination of Conditional Use District Zoning



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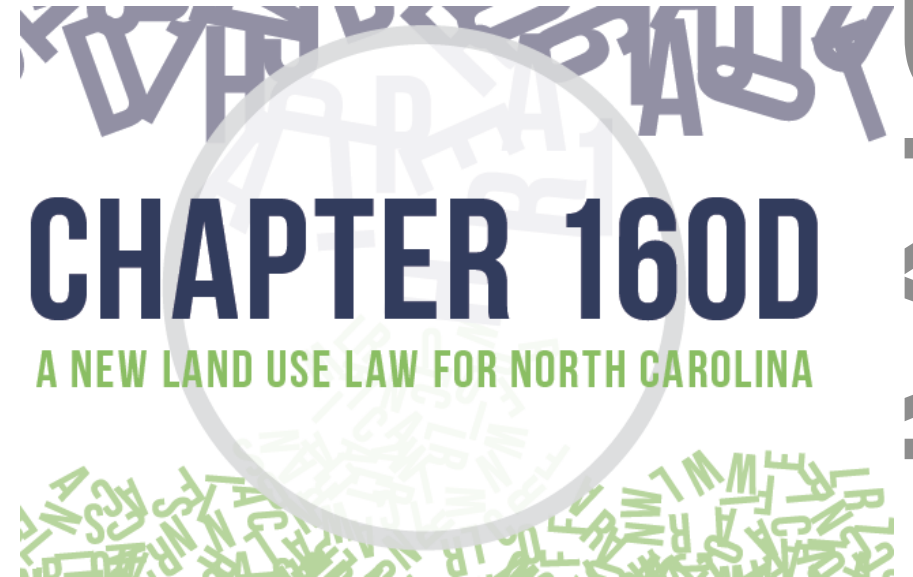
OTHER LUMO AMENDMENTS

- Define minor & modifications to approved plans and the approval process for consideration
- Permit variances for persons with a disability



OTHER LUMO AMENDMENTS

- Update the Master Land Use Plan provisions to include conditional zoning
- Add definitions for clarity & as required by 160D



OTHER LUMO AMENDMENTS

- Remove the minimum square footage requirement in the Inclusionary Zoning provisions

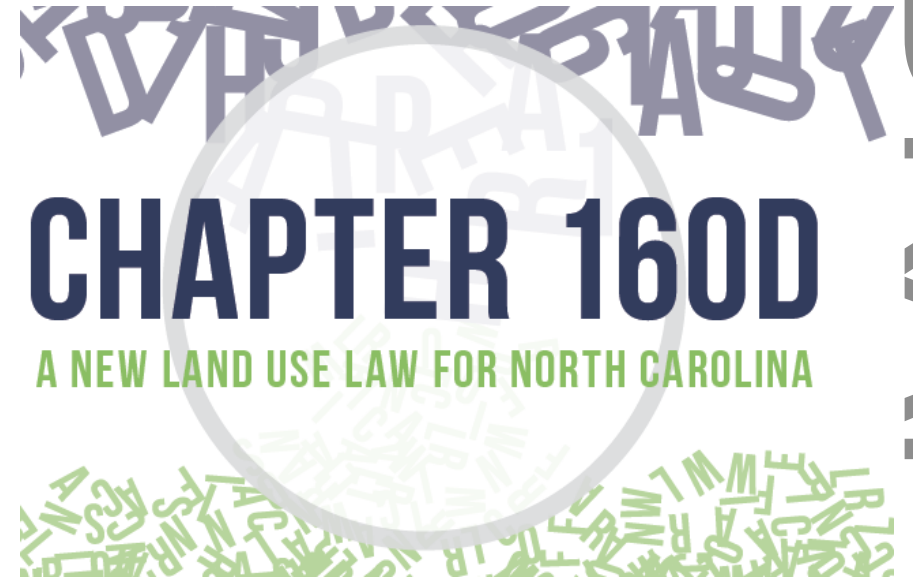
CHAPTER 160D

A NEW LAND USE LAW FOR NORTH CAROLINA

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OTHER LUMO AMENDMENTS

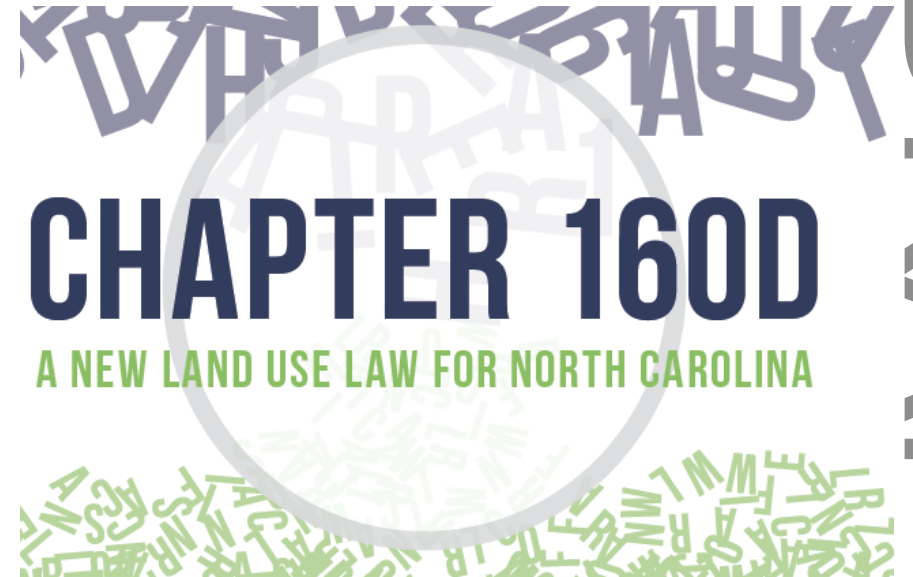
- Distinguish between administrative, legislative, & evidentiary hearings
- Distinguish between administrative, legislative, & quasi-judicial decisions



Mechanics of Land Use Decisions			
	Legislative	Quasi-Judicial	Administrative
Characteristics	<ul style="list-style-type: none">• Decisions on Ordinances (Adoption, amendment, Repeal of regulations)• Involves policy considerations	<ul style="list-style-type: none">• Rules of evidence & procedure apply• Utilized for discretionary decisions• Involves the finding of facts to make a decision on an application• Discretion needed when applying regulatory rules	<ul style="list-style-type: none">• Utilized for non-discretionary approvals• Administration & enforcement of regulations adopted by Council• Application of objective standards
Responsible Body	Town Council	<ul style="list-style-type: none">• Board of Adjustment• Town Council (Special Use Permits)• Historic District Commission	<ul style="list-style-type: none">• Staff• Planning Commission
Type of Hearing	Legislative	Evidentiary	Administrative
Decision Examples	<ul style="list-style-type: none">• Consideration of Zoning Regulations (LUMO)• Rezonings (General or Conditional Zoning Districts)• Development Agreements	<ul style="list-style-type: none">• Special Use Permits• Variances• Appeals• Certificates of Appropriateness	<ul style="list-style-type: none">• Site Plans• Subdivisions• Zoning Compliance Permits

PETITION REGARDING I 60D

- Suggested path forward for
I 60D Petition



CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed text amendments promote the following *Chapel Hill 2020* Comprehensive Plan goals:

- A community that welcomes and supports change and creativity (GPNS.6)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (GPNS.3)

DRAFT

STAFF RECOMMENDATION

For LUMO Text Amendments:

- Adopt the Resolution of Consistency
- Enact Ordinance A

DRAFT

**STAFF
RECOMMENDATION**

**For Town Code Text
Amendments:**

Enact Ordinance B

DRAFT

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 A LAND USE MANAGEMENT ORDINANCE (LUMO) TEXT AMENDMENTS – PROPOSED CHANGES TO ARTICLES 1, 3, 4, 5, 8 and Appendix A TO BRING THE LUMO INTO COMPLIANCE WITH NCGS STATE STATUTE 160D

April 6, 2021

Recommendation to Council: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: Commissioner McCullough moved and Commissioner Rivers seconded to recommend Town Council adopt the Resolution of Consistency, noting the pressure of the changes being required by state law.

Vote: 9-0

Ayes: Chair Michael Everhart, Vice Chair James Baxter, Neal Bench, Melissa McCullough, John Rees, Stephen Whitlow, Elizabeth Losos, Louie Rivers, Buffie Webber

Nays:

Recommendation to Council: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: Commissioner Bench moved and Commissioner Rivers seconded to recommend Town Council adopt Ordinance A.

Vote: 9-0

Ayes: Chair Michael Everhart, Vice Chair James Baxter, Neal Bench, Melissa McCullough, John Rees, Stephen Whitlow, Elizabeth Losos, Louie Rivers, Buffie Webber

Prepared by: Michael Everhart, Chair, Planning Commission
Jake Lowman, Senior Planner, Staff Liaison to Planning Commission

RESOLUTION OF CONSISTENCY

A RESOLUTION FINDING THAT THE PROPOSED AMENDMENTS TO ARTICLES 1, 3, 4, 5, 8 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO INCORPORATE REVISIONS REQUIRED BY THE ENACTMENT OF NCGS 160D ARE CONSISTENT WITH THE COMPREHENSIVE PLAN (2021-05-19/R-3)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to incorporate the provisions of the newly enacted North Carolina General Statute 160D; and

WHEREAS, upon consideration the Council finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal: Good Places New Spaces.3)
- A community that welcomes and supports change and creativity (Goal: Good Places New Spaces.6)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed zoning text amendments to be reasonable and consistent with the Town Comprehensive Plan.

This the 19th day of May, 2021.

Ordinance A

AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 8 and Appendix A OF THE LAND USE MANAGEMENT ORDINANCE TO COMPLY WITH NORTH CAROLINA STATE STATUTE 160D (2021-05-19/O-1)

WHEREAS, the Council called a Public Hearing to amend provisions of the Land Use Management Ordinance (LUMO) to incorporate the provisions of the new state enabling legislation entitled, “Chapter 160D Local Planning and Development Regulation” for the Council’s April 21, 2021 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to the Land Use Management Ordinance (LUMO) Articles 1, 3, 4, 5, 8 and Appendix A related to incorporating the provisions of the newly enacted North Carolina General Statute 160D and finds that the amendments, if enacted, are reasonable and in the public’s interest and are warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the *Chapel Hill 2020 Comprehensive Plan*:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal: Good Places New Spaces.3)
- A community that welcomes and supports change and creativity (Goal: Good Places New Spaces.6)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that Appendix A – Land Use Management, Articles 1, 3, 4, 5, 8 and Appendix A of the Code of Ordinances, Town of Chapel Hill, North Carolina are hereby amended as follows:

Section 1 – Table of Contents. Footnote (1) --- State Law References is hereby amended to read as follows:

“State Law reference— ~~Municipal zoning power, G.S. § 160A-381 et seq.; city may regulate subdivision of land, G.S. § 160A-371~~ **North Carolina General Statutes (NCGS) Chapter 160D - Local Planning and Development Regulation.**”

Section 2 – Article 1 - General Provisions. Section 1.2 - Authority is hereby amended to read as follows:

“This appendix is adopted pursuant to the authority contained in Chapter ~~160A~~ **160D**; Chapter 143, Article 21 (Part 6) and Article 33C; Chapter 13A, Article 4; Chapter 136, Article 34; and Chapter 63, Article 4 of the N.C. General Statutes; and Chapter 473 of the Session Laws of 1975 and Chapter 278 of the Session Laws of 1965. **This appendix cites specific provisions of the North Carolina General Statutes (NCGS), and while these provisions may change after the adoption of this appendix, the intent of these referenced sections shall remain.**”

Section 3 – Article 1 – General Provisions. Section 1.4 - Applicability is hereby amended to read as follows:

“This appendix shall be effective throughout the town's planning jurisdiction. The planning jurisdiction of the town comprises the area described by Chapter 473 of the Session Laws of 1975, as modified from

time to time in accordance with Section ~~160A-360~~ **160D, Article 2** of the North Carolina General Statutes.

Except as otherwise specifically provided in this appendix, no land or structure shall hereafter be used or occupied, and no excavation, removal of soil, clearing of a site, or placing of fill shall take place on lands contemplated for development, and no structure, or part thereof, shall be constructed, erected, altered, renovated, or moved, except in compliance with all of the applicable provisions of this appendix.

Notwithstanding the foregoing, regulations established in this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions for single-family and two-family structures, shall not apply to valid special use permits, development plans, and preliminary plat applications approved by the Town Council, and valid site plan review applications approved by the Planning Commission, prior to the effective date of this enacted appendix. Such developments shall be subject to regulations that were applicable immediately prior to the effective date of this appendix as enacted on January 27, 2003, with the exception of occupancy restrictions for single-family and two-family structures.

The appendix shall apply to all public land(s) and private land(s), and use(s) thereon over which the Town has jurisdiction under the constitution(s) and law(s) of the State of North Carolina and of the United States, including any areas within the jurisdiction of the Town pursuant to North Carolina General Statutes Section ~~160A-360~~ **160D, Article 2**. The Planning Department (hereinafter known as the "Department") of the Town can be contacted for further information about the use of this Chapter.

For a parcel in two jurisdictions, the owner and the jurisdictions may agree that development regulations from one jurisdiction will apply to the entire parcel as authorized in Chapter 160D-203 and in Section 4.1.5 in this appendix.

Section 4 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.3. – General Use Districts. The title for Section 3.3 General use districts is hereby retitled and amended to read as follows:

"3.3. - General Use **Conventional districts."**

Section 5 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. The Introductory paragraphs are hereby amended to read as follows:

"First, '~~General Use~~ **Conventional**' districts (section 3.3) divide the town into various residential, commercial and industrial zones. Each district establishes uses that are permitted "as of right," and uses permitted only as "special uses." Special uses require a ~~public~~ **an evidentiary** hearing in order to assess whether conditions are needed in order to make the use compatible with other uses in the district. The uses permitted in each district are listed in section 3.7.

"'Conditional **Zoning' Districts (section 3.4) include **district-specific plans, site-specific standards, and district-specific conditions agreed upon, in writing,** by the town council and the property owner(s) to ensure that the use or group of uses is compatible with adjoining districts and uses. ~~There are two types of Conditional Districts, each with different application procedures and requirements for establishment by the town council: Conditional Use Districts (section 3.4.1) and Conditional Zoning Districts (sections 3.4.3-6).~~ **Such Conditional Zoning Districts are established by the town council pursuant to NCGS 160D-703.**"**

‘Special’ districts (section 3.5) involve uses which cannot be adequately addressed by the base district regulations. Unlike the overlay districts, these districts are independent of the ~~general use~~ **conventional** zoning districts. The special districts have separate use and design regulations.

‘Overlay’ districts are established in section 3.6. Within these districts, the standards of both the ~~general use~~ **conventional** and overlay districts apply. These districts address special situations such as groundwater recharge, historic preservation, airport hazards, and utility conversions where the base district regulations are not sufficient to protect the public.

One essential function of zoning is to regulate the dimensional aspects of development. Section 3.8 establishes regulations governing the configuration and location of lots, buildings, structures and paved surfaces. This includes lot size, density, intensity, lot width, and setbacks from streets and property lines. These standards are consolidated in a schedule called the Dimensional Matrix (Table 3.8-1). The amount of a lot that may be covered with built or paved surfaces ("impervious surface ratio") is also established in the dimensional matrix.

Section 3.9 establishes incentives in the form of additional density and other regulatory measures in order to encourage redevelopment and enhanced site design. Landowners are permitted through rezoning to transfer densities from environmentally sensitive sites that are inappropriate for development to sites that are suitable for increases in density.

Some uses, while permitted in a zoning district, raise special concerns which require additional regulations. These regulations are established in article 6. They apply regardless of whether the use is permitted as of right or as a special use within the district.”

Section 6 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.1. – Establishment and intent of zoning districts. Section 3.1 is hereby amended to delete 3.1.2, renumber subsequent subsections, and to read as follows:

“3.1.1 ~~General use~~ **Conventional** districts may be established by the town council approval of a ~~general~~ **conventional** rezoning pursuant to the procedures established in section 4.4.2 of this appendix. Such approval authorizes the full range of uses in accordance with the standards applicable to the ~~general use~~ **conventional** district.

~~3.1.2 Conditional use districts may be established by the town council approval of a conditional use district rezoning pursuant to the procedures established in section 4.4.2 of this appendix. Conditional use districts parallel general use districts and require an approval of an accompanying special use permit, which incorporates district-specific site plans and conditions agreed to by the owner(s) of the rezoned land. A special use permit application must be submitted within one (1) year of an approved rezoning pursuant to the procedures established in section 4.5.3 of this appendix. Such approval authorizes the development of the conditional use district-specific site plan in accordance with the standards applicable to the general use district as modified by the stipulations contained within the special use permit.~~

3.1.2 ~~3.1.3~~ The Light-Industrial Conditional Zoning District (LI-CZD), may be established by the town council approval of a conditional zoning district ~~rezoning~~ pursuant to the procedures established in section 4.4.3 of this Appendix. The light-industrial conditional zoning district incorporates district-specific rezoning plans and conditions agreed to by the owner(s) of the rezoned land. Such approval authorizes development of the Light-Industrial conditional zoning district-specific rezoning plan in

accordance with the standards applicable to the conditional zoning district, as modified by the conditions contained with the conditional zoning district ~~rezoning~~ approval.

3.1.3 ~~3.1.4~~ Conditional Zoning Districts, other than the LI-CZD, may be established by the town council approval of a conditional zoning district pursuant to the procedures established in section 4.4.5 of this appendix, provided the conditional zoning district is deemed consistent with the ~~land use plan~~ **Future Land Use Map (2050)** in the comprehensive plan by locating in conformance with an adopted small area plan, **in a Focus Area as defined in the Future Land Use Map Update to Chapel Hill 2020**, and/or in one of the following land use categories

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

Conditional zoning districts incorporate district-specific plans, **site-specific standards**, and conditions agreed to, **in writing**, by the town and the owner(s) of the ~~rezoning land~~ **property included in the conditional zoning district**. Conditional zoning districts are designated with the suffix CZD on the zoning atlas.”

Section 7 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.2. – Zoning Atlas. Section 3.2.5 is hereby amended to read as follows:

“The planning director shall authenticate the entry of each amendment on the official zoning atlas and shall maintain a record of the nature and date of entry of each amendment. **Following each zoning atlas amendment, prior versions of the zoning atlas shall be maintained for public inspection in either paper or digital formats.** Changes to the official zoning atlas other than those authorized by duly approved amendments to this appendix shall be prohibited.”

Section 8 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.2. – Zoning Atlas. Section 3.2.7 is hereby amended to read as follows:

“The town manager shall render a decision as to any dispute of the boundary or location of property within a zoning district in accordance with the procedures for ~~interpretations~~ **determinations** (section 4.11)”

Section 9 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.4. – Conditional Districts. Section 3.4.1 Conditional Use Districts, subsection (a) is hereby deleted, and the subsequent subsection renumbered as follows:

~~“(a) For the TC-1, TC-2, TC-3, CC, N.C., OI-1, I, R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, HR-L, HR-M, HR-X, R-LD1, and R-LD5 districts hereinabove described, there are hereby established parallel conditional use districts designated TC-1-C, TC-2-C, TC-3-C, CC-C, N.C.-C, OI-2-C, OI-1-C, I-C, R-6-C, R-5-C, R-4-C, R-3-C, R-2-C, R-2A-C, R-1-C, R-1A-C, HR-L-C, HR-M-C, HR-X-C, R-LD1-C, and R-LD5-C pursuant to North Carolina General Statutes Section 160A-382. Under each conditional use district, all uses allowed as a permitted use or special use by section 3.7, Table 3.7-1 (Use Matrix), for the parallel general use district are permitted only upon issuance of a special use permit by the town council pursuant to section 4.5 of this appendix.~~

~~(b)~~—All conditional use districts established pursuant to North Carolina General Statutes Section 160A-382 that existed as of October 28, 2020 are hereby converted to conditional zoning districts pursuant to North Carolina General Statutes 160D. Any conditional use district established prior to October 28, 2020 shall be henceforth shown on the zoning atlas with a CZD suffix. Any proposed modifications to such districts established prior to October 28, 2020 shall be considered pursuant to Section 4.4.5.”

Section 10 – Article 3 – Zoning Districts, Uses, and Dimensional Standards. Section 3.4. – Conditional Districts. Section 3.4.3 (a) is hereby amended to read as follows:

~~“3.4.3 (a) 3.4.3~~ Parallel conditional zoning districts are hereby established that parallel each of the following ~~general use~~ conventional zoning districts:

R-1

R-1A

R-2

R-2A

HR-L

HR-M

R-LD1

R-LD5

R-3

R-4

R-5

R-6

TC-1

TC-2

TC-3

CC

N.C.

OI-3

OI-2

OI-1

A parallel conditional zoning district may be established through the town council's approval of a conditional zoning district ~~rezoning application~~ pursuant to section 4.4.5. Development in a parallel conditional zoning district is subject to the same uses, standards, and regulations applicable to the parallel ~~general use~~ conventional zoning district including overlay district regulations, as modified by the approved district-specific plans, site-specific standards, and conditions:

- (1) That are proposed or agreed to, in writing, by the owner(s) of the subject land;
- (2) That incorporate any proposed modifications to use, intensity, or development standards applicable in the parallel ~~general use~~ conventional district; and,
- (3) That, pursuant to NCGS 160D-703 (b) are limited to conditions that address conformance of the allowable development and use of the rezoning site with Town regulations and ~~adopted~~ plans adopted pursuant to NCGS 160D-501, and impacts reasonably expected to be generated by the allowable development or use of the site.

In addition to the uses designated as permissible in a conditional zoning district in Table 3.7-1: Use Matrix, eligible uses in a parallel conditional zoning district shall only be those uses designated as permitted as a principal use, as an accessory use, or as a special use in the applicable conventional district as identified in Table 3.7-1: Use Matrix.

One goal of the town's comprehensive plan is to promote energy conservation through building design. Therefore, applicants are encouraged to meet the Architecture 2030 Challenge guidelines as amended."

Section 11 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.5. – Special districts. Section 3.5.2 Office/Institutional-4 District (OI-4), subsection (b) Overview of Development Review Procedures, third paragraph is hereby amended to read as follows:

"For development proposed within an OI-4 zoning district that is not included in a town council-approved development plan, but is a minor ~~change~~ modification according to the provisions of subsection ~~(i)~~ (j) of this section, the town manager may approve a change to the development plan and issue a site development permit. For development proposed within an OI-4 zoning district that is not included in a town council-approved development plan and that cannot be considered a minor ~~change~~ modification to the plan according to subsection ~~(i)~~ (j) of this section, such development shall be

considered to be a special use, and subject to the special use permit procedural requirements of section 4.5 of this appendix. In the alternative, the applicant may apply to the town council for an amendment to the development plan.”

Section 12 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. – Special districts. Section 3.5.2 Office/Institutional-4 District (OI-4), subsection (h) Procedures for approval of development plants. Subsection (2) Process for review is hereby amended to read as follows:

“(2) Process for review.

- A. Applications for development plan approval may ~~shall~~ be reviewed by the planning commission, and the planning commission may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant. ~~forwarded to the town council for consideration at a public hearing. The Planning Commission shall review the application and the Town Manager's report and shall submit to the Town Council a written recommendation based on the findings required in subsection (h)(3). The Planning Commission shall prepare its recommendation within thirty five (35) days of the meeting at which the Town Manager's report is submitted to it or within such further time consented to in writing by the applicant or by Town Council resolution. If the Planning Commission fails to prepare its recommendation to the Town Council within this time limit, or extensions thereof, the Planning Commission shall be deemed to recommend approval of the application without conditions.~~
- B. Applications for development plan approval will be considered at an evidentiary hearing. Relevant evidentiary procedures for such hearings are as set forth in NCGS 160D-406. Notice of the date, time, and place of the ~~public~~ Town Council evidentiary hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.
- C. ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

- D. The applicant shall bear the burden of presenting evidence sufficient to establish persuasively that the proposed development will comply with the determinations required in subsection (h)(3).
- E. A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the **evidentiary** hearing. Town council action on an application for development plan approval shall occur within one hundred twenty (120) days of the date of submittal of a complete application.”

Section 13 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. – Special Districts. Section 3.5.2 – Office/Institutional-4 District (OI-4). Subsection (j) Process for amending the development plan is hereby amended to read as follows:

“The town manager is authorized to approve minor ~~changes~~ **modifications** and changes in the ordering of phases in an approved development plan, as long as such changes continue to be in compliance with the approving action of the town council and all other applicable requirements, and result in a configuration of buildings that is generally consistent with the approved development plan. The town manager shall not have the authority to approve changes that constitute a **major** modification of the development plan.

Before making a determination as to whether a proposed action is a minor ~~change~~ or a **major** modification, the town manager shall review the record of the proceedings on the original application for the development plan and any subsequent applications for modifications of the development plan, and shall use the following criteria in making a determination:

- (1) A change in the boundaries of the development plan approved by the town council shall constitute a **major** modification;
- (2) A substantial change in the floor area or number of parking spaces approved by the town council shall constitute a **major** modification. (General rule: more than a 5% increase in overall net new floor area or parking in a development plan approved by the town council would be considered substantial.);
- (3) Substantial changes in pedestrian or vehicular access or circulation approved by the town council shall constitute a **major** modification. (General rule: changes that would affect access or circulation beyond the boundaries of a development plan would be considered substantial.); and
- (4) Substantial change in the amount or location of open areas approved by the town council shall constitute a **major** modification.

If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the **major** modification, following procedures outlined in this section for initial approval of a development plan.”

Section 14 - Article 3 – Zoning Districts, Uses and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5. University-1 District, subsection (a) Purpose and Intent, is hereby amended to read as follows:

“Purpose and intent. The purpose and intent of the University-1 district (U-1) is to establish procedural and substantive standards for the town council's review and approval of development on large tracts of

land where the predominant uses are to be public or private development for college/university, research activity, civic, hospital, clinics, cultural, and/or related or support functions with integrated supporting housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses.

The objective of the U-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment. A key feature of this district is the concurrent review of a rezoning application and an initial proposed development agreement within such district that allows the property owner, immediate neighbors, and community to understand the type and intensity of development being proposed, the timing of that development, the potential impacts of the development, the mitigation measures that will be implemented to address those impacts, and the commitments of both the developer and the town regarding public facilities and services needed to support the proposed development. A development agreement that is approved by ordinance as a legislative decision of the town council pursuant to G.S. ~~160A-400-22~~ **160D-1003** is an integral component of the U-1 zoning district."

Section 15 - Article 3. - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (d) Long-range development plan is hereby amended to read as follows:

"Long-range development plan. When an application for a rezoning to this district is submitted, the developer shall submit a long-range development plan to provide an opportunity for the town council, town manager and citizens to see the developer's current plans at a conceptual level for long-term development of all property within the proposed zoning district. This long-range plan is necessary to provide a context for individual development agreements for development within the district. The long-range plan shall represent a good faith depiction of the developer's intentions relative to overall development of the site. It is not, however, submitted for town approval and shall not be deemed to create a binding commitment on behalf of the developer or the town.

The long-range development plan shall be submitted to the town manager prior to or concurrently with the submission of an application to rezone property into this district. An updated long-range development plan shall also be submitted with all applications for approval of a development agreement within the district or for approval of major ~~amendments~~ **modifications** of a development agreement within the district."

Section 16 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (e) (9) is hereby amended to read as follows:

"A development schedule, including commencement dates and interim completion dates at no greater than five-year intervals, provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to ~~G.S. 160A-400-27~~ **NCGS 160D-1008** but must be judged based upon the totality of the circumstances."

Section 17 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (f) Permitted within the boundary of a development agreement (1) Permitted uses within a development agreement is hereby amended to read as follows:

“Permitted uses within a development agreement. The predominant uses are to be public or private development for college/university, research activity, civic, hospital, clinics, cultural, and/or related or support functions with integrated supporting housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses. Uses that may be approved within a development agreement in this district include all uses allowed within the OI-4 district as permitted uses, special uses, or accessory uses. The maximum floor area, density of development, building heights and general locations, other attributes of development intensity, and design guidelines for the development permitted shall be as provided in a town council-approved development agreement. The development agreement may provide that specified uses shall require a town council-approved special ~~or conditional~~ use permit.

A large central cogeneration/utility plant may only be approved within a development agreement in this district upon approval of a ~~conditional~~ **special** use permit by the town council. For the purposes of this section, a large central cogeneration/utility plant includes any facility designed to produce steam, heat, electric power, chilled water, or cooling for other buildings and that is designed to or has the capacity to serve more than two million square feet of building space. The process established by section 4.5.3 of this appendix shall be followed in the consideration of this ~~conditional~~ **special** use permit and sections 4.5.4 and 4.5.5 of this appendix shall apply to modification, expiration, and revocation of this ~~conditional~~ **special** use permit. The town council shall not approve that permit unless each of the following findings is made:

1. That the use is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. That the use is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use is a public necessity;
3. That the use conforms with the general plans for the physical development of the town as embodied in the comprehensive plan; and
4. That the use conforms with the applicable terms of the development agreement.”

Section 18 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (i) Development standards (3) Fiscal Impact is hereby amended to read as follows:

“Fiscal impact. Proposed development shall be accompanied by reasonable measures to mitigate any adverse fiscal impacts for the town; provided that, pursuant to ~~NCGS 160A-400.20(b)~~ **160D-1001 (b)**, the town may not impose any tax or fee not authorized by otherwise applicable law.”

Section 19 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (j) Amendments and modifications to development agreements is hereby amended to read as follows:

“(j) ~~Amendments~~ **Minor** and **major** modifications to development agreements. A development agreement may be ~~amended~~ **modified** or canceled by mutual consent of the parties to the agreement or by their successors in interest.

Either party may propose a major ~~amendment~~ or minor modification to any town council-approved development agreement. Upon receipt of a proposed ~~adjustment~~ **modification**, the town manager shall consider the following criteria in making the determination as to whether a proposed adjustment is a major ~~amendment~~ or a minor modification to a development agreement:

1. A substantial change in the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in the area of land subject to the development agreement approved by the town council of more than five (5) percent shall be considered substantial. A cumulative increase of fifteen (15) percent or more in the land area subject to the development agreement shall be considered substantial.
2. A substantial change in the floor area or number of parking spaces shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in new floor area or number of parking spaces of more than a five (5) percent in a development agreement approved by the town council shall be considered ~~substantial~~ **a major modification**. A cumulative increase of fifteen (15) percent or more in the floor area or number of parking spaces subject to the development agreement shall be considered ~~substantial~~ **a major modification**. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a major amendment or minor modification and such changes shall be reported by the applicant to the town manager.
3. Changes that would substantially affect pedestrian, bicycle, or vehicular access or circulation beyond the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**.
4. Substantial change in the amount or location of open space within the boundaries of a development agreement shall constitute a major ~~amendment~~ **modification**. Any single change that increases or decreases the amount of open space by more than five (5) percent shall be considered ~~substantial~~ **a major modification**. A cumulative increase or decrease in the amount of open space by fifteen (15) percent or more or a substantial change in the location of designated open space shall be considered ~~substantial~~ **a major modification**.

Notwithstanding the above, some proposed changes to a town-council approved development agreement that do not meet the threshold to constitute a major ~~amendment~~ **modification** may in the judgment of the town manager, because of size, perimeter location or transportation impacts, merit public review. In the event the manager makes such a determination he may submit the proposed minor modification at a town council meeting to allow an opportunity for council review and citizen comment. Unless the other party to the development agreement agrees otherwise, such a review shall not extend the time period allowed for a decision by the manager on the minor modification or convert the change from a minor modification into a major ~~amendment~~ **modification**.

All proposed adjustments to a town council-approved development agreement shall be publicly posted in such a manner that citizens of Chapel Hill will have the opportunity to express any concerns to the town council and/or the town manager. The town manager shall determine whether a proposed adjustment to a town council-approved development agreement is a major ~~amendment~~ or a minor modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the town council and applicant of that determination. If the proposed action is determined to be

a major ~~amendment~~ **modification**, the town manager shall require the filing of an application for approval of the amendment, following procedures outlined in subsection 3.5.5(k) of this appendix.

In the event state or federal law is changed after a development agreement has been entered into and the change prevents or precludes compliance with one or more provisions of the development agreement, the town council may modify the affected provisions, upon a finding that the change in state or federal law has a fundamental effect on the development agreement. In so doing, the procedures set forth for original approval of the development agreement shall be followed.

Except for grounds specified in ~~G.S. 160A-385.1(e)~~ **NCGS 160D-108(c) or 160D-108.1(f)**, the town shall not apply subsequently adopted ordinances or development policies to the development that is subject to the approved development agreement."

Section 20 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (k) Procedure for review of development agreements, amendments, and modifications is hereby amended to read as follows:

"(k) Procedure for review of development agreements, amendments, and modifications.

- (1) *Application submittal requirements.* Applications for approval of a development agreement, a major ~~amendment~~ **modification** to a previously approved development agreement, and a minor modification to a previously approved development agreement within a U-1 zoning district shall be submitted to the town manager. The town manager shall prescribe the form(s) of applications as well as any other material as the town manager may reasonably require to determine compliance with this section.
- (2) *Process for review.*
 - A. *Informal consultation.* Prior to submission of a proposed development agreement or a major ~~amendment~~ **modification** to a previously approved development agreement within this district, the applicant shall consult with the town manager and town council regarding the proposed development. The applicant is encouraged to engage in active discussion and collaboration with the town staff, town council, town advisory boards, neighbors, and the community in the preparation of a proposed development agreement or amendment and plans for development.
 - B. *Draft agreement.* A draft development agreement and long-range development plan for the activity to be addressed in the development agreement shall be submitted to the town manager prior to the submission of a formal development agreement. The manager and applicant shall present the draft agreement to the planning commission, such other advisory boards as deemed appropriate by the town council, and the town council for review and comment. The manager and applicant shall also present the draft agreement in informal public information sessions for public review and comment. A formal application for approval of a development agreement may be submitted upon completion of the review, comment, and revision of the draft development agreement.
 - C. *Initial development agreement.* Applications for approval of an initial development agreement within this zone shall be processed concurrently with the petition for rezoning to the U-1 district. The ~~public~~ **legislative** hearing on the initial development agreement shall

be noticed and held concurrently with the hearing on the proposed rezoning. Notice of the ~~public~~ **legislative** hearing before the town council on the proposed development agreement shall follow the same notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed. The town council's ~~public~~ **legislative** hearing on the proposed development agreement shall be open to the public and all interested persons shall be given the opportunity to present comments. The town council shall take action on an application for an initial development agreement within this zone concurrently with action on the application for rezoning to this district. The initial development agreement may be applicable to all or part of the land within the district.

- D. *Subsequent development agreements and major ~~amendments~~ **modifications**.* Subsequent new development agreements within this zoning district and major ~~amendments~~ **modifications** of a previously approved development agreement shall be considered using the following process:

1. Upon receipt of an application for approval, the town manager shall review the proposal for completeness. The town manager shall determine within fifteen (15) working days whether the application is complete and shall promptly notify the town council and applicant of that determination. If the application is determined to be incomplete, a notice of the deficiencies in the mandatory items to be included in a proposed agreement or major amendment shall be provided to the applicant with the notice of the town manager's determination. If the application is determined to be complete, the town manager shall notify the applicant of that determination and shall prepare a report on the proposed agreement or major ~~amendment~~ **modification**.
2. The town manager shall submit a complete proposed agreement or major ~~amendment~~ **modification** and the town manager's report to the planning commission for review and comment. The planning commission shall review the application and the town manager's report and shall submit to the town council a written recommendation regarding the proposed agreement or amendment. The planning commission shall submit its recommendation within thirty-five (35) calendar days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the town council may consider the proposed agreement without a comment or recommendation from the planning commission.
3. The town council shall hold a ~~public~~ **legislative** hearing on a proposed subsequent development agreement or major ~~amendment~~ **modification** to a previously approved development agreement. Notice of the date, time, and place of the ~~public~~ **legislative** hearing before the town council shall follow the same published, mailed, and posted notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may

be obtained or reviewed. The town council's ~~public~~ **legislative** hearing on the proposed agreement or major ~~amendment~~ **modification** shall be open to the public and all interested persons shall be given the opportunity to present comments.

4. The town council shall issue a decision on a proposed subsequent development agreement or major ~~amendment~~ **modification** to a previously approved development agreement within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town.

- E. Minor modifications to a previously approved development agreement may be approved by the town manager as long as such changes continue to be in substantial compliance with the approving action of the town council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with the town council-approved development agreement. The town manager shall not have the authority to approve changes that constitute a major ~~amendment~~ **modification** of a town council-development agreement, which includes change in uses permitted or the density of overall development permitted unless permitted to make such modifications by the terms of the town-council-approved development agreement.

- F. The time periods referenced in this subsection shall not run during any period in which the applications for subsequent development agreements or major ~~amendment~~ **modification** to a previously approved development agreement have been returned to the applicant for substantial modification or analysis. The time periods set forth in this subsection may also be modified by mutual consent of the applicant and the town council."

Section 21 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.5 - University-1 District, subsection (I) Actions after the decision on a development agreement is hereby amended to read as follows:

"(I) *Actions after the decision on a development agreement.*

- (1) *Recording approval.* If the application for approval of a development agreement or major ~~amendment~~ **modification** is approved or approved with conditions, the town manager shall execute the development agreement or ~~amendment~~ **modification** in accord with the action of the town council. The applicant shall then execute the development agreement or ~~amendment~~ **modification** and record the development agreement or ~~amendment~~ **modification** in the office of the applicable county register of deeds within fourteen (14) days after the town enters into the development agreement. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

- (2) *Individual site development permits.* After an executed development agreement is recorded, the town manager may then accept applications for individual site development permits for specific buildings that the applicant proposes to build within the physical boundaries covered by the agreement. No construction work on any such building identified in the agreement may begin until a site development permit has been issued. The town manager shall prescribe the form(s) of applications as well as any other material the town manager may reasonably require

to determine compliance with the agreement. The town manager shall approve or deny of the individual site development permit application within fifteen (15) working days of the manager's determination that the individual site development plan application is complete. The town manager shall approve the application upon finding it is substantially consistent with and does not violate any term of the agreement and shall deny approval upon finding the application is not substantially consistent with or violates a term of the agreement. If the application is denied, the town manager shall specify the grounds for finding that it is inconsistent or in violation and refer the applicant to the special use permit process described in section 4.5 of this appendix. Alternatively, the applicant may modify the site development permit application or apply for a major ~~amendment~~ **modification** to the development agreement. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a minor modification or major ~~amendment~~ **modification** of the development agreement nor require approval or modification of an individual site development permit; such changes shall be reported by the applicant to the town manager.

- (3) *Expiration, abandonment, revocation of development agreement.* The term of any development agreement shall be set forth in the agreement. The development agreement shall also contain specific provisions relative to default or termination of the agreement.
- (4) *Periodic review and amendment of the development agreement.* The town manager shall at least every twelve (12) months conduct a review of the development agreement at which time the applicant or its successors in interest must demonstrate good faith compliance with the terms of the development agreement. The town manager shall promptly report the results of this review to the town council. If, as a result of this periodic review, the town council finds and determines that the applicant or its successors in interest has committed a material breach of the terms or conditions of the agreement, the town manager shall serve notice in writing, within a reasonable time not to exceed thirty (30) working days after the periodic review, upon the applicant or its successors in interest setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the applicant or their successors in interest a reasonable time in which to cure the material breach. If the applicant or its successors in interest fail to cure the material breach within the time given, then the town council unilaterally may terminate or modify the development agreement pursuant to ~~G.S. 160A-400.27(c)~~ **NCGS 160D-1008**; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by ~~G.S. 160A-388(b)~~ **NCGS 160D-405**. Thereafter the applicant or its successors in interest may pursue any other rights and remedies available at law or in equity. If the town council elects to unilaterally modify the agreement, the applicant or its successors in interest may elect for the development agreement to be terminated rather than accede to the development agreement with the modifications unilaterally made by the town council."

Section 22 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - Development Agreement—1 District, subsection (a) Purpose and intent is hereby amended to read as follows:

“(a) Purpose and intent. The purpose and intent of the Development Agreement-1 district (DA-1) is to establish procedural and substantive standards for the town council's review and approval of

development where the predominant uses are to be private development that includes uses such as housing, general business, convenience business, office-type business, recreation, utility, and/or open space uses.

The objective of the DA-1 district is to allow for orderly and sustainable growth and major new development while mitigating impacts to nearby neighborhoods, the community, and the environment. A key feature of this district is the concurrent review of a rezoning application and an initial proposed development agreement within such district that allows the property owner, immediate neighbors, and community to understand the type and intensity of development being proposed, the timing of that development, the potential impacts of the development, the mitigation measures that will be implemented to address those impacts, and the commitments of both the developer and the Town regarding public facilities and services needed to support the proposed development. A development agreement that is approved by ordinance as a legislative decision of the town council pursuant to NCGS ~~160A-400.22~~ **160D-1003** is an integral component of the DA-1 zoning district.”

Section 23 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - Development Agreement—1 District, subsection (c) Minimum Requirements is hereby amended to read as follows:

“(c) *Minimum Requirements.* Areas with contiguous acres of developable property (as defined by ~~G.S. 160A-400.23~~ **NCGS 160D-1004**) under common ownership or management may be placed in a DA-1 zoning district:

An application for rezoning to a DA-1 district must, in addition to all other requirements for this ordinance, include:

1. An ecological analysis of the entire area proposed to be included in the district.
2. A proposal to establish a development agreement of the land to be place in the district.

The requirement of an approved development agreement may include work or restrictions beyond the property zoned DA-1.

The town manager may specify forms and reasonable requirements related to these mandated materials to be submitted with a rezoning petition.”

Section 24 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - Development Agreement—1 District, subsection (d) 9. is hereby amended to read as follows:

“9. A development schedule, including commencement dates and interim completion dates provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to ~~G.S. 160A-400.27~~ **NCGS 160D-1008** but must be judged based upon the totality of the circumstances.”

Section 25 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - *Development Agreement—1 District, subsection (e)(2)* is hereby amended to read as follows:

“(2) The maximum floor area, density of development, building heights and general locations, other attributes of development intensity, and design guidelines for the development permitted shall be as provided in a town council-approved development agreement. The development agreement may provide that specified uses shall require a town council-approved special ~~or conditional~~ use permit.”

Section 26 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - *Development Agreement—1 District, subsection (h) 3*. Fiscal impact is hereby amended to read as follows:

“3. *Fiscal impact.* Proposed development shall be accompanied by reasonable measures to mitigate any adverse fiscal impacts for the Town; provided that, pursuant to ~~N.C.G.S. 160A-400.20(b)~~ **NCGS 160D-1001 (b)**, the Town may not impose any tax or fee not authorized by otherwise applicable law.”

Section 27 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - *Development Agreement—1 District, subsection (i)* Amendments and modifications to development agreements is hereby amended to read as follows:

“(i) ~~Amendments~~ **Minor and major** modifications to development agreements. A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest.

Either party may propose a major ~~amendment~~ **modification** or minor modification to any town council-approved development agreement. Upon receipt of a proposed adjustment, the town manager shall consider the following criteria in making the determination as to whether a proposed adjustment is a major ~~amendment~~ or a minor modification to a development agreement:

1. A substantial change in the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in the area of land subject to the development agreement approved by the town council of more than five (5) percent shall be considered substantial. A cumulative increase of 15 percent or more in the land area subject to the development agreement shall be considered substantial.
2. A substantial change in the floor area or number of parking spaces shall constitute a major ~~amendment~~ **modification**. Any single proposed increase or decrease in new floor area or number of parking spaces of more than a five (5) percent in a development agreement approved by the town council shall be considered ~~substantial~~ **a major modification**. A cumulative increase of fifteen (15) percent or more in the floor area or number of parking spaces subject to the development agreement shall be considered ~~substantial~~ **a major modification**. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a major ~~amendment~~ or minor modification and such changes shall be reported by the applicant to the town manager.

3. Changes that would substantially affect pedestrian, bicycle, or vehicular access or circulation beyond the boundaries of the development agreement shall constitute a major ~~amendment~~ **modification**.
4. Substantial change in the amount or location of open space within the boundaries of a development agreement shall constitute a major ~~amendment~~ **modification**. Any single change that increases or decreases the amount of open space by more than five (5) percent shall be considered ~~substantial~~ **a major modification**. A cumulative increase or decrease in the amount of open space by fifteen (15) percent or more or a substantial change in the location of designated open space shall be considered ~~substantial~~ **a major modification**.

Notwithstanding the above, some proposed changes to a town council-approved development agreement that do not meet the threshold to constitute a major ~~amendment~~ **modification** may in the judgment of the town manager, because of size, perimeter location or transportation impacts, merit public review. In the event the manager makes such a determination he/she may submit the proposed minor modification at a town council meeting to allow an opportunity for council review and public comment. Unless the other party to the development agreement agrees otherwise, such a review shall not extend the time period allowed for a decision by the manager on the minor modification or convert the change from a minor modification into a major ~~amendment~~ **modification**.

All proposed adjustments to a town council-approved development agreement shall be publicly posted in such a manner that the public will have the opportunity to express any concerns to the town council and/or the town manager. The town manager shall determine whether a proposed adjustment to a town council-approved development agreement is a major ~~amendment~~ or a minor modification within fifteen (15) working days of receipt of a proposed adjustment and shall promptly notify the town council and applicant of that determination. If the proposed action is determined to be a major ~~amendment~~ **modification**, the Town Manager shall require the filing of an application for approval of the ~~amendment~~ **major modification**, following procedures outlined in section 3.5.6(k) **(j)** of this appendix.

In the event state or federal law is changed after a development agreement has been entered into and the change prevents or precludes compliance with one (1) or more provisions of the development agreement, the town council may modify the affected provisions, upon a finding that the change in state or federal law has a fundamental effect on the development agreement. In so doing, the procedures set forth for original approval of the development agreement shall be followed.

Except for grounds specified in ~~N.C.G.S. 160A-385.1(e)~~ **160D-108(c) or 160D-108.1(f)**, the town shall not apply subsequently adopted ordinances or development policies to the development that is subject to the approved development agreement."

Section 28 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - Development Agreement—1 District, subsection (j) Procedure for review of development agreements, amendments, and modifications is hereby amended to read as follows:

"(j) *Procedure for review of development agreements, ~~amendments~~, **major and minor** modifications.*

- (1) *Application submittal requirements.* Applications for approval of a development agreement, a major ~~amendment~~ **modification** to a previously approved development agreement, and a minor modification to a previously approved development agreement within a DA-1 zoning district shall be submitted to the town manager. The town manager shall prescribe the form(s) of

applications as well as any other material as the town manager may reasonably require to determine compliance with this section.

(2) *Process for review.*

- A. *Informal consultation.* Prior to submission of a proposed development agreement or a major ~~amendment~~ **modification** to a previously approved development agreement within this district, the applicant shall consult with the town manager and town council regarding the proposed development. The applicant is encouraged to engage in active discussion and collaboration with the town staff, town council, town advisory boards, neighbors, and the community in the preparation of a proposed development agreement or ~~amendment~~ **modification** and plans for development.
- B. *Draft agreement.* A draft development agreement and long-range development plan for the activity to be addressed in the development agreement shall be submitted to the town manager prior to the submission of a formal development agreement. The manager and applicant shall present the draft agreement to the planning commission, such other advisory boards as deemed appropriate by the town council, and the town council for review and comment. The manager and applicant also shall present the draft agreement in informal public information sessions for public review and comment.
- C. *Initial development agreement:* Applications for approval of an initial development agreement within this zone shall be processed concurrently with the petition for rezoning to the DA-1 district. The ~~public~~ **legislative** hearing on the initial development agreement shall be noticed and held concurrently with the hearing on the proposed rezoning. Notice of the ~~public~~ **legislative** hearing before the town council on the proposed development agreement shall follow the same notice requirements as are applicable for hearing on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement; the development uses proposed on the property, and how a copy of the proposed development agreement may be obtained or reviewed. The town council shall take action on an application for an initial development agreement within this zone concurrently with action on the application for rezoning to this district. The initial development agreement may be applicable to all or part of the land within the district.
- D. *Subsequent development agreements and major ~~amendments~~ **modifications**.* Subsequent new development agreements within this zoning district and major ~~amendments~~ **modifications** of a previously approved development agreement shall be considered using the following process:
 1. Upon receipt of an application for approval, the town manager shall review the proposal for completeness. The town manager shall determine within fifteen (15) working days whether the application is complete and shall promptly notify the town council and applicant of that determination. If the application is determined to be incomplete, a notice of the deficiencies in the mandatory items to be included in a proposed agreement or major ~~amendments~~ **modifications** shall be provided to the applicant with the notice of the town manager's determination. If the application is determined to be complete, the town manager shall notify the applicant of that determination and shall prepare a report on the proposed agreement or major ~~amendments~~ **modifications**.

2. The town manager shall submit a complete proposed agreement or major ~~amendments~~ modifications and the town manager's report to the planning commission for review and comment. The planning commission shall review the application and the town manager's report and shall submit to the town council a written recommendation regarding the proposed agreement or ~~amendment~~ major modification. The planning commission shall submit its recommendation within thirty-five (35) calendar days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the Town Council within this time limit, or extensions thereof, the town council may consider the proposed agreement without a comment or recommendation from the planning commission.
3. The town council shall hold a ~~public~~ legislative hearing on a proposed subsequent development agreement or major ~~amendments~~ modifications to a previously approved development agreement. Notice of the date, time, and place of the ~~public~~ legislative hearing before the town council shall follow the same published, mailed, and posted notice requirements as are applicable for hearings on proposed zoning atlas amendments. The public notice shall include the location of the property covered by the proposed development agreement, the development uses proposed on the property, and the place a copy of the proposed development agreement may be obtained or reviewed.
4. The town council shall make a decision on a proposed subsequent development agreement or major ~~amendments~~ modifications to a previously approved development agreement within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town.
- E. Minor modifications to a previously approved development agreement may be approved by the town manager as long as such changes continue to be in substantial compliance with the approving action of the town council and all other applicable requirements and result in a configuration of buildings/development that is generally consistent with the town council-approved development agreement. The town manager shall make a decision on the proposed minor amendment within one hundred twenty (120) calendar days of the date of the town manager's determination that a complete application was submitted or such further time as mutually agreed to by the applicant and the town. The town manager shall not have the authority to approve changes that constitute a major ~~amendments~~ modification of a town council-development agreement.
- F. The time periods referenced in this subsection shall not run during any period in which the applications for subsequent development agreements or major ~~amendments~~ modifications to a previously approved development agreement have been returned to the applicant for substantial modification or analysis. The time periods set forth in this subsection may also be modified by mutual consent of the applicant and the town council."

Section 29 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.5. - Special Districts. Section 3.5.6 - *Development Agreement—1 District, subsection (k)* Actions after decision on a development agreement is hereby amended to read as follows:

“(k) *Actions after decision on a development agreement.*

- (1) *Recording approval.* If the application for approval of a development agreement or major ~~amendment~~ **modification** is approved or approved with conditions, the town manager shall execute the development agreement or ~~amendment~~ **major modification** in accord with the action of the town council. The applicant shall then execute the development agreement or ~~amendment~~ **major modification** and record the development agreement or amendment in the office of the applicable county register of deeds within fourteen (14) days after the town enters into the development agreement. The burdens of the development agreement are binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.
- (2) *Individual site development permits.* After an executed development agreement is recorded, the town manager may then accept applications for individual site development permits for specific buildings that the applicant proposes to build within the physical boundaries covered by the agreement. No construction work on any such building identified in the agreement may begin until a site development permit has been issued. The town manager shall prescribe the form(s) of applications as well as any other material the town manager may reasonably require to determine compliance with the agreement. The town manager shall approve or deny of the individual site development permit application within fifteen (15) working days of the manager's determination that the individual site development plan application is complete. The town manager shall approve the application upon finding it is substantially consistent with and does not violate any term of the agreement and shall deny approval upon finding the application is NOT substantially consistent with or violates a term of the agreement. If the application is denied, the Town manager shall specify the grounds for finding that it is inconsistent or in violation and refer the applicant to the special use permit process described in section 4.5 of this appendix. Alternatively, the applicant may modify the site development permit application or apply for a major ~~amendment~~ **modification** to the development agreement. Provided, under no circumstances shall a change in floor area of less than one thousand (1,000) square feet or fewer than ten (10) parking spaces be deemed either a minor ~~modification~~ or major ~~amendment~~ **modification** of the development agreement nor require approval or modification of an individual site development permit; such changes shall be reported by the applicant to the town manager.
- (3) *Expiration, abandonment, revocation or development agreement.* The term of any development agreement shall be set forth in the agreement. The development agreement shall also contain specific provisions relative to default or termination of the agreement.
- (4) *Periodic review and amendment of the development agreement.* The town manager shall at least every twelve (12) months conduct a review of the development agreement at which time the applicant or its successors in interest must demonstrate good faith compliance with the terms of the development agreement. The town manager shall promptly report the results of this review to the town council. If, as a result of this periodic review, the town council finds and determines that the applicant or its successors in interest has committed a material breach of the terms or conditions of the agreement, the town manager shall serve notice in writing, within a reasonable time not to exceed thirty (30) working days after the periodic review, upon the applicant or its successors in interest setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and providing the applicant or their successors in interest a reasonable time in which to cure the material breach.

If the applicant or its successors in interest fail to cure the material breach within the time given, then the town council unilaterally may terminate or modify the development agreement pursuant to ~~N.C.G.S. 160A-400.27(e)~~ **NCGS 160D-1008**; provided, the notice of termination or modification may be appealed to the board of adjustment in the manner provided by ~~N.C.G.S. 160A-388(b)~~ **160D-405**. Thereafter the applicant or its successors in interest may pursue any other rights and remedies available at law or in equity. If the town council elects to unilaterally modify the agreement, the applicant or its successors in interest may elect for the development agreement to be terminated rather than accede to the development agreement with the modifications unilaterally made by the town council.”

Section 30 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6. – Overlay Districts. Section 3.6.2 – Historic Districts, subsection (a) (2) is hereby amended to read as follows:

“(2) No new historic district or any change to the boundaries of any existing historic district shall be designated until the North Carolina Department of Cultural Resources, or its successor agency, shall have been given an opportunity, in accord with Chapter ~~160A, Article 19, Part 3C of the N.C. General Statutes~~ **NCGS 160D-944**, or its successor statutes, to make recommendations with respect to the establishment of such new district or change in the boundaries of an existing district.”

Section 31 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6. – Overlay Districts. Section 3.6.2 – Historic Districts, subsection (b) Certificate of appropriateness required. Subsection (4) is hereby amended to read as follows:

“A certificate of appropriateness application and amendments to a certificate of appropriateness application may be reviewed and approved by the town manager according to specific review criteria contained in state law and Design Principles and Standards approved by the commission when the application is determined to involve minor works or modifications. Minor works or modifications are defined as those exterior changes that do not involve any substantial alterations, and do not involve additions or removals that could impair the integrity of the property and/or the district as a whole. Such minor works or modifications shall be limited to those listed in the Commission's Design Principles and Standards, or a successor document. No application involving a minor work or modification may be denied without the formal action of the commission. Ordinance requirements for notification of affected property owners must be met for all applications.”

Section 32 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6. – Overlay Districts. Section 3.6.2 – Historic Districts, subsection (d) Procedures for approval of certificates of appropriateness is hereby amended to add a subsection and renumbered to read as follows:

“(d) *Procedures for approval of certificates of appropriateness.*

(1) Application submittal requirements.

- A. Applications for certificates of appropriateness shall be filed with the town manager.
- B. The town manager shall prescribe the form(s) on which applications are made, as well as any other material which may reasonably be required to determine the nature of the application.
- C. The commission may specify criteria for situations in which the town manager may waive any of the application material requirements.

- D. No application shall be accepted by the town manager unless it complies with such requirements. Applications which are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the application.
- (2) Notification of affected property owners. Prior to approval or denial of an application for a certificate of appropriateness by the historic district commission, the commission shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application, and shall give the applicant and such owners an opportunity to be heard.

(3) Procedures for decisions on certificates of appropriateness. Decisions on certificates of appropriateness are quasi-judicial and shall follow the procedures in NCGS 160D-406.

~~(3)~~ **(4) Public Evidentiary** hearing. In cases where the commission deems it necessary, it may hold a public **an evidentiary** hearing concerning the application **provided such evidentiary hearing is held pursuant to the relevant quasi-judicial procedures in NCGS 160D-406.**

~~(4)~~ **(5)** Action on the application. The town manager or the commission shall approve the application, approve the application with conditions, or deny the application for a certificate of appropriateness by the end of the next commission meeting following ninety days after the application is filed; provided, if timely action is not taken, and the time for taking action is not extended by the Commission and consented to by written notice from the applicant, the certificate of appropriateness shall be deemed to have been approved as submitted and shall be issued administratively.

The Commission may extend the time for consideration and deliberation for a period or for periods up to a total of one hundred eighty days from the date of acceptance of the application as complete, where it finds such action to be necessary:

- a) Because of meeting cancellations or postponements, quorum shortages, or backlogs of pending applications with priority by filing date, or other practical considerations; or
- b) To receive additional information requested by the Commission, or to deliberate fully on memoranda submitted by one or more parties, or to seek resolution of outstanding questions, issues, or goals.

Nothing herein shall prevent extensions by and with the consent of the Applicant. The time periods for action by the Commission shall be stayed during periods of appeal to the Board of Adjustment by any party.

Under no circumstances shall the time period for which the Commission or staff may take action on an application for a certificate of appropriateness be extended beyond 180 days from the date an application is filed. An application is considered filed when it has been submitted, deemed complete by the town manager, and the requisite application fee has been received by the Town.

The town manager or the commission may impose such reasonable conditions on the approval of an application as will ensure that the spirit and intent of this article are achieved. An application for a certificate of appropriateness authorizing the demolition of a building or structure within the historic district may not be denied. However, the effective

date of such a certificate may be delayed for up to three hundred sixty-five (365) days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period the commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the commission finds that the building has no particular significance or value toward maintaining the character of the historic district, it shall waive all or part of such period and authorize earlier demolition or removal. In every case, the record of the commission's action shall include the reasons for its action."

~~(5)~~ **(6)** Actions subsequent to decision. The town manager shall notify the applicant of a decision in writing, and shall file a copy of it with the town's planning department. If the application is denied, the notice shall include the reasons for such action.

~~(6)~~ **(7)** Appeal of decision. A decision by the commission on an application for a certificate of appropriateness may be appealed to the board of adjustment in accordance with the provisions of section 4.10. **Appeals of administrative decisions shall be made to the historic district commission pursuant to the relevant procedures in NCGS 160D-405.**

~~(7)~~ **(8)** Submittal of new application. If the commission denies an application for a certificate of appropriateness, a new application affecting the same property may be accepted by the town manager only if substantial change, with respect to the reasons for its denial, is made in plans for the proposed construction, reconstruction, alteration, restoration, or moving.

~~(8)~~ **(9)** A certificate of appropriateness shall be valid for three hundred sixty-five (365) calendar days from date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period, has not been extended by the commission, or has been discontinued for more than three hundred sixty-five (365) calendar days from the date of issuance, such certificate of appropriateness shall expire and the applicant shall be required to reapply and obtain a new certificate of appropriateness before commencing further work.

Section 33 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.6 – Overlay Districts. Section 3.6.3 – Resource Conservation District, subsection (e) Permitted uses and activities in resource conservation district. Subsection (1) is hereby amended to read as follows:

"(1) Provided they are permitted within the ~~general use~~ **conventional** district, and subject to the provisions of subsections (f), (g), and (h) of this section, the uses permitted in column (A) of Table 3.6.3-2 shall be permitted uses within the resource conservation district. Such uses shall be restricted to the corridor zones indicated in columns (B), (C), and/or (D) of Table 3.6.3-2."

Section 34 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.7 – Use regulations. Section 3.7.1 - Permitted, Special and Accessory Uses is hereby amended to read as follows:

"Uses of land or structures which are not expressly listed in section 3.7.2 as permitted principal uses, permitted accessory uses, **permitted uses in a conditional zoning district**, or permitted special uses in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development. Bona fide farms in areas outside of Chapel Hill's municipal **boundaries** ~~zoning~~

jurisdiction, but within Chapel Hill's transition **and extra territorial jurisdiction area** as defined in the joint planning agreement with Orange County, ~~are~~ **shall** not ~~be~~ subject to these use regulations, as provided by N.C. General Statutes **160D-903(c)**.

Uses listed as permitted special uses in a zoning district may be established in that district only after issuance and recordation of a special use permit in accord with the procedures and conditions specified in article 4, section 4.5. Planned developments may be established in any zoning district only after the issuance and recordation of a special use permit in accord with the procedures and conditions specified in article 4, section 4.5."

Section 35 - Article 3 - Zoning Districts, Uses, and Dimensional Standards. Section 3.10 – Inclusionary zoning. Section 3.10.2 – Affordable Dwelling Units or Lots Required, subsection (f) Floor area is hereby amended to read as follows and Table 3.10-2 is hereby deleted as follows:

"(f) *Floor area.* ~~Each affordable dwelling unit must have the minimum floor area established in Table 3.10-2 below. For each unit type and category, the developers may choose to construct larger units. However, allowable sales or rental prices for the larger units may not exceed the maximum set forth in the agreements and restrictions recorded as required in section 3.10.4~~ **The suitability of the proposed livable square footage for the affordable dwelling units shall be evaluated when considering the Affordable Housing Plan required in 3.10.4. For the purposes of this section, livable square footage is defined as the portion of the dwelling unit that is heated and/or cooled space.**"

Table 3.10-2 Minimum Net Livable Square Footage

Unit Type	Attached Units	Detached Units
Efficiency apartment	500*	—
1 Bedroom	700*	1,000*
2 Bedroom	850*	1,100*
3 Bedroom	1100*	1,200*
4 or more bedrooms	1,200 plus 250 square feet per additional bedroom above 4*	1,300 plus 285 square feet per additional bedroom above 4*

~~*If unrestricted, market rate units in a building are constructed at sizes below those stated in Table 3.10.2, the minimum floor area for affordable units may be reduced to the size of such comparable unrestricted units in the building.~~

Section 36 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.10 – Inclusionary zoning. Section 3.10.4 – Affordable Housing Plan, subsection (c) Contents. Subsection (5) is hereby amended to read as follows:

"(5) The approximate square footage of each affordable **and each unrestricted, market rate** dwelling unit."

Section 37 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11 - Blue Hill Form District. Section 3.11.4.7 – Administration of Form Districts, subsection C. Form District Permit, subsection 2. Site specific development plan is hereby amended to read as follows:

“2. *Site-specific ~~development plan~~ **vesting plan***. For the purposes of the Land Use Management Ordinance, a Form District Permit constitutes a site-specific ~~development permit~~ **vesting plan**.”

Section 38 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11 - Blue Hill Form District. Section 3.11.4.7 – Administration of Form Districts, subsection C. Form District Permit, subsection 7. Modification of Form District Permits is hereby amended to read as follows:

“7. *Modification of Form District Permits*. The town manager may approve a minor modification of a Form District Permit administratively. A change from what is included in an approved Form District Permit will be considered a major modification if **under the following circumstances:**

- a. A change of use is proposed.**
- b. An increase in the number of dwelling units is proposed.**
- c. A change in floor area is proposed, resulting in an increase of more than five (5) percent of the permitted amount or two thousand five hundred (2,500) square feet, whichever is greater.**
- d. The change** ~~it~~ would render a building approved under a Form District Permit out of substantial conformance as defined in subsection 3.11.4.8.B.

Any other changes may be approved by the town manager or the town manager's designee and shall not constitute a major modification. The application fee for a modification to a Form District Permit is established by the council as part of the budget process.”

Section 39 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11 - Blue Hill Form District. Section 3.11.4.7 – Administration of Form Districts, subsection D. Certificate of appropriateness, subsection 3. Application submittal requirements, subsection c. is hereby amended to read as follows:

“c. In cases where the commission deems it necessary, it may hold ~~a public~~ **an administrative** hearing concerning the application.”

Section 40 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11 - Blue Hill Form District. Section 3.11.4.7 – Administration of Form Districts, subsection D. Certificate of appropriateness, subsection 4. Action on the application, subsection b. is hereby amended to read as follows:

“b. Such action must be **an administrative decision** based upon the criteria and standards established in this Section 3.11. The Design Guidelines shall serve as a reference for the Community Design Commission's review.”

Section 41 - Article 3 - Zoning Districts, Uses, and Dimensional Standard. Section 3.11 - Blue Hill Form District. Section 3.11.4.7 – Administration of Form Districts, subsection D. Certificate of appropriateness, subsection 8. Modification of certificate of appropriateness is hereby amended to read as follows:

"8. *Modification of certificate of appropriateness.* The community design commission may review and approve a **major** modification of a certificate of appropriateness. A **major** modification ~~of this kind~~ is defined as any change that exceeds "minor work" as it is defined in subsection 3.11.4.7.D.1.e. **Any change considered "minor work" shall be deemed a minor modification and may be reviewed and approved by the town manager.** The application fee for a modification to a certificate of appropriateness is established by the council as part of the budget process."

Section 42 – Article 4 – Procedures. Section 4.1. – General procedural requirements. Section 4.1.2 Completeness Review is hereby amended to add to a subsection (c) to read as follows:

"4.1.2 Completeness Review.

- (a) No application shall be deemed complete unless all required information is included, and all application fees required by this appendix have been paid. An application which includes such information shall be deemed complete. Current application materials shall be made available in the planning department offices. All decisions of the town manager pertaining to completeness may be appealed to the board of adjustment pursuant to section 4.10 of this appendix.
- (b) Whenever this article establishes a time period for processing of an application, such time period shall not commence until the town manager has reviewed such application for completeness in order to determine whether the application has been properly submitted and the applicant has corrected all deficiencies in such application. Review for completeness of application forms is solely for the purpose of determining whether preliminary information required for submittal with the application is sufficient to allow further processing, and shall not constitute a decision as to whether application complies with the provisions of this appendix.

(c) Applications for development approvals, except for conditional zoning districts, may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landholder. An easement holder may also apply for development approval for such development as is authorized by the easement. Pursuant to NCGS 160D-703 (b), property shall only be placed in a conditional zoning district in response to a petition by all owners of the property to be included in the conditional zoning district."

Section 43 – Article 4 – Procedures. Section 4.1 General procedural requirements is hereby amended to add new Sections 4.1.3, 4.1.4, and 4.1.5 to read as follows:

"4.1.3 Development Approvals and Legislative Decisions; Changes, Modifications and Revocations

(a) Unless otherwise provided by law, all rights, privileges, benefits, burdens, and obligations created by development approvals and legislative decisions made pursuant to this appendix, attach to and run with the land.

(b) Development approvals and legislative decisions, including major and minor modifications, shall be changed, modified, or revoked only as permitted by this appendix. Major modifications, as defined by the appendix, shall be considered utilizing the same development review and approval process, including any required notice and hearing, as required for consideration of the original approval.

4.1.4 Vested Rights

- (a) Unless otherwise specified in this appendix, by town council, or other statute, development approvals, except site-specific vesting plans, expire one year after issuance unless work authorized by the development approval has substantially commenced.
- (b) Site-specific Vesting Plan.
 - (1) A statutory vested right shall be deemed established upon the valid approval, by the town council, of a site-specific vesting plan. Pursuant to NCGS 160D-108(d), the statutory vesting granted by this appendix, once established, expires for an uncompleted development project if development work is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months.
 - (2) An approved site-specific vesting plan precludes any zoning action by the town that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in an approved site-specific vesting plan and in accordance with applicable limitations and exceptions.
 - (3) A vested right established pursuant to this section shall run for a period of two years from the effective date of the approval of the development application.
 - (4) Limits of site-specific vesting plans.
 - a. Nothing in this appendix shall prohibit the revocation of the original approval or other remedies for failure to comply with applicable terms and conditions of the approval or this appendix. The development remains subject to subsequent review and approvals to ensure compliance with the terms and conditions of the original approval as provided for in the original approval or by applicable regulations.
 - b. The establishment of a vested right pursuant to this appendix shall not preclude the application of overlay zoning that imposes additional requirements but does not affect the allowable type or intensity of use, or ordinances or regulations that are general in nature and are applicable to all property subject to land use regulation by the town including, but not limited to, building, fire, plumbing, electrical, and mechanical codes.
 - c. New and amended zoning regulations that would be applicable to certain property but for the establishment of a vested right shall become effective upon the expiration or termination of the vested rights period provided for in this appendix.
 - d. Any vested rights for a site-specific vesting plan are subject to the exceptions specified at NCGS 160D-108.1.
- (c) Multi-phase Development. Pursuant to NCGS 160D-108 (f), multi-phase development that meets the following criteria shall have vested rights for a period of seven years from the time of approval of the development plan for the initial phase of the multi-phase development:
 - (1) Development shall contain at least 25 acres;
 - (2) Development is subject to a master land use plan, as provided in Section 4.8, with committed elements showing type and intensity of use for each phase; and,
 - (3) Development shall occur in more than one phase.

- (d) **Determinations regarding vested rights. All decisions and determinations of the town manager pertaining to vested rights may be appealed to the board of adjustment pursuant to section 4.10 of this appendix.**

4.1.5 Split Jurisdiction Planning and Development Regulations. If a parcel of land lies within the planning and development regulation jurisdiction of the town and another local government, development of such parcel may be considered pursuant to NCGS 160D-203."

Section 44 – Article 4 – Procedures. Section 4.2 Comprehensive Plan is hereby amended to read as follows:

"Purpose statement: The purpose of this section is to prescribe uniform procedures for the establishment and amendment of the comprehensive plan.

- (a) *Process.* The town council shall adopt and maintain a comprehensive plan for Chapel Hill **pursuant to NCGS 160D-501**. Amendments to the comprehensive plan, or **adoption of** a new comprehensive plan, shall **follow the procedures of a legislative decision pursuant to NCGS 160D-501(c)** and shall be prepared by the planning commission with assistance from the town manager and approved, modified, or rejected by the town council. The comprehensive plan shall be used as a guide for decision-making.
- (b) *Schedule for updates.* The comprehensive plan may be amended at the discretion of the town council and as provided for in this section 4.2.
- (c) *Town council action on applications.* When applications for a conditional zoning district are inconsistent with the ~~land use plan~~ **Future Land Use Map (2050)** in the comprehensive plan **as defined in section 3.1.3**, the town council may consider an amendment to the land use plan pursuant to the procedures for a ~~general~~ **conventional** rezoning in subsection 4.4.2(a)—(f)(2) and 4.4.2(k)(1). When considering such an amendment to the land use plan, the town council shall review the record of the ~~public~~ **legislative** hearing, the planning commission's recommendation and the town manager's report and shall approve or deny the application based on the following:
- (1) The proposed amendment is consistent with the goals and policies in the comprehensive plan;
 - (2) The proposed amendment addresses significantly changed conditions since the last time the land use plan was adopted and/or amended with significantly changed conditions being defined as demonstrating evidence of change such as unanticipated consequences of an adopted policy, and/or changed conditions on the subject property or its surrounding area;
 - (3) The subject property is suitable for development in general conformance with adjacent land use and the existing surrounding development pattern or patterns as envisioned in adopted plans; and,
 - (4) The proposed amendment enhances the public health, safety, and welfare of the town."

Section 45 – Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.1 Initiation, subsection (a) is hereby amended to read as follows:

- "(a) A request to amend **or repeal sections of this** appendix, **including zoning atlas amendments**, may be initiated by:

- (1) The town council, on its own motion;
- (2) The planning commission, board of adjustment, historic district commission, or community design commission, on submittal of a request to the town council;
- (3) The town manager, on submittal of a request to the town council; or
- (4) Any property owner or citizen, or agent thereof, on submittal of an application to the town manager."

Section 46 – Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.1 (c) Initiation, subsection (c) is hereby amended to read as follows:

"Pursuant to N.C.G.S. ~~160A-382~~ **160D-703 (b)**, a request for rezoning to a ~~conditional use district or~~ conditional zoning district ~~may~~ **shall only** be made ~~only~~ by application from **all the** owner(s) of all the property included in the area proposed to be rezoned. ~~An application for rezoning to a conditional use district may include a request by the property owner(s) to limit the uses allowed with approval of a special use permit. An application for rezoning to a conditional use district may be accompanied by an application for a special use permit, as provided in section 4.5 of this appendix, and may be reviewed concurrently with the special use permit application; provided, however, that the special use permit application shall be approved separately as provided in section 4.5 of this appendix."~~

Section 47 – Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.1 Initiation is hereby amended to add a new subsection 4.4.1 (d) to read as follows:

"(d) Down-zoning. No amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor is it enforceable without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the town council. For purposes of this section, "down-zoning" means a zoning ordinance or amendment that affects an area of land in one of the following ways:

- (1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.**
- (2) By reducing the permitted uses of the land that are specified this appendix to fewer uses than were allowed under its previous usage."**

Section 48 – Article 4 – Procedures. Section 4.4. – Zoning amendments. The title for Section 4.4.2 Procedures - general rezoning and conditional use district rezoning is hereby retitled and amended to revise subsections to read as follows:

"4.4.2 Procedures - ~~general~~ **conventional** rezoning and ~~conditional use district rezoning~~

"(a) Town Council acceptance of requests.

On receipt of an amendment request as provided in subsection 4.4.1(a), above, the town council ~~may~~ **shall** set a date for a ~~public~~ **legislative** hearing on the request. If the town council sets a date for a ~~public~~ **legislative** hearing on a proposed amendment, it shall also refer the proposed

amendment to the town manager, the planning commission, and any other appropriate board or commission for their consideration.”

[NOTE: No changes to sections 4.4.2 (b) and (c)]

“(d) *Planning commission review.*

- (1) The planning commission shall review the request or application and the town manager's report and recommendations, and shall submit a written recommendation to the town council. **Pursuant to NCGS 160D-604 (d), such recommendation shall include consideration of plan consistency. When conducting a review of proposed zoning text or atlas amendments, the planning commission shall advise and comment on whether the proposed action is consistent with the comprehensive plan. The planning commission shall provide a written recommendation to the town council that addresses plan consistency and other matters as deemed appropriate by the planning commission, but a comment by the planning commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the town council. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the planning commission statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.**
- (2) The planning commission shall prepare its recommendations within thirty (30) days of the meeting at which the town manager's report is submitted to the planning commission and shall forward its recommendations to the town council at the town council's next available ~~public hearing~~ **meeting where legislative hearings will be held** ~~scheduled for amendment applications~~ or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to complete its recommendation to the town council within this time limit, or extensions thereof, the town council may proceed in its consideration without the planning commission's recommendations.”

“(e) **Legislative** ~~Public-hearing~~

- (1) After it receives the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.4.2.(d)(2), the town council shall hold a **legislative** hearing on the application at the next available **meeting where legislative** ~~regularly scheduled public hearings will be held~~ in order to receive comments, testimony, and exhibits pertaining to the application. The town council, by resolution, shall adopt a schedule of **meetings** ~~public hearings~~.
- (2) Notice of the date, time, and place of the **legislative** ~~public~~ hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) consecutive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.
- (3) **Pursuant to NCGS 160D-602, the owners of affected parcels of land and the owners of all parcels of land abutting a proposed zoning atlas amendment shall be mailed a notice of the legislative hearing by first class mail at the last address listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days**

prior to the date of the hearing. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

- (4) Pursuant to NCGS 160D-602(c), for zoning atlas amendments, notice of the legislative hearing shall also be posted on the site at least 10 but not more than 25 days prior to the date of the legislative hearing."

"(f) Town manager's report to town council.

- (1) After completion of the initial public **legislative** hearing, the town manager and town attorney shall review the record of the public **legislative** hearing and the town manager shall prepare and submit to the town council a report containing findings as to conformity with the intent of this appendix and a recommendation for action.
- (2) Such report shall be submitted to the town council within thirty (30) days after completion of the initial public **legislative** hearing, or within such further time as may be consented to by written notice from the applicant or by town council resolution. Failure of the town manager to submit a recommendation to the town council within the prescribed time limit, or extensions thereof, shall be construed as a favorable recommendation."

(g) *Town council action.* The town council shall review the application or request for amendment, the record of the public **legislative** hearing, the planning commission's recommendation and the town manager's report, and shall approve or deny the application or request based on its findings as to conformity with the intent of this article.

- (1) Plan consistency. Pursuant to NCGS 160D-605(a), when adopting or rejecting any text or atlas amendment, the town council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning commission's recommendations and any relevant portions of the comprehensive plan. If a zoning atlas amendment is adopted and the action was deemed inconsistent with the adopted comprehensive plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the comprehensive plan were considered in the action taken.**

- (2) Statement of Reasonableness for Zoning Atlas Amendments. Pursuant to NCGS 160D-605(b), when adopting or rejecting any petition for a zoning atlas amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the town council. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions**

warranting the amendment. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement on reasonableness may address the overall rezoning."

(3) Single Statement Permissible. The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement.

- (4)** The town council shall review the application or request for amendment, the record of the ~~public~~ **legislative** hearing, the planning commission's recommendation and the town manager's report, and shall approve or deny the application or request based on its findings as to conformity with the intent of this article.

~~"(h) Relationship of conditional use district zoning and special use permit.~~

~~(1) If the town council approves an application for rezoning to a conditional use district, but denies the accompanying application for a special use permit, or if an application for a special use permit is not considered by the town council, the rezoning application shall be deemed to be conditionally approved, subject to submittal and town council approval of an application for a special use permit in accord with section 4.5 of this appendix.~~

~~(2) Failure to submit a special use permit application within one (1) year of the conditional approval of rezoning to a conditional use district or, if submitted, the withdrawal of such application without prior town council approval, shall void the conditional approval.~~

~~(3) If a special use permit issued for a conditional use district is abandoned, revoked, or becomes void, under the provisions of this appendix, the conditional use zoning shall be void and the property shall revert to its previous zoning classification.~~

~~(4) No use other than a use permitted by the previously existing zoning may be made under the conditional approval of rezoning to a conditional use district.~~

~~(5) The owner(s) of a property subject to conditional approval of rezoning to a conditional use district may, upon notice to the town council, abandon the conditional approval of the rezoning before expiration of the one-year period.~~

~~(i) (h) Effect of denial or withdrawal on subsequent applications.~~ When the town council shall have denied an application for amendment or the application shall have been withdrawn, by written notice, after publication of the ~~first public~~ **legislative** hearing notice required in subsection 4.4.2.(e), the town manager shall not accept another application for the same or similar amendment affecting the same property or a portion thereof, until the expiration of a twelve-month period extending from the date of denial or withdrawal, as appropriate.

~~(j) (i) Amended applications.~~ If the applicant proposes any substantial changes to the application subsequent to acceptance of the application, an amended application shall be submitted and reviewed as an original application.

~~(k) (j) Actions subsequent to decision.~~

(1) The town manager shall cause notice of the disposition of the application to be sent to the applicant and shall cause a copy of the decision to be filed in the office of the planning department.

(2) In the case of approval, any necessary changes to the official zoning atlas shall be entered in accord with the provisions of article 3."

Section 49 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.3 – Procedures-Light-industrial conditional zoning district rezoning, subsection (c) Planning commission review, subsection (1) and (2) are hereby amended to read as follows:

- “(1) The planning commission shall review the application and the town manager's report and recommendations, and shall submit a written recommendation to the town council. Pursuant to NCGS 160D-604(d), such recommendation shall include consideration of plan consistency. When conducting a review of proposed atlas amendments, the planning commission shall advise and comment on whether the proposed action is consistent with the comprehensive plan. The planning commission shall provide a written recommendation to the town council that addresses plan consistency and other matters as deemed appropriate by the planning commission, but a comment by the planning commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the town council. If a zoning map amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the planning commission statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.
- (2) The planning commission shall prepare its recommendations within thirty (30) days of the meeting at which the town manager's report is submitted to the planning commission and shall forward its recommendations to the town council at the town council's next available ~~public~~ **legislative** hearing scheduled for amendment applications or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to complete its recommendation to the town council within this time limit, or extensions thereof, the town council may proceed in its consideration without the planning commission's recommendations.”

Section 50 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.3 – Procedures-Light-industrial conditional zoning district rezoning, subsection (d) Public hearing is hereby retitled and amended to add subsections (3) and (4) to read as follows:

“(d) **Legislative** ~~Public~~ hearing.

- (1) After it receives the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.4.3.(c)(2), the town council shall hold a **legislative** hearing on the application at the next available **town council meeting where** ~~regularly-scheduled public~~ **legislative** hearings **will be held** in order to receive comments and exhibits pertaining to the application. The town council, by resolution, shall adopt a schedule of **meetings** ~~public hearings~~.
- (2) Notice of the date, time, and place of the ~~public~~ **legislative** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) consecutive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.
- (3) Pursuant to NCGS 160D-602, the owners of affected parcels of land, and the owners of all parcels of land abutting a proposed zoning atlas amendment shall be mailed a notice of the legislative hearing by first class mail at the last address listed for such owners on the county

tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.

- (4) Pursuant to NCGS 160D-602(c), for zoning atlas amendments, notice of the legislative hearing shall also be posted on the site at least 10 but not more than 25 days prior to the date of the legislative hearing."**

Section 51 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.3 Procedures-Light-industrial conditional zoning district rezoning, subsection (f) Town council action Conditions is hereby amended to add subsections, renumber subsections, and to read as follows:

"(f) Town council action.

- (1) Plan consistency. Pursuant to NCGS 160D-605(a), when adopting or rejecting any text or atlas amendment, the town council shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning commission's recommendations and any relevant portions of the comprehensive plan. If a zoning atlas amendment is adopted and the action was deemed inconsistent with the adopted comprehensive plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the comprehensive plan were considered in the action taken.**
- (2) Statement of Reasonableness for Zoning Atlas Amendments. Pursuant to NCGS 160D-605 b), when adopting or rejecting any petition for a zoning atlas amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the town council. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning atlas amendment qualifies as a "large-scale rezoning" under NCGS 160D-602(b), the town council statement on reasonableness may address the overall rezoning.**
- (3) Single Statement Permissible. - The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement**

~~(4)~~ **(4)** The town council shall act on the application after reviewing the application, the planning commission's recommendation and the town manager's report, and the public comment thereon.

~~(2)~~ **(5)** Final action shall be based on the following:

- a. The conformity of the application with the applicable provisions of this appendix 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.
- f. The relationship of the application to natural systems such as hydrology, topography, and other environmental constraints.”

Section 52 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.3 Procedures-Light-industrial conditional zoning district rezoning, subsection Section 4.4.3 (g) Conditions is hereby amended as follows:

“(g) *Conditions.* In accordance with ~~N.C.G.S. § 160A-382(b)~~ **NCGS 160D-703(b)** any conditions of approval shall be:

- (1) Expressly set forth in the approval;
 - (2) Agreed upon by the property owner(s), **in writing,** and **the** town council; **and,**
 - (3) Limited to conditions, ~~deemed necessary to ensure compliance with the requirements and particular standards of this appendix, including compliance with the adopted comprehensive plan and its adopted elements~~ **district-specific plans, and site-specific standards that address the conformance of the development and use of the site to town regulations, plans adopted pursuant to NCGS 160D-501, or the impacts reasonably expected to be generated by the development or use of the site.** ~~and~~
- ~~(4) Related in both type and scope to the anticipated impacts of the proposed development.”~~

Section 53 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.4 Minor changes to Approved Rezoning Plans in the Light-Industrial Conditional Zoning District is hereby amended as follows:

“The town manager may approve minor ~~changes~~ **modifications** to rezoning plans attached to an approved conditional zoning district rezoning as long as such changes continue to comply with the approving action of the town council and all other applicable requirements or are required specifically by a condition of approval. The town manager shall not have the authority to approve changes to approved rezoning plans that constitute a **major** modification of the rezoning plan. If a **major** modification is proposed, the town manager shall require the filing of an application for approval of the modification. An application for modification of a rezoning plan shall be reviewed in accordance with the procedures established in subsections 4.4.1 and 4.4.3

- a. All minor ~~changes~~ **modifications** must be consistent with the approved rezoning plan and comply with all applicable provisions of this appendix. Consistency means the changes would not significantly negatively alter or increase the development's impervious coverage, demand on public facilities, stormwater runoff, or other characteristic from that indicated by the approved rezoning plan. Where measurable and except where provided otherwise, a ten (10) percent change shall be considered significant whether such change is proposed at one (1) time or over an extended period of time.
- b. Notwithstanding, the following shall constitute a **major** modification to a rezoning plan and require the filing of an application for approval of the **major** modification.
 1. An increase of twenty (20) percent or more in the floor area approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.
 2. An increase of twenty (20) percent or more in the number of parking spaces approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.
 3. Substantial changes in the location of the development envelope on the site. Development envelope means the two-dimensional area, as designated on the approved rezoning plan, containing building footprints, parking areas, loading areas, and other appurtenant impervious features. Not included in the term development envelope are below ground utility lines, stormwater management areas, landscape and natural areas, and other non-impervious features. Substantial changes to the development envelope include but are not limited to:
 - A. An increase in size of the development envelope greater than ten (10) percent, whether such change is proposed at one (1) time or over an extended period of time.
 - B. A change in location that decreases the distance between the development envelope and a lot line that abuts existing residential development, approved residential development, or land that is within a residential ("R-") zoning district.
 - C. A change in location that decreases the width of a landscape buffer below the minimum applicable buffer width standard.
 4. Substantial changes in pedestrian and bicycle or vehicular access approved by the town council.
 5. A change in a condition of town council approval-
 - 6. A change in the permitted use(s)."**

Section 54 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Amend the title of 4.4.5—All Other Conditional Zoning District Rezoning as follows:

“4.4.5 Procedures—All Other Conditional Zoning Districts ~~Rezoning~~s”

Section 55 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.5 (f) Expiration of conditional zoning district rezoning approval is hereby amended to add a subsection and to read as follows:

“ (f) Expiration of conditional zoning district rezoning approval.

- (1) Starting time limit.** If a final plans zoning compliance permit application is not filed with the town manager within twenty-four (24) months of the date of approval, or within such further time stipulated in the approval, the approval shall expire, and the conditional zoning district shall be void and the property shall revert to its previous zoning classification. **At any time within the twenty-four months from the date of approval, the** town manager may grant a single extension of the starting time limit for up to twelve (12) months, unless he/she determines that paramount considerations of health, the general welfare, or public safety require town council re-approval. In such instances or in the instance the town manager has already granted a single extension of the time limit, the town manager shall require the application to be reviewed in accordance with the procedures set forth in subsections 4.4.1 and 4.4.5.
- (2) Completion time limit, if applicable.** **If all construction and actions authorized or required by the approval of the conditional zoning district and accompanying district-specific plans are not completed by the completion date stated in the approval or modification, the zoning compliance permit holder may request an extension of the completion time limit from the town manager. The town manager may grant a single extension of the time limit for up to twelve (12) months if he/she determines that:**
- A. The zoning compliance permit holder submitted the request within sixty (60) days of the specified completion date specified in the approval or modification;**
 - B. The zoning compliance permit holder has proceeded with due diligence and good faith;**
and
 - C. Conditions have not changed so substantially as to warrant town council reconsideration of the approved development.**
- If all of the construction and actions authorized or required are still not completed by the extended completion date granted by the town manager, the permit holder may, within sixty (60) days of the revised completion date, request additional extensions of the completion time limit from the town council. The town council may grant extensions of the time limit if it makes the determinations required by (f)(2)(A) through (f)(2)(C), above.**

Section 56 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.5 Procedures—All Other Conditional Zoning District Rezoning, subsection (g) Minor changes to approved district-specific plans is hereby amended as follows:

“(g) Minor ~~changes~~ **modifications** to approved district-specific plans. The town manager may approve minor ~~changes~~ **modifications** to district-specific plans **and site-specific standards** attached to an approved conditional zoning district ~~rezoning~~ as long as such changes continue to comply with the approving action of the town council and all other applicable requirements or are required specifically by a condition of approval. The town manager shall not have the authority to approve changes to approved district-specific plans **and site-specific standards** that constitute a **major** modification of the district-specific plan. If a **major** modification is proposed, the town manager shall require the filing of an application for approval of the modification. An application for modification of a district-specific plan shall be reviewed in accordance with the procedures established in subsections 4.4.1 and 4.4.5.”

Section 57 - Article 4 – Procedures. Section 4.4. – Zoning amendments. Section 4.4.5 Procedures—All Other Conditional Zoning District Rezoning, subsection (h) is hereby amended to read as follows:

“(h) Notwithstanding, the following shall constitute a **major** modification to a district-specific plan, **site-specific standards, and/or the approved conditional zoning district** and **will** require the filing of an application for approval of the **major** modification.

(1) A change in the uses permitted or the density of overall development.

- ~~(1)~~**(2)** An increase of ten (10) percent or more in the floor area approved by the town council, **unless the proposed addition is two thousand five hundred (2,500) square feet or less,** whether such addition is proposed at one (1) time or over an extended period of time.
- ~~(2)~~**(3)** An increase of ten (10) percent or more in the number of parking spaces approved by the town council, unless ten (10) or fewer parking spaces are proposed, whether such addition is proposed at one (1) time or over an extended period of time.
- ~~(3)~~**(4)** A change in location that decreases the width of a landscape buffer below the minimum applicable buffer width standard.
- ~~(4)~~**(5)** Substantial changes in pedestrian and bicycle or vehicular access approved by the town council.
- ~~(5)~~**(6)** A change in a condition of town council approval.”

Section 58 – Article 4 –Procedures. Section 4.5. - Special Use Permits. Section 4.5 c) is hereby deleted as follows:

~~“(c) All uses established in conditional use districts.”~~

Section 59 – Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.1 Applicability, subsection (e) is hereby deleted as follows:

~~“(e) Any uses in conditional use districts, as described in section 3.4 shall be established only after issuance and recordation of a special use permit.”~~

Section 60 - Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.3 Procedures for Approval of Special Use Permits is hereby amended to read as follows:

“(a) *Application submittal requirements.*

- (1) Applications for special use permits shall be filed with the town manager.
- (2) The town manager shall prescribe the form(s) on which applications are made. Applications shall include the name and address of the applicant, the name and address of the owner of each zoning lot involved, and the relationship of the applicant and property owner in connection with the application. If the applicant or property owner is an entity other than an individual, the application shall also include detailed information regarding the principals of the entity. The town manager shall prescribe any other material that may reasonably be required to determine compliance with this appendix, with sufficient copies for necessary referrals and records.

- (3) Special use permit and special use permit **major** modification applications shall identify all proposed utilities providing service to the proposed development, whether on- and off-site, increases in utility capacity or modification of utility service facilities that are requested, the type of utility, and whether service lines are provided above the ground surface or underground.
 - (4) No application shall be accepted by the town manager unless it complies with such requirements. Applications that are not complete shall be returned forthwith to the applicant, with a notation of the deficiencies in the application.
- (b) *Town manager's analysis.* When he/she accepts an application, the town manager shall cause representatives of the town, and such other agencies or officials as may be appropriate, to determine if it conforms to the comprehensive plan, the provisions of this chapter, and other regulations applicable in the case. In the case of planned developments, such representatives, agencies or officials shall define specifically the modifications of regulations which seem justified in view of the standards set out in section 6.18.
- (c) *Preliminary conferences with applicant.*
- (1) The town manager shall notify the applicant, in writing, of the proposal's deficiencies. The town manager shall also notify the applicant of his/her willingness to discuss alternatives to correct those deficiencies.
 - (2) If the applicant joins in such discussions, the application may be modified, further discussions may be held, or additional information may be requested by the town manager.
- (d) *Town manager's report to planning commission.*
- (1) The town manager shall submit to the planning commission a written analysis of the application ~~and his/her recommendation~~ based on the findings required in section 4.5.2.
 - (2) If the applicant does not join in preliminary conferences with the town manager, the town manager shall complete his/her report within twenty-five (25) working days after he/she accepts the application or within such further time consented to in writing by the applicant or established by town council resolution. If the town manager fails to prepare his/her report to the planning commission within this time limit, or extensions thereof, the application shall be **submitted to the Planning Commission without the town manager's written analysis of the application** ~~deemed to be recommended without conditions.~~
 - (3) If the applicant participates in preliminary conferences with the town manager, the town manager shall prepare his/her report to the planning commission when further conferences appear unnecessary. No time limits shall apply to the town manager's review when the applicant joins in preliminary conferences. However, the applicant may require the town manager to submit the application and his/her report to the planning commission whenever the applicant wishes to end discussions.
 - (4) The town manager shall forward his/her report to the planning commission at its next available regularly scheduled meeting.
- (e) *Planning commission review.*
- (1) ~~The planning commission shall review the application and the town manager's report and~~ **may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant** ~~shall submit to the town council a written recommendation based on the findings required in subsection 4.5.2.~~

- ~~(2) The planning commission shall prepare its recommendations within thirty five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the planning commission shall be deemed to recommend approval of the application without conditions.~~
- ~~(3) The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the next available public hearing scheduled for special use permit applications.~~

(f) ***Public Evidentiary hearing.***

- (1) After receiving the town manager's report ~~and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.5.3.(e)(2), the town council shall hold a~~ **an evidentiary hearing on the application at the next available regularly scheduled public hearing council meeting where evidentiary hearings will be held. Relevant procedures for such evidentiary hearings are as set forth in NCGS 160D-406.** ~~The town council shall adopt a schedule of public hearings by resolution. Once the schedule is adopted, any amendment which reduces the number of hearings shall not become effective for at least six (6) months after adoption of the amendment.~~
- (2) Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing. **Such notice of the evidentiary hearing shall also be mailed to the person or entity whose application or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; and to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town manager shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.**
- (3) ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also

subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

- (4) The applicant shall bear the burden of presenting evidence sufficient to establish that the proposed development will comply with the determinations required in subsection 4.5.2.
 - (5) A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the hearing.
- (g) *Town manager's report to town council.*
- (1) After completion of the ~~initial public~~ **public evidentiary** hearing, the town manager and town attorney shall review the record of the ~~public~~ **public evidentiary** hearing and the town manager shall submit to the town council an analysis and his/her recommendation for action.
 - (2) The town manager shall submit his/her report to the town council within thirty (30) days after completion of the ~~public~~ **public evidentiary** hearing, or within such further time consented to by written notice from the applicant or by town council resolution.
 - (3) If the town manager fails to submit a recommendation to the town council within this time limit, or extensions thereof, his/her recommendation shall be the same as his/her preliminary recommendation.
- (h) *Town council action.*
- (1) The town council shall review the record of the ~~public~~ **public evidentiary** hearing, ~~the planning commission's recommendation,~~ and the town manager's report and shall act on the application based on the findings required in subsection 4.5.2. All findings shall be based on competent material and substantial evidence presented at the ~~public~~ **public evidentiary** hearing.
 - (2) Action on the application shall be one of the following: (a) Approval; (b) Approval subject to conditions; or (c) Denial.
- (i) *Effect of denial or withdrawal on subsequent applications.* When the town council has denied an application or the applicant has withdrawn his/her application by written notice after publication of the ~~first public~~ **public evidentiary** hearing notice required in subsection 4.5.3.(f), the town manager shall not accept another application for approval of the same or similar special use or planned development, affecting the same property or a portion thereof, until twelve (12) months have elapsed from the date of denial or withdrawal, as appropriate.
- (j) *Amended applications.* The applicant shall submit an amended application for review as an original application if he/she proposes, in the town manager's opinion, to substantially amend or modify his/her application after the town manager's review; but no modification(s) agreed to by the applicant as a result of requests or suggestions by the town manager, the planning commission, or the town council shall require an amended or original application.
- (k) *Notice of decision and issuance of special use permit.*
- (1) The town manager shall notify the applicant of the town council's decision in writing and shall file a copy of it with the town's planning department.
 - (2) If the application is approved or approved with conditions, the town manager shall issue the necessary special use permit in accord with the action of the town council. The applicant shall

consent, in writing, to any conditions placed on the Special Use Permit and record such permit in the office of the appropriate county register of deeds.

- (3) The special use permit, including all conditions attached thereto, shall run with the land and shall be binding on the original applicant as well as all successors, assigns, and heirs.
- (l) *Appeal of decision.* The town council's decision on an application for a special use permit may be appealed to superior court within thirty (30) days of the decision.
- (m) *Final plan approval.*
 - (1) The town manager shall not issue a zoning compliance permit for development approved in a special use permit unless and until such special use permit has been recorded and the town manager has approved final plans for the development as a whole, or for any phase thereof. The town manager shall prescribe the form and content of such final plans.
 - (2) Approval of final plans shall be based on compliance with all applicable regulations and requirements, including all conditions attached to the special use permit.
- (n) *Issuance of development permits.* After final plan approval, the town manager may issue zoning compliance permits, engineering construction permits, building permits, sign permits, and certificates of occupancy for development approved in a special use permit, or an approved phase thereof, in the manner prescribed in section 4.9, subject to compliance with the approved final plans and following additional requirements:
 - (1) Prior to issuance of a building permit for any new structures, additions, and exterior renovations or alterations, detailed architectural elevations of such structures, additions, and renovations or alterations and a site lighting plan shall be submitted to and approved by the community design commission. This subdivision (n)(1) shall not apply to single-family and two-family structures approved by a special use permit unless voluntarily consented to by the owners of all properties included in such an application.
 - (2) Prior to issuance of any zoning compliance permit for development approved in a special use permit, a detailed landscape plan for such development, or an approved phase thereof, shall be submitted to and approved by the town manager."

Section 61 - Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.4 Modifications of Special Use Permits is hereby amended and renumbered as follows:

- “(a) The town manager is authorized to approve minor ~~changes~~ **modifications** in the approved final plans as long as such changes continue to comply with the approving action of the town council and all other applicable requirements, **or as authorized by Section 4.5.4(b) below**, but shall not have the authority to approve changes that constitute a **major** modification of the special use permit.
- (b) Any change requiring evidentiary support in addition to that presented at a ~~public~~ **an evidentiary** hearing on applications for the original special use permit or subsequent modifications of special use permit shall constitute a **major** modification of the special use permit. Before making a determination as to whether a proposed action is a minor ~~change~~ **modification** or a **major** modification, the town manager shall review the record of the proceedings on the original application for the special use permit and subsequent applications for modifications of the special use permit. The following shall constitute a **major** modification of the special use permit:

- (1) A change in the boundaries of the site approved by the town council.
- (2) A change from the use approved by the town council.

(3) A change in the density of the overall development.

- ~~(3)~~(4) An increase of five (5) percent or more in the floor area approved by the town council, unless proposed addition is two thousand, five hundred (2,500) square feet of floor area or less, whether such addition is proposed at one (1) time or over an extended period of time.
- ~~(4)~~(5) An increase of five (5) percent or more in the number of parking spaces approved by the town council, whether such addition is proposed at one (1) time or over an extended period of time.
- ~~(5)~~(6) Substantial changes in the location of principal and/or accessory structures approved by the town council.
- ~~(6)~~(7) Structural alterations significantly affecting the basic size, form, style, ornamentation, and appearance of principal and/or accessory structures as shown on the plans approved by the town council.
- ~~(7)~~(8) Substantial changes in pedestrian and bicycle or vehicular access or circulation approved by the town council. Examples of substantial changes include, but are not limited to:
 - A. A change in trip distribution occurs that involves more than five (5) percent of all projected trips; or
 - B. The change results in a reduction in the level of service (LOS) of a street link or intersection within one-quarter (¼) of a mile from the boundaries of the proposed development.
- ~~(8)~~(9) Substantial change in the amount or location of landscape screens approved by the town council shall constitute a **major** modification.
- (10) The following shall constitute a **minor** modification of the special use permit:
 - ~~(9)~~
 - (a) Changes to a site that constitute a **major** modification of the special use permit under the above subsections 1-~~8~~ **9**, and are necessary to address an imminent and substantial threat to public health or safety, as determined by the town manager, such as the installation of stormwater pipes to relieve a documented flooding issue or the removal of structures from the floodplain, shall be considered minor ~~changes~~ **modifications**, provided the changes do not:
 - (i) Increase the intensity **or density** of the **overall** development, including increases to floor area or impervious surface, or allowing ~~more intense~~ **a change to the uses permitted**, or
 - (ii) Make nonconforming or increase a nonconformity with the development's existing special use permit or other standards of this Appendix.
 - (b) Prior to the issuance of a Zoning Compliance Permit for a minor ~~change~~ **modification** under this subsection ~~9~~ **10**, the following shall occur:
 - (i) A public information meeting followed by a courtesy review by the Community Design Commission on the same day, and

- (ii) Notice of such meetings shall be mailed to owners of property within five hundred (500) feet at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the meetings, and
- (iii) The Community Design Commission shall forward comments to the town manager within fifteen (15) days from the date of the meeting at which it first considers the proposed change, after which the manager shall make a determination regarding a project's eligibility under this subsection 9, and
- (iv) The manager shall inform the council of each manager's determination made pursuant to this subsection.
- (c) If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the modification.
- (d) The town manager shall prescribe the form(s) of applications as well as any other material he/she may reasonably require to determine compliance with this article.
- (e) An application for **major** modification of a special use permit shall be reviewed in accord with the procedures established in subsection 4.5.3.
- (f) ~~No modification shall be allowed to a special use permit issued in a conditional use zoning district unless the applicant accepts all of the requirements and conditions the town council proposes to impose on the modification. Acceptance of conditions by the applicant may be indicated at the town council hearing on the special use permit modification or by affidavit submitted prior to the town council taking action on the modification application.~~

Section 62 - Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.5 Expiration and Revocation of Special Use Permit Approvals, subsection (a) Special use permit binding on land is hereby amended to delete subsection (2), and renumbered as follows:

“(a) Special use permit binding on land. ~~(1)~~ A special use permit or modification of special use permit shall run with the land covered by the permit or modification. Once construction authorized by a special use permit or modification of special use permit is started, no development other than that authorized by the permit or modification shall be approved on that land unless the permit or modification is first modified in accord with subsection 4.5.4, or voided or revoked in accord with the provisions of this section.

~~“(2) No special use permit authorizing development of property within a conditional use district may be abandoned or revoked unless the property is first rezoned to a general use zoning district.”~~

Section 63 - Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.5 Expiration and Revocation of Special Use Permit Approvals, subsection (b) Starting time limit is hereby amended to read as follows:

“(b) Starting time limit. If the use, construction, or activity authorized by town council approval of an application for a special use permit or modification of special use permit is not ~~started~~ **substantially commenced** within twenty-four (24) months of the date of approval or within such further time stipulated in the approval, the approval shall expire, and any town permit issued pursuant to the approval shall be void. The town manager shall determine whether the use, construction, or activity has

~~started~~ **substantially commenced**. The town manager may grant a single extension of the starting time limit for up to twelve (12) months, unless he/she determines that paramount considerations of health, the general welfare, or public safety require town council re-approval. ~~in~~ **In** such instances the town manager shall require the application to be reviewed in accordance with the procedures set forth in subsection 4.5.3."

Section 64 - Article 4 – Procedures. Section 4.5. - Special Use Permits. Section 4.5.5 Expiration and Revocation of Special Use Permit Approvals, subsection (f) Revocation of special use permit is hereby amended to read as follows:

- "(f) *Revocation of special use permit.* If any conditions of a special use permit or **major** modification of special use permit, including completion time limits, or requirements of this appendix applicable to the permit or modification are violated, the town council may revoke or refuse to extend the permit or **major** modification. **Consideration of revocation of a special use permit or a special use permit major modification shall follow the procedures in 4.5.3.** The town council may reinstate a revoked special use permit or **major** modification of special use permit if it determines that: a) the holder of the revoked permit or **major** modification submitted a request for reinstatement to the town manager within ninety (90) days of the revocation; b) the violations that were the cause of the revocation have been corrected; and c) the development fully complies with all conditions of the permit or **major** modification and all applicable requirements of this appendix. On request by the holder of a special use permit or **major** modification of special use permit, the town council may revoke the permit or **major** modification if it determines that:
- (1) Construction authorized by the permit or **major** modification has been started and the completion time limit has not yet expired; and
 - (2) The request is made in conjunction with an application for approval of a development other than that authorized by the permit or **major** modification; and
 - (3) The proposed development as approved by town council incorporates adequate consideration of the site's already disturbed land area in its design and previous commitments made under the special use process."

Section 65 - Article 4 – Procedures. Section 4.6. – Subdivision. Section 4.6.1 Applicability and Definition of "Subdivision" is hereby amended to add a new section (e) to read as follows:

"(e) The division of a tract into parcels in accordance with the terms of a probated will or in accordance within intestate succession under Chapter 29 of the General Statutes."

Section 66 - Article 4 – Procedures. Section 4.6. – Subdivision. Section 4.6.4.2 Procedures for approval of minor subdivisions—Planning commission review, subsection (b) Action on application (1) is hereby amended to read as follows:

- "(b) *Action on application.*
- (1) When he/she accepts an application, the town manager shall evaluate the plat for compliance with all applicable regulations, including any applicable conditions of an approved

zoning compliance permit, special use permit, or conditional zoning. The town manager shall forward his/her report to the planning commission with a recommendation.

If the subdivision proposal property is located in an historic district, the town manager shall submit to the historic district commission a written analysis of the application and his/her recommendation, prior to the planning commission meeting. The town manager shall forward his/her report to the historic district commission at its next available regularly scheduled meeting. The historic district commission shall review the application and the town manager's report and shall submit a written recommendation to the planning commission. The historic district commission shall prepare its recommendations within thirty-five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to by the applicant or by town council resolution. If the historic district commission fails to prepare its recommendation to the planning commission within this time limit, or extensions thereof, the historic district commission shall be deemed to recommend approval of the application without conditions.

The planning commission shall **make an administrative decision** ~~take action~~ on an application based solely on its findings as to compliance with applicable regulations and conditions. The planning commission shall:

- A. Approve, or
- B. Approve subject to conditions, or
- C. Deny, or
- D. Refer to the major subdivision approval process, if it finds it to be a major subdivision proposal or if requested by the applicant."

Section 67 - Article 4 – Procedures. Section 4.6. – Subdivision. Section 4.6.5 Procedures for Approval of Major Subdivisions, (a) Preliminary plat approval, subsection (5) Planning commission review, C. is hereby amended to read as follows:

"C. If the planning commission recommends approval of the application with conditions, the applicant may amend his/her application to conform to all or some of the conditions, provided the town manager reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the planning commission recommendation. In such cases, the town manager may amend his/her report to conform to any or all of the planning commission's recommendations. The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the town council's next available ~~regularly scheduled public hearing~~ **meeting to consider such administrative decisions.**"

Section 68 - Article 4 – Procedures. Section 4.6. – Subdivision. Section 4.6.5 Procedures for Approval of Major Subdivisions, (a) Preliminary plat approval, (6) Town council review, A. is hereby amended to read as follows:

"A. After receiving the town manager's report and the planning commission's recommendation or, if applicable, the expiration of the time limit prescribed in subsection 4.6.5(a)(5), the town council shall consider the application at its next **available meeting to hear and consider such matters.** ~~regularly scheduled public hearing.~~"

Section 69 - Article 4 – Procedures. Section 4.6. – Subdivision. Section 4.6.9 Reserved is hereby retitled and amended to read as follows:

"Reserved. Performance Guarantees. When permitted pursuant to this appendix, performance guarantees posted in lieu of completion of improvements shall conform to the NCGS 160D-804.1."

Section 70 - Article 4 – Procedures. 4.7. - Site plan review. Section 4.7.1 Applicability, subsection (d) is hereby amended to read as follows:

“(d) Any development pursuant to an approved certificate of appropriateness, conditional zoning, or special use permit including special use permits that are no longer necessary and have therefore been abandoned, provided the town manager finds that no **major** modifications are proposed to the plans and conditions in the area have not changed significantly;”

Section 71 - Article 4 – Procedures. 4.7. - Site plan review. Section 4.7.2 Procedures for Site Plan Review by Planning commission, subsection (b) Action on the application, subsections (1) and (2) are hereby amended to read as follows:

“(1) On receipt of a complete application, the town manager shall cause an analysis to be made by qualified representatives of the town and such other agencies or officials as appropriate to determine compliance with applicable provisions of this chapter and any applicable conditions of an approved certificate of appropriateness. The town manager shall submit to the planning commission a report of his or her analysis of the application. The planning commission shall **administratively** review the application and the town manager's report and shall take final action on the application.

(2) Final action on an application shall be **an administrative decision** based solely on findings as to compliance with all applicable provisions of this ~~chapter~~ **appendix**, including all applicable conditions of an approved certificate or appropriateness, and shall include one of the following:

- A. Approval of application; or
- B. Approval of application subject to reasonable conditions necessary to ensure compliance with applicable regulations and conditions; or
- C. Denial of application.”

Section 72 - Article 4 – Procedures. 4.7. - Site plan review. Section 4.7.5 Minor changes to Approved Site Plans is hereby amended to read as follows:

“4.7.5. Minor ~~changes~~ **modifications to Approved Site Plans.**

The town manager may approve minor ~~changes~~ **modifications, as defined by 4.7.1 (b) (1)-(3),** to plans approved under site plan review as long as such changes continue to comply with the approving action of the planning commission and all other applicable requirements. The town manager shall not have the authority to approve any ~~substantial changes~~ **major modifications** to plans approved under site plan review unless such changes are specifically required by a condition of approval. If a ~~substantial change~~ **major modification** is proposed, the town manager shall require the filing of an application for approval of the **major** modification. An application for **a major** modification of ~~a zoning compliance permit~~ **an approved site plan** shall be reviewed in accord with the procedures established in subsections 4.7.1 and 4.7.2.”

Section 73 - Article 4 – Procedures. 4.8. - Master land use plan. Purpose statement is hereby amended to read as follows:

“Purpose statement: It is the intent that the development and approval of a master land use plan would permit greater flexibility in the design and development of tracts of land twenty (20) acres or greater in size; and therefore promote and encourage more creative and imaginative design while conserving the value of land. This process is intended to provide a procedure which can relate to type, design and layout of residential, commercial and office development to a particular site in a general way, providing the basis for subsequent, more detailed development plans and applications through the town's special use permit **and/or conditional zoning district** process.

It is the intent of this chapter that all master land use plans shall demonstrate a high quality of overall site and building design. The criteria and procedures established in this section ensure that the design and construction of site elements include appropriate consideration of the relationship and balance among site elements, the relationship of the development to natural features, neighboring developments, and access and circulation systems, retention of natural vegetation, minimal alteration of natural topography, mitigation of erosion and sedimentation, mitigation of stormwater drainage and flooding, arrangement and orientation of buildings and amenities in relation to each other and to neighboring developments and streets, landscaping, preservation or enhancement of vistas, and mitigation of traffic impacts.”

Section 74 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan. subsection (b) Action on the application is hereby amended to read as follows:

“(b) *Action on the application.*

On receipt of a complete application, the town manager shall cause an analysis to be made by qualified representatives of the town and such other agencies or officials as appear appropriate in the circumstances of the case, to determine compliance with applicable provisions of this chapter and any applicable conditions of any approved special use permit, **conditional zoning district and associated district-specific plans**, or certificate of appropriateness.”

Section 75 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan, subsection (e) Planning commission review is hereby amended to read as follows:

“(e) *Planning commission review.*

The planning commission ~~shall review the application and the town manager's report and~~ **may conduct a preliminary forum to review the application and the town manager's report and to provide comments to the applicant.** ~~shall submit a written recommendation to the town council. The planning commission shall base its recommendation on its determination of whether or not the application conforms to all applicable provisions of this chapter, and whether or not the application is consistent with the comprehensive plan. The planning commission shall prepare its recommendations within thirty-five (35) days of the meeting at which the town manager's report is submitted to it or within such further time consented to in writing by the applicant or by town council resolution. If the planning commission fails to prepare its recommendation to the town council within this time limit, or extensions thereof, the planning commission shall be deemed to recommend approval of the application without conditions. If the planning commission recommends approval of the application with conditions, the applicant may amend his/her application to conform to all or some of the conditions, provided the town~~

manager reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the planning commission recommendation. In such cases, the town manager may amend his/her report to conform to any or all of the planning commission's recommendations. The town manager shall then forward his/her report and the planning commission's recommendation to the town council at the next available public hearing scheduled for master land use plan applications."

Section 76 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan, subsection (f) Public hearing is hereby retitled and amended to read as follows:

"(f) *Public **Evidentiary** hearing.*

After receiving the town manager's report ~~and planning commission's recommendation~~ or, if applicable, the expiration of the time limit prescribed in subsection (e), above, the town council shall hold a **an evidentiary** hearing on the application at the next available ~~regularly scheduled public hearing council meeting where evidentiary hearings will be held.~~ **Relevant procedures for such evidentiary hearings are as set forth in NCGS 160D-406.** Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing. ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The town council may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses to avoid undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~ **Such notice of the evidentiary hearing shall also be mailed to the person or entity whose application or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; and to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing. In the absence of evidence to the contrary, the local government may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town manager shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.**

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject

to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

The applicant shall bear the burden of presenting evidence sufficient to establish persuasively that the proposed development will comply with the criteria established in subsection 4.8.2 and this chapter. A record of the proceedings of the hearing shall be made and shall include all documentary evidence presented at the hearing.”

Section 77 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan, subsection (i) Actions after decision is hereby amended to read as follows:

“(i) *Actions after decision.*

The town manager shall notify the applicant of the town council's decision in writing and shall file a copy with the town's planning department. If the application is approved or approved with conditions, the town manager shall issue the necessary master plan approval in accord with the action of the town council. The applicant shall record such approval in the office of the appropriate county register of deeds. The master land use plan, including all conditions attached thereto, shall run with the land and shall be binding on the original applicant as well as all successors, assigns, and heirs. If the master land use plan is approved, or approved with conditions, the town manager may then accept applications for development under a special use permit **or a conditional zoning district.**”

Section 78 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan, subsection (k) Minor changes and modifications of master land use plan is hereby amended to read as follows:

“(k) *Minor ~~changes~~ and **major** modifications of master land use plan.*

- (1) The town manager is authorized to approve minor ~~changes~~ **modifications** and **including** changes in the ordering of phases in the approved master plan as long as such ~~changes~~ **minor modifications** continue to be in compliance with the approving action of the town council and all other applicable requirements, but shall not have the authority to approve changes that constitute a **major** modification of the master plan. Before making a determination as to whether a proposed action is a minor ~~change~~ or a **major** modification, the town manager shall review the record of the proceedings on the original application for the master land use plan and subsequent applications for modifications of master land use plan. The following shall constitute a **major** modification of the master land use plan:

- A. A change in the boundaries of the site approved by the town council;
- B. A change from the use(s) approved by the town council;
- C. A change in the floor area or number of parking spaces approved by the town council by at least five (5) percent;
- D. Changes in pedestrian and bicycle or vehicular access or circulation approved by the town council which:
 1. Change trip distribution involving more than five (5) percent of all projected trips; or

2. Reduce the level of service (LOS) of a street link or intersection within one-quarter (¼) of a mile from the boundaries of the proposed development.
- E. Substantial change in the amount or location of landscaped and open areas approved by the town council.

F. A change in the density of the overall development permitted by the town council.

- (2) If the proposed action is determined to be a **major** modification, the town manager shall require the filing of an application for approval of the **major** modification.
- (3) The town manager shall prescribe the form(s) of applications as well as any other material he/she may reasonably require to determine compliance with this ~~article~~ **appendix**.
- (4) An application for **a major** modification of a master land use plan shall be reviewed in accord with the procedures established in subsections (a) through (h), above."

Section 79 - Article 4 – Procedures. 4.8. - Master land use plan. Section 4.8.3 Procedures for Approval of Master Land Use Plan, subsection (l) Relation to special use permit is hereby retitled and amended to add subsection (3) to read as follows:

*“(l) Relation to special use permit **and conditional zoning districts.***

- (1) Once a master land use plan or a modification of a master land use plan has been approved for a tract of land, no further development approval shall be granted unless it is consistent with the master plan.
- (2) If a master land use plan is approved for a tract of land, and an application for a special use permit is subsequently received, then the special use permit application must be consistent with the master plan. If it is consistent with the master plan, a rebuttable presumption shall thereby be established that the proposed development would:
 - A. Maintain or promote the public health, safety, and general welfare;
 - B. Maintain or enhance the value of contiguous property, or be a public necessity; and
 - C. Conform to the comprehensive plan.
- (3) If a master land use plan is approved for a tract of land and an application for a conditional zoning district is subsequently received, then the conditional zoning district shall be consistent with the approved master land use plan. The proposed conditional zoning district and any associated district-specific plan shall be considered pursuant to 4.4.5.**

Section 80 - Article 4 – Procedures. Section 4.8.3 (m) Abandon or revocation of an approved master land use plan is hereby amended to read as follows:

“(m) Abandon or revocation of an approved master land use plan.

On request by the holder of an approved master land use plan, the town council shall approve the abandonment of the plan if it determines that no subsequent development approvals have been granted and no construction activity has taken place pursuant to the master plan.

On request by the holder of an approved Master Land Use Plan, the town council may revoke the plan and any special use permits **and/or conditional zoning districts** approved pursuant to the Master Land Use Plan if it determines that:

- (1) Construction pursuant to the plan has started; and
- (2) The request is made in conjunction with an application for approval of a development other than that authorized by the plan; and
- (3) The proposed development as approved by the town council would incorporate adequate consideration of the site's already disturbed land area in its design; and
- (4) The proposed use or development conforms with the general plans for the physical development of the town as embodied in this chapter and in the comprehensive plan; and
- (5) Public purposes are satisfied to an equivalent or greater degree by the proposed change."

Section 81 - Article 4 – Procedures. Section 4.10. - Appeals. Section 4.10.1 Applicability, subsection (b) is hereby amended to read as follows:

“(b) An application for appeal shall be filed, with the town clerk, within thirty (30) days of the filing of the decision being appealed or the delivery of any required written notice of the decision, whichever is later by the owner or other party. Any other person with standing to appeal shall have thirty (30) days from receipt from any source of actual or constructive notice of the decision within which to file an appeal. **In the absence to the contrary, notice given by first class mail is deemed received on the third business day following deposit of the notice for mailing with the United State Postal Service. Delivery by electronic mail shall be deemed received on the date sent.**”

Section 82 - Article 4 – Procedures. Section 4.11 Interpretations is hereby retitled to read as follows:

“4.11. ~~Interpretations~~ **Determinations.**”

Section 83 - Article 4 – Procedures. 4.11. – Interpretations. Section 4.11.1 Interpretations is hereby amended to read as follows:

“4.11.1. ~~Interpretations.~~ **Determinations.** Where there is any uncertainty as to the intent or actual meaning of any provision of this appendix, or as to the intended location of any zoning district boundary shown on the zoning atlas, the town manager shall make ~~an interpretation~~ **a determination** of said provision or boundary on request of any person. In making ~~an interpretation~~ **a determination** of any zoning district boundary, the town manager shall apply the following standards:

- (a) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed as following such centerlines;
- (b) Boundaries indicated as approximately following corporate limits shall be construed as following such limits;
- (c) Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks;

- (d) Boundaries indicated as approximately following the shorelines or centerlines of streams, rivers, lakes, or other bodies of water shall be construed as following such shorelines or centerlines; in the event of change in the shoreline or centerline, the boundary shall be construed as moving with the actual shoreline or centerline;
- (e) Boundaries indicated as approximately following designated limits of areas of special flood hazard shall be construed as following such limits, as shown on the official base floodway and floodplain boundary maps and base flood profiles;
- (f) Boundaries indicated as approximately parallel to, or as extensions of, features described in (a) through ~~(g)~~ **(e)** above shall be so construed; distances not specifically indicated on the zoning atlas shall be determined by reference to the scale of the atlas;
- (g) Where features described in (a) through ~~(f)~~ **(e)** above, as existing on the ground, are at variance with those indicated on the zoning atlas, or in other circumstances not covered, the board of adjustment **shall determine the district boundaries.**

Section 84 - Article 4 – Procedures. Section 4.12. - Variances and appeals. Section 4.12.1 Procedures for Appeals and Variances, subsection (b) Public hearing is hereby amended to retitle the subsection, add subsection (4), and renumber subsections to read as follows:

“(b) ~~Public~~ **Evidentiary** hearing.

- (1) After its receipt of an application for appeal or for a variance, the board of adjustment shall hold a ~~public~~ **an evidentiary** hearing on the application at its next available regularly scheduled meeting. **Procedures for such hearings are as set forth in NCGS 160D-406.**
- (2) Notice of the date, time, and place of the ~~public~~ **evidentiary** hearing shall be published in a newspaper of general circulation in the planning jurisdiction once a week for two (2) successive weeks, with the first notice to be published not less than ten (10) nor more than twenty-five (25) days prior to the date of the hearing.

Notice of **evidentiary** hearings shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by this ordinance. The notice must be deposited in the mail at least ten (10) days, but not more than twenty-five (25) days, prior to the date of the hearing. Within that same time period, the manager shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. **For the purpose of this appendix, properties are "abutting" even if separated by a street, railroad, or other transportation corridor.**

- (3) ~~The public hearing shall be open to the public and all interested persons shall be given the opportunity to present evidence and arguments and to ask questions of persons who testify. The board may place reasonable and equitable time limitations on the presentation of evidence and arguments and the cross-examination of witnesses so that the application may be heard without undue delay. All persons who intend to present evidence at the public hearing shall be sworn.~~

Presentation of Evidence. - The applicant, the town council, and any person who would have standing to appeal the decision under NCGS 160D-1402(c) shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the town council. All persons who intend to present evidence at the evidentiary hearing shall be sworn.

Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the standing of a party, may be made to the town council. The mayor shall rule on any objections, and the mayor's rulings may be appealed to the full town council. These rulings are also subject to judicial review pursuant to NCGS 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(4) Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. The board chair shall rule on any objections, and the chair's ruling may be appealed to the full board.

(4)(5) In the case of applications for a dimensional variance, the applicant shall bear the burden of presenting evidence sufficient to establish conclusively that the requested variance will comply with each of the determinations required in subsection 4.12.2.”

Section 85 - Article 4 – Procedures. Section 4.12. - Variances and appeals. Section 4.12.1 Procedures for Appeals and Variances, subsection (c) Action on the application (1) is hereby amended to read as follows:

“(1) After completion of the ~~public~~ **evidentiary** hearing, the board of adjustment shall take action on the application.”

Section 86 - Article 4 – Procedures. Section 4.12. - Variances and appeals. Section 4.12.2 Variances, subsection (a) (2) is hereby amended to read as follows:

“(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. **A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.**”

Section 87 - Article 4 – Procedures. Section 4.12. - Variances and appeals. Section 4.12.3 Variances within the Airport Hazard District is hereby amended to read as follows:

“4.12.3 Variances within the Airport Hazard District *Reserved*. See section 3.6.1.”

Section 88 - Article 4 – Procedures. Section 4.13. - Violation and penalties. Section 4.13.3 - Procedures Upon Discovery of Violations is hereby amended to retitle the subsection, add subsection (a), renumber subsections to read as follows:

“4.13.3. *Inspections and* Procedures Upon Discovery of Violations.

“(a) Pursuant to NCGS 160D 403(e), staff are authorized to enter any premises at all reasonable hours for the purposes of an inspection or other enforcement action, upon the presentation of proper credentials; provided however that the appropriate consent has been given for inspection of areas not open to the public, or that an appropriate inspection warrant has been secured.

~~(a)~~ **(b)** Upon the determination that any provision of this appendix is being violated, the town manager shall send a written notice by personal service **delivery, electronic delivery, first class mail,** or by certified mail, return receipt requested, **to the holder of the development approval and to the landowner of the property involved, and may deliver a written notice by similar means to the occupant of the property, and** to the person(s) responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent **and/or the posted on the subject property** at the town manager's discretion. **The person providing the notice of violation shall certify that the notice was provided, and the certificate shall be deemed conclusive in the absence of fraud.**

~~(b)~~ **(c)** The final written notice, which may also be the initial notice, shall state the action the town manager intends to take if the violation is not corrected, and shall advise that the town manager's order may be appealed to the board of adjustment as provided in section 4.10 of this appendix.

~~(c)~~ **(d)** In cases when delay would seriously threaten the effective enforcement of this appendix, or pose a danger to the public health, safety, or general welfare, the town manager may seek enforcement without prior written notice by invoking any of the penalties or remedies contained in subsection 4.13.4.”

Section 89 – Article 5 – Design and Development Standards. Section 5.7. - Tree protection. Section 5.7.7 - Administrative Mechanisms, subsection (c) Appeals is hereby amended to read as follows:

“(c) Appeals. Unless otherwise specified in this article **appendix, interpretations determinations,** appeals, and variances of or from provisions of this article shall be pursuant to the provisions of article 4 of this ~~chapter~~ **appendix.**”

Section 90 – Article 5 – Design and Development Standards. Section 5.12. - Utilities. Section 5.12.2 - Other Utilities is hereby amended to add a new subsection (b) and renumbered to read as follows:

“(a) All utility lines, except as provided in (b), other than lines used only to transmit electricity between generating stations or substations shall be placed underground, and all surface disruptions required for installation shall be rehabilitated to the original or an improved condition. Three-phase electric power distribution lines are not required to be placed underground except as provided in subsection ~~(b)~~ (c), below.

(b) Utility lines shall not be required to be buried if the existing power lines meet all of the following criteria:

(1) The power lines existed above ground at the time of first approval of a plat or development plan by the town, whether or not the power lines are subsequently relocated during construction of the subdivision or development plan.

(2) The power lines are located outside the boundaries of the parcel of land that contains the subdivision or the property covered by the development approval and/or the legislative decision.

~~(b)~~ **(c)** Three-phase electric power distribution lines.

(1) Three-phase electric power distribution lines shall be placed underground if:

- A. Duke Energy agrees in a written statement to provide utilities underground; and
- B. Three-phase lines shall be placed underground by the applicant where:
 - 1. There is a rational nexus between the impact of the proposed development and the proposed utility requirement; and
 - 2. The costs of placing the utilities underground are roughly proportionate to the impacts of the development on adjoining properties or the town; and
 - 3. Placing the utility underground does not violate any provision of the electrical code or other relevant safety standard; ~~and~~
 - 4. ~~The applicant has the legal right to place the lines underground where they are located off-site.~~

(2) Three-phase lines are not required to be placed underground if the applicant or Duke Energy demonstrates **the applicability of the criteria in subsection (b) above and** that the burial would create economic hardship or a danger to public health or safety as it relates to the size, nature, timing, and scope of the proposed development.

~~(c)~~ **(d)** A letter or letters certifying the availability of immediate service from each of the other utilities (electric, gas, telephone, cable television) serving a structure shall be submitted to the town manager prior to issuance of a zoning compliance permit for such structure.

~~(d)~~ **(e)** No certificate of occupancy for a structure shall be issued until the following documents or certifications from the appropriate utilities that all facilities necessary to provide electric, gas, telephone, and/or CATV service to such structure have been completed to the standards of the appropriate utilities have been submitted to the town manager."

Section 91 – Article 5 – Design and Development Standards. Section 5.16. - Adequate public school facilities. Section 5.16.3 - Certificate of Adequacy of Public School Facilities is hereby amended to read as follows:

"(a) No application for approval of a subdivision preliminary plat, zoning compliance permit, minor subdivision final plat, zoning compliance permit for site plan review, zoning compliance permit for special use permit, ~~or zoning compliance permit for special use permit~~ **major** modification for a project containing a residential use, **or for a zoning compliance permit for a conditional zoning district containing residential uses** may be approved unless on the date of such approval there exists a valid and current certificate of adequacy of public school facilities applicable to the project for which such approval is sought.

(b) A certificate of adequacy of public school facilities shall not be required for a ~~general use~~ **conventional or conditional use rezoning, a conditional zoning district** or for approval of a

master land use plan. However, if a rezoning or master plan is approved, a certificate of adequacy of public school facilities ~~will~~ **shall** be required before any residential development of the property is authorized pursuant to any of the approvals specified in subsection (a) of the section, and the rezoning of the property or approval of a master plan provides no indication as to whether the certificate of adequacy of public school facilities will be issued. The application for rezoning or master plan approval shall contain a statement to this effect.

- (c) A certificate of adequacy of public school facilities must be obtained from the school district. The school district will issue or deny a certificate of adequacy of public school facilities in accordance with the provisions of a memorandum of understanding between Chapel Hill, Carrboro, Orange County, and the Chapel Hill/Carrboro School District.
- (d) An applicant shall seek from the school district a certificate of adequacy of public school facilities for a proposed residential development before an application for approval of a zoning compliance permit for a subdivision preliminary plat application, minor subdivision final plat, zoning compliance permit for a site plan review application, zoning compliance permit for a special use permit, ~~or~~ zoning compliance permit for a special use permit modification, **or for a zoning compliance permit for a conditional zoning district containing residential uses** is submitted to the town. The certificate of adequacy of public school facilities, if issued, shall expire as provided in section 16.5.
- (e) A certificate of adequacy of public school facilities attaches to the land in the same way that development permission attaches to the land. A certificate of adequacy of public school facilities may be transferred along with other interests in the property with respect to which such certificate of adequacy of public school facilities is issued, but may not be severed or transferred separately."

Section 92 – Article 5 – Design and Development Standards. Section 5.16. - Adequate public school facilities. Section 5.16.5 - Expirations of Certificates of Adequacy of Public School Facilities is hereby amended to read as follows:

"5.16.5. Expirations of Certificates of Adequacy of Public School Facilities.

- (a) A certificate of adequacy of public school facilities that has been obtained pursuant to subsection 16.3(d) before an application for approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit, ~~or~~ special use permit **major** modification, **or for a conditional zoning district containing residential uses** has been submitted shall expire unless the developer submits and the town accepts as complete an application for approval of that subdivision preliminary plat, minor subdivision final plat, site plan, special use permit, ~~or~~ special use permit **major** modification, **or for a conditional zoning district containing residential uses** within ninety (90) days of the date of the certificate of adequacy of public school facilities and receives the requested approval within two (2) years of the date of the certificate of adequacy of public school facilities.
- (b) A certificate of adequacy of public school facilities issued in connection with approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit, ~~or~~ special use permit modification, **or for a conditional zoning district containing residential uses** shall expire automatically upon the expiration or such ~~plat, plan, or permit~~ approval."

Section 93 – Article 5 – Design and Development Standards. Section 5.16. - Adequate public school facilities. Section 5.16.7 - Applicability to Previously Approved Projects and Projects Pending Approval, subsection (c) is hereby amended to read as follows:

“(c) The provisions of this article shall not apply to minor ~~changes~~ **modifications** to subdivision preliminary plat, site plan, special use permit, or special use permit **major** modification approvals issued prior to the effective date of this article so long as the approvals have not expired and the proposed minor ~~changes~~ **modifications** do not increase the number of dwelling units authorized within the development by more than five (5) percent or five (5) dwelling units, whichever is less.”

Section 94 – Article 5 – Design and Development Standards. Section 5.16. - Adequate public school facilities. Section 5.16.7 - Applicability to Previously Approved Projects and Projects Pending Approval, subsection (d) is hereby amended to read as follows:

- “(d) The town council shall issue ~~a special~~ **an** exception to the certificate of adequacy of public school facilities requirement to an applicant whose application for approval of a subdivision preliminary plat, minor subdivision final plat, site plan, special use permit or special use permit modification covering property within a planned development or master plan project that was approved prior to the effective date of this article, if the town council finds, after an evidentiary hearing, that the applicant has (1) applied to the school district for a certificate of adequacy of public school facilities and the application has been denied, (2) in good faith made substantial expenditures or incurred substantial binding obligations in reasonable reliance on the previously obtained preliminary plat approval, planned development or master plan approval, and (3) would be unreasonably prejudiced if development in accordance with the previously approved development or plan is delayed due to the provisions of this ordinance. In deciding whether these findings can be made, the town council shall consider the following, among other relevant factors:
- (1) Whether the developer has installed streets, utilities, or other facilities or expended substantial sums in the planning and preparation for installation of such facilities which were designed to serve or to be paid for in part by the development of portions of the preliminary plat, planned development or master planned project that have not yet been approved for construction;
 - (2) Whether the developer has installed streets, utilities, or other facilities or expended substantial sums in the planning and preparation for installation of such facilities that directly benefit other properties outside the development in question or the general public;
 - (3) Whether the developer has donated land to the School District for the construction of school facilities or otherwise dedicated land or made improvements deemed to benefit the School District and its public school system;
 - (4) Whether the developer has had development approval for a substantial amount of time and has in good faith worked to timely implement the plan in reasonable reliance on the previously obtained approval;
 - (5) The duration of the delay that will occur until public school facilities are improved or exist to such an extent that a Certificate of Adequacy of Public School Facilities can be issued for the project, and the effect of such delay on the development and the developer.

The decision of the town council is subject to review by the Orange County Superior Court by proceedings in the nature of certiorari. Any petition for review by the superior court shall be filed with the clerk of superior court within thirty (30) days after a written copy of the decision of the town council

is delivered to every aggrieved party who has filed a written request for such copy with the clerk to the town council at the time of its evidentiary hearing on the application for a ~~special~~ an exception. The written copy of the decision of the town council may be delivered to the aggrieved party either by personal service or by certified mail, return receipt requested.

The mayor of the town or any member temporarily acting as mayor may, in his or her official capacity, administer oaths to witnesses in any evidentiary hearing before the town council concerning a ~~special~~ an exception. “

Section 95 – Article 5 – Design and Development Standards. Section 5.16.8 Appeal of School District Denial of a Certificate of Adequacy of Public School Facilities is hereby amended to read as follows:

“The applicant for a certificate of adequacy of public school facilities which is denied by the school district may, within thirty (30) days of the date of the denial, appeal the denial to the town council of Chapel Hill. Any such appeal shall be heard by the town council at an evidentiary hearing before it. At this evidentiary hearing the school district will present its reasons for the denial of the certificate of adequacy of public school facilities and the evidence it relied on in denying the certificate of adequacy of public school facilities. The applicant appealing the denial may present its reasons why the certificate of adequacy of public school facilities application should have, in its view, been approved and the evidentiary basis it contends supports approval. The town council may (1) affirm the decision of the school district, (2) remand to the school district for further proceedings in the event evidence is presented at the evidentiary hearing before the town council not brought before the school district, or (3) issue a certificate of adequacy of public school facilities. The town council will only issue a certificate of adequacy of public school facilities if it finds that the certificate of adequacy of public school facilities certificate of adequacy of public school facilities should have been issued by the school district as prescribed in the memorandum of understanding among the school district, Orange County and Chapel Hill. A decision of the town council affirming the school district may be appealed by the applicant for a certificate of adequacy of public school facilities by proceedings in the nature of certiorari and as prescribed for an appeal under section 16.7(d) of this article.”

Section 96 – Article 5 – Design and Development Standards. Section 5.16.9 Information Required From Applicants is hereby amended to read as follows:

“The applicant for a certificate of adequacy of public school facilities shall submit to the school district all information reasonably deemed necessary by the school district to determine whether a certificate of adequacy of public school facilities should be issued under the provisions of the memorandum of understanding between Chapel Hill, Orange County, and the school district. An applicant for a certificate of adequacy of public school facilities ~~special~~ exception or an applicant appealing a certificate of adequacy of public school facilities denial by the school district shall submit to the town council all information reasonably deemed necessary by the town manager to determine whether a ~~special~~ an exception should be granted as provided in section 16.7(d) of this article or for the evidentiary hearing of an appeal of a school district denial of a certificate of adequacy of public school facilities as provided in section 16.8 of this article. A copy of a request for a certificate of adequacy of public school facilities ~~special~~ exception or of an appeal of a school district denial of a certificate of adequacy of public school facilities shall be served on the superintendent of the school district. Service may be made by personal delivery or certified mail, return receipt requested.”

Section 97 – Article 5 – Design and Development Standards. Section 5.18 - Jordan watershed riparian buffer protection. Section 5.18.8 - Procedures, Requirements, and Approvals, subsection (c) (3) C. is hereby amended to read as follows:

“The final decision is to be made pursuant to ~~a public hearing; or~~”

Section 98 – Article 5 – Design and Development Standards. Section 5.18 - Jordan watershed riparian buffer protection. Section 5.18.8 - Procedures, Requirements, and Approvals, subsection (d) Variances (2) Minor variances is hereby amended to read as follows:

“(2) *Minor variances.* A minor variance request pertains to uses and activities that will impact only Zone Two of the riparian buffer. Minor variance requests shall be reviewed and approved by the town board of adjustment based on the criteria in subsections 5.18.8(d)(1)A through 5.18.8(d)(1)C and in accordance with section 4.12 and as provided by ~~NCGS 160D North Carolina General Statute Chapter 160A, Article 19.~~ The board may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Request for appeals to decisions made by the town board of adjustment shall be made in writing to the Director of the Division. Appeals from a decision by the director on a minor variance request are subject to review as provided in North Carolina General Statute Chapter 150B, Articles, 3 and 4.”

Section 99 – Article 5 – Design and Development Standards. Section 5.18 - Jordan watershed riparian buffer protection. Section 5.18.8 - Procedures, Requirements, and Approvals, subsection (d) Variances (3) Major variances is hereby amended to read as follows:

“(3) *Major variances.* A major variance request pertains to uses and activities that will impact any portion of Zone One or any portion of both Zones One and Two of the riparian buffer. If the town board of adjustment has determined that a major variance request meets the requirements in subsections 5.18.8(d)(1)A through 5.18.8(d)(1)C and as provided by ~~NCGS 160D N.C.G.S. Chapter 160A, Article 19,~~ then it shall prepare a preliminary finding and submit it to the North Carolina Environmental Management Commission in care of the Director of the Division. Within ninety (90) days after receipt, the environmental management commission is required to review preliminary findings on major variance requests and take one of the following actions: approve, approve with conditions and stipulations, or deny the request. Appeals from a commission decision on a major variance request are subject to review as provided in N.C.G.S. Chapter 150B, Articles 3 and 4.”

Section 100 – Article 5 – Design and Development Standards. Section 5.18 - Jordan watershed riparian buffer protection. Sections 5.18.9 - Compliance and Enforcement, subsection (b) Civil penalties subsection (2) Notice of civil penalty assessment, and subsection (3) Hearing are hereby amended to read as follows:

“(2) *Notice of civil penalty assessment.* The town manager shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under N.C.G.S. 1A-1, Rule 4 including personal service or by certified mail, return receipt requested, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for ~~a~~ an evidentiary hearing.

- (3) ***Evidentiary Hearing.*** Any decision imposing a civil penalty may be appealed to the town board of adjustment. The board shall hold a an evidentiary hearing in accordance with sections 4.10 thorough 4.13.”

Section 101 – Article 5 – Design and Development Standards. Section 5.19. - Jordan watershed stormwater management for new development. Sections 5.19.11 - Compliance and Enforcement, subsection (d) Civil penalties, subsection (2) Notice of civil penalty assessment, and subsection (3) Hearing are hereby amended to read as follows:

- “(2) *Notice of civil penalty assessment.* The town manager shall provide written notice of the civil penalty amount and the basis for the assessment to the person assessed. The notice of civil penalty assessment shall be served by any means authorized under G.S. 1A-1, Rule 4 including personal service or by certified mail, return receipt requested, and shall direct the violator to either pay the assessment or contest the assessment, within thirty (30) days after receipt of the notice of assessment by written demand for a an evidentiary hearing.
- (3) ***Evidentiary Hearing.*** Any decision imposing a civil penalty may be appealed to the town board of adjustment. The board shall hold a an evidentiary hearing in accordance with sections 4.10 thorough 4.13.”

Section 102 – Article 5 – Design and Development Standards. Section 5.20 - Wireless communication facility. Section 5.20.1 Authority is hereby amended to read as follows:

“This section is adopted pursuant to the authority vested in the Town of Chapel Hill by the General Assembly of the State of North Carolina with particular reference to Article ~~9 19~~ Part ~~3 3E~~ of Chapter ~~160A 160D~~ of the North Carolina General Statutes, ~~and Session Law 2017-159 (HB 310).~~”

Section 103 – Article 5 – Design and Development Standards. Section 5.20 - Wireless communication facility. Section 5.20.3 Definitions is hereby amended to read as follows:

“*Substantial modification* pursuant to ~~NC §160A-400.51~~ **NCGS 160D-931(19)** means a modification or collocation involving the mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below. The burden is on the town to demonstrate that a mounting that does not meet the listed criteria below still constitutes a substantial change to the physical dimensions of the wireless support structure.

- (1) Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet.
- (2) Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure the greater of (i) more than twenty (20) feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.
- (3) Increasing the square footage of the existing equipment compound by more than 2,500 square feet.”

Section 104 - Article 8 – Administrative Mechanisms. The introductory paragraph is hereby amended to read as follows:

“This article formally establishes the agencies and officials involved in processing applications for development approvals and legislative decisions. Such agencies and officials shall comply with the Conflict-of-Interest provisions of NCGS 160D-109.”

Section 105 - Article 8 – Administrative Mechanisms. Section 8.2. - Planning commission. Section 8.2.4 - Powers of the commission, subsections (k), (l), and (m) are hereby amended to read as follows:

“(k) To request the council to hold ~~public~~ administrative, legislative, or evidentiary hearings on matters within the purview of the commission;

(l) To conduct public meetings ~~and hearings~~, giving reasonable notice to the public thereof;

(m) To review and make recommendations to the council on proposed plats of land subdivision, applications for ~~special use permits~~ conditional zoning districts, and proposed amendments to Land Use Management Ordinances;”

Section 106 - Article 8 – Administrative Mechanisms. Section - 8.3. - Board of adjustment. Section 8.3.4- Powers of the Board, subsection (d) is hereby amended to read as follows:

“(d) To make ~~interpretations~~ **determinations** of the zoning atlas, including disputed questions about zoning district boundary lines or lot lines, and similar questions as required by the appendix, and as they arise in the administration of this appendix;”

Section 107 - Article 8 – Administrative Mechanisms. Section - 8.3. - Board of adjustment. Section 8.3.5 - Meetings is hereby amended to read as follows:

“The board shall establish a regular meeting schedule and shall meet frequently enough so that it may take action as expeditiously as reasonably possible.

All meetings of the board shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public in accord with Chapter 143, Article 33C of the N.C. General Statutes.

The board shall adopt rules of procedure and regulations for the conduct of its affairs.

In considering appeals, variance requests, and ~~interpretations~~ **determinations**, the board shall observe the quasi-judicial procedural requirements set forth in sections 4.11 and 4.12 of this appendix.

The board shall keep a record of its meetings, including attendance of its members, the vote of each member on every question, a complete summary of the evidence submitted to it, documents submitted to it, and all official actions.”

Section 108 - Article 8 – Administrative Mechanisms. Section 8.4. - Historic District Commission. Section 8.4.2 - Qualifications is hereby amended to read as follows:

"All members of the commission shall reside within the planning jurisdiction of Chapel Hill, and a majority of the members shall have demonstrated special interest, experience, or education in history or architecture, **historic preservation, archaeology, or related fields**. Members shall serve without compensation."

Section 109 - Article 8 – Administrative Mechanisms. Section 8.5. – Community Design Commission. Subsection 8.5.5 Powers of the Commission Introductory paragraph is hereby amended to read as follows:

"The commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this appendix, in Chapter ~~160A~~ **160D**, Article ~~19~~ **9**, Part ~~7~~ **5** of the N.C. General Statutes, and in Chapter 278 of the N.C. Session Laws of 1965, including but not limited to the following:"

Section 110 - Article 8 – Administrative Mechanisms. Section 8.5. – Community Design Commission. Subsection 8.5.5 Powers of the Commission, subsection (r) is hereby amended to read as follows:

"(r) To review all schematic building designs for special use permits or special use permit **major** modifications, and forward comments and recommendations for consideration **by the applicant** at council public hearings;"

Section 111 - Appendix A. Definitions is hereby amended to add new definitions in alphabetical order as follows:

"Administrative decision: Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this appendix. These are sometimes referred to as ministerial decisions or administrative determinations."

"Administrative hearing: A proceeding to gather facts needed to make an administrative decision."

"Bona fide farm: Agricultural activities as defined in NCGS 160D-903(a)."

Conditional districts: Conditional districts and Conditional zoning districts are synonymous terms. See Conditional Zoning Districts.

Conventional districts: Zoning districts which govern usual and typical development situations, which are established by section 3.3 of this appendix. In conventional districts, a variety of uses are allowed as permitted principal uses or uses by right and may also include uses permitted only with a special use permit. Conventional districts replaces the term General Use Districts in order to bring this Land Use Management Ordinance into compliance with North Carolina General Statutes. Conventional Districts and General Use Districts are synonymous terms.

"Determination: A written, final, and binding order, requirement, or determination regarding an administrative decision."

“Development approval: An administrative or quasi-judicial approval made pursuant to this appendix that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning compliance permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations pursuant to this appendix including but not limited to plat approvals.”

“Evidentiary hearing: A hearing where sworn testimony is heard to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by this appendix.”

“Legislative decision: The adoption, amendment, or repeal of a regulation under this appendix. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of this appendix as well as zoning atlas amendments.”

“Legislative hearing: A hearing to solicit public comment on a proposed legislative decision.”

“Quasi-judicial decision: A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on other development approvals are quasi-judicial in nature if this appendix authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.”

“Sleeping room: A room designated as sleeping or bedroom on the plans and permit application.”

“Substantially commenced: For the purposes of determining whether sufficient progress has been made on an approved plan authorized by this appendix, one or more of the following construction activities toward the completion of an approved plan shall occur: obtaining a grading permit and conducting grading activity on a continuous basis and not discontinued for more than thirty days; or installation and approval of on-site infrastructure; or obtaining a building permit for the construction and approval of a building foundation. “Substantially commenced” for purposes of determining whether an approved plan is null and void is not necessarily the same as “substantial expenditures” used for determining vested rights pursuant to applicable law.”

Section 112 - Appendix A. Definitions is hereby amended to revise the following existing definitions to read as follows:

“Bedroom: A separate room or space used or intended to be used for sleeping purposes, which is sometimes referred to as a sleeping room.”

"Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, ~~chattels~~, or property."

"Conditional use district: A zoning district requested by the property owner in which all uses are considered a special use. ~~See section 4.4 of this appendix.~~ **As of July 1, 2021, conditional use districts are no longer permissible pursuant to NCGS 160D-703.**"

"Conditional zoning district: Zoning districts in which the development and use of the property is subject to predetermined ordinance standards and the rules, regulations, and conditions imposed as part of a legislative decision by the Town Council creating the district and applying it to the particular property. **Conditional zoning districts are sometimes referred to as Conditional Districts.**"

"Construction commences: Means that construction has commenced in accordance with the terms of a building permit, as set forth in ~~N.C.G.S. 160A-418~~ **NCGS 160D-1111.**"

"Developer: A person, **including a governmental agency** who undertakes ~~any~~ development activities **and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.**"

"General use districts: ~~The zoning districts which govern usual and typical development situations, which are established by section 3.3 of this appendix.~~ **General use districts have the same meaning as See Conventional District.**"

"Extraterritorial jurisdictions or "ETJ": The territory, outside of the town limits within which the town may exercise the powers conferred by ~~Article 19 of Chapter 160A~~ **160D** of the North Carolina General Statutes, as set forth in ~~N.C.G.S. 160A-360~~ **NCGS 160D-202.**"

"Performance guarantee: A letter of credit or cash escrow posted as security for the completion of ~~subdivision~~ improvements **required by this appendix.**"

"~~Site-specific development~~ vesting plan: **An approved or conditionally approved special use permit, conditional zoning district that includes a district-specific plan, or a Form District Permit issued by the council authorizing the development of a zoning lot as provided for in this appendix. Such site-specific vesting plans have vested rights for a period of two years.**"

"Special use permit: A permit issued by the council authorizing ~~the development of a zoning lot for a special use or a planned development~~ **authorizing development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits.**"

"Transportation facilities: Includes: (1) Streets, including street links and intersections within the jurisdiction of the Town of Chapel Hill, or arterial streets and collector streets within the jurisdiction of or the North Carolina Department of Transportation, or its successor agency, that are located within the

incorporated boundaries of the Town of Chapel Hill and any extraterritorial jurisdictions granted pursuant to ~~N.C.G.S. 160A-360~~ **NCGS 160D-202**, and (2) buses owned and operated by Chapel Hill Transit.”

Section 113 - This ordinance shall be effective on June 30, 2021.

This the 19th day of May, 2021.

RESOLUTION B

(Denying the Land Use Management Ordinance Text Amendment)

A RESOLUTION DENYING A PROPOSAL TO AMEND ARTICLES 1, 3, 4, 5, 8 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO INCORPORATE REVISIONS REQUIRED BY THE ENACTMENT OF NCGS 160D (2021-05-19/R-4)

WHEREAS, the Council of the Town of Chapel Hill has considered the Town-initiated proposal to amend the Land Use Management Ordinance to incorporate the provisions of the newly enacted North Carolina General Statute 160D, and fails to find that the amendments:

- a) correct a manifest error in the chapter, or
- b) are justified because of changed or changing conditions in the community in general, or
- c) achieve the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposal to amend the Land Use Management Ordinance to incorporate the revisions necessitated by the enactment of North Carolina General Statutes 160D.

This the 19th day of May, 2021.

ORDINANCE B
(Changes to Town Code of Ordinances)

**AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES
PERTAINING TO CHANGING 160A STATE STATUE REFERENCES TO 160D
(2021-05-19/O-2)**

WHEREAS, the General Assembly enacted Session Law 2019-111 in 2019 with Technical Corrections enacted in 2020 with Session Law 2020-25. The enactment of these Session Laws requires the Town to change North Carolina Statute references from 160A to 160D.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Chapter 5 Buildings & Building Regulations; Chapter 7 Fire Prevention & Protection; and Chapter 9 Housing Code be amended as follows:

Section 1 – Chapter 5 - Article I - In General. Section 5-1 Fire limits designated by reference is hereby amended to read as follows:

“Pursuant to the laws of this state, in particular N.C.G.S. § ~~160A-435~~ **160D-1128 (b)**, the fire limits of the town shall be established as a primary and a secondary fire district with the location and boundaries thereof shown on the map attached as Exhibit 1 to the ordinance from which this section derives. Copies of said map shall be maintained by the town's building inspections division and the town's fire marshal. Boundaries of said fire limits shall also be maintained as a feature in the town's geographic information system (GIS) and available for reference.”

Section 2 – Chapter 5 - Article 1 - In General. Section 5-2 Construction within fire limits is hereby amended to read as follows:

“The area lying within the primary and secondary fire limits of the town shall be subject to all of the provisions of the General Statutes of North Carolina, including specifically, but not limited to, N.C.G.S. §§ ~~160A-436 and 160A-437~~ **160D-1128 (b)**, which are is incorporated herein by reference and made a part hereof. Construction within the fire limits will comply with the provisions set forth by the North Carolina State Building Code, Appendix D which has been adopted by the town under section 5-15 of this Code.”

Section 3 – Chapter 5 - Article IV – Flood Damage Prevention Ordinance. Section 5-50 Statutory authority is hereby amended to read as follows:

“The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; ~~Parts 3, 5, and 8 of Article 19~~ Chapter ~~160A~~ **160D**; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry including the regulations set out in this article.”

Section 4 – Chapter 5 - Article IV – Flood Damage Prevention Ordinance. Footnote(s) --- (3) --- State Law Reference- is hereby amended to read as follows:

“State Law reference— Local government authority to regulate uses in flood hazard areas and grant permits, G.S. 143-215.54(a); minimum standards for ordinances, G.S. § 143-215.54A; local government to delineate flood hazard area, G.S. § 143-215.56(c); city may enact floodway regulation ordinances authorized under Chapter 143 of state statutes, G.S. ~~§160A-458.1~~ **160D-923**; procedure in issuing permits, G.S. § 143-215.57.”

Section 5 – Chapter 5 - Article V – Soil Erosion and Sediment Control. Division 2, Soil Erosion and Sedimentation Control, Footnote(s) --- (4) --- State Law Reference- is hereby amended to read as follows:

“State Law reference— Local erosion and sedimentation control programs, G.S. § 113A-60; city may enact and enforce erosion and sedimentation control ordinances, G.S. ~~§160A-458~~ **160D-922**; submission and approval of proposed local erosion and sediment control ordinances, 15A N.C. Admin. Code 04D.0101 et seq.”

Section 6 – Chapter 5 - Article V – Soil Erosion and Sediment Control. Division 2, Soil Erosion and Sedimentation Control Section. Section 5-97 (f) is hereby amended to read as follows:

“Pursuant to ~~G.S. Section 160A-417~~ **NCGS 160D-1110**, no building permit shall be issued unless an erosion control plan has been approved, where such approval is required, for the site of the activity or a tract including the site of the activity.”

Section 7 – Chapter 7 - Article II - Fire Prevention Code. Section 7-44 (b) is hereby amended to read as follows:

“Civil enforcement. This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. ~~Sec. 160A-432~~ **160D-1125** and G.S. Sec. 143-139.”

Section 8 – Chapter 7 - Article II - Fire Prevention Code. Section 7-52 (b) Civil enforcement is hereby amended to read as follows:

“Civil enforcement. This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. ~~Sec. 160A-432~~ **160D-1125** and G.S. Sec. 143-139.”

Section 9. – Chapter 7 – Article II Fire Prevention Code. Section 7-58 (b) Civil enforcement is hereby revised to read as follows:

“Civil enforcement. This ordinance may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. ~~Sec. 160A-432~~ **160D-1125** and G.S. Sec. 143-139.”

Section 10 – Chapter 7 – Article II Fire Prevention Code. Section 7-66 (b) Civil enforcement is hereby amended to read as follows:

“Civil enforcement. This division may be enforced by civil penalty or appropriate equitable remedy as may be authorized by applicable N.C. General Statutes, including but not limited to G.S. Sec. 160A-175, G.S. Sec. ~~160A-432~~ **160D-1125** and G.S. Sec. 143-139.”

Section 11 - Chapter 9 - Housing Code Footnote(s) ---1--- State Law reference is hereby amended to read as follows:

“State Law reference— Exercise of municipal power authorized to provide for repair, closing or demolition of unsafe buildings, G.S. § ~~160A-441~~ **160D-1201**; ordinance authorized concerning repair, closing and demolition upon order of public officer, G.S. § ~~160A-443~~ **160D-1203**.”

Section 12 - Chapter 9 - Article I - In General. Section 9-1 Finding; purpose is hereby amended to read as follows:

“Pursuant to N.C.G.S. ~~160A-441~~ **160D-1201**, et. seq. it is hereby found and declared that there exists in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents, and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering such dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.

In order to protect the health, safety and welfare of the residents of the town as authorized by Article ~~19, Part 6~~ **12**, Chapter ~~160A~~ **160D**, of the General Statutes, it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by N.C.G.S. ~~160A-443~~ **160D-1203**.”

Section 13 – Chapter 9 - Article II – Administration and Enforcement. Section 9-24 (e) is hereby amended to read as follows:

“Notwithstanding any other provision of law, if the condition of the dwelling would require removal or demolition under subsection (2) and the dwelling is located in a historic district of the town and the historic district commission determines, after a public hearing as provided by the ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with N.C.G.S. ~~160A-400.14(a)~~ **160D-949**.”

Section 14 – Chapter 9 - Article II – Administration and Enforcement. Section 9-30 Review of proceedings of board of adjustment is hereby amended to read as follows:

“Every decision of the board of adjustment shall be subject to review by proceedings in the nature of certiorari as provided by N.C.G.S. ~~160A-446(e)~~ **160D-305 and N.C.G.S 160D-1208**, and may be stayed as provided by N.C.G.S. ~~160A-446(f)~~ **160D-305 and N.C.G.S. 160D-1208.**”

Section 15 - Chapter 9 - Article II – Administration and Enforcement. Section 9-32 Methods of service of complaints or orders is hereby amended to read as follows:

“Service of complaints and orders shall be made in the manner required by N.C.G.S. ~~160a-445~~ **160D-1206** and shall be deemed sufficient when one of the methods allowed by that statute has been followed.”

Section 16 – Chapter 9 - Article IV – Minimum Standards for Basic Equipment and Facilities. Section 9-67 Heating system, State Law Reference, is hereby amended to read as follows:

“State Law reference— Heat source required for rental dwelling units, G.S. § ~~160A-443.1~~ **160D-1204.**”

Section 17. This ordinance shall be effective on June 30, 2021.

This the 19th day of May, 2021.

PHILIP POST ENGINEERING

ENGINEERS
PLANNERS
SURVEYORS

104 St. Andrews Place
Chapel Hill, NC 27517

PO Box 4912
Chapel Hill, NC 27515-4912

FIRM: C-347

PETITION

TO:	Mayor and Members of Town Council- Town of Chapel Hill
FROM:	Philip Post, PE, PLS
DATE:	April 20, 2021
RE:	Request for Change to LUMO to Conform to 160D-8-2(a)

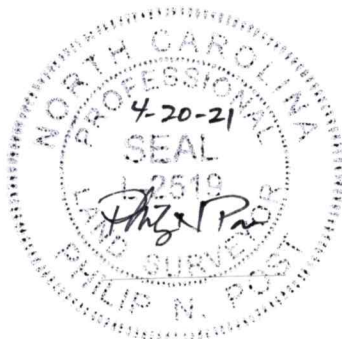
160D-8-2(a) specifies that subdivision regulations 'apply to divisions of a "tract or parcel of land"'. 160D-8-2(a)(4) goes on to exempt the division of "a tract less than 2 acres... "from subdivision regulation". It is, therefore, perfectly evident that a "tract" and "parcel" are synonymous terms for the purposes of subdivision regulation in NC.

LUMO defines a subdivision in 4.6.1 as a division of a "tract or zoning lot". I request that 4.6.1 define a "subdivision" exactly as it is defined in State law, as a "tract or parcel". When this is done, there will be no need to refer to a "zoning lot" within the Subdivision portion (4.6.1) of LUMO and the term "zoning lot" would be removed from 4.6.1, and the definition of a "tract" or parcel in LUMO would also conform to State Law.

The definition of a "parcel" in LUMO should conform to State Law as required by GS 47-30(f)(11)c.1 and GS 47-30(g)c.1.

By changing 4.6.1 to conform to 160D and by changing the definition of a parcel(tract) to conform with GS47-30, will enable LUMO to make clear the State-mandated legal right for exempt divisions under 160D-8-2(a) (4). In Chapel Hill today , because of the use of the term "zoning lot" and the erroneous definition of a "tract", the Town does not allow an exempt division as mandated by 160D-8-2(a) (4).

I respectfully request that the Town Manager and Town Attorney be asked to bring LUMO into conformance with the letter and spirit and intent of 160D.





TOWN OF CHAPEL HILL

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

Item Overview

Item #: 9., **File #:** [21-0448], **Version:** 1

Meeting Date: 5/19/2021

Consider an Application for Conditional Zoning for 2200 Homestead Road from Residential-4-Conditional Zoning District (R-4-CZD) to Residential-Special Standards- Conditional Zoning District (R-SS-CZD).

See 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: Anya Grahm, 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. Comments and questions from the Mayor and Town Council
- d. Motion to adopt the Resolution of Consistency with the Comprehensive Plan
- e. Motion to enact an Ordinance to rezone the property.

RECOMMENDATION: That the Council adopt the Resolution of Consistency and enact Revised Ordinance A.



CONSIDER AN APPLICATION FOR CONDITIONAL ZONING AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS- CONDITIONAL ZONING DISTRICT (R-SS-CZD) (PROJECT 20-081)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT

Colleen Willger, Director

Judy Johnson, Assistant Director

Anyah Grahn, Senior Planner

PROPERTY ADDRESS 2200 Homestead Road	DATE May 19, 2021	APPLICANT Coulter Jewell Thames, PA on behalf of the Town of Chapel Hill
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STAFF RECOMMENDATION

That the Council adopt the Resolution of Consistency, and enact Revised Ordinance A, approving the Conditional Zoning application.

UPDATES SINCE APRIL 21, 2021 PUBLIC HEARING

The applicant has provided a revised set of plans. CASA, one of the four affordable housing partners, intends to lease a multifamily apartment building to the UNC Horizons Program's. The applicant has provided additional information clarifying the use of the multi-family apartment building and that the use will not meet the definition of a group care facility. The applicant is exploring noise mitigation strategies for the basketball court and has provided additional information in the Applicant Response to Council Questions.

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.

The Town will enter into a Development Contract with the four local affordable housing partners that outlines their roles and the Town's expectations before construction of the project begins. The Town is also working with the Hope Gardens Board to draft an agreement for the use of a portion of the Town land to relocated Hope Gardens.

PROJECT OVERVIEW

In 2001, the Town Council approved an Special Use Permit (SUP) for Vineyard Square, authorizing the construction of a 191-unit multi-family residential development on a 48-acre site. As part of the SUP, the applicant deeded this portion of land on the western and southwestern portions of the site to the Town for municipal purposes. This lot is the subject of this Conditional Zoning application.

The site currently consists of a single parcel with an existing gym building and Hope Gardens, a community garden. The Town is proposing to redevelop this area to include construction of 115 to 126 affordable housing units. Hope Gardens will be relocated to the northern portion of the property, adjacent to Weaver Dairy Road Extension. Primary access to the development is proposed from Homestead Road. A secondary access is proposed to Weaver Dairy Extension through the approved Bridgepoint development at 2214-2312 Homestead Road, located to the east of the site.

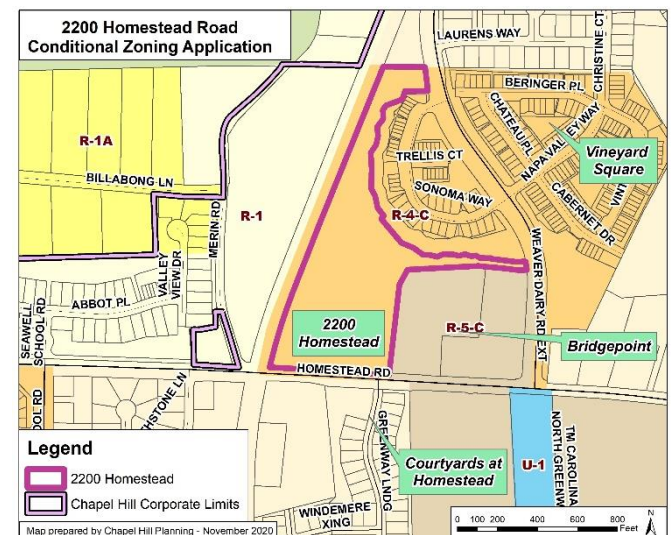
- Existing Zoning: Residential-4-Conditional Zoning District (R-4-CZD)
- Proposed Zoning: Residential-Special Standards-Conditional Zoning District (R-SS-CZD)
- Lot size: 570,066 sq. ft. (13.1 acres)

DECISION POINTS

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

- Land Disturbance in the Resource Conservation District (RCD)
- Steep Slopes
- Stormwater Management
- Recreation Space
- Perimeter Landscape Buffer

PROJECT LOCATION



ATTACHMENTS

1. Technical Report and Project Fact Sheet
2. Draft Staff Presentation
3. Resolution A, Resolution of Consistency
4. Revised Ordinance A (Approving the Application)
5. Resolution B (Denying the Application)
6. Advisory Board Recommendations
7. Town's Urban Designer Recommendations
8. Application Materials
9. Revised Plans, dated April 29, 2021
10. Applicant Statement regarding Group Care Facility
11. Applicant's Response to Council questions and comments
12. Emails from the public



TECHNICAL REPORT

PROJECT OVERVIEW

- June 25, 2001 Town Council approved a Special Use Permit (SUP) for Vineyard Square, a 191-unit multi-family development on a 48-acre site. As part of the SUP, the property owner conveyed a portion of the site to the Town of Chapel Hill for municipal purposes. The portion of the site conveyed to the Town is the subject of this Conditional Zoning application.
- June 20, 2018 Town Council reviewed a concept plan for a mixed-income development containing micro-homes, townhomes, apartments, shared housing, and other amenities.
- October 29, 2020 Applicant submitted a Conditional Zoning application for a mixed-income 115- to 126-unit housing development containing duplexes, townhomes, apartments, and other amenities.

The application proposes a Residential–Special Standards–Conditional Zoning District (R-SS-CZD) for the site to accommodate 115 to 126 dwelling units. The site currently consists of a single parcel with an existing gym building and Hope Gardens, a community garden. More details about the proposed development can be found in the applicant’s narrative and statement of justification in the Application Materials.

Information about the site and proposed zoning district can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project’s consistency with the Comprehensive Plan and Findings of Fact.

Developing an Affordable Housing Project

The Town will be entering into a Development Contract with four affordable housing partners to develop 2200 Homestead. The contract will outline their roles and expectations before construction of the project begins. The following outlines the roles of each of these partners and the households they serve:

Partner	Role	Affordability Requirements
Self Help	Project coordination and land development	NA
CASA	Construction of 72 dwelling units in three multifamily buildings	<30-80% AMI, subject to 30-year affordability restriction
Community Home Trust	17 townhomes	13 units at <80% AMI and 4 units at <115% AMI, subject to a 99-year ground lease
Habitat for Humanity	18 duplexes	<30-80% AMI, subject to 99-year affordability and Habitat maintaining first right of refusal on any units sold

Additionally, CASA intends to lease one of the multifamily buildings to the UNC Horizons Program. The UNC Horizons Program will use the building to provide housing to the women and children they serve. While staff will be available on-site, each family will live independently in individual apartments. Unlike group care facilities, there will be no communal or shared living or cooking spaces. Horizons will not provide personal care services or meals to residents. The applicant has provided additional information regarding the proposed services.

The Town decided early on to lead the project through approval of all necessary entitlements, at which point the Town would sign a development contract with its proposed development partners. Housing and Community staff, with guidance from the Town Attorney's Office, is currently negotiating the terms of an initial development contract that outlines the roles and expectations of all parties (Town plus four development partners) and maps out the future agreements required for land conveyance and construction.

The Town intends to enter into two agreements with Hope Gardens that outline the terms for relocating and operating the gardens on Town Land. The development team anticipates future subdivision of the property to create a separate lot for the community garden on the northern end of the site with access to Weaver Dairy Road Extension. This opportunity has been included as a condition of Ordinance A.

For more information, please see the [Housing Department's 2200 Homestead Road Site Plan Update from May 20, 2020](#)¹.

KEY CONSIDERATIONS

1. Planning Commission: At the [April 6, 2021](#)² meeting, the Planning Commission recommended approval of the Conditional Zoning application.
2. Housing Advisory Board (HAB): At the [April 8, 2021](#)³ meeting, HAB recommended approval of the Conditional Zoning application.
3. Community Design Commission (CDC): At the [March 23, 2021](#)⁴ meeting, CDC recommended approval with the following modifications to Ordinance A:

- That the applicant develop a set of design guidelines that would include options for fencing along Homestead Road.

Staff Response: Staff has included the following condition in Ordinance A:

#16. Design Guidelines: The developer shall develop a set of design guidelines for the development that includes options for fencing along Homestead Road.

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4538870&GUID=DE7FF8CF-3D5C-4E64-A5BC-BC4B72FD1B82>

² <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829635&GUID=69079523-A7C3-4357-99C6-973E680DEA22&Options=info|&Search=>

³ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829636&GUID=BAB0B392-2D8E-426D-B556-43A92EA6BB91&Options=info|&Search=>

⁴ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829633&GUID=9B4EBCC1-4FFE-43F5-A0A0-EA7F41A0C183&Options=info|&Search=>

- That Council add 'and approve' to the standard conditions regarding CDC review of building elevations and site lighting plans.

Staff Response: The CDC has the authority to review schematic building designs as part of the Final Plan process. Townhouses are considered single-family development when each unit is on an individual lot, and single-family and two-family (duplex) developments do not require CDC review of building elevations and lighting. The applicant does not consent to requiring that the CDC approve their building elevations for multi-family dwelling units.

Staff has included the following conditions in Ordinance A:

#17. Community Design Commission Review of Duplex and Townhouses: The proposed duplex and townhouse developments do not require Community Design Commission review of building elevations and lighting.

#18. Community Design Commission Review of Multi-family Dwelling Units: The Community Design Commission shall review the building elevations of multi-family dwelling units, 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]

4. Transportation and Connectivity Advisory Board (TCAB): At the [March 23, 2021](#)⁵ meeting, TCAB recommended approval with the following modifications to Ordinance A:

- Developer coordinate with Chapel Hill Transit on placement of the bus stop(s), ensuring safe and convenient access to bus stops on both sides of Homestead Road, and forecast future demand and capacity of the HS-Route to handle frequency and service hours.

Staff Response: Chapel Hill Transit bases its plans for expanding bus routes, as necessary, based on forecasted future demand and capacity. They will take into consideration existing routes, usage, and new development in this area. Staff has included the following condition in Ordinance A:

#19. Bus Stop: The developer shall coordinate with Chapel Hill Transit and the North Carolina Department of Transportation (NCDOT) on the placement of the bus stop on the north side of Homestead Road.

- Developer ensure retention of connectivity between 2200 Homestead and newly relocated Hope Gardens.

Staff Response: Staff has included the following condition in Ordinance A:

#20. Connections to Hope Gardens: The developer shall ensure pedestrian connectivity between the development at 2200 Homestead and Hope Gardens, following the relocation of the community garden to the northwest corner of the site.

5. Environmental Stewardship Advisory Board (ESAB): At the [March 18, 2021](#)⁶ meeting, ESAB recommended approval with the following special considerations:

⁵ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829632&GUID=D46F6713-4D34-4611-9CB0-10706B952834&Options=info|&Search=>

⁶ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829631&GUID=87E4DA00-5E94-483B-B4A8-96FB2EB727A6&Options=info|&Search=>

- Use permeable surfaces for trails and parking lots

Staff Response: The nature trail inside the property will be a mulch trail. Staff has confirmed with the Parks and Recreation Department that the public Greenway needs to be concrete as it is in a flood prone area.

- Add solar photovoltaic systems to reduce operating costs for occupants and to help achieve the AIA 2030 standards

Staff Response: The architect is considering solar panels and determining the possibility of making some of the roofs solar-ready. Staff has included the following standard stipulation in Ordinance A addressing this:

#34. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 efficient than the latest version of ASHRAE 90.1 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]

- Given RCD disturbance, special attention should be paid to native plantings and a wetland area with native plants.

Staff Response: Staff has included the following standard conditions in Ordinance A:

#48. 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]

#52. 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 4.4]

Standard Condition #48 requires the removal of invasive plants, and the Town's Design Manual encourages the use of diverse plantings of native as well as adapted non-native species in all landscape projects. Staff reviews the final planting list as part of the final plan application.

SITE CONTEXT

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

- A portion of the site is currently used for a community garden, which the applicant proposes to relocate to the northern end of the site.
- Properties to the east and southeast are zoned Residential-5 (R-5) and include future multi-family and residential townhouse developments. To the south and southwest

are single-family dwelling units zoned Residential-2 (R-2). To the north is the Vineyard Square townhouse development, zoned Residential-4-Conditional Zoning District (R-4-CZD). To the west, across the railroad tracks, is a church with on-site housing zoned Residential-1 (R-1).

- The site fronts on Homestead Road, an NCDOT arterial corridor for Chapel Hill with moderate amounts of existing vehicular traffic. Homestead Road is also served by a weekday bus route. The site is close to the intersection of Weaver Dairy Extension, a Town arterial, and Homestead Road.
- Railroad tracks are located along the western edge of the site. This freight rail line is used infrequently, but the presence of tracks inhibits opportunities for connections to the west.
- The Town has designed a bicycle and pedestrian improvements project for Homestead Road that will include multiuse paths and bike lanes. Construction is anticipated in the near future.
- The application states that the site is generally wooded with some open areas, and that there are short sections of jurisdictional streams near the perimeter of the site – one perennial stream to the east, and two intermittent streams.
- There is also a wetlands area near the middle of the site, which remains after a farm pond was drained. Steeper topography can be found along what used to be the pond banks and dam. The application states that “the soil and topography are conducive to the scale of the proposed housing development.”

PROPOSED ZONING

The applicant has submitted a Conditional Zoning application, which allows review of the development proposal in conjunction with the rezoning, and which allows site-specific standards to be formulated and applied as conditions through a legislative process. 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 has proposed a Conditional Zoning district for the site, as shown on the site plan: Residential–Special Standards–Conditional Zoning District (R-SS-CZD).

The Residential–Special Standards-Conditional Zoning District (R-SS-CZD) is appropriate for “residential development and the recreational, open space, and other urban amenities associated with such development”, provided that any rezoning to this district shall demonstrate either:

- Provision of 100 percent affordable housing
- Achievement of a combination of special standards that meet community interests

The Statement of Justification states that 100 percent of the housing proposed will be affordable. The Town considers affordable housing as housing that is affordable (costs no more than 30 percent of the household’s income) for low to moderate income households. Moderate income households are defined as households earning between 80 percent and 115 percent of the AMI. The four (4) Community Home Trust units will serve households earning less than 115 percent AMI. In the Interlocal Agreement for the

Community Home Trust, the County and Towns of Chapel Hill, Carrboro, and Hillsborough agree that the Home Trust can sell homes to households up to 115 percent AMI.

The proposed uses meet the intent statement of Residential-Special Standards-Conditional Zoning District (R-SS-CZD).

PROPOSED MODIFICATIONS TO REGULATIONS

1) Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):

The North Carolina Department of Environmental Quality, Division of Water Resources ("the Division") implements the Jordan Riparian Buffer Protection rules for activities conducted under the authority of local units of government. As the Town owns the property, following the draining of the pond, the Town required the Division to conduct a stream determination on the project site in August 2020 to identify streams and waterbodies subject to Jordan Riparian Buffer Rules. The stream determination identified an intermittent stream segment on the west side of the project site and a perennial stream segment on the east side. At the time, a connecting wetland was identified between the stream segments, but no identifiable flow path was observed through the wetland. Per the Town of Chapel Hill "Field Procedures for Classification of Streams," this connecting wetland is considered a "Natural Variant Stream" segment which shall be classified the same as the stream segment immediately upslope, which is intermittent. Consequently a 50-foot RCD buffer applies to both sides of the Natural Variant Stream segment. During a January 2021 site visit, Town Stormwater Staff observed that a flow path has formed along the Natural Variant Stream segment.

The applicant is proposing land disturbance and impervious surface in the RCD along this segment and will provide final encroachment calculations at the Final Plans stage.

The applicant is proposing to exceed the allowable Land Disturbance and Impervious Surface Areas in the RCD, including the wetland connecting the stream segments, for the uses described below:

		Allowable	Proposed	Land Uses
Upland Zone	Land Disturbance	40%	92.4% (20,548 sq. ft.)	Dumpster Pads, Nature Trail, Residential Dwelling, and associated Retaining Wall
	Impervious Area	20%	30.3% (6,743 sq. ft.)	
Managed Use	Land Disturbance	40%	42.1% (7,691 sq. ft.)	Grading for access route, storm pond
	Impervious Area	20%	0.5% (84 sq. ft.)	
Streamside	Land Disturbance	20%	25.7% (21,547 sq. ft.)	Greenway, playground, and two (2) townhouses
	Impervious Area	10%	10.2% (8,606 sq. ft.)	

Because the RCD covers almost 24 percent of the site and bisects the site completely, the applicant has located much of the proposed recreational space and other

improvements in the RCD areas. The applicant is disturbing a portion of the Upland Zone to maximize protection of the wetland area to the west of the stream.

The applicant proposes the following land uses within the RCD that are permitted only upon Town Council approval

- Trails, greenways, open space, parks, and other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences, or walls
- Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the Resource Conservation District.
- Public utility and storm drainage facilities where there is a practical necessity to their location within the Resource Conservation District.
- Sidewalks
- Detention/retention basin and associated infrastructure
- Two (2) townhouse units (in the carry-down area)

The applicant proposes 4,435 square feet of recreation space, including the greenway, an unpaved nature trail, and a playground within the RCD as permitted by the LUMO.

Staff Comment: Staff believes that the Council could find a public purpose for the increased land disturbance and impervious surface, as the land disturbance and impervious surface is for the construction of additional affordable housing units, stormwater control measures, parking spaces for the affordable housing units, and recreational amenities to meet Ordinance standards.

- 2) Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. A majority of these disturbed slopes are associated with the manmade farm pond located in the center of the property. The pond has been drained. The total area of slopes exceeding 25 percent slope is 13,894 square feet and the applicant proposes to disturb 6,058 square feet or 43.6 percent of this area.

Staff Comment: Staff believes the Council could find a public purpose for exceeding the steep slopes, as a majority of the disturbed slope is associated with the farm pond. The pond was drained to accommodate a site layout that yields the greatest number of affordable housing units.

- 3) Section 5.6.2 Buffers Required:** The applicant is proposing to modify the Homestead Road landscape buffer to accommodate the proposed bicycle and pedestrian improvements proposed along this frontage.

Staff Comment: Staff believes the Council could find a public purpose for modifying the perimeter landscape buffer along Homestead Road to accommodate the proposed bicycle and pedestrian improvements to Homestead Road.

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 and other considerations on timing and flexibility, please refer to the applicant's attached materials.






OTHER CONSIDERATIONS

- **Homestead Road Improvements Project:** The Town will construct improvements associated with the Town's multi-modal transportation improvement project along the Homestead Road frontage of this site.
- **Easement for shared access with Bridgepoint at 2214 and 2312 Homestead Road.** The applicants for the 2200 Homestead and Bridgepoint developments continue to collaborate on an encroachment agreement to share access. The 2200 Homestead development driveway will connect to Street 'C' of the Bridgepoint development to the east and Bridgepoint will access Homestead Road through the 2200 Homestead development. These additional connections will provide a second point of access for each development, as required by Fire Codes. The details of this easement will be worked out in an agreement following approval of this conditional zoning.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)⁷, the standards of the [Land Use Management Ordinance](#)⁸, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)⁹ and believes the 2200 Homestead proposal complies with several themes of the 2020 Comprehensive Plan:

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

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

Land Use Plan: The [2020 Land Use Plan](#)¹⁰, a component of the 2020 Comprehensive Plan, designates this site as a "Development Opportunity Area".

Future Land Use Map: The Future Land Use Map (FLUM) envisions the North Martin Luther King Jr. Blvd. Focus Area as a gateway to the town, with mixed use nodes, inviting streetscapes that blend the built environment with tree canopies, and improved east-west connectivity to link development to the future Bus Rapid Transit (BRT) corridor. The FLUM indicates a range of appropriate Primary and Secondary uses for the Sub-Area where this site is located, including multifamily residential and townhouses.

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

⁷ <http://www.townofchapelhill.org/home/showdocument?id=15001>

⁸ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

⁹ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

¹⁰ <http://www.townofchapelhill.org/home/showdocument?id=1215>

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 proposed rezoning is also consistent in intensity with the Land Use Plan. The proposed Residential-Special Standards-Conditional Zoning District (R-SS-CZD) zoning is compatible with the other residential zoning districts adjacent to the site. Existing and planned housing that immediately surrounds the site exhibits a variety of densities, including townhomes and multifamily dwellings, that would be compatible in scale with the housing shown in the associated Conditional Zoning application.
- The Mobility and Connectivity Plan shows a multi-use side path and bike lane for the site's frontage on Homestead Road. The Mobility and Connectivity Plan also shows an off-road multiuse trail running north-south through the site near the western boundary. A more robust multimodal network in this area would support growth and development. Homestead Road facilities are included in the Town's multi-model transportation improvement project along Homestead Road that the Town expects to construct in the near future. Zoning conditions would be useful to ensure that the off-road multiuse trail is provided, along with any contribution (easement, payment, or construction) deemed appropriate for the Homestead Road facilities.

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.

All information submitted at the public hearing will be included in the record of the hearing.

- 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: Staff finds that recent approval and construction of multiple residential communities along Homestead Road represents changing conditions that could support rezoning the site to a district compatible with its surroundings. Staff also notes that Council has identified a growing need for affordable housing in Chapel Hill

based on changes in housing costs. In addition, ongoing development has resulted in limited land availability for new affordable housing.

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 because of changing conditions in the North Martin Luther King, Jr. Blvd. Future Focus Area.

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 application would contribute to the following elements of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)
- Maintain and improve air quality and water quality and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)

- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

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	
Project Name	2200 Homestead Road
Address	2200 Homestead Road
Property Size	570,066 sf (13.09 acres)
Existing	Existing one-story gymnasium building and Hope Gardens
Orange County Parcel Identifier Number	9870-91-2947
Existing Zoning	Residential-4-Conditional Zoning District (R-4-CZD)
Proposed Zoning	Residential-Special Standards-Conditional Zoning District (R-SS-CZD)


Site Design

Topic	Comment	Status
Use/Density (Sec. 3.7)	115-126 units of townhouse, apartment, and duplex development	✓
Dimensional Standards (Sec. 3.8)	Comply with LUMO Section 3.8; Dimensional standards (setbacks) only apply to exterior property lines	✓
Floor area (Sec. 3.8)	<i>Maximum:</i> 483,988 sq. ft. <i>Proposed:</i> 181,575 sq. ft.	✓
Inclusionary Zoning (Sec. 3.10)	<i>Required:</i> 17-19 units (15%) <i>Proposed:</i> 115-126 units (100%)	✓
Landscape		
Buffer – North (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 10' Type "B"	✓
Buffer – Northeast (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 10' Type "B"	✓
Buffer – East (Sec. 5.6.2)	<i>Required:</i> 10' Type "B" <i>Proposed:</i> 15' Type "B" Alternative	✓
Buffer – Southeast (Sec. 5.6.2)	<i>Required:</i> 10' Type "C" <i>Proposed:</i> 0-20' Type "C" Alternative	✓
Buffer – South (Sec. 5.6.2)	<i>Required:</i> 30' Type "C" <i>Proposed:</i> 15' Type "C" Modified	M
Buffer – West (Sec. 5.6.2)	<i>Required:</i> 30' Type "B" <i>Proposed:</i> 30' Type "B" Alternative	✓
Tree Canopy (Sec. 5.7)	<i>Required:</i> 30% <i>Proposed:</i> 30% with additional plantings	✓
Landscape Standards (Sec. 5.9.6)	Application must comply	✓

Environment		
Resource Conservation District (Sec. 3.6)	<i>Required:</i> maximum 40% land disturbance in Upland, 40% in Managed Use, and 20% Streamside Zones <i>Proposed:</i> Exceeding 40% in the Upland Zone (92.4% proposed), Managed Use (42.1%), and Streamside Zone (26.2%)	M
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	
Steep Slopes (Sec. 5.3.2)	<i>Required:</i> Disturb < 25% of slopes greater than 25% slope <i>Proposed:</i> 43.6% (6,058 sq. ft. total)	M
Stormwater Management (Sec. 5.4)	One wet detention pond designed to meet the standards of LUMO Section 5.4	
Land Disturbance	464,882 sq. ft. (10.26 acres)	
Impervious Surface (Sec. 3.8)	222,603 sq. ft. (39% of gross land area)	
Solid Waste & Recycling	Individual public refuse pickup	
Jordan Riparian Buffer (Sec. 5.18)	No disturbance proposed	
Access and Circulation		
Road Improvements (Sec. 5.8)	No road improvements proposed	NA
Vehicular Access (Sec. 5.8)	Primary access from Homestead Road; secondary access to Weaver Dairy Extension through the Bridgepoint Development directly to the east	
Bicycle Improvements (Sec. 5.8)	The Town's greenway will provide additional bicycle pathways and the applicant has proposed bicycle storage onsite.	
Pedestrian Improvements (Sec. 5.8)	Pedestrian links throughout the site will help connect this site with adjacent parcels, the Town's greenway trail system, and public street sidewalks and transit.	
Traffic Impact Analysis (Sec. 5.9)	TIA Executive Summary attached	
Transit (Sec. 5.8)	NA	NA
Bicycle Parking (Sec. 5.9)	<i>Required:</i> 32 spaces <i>Proposed:</i> 54 spaces	
Parking Lot Standards (Sec. 5.9)	Application must comply	
Technical		
Fire	Meet Town Standards	
Site Improvements	115-126 units of townhouse, apartment, and duplex development	

Recreation Area (Sec. 5.5)	<i>Required:</i> 28,503 sq. ft. with 25% payment-in-lieu <i>Proposed:</i> 29,400 sq. ft.	
Lighting Plan (Sec. 5.11)	Maximum of 0.3 foot-candles at property line	
Homeowners Association (Sec. 4.6)	Yes	
Adequate Public Schools (Sec. 5.16)	Application must comply	

Project Summary Legend

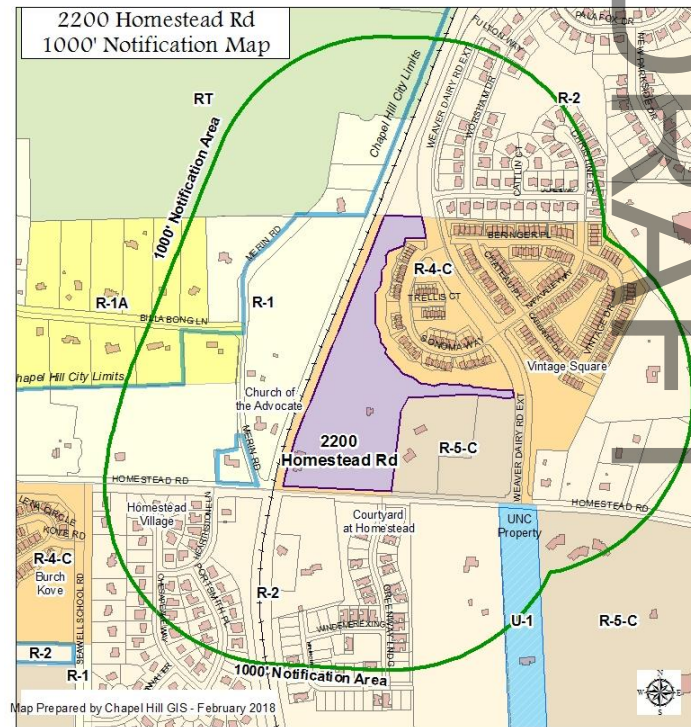
Symbol	Meaning
	Meets Requirements
M	Seeking Modification
C	Requires Council Endorsement
FP	Required at Final Plan;
NA	Not Applicable



2200 Homestead Road¹⁵⁹ Conditional Rezoning

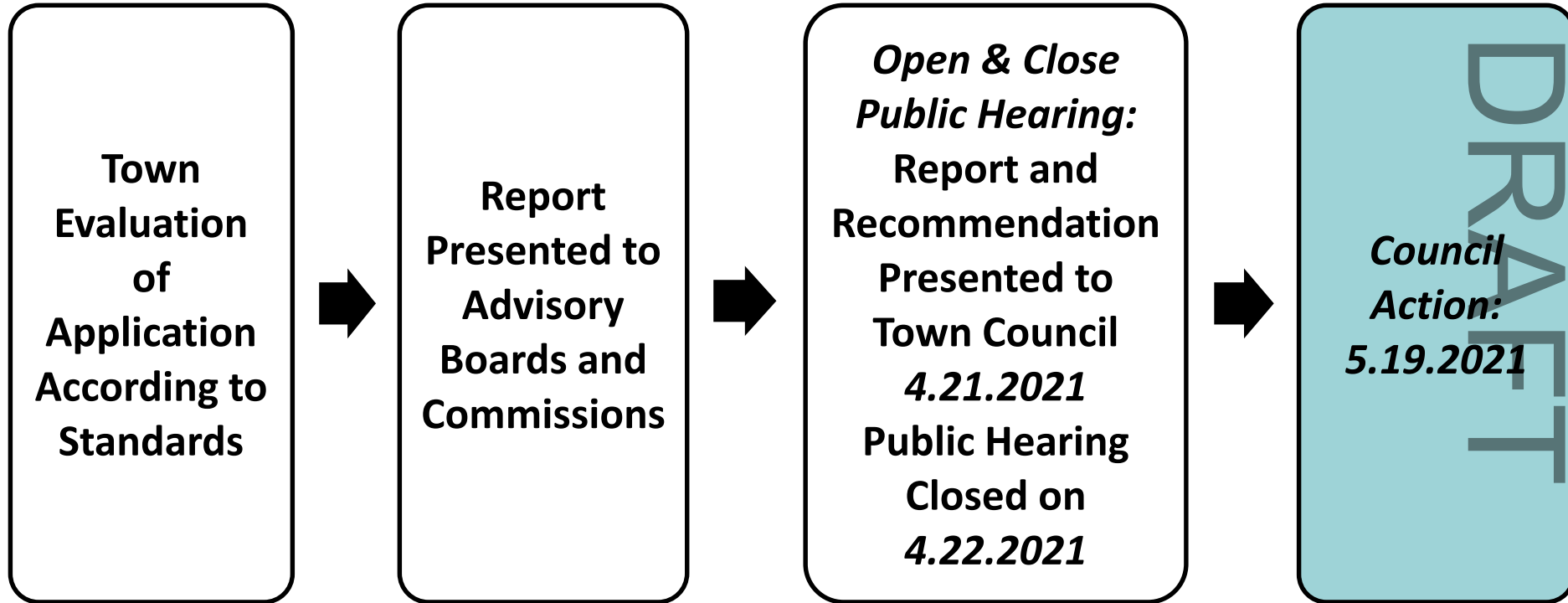
Town Council
Regular Meeting

May 19, 2021



- Adopt the Resolution of Consistency
- Enact Ordinance A, approving the Conditional Zoning Atlas Amendment

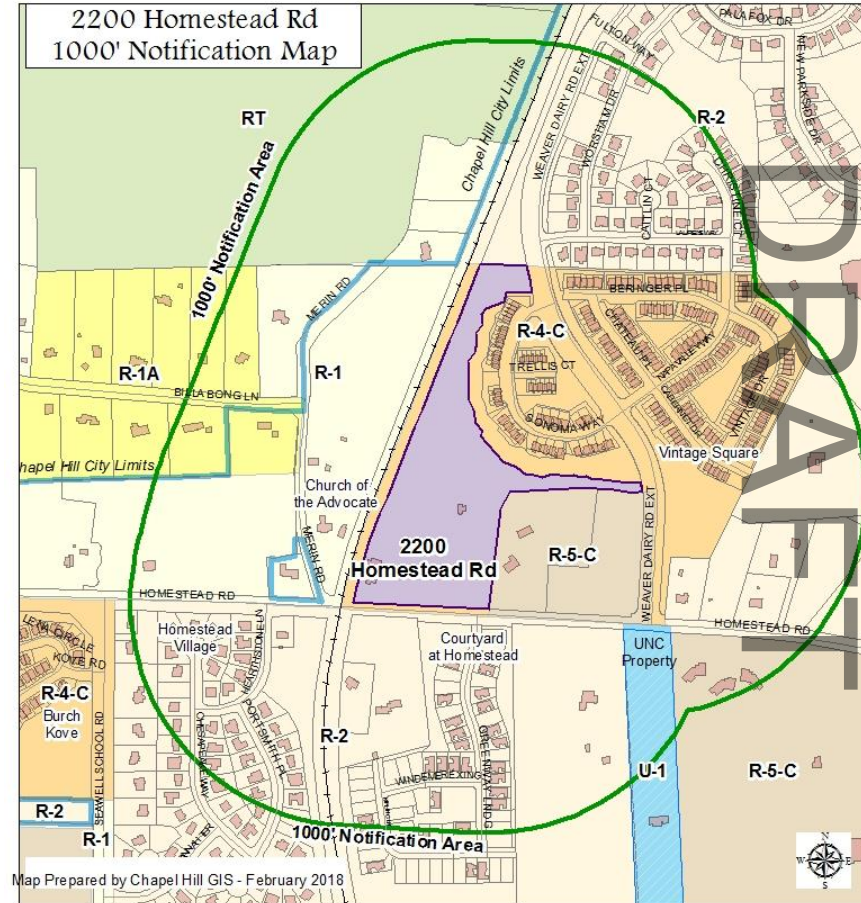
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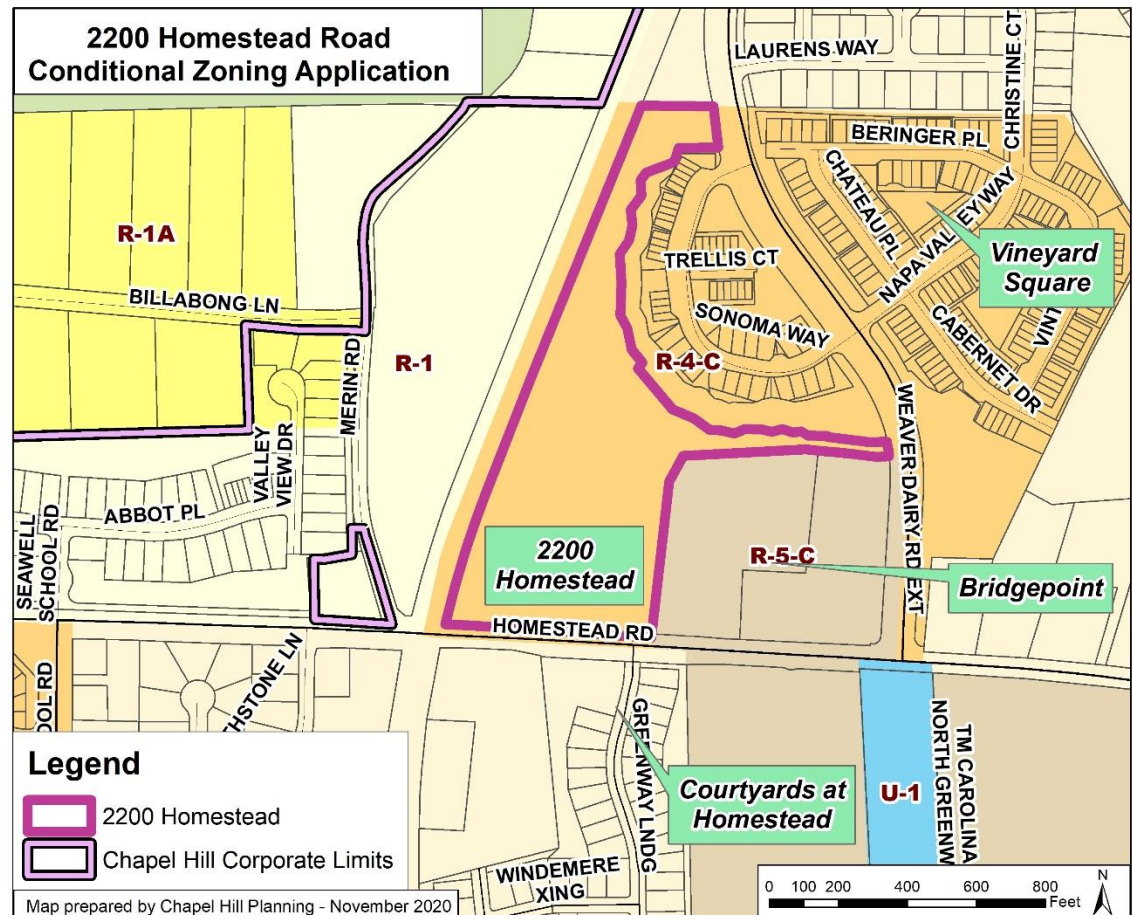
2200 Homestead Rd – Project Summary

- 13.09-acre site
- Conditional Zoning
 - Currently R-4-CZD
 - Proposing R-SS-CZD
- Demolish an existing gym building
- 115-126 affordable housing units (duplex, townhouse, and apartments)

162



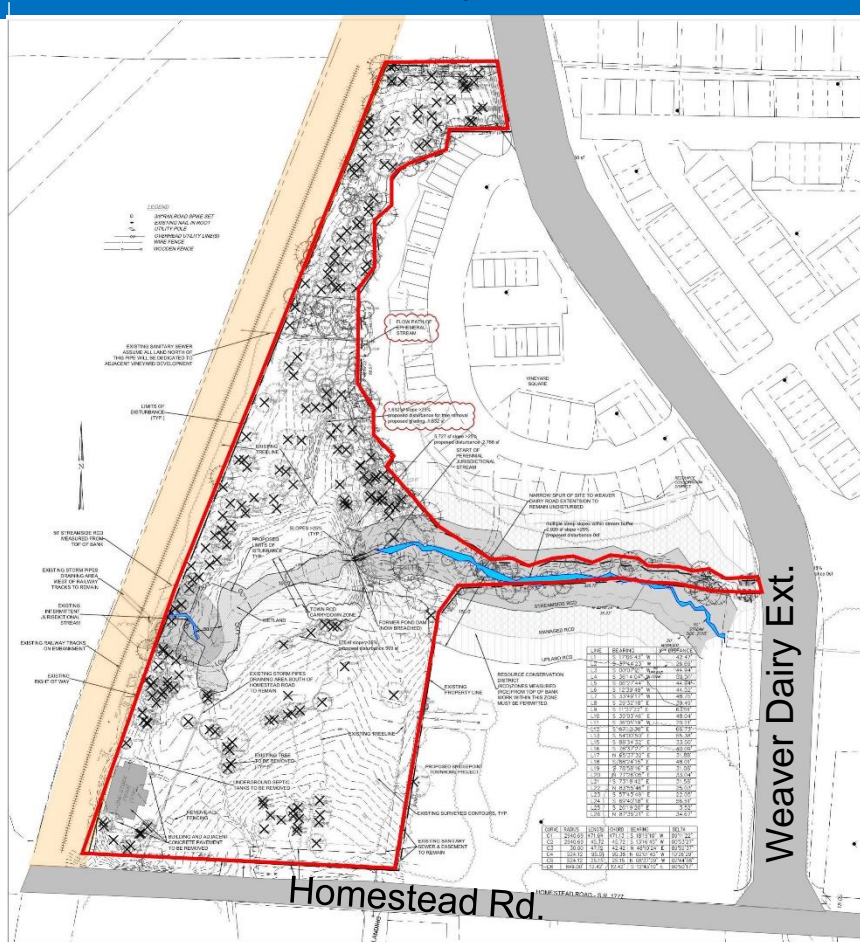
2200 Homestead Rd – Location



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164

Weaver Dairy Ext.



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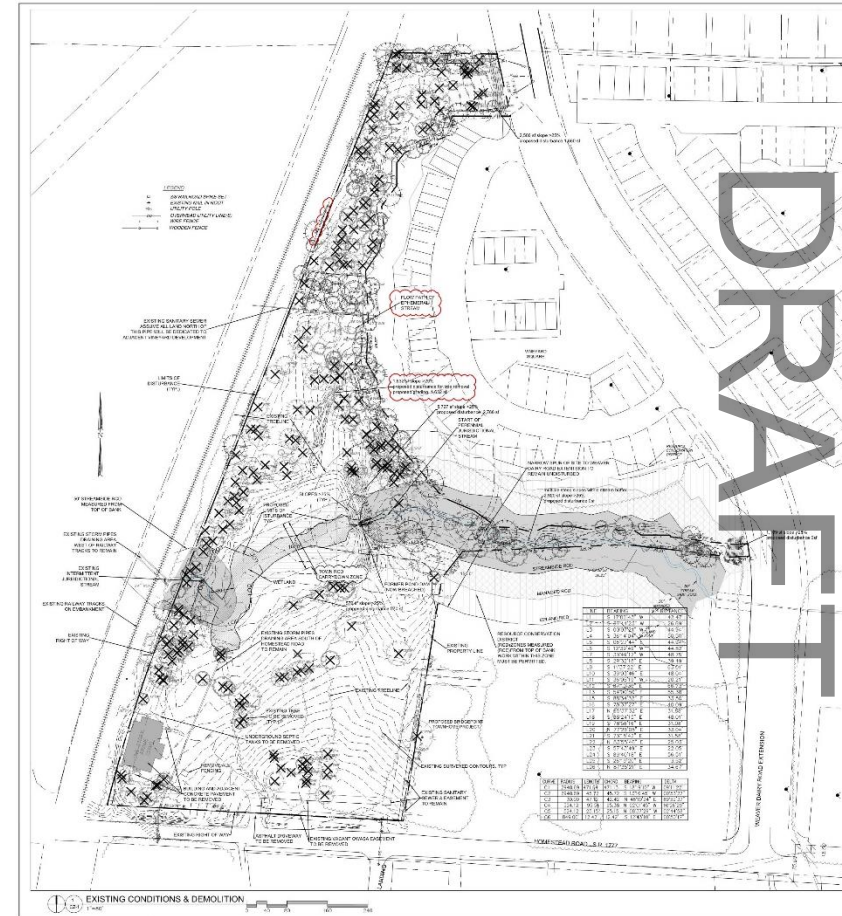
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2. Section 5.3.2 Steep Slopes

- Proposing to exceed 25% of area containing 25% or greater slopes.
- Total disturbed natural slopes 25% or greater is 13,894 sq. ft.
- Applicant proposing to disturb 6,058 sq. ft. or 43.6%



- Adopt the Resolution of Consistency
- Enact Ordinance A, approving the Conditional Zoning Atlas Amendment

DRAFT

RESOLUTION A
Resolution of Consistency

A RESOLUTION REGARDING THE APPLICATION FOR CONDITIONAL ZONING AT THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS-CONDITIONAL ZONING DISTRICT (R-SS-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2021-05-19/R-5)

WHEREAS, Coulter Jewel Thames, PA has filed an application for Conditional Zoning to rezone a 13.1-acre parcel located at 2200 Homestead Road and identified as Orange County Parcel Identifier Numbers 9870-91-2947 to Residential-Special Standards-Conditional Zoning (R-SS-CZD) to allow a dwelling units, multifamily community; 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 6, 2021 and recommended that the Council enact the Conditional Zoning for the property; and

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning 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:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)

- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

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

This the 19th day of May, 2021.

REVISED ORDINANCE A
(Approving the Conditional Zoning Application)

AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS-CONDITIONAL ZONING DISTRICT (R-SS-CZD) (PROJECT #20-081) (2021-05-19/O-3)

WHEREAS, the Council of the Town of Chapel Hill has considered the application for Conditional Zoning submitted by CJT, PA, on behalf of owner Town of Chapel Hill to rezone a 13.1-acre parcel located at 2200 Homestead Road and identified as Orange County Parcel Identifier Number 9870-91-2947 to Residential-Special Standards-Conditional Zoning District (R-SS-CZD) to allow a multi-family dwelling unit community 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:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal: Create a Place for Everyone.1*)
- A range of housing options for current and future residents (*Goal: Create a Place for Everyone.3*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal: Support Community Prosperity and Engagement.3*)
- A well-conceived and planned, carefully thought out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and public transportation options (*Goal: Facilitate Getting Around.1*)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (*Goal: Facilitate Getting Around.2*)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (*Goal: Facilitate Getting Around.8*)
- A joint Town/University development strategy that aligns initiatives for transportation, housing, environmental protection, and entrepreneurial programs (*Goal: Develop Good Places, New Spaces.4*)
- 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: Develop Good Places, New Spaces.5*)
- Open and accessible common spaces for community gathering, cultural uses, and community development (*Goal: Develop Good Places, New Spaces.7*)
- Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (*Goal: Nurture Our Community.2*)
- Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (*Goal: Nurture Our Community.4*)
- Support local food producers and access to local foods by encouraging community and backyard gardens, farmers' markets, and community-supported agriculture without

encroaching on working farms within or adjacent to the Chapel Hill planning district (*Goal: Nurture Our Community.6*)

- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (*Goal: Nurture Our Community.8*)
- 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 (*Goal: Grow Town and Gown Collaboration.4*)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Goal: Grow Town and Gown Collaboration.6*)

WHEREAS, the application, if rezoned to Residential–Special Standards–Conditional Zoning District (R-SS-CZD) according to the district-specific plan last revised dated March 4, 2021, with April 29, 2021 updates, would address the impacts reasonably expected to be generated by the development or use of the site 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:

1. **Section 3.6.3 Land Disturbance in the Resource Conservation District (RCD):**
 - a. The developer is proposing the following approximated percentage land disturbance and impervious surface areas within the RCD, and the developer shall provide final RCD encroachment calculations for land disturbance and Final Plan stage.

Proposed			Land Uses
Upland Zone	Land Disturbance	92.4% (20,548 sq. ft.)	Dumpster Pads, Nature Trail, Residential Dwelling, and associated Retaining Wall
	Impervious Area	30.3% (6,743 sq. ft.)	
Managed Use	Land Disturbance	42.1% (7,691 sq. ft.)	Grading for access route, storm pond
	Impervious Area	0.5% (84 sq. ft.)	
Streamside	Land Disturbance	25.7% (21,547 sq. ft.)	Greenway, playground, and two (2) townhouses
	Impervious Area	10.2% (8,606 sq. ft.)	

b. The following land uses are permitted within the RCD:

- i. Trails, greenways, open space, parks, and other similar public recreational uses and private recreational uses that do not require the use of fertilizers, pesticides, or extensive use of fences, or walls
- ii. Streets, bridges, and other similar transportation facilities where there is a practical necessity to their location within the Resource Conservation District.
- iii. Public utility and storm drainage facilities where there is a practical necessity to their location within the Resource Conservation District.
- iv. Sidewalks
- v. Detention/retention basin and associated infrastructure
- vi. Two (2) townhouse units (in the carry-down area)

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the land disturbance and impervious surface is for the construction of two (2) affordable housing units, stormwater control measures, parking spaces, and recreational amenities to meet Ordinance standards.

2. **Section 5.3.2 Steep Slopes:** The applicant is proposing to exceed 25 percent of the area containing 25 percent or greater slopes. A majority of these disturbed slopes are associated with the manmade farm pond located in the center of the property. The pond has been drained. The total area of slopes exceeding 25 percent slope is 13,894 square feet and the applicant proposes to disturb 6,058 square feet or 43.6 percent of this area.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because as a majority of the disturbed slope is associated with the farm pond. The pond was drained in order to provide additional space for affordable housing units.

3. **Section 5.6.2 Required Buffers:** The applicant is requesting to modify the buffer width along the Homestead Road frontage in order to accommodate the bicycle and pedestrian improvement project proposed for Homestead Road.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree because the proposed modification would accommodate an improvement to Homestead Road for safe passage for bicycle and pedestrian users.

CONDITIONAL ZONING DISTRICT

BE IT ORDAINED by the Council of the Town of Chapel Hill finds, in this particular case, the proposed rezoning with the following uses, subject to the conditions below, satisfies the purposes of Residential–Special Standards–Conditional Zoning District (R-SS-CZD).

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 Numbers (PIN) 9870-91-2947, described below, shall be rezoned to Residential–Special Standards–Conditional Zoning District (R-SS-CZD):

Commencing at N.C.G.S. Monument "Well" having grid coordinates N = 805, 798.62, E = 1,982,656.94 (NAD 1927) C.F. 0.99991070; thence from said point of commencement South 35 degrees 57' 33" West 3930.51 feet; thence North 89 degrees 15' 46" West 1037.54 feet to the **POINT OF BEGINNING**; thence from said beginning point South 12 degrees 18' 01" East 113.20 feet; thence along the curve of an arc to the left having a radius of 849.00 (chord bearing and length South 12 degrees 43' 10" East 12.42 feet) and an arc length of 12.42 feet to an existing iron pipe; thence South 89 degrees 59' 14" West 115.47 feet; thence South 17 degrees 06' 43" West 42.47 feet; thence South 69 degrees 00' 45" West 86.59 feet; thence South 37 degrees 44' 23" West 26.69 feet; thence South 00 degrees 07' 21" West 44.94 feet; thence South 36 degrees 14' 04" West 50.50 feet; thence South 06 degrees 27' 44" East 44.94 feet; thence South 12 degrees 39' 49" West 44.52 feet; thence South 33 degrees 49' 17" West 48.75 feet; thence South 03 degrees 51' 01" East 80.94 feet; thence South 01 degrees 59' 22" West 98.57 feet; thence South 29 degrees 32' 18" East 39.49 feet; thence South 11 degrees 37' 22" East 63.01 feet; thence South 39 degrees 03' 46" East 48.04 feet; thence South 36 degrees 05' 19" West 20.21 feet; thence South 40 degrees 20' 39" East 155.40 feet; thence South 67 degrees 10' 30" East 66.73 feet; thence South 54 degrees 00' 50" East 55.38; thence South 88 degrees 34' 32" East 33.50 feet; thence South 75 degrees 37' 27" East 40.09 feet; thence North 65 degrees 37' 32" East 31.88 feet; thence South 88 degrees 24' 15" East 48.01 feet; thence South 78 degrees 58' 16" East 31.08 feet; thence North 77 degrees 26' 05" East 33.04 feet; thence South 73 degrees 18' 42" East 31.58 feet; thence North 83 degrees 55' 46" East 25.03 feet; thence South 57 degrees 43' 49" East 22.05 feet; South 89 degrees 40' 18" East 56.51; thence South 26 degrees 19' 20" East 3.52 feet; thence South 82 degrees 44' 39" East 118.74 feet; thence North 87 degrees 35' 21" East 34.67 feet; thence following the curve of an arc to the right having a radius of 524.12 feet (chord bearing and distance North 08 degrees 37' 29" West 25.15 feet) and an arc length of 25.15 feet; thence along the northern line of property owned by Aldon Management Group the courses and distances:

South 87 degrees 35' 21" West 39.61 feet; thence North 82 degrees 14' 57" West 87.95 feet; thence North 84 degrees 03' 03" West 79.53 feet; thence North 82 degrees 38' 28" West 36.23 feet; thence South 87 degrees 36' 57" West 325.75 feet to a point;

thence along the western line of said Aldon Management Group Property South 38 degrees 19' IS" West 66.73 feet to an existing iron pipe set in concrete; thence South 09 degrees 01' 16" West 486.75 feet to a point in the northern right of way of Homestead Road (variable width right of way); thence along and with the northern right of way of Homestead Road North 86 degrees 55' 18" West 637.32 feet to a point in the centerline of a Southern Railway 100' right of way; thence along the centerline of said Southern railway right of way following the curve of an arc to the right having a radius of 2940.69 feet (chord bearing and distance North 18 degrees 19' 10" East 471. 13 feet) and an arc length of 471.64 feet; thence continuing along the centerline of said Southern Railway right of way North 21 degrees 38' 16" East 1117.54 feet to a point; thence leaving the centerline of the Southern Railway right of way South 89 degrees 15' 46" last 53.35 feet to a point; thence along the southern line of property owned by the Town of Chapel Hill South 89 degrees 15' 46" East 208.41 feet to the POINT AND PLACE OF BEGINNING; and being identified as Tract 2, containing 14.251 acres, more or less, as shown on a plat entitled "Division Survey with Right-of-Way and Pedestrian Easement Dedication, Property of Centex Homes," prepared by Riley Surveying, P.A., dated August 06, 2002 (revised December, 2002) and recorded in Plat Book 91, Page 121, Orange County Registry, to which plat reference is hereby made for a more particular description of same plus one-half of the abutting Homestead Road and Weaver Dairy Road Extension rights-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. Expiration of Conditional Zoning Atlas Amendment: An application for Zoning Compliance Permit must be filed by May 19, 2023 (2 years from the date of this approval) or the land shall revert to its previous zoning designation. [LUMO 4.4.5(f)]
2. Consent to Conditions: This approval is not effective until the property owner provides written consent to the approval. Written consent must be provided within ten (10) days of enactment by the Town Council.
3. Land Use Intensity: This Conditional Zoning Atlas Amendment authorizes the following:

Land Use Intensity Dwelling Units, Multifamily/Townhouse Development	
Gross Land Area	570,066 sf
Maximum Floor Area	181,575 sf
Maximum Dwelling Units	126
Minimum Affordable Units	100%
Total Impervious Surface	222,603 sf
Maximum Land Disturbance	470,000 sf
Minimum Tree Canopy Coverage	135,660 sf (30%)
Minimum Recreation Area	29,570 sf
Resource Conservation District Upland Zone land disturbance	22,242 sf (92.4%)*
Resource Conservation District Managed Use Zone land disturbance	7,691 sf (42.1%)*
Resource Conservation District Streamside Zone land disturbance	20,548 sf (25.7%)*

*The areas shown above are approximate. The developer shall provide final RCD encroachment calculations at the Final Plans stage.

4. Land Use: The use of the property is limited to Dwelling Units, Multifamily or Townhouse Development. Any change in use, including Group care facility, additional entitlements shall be required.
5. Bicycle Facility: Prior to issuance of a Zoning Compliance Permit, the developer shall consider providing a bicycle fix-it station. The developer shall include the dimensions and design details of the bicycle fix-it station on the site details sheets.
6. Greenway Easement: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing a dedicated easement for the ten (10) foot wide greenway trail. Final design and construction details must be approved by the Town Manager.
7. Pedestrian Improvements: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans showing installation of ADA ramps at all internal crosswalk markings. Final design and construction details must be approved by the Town Manager.
8. Homestead Road Improvements: Prior to issuance of Final Zoning Inspection, the developer must submit plans showing the improvements and dedicated right-of-way along the site frontage in relation to the Town's multi-modal transportation improvement project, the Homestead Road Improvements project, to ensure no conflicts. Final design and construction details must be approved by the Town Manager and N.C. Department of Transportation as approved by a phasing plans.
9. Landscape Bufferyards: The following landscape bufferyards shall be provided:

Location	Required Buffer
North	10' Type "B"
Northeast	10' Type "B"
East	10' Type "B"
Southeast	0' – 20' Type "C" Alternative
South	15' Type "C" Modified
West	30' Type "B" Alternative

10. Geotechnical Engineer Certification: As part of all building permit applications, the project geotechnical engineer will include a statement addressing the pre-development perched water table(s), that it/they has/have been properly removed in the area of development, that the permanent water table is at a depth in the ground that will not cause problems for the proposed dwellings/buildings and that this property is now suitable for construction of dwellings/buildings. The developer shall amend the plans, as necessary, to come into compliance.
11. Ephemeral Stream: The developer shall show the surveyed location of the ephemeral stream as identified by the 2016 Stream Determination as part of the Final Plans for Zoning Compliance Permit. Land disturbance within the stream channel of any ephemeral stream shall be minimized, and prohibited unless explicitly authorized by issuance of a zoning compliance permit after demonstration of the necessity for the disturbance.
12. Natural Variant Stream: Prior to application for Zoning Compliance Permit, the developer shall survey the location of the Natural Variant Stream channel top of bank. The

developer shall request verification from Town Stormwater Staff if the location of the top of bank is unclear at that time. The developer shall show the location of the Natural Variant Stream channel top of bank and associated Resource Conservation District (RCD) along that segment on the Final Plans submitted for the Zoning Compliance Permit. The developer shall identify proposed land uses and quantify land disturbance and impervious area located in the RCD on the Final Plans.

13. Land Disturbance in the Resource Conservation District (RCD): The developer will provide final encroachment calculations for the land disturbance in the RCD at the Final Plans stage. Land disturbance shall not exceed 20% of the amount shown in this ordinance.
14. OWASA Approval: Prior to issuance of a Final Zoning Inspection, any easement plats and documentation as required by OWASA and the Town Manager shall be recorded. [LUMO 5.12]
15. Recreation Area: Prior to issuance of a Zoning Compliance Permit, 29,570 square feet of active space, which includes the greenway trail, playground, and basketball court shall be shown on the plans. The developer has also provided 29,400 square feet of other recreation space including a community garden, nature trail, entry park, as well as a common space with a shelter, seating, and grills. Though only 1,000 linear feet within the project site, the nature trail connects off-site trails to the proposed greenway, thereby becoming a trail much longer than 3,000 linear feet. The Town Council may allow up to thirty (30) percent of the recreation space to consist of passive recreation elements if those elements are located adjacent to and support the more active recreation elements. For example, some picnic facilities, seating, and lawn games could be counted if they are adjacent to a children's play area and support the mission of the play area.
16. Design Guidelines: The developer shall develop a set of design guidelines for the development that includes options for fencing along Homestead Road.
17. Community Design Commission Review of Duplex and Townhouses: The proposed duplex and townhouse developments do not require Community Design Commission review of building elevations and lighting.
18. Community Design Commission Review of Multifamily Dwelling Units: The Community Design Commission shall review the building elevations of multifamily dwelling units, 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]
19. Bus Stop: The developer shall coordinate with Chapel Hill Transit and the North Carolina Department of Transportation (NCDOT) on the placement of the bus stop on the north side of Homestead Road.
20. Connections to Hope Gardens: The developer shall ensure pedestrian connectivity between the development at 2200 Homestead and Hope Gardens, following the relocation of the community garden to the northwest corner of the site.
21. Single-Family Zoning Compliance Permit: Prior to construction of each single-family/two-family structure, a Single-Family/Two-Family Zoning Compliance Permit shall be obtained for each newly created lot.

22. Hope Gardens subdivision: An administrative minor subdivision application shall be reviewed and approved by the Town Manager to create a separate lot for the Hope Garden site. The subdivision plat shall be recorded prior to zoning final inspection.
23. Subdivision of Property: The townhome portion of the development, if proposed to be subdivided, must be subdivided in accordance with the Town's townhouse development provisions. Private parking, private drive aisles, open space, landscape bufferyards, and stormwater infrastructure shall all be common land area that is owned and maintained by a Homeowner's Association or in easements controlled by the HOA.
24. North Carolina Department of Transportation (NC DOT) Approvals: Prior to issuance of a Zoning Compliance Permit, the developer shall submit plans to NCDOT for any improvements to State-maintained roads or in associated rights-of-way and plans shall be approved by NCDOT prior to zoning final inspection.

Fire

25. Fire Access to Homestead Road: The developer shall have a signed encroachment agreement with the Town prior to issuance of a Zoning Compliance Permit for the construction of a driveway and utility connection to Bridgepoint at Public Street 'C' or a secondary fire access shall be provided.
26. Homestead Road Entrance: The developer shall improve the Homestead Road entrance with a westbound right lane and eastbound left turn lanes on Homestead Road should the turn lanes not be constructed as part of adjacent development.
27. Private Fire Service Mains (Fire Sprinkler Laterals): The developer shall install private fire service mains and appurtenances in accordance with NFPA 24. 2018 NCFC Section 507.
28. Fire Sprinklers: Any buildings on site required to comply with Fire Code and/or Town Code Sec. 7-56, as applicable, shall have a sprinkler system.
29. 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.
30. 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.
31. 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 fronting the property. 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.

Affordable Housing

32. Affordable Housing Plan/Performance Agreement: Prior to the issuance of a Zoning Compliance Permit, the developer must submit an Affordable Housing Plan to be incorporated into an Affordable Housing Performance Agreement to be executed by the developer, the Town Manager (or designee), and the non-profit agency that will administer the affordable dwelling units that will contain the following information:

General information about the nature and scope of the covered development, including:

- a. 100% of all units
- b. The Plan will include information on:
 - i. The total number of Affordable Dwelling Units in the development.
 - ii. The number of bedrooms and bathrooms in each Affordable Dwelling Unit.
 - iii. The approximate square footage of each Affordable Dwelling Unit.
 - iv. The pricing for each Affordable Dwelling Unit. The pricing of each unit or lot shall be determined prior to issuing a Zoning Compliance Permit. At the time of sale, this price may be adjusted if there has been a change in the median income or a change in the formulas used in this ordinance.
 - v. Documentation and plans regarding the exterior appearance, materials and finishes of the development for each of the Affordable Dwelling Units.
- c. Any and all other information that the Town Manager may require that is needed to demonstrate compliance with the Council's Affordable Housing Policies.

The Affordable Housing Plan and Affordable Housing Performance Agreement shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

33. Housing Plan: The developer shall provide the following:
- a. 100 percent of all units (Up to 126 proposed)
 - b. The affordable duplex and townhouse units to be placed within an organization ensuring their continued affordability for at least ninety-nine years.
 - c. The affordable multi-family units to be placed within an organization ensuring their continued affordability for at least thirty years.

Energy Efficiency

34. Energy Efficiency: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 Zoning Compliance 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. The developer shall demonstrate that the design will meet the aforementioned energy performance target. [Town Policy April 2007]

35. Energy Management Plan: Prior to issuance of a Zoning Compliance Permit for multi-family buildings, 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 than the latest version of ASHRAE 90.1 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]

TOWN OF CHAPEL HILL – CONDITIONAL ZONING STANDARD STIPULATIONS

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

Access

36. 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

37. 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 and located in well-lit and visible areas. 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 5.9.7 and Town of Chapel Hill Design Manual]
38. 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 and Town of Chapel Hill Design Manual]
39. 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]
40. Lighting: Prior to zoning final inspection, 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).
41. 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.

42. Pavement Markings: Any pavement markings proposed within the public street rights-of-way shall be long life thermoplastic and conform to the standards of the Manual on Uniform Traffic Controls Devices (MUTCD). Pavement markings shall be installed if they previously existed on the roadways. [Town of Chapel Hill Design Manual]
43. Off-Site Construction Easements: Prior to any development that involves land disturbance on abutting properties, the developer shall provide documentation of approval from the affected property owner(s). [LUMO 5.8.1]
44. 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 of Chapel Hill Design Manual]
45. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.
46. 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]
47. 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]
48. 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 and include appropriate accommodations for bicycles and pedestrians. 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

49. 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]
50. 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]
51. 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, tree protection fencing details, and location of tree protection fencing. [LUMO 5.7.3]

52. 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]
53. 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 4.4]
54. 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]
55. 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.
56. 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).
57. 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]

Environment

58. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]
59. 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 4.4]

60. 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]
61. 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]
62. 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]
63. 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]
64. 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]
65. 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]
66. 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]
67. 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]
68. 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 related stormwater 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 be 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 stormwater control measures and conveyance to determine that they are performing as required by this Ordinance. The Stormwater Management Division, upon determining that the storm water control measures(s) and conveyances are performing as required by this Ordinance, and after any repairs to the storm water infrastructures are made by the owner, shall release the remaining maintenance bond.

Following the release of the maintenance bond, the developer and/or Homeowners Association shall continue to have a responsibility and obligation to inspect and maintain the stormwater infrastructure as required by the Town's Land Use Management Ordinance.

69. Sediment Control: Sediment leaving the property is a violation of the Town's Erosion and Sediment Control Ordinance. [Town Code 5-98]
70. 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]
71. 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]
72. 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]
73. 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]

Water, Sewer, and Other Utilities

74. 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 5.12]
75. 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]
76. 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]
77. 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]
78. 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

79. 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 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.
80. Homeowners' Association Responsibilities: The Homeowners' Association shall be responsible for the maintenance, repair, and operation of required bufferyard(s), open space, recreation areas, paths, and shared stormwater management facilities.
81. Dedication and Maintenance of Common Area to Homeowners' Association: The applicant shall provide for Town Manager review and approval, a deed conveying to the Homeowners' Association all common areas, however designated, including the

recreation space, open space and common areas, the bufferyards, and stormwater management facilities. 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.

82. Solar Collection Devices: 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

83. 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]
84. 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]
85. 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]
86. 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.
87. 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]
88. 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.
89. 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]

90. 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]
91. 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.
92. 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]
93. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
94. 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]
95. 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]
96. 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]
97. 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]

98. 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]
99. 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]
100. 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.
101. 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.
102. 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]
103. 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.
104. 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 of Chapel Hill Design Manual]
105. 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]
106. 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

107. 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]
108. 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]
109. 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

110. 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.

Miscellaneous

111. 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]
112. 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 of Chapel Hill Design Manual]

113. 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. 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]
114. Schools Adequate Public Facilities Ordinance: If applicable, the developer shall provide the necessary Certificates of Adequacy of Public School Facilities or an exemption prior to issuance of a Zoning Compliance Permit. [LUMO 5.16]
115. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited without a permit from the Town's Fire Marshal. [Town Code 7-7]
116. 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 4.4]
117. 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.
118. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
119. 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.
120. 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 of Chapel Hill Design Manual]

121. 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.
122. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
123. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
124. Non-Comprehensive: The listing of these standard stipulations and the specific stipulations applicable to this Permit, are not intended to be comprehensive and do 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 2200 Homestead Development.

This the 19th day of May, 2021.

RESOLUTION B

(Denying the Conditional Zoning Application)

A RESOLUTION DENYING AN AMENDMENT OF THE CHAPEL HILL ZONING ATLAS TO REZONE THE PROPERTY LOCATED AT 2200 HOMESTEAD ROAD FROM RESIDENTIAL-4-CONDITIONAL ZONING DISTRICT (R-4-CZD) TO RESIDENTIAL-SPECIAL STANDARDS-CONDITIONAL ZONING DISTRICT (R-SS-CZD) AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (PROJECT #20-081)(2021-05-19/R-6)

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Conditional Zoning application, proposed by Coulter Jewel Thames, PA, on behalf of owner Town of Chapel Hill, to rezone 2200 Homestead Road and identified as Orange County Parcel Identifier Number 9870-91-2947, if rezoned to Residential-Special Standards-Conditional Zoning District (R-SS-CZD) according to the rezoning plan dated February 5, 2021, and last updated April 29, 2021, 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 rezone the property located at 2200 Homestead Road to Residential-Special Standards-Conditional Zoning District (R-SS-CZD).

This the 19th day of May, 2021.

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 LOCATED AT 2200 HOMESTEAD ROAD

March 18, 2021

Recommendation to Council: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: Noel Myers moved and Julie McClintock seconded a motion to recommend that the Council approve the conditional zoning for 115-129 affordable housing units located at 2200 Homestead Road, with the following special considerations.

Vote: 10-0

Aye: Chair Maripat Metcalf, Vice-Chair Adrienne Tucker, Grace Elliott, Julie Gras-Najjar, E. Thomas Henkel, Julie McClintock, Marirosa Molina, Noel Myers, Bruce Sinclair, and Lucy Vanderkamp

Nays:

Special Considerations:

- Use permeable surfaces for trails and parking lots
- Add solar photovoltaic systems to reduce operating costs for occupants and to help achieve the AIA 2030 standards
- Given RCD disturbance, special attention should be paid to native plantings and a wetland area with native plants

Prepared by: Maripat Metcalf, 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

2200 Homestead Mixed-Income Development

(Project #20-081)

March 23, 2021

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

Motion: Brian Hageman moved, and Rudy Juliano seconded, to recommend approval of the conditional zoning permit with the following conditions:

- a) Developer coordinate with Chapel Hill Transit on placement of bus stop(s), ensuring safe and convenient access to bus stops on both sides of Homestead Road, and forecast future demand and capacity of the HS-Route to handle frequency and service hours.
- b) Developer ensure retention of connectivity between 2200 Homestead and the newly relocated Hope Gardens.

Vote: 8-0

Ayes: **Heather Brutz (Chair), Susanne Kjemtrup-Lovelace (Vice-Chair), Eric Allman, Brian Hageman, Nikki Abija, Denise Matthews and Katie Huge, and Rudy Juliano**

Nays:

Prepared by: Heather Brutz, Chair, Transportation and Connectivity Advisory Board
Jomar Pastorelle, Transportation Planner I

COMMUNITY DESIGN COMMISSION

The charge of the Community Design Commission is to assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR CONDITIONAL ZONING PERMIT AT 2200 HOMESTEAD ROAD

March 23, 2021

Recommendation: **Approval** ☐ **Approval with Conditions** ☒ **Denial** ☐

Motion: Chris Berndt moved and Susan Lyons seconded a motion to recommend approval of the project presented by the applicant, with the following conditions:

1. The applicant develop a set of design guidelines that would include options for fencing along Homestead Road.
2. That Council add 'and approve' to the standard stipulations regarding CDC review of building elevations and site lighting plans.

Vote: 6-0

<p>Yeas: Christine Berndt Susana Dancy Susan Lyons Ted Hoskins Megan Patnaik John Weis</p>	<p>Nays: none</p>
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Prepared by: Adam Nicholson, Senior Planner

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 APPLICATION FOR 2200 HOMESTEAD ROAD

April 6, 2021

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Neal Bench moved and John Reess seconded a motion to recommend that the Council adopt Resolution A (Resolution of Consistency).

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, Stephen Whitlow

Nays:

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: Jamex Baxter moved and Elizabeth Losos seconded a motion to recommend that the Council approve the Conditional Rezoning, as proposed.

Vote: 9 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Elizabeth Webber, Stephen Whitlow

Nays:

Special Considerations:

- That the Council consider prioritizing the extension of the greenway to make a longer and more connected path.

Prepared by: Anya Grahn, Senior Planner

HOUSING ADVISORY BOARD
April 8, 2021

The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION
2200 HOMESTEAD RD CONDITIONAL ZONING APPLICATION

Recommendation: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: A motion was made by Dawna Jones, seconded by Anne Hoole, that the 2200 Homestead Road Conditional Zoning Application be recommended for approval by the Town Council. The motion carried by a unanimous vote.

Vote: 6-0

Ayes: Sue Hunter (Chair), Dawna Jones, Mark Shelburne, Anne Hoole,
Laura Cowan, Letitia Davison

Nays:

Recused: Mary Jean Seyda

Prepared by: Sue Hunter, Housing Advisory Board Chair
 Nate Broman-Fulks, Staff

Anya Grahn

From: Brian Peterson
Sent: Thursday, February 4, 2021 11:46 AM
To: Anya Grahn
Cc: Colleen Willger; Judy Johnson
Subject: 2200 Homestead Housing-Design Review
Attachments: 2200 Homestead_BP design comments 02-02-21.pdf

Hi Anya,

Attached are sketches I discussed while meeting with the design team this week for the 2200 Homestead project.

Their latest site plan had several positive changes:

1. More and improved access points between the greenway trail running along the west side of the site, and other sidewalks and pedestrian areas within the development
2. Inclusion of a small entry plaza with seating area near the entrance drive adjacent to mail center
3. More bumpouts for trees in the parking areas
4. Larger play area
5. Inclusion of a shelter (accommodates 4 picnic tables) plus fire pit and seating area
6. Greenways modified to integrate with future Bridgepoint greenway tie-ins

I had several suggestions and did some sketches, I've attached them, 1-3 below correspond with the pages in the attachment:

1. Pedestrian connections: suggested adding a few sidewalk and crosswalk connections (shown red on sketch) I thought having a sidewalk on the east side of the entrance drive provided a better pedestrian character and could link up to the future greenway trail on the Bridgepoint property and offer another way to walk through the sites. I also thought it worth exploring another east/west sidewalk connection to Bridgepoint near the entrance drive. We'll have to check with Eric and Cameron to see if this is something they would desire as well.
2. Townhouses along Homestead: they have a similar issue as Bridgepoint did-having the rear of townhouses along Homestead. Suggested they rotate the two units near the ends to face the mews in between (the footprint of those two units is a square so rotating does not change the spacing or yield along the entire row). This allows the units to present a long "front" elevation to either the parking side or along Homestead. It offers the potential for a better quality building façade given proper architectural articulation and allows more daylight inside for 4 additional units than before
3. Reorganize the central park space: suggested swapping the duplex and play area to create a larger integrated area combining the playground and the shelter/family gathering plaza. Also suggested providing a second smaller entry plaza to the east, near the front of the apartment building and linking the two plaza spaces with a tree-lined walkway with benches.

These suggestions were well-received and the team will look into implementing them. The rotating of the units would need some study by the architect and input from the housing partners. Some of these changes likely would not be picked up on the latest submittal but could be included in the next one.

Let me know if you have any thoughts or questions.

Brian

Brian Peterson, AIA

Urban Designer

[Town of Chapel Hill](#)

405 Martin Luther King Jr. Blvd.

Chapel Hill, NC 27514-5705

Phone: (919) 969-5003



Design Review Comments 2200 Homestead

Brian Peterson 02-02-21

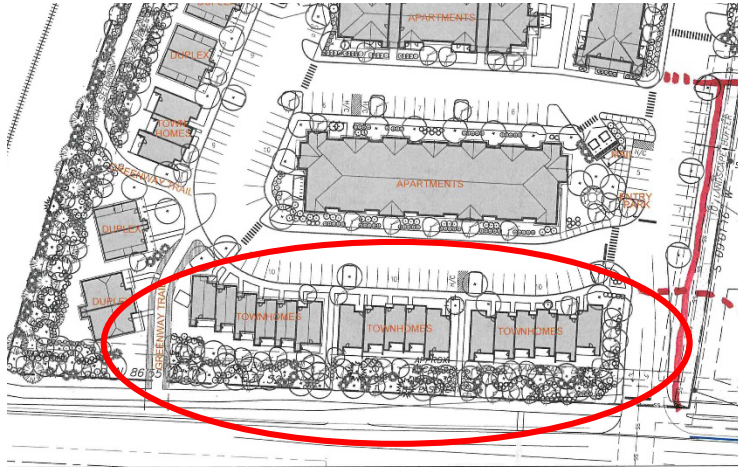


Future greenway & connections

Provide crosswalks and connect to Bridgepoint sidewalks

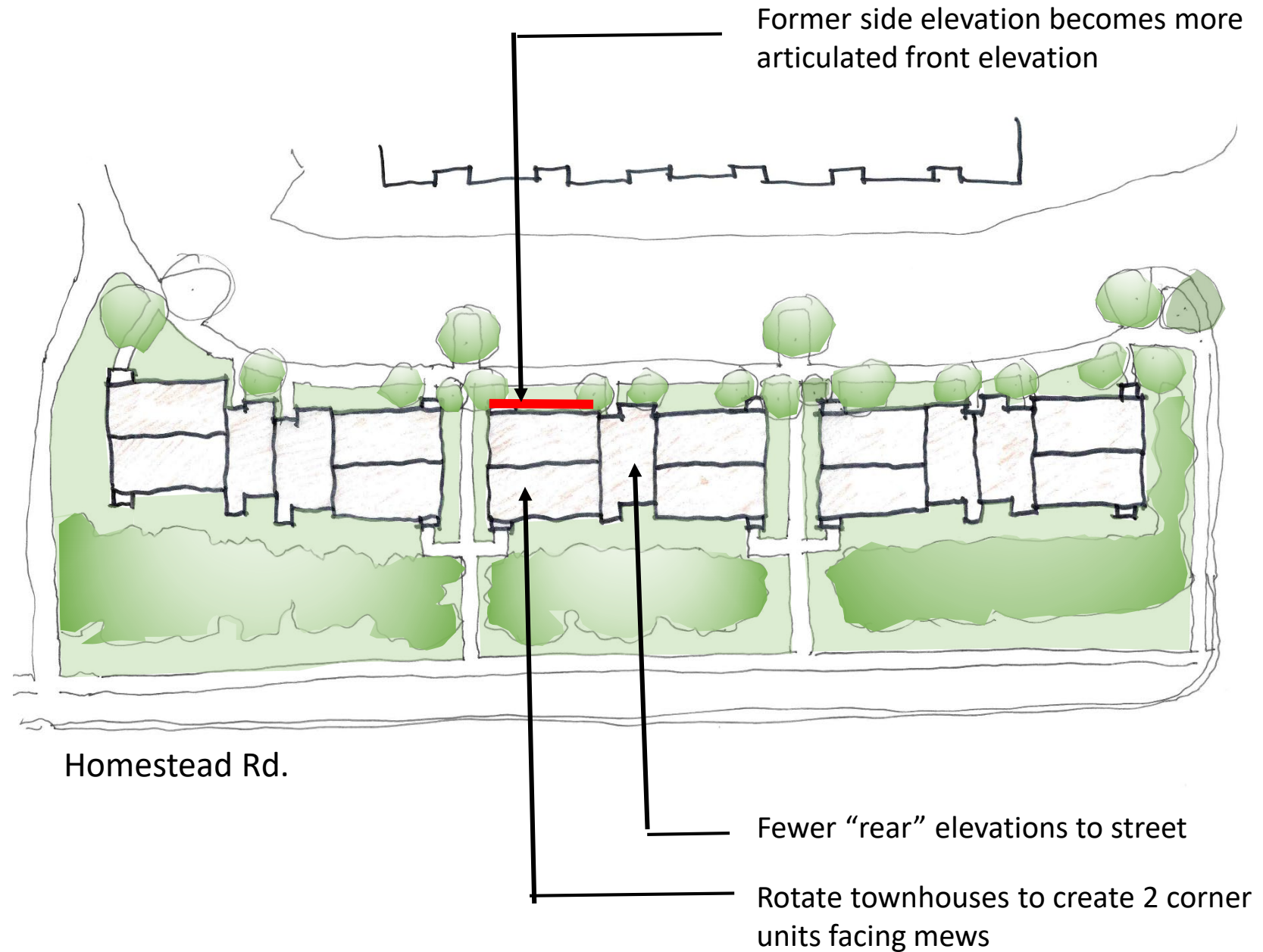
Provide sidewalk along entry street

Provide crosswalk and sidewalk tie-in to Bridgepoint



Design Review Comments 2200 Homestead

Brian Peterson 02-02-21





Design Review Comments 2200 Homestead

Brian Peterson 02-02-21

CONDITIONAL ZONING APPLICATION



204

TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
(919) 968-2728 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9870-91-2947

Date: REV 4 Mar 2021

Section A: Project Information

Project Name: 2200 Homestead Road

Property Address: 2200 Homestead Road Zip Code: 27514

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

Project Description: Development of duplex, town home, and apartment residential with surface parking, landscaping,

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

Applicant Information (to whom correspondence will be mailed):

Name: CJT PA, Attn Wendi Ramsden

Address: 111 West Main Street

City: Durham State: NC Zip Code: 25501

Phone: 919-682-0368 Email: wramsden@cjtpe.com

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

Signature: signature on file Date: _____

Owner/Contract Purchaser Information:

☒ **Owner**

☐ **Contract Purchaser**

Name: Town of Chapel Hill

Address: 405 Martin Luther King Jr Blvd

City: Chapel Hill State: NC Zip Code: 27514

Phone: _____ Email: _____

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

Signature: signature on file Date: _____

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



CONDITIONAL ZONING

TOWN OF CHAPEL HILL

Planning Department

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 Department

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=	541,157.56	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=	28,908.63	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=	570,066	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)	464,900 sf
Area of Land Disturbance within RCD	52,012 sf
Area of Land Disturbance within Jordan Buffer	4,200 sf

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	18,698 sf	18,698 sf	222,603 sf	222,603 sf
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	3.3%	3.3%	39.1%	39.1%
If located in Watershed Protection District, % of impervious surface on 7/1/1993				



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	1 (5928 sf)	1 (5928 sf)	181,575 sf	181,575 sf
Number of Floors	1	1	2-3	2-3
Recreational Space	0		29,570 sf	29,570 sf

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)	0			
Total Square Footage of All Units			181,575 sf	181,575 sf
Total Square Footage of Affordable Units			181,575 sf	181,575 sf
Total Residential Density			12 UNITS/AC	12 units/ac
Number of Dwelling Units			115-130	115-130
Number of Affordable Dwelling Units			115-130	115-130
Number of Single Bedroom Units			24-40	
Number of Two Bedroom Units			55	
Number of Three Bedroom Units			26-44	

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	5,928	0			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	10'	71'	15' from future row
	Interior (neighboring property lines)	0'	5.65'	46'
	Solar (northern property line)	N/A	67'	159'
Height (maximum)	Primary	39'	UNK	39'
	Secondary	60'	UNK	50'
Streets	Frontages	N/A	637.32'	574.47'
	Widths	N/A	532'	532'

**PROJECT FACT SHEET**

TOWN OF CHAPEL HILL

Planning Department

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
Homestead Road	70'	var	2	<input 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
Homestead Road	10' planned DOT work	concrete	<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	169	220	169
Handicap Spaces	6	7	6
Total Spaces	175	227	175
Loading Spaces	n/a	n/a	0
Bicycle Spaces	36	n/a	36
Surface Type	concrete and asphalt		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
South (Homestead Road)	30'	min 15'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
West (Railroad)	30'	30'	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
North	10'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
Northeast (against Vineyard Square)	10'	10'	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
Southeast (against Bridgepoint)	10'	0-20'		



PROJECT FACT SHEET
TOWN OF CHAPEL HILL
Planning Department

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
R-SS-CZD	1.10	.05					
TOTAL							
RCD Streamside	86,014 sf	0.01					
RCD Managed	18,239 sf	0.019					
RCD Upland	22,215 sf						

Section J: Utility Service

Check all that apply:

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**CONDITIONAL ZONING APPLICATION
SUBMITTAL REQUIREMENTS**
TOWN OF CHAPEL HILL
Planning Department

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) 968-2728 or at planning@townofchapelhill.org.

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

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)

2200 HOMESTEAD

Conditional Zoning Application

rev 4 March 2021

Project Narrative

This is a submittal for a Conditional Zoning application for the 2200 Homestead Residential project. Current zoning on the parcel is R-4-C and this permit will change that to R-SS-C.

The Town of Chapel Hill is working to create a mutually supportive, self-sustaining mixed income community, providing housing opportunities for some of the Town's most at-risk and underserved populations. The design team was engaged in two public input meetings, and after that took the concept plan through the Community Design Commission and the Council in spring of 2018. At this point, the development team has been assembled and have had extensive work sessions with the design team to maximize what can be put on this ± 13-acre site. The application being submitted includes a combination of duplex, townhome, and apartment residences and offers both rental and home ownership options.

The project site is located on the north side of Homestead Road east of Weaver Dairy Road Extension, with the railway tracks running along the western property line. The parcel is irregularly shaped with the majority of the street frontage on Homestead road. But there are two small extensions, a narrow strip to the east with frontage on Weaver Dairy Road Extension south of Vineyard Square, and a wider longer extension north out to Weaver Dairy Extension north of Vineyard Square. The main regularly shaped portion of the lot totals about 8.5 acres and will be the central part of the community. The project will provide between 115 and 126 residential units. Total square footage for the buildings will not exceed 181,575 square feet. The project will also include amenities such as a greenway trail, nature trails, playground, basketball court, and community open space. The plan also accommodates an expanded Hope Gardens, relocating the community garden to the northern portion of the site.

Building layout and circulation

The proposed development is laid out on a generally S-shaped interior driveway. There are townhomes backing onto Homestead Road, with townhomes and duplexes intermingled along the western property line and backing onto their own yards and then the greenway trail. The apartment buildings are more centrally located and adjacent to community green space that will contain elements such as a playground, picnic tables and a shelter and grill space. Sidewalks throughout the development will connect the residences to the central green space, the greenway trail, and a community nature trail that will link the wetland areas, the pond, and

forested areas, as well as adjacent neighborhoods. One of the apartment buildings will include a community room that can be reserved for meetings, celebrations, and community gatherings.

The main entry drive off Homestead Road will provide access to all the residential units. The entry drive will provide access to a second internal private street, and will also provide secondary access to the proposed adjacent townhome development to the east. There will be 175 parking spaces - sufficient surface parking on site to accommodate all residents and their guests. Though all parking is intended to be for the whole community, the spaces have been spread throughout the site to serve the various residences.

A 10' wide multimodal trail will run along the Homestead frontage and will turn north near the railway tracks and run along the entire western project boundary. This will provide access to the basketball court and to the community garden, and will be part of a larger Town-maintained greenway trail system which will extend north in the future. There are several footpaths within the site currently. The new paved greenway and natural surface trail system within the site will make connections to adjacent properties so that the neighbors may continue to utilize trails here for active recreation, and to access other trails beyond this site.

Natural Vegetation and Landscaping

The existing site contains open areas, high canopy woods, and more dense younger woods. The project will retain much of the woods in the RCD zones, and some vegetation along property lines. New vegetation will be installed to meet landscape buffers and to enhance the developed space within the project. New plantings will be incorporated into existing natural features and vegetation to enhance the resident experience within the community.

There is a requirement for 30% tree coverage on site. This project proposes to retain over 10% of the site in existing trees, and new plantings will be installed to meet and exceed the requirement.

Utilities and Services

Utilities are available to the site. Water is located in Homestead Road and a main will be extended into the site to serve the multiple buildings proposed. Sanitary sewer is available in multiple places within the site. Given the inverts on existing available lines, sewer service will be extended to connect to the existing sewer main along the eastern property line.

Four dumpster facilities will be located on site to serve all residents. Each facility will include a trash dumpster, a cardboard dumpster, and multiple mixed recycling bins. These facilities will be centrally located and will include handicap parking and access.

Electric vehicle charging stations will be provided on site. There will also be facilities for bicycle storage. A bus stop pad will be constructed in the Homestead frontage of our site, and there are multiple sidewalks to access that bus stop.

A traffic impact study has been completed for this project was submitted with the original application.

Requested Modifications

The applicant is requesting five modifications. The first is a modification to the eastern landscape buffer so that it is shared between the 2200 Homestead project and the adjacent Bridgepoint Townhome project. The final combined plantings will exceed the minimum buffer requirements.

The second modification request is for a reduction of the Homestead Road streetside landscape buffer. The full buffer is accommodated in the current plan, but it is expected that planned DOT improvements to Homestead Road will shift the right of way into the site and reduce the parcel area. If the project development is pushed north it will further intrude into RCD zones. The current layout is an effort to provide adequate buffer along Homestead while minimizing the intrusion into the RCD.

The third modification request is for intrusion into the RCD on site. The intrusion includes grading and impervious surface in the upland RCD zone to provide vehicular access to 16 residential units and recreations amenities in the portion of the site north of the RCD. The parking and dumpster surfaces will be graded so that stormwater is captured and sent to the mitigation / treatment pond prior to being discharged into the stream. The same access route involves grading in the managed RCD zone. There is currently a lot of non-native vegetation in this area which was a previous farm pond and the dam that held it back. The project will remove the bamboo and other invasive vegetation and replant with mostly native material. A small amount of impervious and disturbance in the streamside RCD zone is associated with the construction of the Town's greenway trail connecting the site and points north to the existing system south of Homestead Road. A larger intrusion into the RCD is planned due to the Town's carry down policy of joining separate jurisdictional streams along the same drainage course. This disturbance and the impervious planned for that zone are included in the RCD Encroachment Exemption application.

The fourth modification request is for disturbance of over 25% of the steep slopes on site. Many of the steep slopes being disturbed are associated with the former man-made farm pond which has been drained.

The final modification request is for inclusion of nature trails and some shelter/picnic space on site to count toward required active recreation space, and for all recreation space to count whether it is located in upland areas or in the RCD zones. The nature trail though only 1000 feet on the project site, connects off-site trails to the proposed greenway thereby becoming a trail much longer than 3,000 linear feet. And the shelter and seating are located to complement the adjacent playground space. Both these facilities meet the intent of the recreation requirement. The RCD zones cover almost 29% of the site and bisect the site completely. Given that a large part of the recreation on site is trails and greenways which connect the south and north parcels, as well as off-site developments, the space being constructed in RCD zones solidly contributes to the recreational opportunities in the project and should be included in the required provision of recreation space.

The project has gone through the Town's Concept review process. A concept plan was presented to the Housing Advisory Board, and then to the Community Design Commission in April 2018. There is a separate document responding to the board members' comments. The project also was reviewed by Town Council in June 2018, with an update in May 2020. A separate document addresses and responds to their comments and concerns.

2200 HOMESTEAD

Conditional Zoning Application

rev 5 February 2021

Statement of Justification

The proposed 2200 Homestead Residential project is located on the north side of Homestead Road between Weaver Dairy Road Extension and the railroad. Vehicular access will be off Homestead Road across from the Greenway Landing intersection. There will be a secondary access through the development directly to the east, which will allow access directly onto Weaver Dairy Road Extension. The project parcel is oddly shaped with the most developable square portion right on the Homestead frontage. There are stream and wetland intrusions through the center of the site, from west to east. This project proposes to develop the site north and south of those stream intrusions, with a connector road over the wetland area. That wetland space will be culverted where the road crosses allowing both water and wildlife to cross under the road. The full build out being requested in this application is for a mixed residential development of 115 to 126 units in for-sale duplexes and townhomes, and rentals in low rise apartment buildings. This development is intended to be 100% affordable, with rents and carrying costs aimed at 30%-115% AMI.

The specific findings and justification are provided below.

Required Findings of Fact (LUMO 4.5.2 (a))

- **The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare**

The proposed project is located with access from a public street and will include interior circulation providing full access for emergency vehicles. The new buildings will be constructed in compliance with current health and safety codes to protect employees and the general public.

The project will be served by OWASA water and sanitary sewer services. This project will include water and sewer main extensions but both services and capacity are available to this site.

No FEMA regulated floodplain is located on the site as shown on FEMA Firm panel 9870. There is however a jurisdictional perennial stream in the eastern leg of the site, and a short section of intermittent streams at the west side. The development will comply with LUMO regulations for the associated resource conservation districts (RCD).

The 2200 Homestead project will provide Town residents with a large number of affordable housing choices within a mixed housing type community. The project is well located within Town limits, close to public schools, and handy to public transit. There will be outdoor recreational

amenities on site for the residents, and the project will include the construction of a greenway trail street sidewalks.

The use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations

The project will comply with all required regulations in the LUMO, as well as applicable State or Federal requirements.

Article 6.18 defines special regulations for planned developments, and the proposed 2200 Homestead project meets these special conditions:

- The development will be located and designed to provide direct access to pedestrian networks and public transportation facilities.
 - Utility main extensions will be required but enlargement will not be required to a higher degree than development generally permitted under existing zoning and development policies.
 - The development will have access to public facilities such as schools, parks and playgrounds to the same degree as would development permitted under existing zoning.
 - The development will also be providing some of these facilities: utility main extension, public greenway trails, on-site playground and recreation facilities.
 - The scale and location of the development is not creating a hazard to persons or property on or off the tract. The soil and topography are conducive to the scale of the proposed housing development.
 - The project will be developed to promote energy conservation and efficient use of energy and will include at the very least, electric vehicle charging stations and promotion of the use of public transportation.
 - The project will not require a reduction or increase of land area. It is possible that a portion of the site will be subdivided for future administration of the project, but it would not be a requirement of the project's success.
- **The use or development is located, designed, and proposed to be operated so as to maintain or enhance the value to contiguous property, or that the use of development is a public necessity**

The 2200 Homestead project will be a residential development among other residential developments, and in that way will be compatible with contiguous properties. The residential uses across Homestead Road to the south are single family residences. The use to the northeast and the proposed use to the east area townhomes. In offering duplexes, townhomes, and low rise apartment residences, the 2200 Homestead project will complement the other residential offerings nearby. In addition, the multiple pedestrian links throughout the site help to connect the

adjacent parcels to each other, the Town greenway trail system, and public street sidewalks and transit.

- **The use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.**

This property conforms to the general plans for the physical development of the Town and supports many of the Comprehensive Plan's themes and goals. We believe the development will meet all of the 6 goals identified.

- *A Place for Everyone*

The 2200 Homestead project will provide a mixed-use community of diverse affordable housing options for people who live and work in town. (PFE.3) The mix of housing types and price points, along with family-friendly community spaces and amenities (PFE.1) will offer housing opportunities individuals and families with a range of ages, abilities, and household sizes.

- *Community Prosperity and Engagement*

The 2200 Homestead community will be a project utilizing existing transportation and utility systems to provide an infill residential development connected to the larger community. (CPE.3)

- *Getting Around*

The 2200 Homestead project will be built with onsite parking spaces, but expects the resident population to use public transit and alternate transportation more than the average Chapel Hill community. (GA.1, GA.8) The project is on public bus routes and expects to build a bus shelter on the project's Homestead Road frontage. Additionally, the project will include a greenway trail and nature trails as well as sidewalks to create a comprehensive pedestrian system connection to adjacent neighborhoods and the greater Chapel Hill community. (GA.2)

- *Good Places, New Spaces*

The 2200 Homestead project addresses residential needs not being met in market rate developments (GPNS.5) The development partners are working with a variety of groups, including UNC, to provide a stable housing situation for people with specialized housing needs, (GPNS.4 and GPNS.5) The partners also help families reach financial stability through having stable housing. In addition, the community will include open and accessible common spaces. Sidewalks, a nature trail, and the greenway will connect this development to adjacent developments and encourage neighbors to come through the development for active recreation. The development relocates Hope Gardens to another area on the site where their community gardens and orchard can be easily accessed from both 2200 Homestead and neighborhoods to the south, as well as Vineyard Square to the east. (GPNS.7)

- *Nurturing Our Community*

The 2200 Homestead project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the owners. These will include, but not be limited to the building materials, HVAC systems, lighting, preservation of tree coverage, relocation of an existing community garden on site (NOC.6), and construction of paved and natural surface trails for residents and the community. The project will install a stormwater mitigation pond to treat runoff from impervious surfaces and will also protect the State regulated buffer adjacent to the jurisdictional stream on site. (NOC.2, NOC.8) The project proposes to encroach into the resource conservation district zones and there is a concurrent application for RCD Encroachment along with this Conditional Zoning application. In building the portion of the greenway trail along the long western property boundary, the project will support the Parks and Recreation Master Plan and the Greenways Master Plan to create safe pedestrian and bicycle facilities. (NOC.4)

- *Town and Gown Collaboration*

The 2200 Homestead project will provide affordable housing for a variety of people, potentially including some who work at UNC. (TGC.4) One of the apartment buildings on site is expected to be master leased by a UNC maternal health care program to providing affordable rental housing and to support to participants and graduates of that program. (TGC.6)

- *North MLK Focus Area 2*

The 2200 Homestead parcel is located in one of 6 focus areas identified in the 2020 Plan. This is the North MLK Focus area which includes the area between the Town's western boundary, east to Martin Luther King Jr Blvd, and Homestead Road north to I-40. The proposed 2200 Homestead project will provide additional public and alternative transportation facilities which will enhance connectivity. It will also provide one more development link toward the Greene Tract in a balanced walkable scale community.

2200 HOMESTEAD

Conditional Zoning Application

rev 5 February 2021

Statement of Consistency with Comprehensive Plan

2020 PLAN

The 2200 Homestead project will be a residential development which conforms to the general plans for the physical development of the Town and supports many of the Comprehensive Plan's themes and goals. We believe the development will meet all of the 6 goals identified.

- **A Place for Everyone**

The 2200 Homestead project will provide a mixed-income community of diverse affordable housing options for people who live and work in town. (PFE.3) The mix of housing types and price points, along with family friendly community spaces and amenities, (PFE.1) will offer housing opportunities individuals and families with a range of ages, abilities, and household sizes.

- **Community Prosperity and Engagement**

The 2200 Homestead community will be a project utilizing existing transportation and utility systems to provide an infill residential development connected to the larger community. (CPE.3)

- **Getting Around**

The 2200 Homestead project will be built with onsite parking spaces, but expects the resident population to use public transit and alternate transportation more than the average Chapel Hill community. (GA.1, GA.8) The project is on public bus routes and expects to build a bus shelter on the project's Homestead Road frontage. Additionally, the project will include a greenway trail and nature trails as well as sidewalks to create a comprehensive pedestrian system connection to adjacent neighborhoods and the greater Chapel Hill community. (GA.2)

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GPNS.5) The partners also help families reach financial stability through having stable housing. In addition, the community will include open and accessible common spaces. Sidewalks, a natural surface trail, and the greenway will connect this development to adjacent developments and encourage neighbors to come through the development for active recreation. The development relocates Hope Gardens to another area on the site where their community gardens and orchard can be easily accessed both from the 2200 Homestead community and the neighborhoods to the south, as well as Vineyard Square to the east. (GPNS.7)

- **Nurturing Our Community**

The 2200 Homestead project will implement sustainable design measures in an effort to lower the construction impact and maximize the long-term life cycle benefits to the owners. These will include, but not be limited to the building materials, HVAC systems, lighting, preservation of tree coverage, re-location of an existing community garden within the site (NOC.6), and construction of paved and natural surface trails for residents and the community. The project will install a stormwater mitigation pond to treat runoff from impervious surfaces and will also protect the stream buffer adjacent to the jurisdictional stream on site. (NOC.2, NOC.8) The project is requesting approval to disturb and construct impervious surface in the managed and upland RCD zones. There is a slight amount of building in the streamside buffer associated with the greenway trail construction which will be a project serving the whole Town. In an effort to reduce the total impervious constructed, there is an intention to construct some boardwalk sections so that natural hydrologic flow will continue in an uninterrupted fashion. The majority of the wetlands on site will be preserved. In building the portion of the greenway trail along the long western property boundary, the project will support the Parks and Recreation Master Plan and the Greenways Master Plan to create safe pedestrian and bicycle facilities. (NOC.4)

- **Town and Gown Collaboration**

The 2200 Homestead project will provide affordable housing for a variety of people, potentially including some who work at UNC. (TGC.4) One of the specially designed apartment buildings on site is expected to be master-leased by a UNC maternal health care program to provide affordable rental housing and support to participants and graduates of that program. (TGC.6)

- **North MLK Focus Area 2**

The 2200 Homestead parcel is located in one of 6 focus areas identified in the 2020 Plan. This is the North MLK Focus area which includes the area between the Town's western boundary, east to Martin Luther King Jr Blvd, and Homestead Road north to I-40. The proposed 2200 Homestead project will provide additional public and alternative transportation facilities which will enhance connectivity. It will also provide one more development link toward the Greene Tract in a balanced walkable scale community.

wramsdencjtpa.com

From: Craig Scheffler <CScheffler@HNTB.com>
Sent: Friday, January 29, 2021 11:04 AM
To: wramsdencjtpa.com
Cc: 'Kumar Neppalli'; 'Emily Holt'; 'Nate Broman-Fulks'; 'Jared Martinson'
Subject: RE: 2200 Homestead / Bridgepoint TIA

Wendi,

In looking at the changes in both plans and redoing some quick trip distribution estimates, I'd offer the following points:

- 1) The single linear connecting street between the two developments may provide more convenient access to the Weaver Dairy Extension. I went and redid trip distribution scenarios to "pull" more traffic from both developments to this access point – particularly left-turns exiting the sites at the combined driveway and moving those to the Weaver Dairy Extension southbound left-turn at the current signal. Without going through a detailed capacity analysis, this should improve operations at the unsignalized combined driveway access and not impair the signal operations too much, as there aren't a lot of current southbound left-turns at the signal, this redistribution does not add a significant amount of left-turns, and one of the TIA recommendations was to retime the signal to account for traffic flow changes due to the projects.
- 2) Additional traffic on the internal street through Bridgepoint would not likely necessitate any improvements at its connection with Weaver Dairy Road Extension.
- 3) The design of the combined driveway meets the southbound left-turn storage requirement recommendation and has adequate throat length before the internal parking lot driveway aisles.
- 4) If development densities for the two projects have not substantially changed, again, the impact differences would not likely change much at all.

We can go through a revised capacity analysis, if the Town desires, and produce a short results memo if needed, but based on the points above, I feel that the original TIA recommendations are still valid and would not likely change due to the internal connectivity changes.

If you have any questions, please let me know.

Thanks!
 Craig

From: wramsdencjtpa.com <wramsdencjtpa.com>
Sent: Thursday, January 28, 2021 5:21 PM
To: Craig Scheffler <CScheffler@HNTB.com>
Cc: 'Kumar Neppalli' <kneppalli@townofchapelhill.org>; 'Emily Holt' <eholt@townofchapelhill.org>; 'Nate Broman-Fulks' <nbfulks@townofchapelhill.org>; 'Jared Martinson' <jmartinson@Mhaworks.com>
Subject: 2200 Homestead / Bridgepoint TIA

Craig

The layout of roads within the Bridgepoint project has changed and been reduced to one connection point between the two projects. Fortunately it is the more northerly street which reduces conflict near the main driveway access onto Homestead.

The long range Planner who reviewed the project noted:

The preliminary site plan in the recent traffic impact analysis (TIA) study for Bridgepoint & 2200 Homestead does not match the submitted site plan roadway alignment for vehicles enter the site from Homestead Road. Will staff be receiving a revised TIA? (Long Range/Transportation)

I have attached a pdf of the main portion of our current plan. The community garden is now intended to have its own small driveway and parking lot well north on the site, to accommodate 7 cars and the occasional delivery of mulch, so there is a second attachment showing the whole site with a matchline. I have also attached a pdf of the Bridgepoint plan which was submitted to Council in the fall, but cannot honestly say if this is the most accurate plan for their project as I am not working on it, simply coordinating with their design team. This was the plan submitted to the Town which is currently public record and the adjacent developer has confirmed with me that there will be only one direct vehicular connection between our two projects.

Would these circulation changes have any effect on the recommendations of the TIA you submitted? Would there be a need to revise or reissue the TIA?

Please let me know if you need any additional information to answer this.

Thank you.

Wendi

Wendi Ramsden, RLA

[Coulter Jewell Thames PA](#)

111 W Main Street, Durham NC 27701

Ph: 919-682-0368 Email: wramsdn@cjtpe.com

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

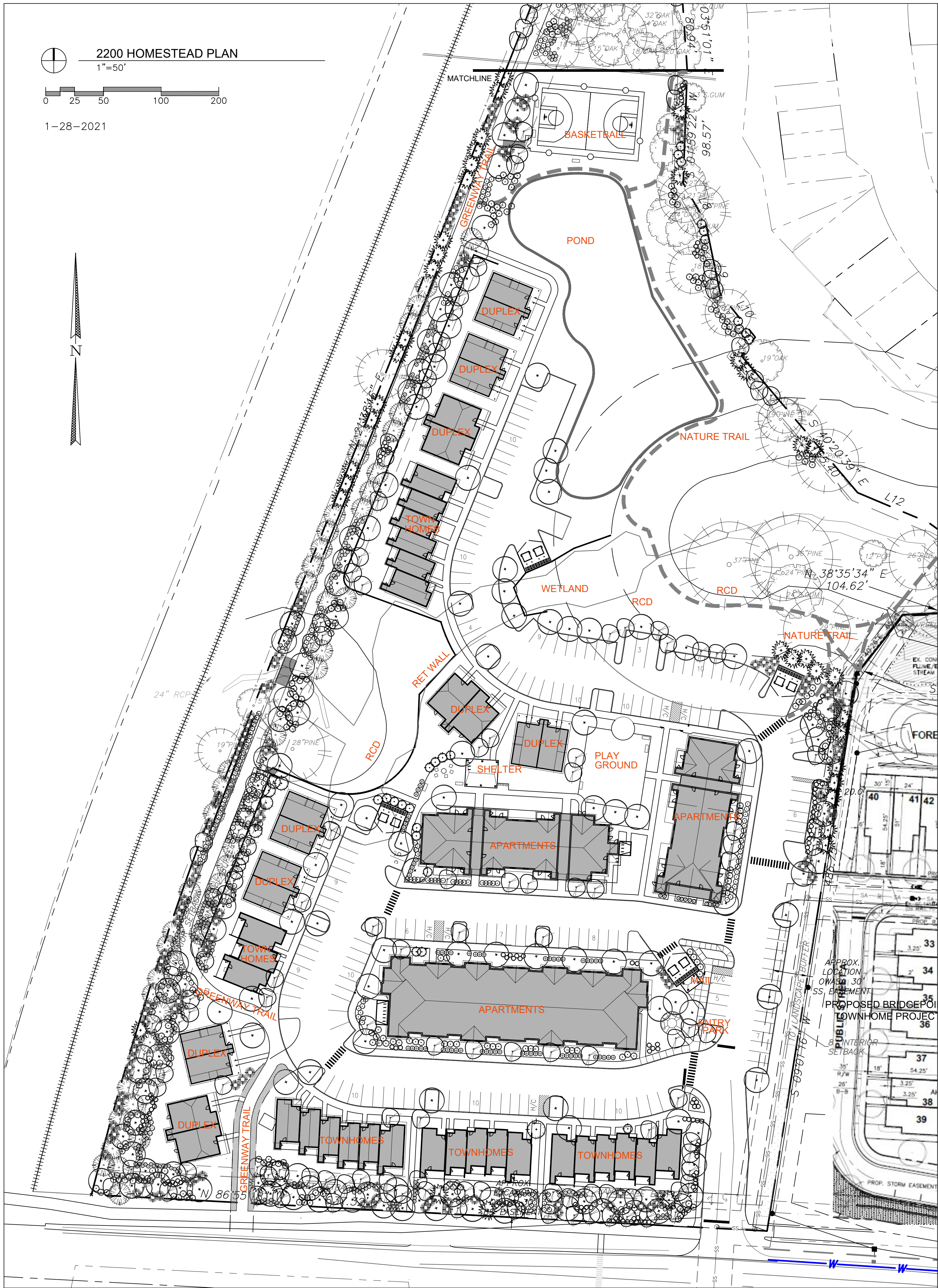


2200 HOMESTEAD PLAN

1"=50'



1-28-2021



NC BOARD OF EXAMINERS FOR
ENGINEERS AND SURVEYORS
LIC # C-1209
NC BOARD OF LANDSCAPE
ARCHITECTS LIC # C-104

MHA *works*
PLANNING ARCHITECTURE INTERIORS

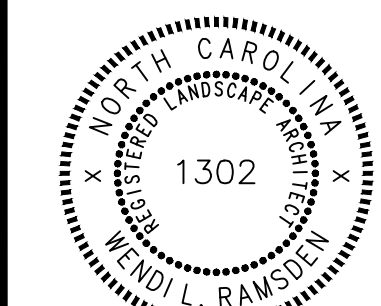
501 WASHINGTON STREET, SUITE G
DURIHAM, NORTH CAROLINA 27701
p 919.682.2870
f 919.682.5360
www.mhaworks.com

-DURIHAM
-GREENVILLE
-PITTSBORO

2200
Homestead
Road

Chapel Hill
North Carolina

PIN: 9870912947



PRELIMINARY-DO NOT
USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR, PBR, MTC
Checked	WLR, PBR
Date	10-29-20
Revisions	

REVISED
PROGRESS
DRAWING
1-26-2021

Conditional Zoning Plan

Sheet Title:

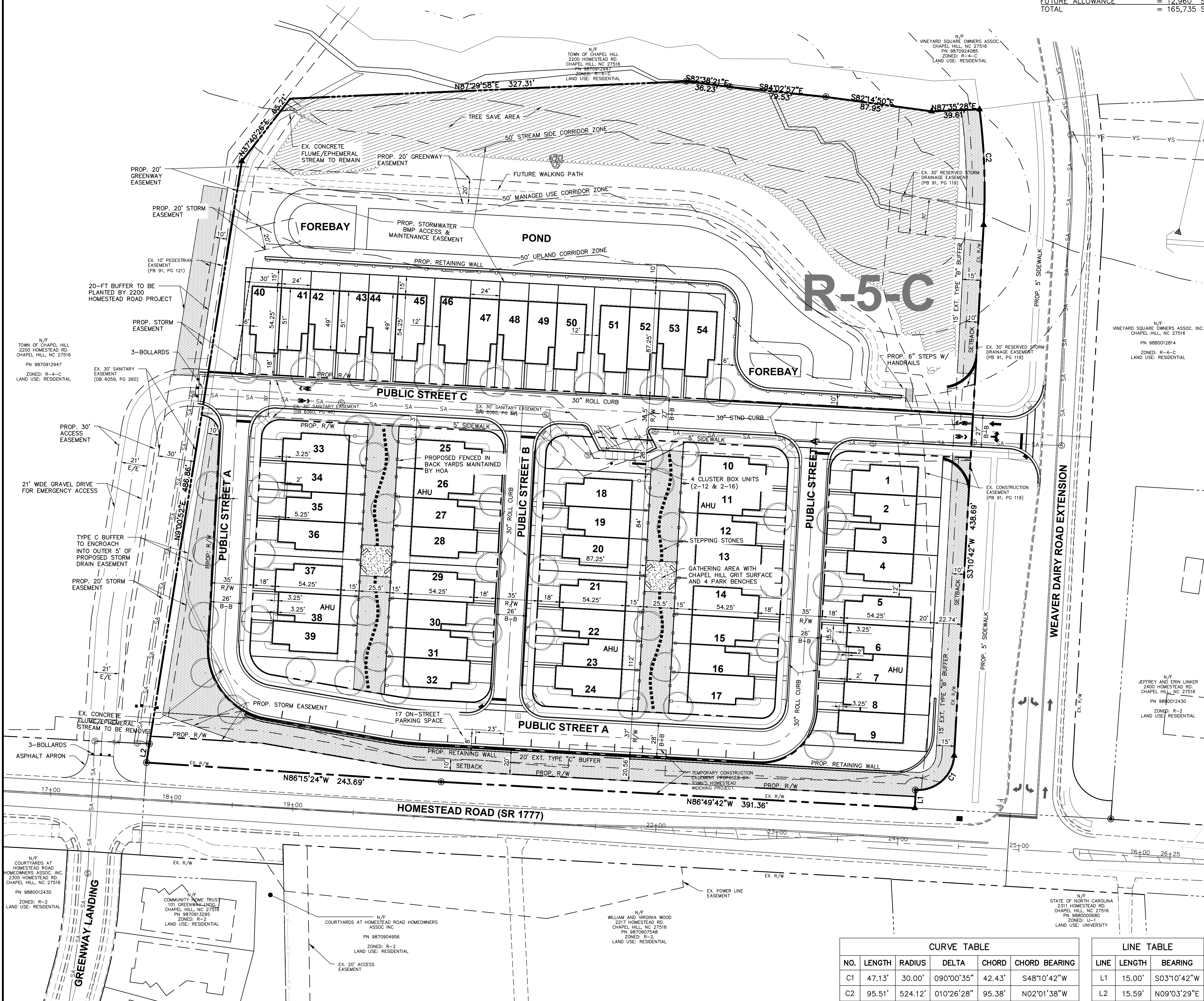
SITE LAYOUT PLAN

Sheet Number
CZ-2.0



1. ALL ANGLES ARE 90 DEGREE UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE C2-8 AND C2-8A RESERVED PARKING SIGN AND 87-80 MAXIMUM FINE SIGN PER GS 20-37.8 OF THE NORTH CAROLINA HANDCAP CODE. ADA RAMP SHALL HAVE RAMP SURFACES COVERED WITH DETECTABLE WARNING PATTERN PER ADA STANDARDS.
6. REFERENCE EXISTING CONDITION SHEET C2-1.0. FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT WILL HOLD A PRE-DEMOLITION/RECONSTRUCTION CONFERENCE WITH THE COUNTY'S SOLID WASTE STAFF. THIS MAY BE THE SAME MEETING HELD WITH OTHER DEVELOPMENT OFFICIALS.
10. 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.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CHAPEL HILL AND OWASA MAINTAINED UTILITIES.
12. THERE WILL BE TWO CLASS 1 BIKE RACKS LOCATED INSIDE THE BUILDING.
13. KEY BOXES FOR FIRST RESPONDERS WILL BE REQUIRED NEAR THE FRONT DOOR AND SPRINKLER RISER ROOM AREAS, 2012 NC FIRE CODE, SECTION 506.
14. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE BASE FLOOD ELEVATION + 2 FEET.
15. PRIOR TO PERFORMING WORK IN THE NCDOT R/W, THE APPLICANT WILL NEED TO OBTAIN THE FOLLOWING:
 - (1) APPROVED NCDOT DRIVEWAY PERMITS FOR PROPOSED ACCESSES TO NC 86.
 - (2) APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH TOCH FOR PROPOSED / STIPULATED SIDEWALK AND APPURTENANCES.
 - (3) APPROVED NCDOT THREE-PARTY ENCROACHMENT AGREEMENT WITH OWASA FOR PROPOSED WATER AND SEWER CONNECTIONS.
16. 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.





228	
EXISTING IMPERVIOUS SURFACES	
BUILDINGS	= 8,510 SF
DRIVES	= 9,803 SF
WALLS	= 138 SF
FLUME	= 1,710 SF
BOULDERS	= 118 SF
TOTAL	= 20,279 SF
PROPOSED IMPERVIOUS SURFACES	
ROADWAY	= 49,526 SF
DRIVEWAYS	= 19,177 SF
PARKING LOT	= 998 SF
BUILDINGS	= 6,780 SF
SIDEWALK	= 11,798 SF
MISC (WALLS, HVAC, STEPS)	= 3,476 SF
FUTURE ALLOWANCE	= 12,960 SF
TOTAL	= 165,735 SF

SITE DATA TABLE	
PROJECT NAME:	BRIDGEPOINT
APPLICANT:	ADVANCED CIVIL DESIGN, INC. 51 KILMAYNE DRIVE, SUITE 105 CARY, NC 27511
PARCEL ID NUMBERS:	9870914489, 9870919528
LAND AREA CALCULATIONS	8.348 ACRES
NET LAND AREA:	0.51 ACRES (1/2 HOMESTEAD R/W)
CREDITED STREET AREA:	0.68 ACRES (1/2 WEAVER DAIRY RD R/W)
CREDITED STREET AREA:	0.68 ACRES (1/2 WEAVER DAIRY RD R/W)
TOTAL GROSS LAND AREA (GLA):	9.182 ACRES (USED FOR DENSITY CALCULATION)
CURRENT ZONING:	R-5-C
OUTSIDE CORPORATE LIMITS:	NO
OUTSIDE WATERSHED PROTECTION DISTRICT:	YES
OUTSIDE FLOODPLAIN:	YES
OVERLAY DISTRICTS:	NONE
EXISTING LAND USE:	SINGLE FAMILY
PROPOSED LAND USE:	MULTI-FAMILY WITH CONDITIONAL ZONING
ALLOWABLE DENSITY R-5:	15 UNITS/AC GROSS LAND AREA = 9.182 AC # UNITS ALLOWED = 137
PROPOSED SINGLE FAMILY UNITS:	49
PROPOSED AFFORDABLE UNITS:	5 (LABELED "AHU" ON THIS SHEET)
PROPOSED TOTAL # OF UNITS:	54
PROPOSED MINIMUM LOT SIZE:	2,094 SF
RECREATION SPACE REQUIRED:	GROSS LAND AREA x RECREATION SPACE RATIO (399,975 SF) x (0.05) = 19,999 SF
RECREATION SPACE PROVIDED:	17,330 SF GREENWAY EASEMENT (86 %) \$33,600 FEE IN LIEU (14%)
PROPOSED INTERIOR LOT SETBACKS:	FRONT: 0' SIDE: 0' SIDE CORNER: 0' REAR: 0'
REQUIRED PERIMETER SETBACKS	INTERIOR: 6' STREET: 10' SOLAR: 8'
PROPOSED BUILDING SEPARATION:	12'
MAXIMUM BUILDING HEIGHT (PRIMARY):	39'
MAXIMUM BUILDING HEIGHT (SECONDARY):	60'
MAXIMUM FLOOR AREA RATIO:	0.303
PROPOSED FLOOR AREA RATIO:	0.303
MAXIMUM IMPERVIOUS SURFACE RATIO:	0.50
PROPOSED IMPERVIOUS SURFACE RATIO:	0.414

TREE CANOPY COVERAGE CALCULATIONS	
TREE CANOPY COVERAGE REQUIRED:	30%
NET LAND AREA:	8.348 AC
AREAS NOT COUNTING TOWARD TREE CANOPY CALCULATIONS:	
RECREATION AREAS (GREENWAY):	0.299 AC
EASEMENTS (EXCLUDING PAVEMENT):	0.237 AC
RIGHT OF WAY:	1.657 AC
TOTAL LAND AREA NOT COUNTED:	3.244 AC
APPLICABLE LAND AREA:	6.155 AC
TREE CANOPY REQUIRED:	6.155 AC X 30% = 1.846 AC
EXISTING TREE CANOPY TO REMAIN:	1.087 AC
SUPPLEMENTAL TREE CANOPY REQUIRED:	0.759 AC
SUPPLEMENTAL TREES REQUIRED:	(0.759*43560)/500 = 67 TREES
SUPPLEMENTAL TREES PROVIDED:	39 STREET TREES 66 BUFFER TREES 8 OTHER SITE TREES 113 TREES TOTAL

- TOWN OF CHAPEL HILL FIRE DEPARTMENT NOTES:**
- A NOTE SHALL BE REQUIRED ON THE FINAL PLAT THAT STATES "ALL LOCAL STREETS WITHIN THE BRIDGEPOINT SUBDIVISION SHALL NOT ALLOW ON-STREET PARKING IN ACCORDANCE WITH SECTION D103 OF THE 2018 NORTH CAROLINA FIRE PREVENTION CODE."
- GENERAL NOTES**
- A DESCRIPTION AND ANALYSIS OF ADJACENT LAND USES, ROADS, TOPOGRAPHY, SOILS, DRAINAGE PATTERNS, ENVIRONMENTAL CONSTRAINTS, FEATURES, EXISTING VEGETATION, AND VISTAS CAN BE FOUND ON SHEET 3 - EXISTING CONDITIONS PLAN.
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - THE REQUIRED RECREATION SPACE HAS BEEN MET AND EXCEEDED. SEE SITE DATA TABLE ON THIS SHEET.
 - ALL TRASH FOR TOWNHOMES WILL BE COLLECTED BY ROLL-OUT CURBSIDE PICK UP AND SERVICE SHALL BE PROVIDED BY TOWN OF CHAPEL HILL.
 - OVERFLOW PARKING SHOWN ARE 90 DEGREE BAYS AND SPACE MARKINGS PER TOWN OF CHAPEL HILL CODE FOR PARKING LOTS.
 - EACH SINGLE FAMILY TOWNHOME LOT WILL HAVE A MAXIMUM ALLOWABLE IMPERVIOUS SURFACE AREA OF 1,900 SF. THIS AMOUNT IS SUBJECT TO CHANGE AND WILL BE FINALIZED WITH THE FINAL ZONING COMPLIANCE PLANS.
 - SEE SHEET 16 FOR STREET CROSS SECTION DETAILS.
 - ALL PROPOSED STREETS ARE PUBLIC.

LEGEND

- 30" Curb and Gutter
- Property Line
- Prop. R/W
- Prop. Detention Basin
- Setback
- Tree Replacement Area
- Tree Save Area

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

CURVE TABLE					LINE TABLE		
NO.	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING	LINE	LENGTH
C1	47.13'	30.00'	090°00'35"	42.43'	S48°10'42"W	L1	15.00'
C2	95.51'	524.12'	010°26'28"	95.38'	N02°01'38"W	L2	15.59'

BEARING	S03°10'42"W
BEARING	N09°03'29"E

PLAN PREPARED BY:

PLAN PREPARED FOR:

51 Kilmayne Drive, Suite 105
Cary, North Carolina 27511
919.481.6590
fax 919.336.5127

ADVANCED CIVIL DESIGN
ENGINEERS & SURVEYORS

KB HOME CAROLINAS
4506 SOUTH MIAMI BLVD., SUITE 100A
DURHAM, NC 27703
PHONE: 919.768.7960

ORANGE COUNTY

BRIDGEPOINT

CONDITIONAL ZONING PLANS
FOR
KB HOME CAROLINAS

SITE PLAN

Issue Dates:

01/02/2020	Initial Submittal to Town
02/06/2020	Response to 1st Review SUP Comments
07/22/2020	Response to 2nd Review SUP Comments
10/16/2020	Town Council Set
11/10/2020	Urban Planner Comments

Date: 11/10/2020
Scale: 1" = 40'

Drawn By: JRR
Checked By: CMR

Project Number:
18-0001-978

Drawing Number:
5 / 16

BRIDGEPOINT - 2200 HOMESTEAD ROAD

RESIDENTIAL DEVELOPMENTS

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY



Prepared for:

The Town of Chapel Hill
Public Works Department - Engineering

Prepared by:

HNTB North Carolina, PC

*343 East Six Forks Road
Suite 200
Raleigh, NC 27609*

NCBELS License #: C-1554

June 2020



BRIDGEPOINT - 2200 HOMESTEAD ROAD RESIDENTIAL DEVELOPMENTS

TRAFFIC IMPACT STUDY

EXECUTIVE SUMMARY



Prepared for:

The Town of Chapel Hill
Public Works Department - Engineering

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*343 East Six Forks Road
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June 2020





EXECUTIVE SUMMARY

Project Overviews

Two new residential communities, known for this study as Bridgepoint and 2200 Homestead Road Residential, are being proposed in Chapel Hill along Homestead Road near its intersection with the Weaver Dairy Road Extension. The Bridgepoint project proposes to construct 53 individual residential townhome units and the 2200 Homestead Road development proposes 138 residential units in a mixture of one to three story apartments, duplexes, and townhomes. **Figure ES-1** shows the general location of the two sites. The 2200 Homestead Road project is anticipated to be fully complete and occupied by 2023 and the Bridgepoint project is anticipated to be fully complete and occupied by 2024. This report analyzes the following scenarios:

- 2020 existing year traffic conditions,
- 2024 No-build scenario for 2200 Homestead Road (which includes the assumption that Bridgepoint is complete),
- 2024 Full build-out scenario for 2200 Homestead Road (one year after anticipated completion),
- 2025 No-build scenario for Bridgepoint (which includes the assumption that the 2200 Homestead Road site is complete)
- 2025 Full build-out scenario for Bridgepoint (one year after anticipated completion)
- 2025 Full build-out scenario for Bridgepoint (2200 Homestead Road site is not built and primary access to Bridgepoint is from Weaver Dairy Road Extension)

A proposed combined site plan shows a provision for a full movement access driveway serving both sites that connects to Homestead Road forming a fourth leg with its existing intersection with Greenway Landing and a provision for a full movement access street connection to the Weaver Dairy Road Extension from the Bridgepoint site. No other vehicular access connections are proposed. The main site driveway is proposed to have an internal stop-controlled intersection with local driveway/street connections that will serve on-site parking areas. **Figure ES-2** displays the overall site plan of the Bridgepoint and 2200 Homestead Road Residential developments and nearby land uses and roadways.

This report analyzes and presents the transportation impacts that the 2200 Homestead Road and Bridgepoint developments will have on the following intersections in the project study area:

- Homestead Road and Seawell School Road
- Homestead Road and Greenway Landing / Proposed Combined Main Site Driveway
- Homestead Road and Homestead Road Active Adult Housing Access Driveway (Future)
- Homestead Road and Weaver Dairy Road Extension
- Homestead Road and NC 86 (Martin Luther King, Jr. Boulevard)
- Weaver Dairy Road Extension and Bridgepoint North Access Street

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 sites are located in north Chapel Hill along Homestead Road. The study area contains three signalized intersections along Homestead Road at NC 86 (Martin Luther King, Jr. Boulevard), Weaver Dairy Road Extension, and Seawell School Road. All future site traffic is expected use the proposed combined main site driveway at the Homestead Road / Greenway Landing intersection and a North



Access Street driveway that connects to Weaver Dairy Road Extension. Internal driveways shown on the preliminary site plans will circulate site traffic to designated parking areas and residential buildings. NC 86 (Martin Luther King, Jr. Boulevard) is a major north-south arterial providing connectivity between downtown Chapel Hill, north and south Chapel Hill, the I-40 corridor and Hillsborough. Homestead Road is a minor east-west arterial providing connectivity through northern Chapel Hill. Remaining study area network roadways are either suburban collector streets or local neighborhood/commercial access streets.

Site Traffic Generation

With the addition of new trips during the weekday AM, noon, and PM peak hours, there are potential site traffic impacts to study area intersections. **Table ES-1** shows the site trip generation details, with rates taken from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, Version 10*.

Table ES-1. Weekday Vehicle Trip Generation Summary

Description	Density	Daily			AM Peak			Noon Peak			PM Peak		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Bridgepoint	53 Units	180	180	360	6	20	26	14	17	31	21	13	34
2200 Homestead Road	138 Units	501	501	1,002	15	50	65	33	40	73	50	29	79

Background Traffic

Background traffic growth for the 2024 and 2025 analysis years are expected to come from two sources - ambient regional traffic growth and specific development-related traffic growth. Three Town-approved sites near the project study area were considered for specific development related growth. All remaining estimated traffic volume increases are assumed to occur due to overall region-wide ambient growth (assumed 0.5 percent per year based on NCDOT/Town historic growth data and consistent with recent study area traffic impact studies).

Impact Analysis

Peak Hour Intersection Level of Service

Existing traffic operations at all study area intersections are acceptable during all three peak hours analyzed. The projected ambient and background development traffic growth will increase impacts by 2024 and 2025. Even with the addition of peak hour site-generated trips to the projected 2020 background traffic volumes, only one study area intersection (Homestead Road and Main Site Driveway / Greenway Landing) is expected to experience deficient traffic operations in any peak hour and projected side street queues at this location are not expected to be excessive. No additional mitigation improvements to this intersection were considered necessary. 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**.

Access Analysis

Vehicular site access to the two projects is to be accommodated at a proposed full movement local street access connecting to Homestead Road immediately opposite Greenway Landing about 750 feet to the west of Homestead Road's signalized intersection with the Weaver Dairy Road Extension. The proposed driveway has a single inbound lane and two outbound (left-turn and shared through/right-turn) lanes. A second local street access connection is also proposed along Weaver Dairy Road Extension that would primarily serve the Bridgepoint project but would have internal connectivity through Bridgepoint to the 2200 Homestead Road development. It is proposed to be located 300 feet north of the Weaver Dairy Road Extension intersection with Homestead Road.



Table ES-2. Peak Hour Intersection Capacity Analysis Summary

Intersections	Peak Hour	2020 Existing		2025 No-Build Bridgepoint (Build 2200 Homestead)		2025 Build Both Developments		2025 Mitigated	
		LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Homestead Road & Seawell School Road	AM	C	34.0	D	37.9	D	38.3	N/A	N/A
	NOON	B	11.0	B	11.9	B	11.9	N/A	N/A
	PM	B	15.8	B	16.8	B	16.9	N/A	N/A
Homestead Road & Greenway Landing / Combined Main Site Driveway [#]	AM	C	17.0	F	62.5	F	70.3	N/A	N/A
	NOON	B	11.8	C	19.9	C	20.5	N/A	N/A
	PM	B	12.6	E	38.1	E	40.5	N/A	N/A
Homestead Road & Active Adult Housing Site Driveway [#]	AM	N/A	N/A	C	20.6	C	20.8	N/A	N/A
	NOON	N/A	N/A	B	12.1	B	12.2	N/A	N/A
	PM	N/A	N/A	B	14.2	B	14.4	N/A	N/A
Homestead Road & Weaver Dairy Rd Extension	AM	A	8.1	A	8.6	A	8.7	N/A	N/A
	NOON	A	7.1	A	7.9	A	8.0	N/A	N/A
	PM	B	12.2	B	14.3	B	15.3	N/A	N/A
Homestead Road & NC 86 (MLK Jr, Boulevard)	AM	C	24.6	C	27.9	C	28.6	N/A	N/A
	NOON	C	27.8	D	36.0	D	37.2	N/A	N/A
	PM	C	25.1	C	30.2	C	31.0	N/A	N/A
Weaver Dairy Road Extension & Bridgepoint North Site Driveway [#]	AM	N/A	N/A	N/A	N/A	B	13.2	N/A	N/A
	NOON	N/A	N/A	N/A	N/A	B	10.0	N/A	N/A
	PM	N/A	N/A	N/A	N/A	B	12.2	N/A	N/A

N/A – Not Applicable or No Improvements Necessary

BOLD/ITALICS – Critical Movement or Overall Intersection Requires Mitigation Per Town TIS Guidelines

- Worst-Case LOS/Delay for Unsignalized/Stop-Controlled Critical Movement

Driveway throat lengths, and intersection/driveway separation minimum criteria, as set forth in the 2003 NCDOT Policy on Street and Driveway Access to North Carolina Highways and the 2017 Town of Chapel Hill Design Manual are acceptable for current site plans for both projects.

Access for pedestrians is adequate in the project study area and will be improved with the construction of the Town's Homestead Road Improvements project. Crosswalk exists across the NC 86, Seawell School Road, and Weaver Dairy Extension intersections with Homestead Road signalized intersections and across Homestead Road at Northern Park Drive to the east of the Bridgepoint - 2200 Homestead Road Residential sites. No specific bicycle amenities are present along Homestead Road, but bicycle lanes are present on one side of Seawell School Road and the Weaver Dairy Road Extension and along NC 86 north of Homestead Road. These bike facilities will be connected by bicycle lanes/off-road paved paths along Homestead Road at the completion of the Town's improvement project.

Signal Warrant Analysis

Based on projected 2025 traffic volumes and proposed access plans, the unsignalized Combined Main Driveway / Greenway Landing intersection with Homestead Road would not warrant the installation of a traffic signal, based on the Peak Hour warrant methodology found in the 2009 Manual on Uniform Traffic Control Devices (MUTCD).

**Crash Analysis**

Data from the NCDOT Traffic Safety Unit was provided for the five-year period 2/1/2015 to 1/31/2020 for the segment Homestead Road in the vicinity of the proposed site. There were 36 crashes reported along Homestead Road study area corridor between Seawell School Road and NC 86 over the five year period. The primary crash type was rear end crashes and crashes were primarily clustered near the NC 86 intersection. Overall, the number and severity of crashes along Homestead Road in the project study area is lower than state-wide averages for similar facilities. There was one pedestrian fatality recorded near the Seymour Senior Center to the east of the project sites.

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 HCS 95 th percentile (max) queue length estimates for the 2024 and 2025 Build Scenarios. At the intersection of Homestead Road and Weaver Dairy Extension, the southbound right-turn lane queue may exceed its existing storage regardless of site traffic impacts. Adjustments to signal timing may be necessary to mitigate this issue. At the intersection of Homestead Road and NC 86 (Martin Luther King, Jr. Blvd), projected 95 th percentile queue lengths may exceed the northbound and eastbound existing delineated storage bay lengths if existing signal timings are not adjusted to reflect expected increases in traffic volumes related to those movements.
Appropriateness of Acceleration/Deceleration Lanes	The site concept plans show an eastbound left-turn lane and westbound right-turn lane at the Combined Main Site Driveway intersection with Homestead Road, both will improve intersection capacity and safety. No other specific acceleration/deceleration lane issues were analyzed in the project study area.
Pedestrian and Bicycle Analysis	Existing pedestrian access and connectivity is adequate along the Homestead Road corridor adjacent to the sites, though some gaps exist on both sides of the road in certain areas. Bicycle lanes extend along NC 86 north of Homestead Road and along the Weaver Dairy Road Extension and Seawell School Road, but no bicycle facilities exist along Homestead Road within the project study area. The Town's Homestead Road Improvements project will considerably improve pedestrian and bicycle facilities along Homestead Road in the project study area.
Public Transportation Analysis	Public transportation service to the study area, and to the proposed site is adequate, with bus stops and multiple local and regional bus routes on both NC 86 and Homestead Road proximate to the site

Mitigation Measures/Recommendations**Planned Improvements**

The Town of Chapel Hill has two transportation improvement projects currently slated for construction prior to the 2024 and 2025 site build-out years. The Homestead Road Improvements project (U-4726 IK) will create a consistent three-lane roadway cross-section along the site frontages to Weaver Dairy Road Extension, as well as construct pedestrian and bicycle facility improvements between Seawell School Road and Weaver Dairy Road Extension. Improvements related to this project are shown schematically



on **Figure ES-3**. The Town also has the North-South Bus Rapid Transit Project, which will provide dedicated lanes for transit along the NC 86 corridor, along with other transit amenity improvements scheduled for construction in 2022. As final design details are not complete as of the submittal of this TIS, no specific lane usage changes were analyzed as part of this study.

Background Committed Improvements

There is one specific geometric improvement to the study area roadway intersections related to background private development projects that are expected to be completed between 2020 and 2025. A full access driveway and widening of Homestead Road to a consistent three-lane cross-section was proposed in the Overture (Active Adult Housing) TIS. Several traffic impact studies for development projects in and near the study area recommended signal timing reoptimization for signalized intersections along the NC 86 (Martin Luther King, Jr. Blvd) corridor by their respective build-out years. It is assumed that signal timing reoptimization will occur for the NC 86 corridor by the year 2025, whether or not specifically needed by any of the background traffic generating developments included in this study.

Applicant Committed Improvements

There are several specific transportation-related improvements proposed external to the Bridgepoint - 2200 Homestead Road Residential sites. Site plans, though developed independently, have had and currently have on-going coordination to provide reasonable cross-access and external access opportunities for both sites. External improvements (shown schematically in **Figure ES-3**) include:

- Provision of a combined main access driveway along Homestead Road immediately opposite Greenway Landing with internal connectivity from this driveway to both sites. The driveway location is on 2200 Homestead Road property. It would be constructed regardless of which site actually began development first, but if the Bridgepoint site were constructed first, this location would only serve as a temporary secondary restricted access point. If 2200 Homestead Road were developed first, it would function as a primary full access driveway. The driveway exit would have a left-turn lane with 75 feet of storage and a shared through/right-turn lane when fully developed, as shown in **Figure ES-2**.
- Construction of a full access minor street connection to Weaver Dairy Road Extension with stop-control for the Bridgepoint access eastbound approach. This access would only be built as part of the Bridgepoint project. If the 2200 Homestead Road Residential project is developed first, a temporary secondary gravel/grass restricted-access connection for its use will be established on Homestead Road.
- Construction of continuous sidewalk along west side of Weaver Dairy Road Extension across Bridgepoint site frontage

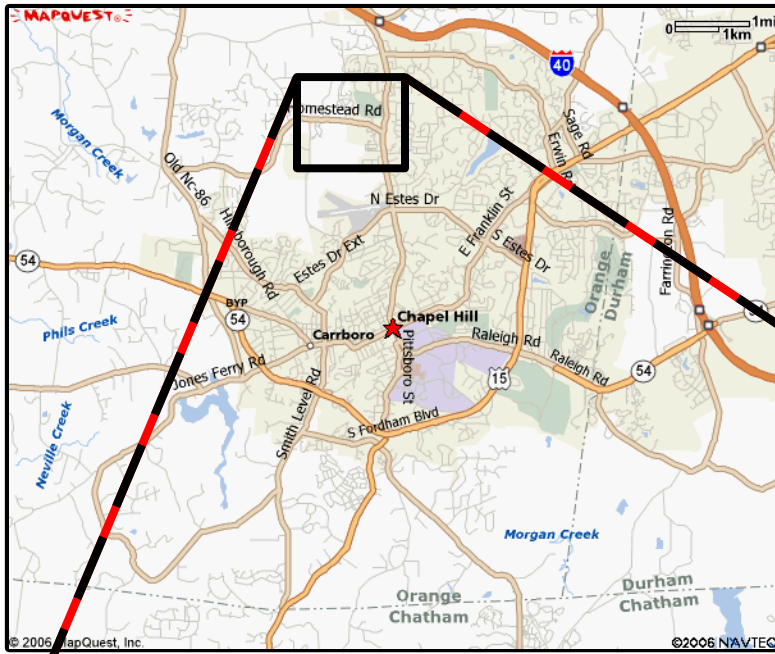
Necessary Improvements

Based on traffic capacity analyses for the 2025 design year (with the most conservative estimates of background and combined traffic from both sites), 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) Retime the Homestead Road and Weaver Dairy Road intersection traffic signal to ensure that the southbound right-turn lane has adequate green time to avoid excessive queue spillback. This improvement is recommended whether or not if the Bridgepoint and 2200 Homestead Road Residential sites are developed.

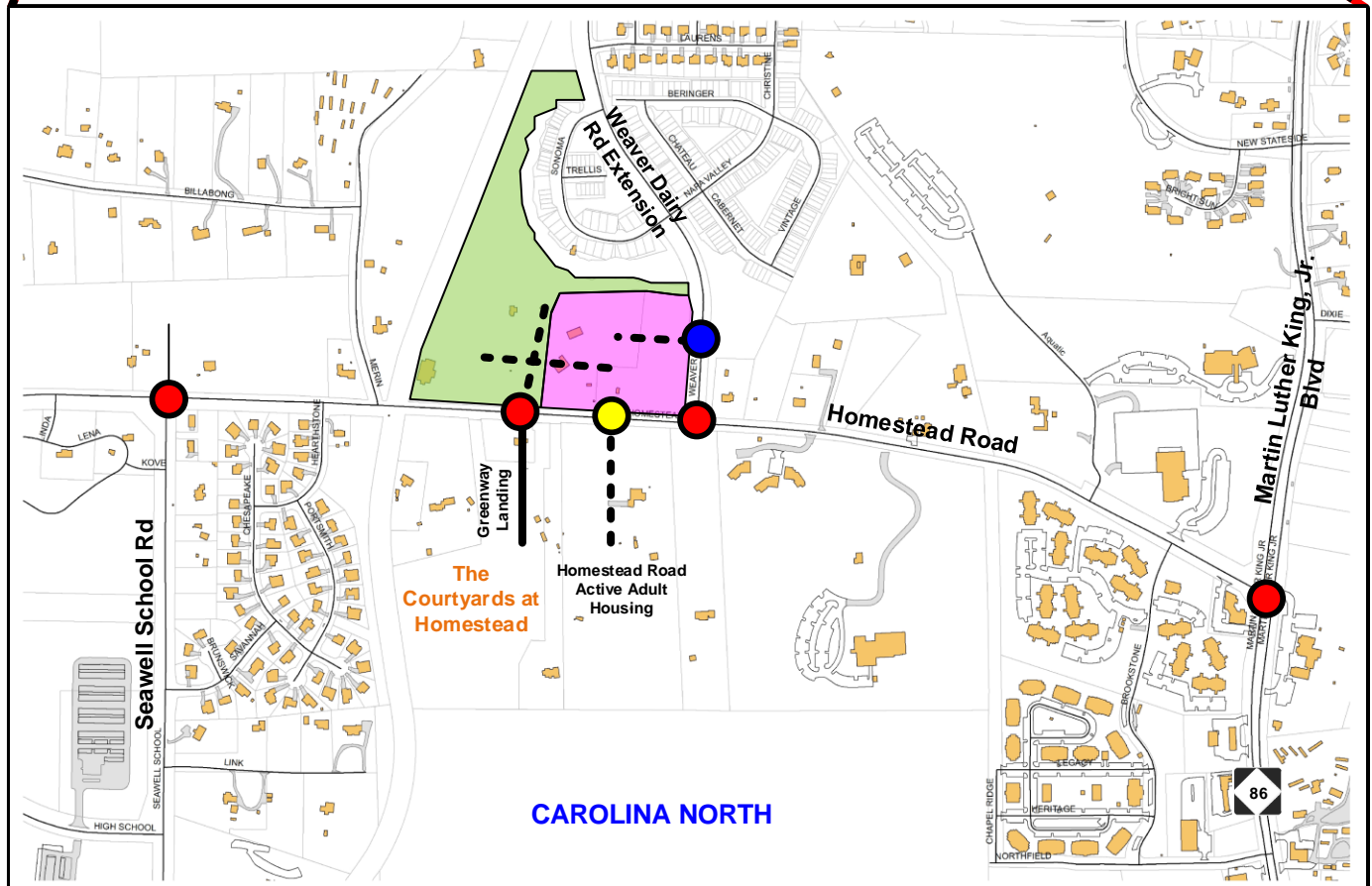


- 2) Provide pavement markings to delineate at least 175 feet of eastbound left-turn bay storage at the Homestead Road and Weaver Dairy Road intersection. The cross-section at this location features a continuous left-turn center lane, so actual storage for vehicles at the intersection can feasibly be longer. 175 feet is recommended as a minimum if the Active Adult Housing project is constructed with its site driveway located as analyzed in the 2017 Traffic Impact Study for this project (then known as Overture). That site driveway, and its 100 foot recommended westbound left-turn lane storage would leave approximately 175 feet of full storage for eastbound left-turning vehicles at the Weaver Dairy Extension intersection. This improvement is recommended whether or not if the Bridgepoint and 2200 Homestead Road Residential sites are developed and can be incorporated in the Town's Homestead Road Improvements project.
- 3) Provide 100 feet of full eastbound left-turn storage on Homestead Road at its intersection with the proposed Combined Main Site Driveway/Greenway Landing. This improvement will necessitate a small amount of cross-section widening on Homestead Road along the 2200 Homestead Road Residential parcel site frontage and would require minor adjustments to the current Town of Chapel Hill Homestead Road Improvements roadway design plans. This improvement is recommended for the Bridgepoint - 2200 Homestead Road Residential projects and would be necessary once the 2200 Homestead Road Residential project is built and the Combined Main Site Driveway is opened to access both sites.
- 4) Provide a right-turn lane westbound on Homestead Road at the Combined Main Site Driveway with 100 feet of queue storage. The construction of this lane will need coordination with Homestead Road Improvements project plans. This improvement is recommended for the Bridgepoint - 2200 Homestead Road Residential projects and would be necessary once the 2200 Homestead Road Residential project is built and the Combined Main Site Driveway is opened to access both sites.



LEGEND

- = Existing Building Footprint
- = Existing Study Area Intersection
- = Proposed Site Driveway
- = Future Development Driveway
- = Proposed Bridgepoint Site
- = Proposed 2200 Homestead Site



Source: Town of Chapel Hill GIS Files

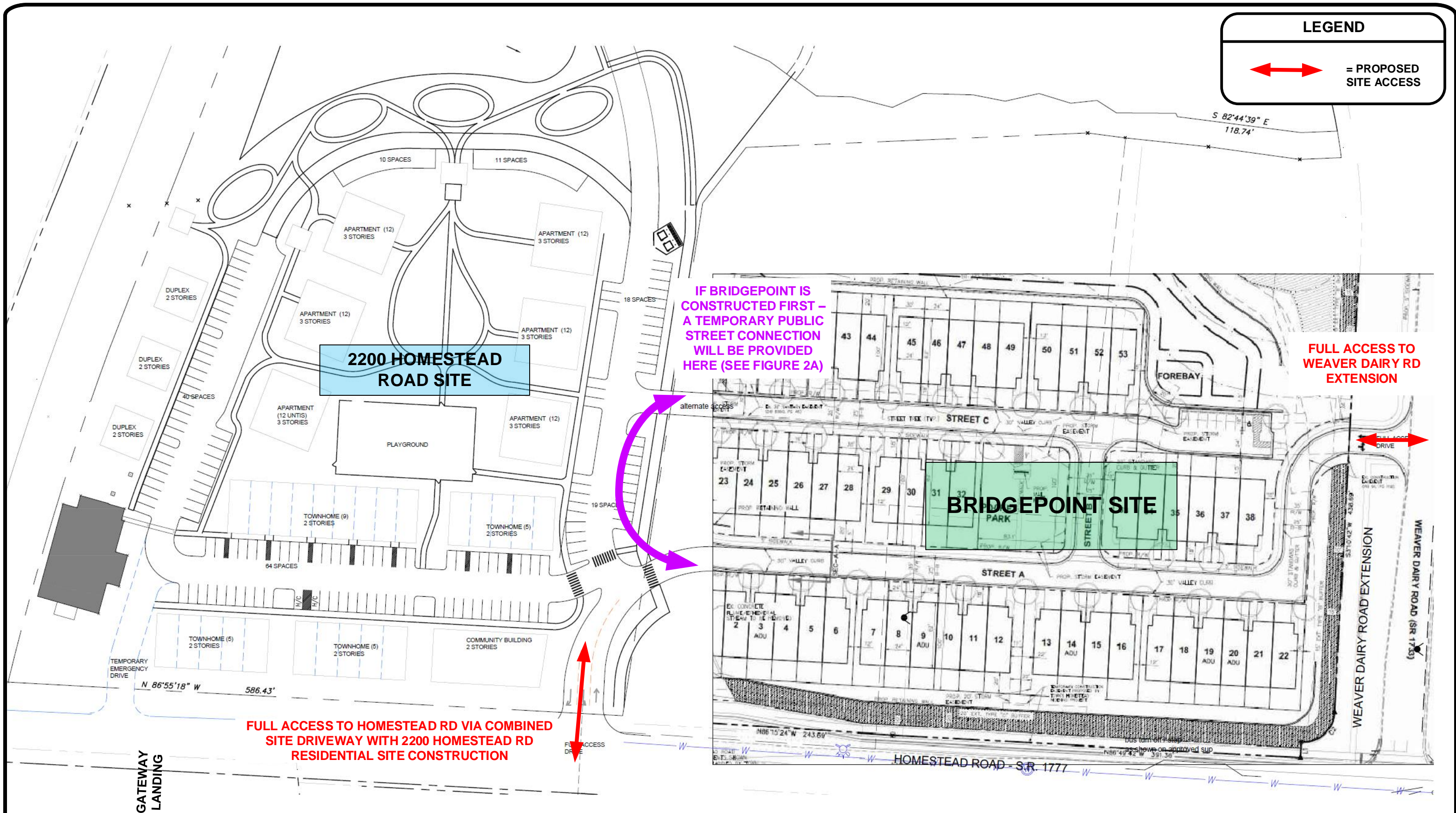
HNTB








Bridgepoint - 2200 Homestead Road Residential Traffic Impact Study PROJECT STUDY AREA

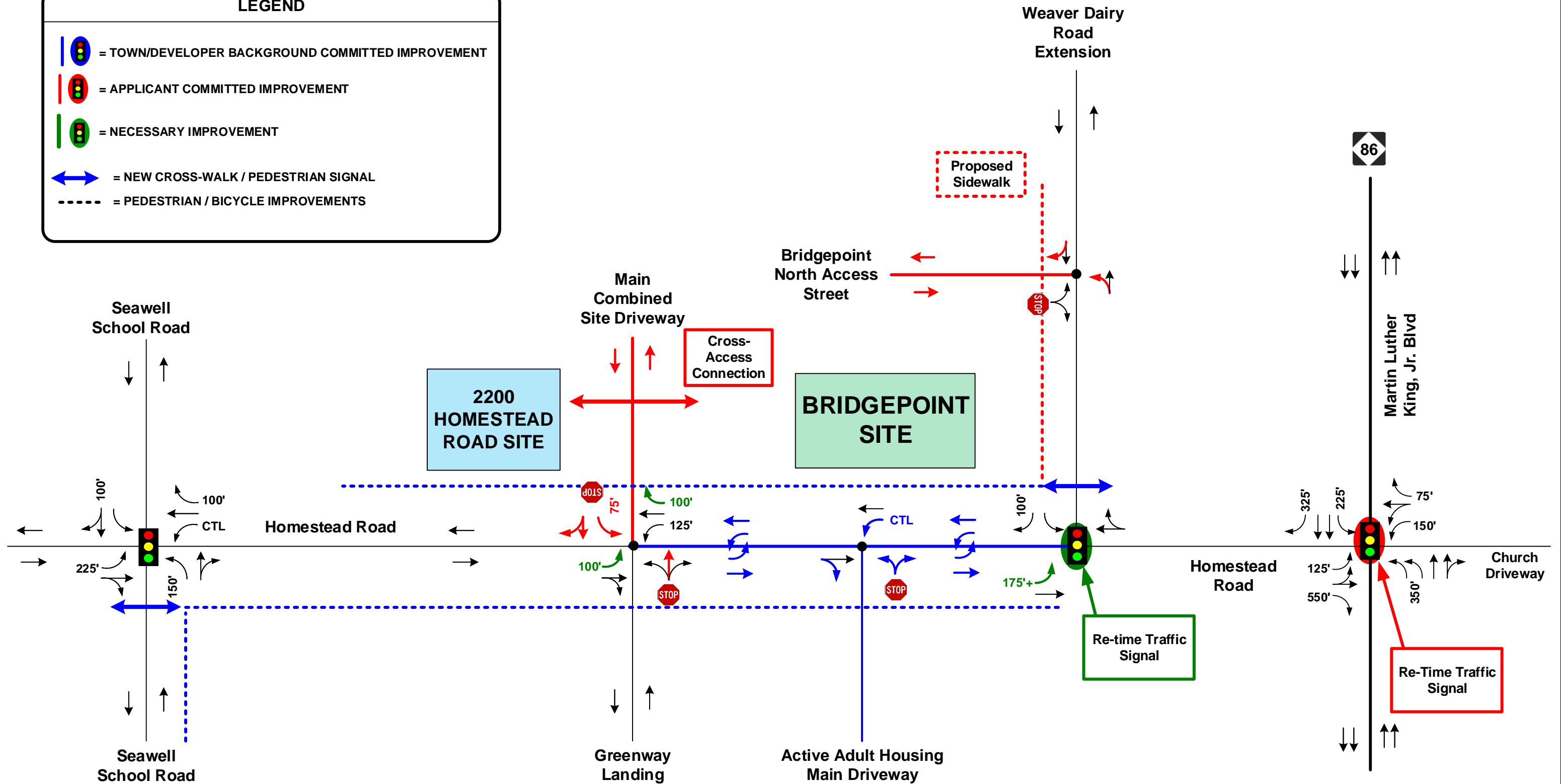
DATE: June 2020

FIGURE ES-1



LEGEND

-  = TOWN/DEVELOPER BACKGROUND COMMITTED IMPROVEMENT
-  = APPLICANT COMMITTED IMPROVEMENT
-  = NECESSARY IMPROVEMENT
-  = NEW CROSS-WALK / PEDESTRIAN SIGNAL
-  = PEDESTRIAN / BICYCLE IMPROVEMENTS


HNTB

 NOT TO
SCALE

Bridgepoint - 2200 Homestead Road Residential Traffic Impact Study

COMMITTED AND RECOMMENDED IMPROVEMENTS

DATE: June 2020

FIGURE ES-3

2200 HOMESTEAD

Conditional Zoning Application

29 October 2020

Affordable Housing Proposal

In 2017, the Town of Chapel Hill Council adopted a resolution designating 2200 Homestead Road as a mixed-income affordable housing site, a designation that followed evaluation of the site by Town staff and a Council-led housing task force. After adoption of that resolution, potential beneficiaries and other stakeholders were involved in the creation of the concept plan for this site in 2017 and 2018 through a Town-led public participation process. The concept plan was further refined through input from two of the Town's advisory boards, the Community Design Commission and the Housing Advisory Board. The concept plan developed through that process forms the basis of the proposed project.

The homes at 2200 Homestead will be developed by CASA, Community Home Trust, and Habitat for Humanity, all nonprofit agencies with strong track records in Orange County. In total, the partners propose to develop 115-130 affordable rental and homeownership units serving households earning from below 30% to 115% AMI. The homes will be a mix of apartments, duplexes, and townhomes, ranging from 1-bedroom units to 4-bedroom units.

The homes will be available to low- and moderate-income households that meet the respective development partners' eligibility requirements. In addition, the range of unit sizes and types will provide opportunities to serve several target populations, including persons with disabilities, individuals or families transitioning out of homelessness, holders of housing vouchers, survivors of domestic violence, and veterans, among others.

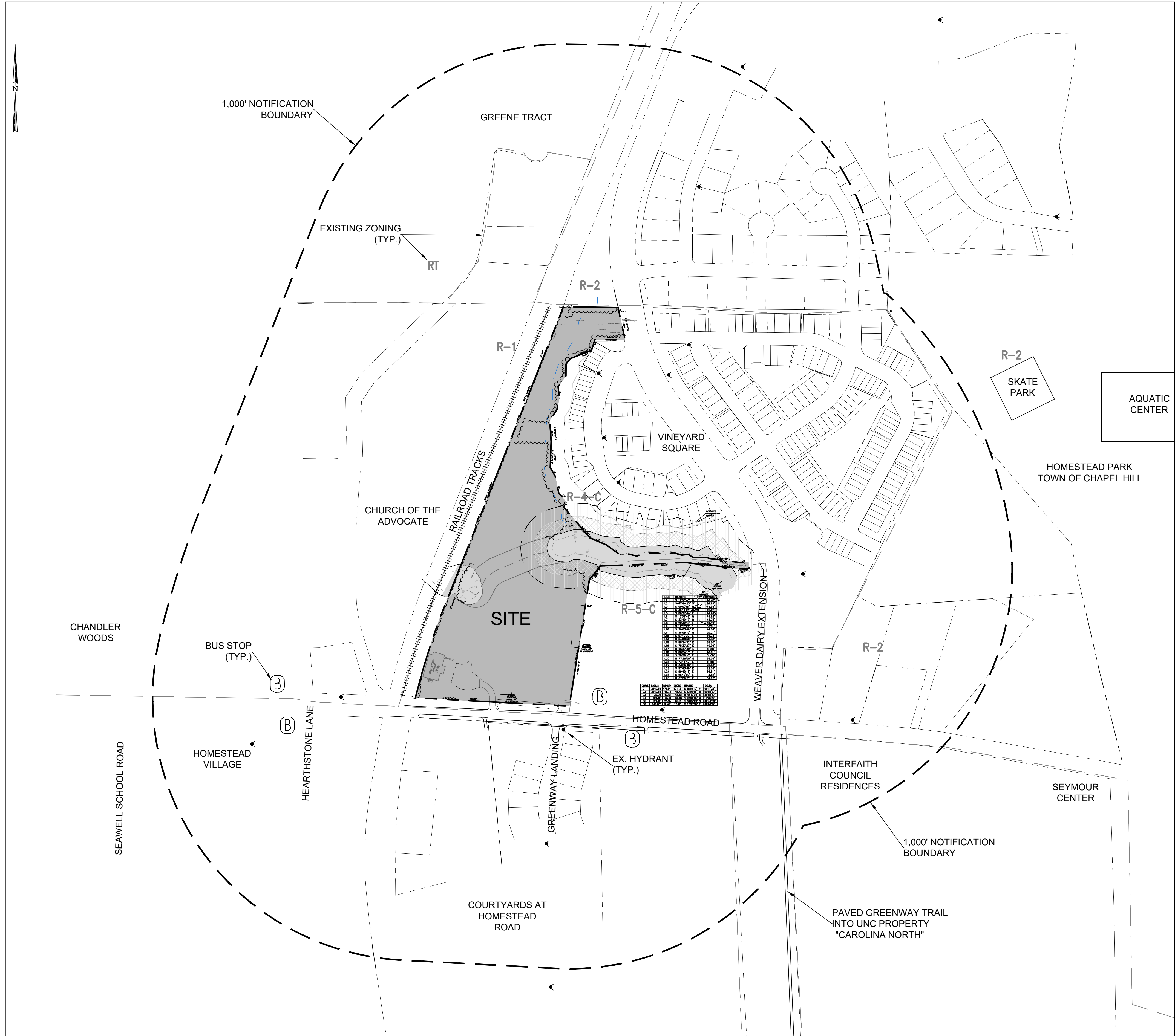
All of the units developed at 2200 Homestead road will be subject to restrictions ensuring long-term affordability. Community Home Trust's townhomes will be sold subject to a 99-year ground lease, giving the Home Trust the ability to limit the appreciation realized by homeowners and keep the homes affordable to future buyers. Community Home Trust homes typically sell for 30-50% below market value.

The Habitat for Humanity homes will be sold using deeds of restrictive covenants requiring 99-year affordability to buyers who earn 80% or less of the AMI. In addition, Habitat retains a right of first refusal on all of its homes. A shared equity agreement allows Habitat buyers to share a percentage of the appreciation of their property based on the ratio of their first mortgage, which is provided by Habitat, and the original sales price of the home, which is determined by a market appraisal at the time of sale, while ensuring that Habitat's homes remain affordable.

CASA has committed to a 30-year affordability restriction for the three apartment buildings, which is standard for affordable multifamily new construction projects.

HOMESTEAD ROAD HOUSING DEVELOPMENT

2200 HOMESTEAD ROAD, CHAPEL HILL, NC



SITE DATA

PIN: 9870-91-2947
OWNER: TOWN OF CHAPEL HILL
ENVIRONMENTAL CONSTRAINTS: JORDAN BUFFER RESOURCE CONSERVATION DISTRICT
TOTAL PARCEL LAND AREA: 541,157.56 SF / 12.42 AC (NET)
HOMESTEAD FRONTAGE: 586.43 LF, RIGHT OF WAY WIDTH 75' 586.43 x 37.5 = 21,991.125
WEAVER DAIRY EXT FRONTAGE: 113.20 LF (NORTH) + 25.15 LF (SOUTH), RIGHT OF WAY WIDTH: 100' 138.35 X 50' = 6,917.5
GROSS LAND AREA: 570,066 SF / 13.09 AC

EXISTING ZONING: R-4-C
PROPOSED ZONING: R-SS-CZD
PROPOSED LAND DISTURBANCE: 464,882 sf / 10.26 AC
EXISTING IMPERVIOUS ON-SITE: 18,442 SF / 0.34 AC
PROPOSED IMPERVIOUS ON-SITE: 222,603 SF 5.11 AC

PROPOSED USE TOWNHOMES: 0-10 UNITS X 3 BEDROOM 16 UNITS X 2 BEDROOM 0-20 X 1 BEDROOM 54 X 1 BEDROOM 18 X 2 BEDROOM 12 UNITS X 3 BEDROOM 6 UNITS X 4 BEDROOM 115 - 126 UNITS
APARTMENTS: 115 - 126 UNITS
DUPLEXES: 115 - 126 UNITS

TOTAL SQUARE FOOTAGE PROPOSED: 181,575 sf

FLOOR AREA RATIO

DISTRICT AREA FAR: 1.10 X 416,668 SF = 458,335 SF
RCD STREAMSIDE: 0.01 X 83,987 ON THIS SITE = 840 SF
RCD MANAGED: 0.019 X 18,260 SF ON THIS SITE = 347 SF
RCD UPLAND: 1.10 X 22,242 SF IN THIS AREA = 24,466 SF

TOTAL ALLOWED FLOOR AREA: 483,988 SF
TOTAL PROPOSED FLOOR AREA: 181,575 SF

PARKING

MINIMUM REQUIRED: 1 SPACE PER 1 BDRM = 54x1 = 54 1.4 / 2 BDRM = 34x1.4 = 48 1.75 / 3 BDRM = 22x1.75 = 39 2 / 4 BDRM = 6x2 = 12 MINIMUM 153 SPACES
MAXIMUM ALLOWED: 1.25 / 1 BDRM = 74x1.25 = 93 1.75 / 2 BDRM = 34x1.75 = 60 2.25 / 3 BDRM = 22x2.25 = 50 2.5 / 4 BDRM = 6x2.5 = 15 MAXIMUM 227 SPACES

PROVIDED: 164 STANDARD SPACES 2 COMPACT SPACES 3 VAN SPACES + 6 ADA SPACES 175 SPACES TOTAL

SPACES SERVED BY EV CHARGING STATIONS: REQUIRED: 3% = 5.25 SPACES PROVIDED: 3.4% = 6 SPACES
NOTE: 35 SPACES MUST BE EV-STATION- READY WITH CONDUIT INSTALLED DURING SITE CONSTRUCTION

BICYCLE PARKING

MAX. 126 UNITS
REQUIRED: 1 SPACE PER 4 UNITS = 32 SPACES Residential: 10% short term = 3-4 (OUTSIDE) 90% long term = 28-29 (PROTECTED)
PROVIDED: 4 SPACES (2 LOOPS) OUTSIDE - 1 loop at basketball court 1 loop at middle apartment area 50 PROTECTED SPACES IN OUTDOOR PROTECTED AREAS AND WITHIN BUILDINGS 9 loops / 18 spaces in locked facilities adjacent to apartment buildings 3 loops / 6 spaces at common shelter 26 4'x6' lockable porch closets at townhomes

LIST OF SHEETS

- CZ-0.0 COVER & AREA MAP
- CZ-1.0 EXISTING CONDITIONS
- CZ-1.1 CONSTRUCTION MANAGEMENT PLAN
- CZ-2.0 SITE LAYOUT PLAN
- CZ-3.0 GRADING AND STORMWATER PLAN
- CZ-4.0 reserved for erosion control
- CZ-5.0 UTILITY PLAN
- CZ-6.0 PRELIMINARY LIGHTING PLAN
- CZ-7.0 LANDSCAPE PLAN
- CZ-7.1 LANDSCAPE CALCS AND TREESAVE PLAN
- CZ-8.0 SITE DETAILS
- CZ-8.1 SITE DETAILS
- PD-001 TYPICAL TOWNHOME ELEVATIONS
- PD-002 4-BEDROOM DUPLEX ELEVATIONS
- PD-003 3-BEDROOM DUPLEX ELEVATIONS
- PD-004 CASA BUILDING A ELEVATIONS
- PD-005 CASA BUILDING B ELEVATIONS
- PD-006 CASA BUILDING C ELEVATIONS



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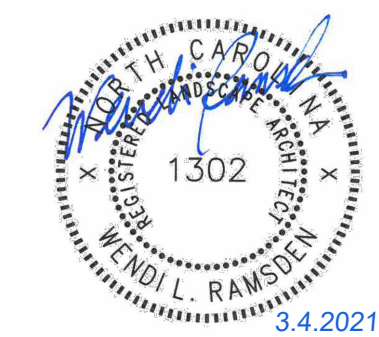


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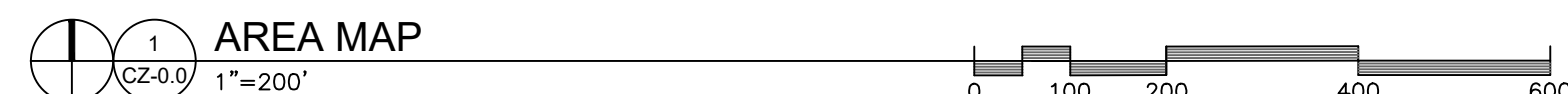
Conditional Zoning Plan

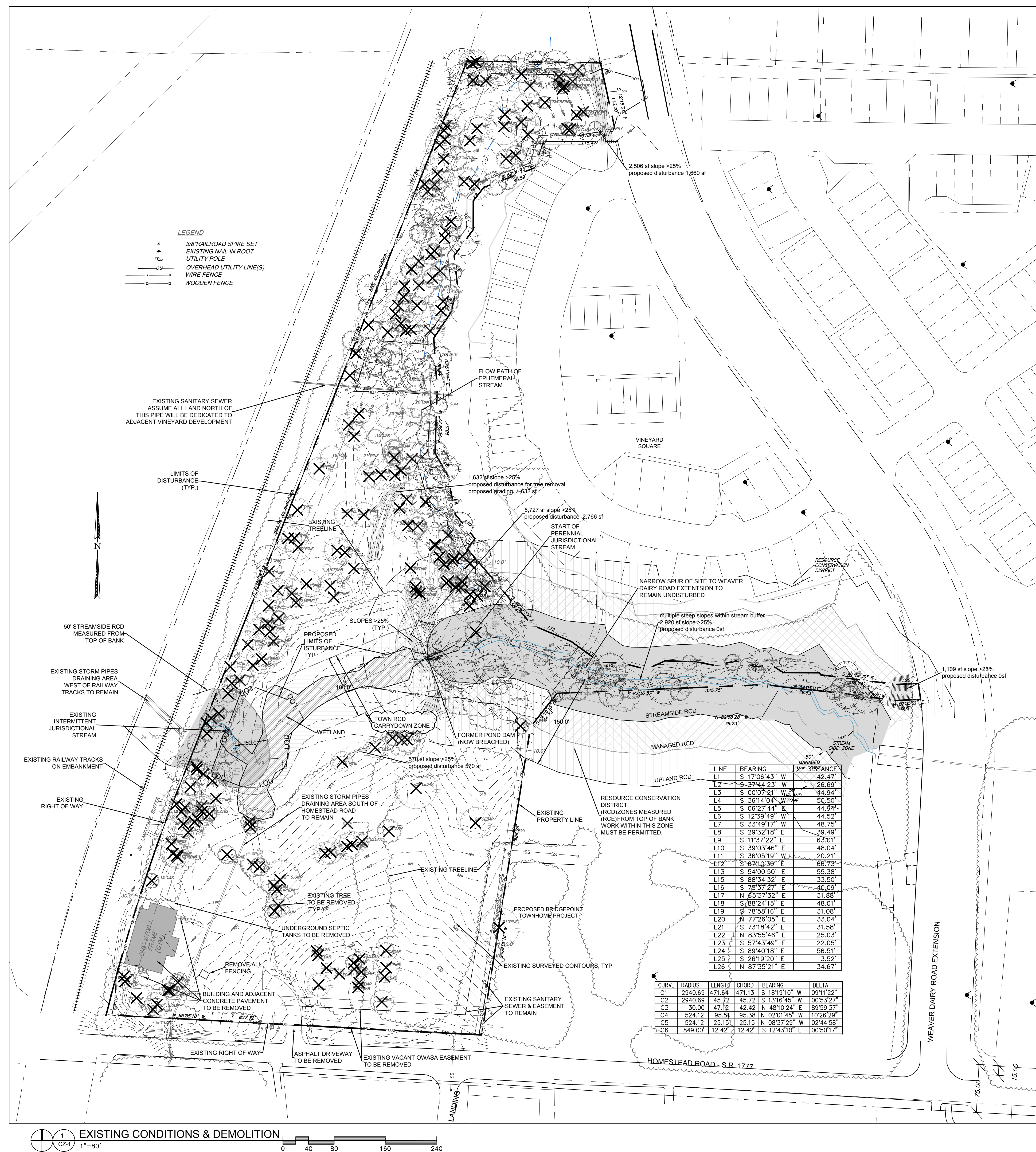
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COVER &
AREA MAP

Sheet Number

CZ-0.0



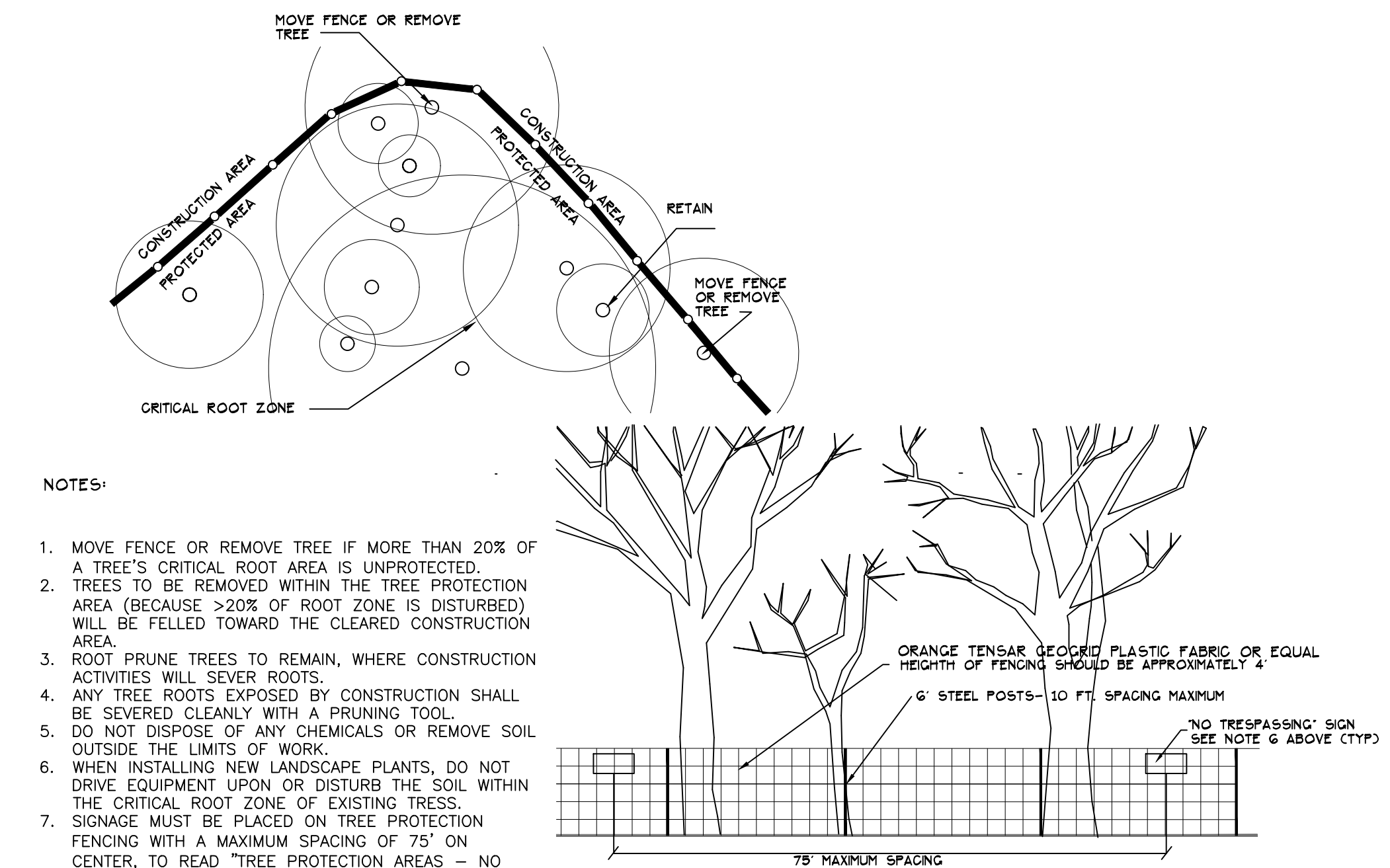


1. ENSURE ALL EROSION CONTROL MEASURES ARE IN PLACE AND IN WORKING ORDER PRIOR TO THE START OF ANY DEMOLITION AND CONSTRUCTION. SEE SITE PLAN SHEET C101 FOR LAYOUT DIMENSIONS OF EXTENT OF DEMOLISHED AREAS. PAVED AREAS NOT INDICATED TO BE DEMOLISHED, ARE TO REMAIN. ALL CONCRETE SAW CUTS ARE TO BE CLEAN, STRAIGHT AND NEAT.
2. UTILITIES: SEE UTILITY PLAN CZ-5.0. 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.
3. CONTRACTOR TO ADJUST ALL MANHOLES, VALVES, JUNCTION BOXES, CATCH BASINS, CLEAN-OUTS, ETC., AS NECESSARY TO ACCOMMODATE NEW LAYOUT AND GRADES.
4. 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.
5. CONTRACTOR RESPONSIBLE FOR REMOVING EVERYTHING WITHIN THE CLEARING LIMITS AND OFF-SITE WORK ZONE INCLUDING TREES, STUMPS, TRASH, FENCING, OR BUILDING MATERIALS.
6. CONTRACTOR TO USE CAUTION WORKING AROUND AND NEAR EXISTING STORM, WATER AND SEWER. CONTRACTOR RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES.
7. 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.
8. ABANDONMENT OF SANITARY SEWER SERVICE LINES SHALL CONSIST OF PLUGGING THE LATERAL AT THE RIGHT-OF-WAY LINE.
9. ALL PAVEMENT PATCHING SHALL BE PERFORMED PER CITY SPECIFICATIONS AND STANDARDS.
10. 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 919-968-2788 TO REQUEST THE ASSESSMENT.
11. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
12. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
13. 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.
14. 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.
15. ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING THE LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
16. ASBESTOS ABATEMENT REPORT MAY BE REQUIRED BEFORE DEMOLITION PERMIT MAY BE ISSUED.
17. 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.
18. 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.
19. TREE PROTECTION SEMINAR TO BE COMPLETED BY CONTRACTOR PRIOR TO TREE PROTECTION FENCE INSTALLATION. PLEASE CALL ADAM NICHOLSON AT 919-969-5006

2 DEMOLITION NOTES

1. 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.
2. 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.
3. THE CONTRACTOR SHALL TAKE THE APPROPRIATE MEASURES TO PREVENT AND REMOVE THE DEPOSIT OF WET OR DRY SILT ON ADJACENT PAVED ROADWAYS.
4. 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.

3 EROSION CONTROL NOTES



4 TREE PROTECTION FENCING

CZ-1 NTS

slope >25%
total area on site of slope >25% = 13,894 sf
total proposed disturbance = 6,058 sf (43.6%)

4 STEEP SLOPES ANALYSIS

CZ-1 NTS



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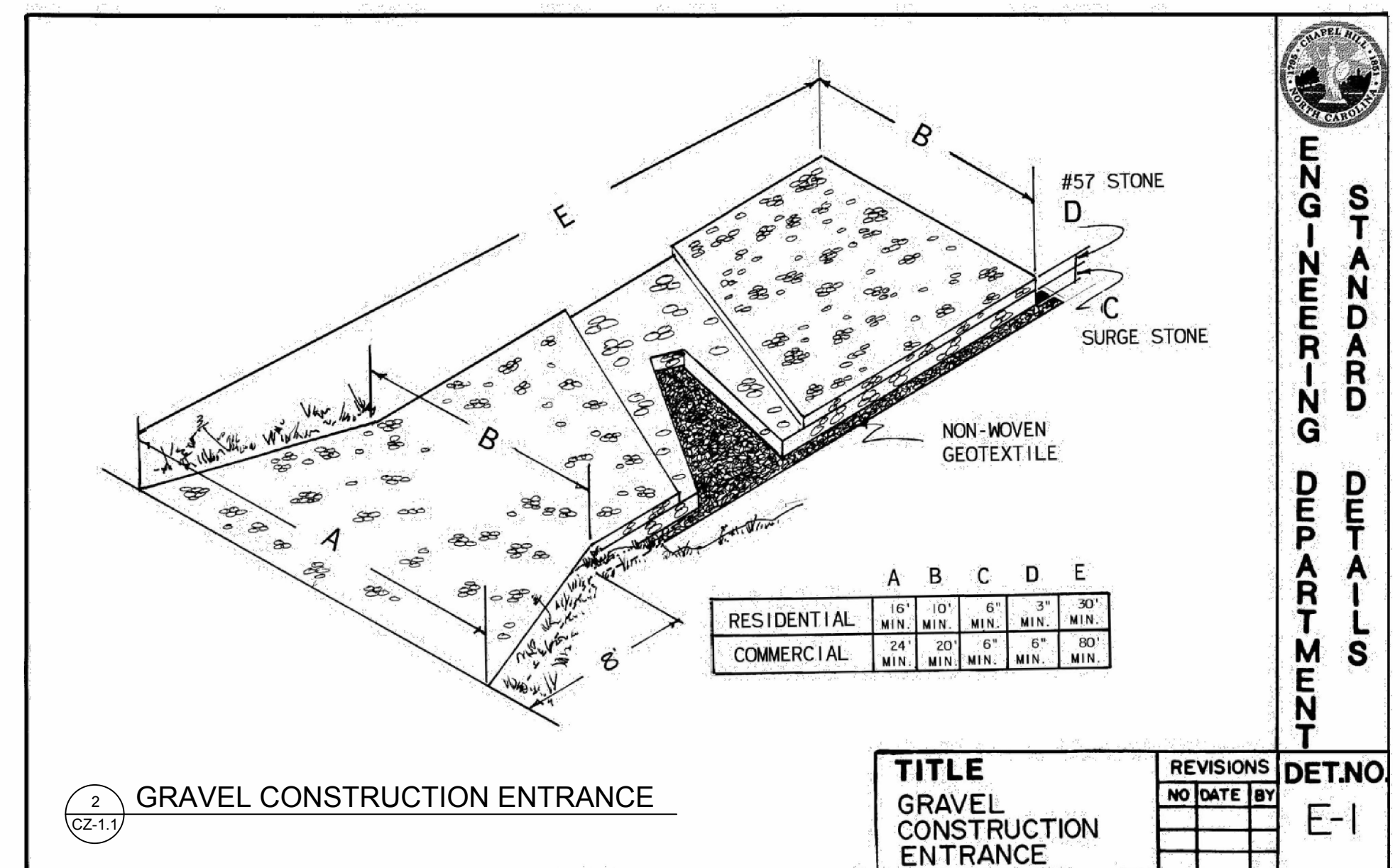
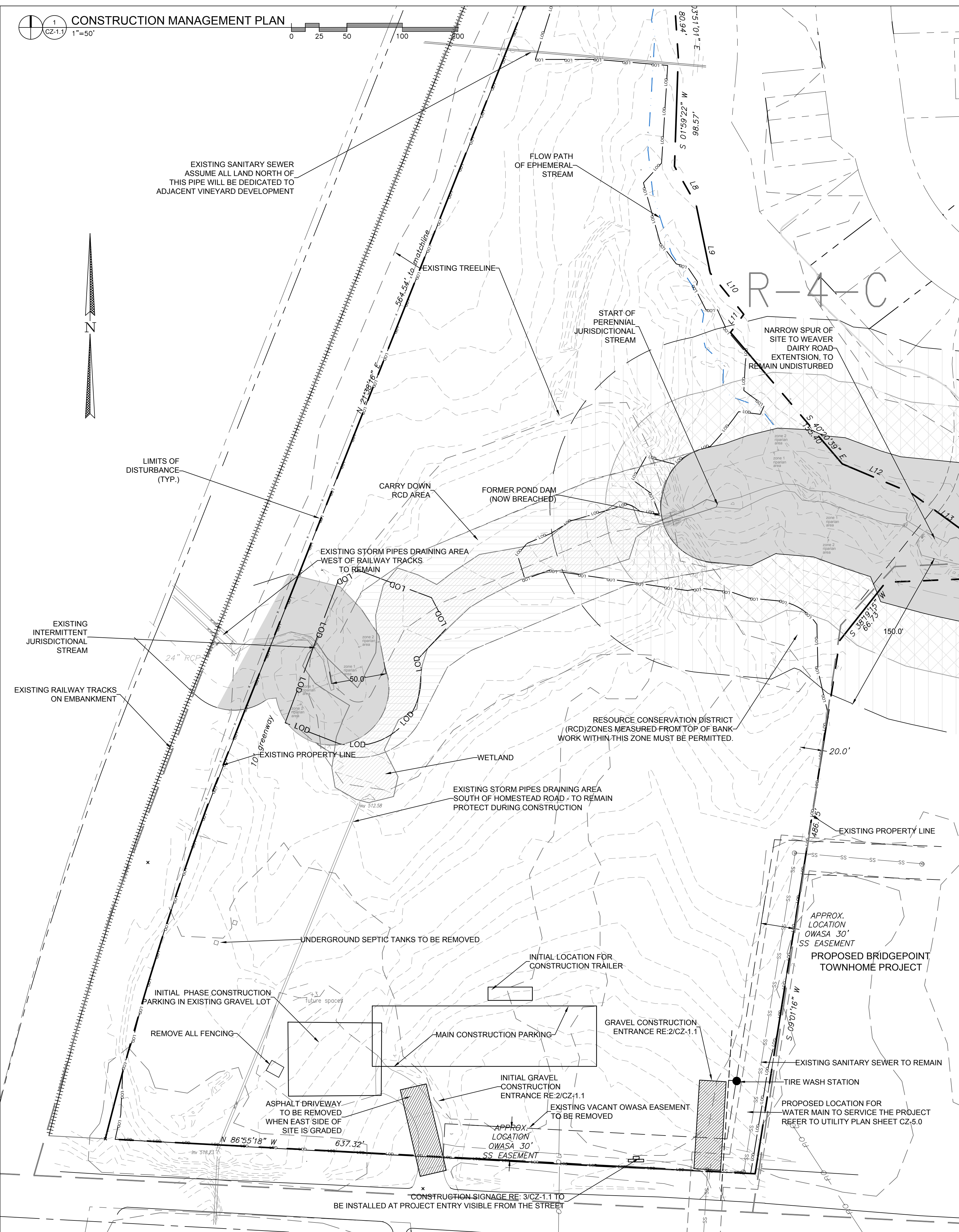
Conditional Zoning Plan

Sheet Title:

EXISTING
CONDITIONS &
DEMOLITION

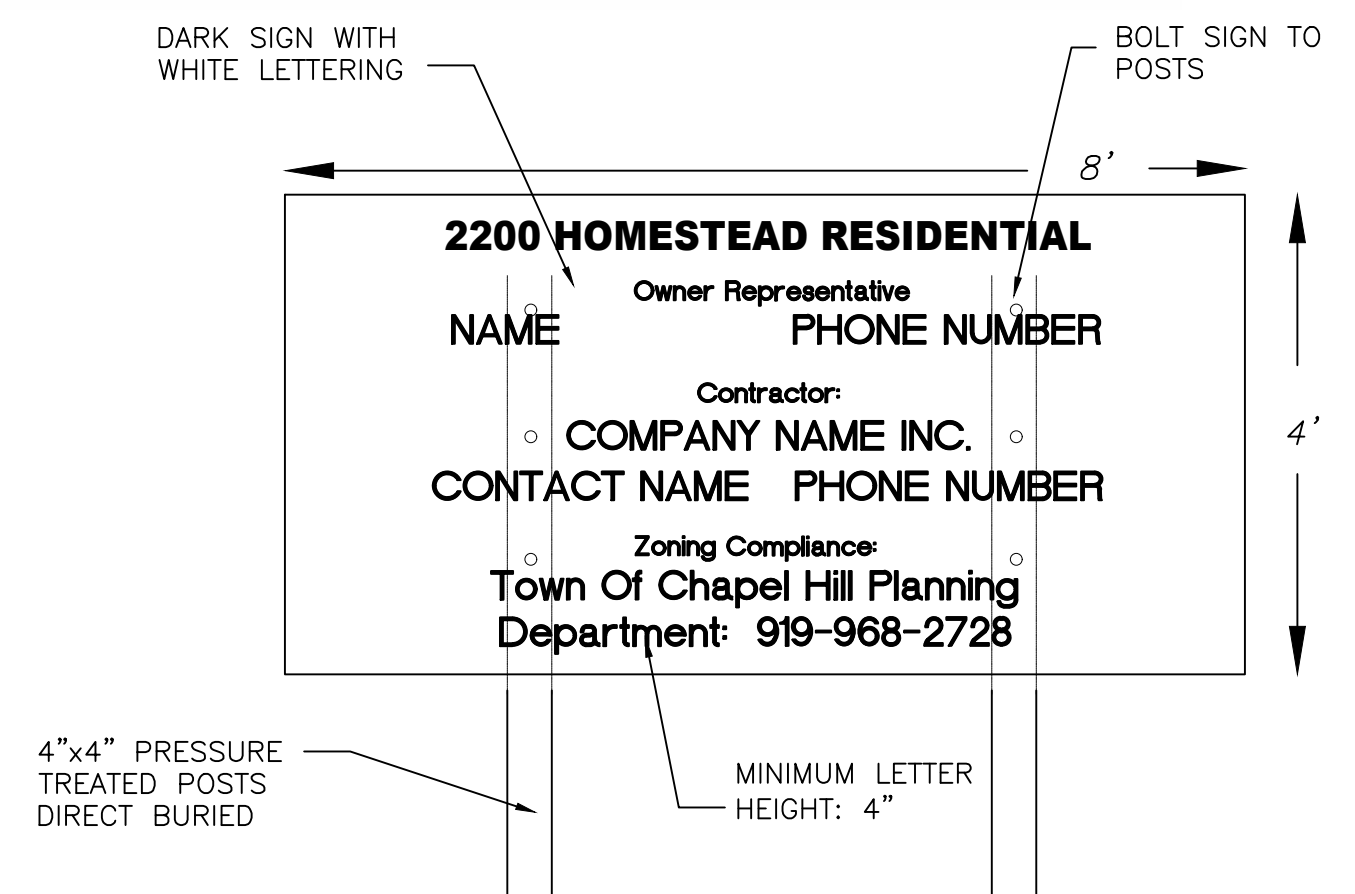
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NOTES:

1. AT A MINIMUM, THE SIGN IS TO INCLUDE THE FOLLOWING INFORMATION: PROJECT NAME, OWNER CONTACT, CONTRACTOR CONTACT, ZONING COMPLIANCE CONTACT.
2. SIGN IS TO BE A MAXIMUM OF 4' X 8'
3. SIGN IS TO BE REMOVED AT PROJECT COMPLETION
4. THE SIGN WILL NEED A SEPARATE PERMIT THROUGH TOWN OF CHAPEL HILL PLANNING DEPARTMENT



CONSTRUCTION SIGNAGE

CONSTRUCTION STAGING NOTES

1. EXISTING GRAVEL PARKING IS TO BE LEFT INTACT FOR CONSTRUCTION WORKERS UNTIL WORK IS DONE IN EACH AREA AND GRAVEL NEEDS TO BE REMOVED.
2. NO CONSTRUCTION PARKING WILL BE ALLOWED ON ADJACENT RESIDENTIAL STREETS.
3. CURB AND GUTTER AND AT LEAST THE FIRST LIFT OF ASPHALT MUST BE LAID DOWN AHEAD OF BUILDING CONSTRUCTION.
4. ON-SITE PARKING FOR INSPECTORS WILL BE PROVIDED AT EACH BUILDING FOR THE DURATION OF EACH PHASE OF BUILDING CONSTRUCTION.
5. THE TOWN OF CHAPEL HILL NOISE ORDINANCE MUST BE COMPLIED WITH. THE TOWN ORDINANCE SPECIFIES CONSTRUCTION OPERATIONS ARE LIMITED TO 7 AM TO 9 PM WEEKDAYS, AND 8 AM TO 9 PM WEEKENDS.
6. MATERIAL STORAGE, PARKING, CONSTRUCTION TRAIL, AND TOILET FACILITIES MUST BE LOCATED OUTSIDE OF RCD ZONES, AND LOCATED SO THAT DRAINAGE FROM THESE SPACES DO NOT DIRECTLY DRAIN INTO THE RCD.

TRAFFIC/PEDESTRIAN CONTROL NOTES

1. ANY CONSTRUCTION REQUIRING TEMPORARY LANE CLOSURES ON PUBLIC STREETS NEED TOWN APPROVAL. TEMPORARY LANE CLOSURES ARE ONLY ALLOWED DURING DAYLIGHT HOURS.
2. ALL WORK ZONE SIGNAGE SHALL COMPLY WITH APPLICABLE M.U.T.C.D. STANDARDS AND DETAILS.
3. PRIOR TO ANY TRAFFIC LANE CLOSURES, IT WILL BE NECESSARY TO CONTACT ERNIE ROGERS AT 919-368-2833, OF THE CHAPEL HILL ENGINEERING DIVISION, AT LEAST 5 WORKING DAYS BEFORE THE PROPOSED WORK TO APPLY FOR A LANE CLOSURE PERMIT.

FIRE PROTECTION NOTES

1. CONTRACTOR SHALL MAINTAIN A FIRE WATCH DURING THE CONSTRUCTION OR DEMOLITION OF "HOT WORK" THAT MAY SUBJECT MATERIALS TO SPONTANEOUS COMBUSTION. 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.
2. ALL CONSTRUCTION AND DEMOLITION SHALL COMPLY WITH THE CURRENT EDITION OF CHAPTER 14 OF THE NC FPC (FIRE CODE).
3. ANY PERMANENT OR TEMPORARY GATES ACROSS FIRE ACCESS DRIVES SHALL BE A MINIMUM WIDTH OF 20', EITHER SWINGING OR SLIDING TYPE, HAVE AN EMERGENCY MEANS OF OPERATION, AND SHALL BE OPERABLE 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 2012.

CONSTRUCTION MANAGEMENT NOTES

1. PROJECT CONSTRUCTION WILL BE PHASED. THE MAJORITY OF THE SITE WORK WILL BE COMPLETED FIRST IN ORDER TO PROVIDE BUILDING PADS FOR VERTICAL CONSTRUCTION.
2. BUILDING CONSTRUCTION WILL NOT BEGIN UNTIL THE UTILITY MAINS ARE INSTALLED AND THE FIRST LAYER OF PAVEMENT IS COMPLETE.
3. A CONSTRUCTION TRAILER WILL BE INSTALLED AT THE SITE AND LOCATED APPROXIMATELY IN THE AREA OF THE PROPOSED APARTMENT BUILDINGS. THE CONSTRUCTION TRAILER MAY BE RELOCATED WITHIN THE SITE AS BUILDING CONSTRUCTION IS PERMITTED AND STARTED.
4. CONSTRUCTION PARKING WILL BE ALLOWED ON SITE INITIALLY IN GRAVEL AREAS AND LATER IN PROPOSED FUTURE PARKING AREAS. AS BUILDING CONSTRUCTION BEGINS, THERE WILL BE A PARKING SPACE ALLOCATED FOR AN INSPECTOR AT EACH BUILDING.
5. CONSTRUCTION MATERIALS WILL NOT BE LOADED OR UNLOADED IN RCD ZONES.
6. CONSTRUCTION MATERIALS MAY BE STORED IN MULTIPLE AREAS ON SITE. CONSTRUCTION MATERIAL STORAGE WILL NOT BE ALLOWED IN RCD ZONES.

CONSTRUCTION PHASING NOTES

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North Carolina

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JT Job Number: 1748

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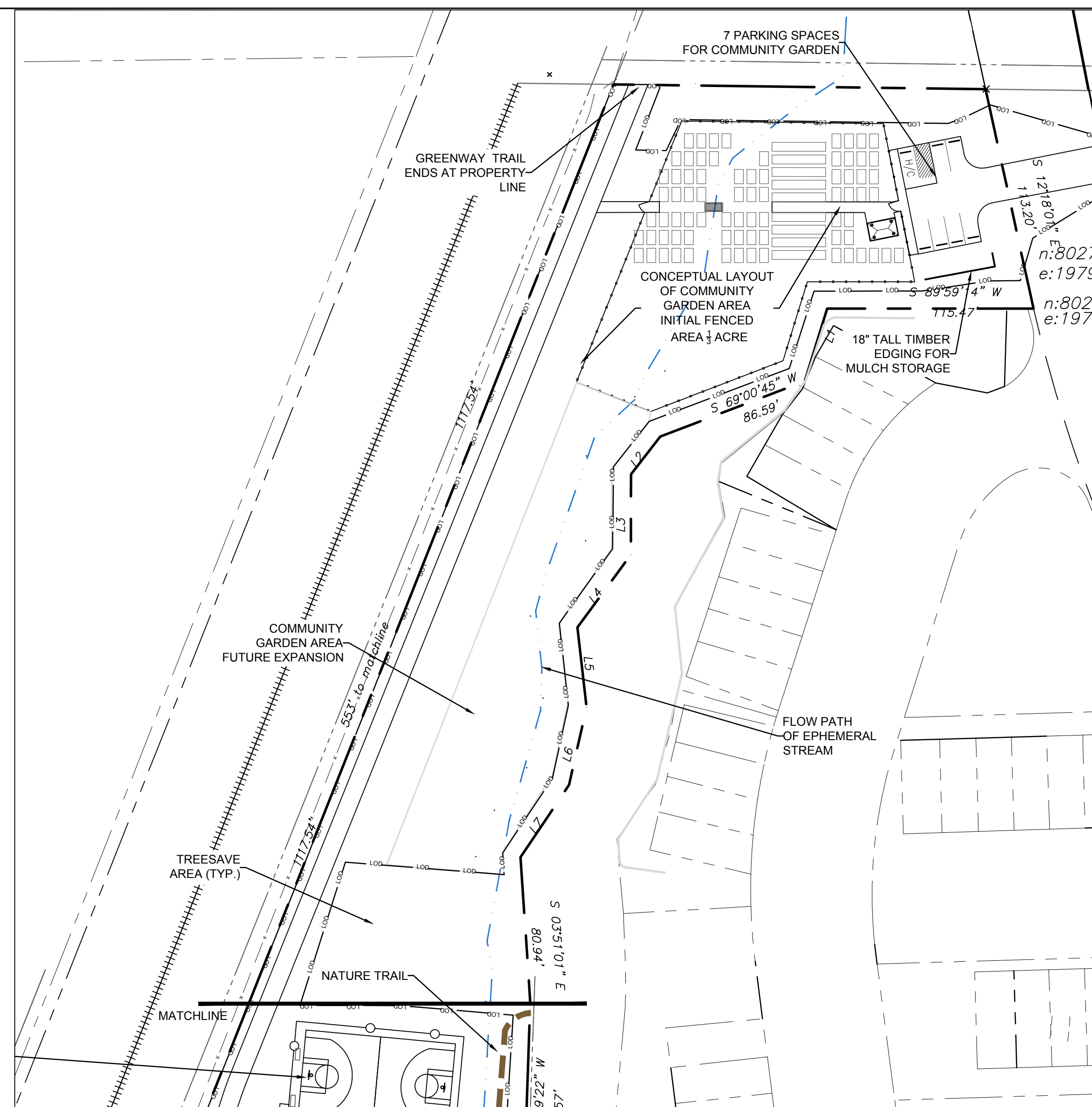
Conditional Zoning Plan

Sheet Title:

CONSTRUCTION MANAGEMENT PLAN

Sheet Number

CZ-1.1



 **SITE LAYOUT NORTH AREA PLAN**

1"=50'

0 25 50 100 200

1. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
2. DIMENSIONS TO BUILDING WALL ARE TO FACE OF WALL AT FINISH GRADE. DIMENSIONS TO CURB ARE TO FACE OF CURB.
3. LAY OUT IMPROVEMENTS FOR THE CIVIL ENGINEER'S OR LANDSCAPE ARCHITECT'S REVIEW PRIOR TO BEGINNING CONSTRUCTION.
4. REFERENCE ARCHITECTURAL DRAWINGS FOR BUILDING LAYOUT INFORMATION.
5. ADA PARKING SPACES SHALL BE SIGNED WITH TYPE R7-8 OR R7-8A RESERVED PARKING SIGN AND R7-8D 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.
6. REFERENCE EXISTING CONDITION SHEET C2-1.0 FOR EXTENT OF DEMOLITION AND REMOVAL OF CURB AND GUTTER, DRIVEWAYS, PAVEMENT, BOLLARDS, WALKWAYS, UTILITIES, AND VEGETATION.
7. BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL AND CORRUGATED CARDBOARD, ALL PRESENT IN CONSTRUCTION WASTE, MUST BE RECYCLED.
8. BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF CONSTRUCTION WASTE MUST BE PROPERLY LICENSED.
9. 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.
10. 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.
11. MASONRY WALLS WILL NOT BE REPAIRED BY THE TOWN RESULTING FROM MAINTENANCE ON TOWN OF CHAPEL HILL AND OWASA MAINTAINED UTILITIES.
12. THERE WILL BE TWO CLASS 1 BIKE RACKS LOCATED INSIDE THE BUILDING.
13. KEY BOXES FOR FIRST RESPONDERS WILL BE REQUIRED NEAR THE FRONT DOOR AND SPRINKLER RISER ROOM AREAS. 2012 NC FIRE CODE, SECTION 506.
14. MECHANICAL EQUIPMENT MUST BE PLACED AT OR ABOVE BASE FLOOD ELEVATION + 2 FEET.
15. PRIOR TO PERFORMING WORK IN THE NCDOT R/W, THE APPLICANT WILL NEED TO OBTAIN THE FOLLOWING:
 - (1) APPROVED NCDOT DRIVEWAY PERMITS FOR PROPOSED ACCESSES TO NC 86.
 - (2) APPROVED NCDOT THREE-PARTY ENCRoACHMENT AGREEMENT WITH TOCH FOR PROPOSED / STIPULATED SIDEWALK AND APPURTENANCES.
 - (3) APPROVED NCDOT THREE-PARTY ENCRoACHMENT AGREEMENT WITH OWASA FOR PROPOSED WATER AND SEWER CONNECTIONS.
16. 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.

SITE LAYOUT NOTES

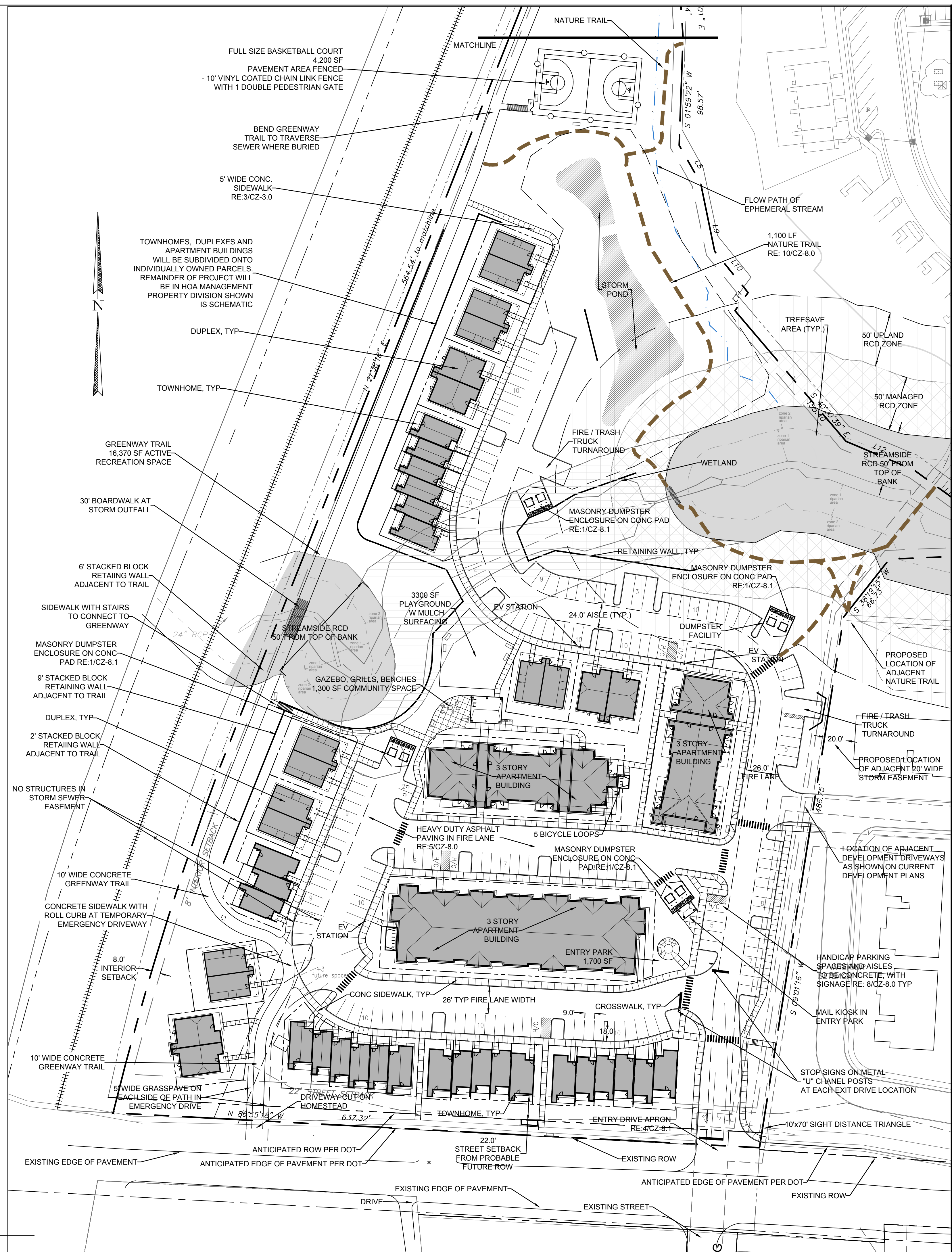
TOTAL SITE AREA: 570,066 SF
MULTIFAMILY RESIDENTIAL RECREATION RATIO = .050
TOTAL REQUIRED RECREATION SPACE = 28,503 SF

ACTIVE RECREATION SPACE PROVIDED:

GREENWAY TRAIL	16,370 SF
PLAYGROUND	3,300 SF
BASKETBALL COURT	4,200 SF
NATURE TRAIL	4,400 SF
PICNIC SHELTER	1,300 SF (supports playground use)
TOTAL:	29,570 SF

OTHER RECREATION SPACE PROVIDED:	
COMMUNITY GARDEN	11,000 SF
SIDEWALKS - 2/3 MILE	
ALL INTERCONNECTED	16,700 SF
ENTRY PARK	<u>1,700 SF</u>
TOTAL:	<u>29,400 SF</u>

RECREATION SPACE CALCULATIONS



SITE LAYOUT MAIN AREA PLAN
1"=50'

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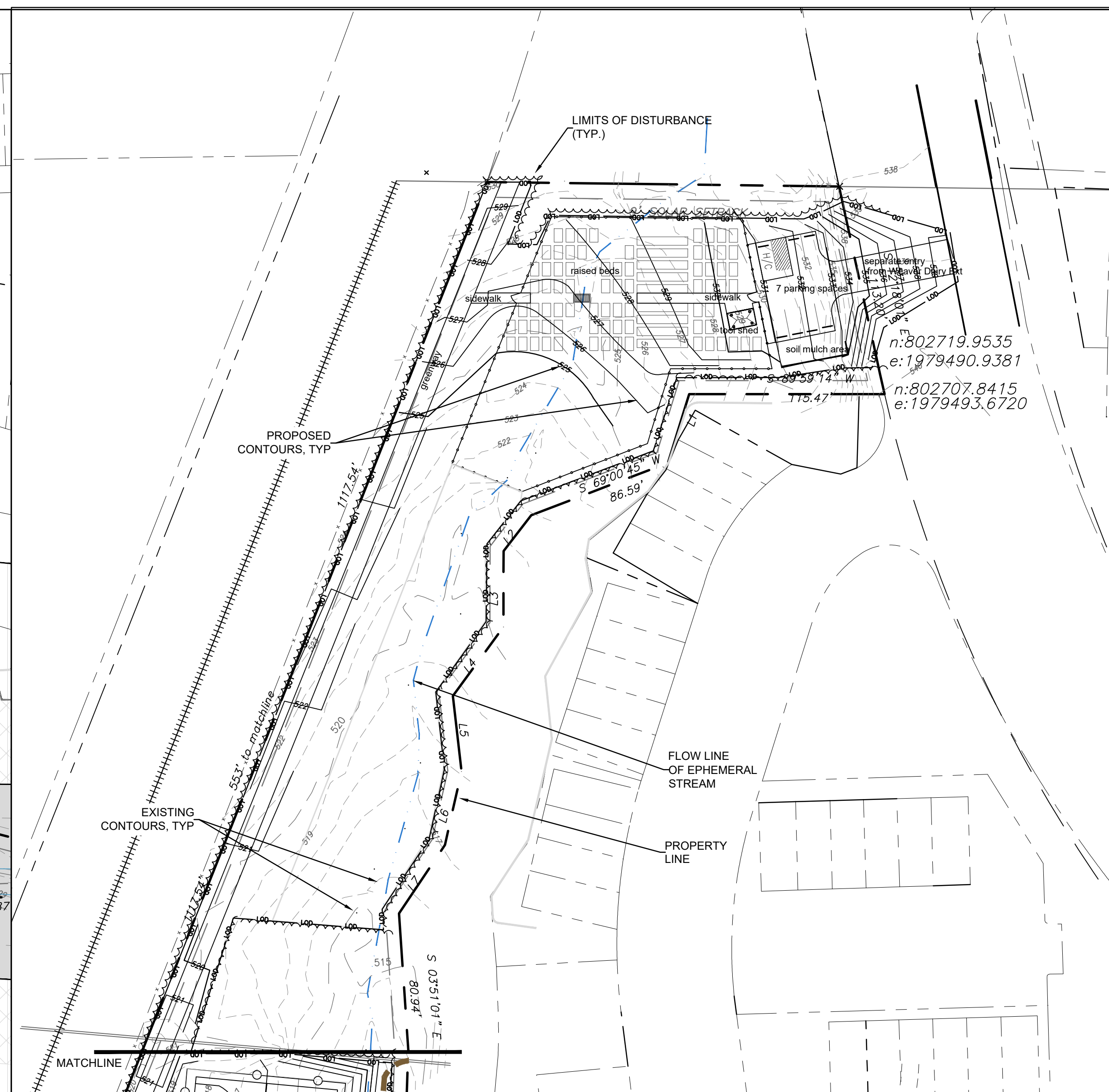
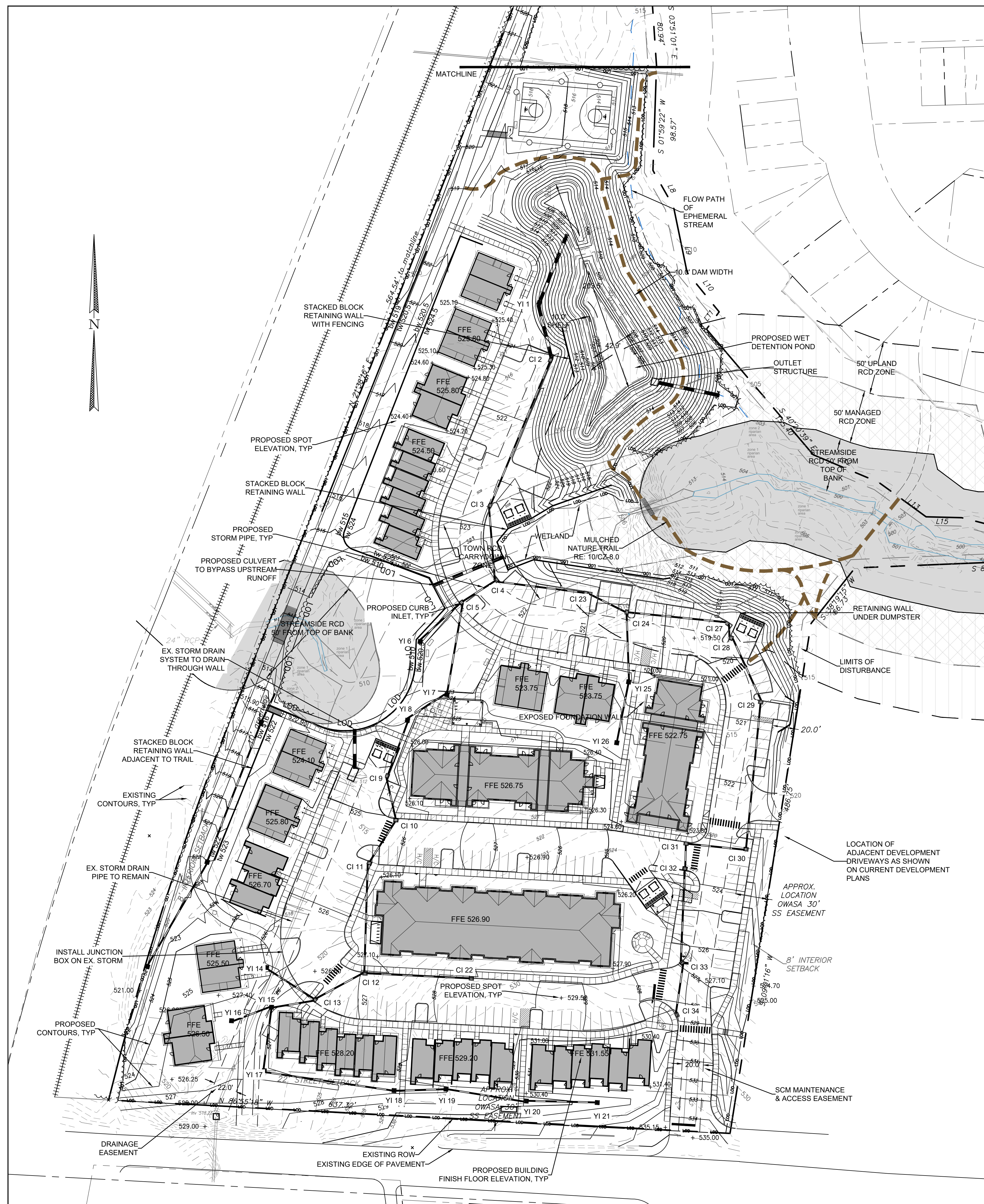
Conditional Zoning Plan

Sheet Title:

SITE LAYOUT PLAN

Sheet Number

CZ-2.0



2 CZ-3 1"=50'

GRADING AND STORM DRAINAGE PLAN - NORTH

0 25 50 100 200

1. 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.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF CHAPEL HILL AND NC DOT STANDARDS AND SPECIFICATIONS.
3. 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".
4. CONSTRUCTION, MAINTENANCE AND REMOVAL OF ALL EROSION CONTROL DEVICES ARE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
5. 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.
6. 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 UNDERCUT OF SOILS IN THESE AREAS SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER & OWNER. THE UNDERCUT SOILS SHALL ALSO BE QUANTIFIED BY THE GEOTECHNICAL ENGINEER.
7. ALL GRADING MUST PRODUCE SURFACE DRAINAGE ADEQUATE TO PREVENT STANDING WATER OR WET LAWN AREAS, AND TO ENSURE THAT ALL STORM WATER FLOWS TO INLETS OR OTHER POINTS OF DISCHARGE.
8. ALL SIDEWALKS SHALL BE CONSTRUCTED WITH A MAXIMUM 1.8% CROSS SLOPE IN THE DIRECTION SHOWN ON THE PLAN.
9. CONNECT ALL ROOF LEADERS AND DOWNSPOUTS TO STORM DRAINAGE SYSTEM WITH PVC PIPE. SEE ARCHITECTURAL PLANS FOR LOCATIONS.
10. 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.
11. SW (BOTTOM OF WALL) ELEVATION IS FINISH GRADE, NOT THE FOOTING. REFERENCE RETAINING WALL PLANS/DETAILS FOR DEPTH OF FOOTING.

3 CZ-3

GRADING AND STORM DRAINAGE NOTES

RCD ZONE	TOTAL AREA ON SITE	PROPOSED DISTURBANCE SF	%	ALLOWED BY ORDINANCE	PROPOSED IMPERVIOUS SF	%	ALLOWED BY ORDINANCE
streamside	83,987 SF	21,547 SF	25.7%	20 %	8,606 SF	10.2 %	10 %
managed	18,260 SF	7,691 SF	42.1 %	40 %	84 SF	0.5 %	20 %
upland	22,242 SF	20,548 SF	92.4 %	40 %	6,743 SF	30.3 %	20 %

THESE CALCULATIONS INCLUDE THE CARRY DOWN ZONE AS STREAMSIDE RCD.
NOTE: Drawings are unchanged from 3-4-2021 final set. Calculations updated 4-29-2021.

4 CZ-3

RESOURCE CONSERVATION DISTRICT CALCULATIONS

1 CZ-3 1"=50'

GRADING AND STORM DRAINAGE PLAN

0 25 50 100 200



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LIC # C-104



Project:

2200
Homestead
Road

Chapel Hill
North Carolina

PIN: 9870912947



PRELIMINARY-DO NOT
USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR PBR, MTC
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Conditional Zoning Plan

Sheet Title:

GRADING AND
STORM
DRAINAGE PLAN

Sheet Number

CZ-3.0



- 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 OWASA.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE OWASA 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 SHOULD 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:

- BACKWATER VALVES 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:

- 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 SIAMESE CONNECTIONS AND MEET TOWN OF CHAPEL HILL AND OWASA STANDARDS.
- A FIRE HYDRANT IS REQUIRED WITHIN 100' OF THE FIRE DEPARTMENT CONNECTION (FDC).
- WATER LINES WILL CONNECT TO THE WATER MAIN ON THE NORTH SIDE OF HOMESTEAD ROAD. CONSTRUCTION METHOD WILL BE OPEN CUT THE SHORT DISTANCE TO THE MAIN. ANY UTILITY CONNECTIONS REQUIRED TO THE SOUTH SIDE OF HOMESTEAD WILL BE BORED.

2 UTILITY NOTES

1 UTILITY PLAN



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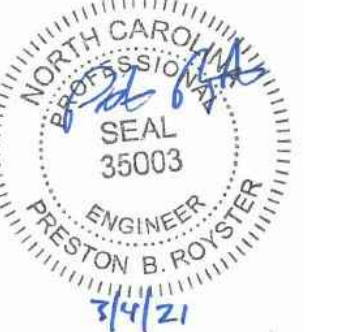


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Conditional Zoning Plan

Sheet Title:

UTILITY PLAN

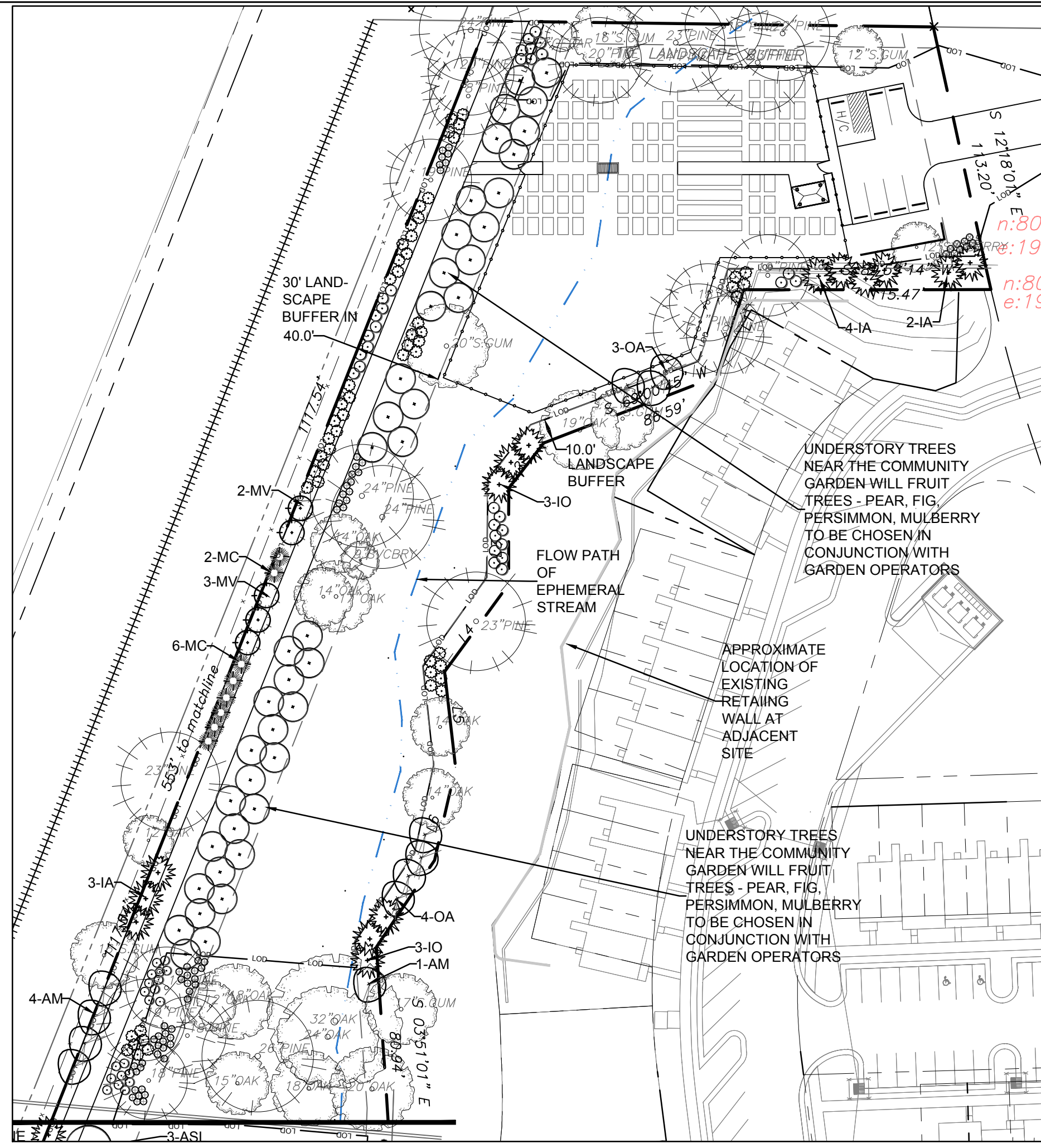
Sheet Number

CZ-5.0

1. LANDSCAPING MUST BE IN PLACE PRIOR TO REQUEST FOR A CERTIFICATE OF OCCUPANCY OR CERTIFICATE OF COMPLIANCE.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS, DEPTHS, QUANTITIES, DISTANCES, ANGLES AND SLOPES PRIOR TO ORDERING MATERIALS OR INSTALLING PROJECT.
3. IN AREAS OF GROUND COVER, MAINTAIN A 12" MINIMUM DISTANCE BETWEEN PLANTS AND HARD IMPROVEMENTS.
4. BED LINES SHALL CONFORM TO CONFIGURATION SHOWN ON THE PLANS. BED LINES SHALL MEET CURBS, WALKS, BUILDINGS, ETC. AT RIGHT ANGLES UNLESS SHOWN OTHERWISE.
5. CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE THEMSELV WITH ACTUAL CONDITIONS AND VERIFY EXISTING CONDITIONS IN THE FIELD. CONTRACTOR SHALL REPORT ALL DISCREPANCIES TO LANDSCAPE ARCHITECT.
6. 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.
7. IN LAWN AREAS, 2" TOPSOIL/COMPOST SHALL BE TILLED INTO THE TOP 5" OF GROUND PRIOR TO SEEDING. IN LANDSCAPE BEDS, 3" TOPSOIL/COMPOST SHALL BE TILLED INTO THE TOP 6" OF GROUND PRIOR TO PLANT INSTALLATION.
8. CONTRACTOR WILL OBTAIN WRITTEN APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY PLANT SUBSTITUTIONS OF SPECIES, SIZE, OR TYPE OF CONTAINER.
9. 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.
10. CONTRACTOR WILL LEAVE DISTURBED AREAS LEVEL AND RAKED SMOOTH, REMOVING ALL ROCKS AND DEBRIS.
11. MULCH IS TO BE A 3" LAYER OF TRIPLE SHREDDED HARDWOOD MULCH. MULCH IS TO BE KEPT AWAY FROM TREE TRUNKS.
12. 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.
13. 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.
14. ALL UNPAVED SURFACES ARE TO BE COVERED IN PLANTS, MULCH, OR GRASS.
15. 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.
16. ANY INVASIVE, EXOTIC PLANT MATERIAL WILL BE REMOVED. A SURVEY OF EXISTING THE LANDSCAPE BUFFERS TO REMAIN WILL BE CONDUCTED FOLLOWING INITIAL CLEARING, AND ANY INVASIVE OR EXOTIC SPECIES FOUND WILL BE REMOVED.
17. THE AREA WITHIN THE SIGHT TRIANGLE AREA SHALL BE THINNED OF ALL SHRUBS, TREES LARGER THAN 1" CAL SHALL BE LIMBED UP TO 7' ABOVE EXISTING GRADE TO IMPROVE VISIBILITY.

3 PLANTING NOTES

CZ-7



LANDSCAPE PLAN - NORTH SITE

1"=50'

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	REMARKS
CANOPY TREES						
14	AF	Acer freemanii	Freeman Maple	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
5	AR	Acer rubrum 'Autumn Glory'	Autumn Glory Maple	2.5" CAL.		SINGLE TRUNK & LEADER
23	ASL	Acer saccharum 'Legacy'	Legacy Sugar Maple	2.5" CAL.		SINGLE TRUNK & LEADER
15	BN	Betula nigra 'heritage'	Heritage River Birch	3" CAL total	14' ht.	AS SHOWN 3 TRUNK MINIMUM
6	MG	Magnolia grandifolia	Southern Magnolia	2.5" CAL.		
16	NS	Nyssa sylvatica	Black gum	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
33	PV	Pinus virginiana	Virginia Pine	2" cal.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
8	PS	Prunus sargentii	Sargent Cherry	2" cal.		AS SHOWN SINGLE TRUNK & LEADER
8	QS	Quercus shumardii	Shumard Oak	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
3	QV	Quercus virginiana	Live Oak	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
5	TD	Taxodium distichum	Bald Cypress	2.5" CAL.	12' ht.	AS SHOWN SINGLE TRUNK & LEADER
10	UP	Ulmus americana 'Princeton'	Princeton American Elm	2.5" CAL.	14' ht.	AS SHOWN SINGLE TRUNK & LEADER
146						
UNDERSTORY TREES						
26	AM	Amerlanchier arborea	Serviceberry	1" cal.	8' HT.	AS SHOWN MULTI-TRUNK
15	CC	Cercis canadensis 'Hearts of Gold'	Hearts of Gold Redbud	1" cal.	8' HT.	AS SHOWN SINGLE TRUNK & LEADER
28	CF	Cornus florida	Dogwood	1" cal.	8' HT.	AS SHOWN
10	CV	Chionanthus virginiana	Fringetree	1" cal.	8' HT.	AS SHOWN
30	IA	Ilex x attenuata 'Fosteri'	Foster Holly	8' HT.	AS SHOWN	
18	INS	Ilex Nellie Stevens	Nellie Stevens Holly	8' ht.	AS SHOWN	
16	IO	Ilex opaca	American Holly	1" cal.	6' HT.	8' O.C. SINGLE TRUNK & LEADER
28	JV	Juniperus virginiana	Eastern Redcedar	8' HT.	AS SHOWN	FULL AND MATCHING
7	LI	Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle	8-10' HT.	AS SHOWN	MULTI-TRUNK
57	MC	Myrica cerifera	Eastern Waxmyrtle	8' HT.	AS SHOWN	FULL
6	MLG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	1.5" cal.	8' ht.	10' O.C. FULL AND MATCHING
22	MV	Magnolia virginiana	Sweetbay Magnolia	1.5" cal.	8' ht.	AS SHOWN FULL
18	OA	Oxydendron arboreum	Sourwood	1.5" cal.	8' HT.	AS SHOWN FULL
27	TGG	Thuja x Green Giant	Green Giant Arborvitae	1.5" cal.	8' HT.	AS SHOWN FULL
42		Fig, pear, persimmon, mulberry trees for planting near community garden		8' ht.	12' O.C.	FULL
350						
SHRUBS						
CI		Camellia japonica	Camellia	24" ht.		5' o.c. FULL AND MATCHING
CHF		Cephalotaxus harringtonia 'Fastigiate'	Upright Plum Yew	24" ht		5' o.c. FULL AND MATCHING
DG		Deutzia gracilis	Slender Deutzia	24" ht		4' o.c. FULL
GJ		Gardenia jasminoides	Gardenia	24" ht		5' o.c. FULL AND MATCHING
HQ		Hydrangea quercifolia	Oakleaf Hydrangea	24" ht		5' o.c. FULL AND MATCHING
ICC		Ilex cornuta 'carissa'	Carissa Holly	15" HT.		30" O.C. FULL AND MATCHING
IG		Ilex glabra	Inkberry Holly	15" HT.		36" O.C. FULL AND MATCHING
IL		Illicium parvifolia	Anise	24" ht		4' o.c. FULL AND MATCHING
IVN		Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	24" ht		
JC		Juniperus chinensis 'Sea Green'	Sea Green Juniper	18" HT.		36" O.C. FULL AND MATCHING
LE		Loropetalum chinense 'Emerald'	Emerald Loropetalum	15" HT.		36" O.C. FULL AND MATCHING
LOR		Loropetalum chinense	Loropetalum	24" ht		42" O.C. FULL AND MATCHING
PEN		Pennisetum	Fountain Grass	1 gal		36" O.C. FULL AND MATCHING
PC		Prunus caroliniana 'Otto Luyken'	Otto Luyken	18" HT.		36" O.C. FULL AND MATCHING
SR		Sarcococca rustica	Sweetbox	18" HT.		36" O.C. FULL AND MATCHING
WS		Weigela 'Florida Variegata'	Variegated Weigela	18" HT.		36" O.C. FULL AND MATCHING
0						
GROUND COVER						
AR		LAWN/Fescue	3 var improved seed mix			SEED

3 PLANT LIST

CZ-7



LANDSCAPE PLAN

1"=50'



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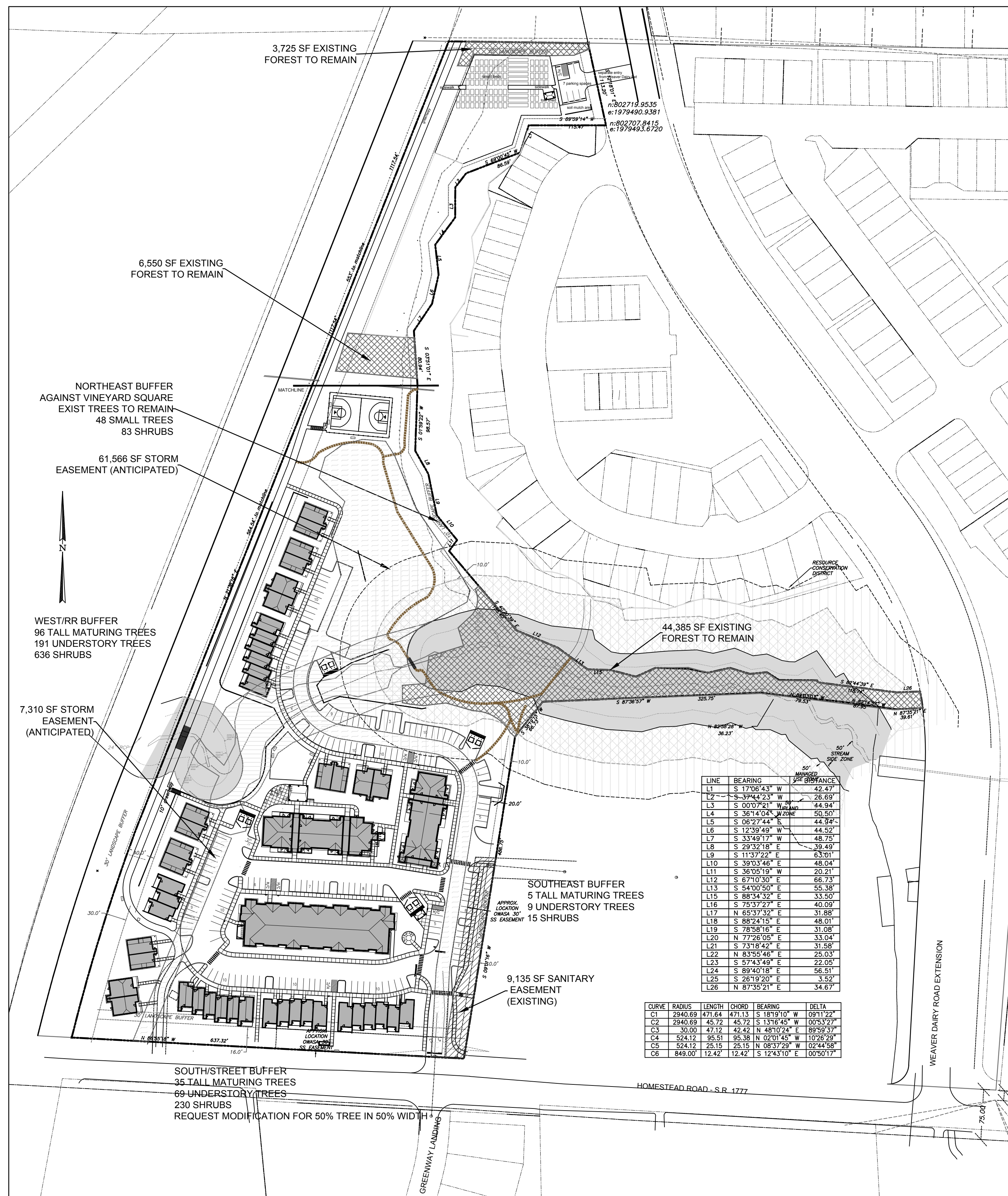
Conditional Zoning Plan

Sheet Title:

LANDSCAPE PLAN

Sheet Number

CZ-7.0



# Required per 100'	Required Plantings:	Existing Plantings	Plantings Provided
West Buffer "D" - against railway tracks			
30' Wide	6 Large Tree = 95.4	96 Large Trees - 0	= 96 Large Trees
1589 LF	12 Small Tree = 190.7	191 Small Trees - 0	= 191 Small Trees
(Internal)	40 Shrubs = 635.6	636 Shrubs - 0	= 636 Shrubs

South Buffer "D" - Homestead Frontage			
Modification request to reduce buffer to 50% requirement due to shifting right of way			
Plant half of:			
30' Wide	6 Large Tree = 34.5	18 Large Trees - 0	= 18 Large Trees
574 LF	12 Small Tree = 68.9	35 Small Trees - 0	= 35 Small Trees
(External)	40 Shrubs = 229.6	115 Shrubs - 0	= 115 Shrubs

Southeast Buffer "B" - Adjacent to Bridgepoint			
Modification request to plant nothing - to be installed on adjacent parcel			
Plant none of:			
0 Wide	4 Large Tree = 6.3	7 Large Trees - 0	= 7 Large Trees
313 LF	7 Small Tree = 11.0	11 Small Trees - 0	= 11 Small Trees
(Internal)	12 Shrubs = 18.8	19 Shrubs - 0	= 19 Shrubs

Midwest Buffer "B" - Adjacent to Bridgepoint			
Entire buffer width will be planted on project parcel			
10' Wide	4 Large Tree = 3.7	4 Large Trees - 0	= 8 Large Trees
181 LF	7 Small Tree = 6.4	7 Small Trees - 0	= 13 Small Trees
(Internal)	12 Shrubs = 10.9	11 Shrubs - 0	= 22 Shrubs

Northeast Buffer "B" - Adjacent to Vineyard Square			
10' Wide	4 Large Tree = 27.4	28 Large Trees - 28	= 0 Large Trees
1036 LF	7 Small Tree = 47.9	48 Small Trees - 0	= 48 Small Trees
(Internal)	12 Shrubs = 82.1	83 Shrubs - 0	= 83 Shrubs

3 BUFFER CALCULATION SUMMARY

Lot	Paved Area	# Required per 2000 Sf	Required Plantings:	Plantings Provided
South	14,625 SF	1 Canopy Tree	7.4	8 Large Trees
West	10,100 SF	1 Canopy Tree	5.1	6 Large Trees
Middle	11,555 SF	1 Canopy Tree	5.8	6 Large Trees
East	21,255 SF	1 Canopy Tree	10.7	11 Large Trees
Northwest	23,720 SF	1 Canopy Tree	11.9	12 Large Trees

4 PARKING LOT CALCULATION SUMMARY



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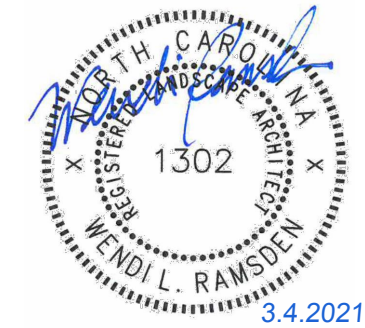


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Conditional Zoning Plan

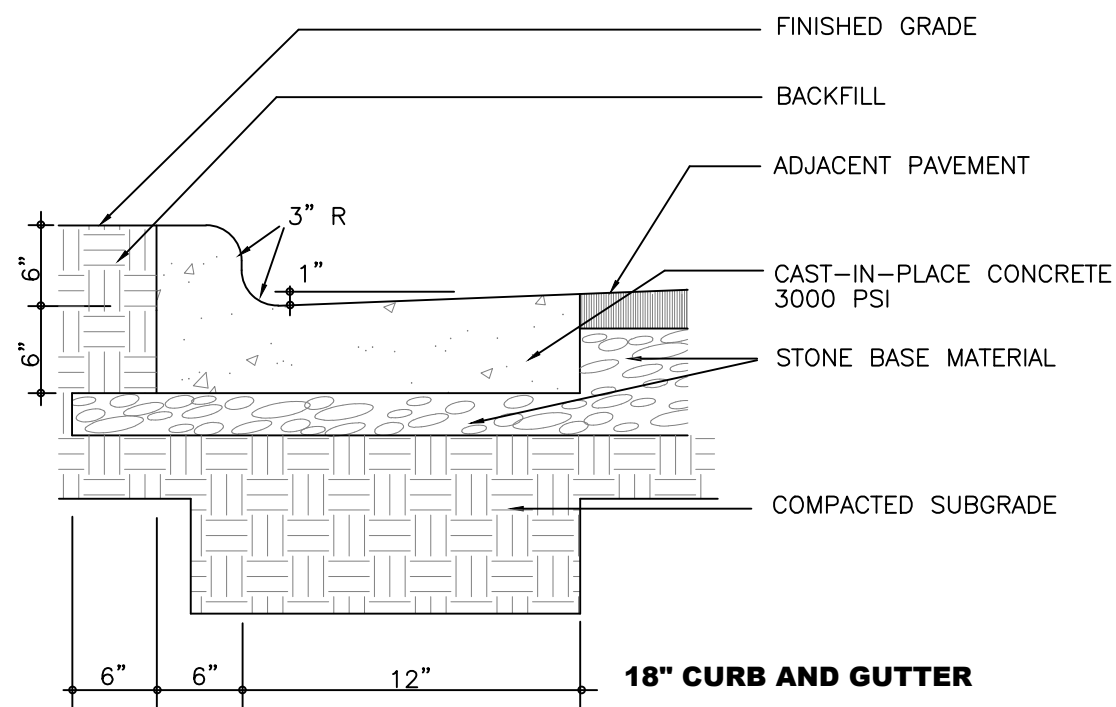
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LANDSCAPE PLAN

Sheet Number

CZ-7.1

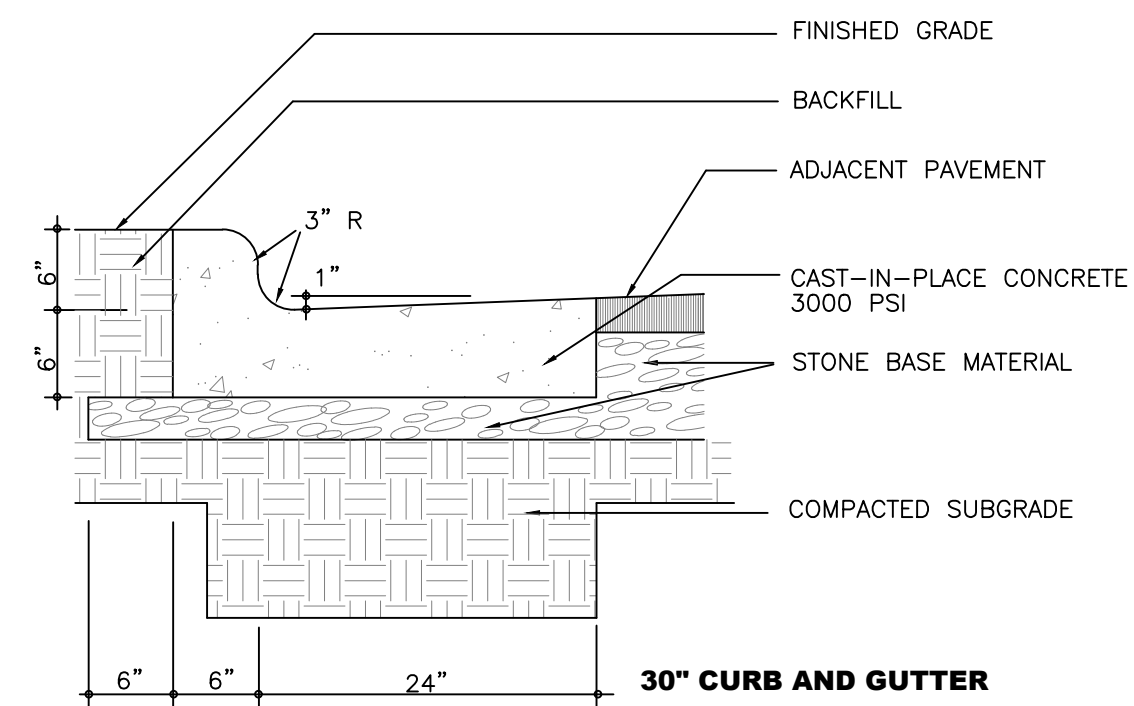
-CONTRACTION JOINTS SHALL BE SPACED AT 10 FOOT INTERVALS. EXCEPT THAT A 15 FOOT SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN SATISFACTORY SUPPORT FOR THE FACE FORM CAN BE OBTAINED WITHOUT THE USE OF TEMPLATES AT 10 FOOT INTERVALS. JOINT SPACING MAY BE ALTERED BY THE ENGINEER TO PREVENT UNCONTROLLED 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.
-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.



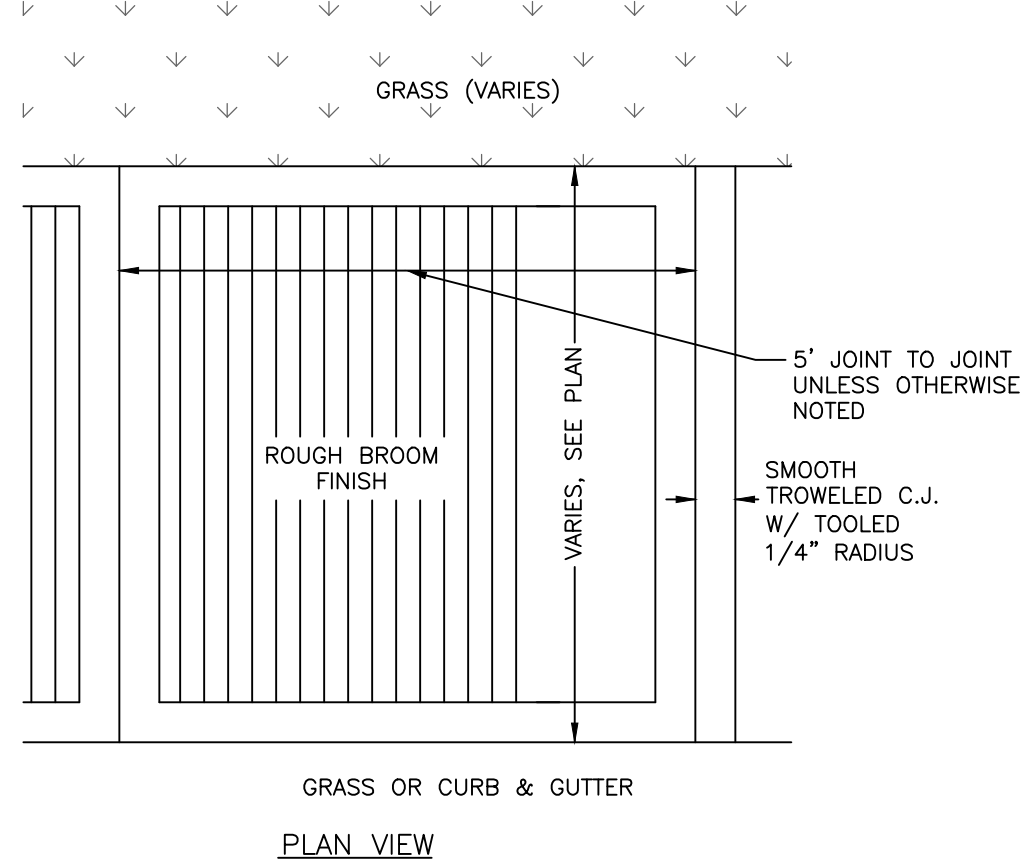
NOTE THAT THIS DETAIL DOES NOT MEET NC DOT REQUIREMENTS. ANY CURB AND GUTTER TO BE CONSTRUCTED IN THE OLD MASON FARM ROAD RIGHT OF WAY IS TO FOLLOW NC DOT STANDARDS RE: 2/C700

1 ON SITE CURB & GUTTER
CZ-8.0 no scale

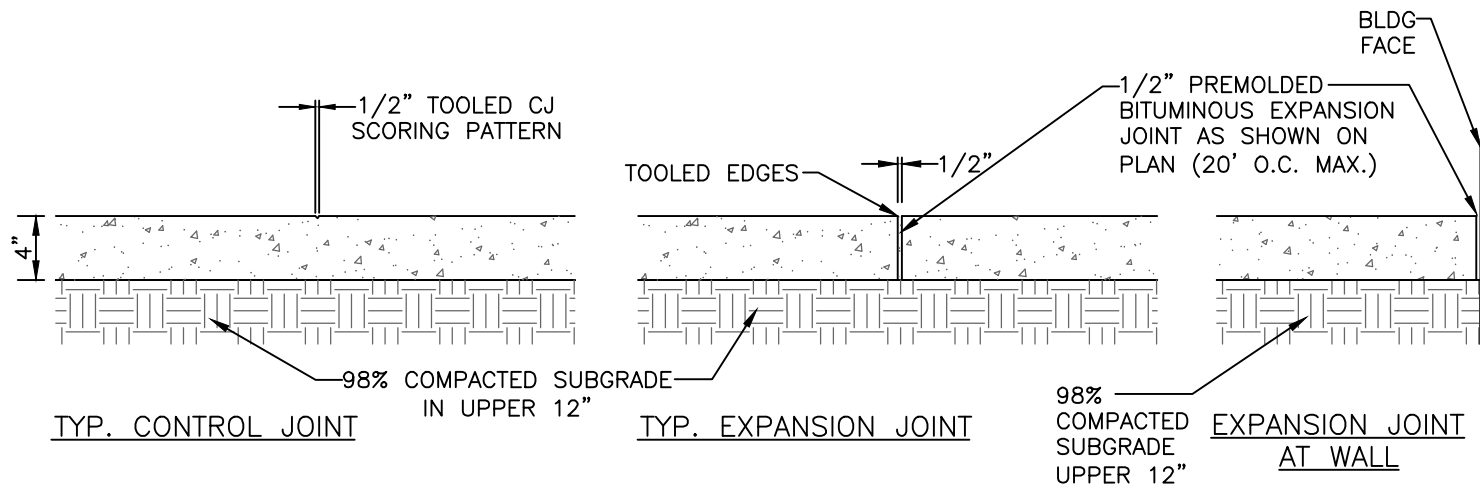
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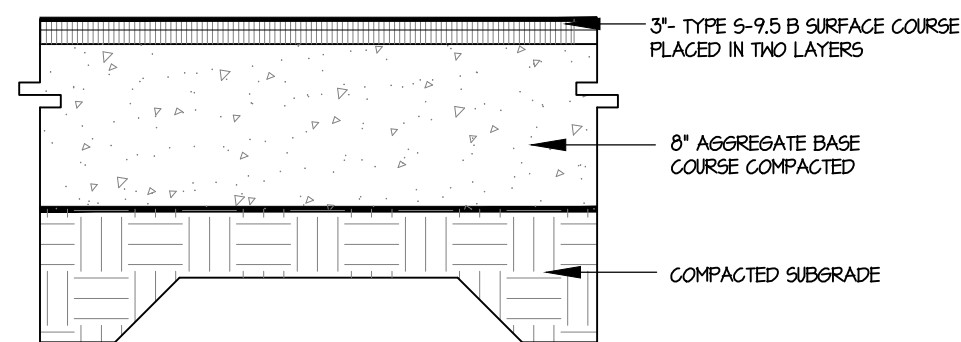
2 OFF SITE CURB & GUTTER
CZ-8.0 no scale



3 CONCRETE SIDEWALK
CZ-8.0 no scale

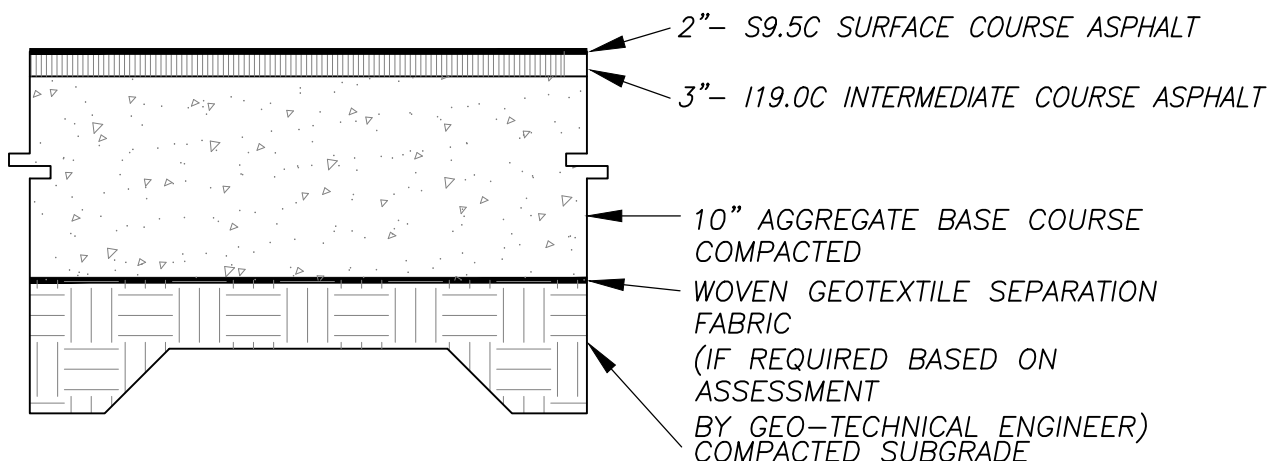


- NOTES:
- 1) 4" THICK CONC., 3000 PSI MIN.
 - 2) ALL SIDEWALK ARE TO HAVE MAXIMUM 1.8% CROSS SLOPE
 - 3) USE 1/2" BITUMINOUS EXPANSION JOINT A MAX. OF 20' O.C. AND WHENEVER CONCRETE WALK MEETS FIXED OBJECTS (IE. CURBS, BLDG. ETC.). EXPANSION JOINTS THAT ABUT BUILDINGS WALL SHALL BE SEALED WITH A FOAM BACKER ROD AND ELASTOMERIC SEALANT.
 - 4) ALL SIDEWALKS SHALL BE CONSTRUCTED WITH TOOLED 1/4" EDGE RADIUS.



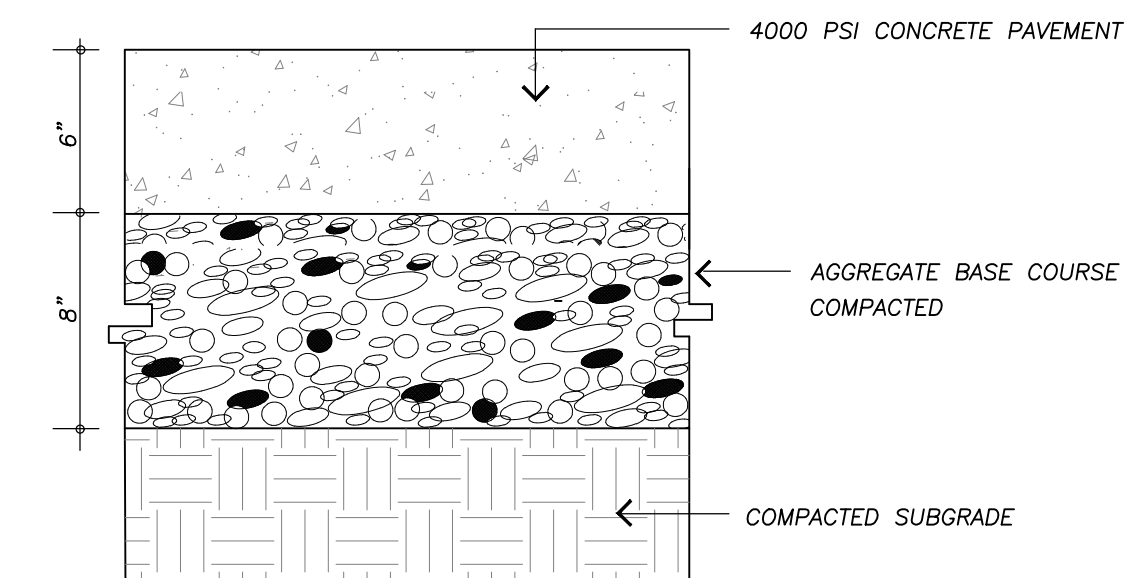
FINAL PAVEMENT SECTION IS PROVIDED BY GEO-TECHNICAL ENGINEER BASED SITE SPECIFIC GEO-TECHNICAL REPORT

4 STANDARD ASPHALT PAVING
CZ-8.0 no scale



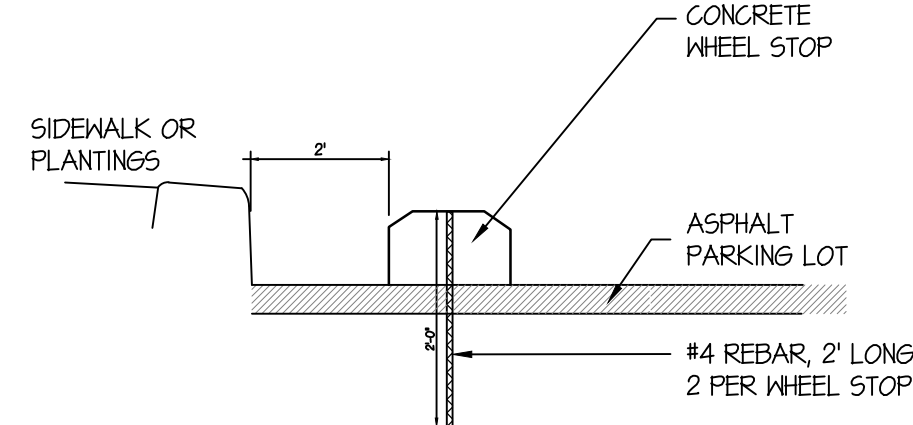
FINAL PAVEMENT SECTION IS PROVIDED BY GEO-TECHNICAL ENGINEER BASED SITE SPECIFIC GEO-TECHNICAL REPORT

5 HEAVY DUTY ASPHALT PAVING
CZ-8.0 no scale

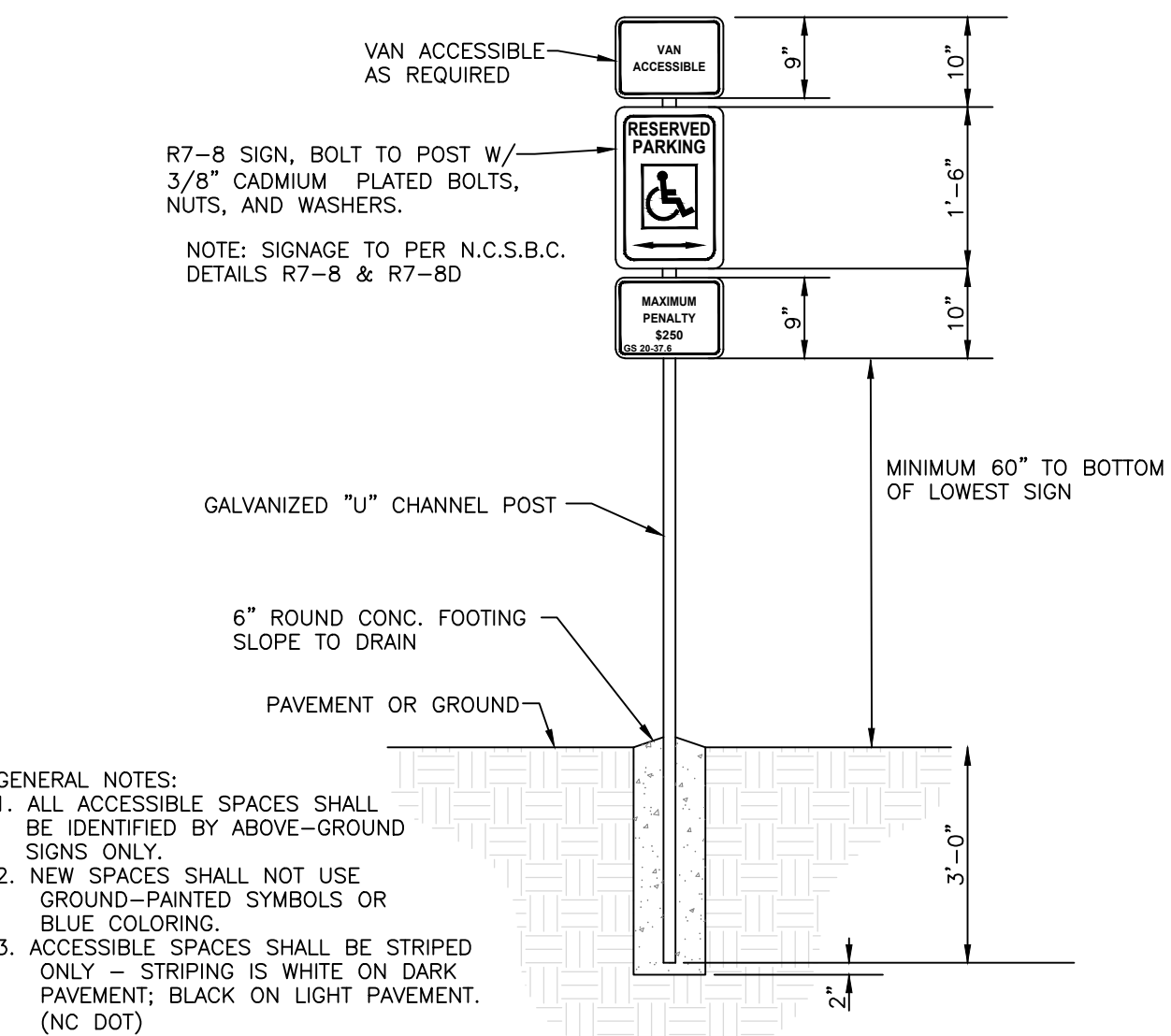


- NOTES:
1. ALL CONCRETE TO 4000 PSI, PROPERLY AIR ENTRAINED FOR EXTERIOR GRADE CONCRETE MIXES.
 2. C&G BASE AND SOIL SUBGRADE TO BE COMPACTED TO 98% OF THE ASTM D-698 STD. PROCTOR MDD IN ACCORDANCE WITH THE REPORT BY THE GEOTECHNICAL ENGINEER AND PROOFROLLED AND APPROVED BY GEOTECHNICAL PERSONNEL.
 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.

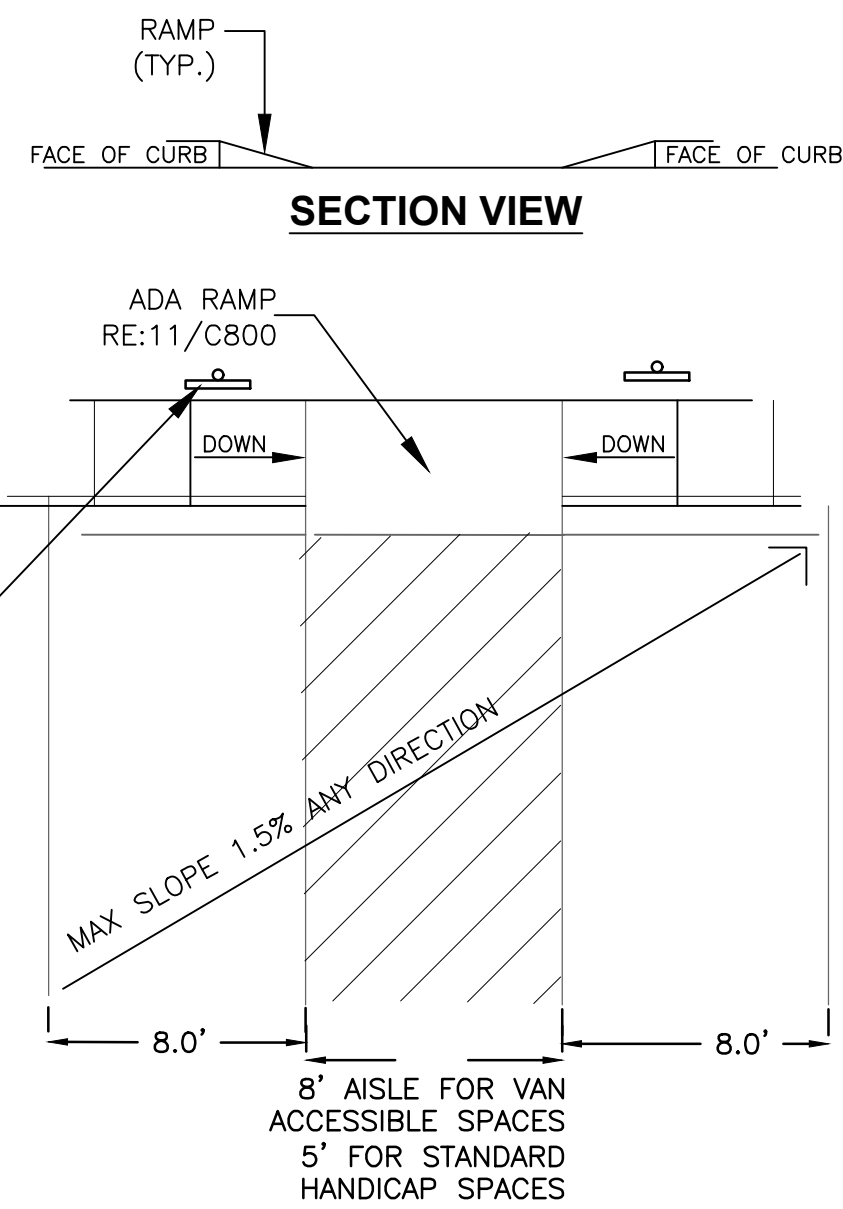
6 HEAVY DUTY CONCRETE PAVING
CZ-8.0 no scale



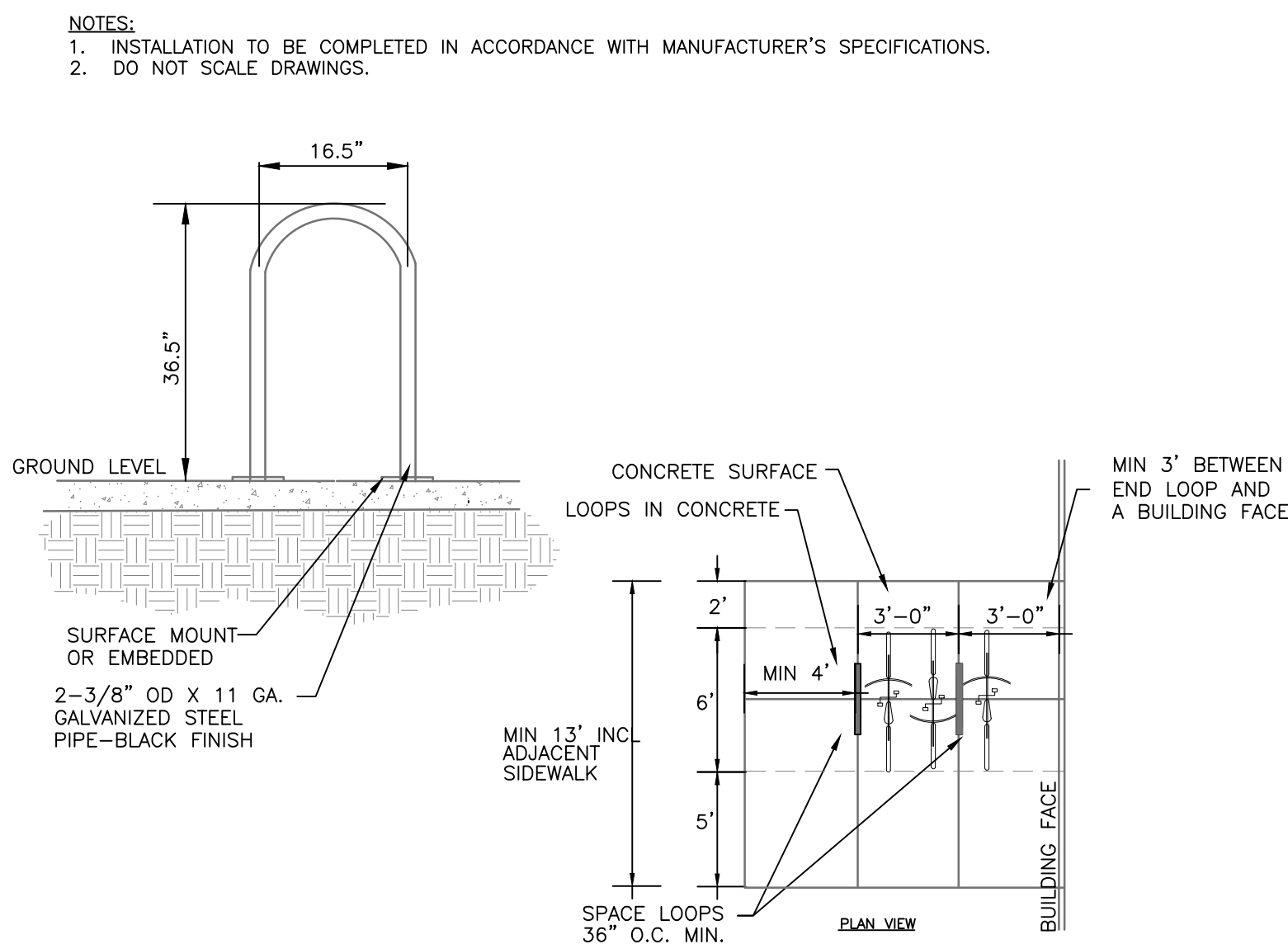
7 WHEELSTOP
CZ-8.0 no scale



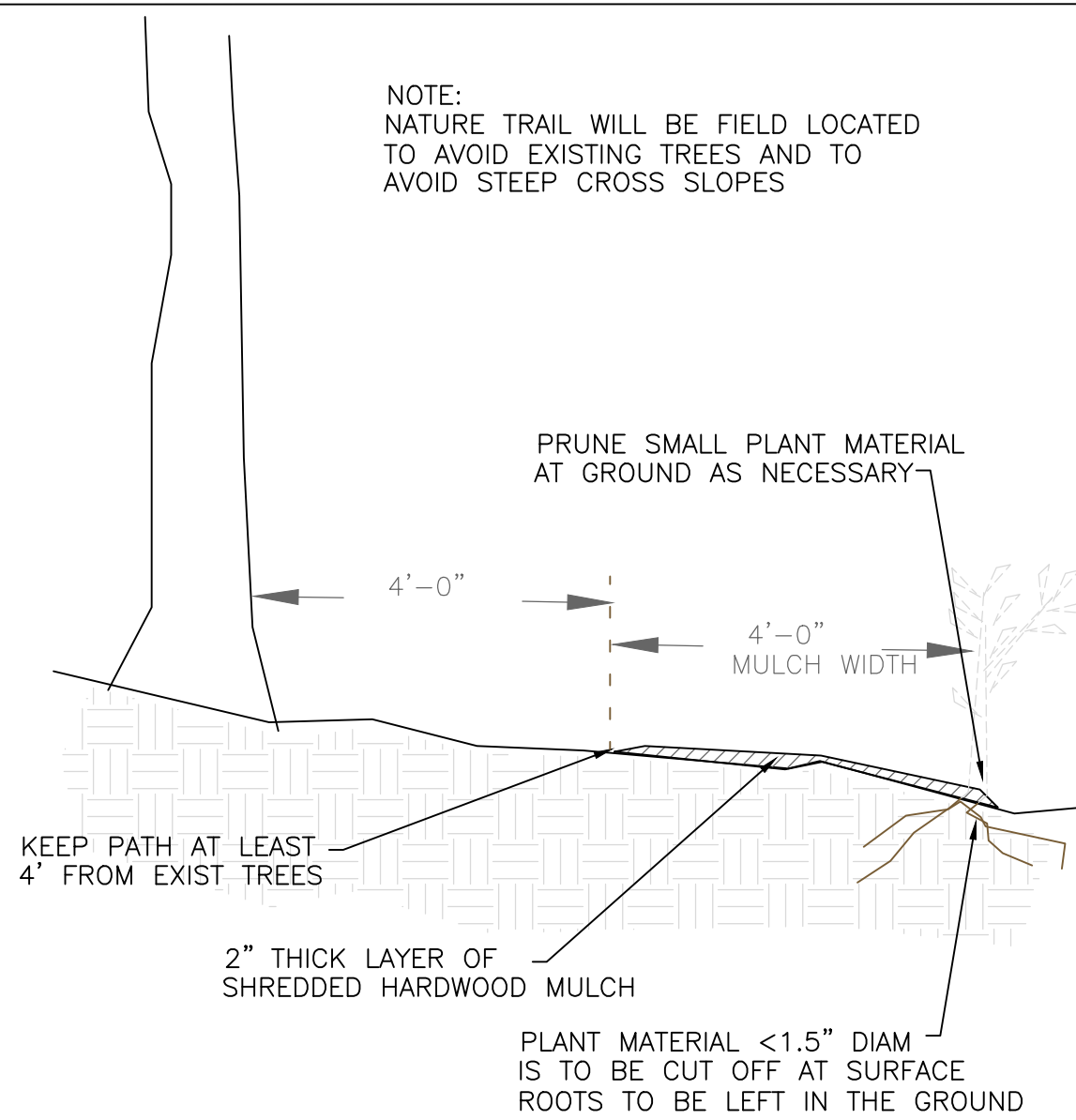
8 ADA PARKING LAYOUT AND SIGNAGE
CZ-8.0 no scale



PLAN VIEW



9 EXTERIOR BICYCLE PARKING
CZ-8.0 no scale



10 NATURE TRAIL PROFILE
CZ-8.0 no scale



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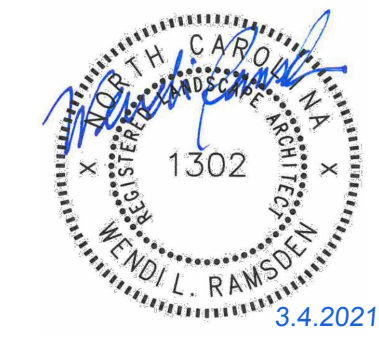


Project:

2200
Homestead
Road

Chapel Hill
North Carolina

PIN: 9870912947



PRELIMINARY-DO NOT
USE FOR CONSTRUCTION

CJT Job Number: 1748

Drawn	WLR PBR MTC
Checked	WLR PBR
Date	10-29-20
Revisions	CZ RESUBMITTAL 2-9-21
	CZ RESUBMITTAL 3-4-21

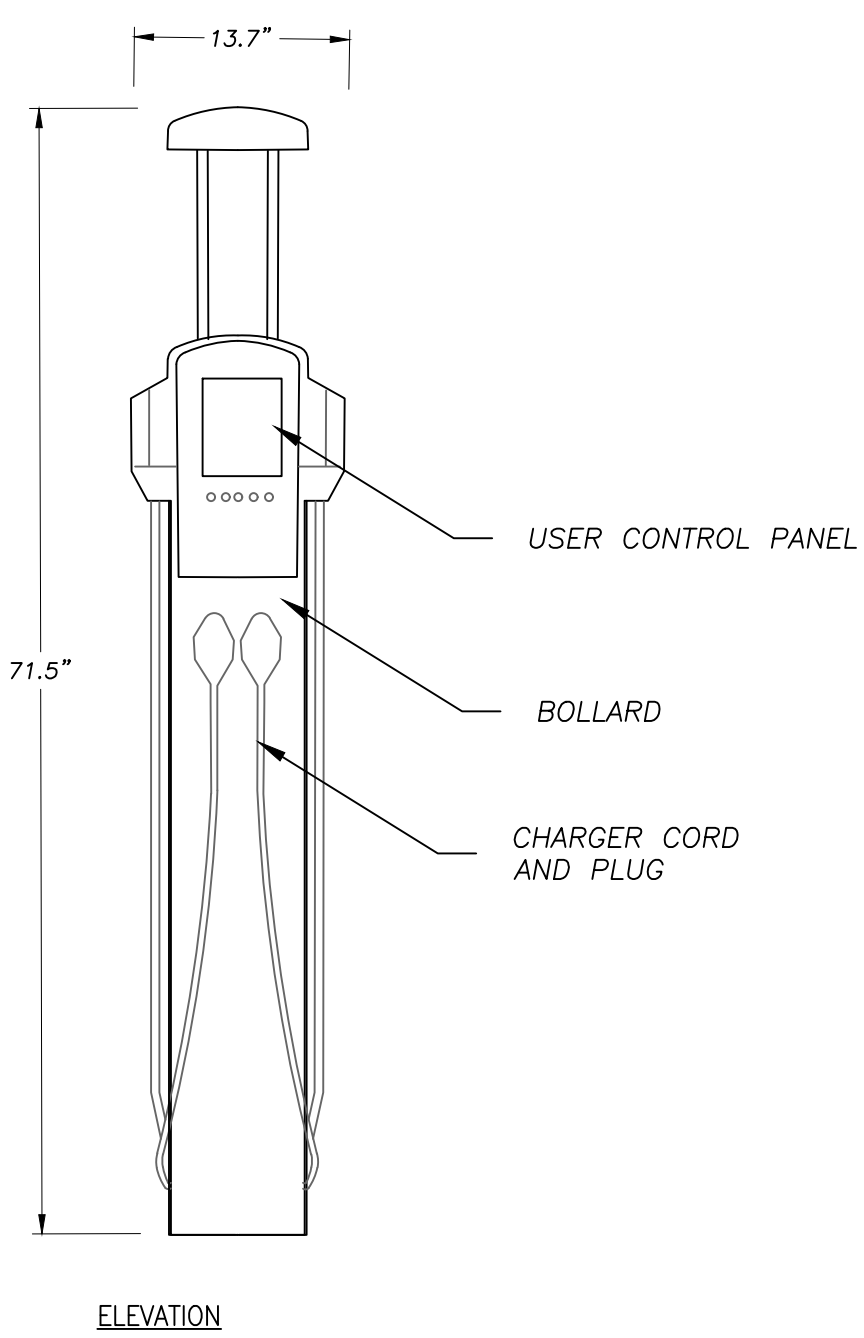
Conditional Zoning Plan

Sheet Title:

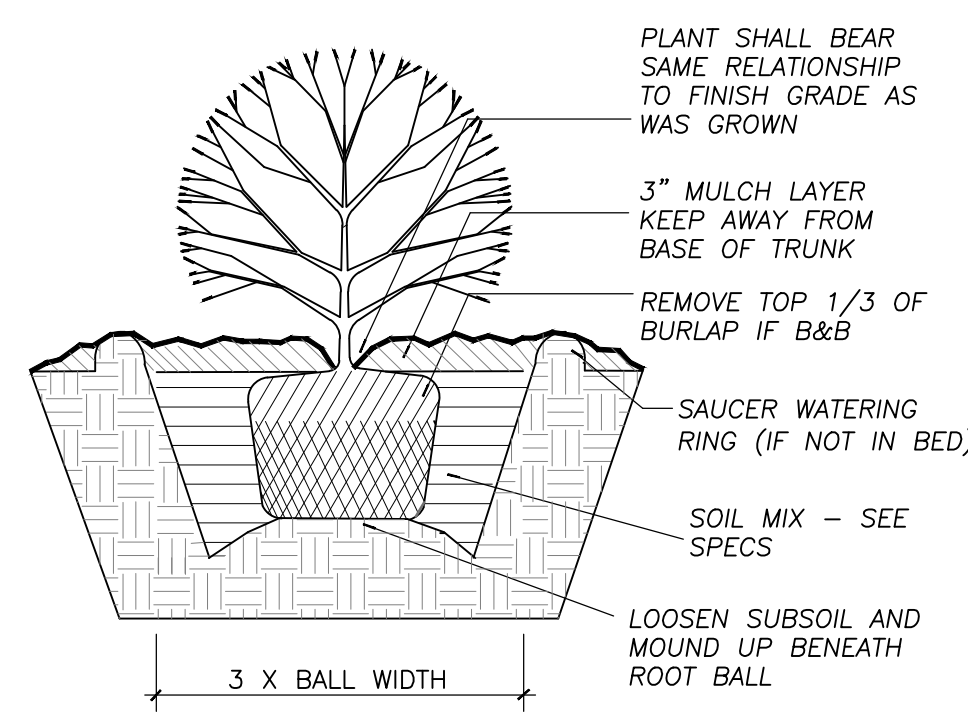
SITE
DETAILS

Sheet Number

CZ-8.0

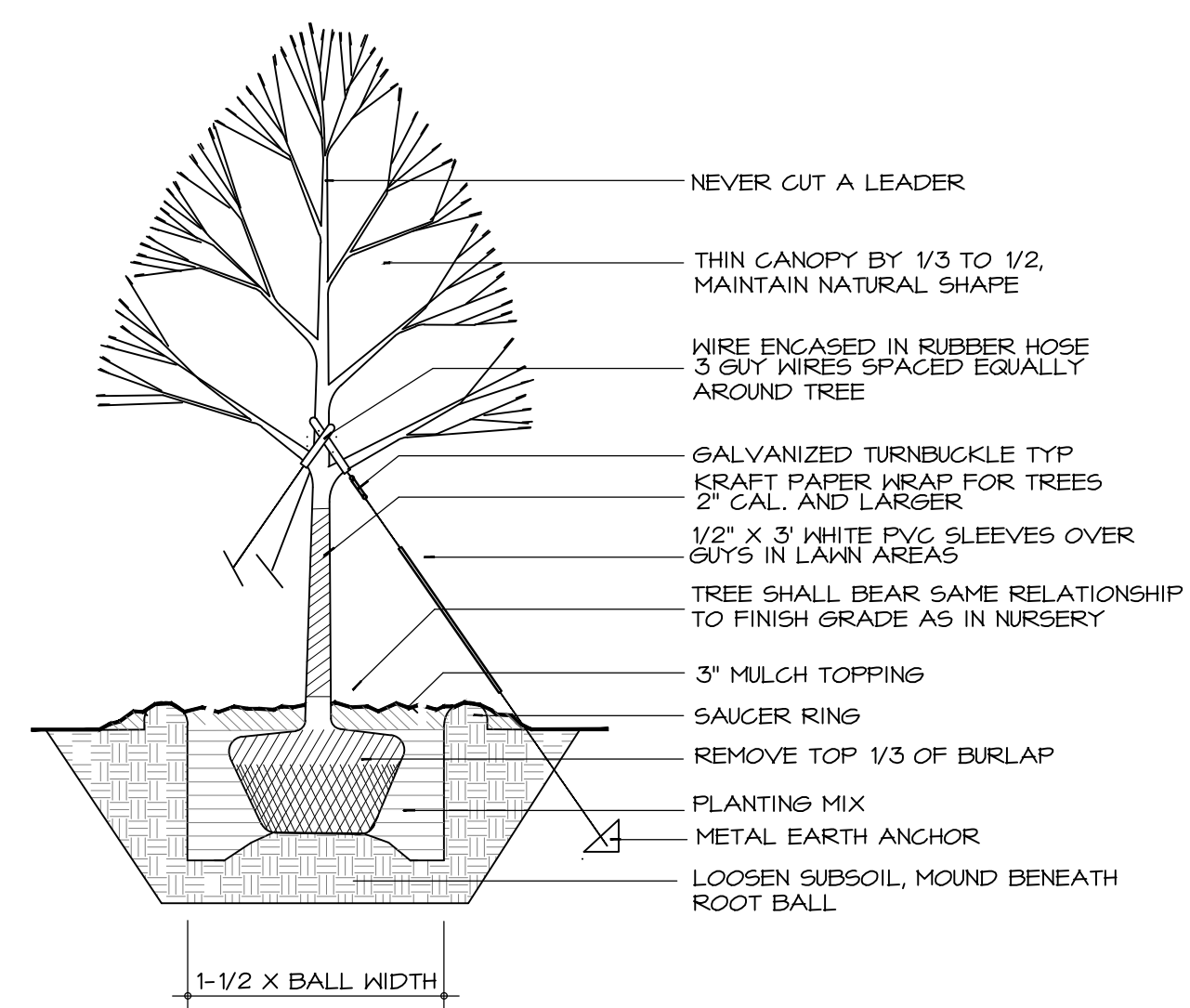


5 EV CHARGING STATION AND ADJACENT SIDEWALK
CZ-8.1 no scale

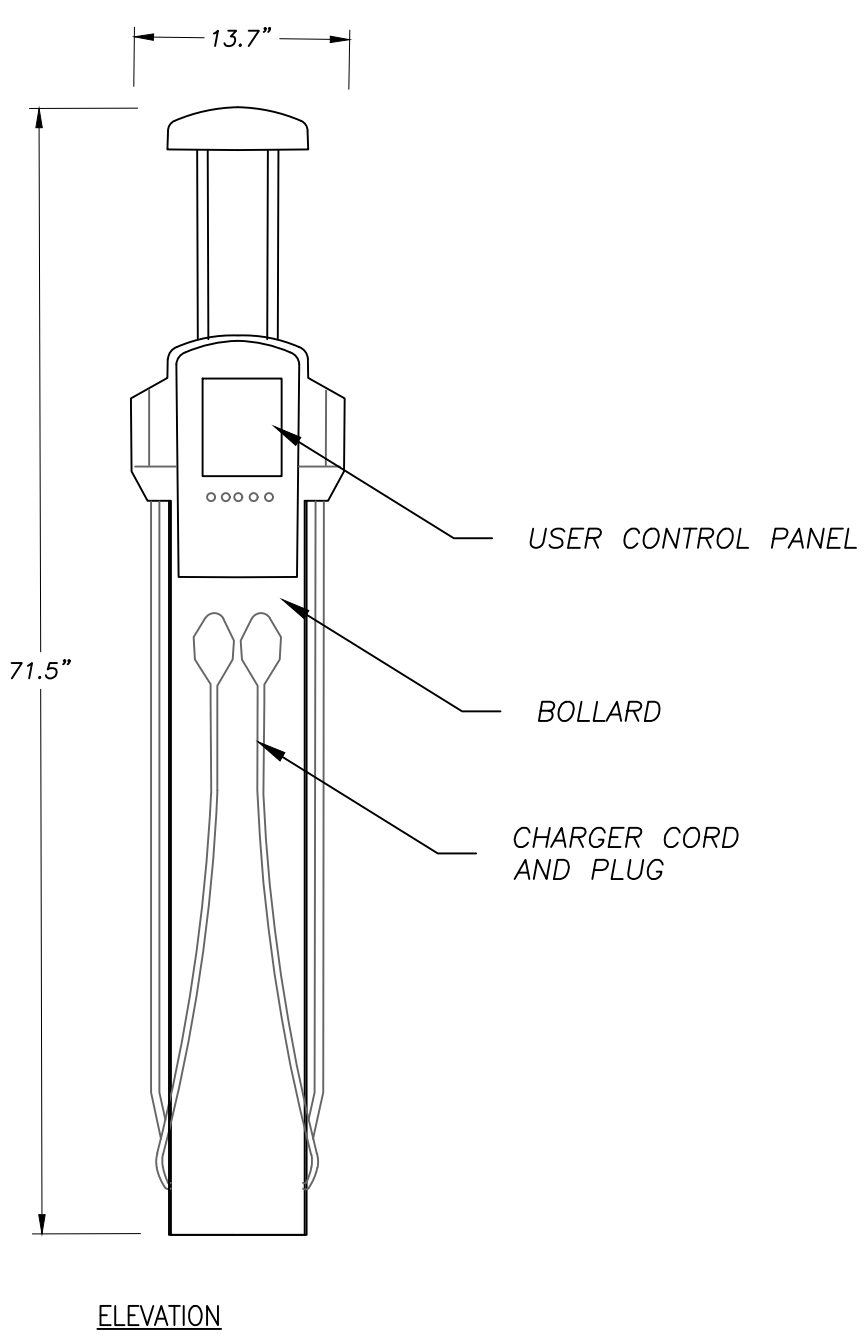


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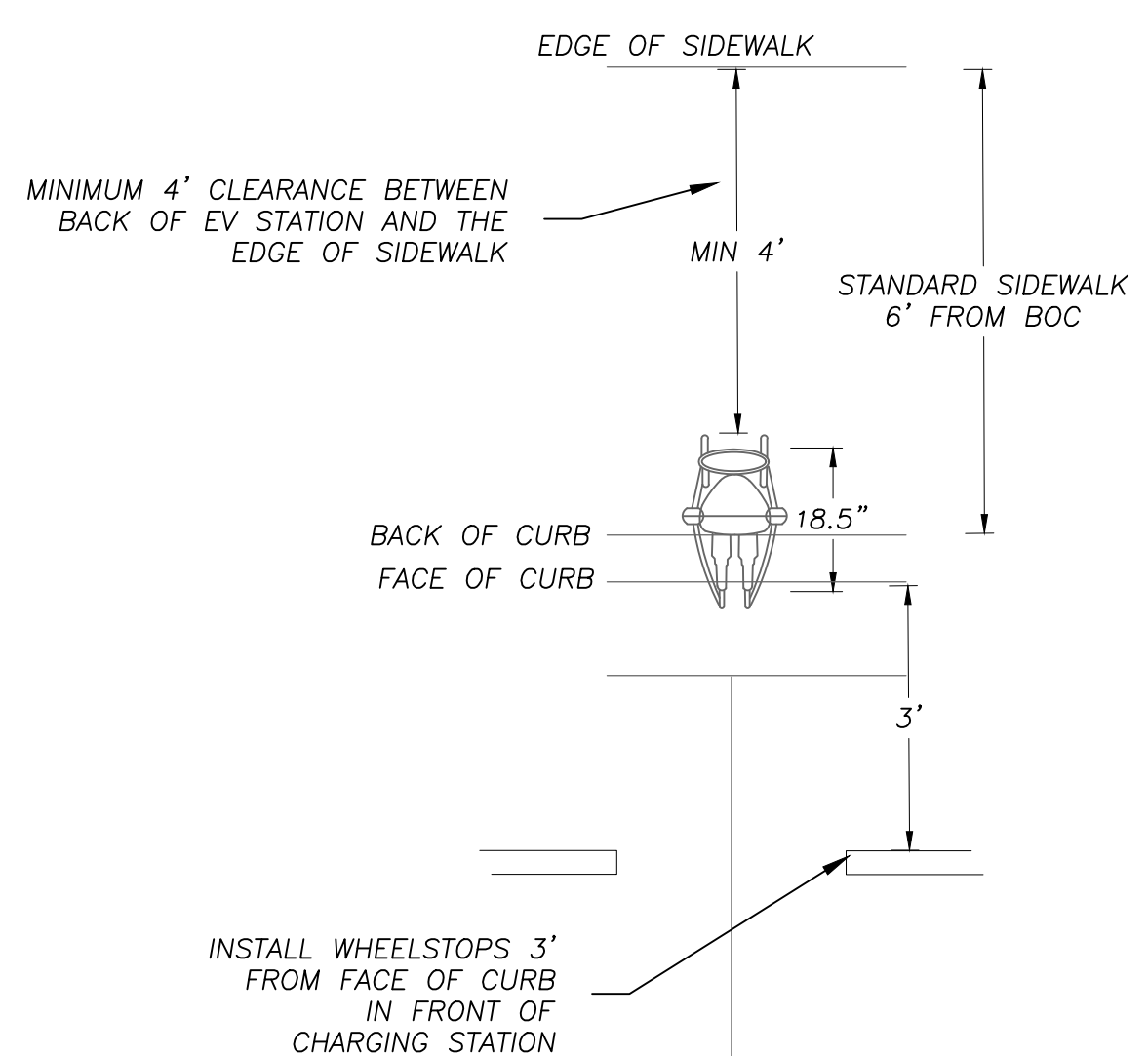
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3 TREE PLANTING DETAIL
CZ-8.1
NO SCALE

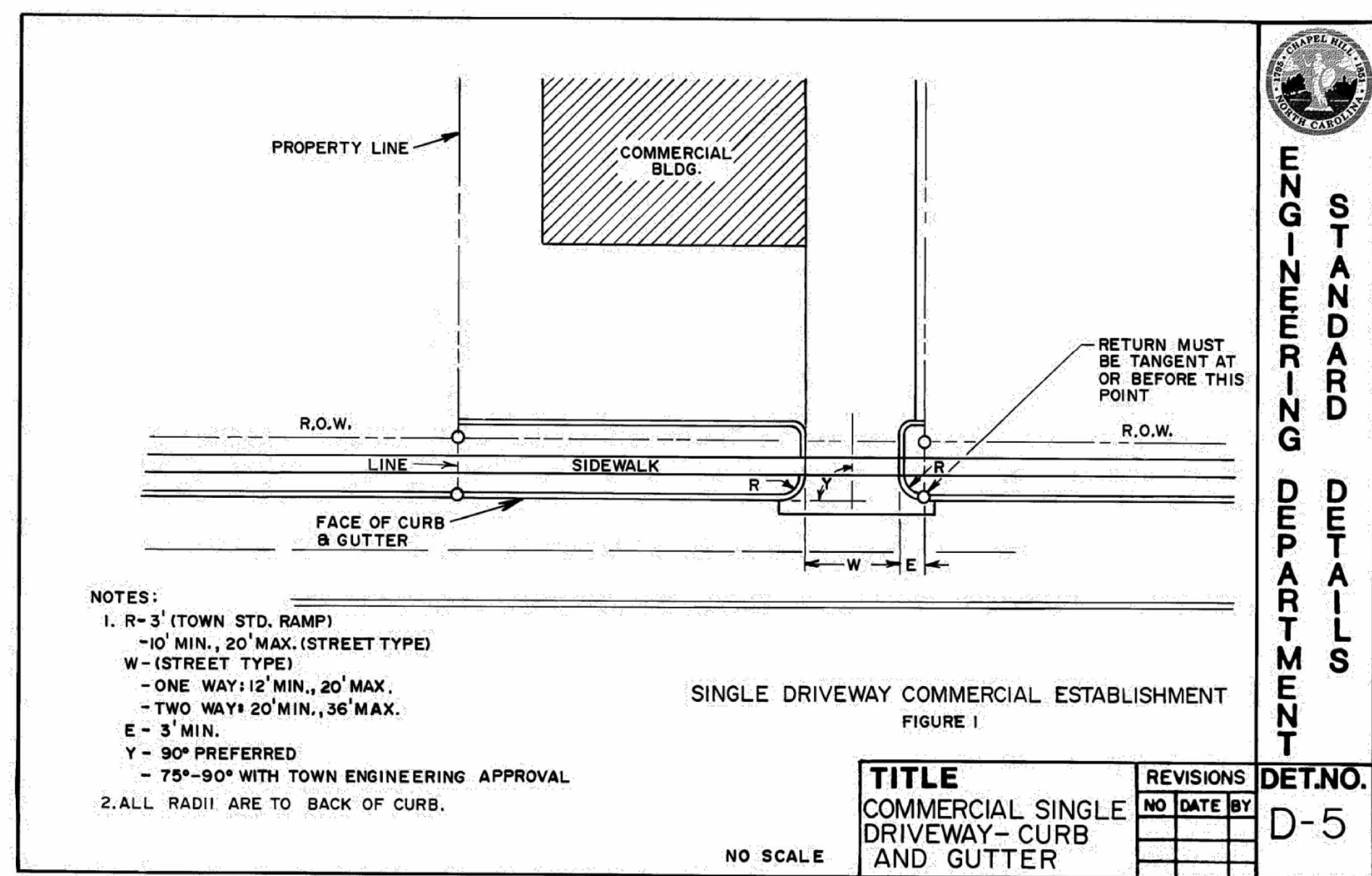


EV CHARGING STATION AND ADJACENT SIDEWALK



NOTES:

- BASIS OF DESIGN: CHARGEPOINT MODEL CT4021
- BOLLARD TYPE CHARGING STATION
- 2-VEHICLE SIMULTANEOUS CHARGE CAPACITY



4 DRIVEWAY APRON
CZ-8.1 no scale

10/28/2020 10:10:36 PM
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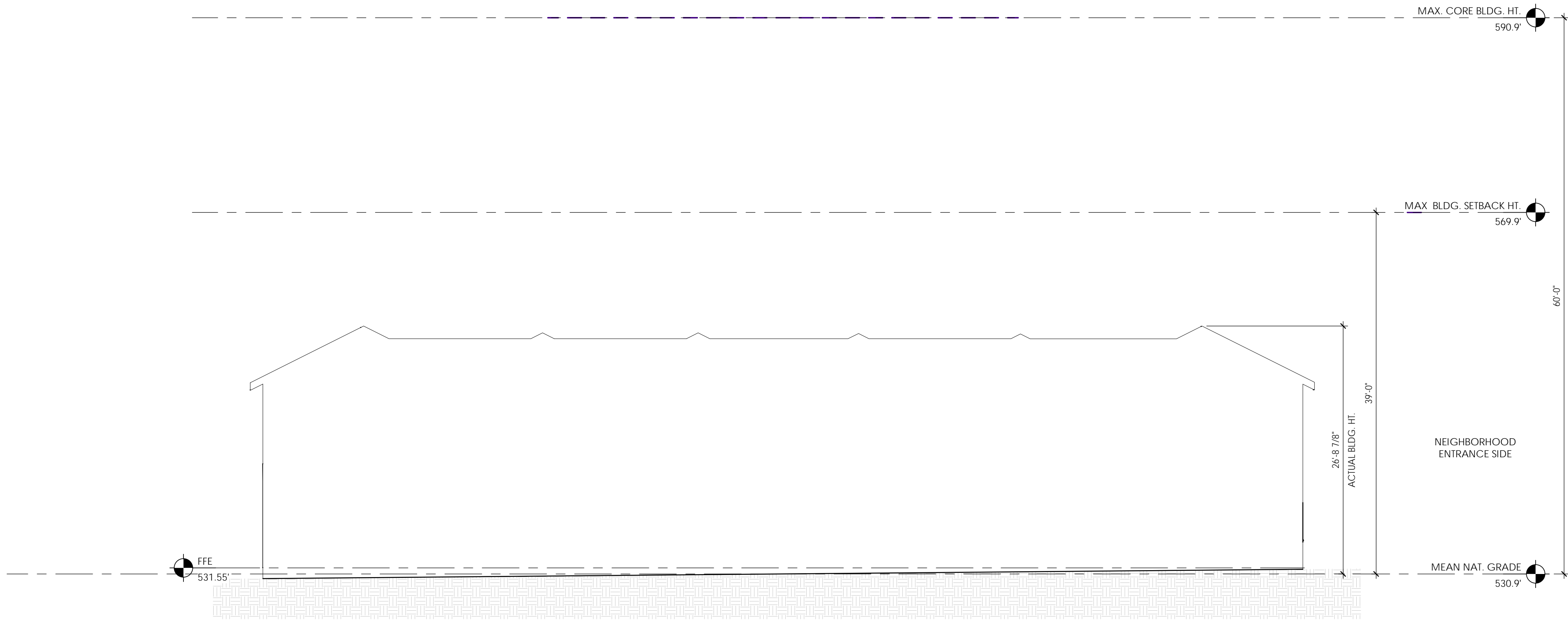
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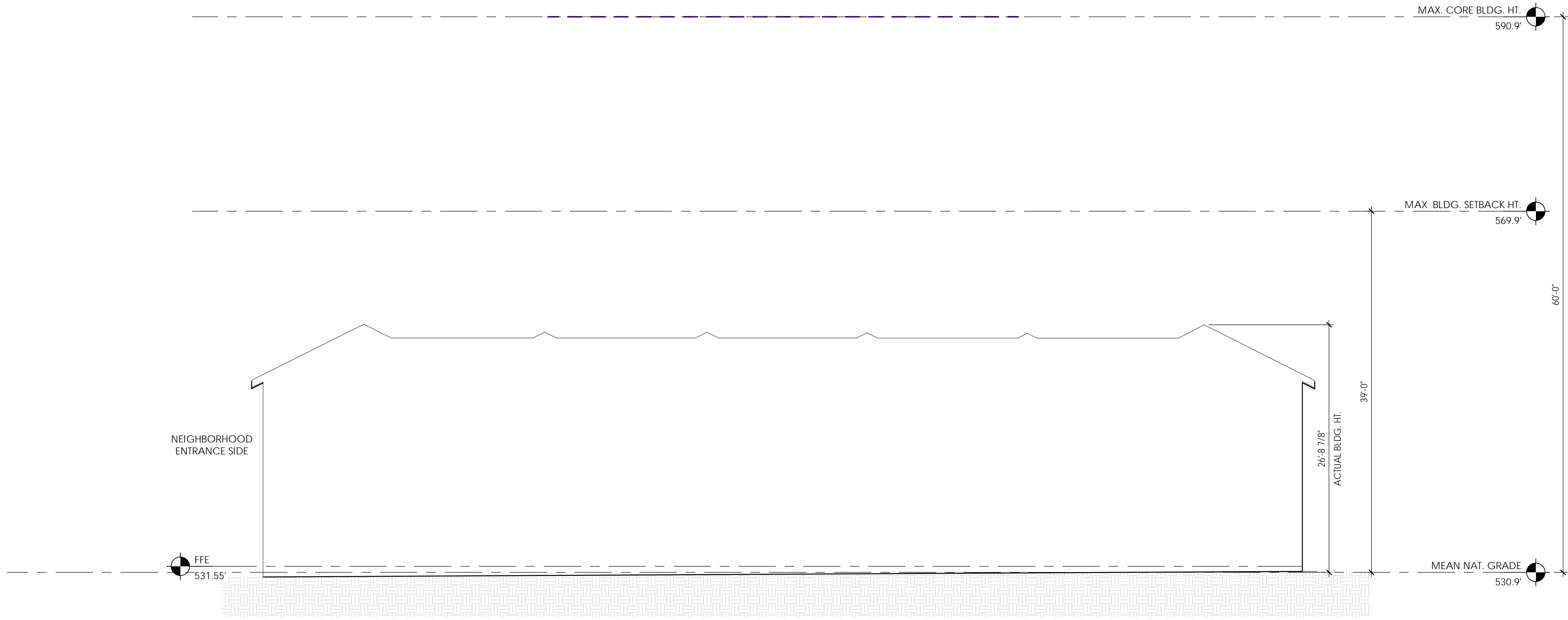
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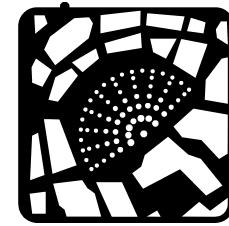
251



2 TOWNHOME Elevation - South - Homestead Rd. side
1/8" = 1'-0"



1 TOWNHOME - Elevation - North - Neighborhood side
1/8" = 1'-0"



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NEIGHBORHOOD**

**TOWN OF CHAPEL HILL
2200 HOMESTEAD RD.**

REVISIONS:

#	DESCRIPTION:	DATE
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SHEET NAME:

**TYPICAL TOWNHOME
ELEVATIONS**

PHASE:

SITE PLAN APPROVAL

ISSUE DATE: **10/28/20**

PROJECT #: **17147**

DRAWN BY: **DRH**

SHEET NUMBER

PD 001

10/28/2020 10:09:38 PM
BIM 360://17147_Homestead Rd/17147_CH HS duplex R20_4 BED_dhermanEYAWS.rvt

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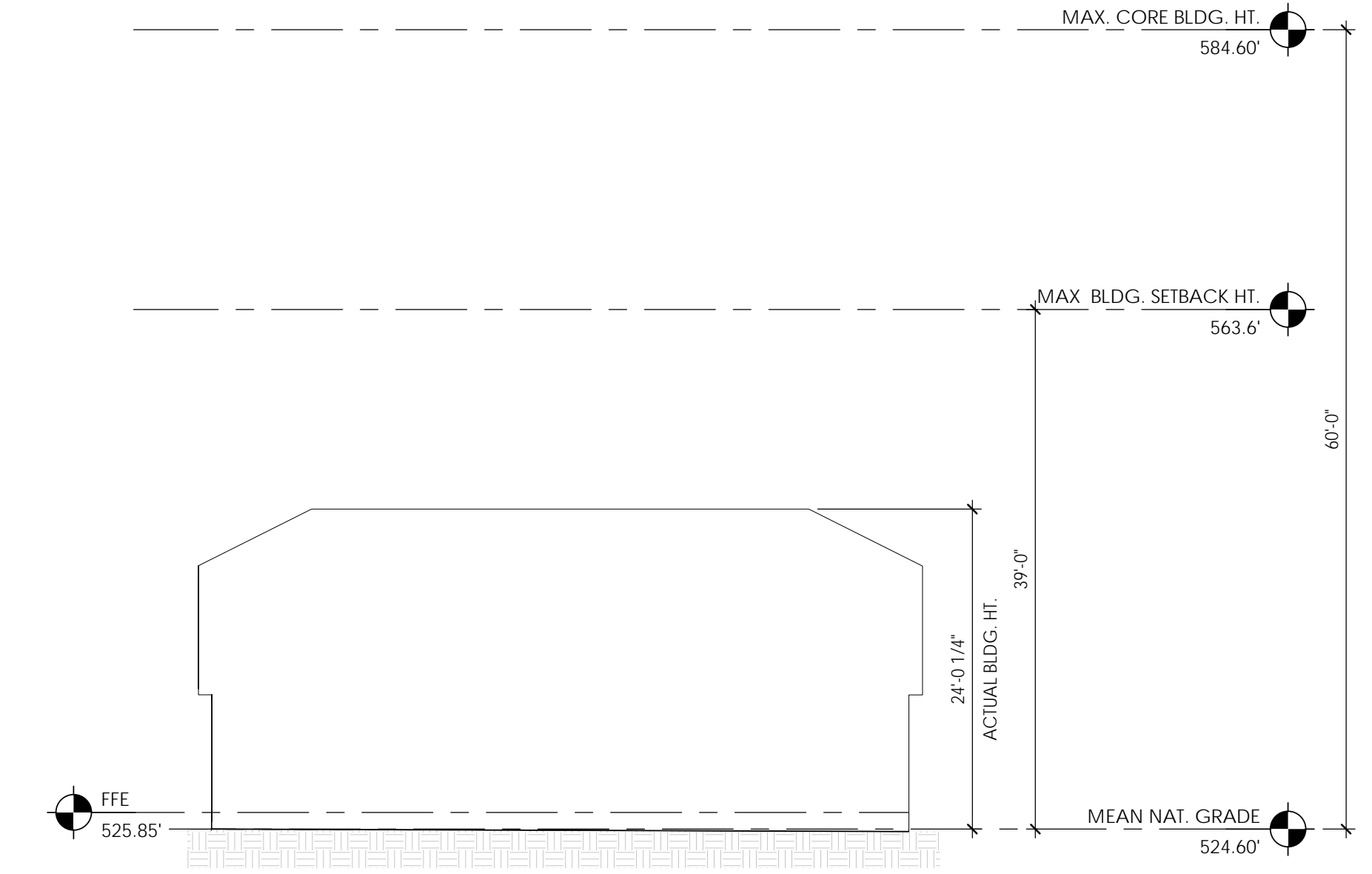
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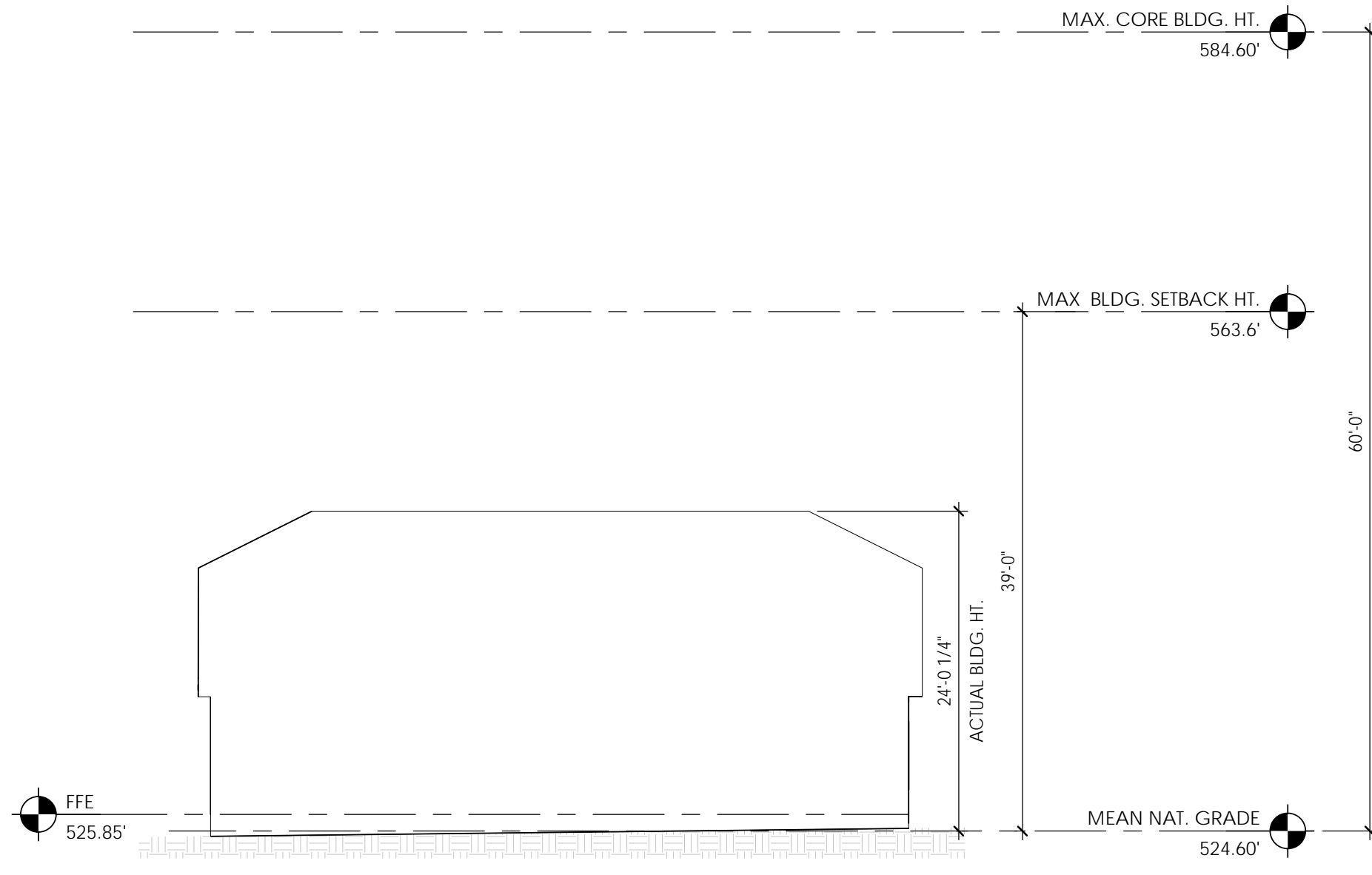
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2 4 BD DUPLEX - West- Greenway Side
3/32" = 1'-0"



1 4 BD DUPLEX - East - Neighborhood Side
3/32" = 1'-0"



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HOUSING
TOWN OF CHAPEL HILL
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REVISIONS:		
#	DESCRIPTION:	DATE

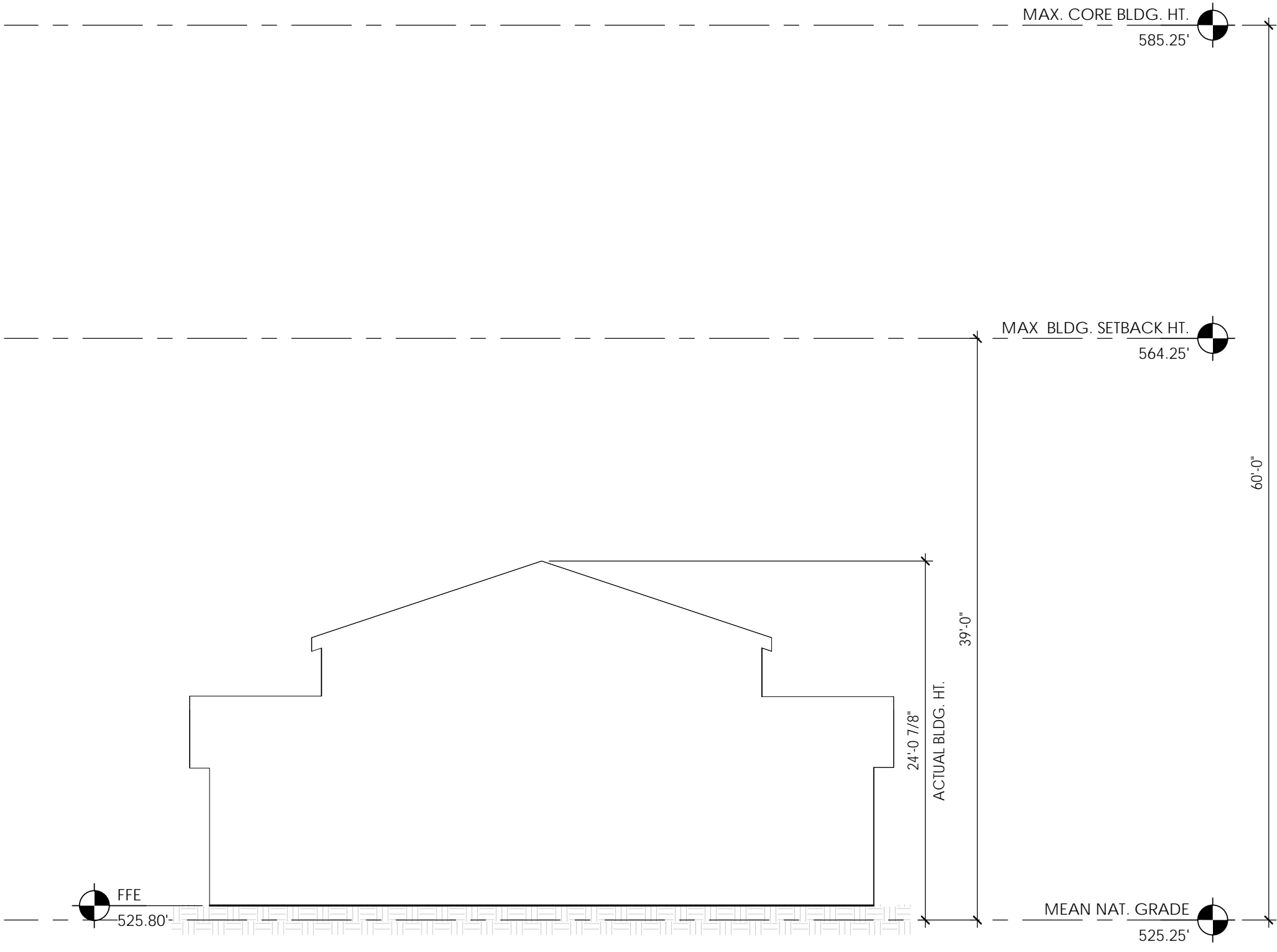
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TYPICAL 4 BED DUPLEX
ELEVATIONS

PHASE:
SITE PLAN APPROVAL

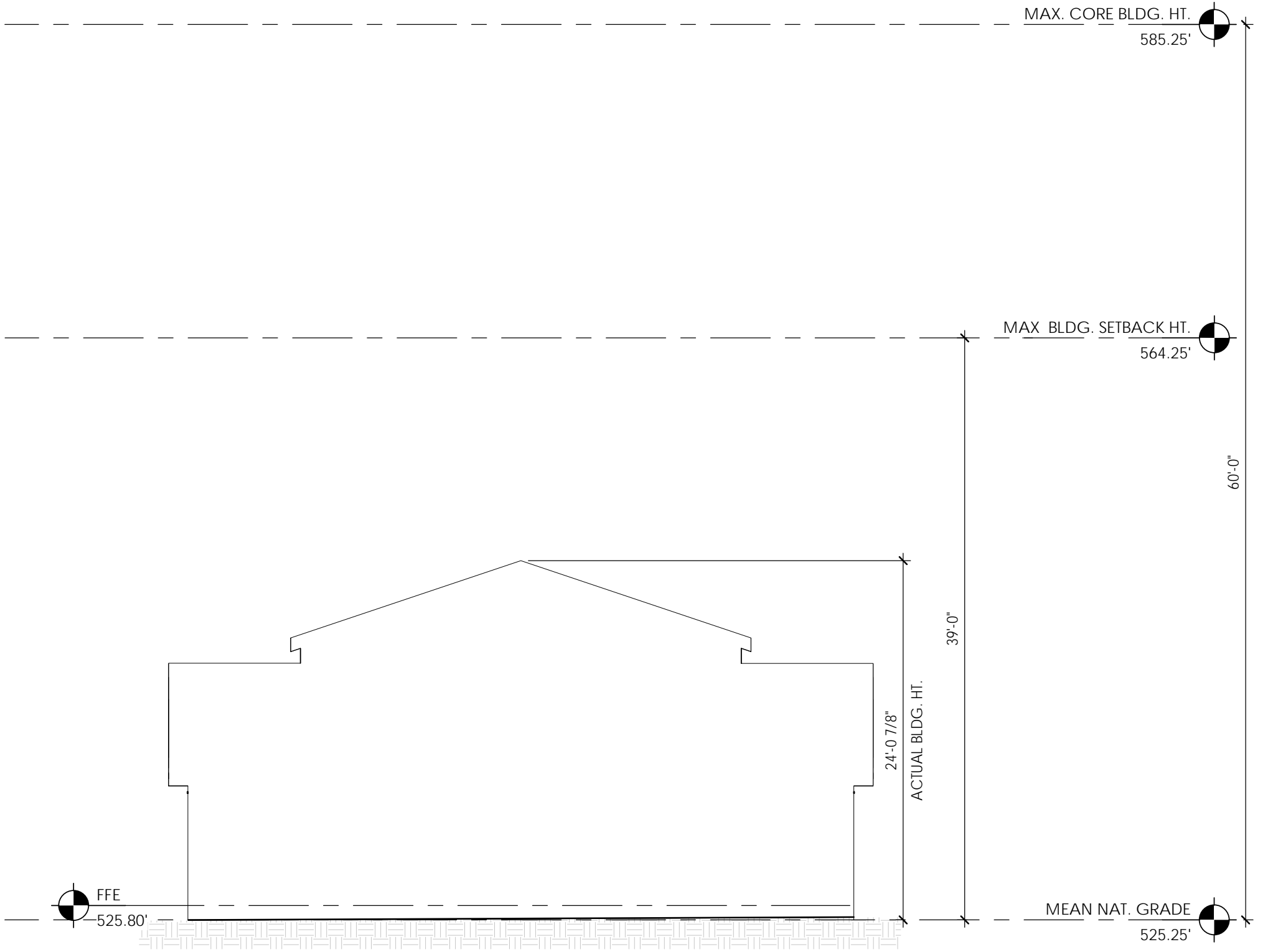
ISSUE DATE: 10/28/20
PROJECT #: 17147
DRAWN BY: DRH

SHEET NUMBER
PD 002

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1 3 BD DUPLEX - West - Greenway Side
1/8" = 1'-0"



2 3 BD DUPLEX - East - Neighborhood Side
1/8" = 1'-0"

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TOWN OF CHAPEL HILL
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REVISIONS:		
#	DESCRIPTION:	DATE

SHEET NAME:
TYPICAL 3 BD DUPLEX
ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: 10/28/20
PROJECT #: 17147
DRAWN BY: DRH

SHEET NUMBER
PD 003

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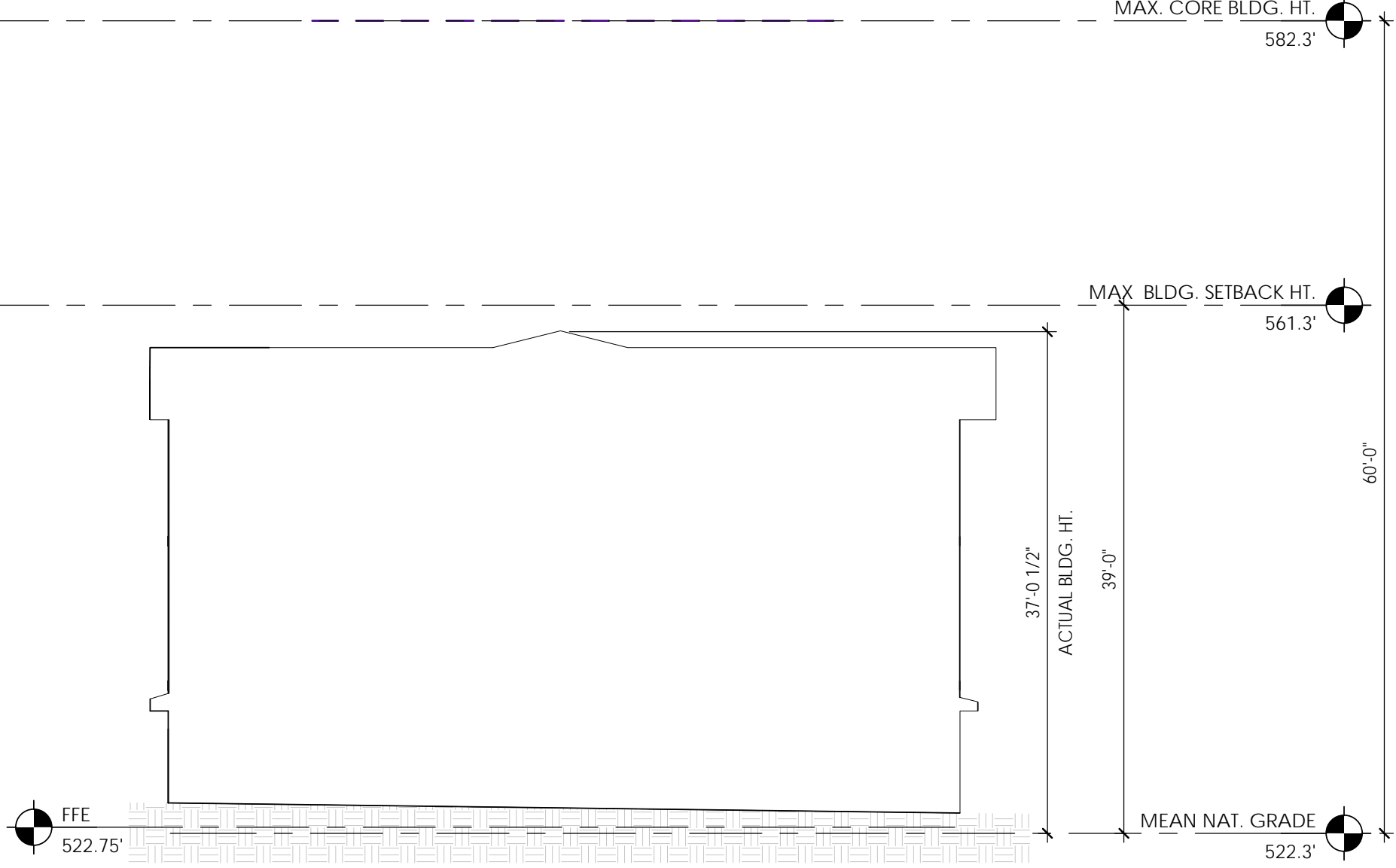
254



2 CASA WF BLDG B - West Side
3/32" = 1'-0"



1 CASA WF BLDG B - East Side
3/32" = 1'-0"



3 CASA WF BLDG B - South Side
3/32" = 1'-0"

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REVISIONS:		
#	DESCRIPTION:	DATE

SHEET NAME:
CASA WF APARTMENT BLDG. B
ELEVATION OUTLINES

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: 10/28/20
PROJECT #: 17147
DRAWN BY: DRH

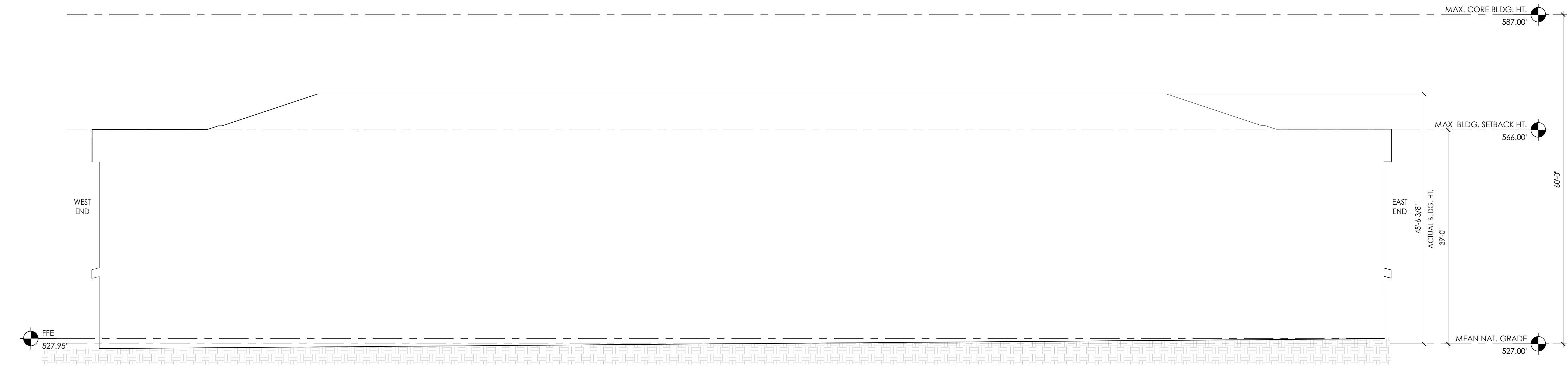
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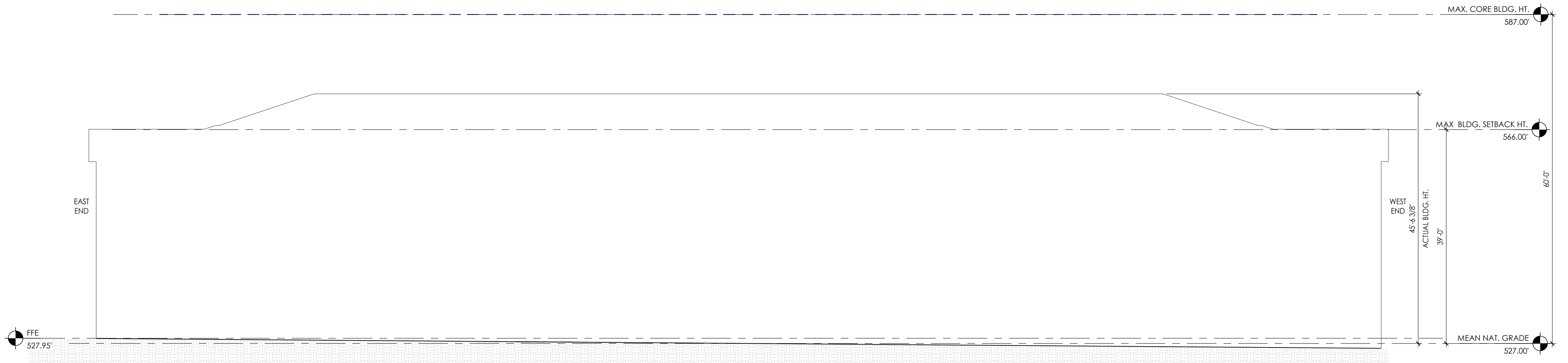
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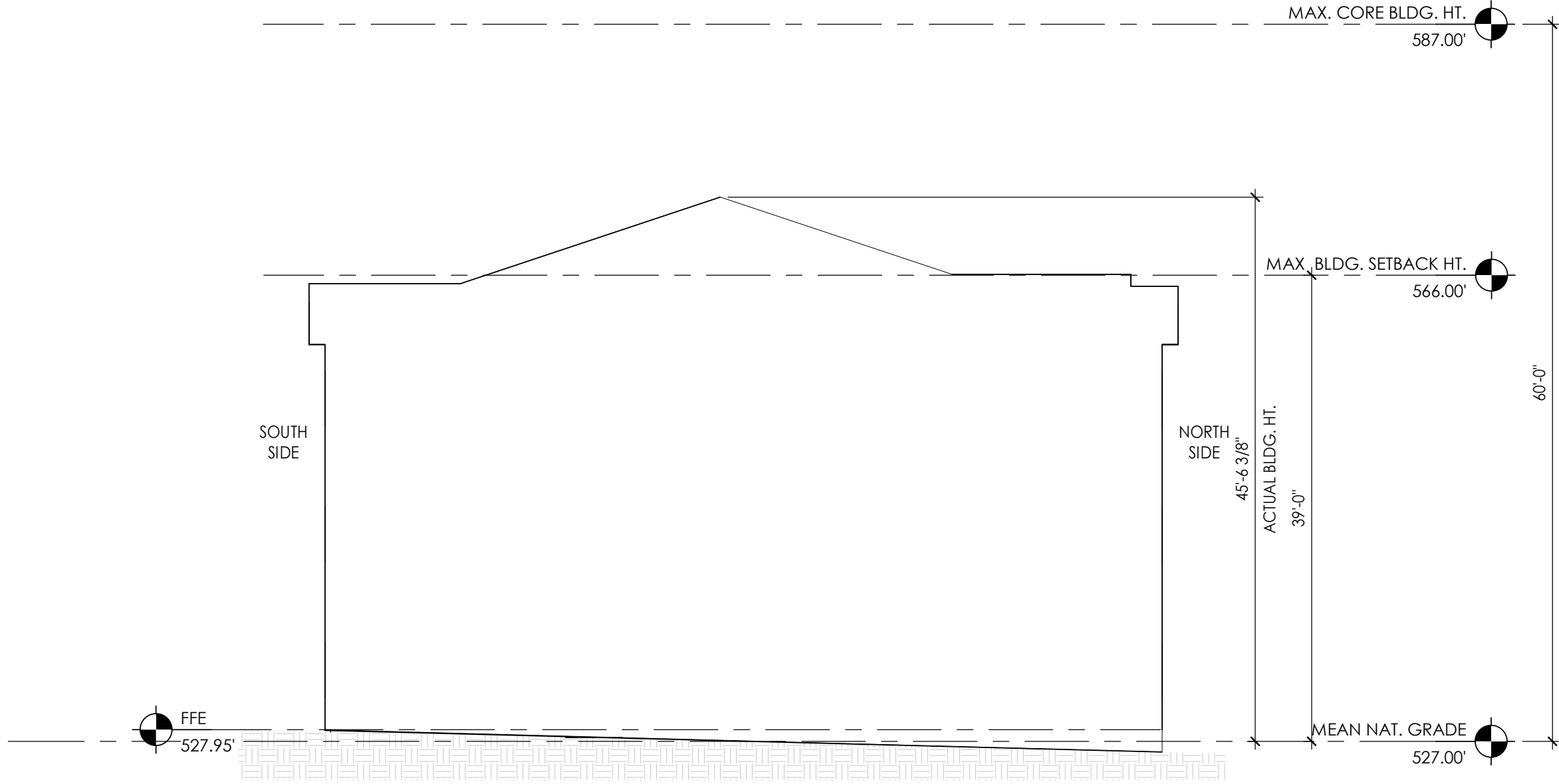
255



2 CASA - BLDG. C - South Side - Homestead Rd. Side
3/32" = 1'-0"



1 CASA - BLDG. C - North Side - Front
3/32" = 1'-0"



3 CASA - BLDG. C - East Side - Neighborhood Entrance Side
3/32" = 1'-0"

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REVISIONS:		
#	DESCRIPTION:	DATE

SHEET NAME:
**CASA - BLDG. C ELEVATION
OUTLINES**

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: **10/29/20**
PROJECT #: **17147**
DRAWN BY: **DRH**

SHEET NUMBER
PD 006

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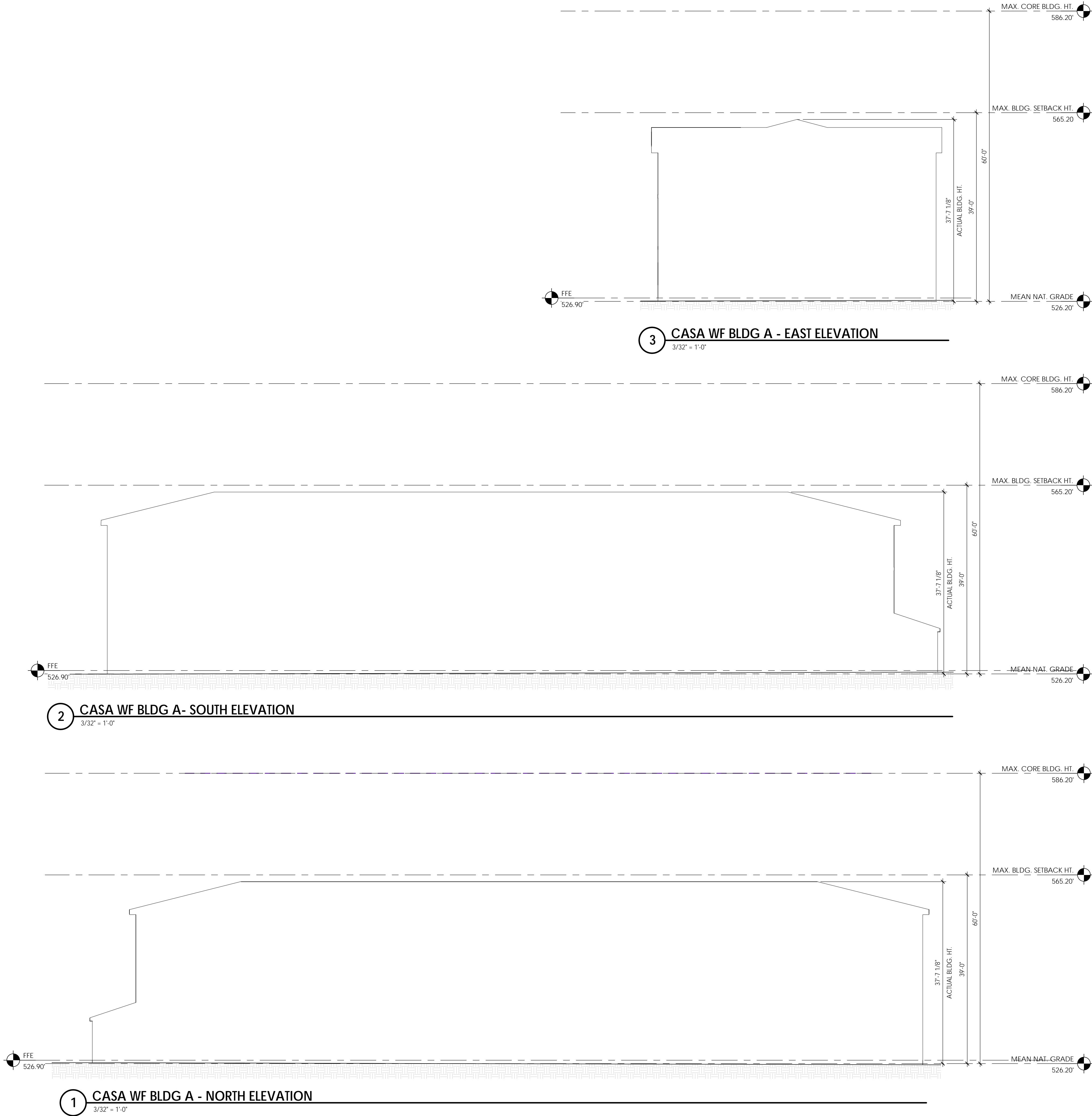
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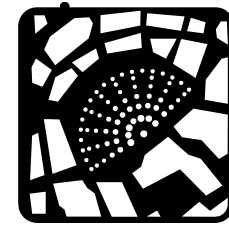
256



3 CASA WF BLDG A - EAST ELEVATION
3/32" = 1'-0"

2 CASA WF BLDG A- SOUTH ELEVATION
3/32" = 1'-0"

1 CASA WF BLDG A - NORTH ELEVATION
3/32" = 1'-0"



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REVISIONS:		
#	DESCRIPTION:	DATE

SHEET NAME:
CASA WF APARTMENT BLDG. A
ELEVATIONS

PHASE:
SITE PLAN APPROVAL

ISSUE DATE: 10/29/20
PROJECT #: 17147
DRAWN BY: DRH

SHEET NUMBER
PD 004

MEMO

To: Anya Grahn, Senior Planner

From: Graham Smokoski, Project Manager, Self-Help

CC: Judy Johnson, Assistant Planning Director; Colleen Willger, Planning Director

Date: May 12, 2021

Re: CASA-Horizons Building at Homestead Gardens

This document provides information relevant to Town staff as they consider a conditional rezoning application for a planned neighborhood development called Homestead Gardens that will be located at 2200 Homestead Road in Chapel Hill. CASA's planned 32-unit apartment building in the Homestead Gardens neighborhood will be master leased to UNC Horizons. Horizons plans to apply for a license, which is unrelated to developing or building the apartment building, for a residential recovery program which specifically requires the housing units licensed to be in a residential setting (not institutional or commercial). Residents of the planned apartment building will include participants in the UNC Horizons program as well as graduates of the program. State DHHS guidance is that typically these licenses are issued for apartment units in regular, market-rate apartment communities, which is exactly where Horizons is operating their housing now – in a group of apartments within a market rate community – and is consistent with the plans for Homestead Gardens.

Program Participants

The Horizons program serves pregnant and parenting women recovering from substance abuse issues and their children. The Horizons program does not serve the populations listed in the Town's Group Care Facility definition, which includes:

- Handicapped
The program does not serve participants on the basis of a handicap or mobility impairment, though such individuals would not be excluded if they otherwise qualify for the program.
- Aged
The program does not serve participants on the basis of needs due to advanced age, as the program serves pregnant and parenting women with at least one child under age 12.
- Disabled
The program does not serve participants on the basis of disability. Participants in the Horizons program must be able to live independently, and program participants do not qualify for disability benefits through SSI or SSDI.
- Runaway, Disturbed, or Emotionally Deprived Children
The program does not serve runaway, disturbed, or emotionally deprived children, though children will reside in the apartment building with parents who are program participants.

Program Services

The treatment services for Horizons program participants who will live in the CASA-developed apartment building at Homestead Gardens will be provided off-site at the Horizons facility in Carrboro. As described on the [Horizons website](#), the women “attend full-time treatment programming in Carrboro, including Horizons’ Substance Abuse Comprehensive Outpatient Treatment (SACOT) program, followed by our Substance Abuse Intensive Outpatient Program (SAIOP).” While participating in off-site treatment programming, Horizons program participants residing in the apartment building will live fully independently. Participants will maintain their own units in the apartment building and are responsible for their own shopping, cooking, child care, and all other daily tasks.

Horizons staff at the apartment building will provide general upkeep of the common areas of the facility; observe urine drug screens, which may occur on-site or off-site; observe patient medication (program participants are responsible for the administration of their own medication); and provide occasional child care to assist program participants.

Facility Type

The apartment building to be developed by CASA at Homestead Gardens for lease to Horizons is not a facility of any of the five types included in the LUMO’s Group Care Facility definition.

- Is it a Group Home?

No, a group home is not defined by DHHS, but Orange County properties called Group Homes are classified by DHHS as Supervised Living for Adults with Developmental Disabilities, and involves staff present in the home with the occupants supervising them 24-7. Occupants have a disability that requires they be supervised at all times when in the home. A different license is required.

Additionally, it does not meet the “sniff test” of a group home. Typical group homes in NC are small, they are for persons with developmental disabilities, and they are not independent living – residents do not have their own dwelling unit, they do not have autonomy to come and go as they please, meals are provided. Examples of NC-wide group home providers include:

<https://rescarecommunityliving.com/our-services/group-homes/>
<https://www.nctlc.org/our-programs/residential-services/>
<https://www.arcnc.org/housing>

- Is it a Halfway House?

No, a halfway house is classified by DHHS as Supervised Living and involves staff present in the home with the occupants supervising them 24-7. Occupants have a disability that requires they be supervised at all times when in the home. A different license is required.

- Is it a Boarding Home for Children?

No, it is not a boarding home and it is for families with an adult head of household, not just children.

- Is it a Convalescent Home?
No, individuals are not receiving nursing care to recover or rehabilitate from acute illness or injury.
- Is it a Nursing Home?
No, its purpose is not to provide nursing or convalescent care.
 - DHHS definition of Nursing Home:

Nursing home means a facility, however named, which is advertised, announced, or maintained for the express or implied purpose of providing nursing or convalescent care for three or more persons unrelated to the licensee. A *nursing home* is a home for chronic or convalescent patients, who, on admission, are not as a rule, acutely ill and who do not require special facilities such as an operating room, X-ray facilities, laboratory facilities, and obstetrical facilities. A *nursing home* provides care for persons who have remedial ailments or other ailments, for which medical and nursing care are indicated; who, however, are not sick enough to require general hospital care. Nursing care is their primary need, but they will require continuing medical supervision. (G.S. 131E-101 [🔗](#))

Nursing care means:

1. Skilled nursing care and related services for residents who require medical or nursing care;
2. Rehabilitation services for the rehabilitation of injured, disabled, or sick persons; or
3. Health-related care and services provided on a regular basis to individuals who because of their mental or physical condition require care and services above the level of room and board, which can be made available to them only through institutional facilities.

These are services which are not primarily for the care and treatment of mental diseases. (G.S. 131E-176 [🔗](#))

Nursing home means a nursing home licensed under this Chapter [🔗](#) and includes an adult care home operated as part of a nursing home. (G.S. 131E-128.1 [🔗](#))

Summary

The information provided above confirms the CASA-Horizons apartment building at Homestead Gardens is a multi-family dwelling and is not a Group Care Facility.



CJT P.A.

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Planning for the Future

April 29, 2021

Judy Johnson
Town of Chapel Hill Planning & Sustainability
405 Martin Luther King Jr Blvd.
Chapel Hill, NC 27514

RE: Project 2200 Homestead Rd
Conditional Zoning – Response to Council and Public Comments and Questions

Dear Judy,

The 2200 Homestead Road (now known as “Homestead Gardens”) project was presented to Council at the virtual Public Hearing on April 21st. Our design and development team members were able to address many of the questions raised by Council members during the hearing. However, there were several comments and questions provided by Council and the public during and after the hearing to which our team did not have an opportunity to respond. We are writing to address these additional questions and comments before Council votes at their May 19 meeting.

Several issues were raised by more than one Council member and member of the public, so we have tried to group together and summarize these questions here for ease of reading. Please let us know if you, your colleagues on staff, or members of Council have any further questions you would like us to address on May 19th or prior.

Are there additional suggestions from the Urban Designer which are still to be incorporated into the plans?

The design team met with Brian Peterson twice to review the design and explore improvements. His thoughtful suggestions around circulation and common space elements, and general placement of building and recreation facilities, were incorporated in the design as presented. Most of Brian’s architectural suggestions have also been incorporated, such as increased articulation and the relationship of the buildings to the site. The only significant idea Brian offered for consideration that has not been included is the possibility of rotating some of the end townhome units 90 degrees to face the side yards. Our design team worked with Self-Help and with the Community Home Trust (the townhome development partner) to consider this design option, and we collectively agreed not to pursue it further. The downsides of the idea—e.g., fewer private backyards and long side facades facing the street that would be difficult to make attractive—outweighed the upsides for this project.

Can parking be removed from the entry drive to make it a public street?

The entry drive is a private street and will be re-graded to be a 5% slope, so it is not a steep entry. Parking shown on the site is all required for the community, so it is not an option to remove these 15 spaces, which are located at least 150’ from the entry point. In addition to adding needed parking, we expect these spaces to serve the purpose of signaling to drivers to go slowly and avoid using the neighborhood as a cut-through, which will help the pedestrian-first focus of the site.

Can we consider pervious surfaces for the greenway trail, and for street/parking pavement in the RCD?

Town staff let us know that pervious surfaces are not appropriate for the public greenway trail due to maintenance and other concerns. The design and development team also investigated the financial and practical feasibility of pervious pavement on sections of the street/parking that sit within the RCD. We do not plan to pursue this design option further. The upfront expense, as well as ongoing maintenance cost, of pervious pavement is significant with mixed predicted effectiveness over the long run, and we believe scarce public funds are better used elsewhere. The project meets all stormwater treatment and retention standards as designed.

Is the basketball court necessary? If so, can it be moved further from the Vineyard Square properties? Is there a way to reduce the noise that might be generated from the court?

The basketball court is an integral part of the Town's required provision of active recreation space on the site, without which we would fall thousands of square feet below the requirement. Additionally, the nonprofit development partners agree with the feedback we've consistently received from Council that this facility will provide needed recreation opportunities for adults and youth residents who have outgrown the playground. It is also a facility which encourages community interaction, one of the project's many goals. The court is intentionally located near the greenway trail to make it accessible for residents of the community while maximizing the tree buffer between the court and Vineyard Square.

Relocating the court to a more southerly portion of site would cause a significant loss of housing units at 2200 Homestead. Also, we cannot rotate the court 90 degrees without affecting the stormwater pond layout, and even if it were to be rotated and the pond reconfigured, the amount of retained forest would not be increased in this area. Instead, our team is working with Town staff to investigate options for noise reduction design treatments. Finally, keep in mind that the court will only be open during daylight hours and will have no lighting, while being open only to residents of 2200 Homestead and their guests.

Can there be more retained forest, especially near the basketball court and Hope Gardens?

The design team has been conscious of retaining as much forest as possible, including the addition of retaining walls to reduce limits of grading that would otherwise require more tree removal. Retaining additional forest area would decrease the number of residential units that could be provided on this site, eliminate required active and passive recreational amenities, or otherwise prevent necessary site features. Also, we expect the gardens, while requiring some tree removal, will provide a similarly quiet, green, and natural area for peaceful enjoyment by neighbors.

Can we add universal design to the units? How will residents with physical disabilities be accommodated?

All residential units have been designed with the consideration of universal design principles. Furthermore, individual vertical building developers (CASA, Community Home Trust, and Habitat for Humanity) will work with their tenants/homebuyers to facilitate any additional accommodations necessary for safe and comfortable residency.

The apartment buildings have been designed to comply with the International Code Council's ANSI 11.7.1 (accessible and useable buildings and facilities), ADA, as well as the requirements of the Fair Housing Act. A percentage of the apartment units will be designed as Type A Adaptable units under this code, ANSI 11.7.1. The townhome and duplex units have been designed to a greater level of accessibility than that required under the NC Residential Building Code. Finally, the site itself features accessible routes to promote mobility and connectivity for all residents.

Why are there not more market rate units planned at 2200 Homestead?

The development team responded to a [Town RFQ](#) that described the Council's and community's vision and goals for the project; affordable housing that serves a variety of income levels was a key project

goal given how little such housing exists, especially in this part of Chapel Hill. Our team has worked to faithfully fulfill the project vision, while making efficient use of public subsidy. Homestead Gardens will include a wide range of incomes, from less than 30% AMI to 115% AMI, and will include a mix of homeownership and rental housing to create a diverse, thriving community that fits well with adjacent primarily market rate developments.

Can we provide garbage and recycling pickup to individual homes?

The applicant has worked with the Town and Orange County Solid Waste and they are not able to mix multi-family collection routes required for apartment buildings with individual curbside residential pickup. Additionally, there are no garages and yards are small at the townhomes, so storage of individual trash and recycling carts at each residence would be cumbersome. Similarly, the curbs in front of the homes are needed for car parking so do not leave room for curbside containers.

Many townhome communities have dumpster facilities, including the Vineyard Square development adjacent to this one. Property/HOA management will work to support any residents who have physical barriers to getting trash and recycling to the four well-located community waste stations.

How has the applicant addressed TCAB's recommendation of providing access to the community garden?

The TCAB recommended a condition as follows: "Developer ensure retention of connectivity between 2200 Homestead and the newly relocated Hope Gardens." Our design and development team is in full agreement with the goal of ensuring physical connectivity between the gardens and the rest of the site, and our plans show these pedestrian connections. Although Hope Gardens will operate separately from the residential neighborhood, the development team will gladly continue to cooperate and coordinate with Town staff and Hope Gardens leadership, in order to support desired connections to the rest of the Homestead Gardens neighborhood as best we can.

What is the status of funding for the project's housing and the community garden? How can we be sure all elements of the project will get finished?

The project is thus far proceeding according to plan, with initial funding commitments—including a \$3M private philanthropic contribution, Town funds, and Orange County funds—in hand. Development partners are in the process of pursuing additional subsidy from local, state and other sources, per our overall financing plan. Similarly, Hope Gardens, which has successfully operated a community garden on site for the past decade, is working with Town and development staff to finalize their garden relocation budget and funding plan. The development team will continue to work with the Town to progress toward full project funding for housing and the gardens, and to stay on schedule to meet the development timeline.

Thank you and your colleagues for your ongoing work on this project, and please do let us know if you have received any additional questions, or whether more information from our team would be helpful prior to the upcoming Council vote.

Sincerely,



Wendi Ramsden
Project Manager

CC: Jared Martinson, MHA Works
Emily Holt, Town of Chapel Hill Project Manager
Dan Levine, Aspen Romeyn, Self-Help Real Estate

Anya Grahn

From: Amy Harvey
Sent: Thursday, April 22, 2021 3:58 PM
To: Anya Grahn
Subject: FW: 2200 homestead road

For 2200 Homestead Public Hearing 24-hr comment

Amy Harvey

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
Sent: Thursday, April 22, 2021 3:49 PM
To: lynn wells <wllslynn@yahoo.com>
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
Subject: RE: 2200 homestead road

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

From: lynn wells [<mailto:wllslynn@yahoo.com>]
Sent: Thursday, April 22, 2021 3:18 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: 2200 homestead road

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

As a follow up to the council discussion of 2200 Homestead I would like to thank Mr. Buansi for realizing how the basketball court would impact the Vineyard Square homeowners and offering a solution. Could you also look at rotating the court 90 degrees so that the long end is parallel to the railroad tracts . This would permit more trees to be saved on the eastern side of the basketball court to be a better barrier between the court and Vineyard Square to help with sound and to block seeing the court . 120 feet from the Vineyard Square house to the court is less than half a football field and 60 feet of trees is minimal. Then to the north of the court extend the tree save area and save a few more trees.

Please also re-look at taking out all the trees in the area labeled "community garden area future expansion". You are destroying natural area on a "maybe" we will use it. Take it out later when needed but not now. Leave some natural area behind the Vineyard Square homes.

I would also like say I was discouraged by the remark that was made that the council had asked for the court and could not now say do not do it. I was under the impression that community input was so the council could see possible negative aspects to a project that had not been foreseen and could possibly take steps to remedy the situation . Nothing would be set in stone until the project was started. I also personally found the remarks made by two members that North Carolina is a basketball state and so the project needed a court to be disrespectful of the real concerns voiced by the residents of Vineyard Square that signed the petition to not build the court.

Please re-think the court one more time or at the least find every way possible to negate the noise and visual for those in Vineyard Square who will have the court " in their backyard" . Thank you.

Linda Wells

Anya Grahn

From: Judy Johnson
Sent: Thursday, April 22, 2021 11:12 AM
To: Anya Grahn
Subject: FW: Message from Website

For the file

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
Sent: Thursday, April 22, 2021 10:52 AM
To: mheath1@nc.rr.com
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
Subject: FW: Message from Website

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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

From: info@townofchapelhill.org [<mailto:info@townofchapelhill.org>]
Sent: Wednesday, April 21, 2021 5:18 PM

To: Town Council <mayorandcouncil@townofchapelhill.org>

Subject: Message from Website

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

A new entry to a form/survey has been submitted.

Form Name: Contact Mayor and Council

Date & Time: 04/21/2021 5:17 PM

Response #: 421

Submitter ID: 13127

IP address: [24.211.226.145](#)

Time to complete: 6 min. , 39 sec.

Survey Details

Page 1

Submit the form below or email mayorandcouncil@townofchapelhill.org.

1. Name

Margaret Heath

2. Residency*

(o) I am a resident of Chapel Hill

3. Message

To the Mayor and Council Members:

Re: 2200 Homestead Rd: Environmental concerns

I'm writing to object to the proposal to exceed the allowable land disturbance and impervious surface areas in the Resource Conservation District at 2200 Homestead Road. It concerns me to learn that the Council may now be in a pattern of disregarding once-established environmental protections, as in this case should you allow the applicant to encroach into the RCD.

If you do approve the applicant's plan, can you offset damages to the RCD as well as the loss of trees? How might that be done on this site and/or in the vicinity? Please think about that. You might also consider a monetary or other contribution to help make up for the damages and the losses.

For future projects that propose an RCD incursion, can the Stormwater Advisory Board weigh in routinely and in a timely fashion, to make design recommendations early in the review process? Developers would benefit from this, along with the rest of us.

The RCD, perennial and intermittent streams, trees and natural areas with native plants are such a valuable part of Chapel Hill. Please don't let them be disregarded.

Thank you for your consideration.

4. If you would like us to contact you regarding this issue, please provide an email or telephone number.

mheath1@nc.rr.com

Note: Mail sent to or received from the Town of Chapel Hill is subject to publication under the provisions of the North Carolina public records law.

Thank you,
Town of Chapel Hill, NC

This is an automated message generated by Granicus. Please do not reply directly to this email.

Anya Grahm

From: Amy Harvey
Sent: Friday, April 23, 2021 9:07 AM
To: Anya Grahm
Subject: FW: Comment on 2200 Homestead Road project proposal

FYI for 2200 PH

Amy Harvey

-----Original Message-----

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
 Sent: Friday, April 23, 2021 8:48 AM
 To: Joseph Tsai <jt@myfastmail.com>
 Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
 Subject: RE: Comment on 2200 Homestead Road project proposal

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

-----Original Message-----

From: Joseph Tsai [mailto:jt@myfastmail.com]
 Sent: Thursday, April 22, 2021 6:05 PM
 To: Town Council <mayorandcouncil@townofchapelhill.org>
 Subject: Comment on 2200 Homestead Road project proposal

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Hi Mayor Hemminger and Town Council,

I am a resident of Chapel Hill, living in the Vineyard Square neighborhood that is adjacent to the proposed 2200 Homestead Road project. I provide a comment following the Town Council meeting held on Wednesday, April 21, 2021.

I wish to express my enthusiastic support for the 2200 Homestead Road project, in full as proposed. And specifically, I wish to speak to the objections raised about the planned basketball court for older children and young adults.

It is my understanding that the basketball court will be separated from the existing properties on Sonoma Way by a distance of 150 feet (half of a football field) of wooded area and will not be lit. This clearly addresses concerns about noise and lighting.

The concerns about a basketball court are not rooted in reality, and instead are a reflection of racist and classist attitudes and stereotypes about the people that basketball courts "attract", e.g. children, young adults, and people of color, and lower-income working families and single families that middle- and upper-income white families have repeatedly, and successfully, sought to segregate, including in Chapel Hill.

Furthermore, comments along the lines of "why can't they just go to the basketball courts at Homestead Park?" reflect an ignorance of the fact that people of color move through, and experience the world, profoundly differently and with a different level of safety than white people. And, practically, it also does not account for the fact that an increase in the number of residents in the area also requires an increase in recreational facilities, as well as infrastructure, to support them.

The recreation areas in fact support a sense of unity and community, through intentionally created physical spaces. It is clear that the architects, designers, and conceivers of the 2200 Homestead Road project understand this very well, and the proposal reflects the intentions to create safe and inclusive spaces and housing, and thereby a community, that serve the chronically underserved.

For these reasons, I believe that the objections do not serve the greater community but rather the interests of a few, and I strongly support the proposed basketball court as an essential element of the plan, and hope that you will consider these comments in your deliberations.

Best regards,
 Joseph Tsai

Anya Grahm

From: Amy Harvey
Sent: Friday, April 23, 2021 9:09 AM
To: Anya Grahm
Subject: FW: Message from Website

For 2200 PH

Amy Harvey

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
Sent: Friday, April 23, 2021 8:48 AM
To: julbe.00@gmail.com
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
Subject: FW: Message from Website

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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

From: info@townofchapelhill.org [<mailto:info@townofchapelhill.org>]
Sent: Thursday, April 22, 2021 6:27 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: Message from Website

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A new entry to a form/survey has been submitted.

Form Name: Contact Mayor and Council
Date & Time: 04/22/2021 6:26 PM
Response #: 424
Submitter ID: 13134
IP address: [99.173.134.147](#)
Time to complete: 49 min. , 19 sec.

Survey Details

Page 1

Submit the form below or email mayorandcouncil@townofchapelhill.org.

1. Name

Julie

2. Residency*

☐ I am a resident of Chapel Hill

3. Message

I am a resident of Vineyard Square and I am writing with concerns about the destruction of the natural area behind the CHT homes on Sonoma Way as part of the 2200 Homestead development. Research has shown that regular access to nature (including natural landscaping around homes and workplaces) is critical to health and well being. As an early resident of Sonoma Way, I can attest that the enjoyment of the natural area between Sonoma Way has contributed greatly to my quality of life and sense of well being for many years. Natural areas are also proven to help reduce noise from railroads and nearby traffic. I work from home (even during non-COVID times) and many of my neighbors also work remotely or are retired and at home during the day. The noise related to the removal of trees (and unnecessary addition of a basketball court) would be particularly problematic for residents who are home all day, especially those who are trying to work.

I was unable to attend the meeting last night but I was disappointed to learn that you are approving the destruction of the natural area for a "possible" community garden. I also found the comments about North Carolina being a basketball state to justify the inclusion of the court disrespectful to the residents who were stating their valid concerns. I urge you to reconsider the unnecessary destruction of the natural area (especially given that a community garden is not a certainty) and find a better, less disruptive location for the basketball courts which will be placed directly behind some of my neighbors (also basketball courts are available at Homestead Park which is just a short walk away). Access to the natural barrier between the two neighborhoods will benefit the residents of 2200 Homestead as well. Thank you in advance for considering the health, well being and productivity of current residents of Vineyard Square.

4. If you would like us to contact you regarding this issue, please provide an email or telephone number.

julbe.00@gmail.com

Note: Mail sent to or received from the Town of Chapel Hill is subject to publication under the provisions of the North Carolina public records law.

Thank you,
Town of Chapel Hill, NC

This is an automated message generated by Granicus. Please do not reply directly to this email.

Anya Grahn

From: Judy Johnson
Sent: Friday, April 23, 2021 11:29 AM
To: Anya Grahn
Subject: FW: 2200 homestead road

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
Sent: Thursday, April 22, 2021 3:49 PM
To: lynn wells <wllslynn@yahoo.com>
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
Subject: RE: 2200 homestead road

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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

From: lynn wells [<mailto:wllslynn@yahoo.com>]
Sent: Thursday, April 22, 2021 3:18 PM

To: Town Council <mayorandcouncil@townofchapelhill.org>

Subject: 2200 homestead road

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

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Please re-think the court one more time or at the least find every way possible to negate the noise and visual for those in Vineyard Square who will have the court "in their backyard". Thank you.

Linda Wells

Anya Grahm

From: Judy Johnson
Sent: Friday, April 23, 2021 9:44 AM
To: Anya Grahm
Subject: FW: 2200 Homestead Rd. development plan

From: Mike Nicholson <miami.mikey@gmail.com>
Sent: Thursday, April 22, 2021 7:02 PM
To: Planning Department <planning@townofchapelhill.org>
Subject: 2200 Homestead Rd. development plan

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Greetings.

My name is Michael Nicholson and last night my wife Hestine and I participated in the virtual town meeting regarding the proposed development at 2200 Homestead Rd.

We are Community Home Trust homeowners living in the stretch of townhomes along Sonoma Way that lie adjacent and above the tract being considered. Last night we re-iterated to the Mayor, Council and Developer our misgivings and concerns about the plans inclusion of a basketball court in the sliver of land behind our neighbors.

We know that you all heard our concerns about the noise factor and tree removal and acknowledged these and we are grateful for your comments reflecting your awareness of such. Thank you.

Understanding the 24 hour deadline for further emailed comments, I will tuck this in last minute.

I propose to you a hopefully useful idea: Please consider taking some Council and perhaps Planning Department members to the Homestead Park basketball court on Aquatic Drive one afternoon. If no people are on the court, please consider taking a basketball along and have a few members do some hoops while others position themselves in their cars at various distances above the court in the convenient parking decks slightly above and beyond the court, roughly the same distance our CHT units would be above the proposed court at 2200. There is a row of mature crepe myrtle trees buffering the court noise from the parking decks above them but one can hear dribbling and backboard sounds and gleeful shouts at considerable distances even with car window rolled up. This would be a sound test to see what we in the row of townhouses on Sonoma would be faced with. Thank you for considering our request for no basketball court.

Michael Nicholson
 325 Sonoma Way
 Chapel Hill, NC 27516
 (919)928-2531

Anya Grahm

From: Amy Harvey
Sent: Friday, April 23, 2021 9:10 AM
To: Anya Grahm
Subject: FW: 2200 Homestead Road followup to last night's hearing

For 2200 PH

Amy Harvey

From: Jeanette Coffin <jcoffin@townofchapelhill.org>
Sent: Friday, April 23, 2021 8:46 AM
To: susannassar energistics.com <susannassar@energistics.com>
Cc: Judy Johnson <jjohnson@townofchapelhill.org>; Colleen Willger <cwillger@townofchapelhill.org>; Allen Buansi <abuansi@townofchapelhill.org>; Amy Ryan <aryan@townofchapelhill.org>; Hongbin Gu <hgu@townofchapelhill.org>; Jeanne Brown <jbrown2@townofchapelhill.org>; Jess Anderson <janderson@townofchapelhill.org>; Karen Stegman <kstegman@townofchapelhill.org>; Michael Parker <mparker@townofchapelhill.org>; Pam Hemminger <phemminger@townofchapelhill.org>; Tai Huynh <thuynh@townofchapelhill.org>; Amy Harvey <aharvey@townofchapelhill.org>; Ann Anderson <aanderson@townofchapelhill.org>; Carolyn Worsley <cworsley@townofchapelhill.org>; Flo Miller <fmiller@townofchapelhill.org>; Laura Selmer <lselmer@townofchapelhill.org>; Mary Jane Nirdlinger <mnirdlinger@townofchapelhill.org>; Maurice Jones <mjones@townofchapelhill.org>; Rae Buckley <rbuckley@townofchapelhill.org>; Ran Northam <rnortham@townofchapelhill.org>; Ross Tompkins <rtompkins@townofchapelhill.org>; Sabrina Oliver <soliver@townofchapelhill.org>
Subject: RE: 2200 Homestead Road followup to last night's hearing

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

From: susannassar energistics.com [<mailto:susannassar@energistics.com>]
Sent: Thursday, April 22, 2021 7:00 PM
To: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: 2200 Homestead Road followup to last night's hearing

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Dear Mayor and Town Council,

As an adjacent Vineyard Square neighbor to this development, it seems obvious that all I can hope for at this point is that the town would spend all that it takes that this proposed Mercedes Benz of basketball courts also has the maximum sound proofing and optimal orientation in respect of the Vineyard Square neighbors.

It is thanks to Mr. Buansi that I even have this little bit of hope left, as he mentioned that there are ways to insulate the sound of a basketball court.

The rest of you underestimated the noise intrusion and resulting loss of quality of life and let's don't even mention trying to sell your home when a prospective buyer is in the kitchen or master bedroom hearing the boom boom boom.

I can totally understand why you are so enthusiastic about the idea of a basketball court, but let's get real.

The idea that you even considered it would be lighted horrifies me. Not only light pollution but 24/7 usage.

And it won't be used only by kids and adults from 2200 Homestead— There will be the residents of the 54 townhomes at Bridgepoint, plus people from other neighborhood all around. If this court is going to be as great as you say, THEY WILL COME.

I'd be all for that if it were not within hearing distance of Sonoma Way homes. Which leads me to suggest: Why not put this state-of-the-art basketball court— maybe two— on the Greene Tract next door?

I know you are hot to get this thing approved and move on, but if you are really serious about respecting The Comprehensive Plan Goal #8 *Nurture Our Community... Protect neighborhoods from the impact of development such as stormwater runoff, light and **noise pollution**, and traffic...* then I ask you to be more considerate of us. And give us due respect.

I'd like to point out that WE paid for this 2200 Homestead land. When Centex bought the land for Vineyard Square it included the Bridgepoint land and the 2200 Homestead Road land. As is normal for a developer, Centex (since

bought by Pulte) had profit goals for Vineyard Square. In order to meet those goals, those of us in market priced homes paid for the profit lost from Hometruster homes and the land given to the Town.

I personally have no problem with that. Plus I believe in paying taxes when I can afford it and of course I believe in their being SPENT (unlike the Republicans.) And I don't mind paying taxes every year that go to the Home Trust Fund. I feel that is the responsible thing to do when we are lucky enough to have the means in this life.

But I do feel that in return that my quality of life and home value should be considered. As you would want yours.

Based on the Town Council meeting last night, most of you have totally underestimated...

- 1) The disruption the basketball court will cause for us in our daily lives
- 2) and the destruction to our home values.

Can we not be good loving neighbors without paying that price? I have been worried for years about what will happen to our trailer park inhabitants when those lots get developed. I care. Don't I deserve some consideration in return?

Susan Nassar
109 Sonoma Way



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 10., **File #:** [21-0449], **Version:** 1

Meeting Date: 5/19/2021

Open the Public Hearing: Recommended Budget for FY 2021-2022.

Staff:

Maurice Jones, Town Manager
Amy Oland, Director

Department:

Manager's Office
Business Management

The FY 2021-22 Manager's Recommended Budget restores funding needed to continue to deliver high-quality core services to the Town's residents, businesses, and visitors. The budget also supports the Council's strategic goal areas from climate change to social equity and addresses critical workforce needs.

In an attempt to balance the needs of the community with the impact of the revaluation increase on property owners, the proposed tax rate of 52.4 cents per \$100 assessed valuation, was recommended to capture some of the natural increase in property values, while slightly lowering the tax rate.

At the May 12th budget work session, Council expressed an interest in lowering the proposed tax rate by an additional penny to 51.4 cents. We will return to Council at the May 19th public hearing with a recommendation of where to cut \$940,000 out of the recommended budget.

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

PRESENTER: Maurice Jones, Town Manager

- a. Introduction by the Manager
- b. Comments from the public
- c. Comments from the Mayor and Town Council
- d. Motion to close the Public Hearing and receive comments for 24-hours
- e. Consider enacting the Ordinance on June 9, 2021.

RECOMMENDATION: That the Council receive public comment regarding the recommended budget. See <https://www.townofchapelhill.org/government/departments-services/business-management/budget/2021-2022-budget-development>. The Council is considering reducing the recommended tax rate.



280
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 11., **File #:** [21-0400], **Version:** 1

Meeting Date: 5/19/2021

Evidentiary Hearing Continued: Special Use Permit Modification for University Place, 201 S. Estes Drive.

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: Judy Johnson, Assistant Planning Director

- 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 revised recommendation
- c. Presentation of evidence by the applicant
- d. Recommendations by advisory boards and commissions
- e. Presentation of evidence by the public
- f. Comments and questions from the Mayor and Town Council
- g. Motion to continue the Evidentiary Hearing to June 9, 2021
- h. Referral to Manager and Attorney

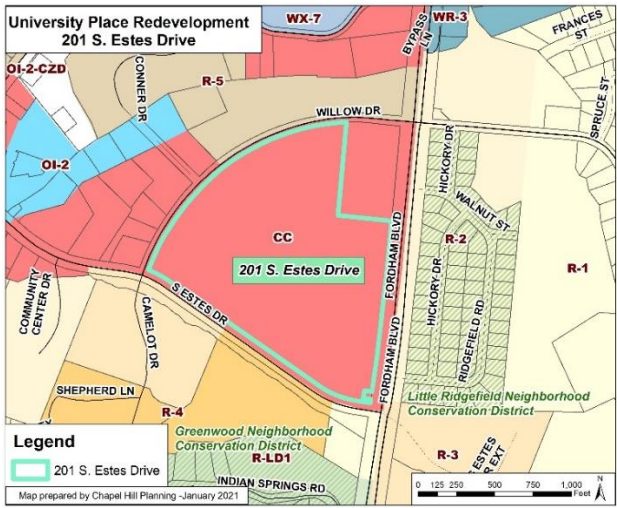
RECOMMENDATION: That the Council continue the public hearing, receive evidence, and continue the evidentiary hearing to June 9, 2021.



CONTINUE THE EVIDENTIARY HEARING: SPECIAL USE PERMIT MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE (PROJECT # 19-130)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING
Colleen Willger, Director
Judy Johnson, Assistant Director

<p>PROPERTY ADDRESS 201 S. Estes Drive</p>	<p>MEETING DATE May 19, 2021</p>	<p>APPLICANT Jessie Hardesty, McAdams, on behalf of RRPV University Chapel Hill Limited Partnership</p>
<p>STAFF RECOMMENDATION That the Council 1) continue the ongoing Evidentiary Hearing by receiving additional evidence; 2) continue the Evidentiary Hearing to June 9, 2021.</p>		
<p>UPDATES SINCE THE MAY 5, 2021 HEARING Staff is working to provide responses to questions from the Council. Additional information will be provided prior to the May 19 Council meeting.</p>		
<p>PROCESS</p> <p>The application is a Special Use Permit Modification. The Council must consider the four findings of fact for approval of a Special Use Permit, which indicate that the use or development:</p> <ol style="list-style-type: none"> 1. is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare; 2. would comply with all required regulations and standards of the Land Use Management Ordinance; 3. is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and 4. conforms to the general plans for the physical development of the Town as embodied in the Land Use Management Ordinance and in the Comprehensive Plan. 	<p>DECISION POINTS</p> <p>The applicant requests modifications of regulations to the following categories:</p> <ul style="list-style-type: none"> • setbacks, • buffers, • tree canopy coverage, • building height, • impervious surface coverage, • parking standards, • signage, and • Resource Conservation District. <p>Design Standards have been proposed to shape and refine the block style development plan.</p> <p>This approval would supersede the previous Special Use Permit Modification granted in 2000.</p>	
<p>PROJECT OVERVIEW</p> <p>The Special Use Permit Modification defines uses and building area within a block plan, including accompanying Design Standards that will guide the development standards. No exact building layout is proposed at this time. The applicant has proposed limited uses as compared to what is allowed by the Community Commercial (CC) zoning designation.</p> <ul style="list-style-type: none"> • Floor area: up to 810,914 sq. ft. • Gross Land area: 43.4 acres • Existing zoning: Community Commercial (CC) • Permitted Uses are outlined in the Design Standards and include residential uses, office uses, hotel, commercial, and wireless communication facilities. • The Transportation Impact Study conveys impacts related to each phase of the project build-out 	<p>PROJECT LOCATION</p>  <p>The map shows the project location at 201 S. Estes Drive, highlighted in green. Surrounding streets include Willow Dr, Fordham Blvd, Hickory Dr, Walnut St, Spruce St, Frances St, Indian Springs Rd, and Shepherd Ln. Zoning districts shown include CC (Community Commercial), R-1, R-2, R-3, R-4, R-5, R-LD1, and R-LD2. The map also indicates the Greenwood Neighborhood Conservation District and the Little Ridgefield Neighborhood Conservation District. A legend identifies the project location and the map was prepared by Chapel Hill Planning in January 2021.</p>	
<p>ATTACHMENTS</p>	<ol style="list-style-type: none"> 1. Technical Report and Project Fact Sheet 2. Draft Staff Presentation (<i>to be distributed</i>) 3. Revised Resolution A (Approving the Application) 4. Resolution B (Denying the Application) 5. Advisory Board Recommendations 	

- | | |
|--|--|
| | <ol style="list-style-type: none">6. Town's Urban Designer Review Summary November 13, 20207. Applicant's May 5 Draft Presentation8. Application Materials9. Block Plan10. Design Standards11. Traffic Impact Study – Executive Summary |
|--|--|



TECHNICAL REPORT

KEY CONSIDERATIONS

Planning Commission: At their [April 6, 2021 meeting](#)¹, the Planning Commission recommended approval with the following modifications to Resolution A:

- Decrease the allowed impervious surface area to meet current ordinance standard of 70% maximum impervious surface ratio.
- Increase the amount of required tree canopy coverage to meet the current required ordinance standard of 30% minimum tree canopy coverage.
- Further reduce parking totals and reduce required minimum parking on-site.
- Greatly increase the amount of bicycle parking on-site.
- Provide unbundled parking options, granting tenants the option of paying for parking spaces or not.
- Engage with the Chapel Hill Farmers Market to provide permanent and shared-use infrastructure that suits their long-term needs.
- New constructed stand-alone buildings shall be more than one story in height.
- Reduce the number of proposed signs and sign size along Fordham Boulevard.

Transportation and Connectivity Advisory Board: At the [March 23, 2021 meeting](#)², the Transportation and Connectivity Advisory Board recommended approval with the following modifications to Resolution A:

- That the developer coordinate with Chapel Hill Transit to explore additional bus stop(s) within the development
- Developer meets with community bicycle advocacy groups to determine ideal bicycle parking locations
- Developer install additional traffic calming treatments on the interior roadway network
- Developer coordinate with Town staff to consider pedestrian, bicycle, and non-motorized routes within the development to prioritize safety, directness, and experience for all ages and abilities.

Environmental Stewardship Advisory Board: At the [March 30, 2021 meeting](#)³, the Environmental Stewardship Advisory Board recommended approval with the following modifications to Resolution A:

- Present more detail about energy consumption, types of energy used, rainwater and stormwater
- Meet with the Stormwater Management Utility Advisory Board

¹ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829635&GUID=69079523-A7C3-4357-99C6-973E680DEA22&Options=&Search=>

² <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829632&GUID=D46F6713-4D34-4611-9CB0-10706B952834&Options=&Search=>

³ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=853077&GUID=929FC572-0F65-4A58-A4C0-66B39C2A3C60&Options=&Search=>

- Utilize solar energy to reduce greenhouse gas emissions
- Due to heat and environmental health concerns, plant only natural vegetation and if an artificial turf is used, avoid crumb rubber base
- Support the increase in tree canopy and encourage a higher percentage than the proposed 20%, which is below the 30% standard
- Upon termination of leases, explore opportunities for additional green spaces
- Support the decrease in impervious surface and encourage a lower percentage than the proposed 75%, which is above the 70% standard
- Place reflective surfaces on roofs before installing solar
- Install rooftop rainwater capture for irrigation and non-potable water use and to reduce stormwater impacts
- Build structured parking to reduce impervious surface and increase area for tree plantings
- Install stormwater retention tanks to moderate runoff
- Suggest that Council ask for additional details about the multi-family units

Housing Advisory Board: At the [March 9, 2021 meeting](#)⁴, the Housing Advisory Board recommended approval of the project.

Community Design Commission: The application was discussed at the [March 23, 2021](#)⁵ and [April 27, 2021](#)⁶ meetings. The Community Design Commission recommended approval of the project.

Stormwater Management Utility Advisory Board: The application was discussed at the [April 27, 2021 meeting](#)⁷. The Stormwater Management Utility Advisory Board recommended approval with the following modifications to Resolution A:

- The Board does not support the modification to the impervious surface ratio (75%). The Board supports the reduction in the impervious ratio to 70%.
- If the 70% impervious area ratio can not be met, then the use of green roof or rainwater harvesting should be included to account for the difference
- Future phases should incorporate additional measures to further meet the 70% impervious area ratio requirement.
- There should be no loss of effective flood storage on this site, which is in addition to meeting the no-rise in the Base Flood Elevation requirement.
- The Board supports the use of pervious pavement and the approximately 30,000 sf of additional impervious area that is proposed to be treated in the enlarged and improved bioretention basins.

PROJECT OVERVIEW

The application proposes modifying the existing Special Use Permit on the site to accommodate a block-style plan with a mix of uses, ultimately configured and constructed based on the attached set of Design Standards proposed by the applicant. Currently existing on the 43.4-acre site is the University Place Mall. More details about the proposed

⁴ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829628&GUID=87C0A97D-10A6-4174-A887-3144DEC15784&Options=&Search=>

⁵ <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=829633&GUID=9B4EBCC1-4FFE-43F5-A0A0-EA7F41A0C183&Options=&Search=>

⁶ <https://chapelhill.legistar.com/DepartmentDetail.aspx?ID=35897&GUID=60D7535E-8FD2-4C4F-B065-903F28578771&Search=>

⁷ <https://www.townofchapelhill.org/home/showpublisheddocument/48787/637546157362500000>

development can be found in the applicant's narrative and statement of justification in the Application Materials.

Information about the site and proposed zoning districts can be found below, as well as a list of proposed Modifications to Regulations, other important considerations that staff has identified, and an analysis of the project's consistency with the Comprehensive Plan and relevant Findings of Fact.

SITE CONTEXT

Staff has identified the following physical and regulatory characteristics of the land:

- The site consists of 43.4 acres of gross land area and is the site of the existing University Place Mall and other surrounding commercial establishments.
- The site fronts on and has access to S. Estes Drive, Fordham Boulevard, and Willow Drive. Both Fordham Boulevard and S. Estes Drive are maintained by the North Carolina Department of Transportation (NCDOT) and Willow Drive is maintained by the Town of Chapel Hill.
- The site is relatively flat with Resource Conservation District (RCD) determined by floodplain on the southern portion of the property.
- Willow Terrace Condominiums are to the north and are zoned Residential-5 (R-5).
- Little Ridgefield subdivision is to the east and is zoned Residential-2 (R-2).
- The properties to the south are zoned Residential-1 (R-1), Residential-3 (R-3), and Residential-4 (R-4), and consist of Brookwood Condominiums, Camelot Village, and vacant land.
- The properties to the west are zoned Community Commercial (CC) and consist of a variety of commercial establishments.

PROPOSED SPECIAL USE PERMIT MODIFICATION

The applicant has submitted a Special Use Permit Modification application, for review of the development proposal, without the need for rezoning, and which allows site-specific standards to be formulated and applied as conditions through a quasi-judicial process. The application provides an opportunity to establish agreed-upon 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.

The block style development plan provides a general overview of the built environment for the 43.4-acre site; thus the need for design standards, as proposed by the applicant.

The applicant has proposed modifications to permitted uses and dimensional standards for the zoning district, among other requested modifications, as summarized in the Proposed Modifications to Regulations section below.

PROPOSED MODIFICATIONS TO REGULATIONS

1) Section 3.8.2 Dimensional Regulations:

Setbacks: The applicant requests the following proposed minimum setbacks for development in the Community Commercial (CC), zoning district:

YARD	REQUIRED SETBACK	PROPOSED SETBACK
Street Setback (Willow Drive)	22'	0-20' (build-to-zone (BTZ))
Street Setback (Fordham Blvd)	22'	0' min Max with parking: 77' Max
Interior Setback	8'	0'
Solar Setback	9'	0'

Staff Comment: The standard setback requirements would be replaced with build-to-zone requirements outlined in the attached proposed Design Standards. Build-to Zone is defined as the area on the lot where a certain percentage of the front building façade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.

Building Height Maximums: The applicant requests the following proposed modifications to maximum building height:

BUILDING HEIGHT	MAXIMUM	PROPOSED POD A AND C	PROPOSED POD D
Setback Height	34'	75' (5 stories)	34' (3 stories)
Core Height	60'	90' (7 stories)	45' (3 stories)

The application refers to the attached Design Standards (Section III. Design Criteria - Building Mass & Form) for details.

The application states the proposed modification would:

- allow increased maximum building heights to reduce the building footprints on the parcel while still creating a high-density, high-intensity, mixed-use center;
- allow for vertically mixed-use buildings that would create more interesting spaces and places while reducing building footprints to conserve the available land area; and
- give the development a sense of place and identity that would enhance the vibrancy and long-term viability of the project.

Section 3.8.2 Impervious Surface Ratio:

Section 3.8.2 limits the maximum impervious surface ratio in the Community Commercial (CC) zoning district to 70 percent of the total lot area. The applicant is requesting a modification to increase the maximum impervious surface ratio to 75 percent.

The application states current impervious surface standards were not in place when University Place was constructed over 40 years ago. Currently approximately 78 percent of the site is covered with impervious surfaces. As part of the redevelopment of this parcel, the applicant is proposing to remove some of the existing impervious surfaces and replace them with open spaces, landscaping, or other permeable features. The application states reducing 3 percent of the existing impervious surface would result in over 52,000 square feet of land being converted to pervious surfaces while allowing the redevelopment of the proposed mixed-use center at the density and intensity envisioned by the Future Land Use Map.

2) Section 5.6.6 Schedule of Required Buffers

The applicant requests the following proposed modifications to perimeter:

LOCATION	REQUIRED BUFFER	PROPOSED BUFFER
East (Fordham Blvd.)	30' TYPE D	0' (NO BUFFER REQUIRED)
South (S. Estes Drive)	30' TYPE D	0' (NO BUFFER REQUIRED)
West (Willow Drive)	20' TYPE D	0' (NO BUFFER REQUIRED)
North (Binkley Baptist Church)	20' TYPE B	10' TYPE B

In place of buffers, the applicant proposes the following perimeter streetscape configurations:

Willow Drive Streetscape:

- Sidewalk (minimum): 5 feet (existing sidewalk to remain)
- Planting strip (minimum): 3 feet
- Outdoor Amenity Space/Tree Planting Zone (minimum): 8 feet (preserve existing mature trees where possible)
- Tree Spacing (on center, average): 40 feet (space proposed trees around and between existing mature trees as needed)
- Bike Lane (minimum): 4.5 feet

Fordham Boulevard Streetscape:

- Sidewalk (minimum): N/A (Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10 feet (with 2 feet clear zone)
- Tree Planting Zone (minimum): 8 feet (preserve existing mature trees where possible)
- Tree Spacing (on center, average): 40 feet (space proposed trees around and between existing mature trees as needed)

S. Estes Drive Streetscape:

- Sidewalk (minimum): N/A (Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10 feet (with 2 feet clear zone)
- Tree Planting Zone (minimum): 8 feet (preserve existing mature trees where possible)
- Tree Spacing (on center, average): 40 feet (space proposed trees around and between existing mature trees as needed)

Staff Comment: Required buffers would impact the proposed Build-to-Zones and would separate uses from the adjoining streets.

3) Section 5.7.2 Tree Protection:

The applicant requests the following proposed modifications to the required tree canopy coverage:

TREE CANOPY COVERAGE		
PROPOSED USE	REQUIRED	PROPOSED
MULTIFAMILY	30%	20%
COMMERCIAL	30%	20%
OFFICE	30%	20%

MIXED-USE	40%	20%
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The application states:

- The requested reduction would be a more reasonable tree canopy coverage requirement given the existing development on the parcel.
- LUMO tree canopy coverage requirements were not in place at the time of the original approval of University Place.
- Meeting existing tree canopy coverage during redevelopment of the parcel would be problematic when the applicant's intention is to increase the density and intensity of the development.
- The requested reduction would be the minimum necessary to create a substantial tree canopy cover without limiting the ability to redevelop the site.
- The scope of the proposed development would require impervious surfaces that would not be suitable for the planting of vegetation.

4) Section 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements

The applicant is requesting a proposed modification to allow for a 30 percent reduction in parking for parking areas that will be shared by multiple uses.

The application states a reduction in parking requirements would:

- reduce impervious surface while increasing the density of uses on the site;
- benefit the overall site design, intent of the site, and Town goals.

In addition, the application states improved bicycle and pedestrian connectivity through added sidewalks, multi-use paths, and bike lanes would allow for alternative modes of transportation to and from the site, benefiting both the environment and visitor experience.

In addition to shared parking for the project, the following modifications to parking requirements for specific uses are requested:

VEHICLE PARKING REQUIREMENTS	REQUIRED		PROPOSED	
	MIN.	MAX.	MIN.	MAX.
RESIDENTIAL USES				
2 bedrooms	1.4 per dwelling unit	1.75 per dwelling unit	1.25 per dwelling unit	1.75 per dwelling unit
Independent Senior Living Facility	0.5 per Senior unit	0.7 per Senior unit	0.5 per Senior unit	1 per Senior unit
COMMERCIAL USES				
All Commercial Uses, except:	LUMO standards vary by use type		1 per 300 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Business, Convenience Restaurant	1 per 110 sq. ft. of floor area	1 per 75 sq. ft. of floor area	1 per 150 sq. ft. of floor area	1 per 75 sq. ft. of floor area
OFFICE USES				
All Office Uses	1 per 350 sq. ft. of floor area	1 per 250 sq. ft. of floor area	1 per 300 sq. ft. of floor area	1 per 200 sq. ft. of floor area

The applicant is requesting the following modification to bicycle parking requirements for specific uses:

BICYCLE PARKING REQUIREMENTS	REQUIRED		PROPOSED	
	MIN.	SHORT/LONG TERM	MIN.	SHORT/LONG TERM
RESIDENTIAL USES				
Residential	As per LUMO	As per LUMO	As per LUMO	As per LUMO
Independent Senior Living Facility	1 per 1 unit	As per LUMO	1 per 2 units	As per LUMO
COMMERCIAL USES				
All Commercial Uses	LUMO standards vary by use	As per LUMO	1 per 2,500 SF	As per LUMO
OFFICE USES				
All Office Uses	LUMO standards vary by use	80% / 20%	1 per 2,500 SF	50% / 50%

5) Section 5.14 Signs

The applicant is requesting modifications to commercial sign regulations to allow for a Gateway sign in addition to the permitted commercial center signs. Currently, the maximum number of commercial center signs per street frontage is one (1). This request would allow for one additional sign on Fordham Boulevard. The proposed modifications would apply only to the Gateway sign.

COMMERCIAL SIGN	REQUIRED	PROPOSED
Height	14'	24'
Width	10'	12'
Thickness	12"	24"
Sign Structure Plus Display Surface	144 SF	288 SF
Max # Per Street Frontage	1	2 (Fordham Blvd only)
Illumination	Permitted during business hours only	Permitted during business hours and non-business hours

The applicant also is requesting the following proposed modifications for outparcel ground signs regulations:

GROUND SIGN	REQUIRED	PROPOSED
Distance (From Other Commercial Ground Signs)	150'	100'
Max # Per Street Frontage	1	No max; must have minimum 100' spacing
Max # Per Lot	1	No max; must have minimum 100' spacing
Ground Signs Permitted On The Same Zoning Lot With A Projecting Sign	No, unless signs are located on different street frontages	Yes; must have minimum 100' spacing

The application states this request is in line with the current approved unified sign plan, which allows for five (5) ground signs for outparcels (K&W, Harris Teeter, Fuel, SunTrust, and former Wells Fargo bank) in addition to the three (3) commercial center signs. The

application notes these changes will ultimately be incorporated into a revised unified signage package to be submitted and approved before any of the signage modifications are permitted to be constructed.

6) Section 3.6.3 Resource Conservation District (RCD)

The applicant is requesting modification to application of the RCD ordinance to University Place to allow the expansion of University Place within the existing floodplain and RCD associated with proposed buildings, and other improvements.

The application states:

- The proposed buildings and site improvements will be required to meet the requirements of the FEMA regulations and the Town's Flood Damage Prevention Ordinance.
- These requirements include the modelling of the floodplain of Bolin Creek to show that the improvements have no impact to, and create no increase to, the existing floodplain elevation.
- The redevelopment of University Place will reduce the impervious area within the floodplain and RCD.
- The redevelopment will reduce nutrient run-off associated with impervious surfaces as well as the water quantity run-off from the site.

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.

FINDINGS OF FACT

No Special Use Permit Modification shall be recommended by the Town Manager or Planning Commission for approval and no Special Use Permit Modification shall be approved by the Town Council unless each of the following findings is made concerning the proposed Special Use or Planned Development:

Finding #1: That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

Finding #2: That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations;

Finding #3: That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and







Finding #4: That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.

Staff will provide an evaluation of this application based on the four findings. Further information may be presented for the Council's consideration as part of the public hearing process. All information submitted at the public hearing will be included in the record of the hearing.

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND OTHER DOCUMENTS

Town staff has reviewed this application for compliance with the themes from the [2020 Comprehensive Plan](#)⁸, the standards of the [Land Use Management Ordinance](#)⁹, and the [Town of Chapel Hill, NC : Design Manual and Standard Details](#)¹⁰ and believes the University Place proposal complies with several themes of the 2020 Comprehensive Plan:

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

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

Land Use Plan: The [Future Land Use Map](#)¹¹, a component of the 2020 Comprehensive Plan, designates this site for multifamily, shops and offices, and commercial/office and primary uses, with Multifamily residential as secondary.

University Place is an existing non-residential development constructed prior to the current Land Use Management Ordinance. University Place is envisioned as a mixed-use community with up to 600,000 square feet of non-residential uses, up to 300 residential dwelling units, and up to 150 hotel rooms. The redevelopment of University Place is in keeping with the goals of the Town of Chapel Hill Comprehensive Plan.

A Place for Everyone: The applicant states that "University Place is, and will continue to be, a part of the fabric of Chapel Hill. The redevelopment and increased square footage for non-residential uses will create even more places and spaces for residents and visitors."

Community Prosperity and Engagement: University Place is an aging mall at a time when traditional malls all across the country are failing. The applicant states "the redevelopment of University Place will allow it to prosper into the future, which will ultimately contribute to the success and prosperity of Chapel Hill as a whole."

Getting Around: The requested Special Use Permit Modification will enhance the ability of pedestrians, bikes, and vehicles to move around Chapel Hill. Greenways, walking trails, and sidewalks will be constructed as part of the redevelopment. Additionally, improvements to the transportation network will be constructed as required by the Traffic Impact Analysis.

Good Place, New Spaces: The requested Special Use Permit Modification allows for a new mixed-use center where an aging commercial mall is located. The redeveloped University

⁸ <http://www.townofchapelhill.org/home/showdocument?id=15001>

⁹ https://www.municode.com/library/#!/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAUSMA

¹⁰ <http://www.townofchapelhill.org/town-hall/departments-services/public-works/engineering/design-manual-and-standard-details>

¹¹ <https://online.flippingbook.com/view/26191/>

Place will be a 'good space' and will include new open spaces in areas that will add interest throughout the site and allow residents and visitors to gather and enjoy the outdoors while staying on site.

Nurturing Our Community: University Place was constructed prior to modern environmental regulations intended to protect and preserve natural resources, which means that stormwater treatment and impervious surfaces do not meet the modern standards for environmental protection. As part of the redevelopment, impervious surfaces will be removed from the site to provide some increased level of environmental protection.

Affordable Housing Evaluation

The applicant has offered the following affordable housing program:

- If affordable dwelling units are designated as "for sale", they shall be subject to the requirements of Section 3.10, Inclusionary Zoning, of the Land Use Management Ordinance (LUMO).
- If residential uses are constructed on site, a minimum of 15 percent of all residential units constructed must be designated as affordable dwelling units.
- All affordable dwelling units designated as "rental units" shall remain affordable for a period of 30 years from certificate of occupancy.
- The affordable dwelling units shall be available for households earning 80% or less of the area median income (AMI).
- If the required number of affordable dwelling units includes a fraction, the applicant shall have the option to round up and provide one additional affordable dwelling unit or provided the fraction amount in the form of a payment-in-lieu.
- If residential uses are constructed and designated as "senior housing/senior living" with minimum age requirements (typically 55+), the affordable dwelling unit requirements outlined above shall not apply so long as the units remain age restricted.
- Each rental unit designated as an affordable dwelling unit must meet the following minimum floor area:
 1. Studio/Efficiency – 500 SF*
 2. 1 Bedroom – 700 SF*
 3. 2 Bedroom – 850 SF*
 4. 3 Bedroom – 1,100 SF*
 5. 4 Bedroom – 1,200 plus 250 SF per additional bedroom above 4*

*If unrestricted market rate units in a building are constructed at sized below those stated above, the minimum floor area for affordable units may be reduced to the size of such comparable unrestricted units in the building.

Although the Inclusionary Zoning Ordinance is only applicable to for sale dwellings, the Ordinance requires half of the units available to households earning 65 percent of the Area Median Income (AMI) and half to households earning 80 percent. Additionally, the Inclusionary Zoning Ordinance applies to all housing, not excluding age-restricted housing.

Stormwater Evaluation

The University Place building, sidewalk, parking, and drive aisle with exception to the Harris Teeter and K&W buildings all lie in the floodplain and the Resource Conservation District (RCD) based on the North Carolina Flood Risk Information System (NCFRIS).

The developer proposes to reduce the existing impervious area on the site by 52,466 square feet, which will contribute to the improvement in water quality and stormwater runoff rate leaving the site. The impact of proposed buildings on the floodplain storage should be taken into consideration when designing the proposed improvements. The proposed development shall meet the requirements of Section 3.6.3 and 5.4 of the Land Use Management Ordinance.

The RCD boundary for the site is computed by adding 2 feet to the FEMA regulated base flood elevation and, in this case, the boundary of the RCD extends beyond 150 feet stream buffer. The area of the RCD beyond the 150 feet stream buffer boundary and within the RCD will be regulated as an Upland Zone in the RCD.

The proposed development in the floodplain shall meet the requirements of Chapter V, Article IV of the Town's Flood Damage Prevention Ordinance and FEMA regulation.

The Town's Flood Damage Prevention Ordinance requires proposed new non-residential construction in the floodplain to be elevated or floodproofed two (2) feet above the base flood elevation; however, due to the flooding situation in this area, instead of floodproofing the building, Town staff recommend elevating the building on piers and putting parking of vehicles under the building to minimize the loss of flood storage and diversion of flood waters onto nearby properties. To ensure a "No Adverse Impact of Flooding" on the neighboring properties, the development should ensure that it meets the No-Rise requirement of the Flood Damage Prevention Ordinance.

Traffic Evaluation

The redevelopment of the current University Place site is expected to be constructed in three (3) phases. The phases and anticipated uses are identified as follows:

Category	Use	Existing	Phase 1 (2023)	Phase 2 (2025)	Phase 3 (2027)
Residential	Multifamily dwelling	0 units	255 units	255 units	300 units
Lodging	Hotel	0 rooms	0 rooms	0 rooms	150 rooms
Office	Office	0 sf	0 sf	50,000 sf	150,000 sf
Commercial	Movie Theatre	55,929 sf	55,929 sf	55,929 sf	55,929 sf
	General Retail	302,237 sf	225,000 sf	225,000 sf	325,000 sf
	Supermarket	53,371 sf	53,371 sf	53,371 sf	53,371 sf
	Bank	4,578 sf	7,950 sf	7,950 sf	7,950 sf
	Restaurant	0 sf	7,000 sf	7,000 sf	7,000 sf
	Gas Station	8 fueling positions	8 fueling positions	8 fueling positions	8 fueling positions

The applicant has requested some flexibility for the future phases of the development. The intensities identified in the above table indicate the proposed build out of the site. As the need for flexibility in the future is key factor for the applicant, the Traffic Impact Study (TIS) has identified a guide to compare the traffic generation rates between the different land

uses. The TIS includes an equivalency table (Table ES-5) to equalize the different traffic impacts of different land uses.

Street and intersection improvements, as indicated in the TIS, are tied to phases of the development.

Phase 1:

- 450 ft dual EB left-turn lanes at Fordham Blvd/Willow Drive
- 700 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive
- 100 ft WB right-turn lane at Site Access #2
- Continuous WB right-turn lane at Site Access #3
- Right-in, right-out restrictions at Access points #2, #5, and #9

Phase 2 – No additional improvements

Phase 3:

- 850 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive
- 100 ft WB right-turn lane at Site Access #4

The applicant has proposed maximum of 300 residential units shall be permitted. In the event that less than 600,000 square feet of office and commercial are constructed at the property, unused commercial and office square footage may be converted to additional residential units at a rate of one (1) additional residential unit per 1,000 square feet of unused commercial or office square footage; however, the total number of residential units shall not exceed 500 total units including conversions and no single pod shall contain more than 300 units.

Additionally, a maximum of 150 hotel rooms shall be permitted in Phase 3. In the event that less than 300 residential units are constructed at the property, unused residential units may be converted to additional hotel rooms at a rate of one (1) additional hotel room per one (1) unused residential unit; however, the total number of hotel rooms shall not exceed 275 rooms including conversions.

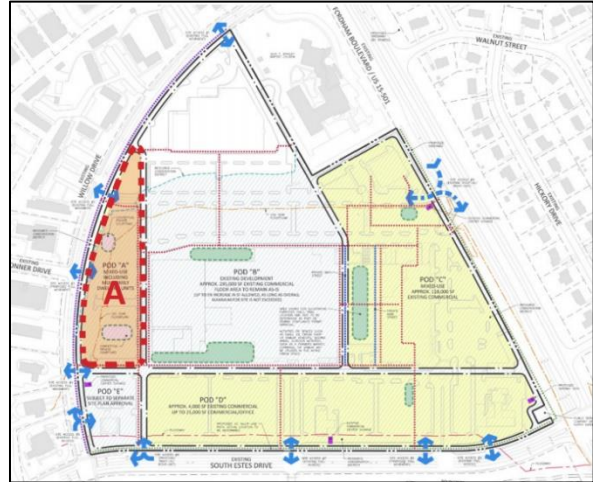
The maximum commercial square footage shall not exceed 450,000 square feet, the maximum office square footage shall not exceed 150,000 square feet and the combined commercial and office square footage shall not exceed 600,000 square feet. Up to 50,000 square feet may be converted between office and commercial; however, the total combined square footage shall not exceed 600,000 square feet including conversions.

Design Evaluation

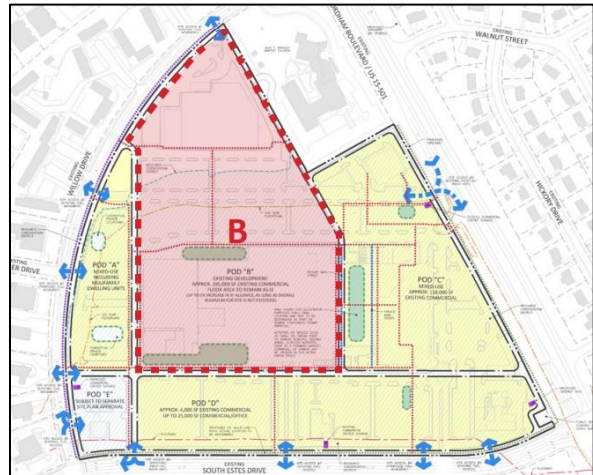
The applicant has proposed Design Standards as a guide to building mass, form, uses, location and relationship to the street frontages, entrance locations and glazing. The site plan has been configured into different development areas referred to as "Pods". The Design Standards will serve as the framework for the development within each Pod. The Town's Urban Designer has reviewed the Design Standards and comments are attached.

Excerpts from the Design Standards are shown below for each of the five Pods.

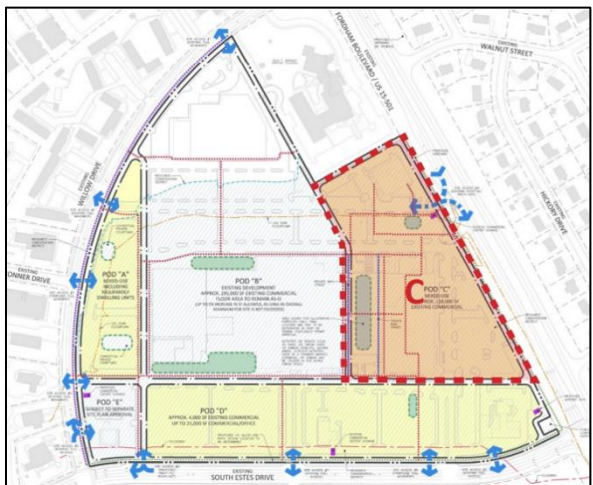
Pod A: converts an existing surface parking area into a more dense, multi-use part of the site. A new parking structure is proposed with a residential wrap screen. Given the significant grade change along Willow Drive and the interior street being a service alley for trash and deliveries, no building pass-through shall be required on Pod A; however, a public outdoor amenity space will be provided in lieu of the building pass-through along Willow Drive.



Pod B: There is ±295,000 SF of existing commercial to remain and be renovated, with conversion of interior mall space into exterior space. Enhanced outdoor amenity and green spaces are to be provided throughout Pod B along with parking improvements.



Pod C: Pod C will be focused around a central park or green space that will be pedestrian focused and include programmed space for the farmers market and other recurring events. The central park area will be flanked by urban 'main streets' with a consistent streetscape experience that is designed to promote safety and minimize pedestrian-vehicle conflicts. This area will act as the heart of the project, with pathways busy during the day and into the evening in this vibrant urban environment.



Following action by the Council, the Design Standards would be reviewed by the Community Design Commission, the Town's Urban Designer, and other Town staff prior to approval by the Town Manager.












PROJECT FACT SHEET









Project Details

Site Description	
Project Name	University Place – Special Use Permit Modification
Address	201 S. Estes Drive
Property Size	Net Land Area 1,718,402 (39.4 acres) Gross Land Area 1,890,243 (43.4 acres)
Existing	University Place Mall
Orange County Parcel Identifier Number	9799-12-5797
Existing Zoning	Community Commercial (CC)


Site Development Standards

Topic	Comment	Status
Development Intensity		
Use/Density (Sec. 3.7)	Residential – Maximum 300 Dwelling Units Commercial – Maximum 450,000 SF* Minimum 300,000 SF Office - Maximum 150,000 SF* Hotel- Maximum 150 Rooms*	
Dimensional Standards (Sec. 3.8)	<ul style="list-style-type: none"> Reduce setbacks to allow Build-to-zones along Willow Drive and Fordham Blvd, Decrease the interior setbacks to 0’; Increase in height to 90’; Modification to allowable impervious surface 	M
Floor area (Sec. 3.8)	Maximum: 810,914 sq. ft. FAR=0.429	
Landscape		
Buffer – Fordham (Sec. 5.6.2)	<i>Required: 30’ Type “D”</i> <i>Proposed: 0’</i>	M
Buffer – Estes (Sec. 5.6.2)	<i>Required: 30’ Type “D”</i> <i>Proposed: 0’</i>	M
Buffer – Willow (Sec. 5.6.2)	<i>Required: 20’ Type “D”</i> <i>Proposed: 0’</i>	M
Buffer – Binkley Baptist Church (Sec. 5.6.2)	<i>Required: 20’ Type “B”</i> <i>Proposed: 10’ Type “B”</i>	M
Tree Canopy (Sec. 5.7)	<i>Required: 30% and 40%</i> <i>Proposed: 20%</i>	M
Landscape Standards	Application must comply	FP

(Sec. 5.9.6)		
Environment		
Resource Conservation District (Sec. 3.6)	<i>Required:</i> Maximum of 40% of land disturbance in upland zone <i>Proposed:</i> Development within the floodplain	M
Erosion Control (Sec. 5.3.1)	Orange County Erosion Control permit required	
Steep Slopes (Sec. 5.3.2)	<i>Required:</i> Disturb less than 25% of slopes exceeding 25% <i>Proposed:</i> No disturbance	
Stormwater Management (Sec. 5.4)	Meet or exceed LUMO 5.4 standards Decrease in impervious by approximately 52,466 (3%) RCD Modification to develop in floodplain	M
Land Disturbance	653,400 sq. ft. (15 acres)	
Impervious Surface	1,417,682 sq. ft. (32.5 acres) – 75% of land area	
Solid Waste & Recycling	To be provided	FP
Jordan Riparian Buffer (Sec. 5.18)		N/A
Access & Circulation		
Road Improvements (Sec. 5.8)	Improvements to be completed in accordance with TIA findings, including: <ul style="list-style-type: none"> Phase 1 - (2024) 830 AM trips 2,521 PM trips <ul style="list-style-type: none"> 450 ft dual EB left-turn lanes at Fordham Blvd/Willow Drive 700 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive 100 ft WB right-turn lane at Site Access #2 Continuous WB right-turn lane at Site Access #3 Right-in, right-out restrictions at Access points #2, #5, and #9 Phase 2 - (2026) 871 AM trips 2,589 PM trips <ul style="list-style-type: none"> None Phase 3 - (2028) 1,025 AM trips 2,959 PM trips <ul style="list-style-type: none"> 850 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive 100 ft WB right-turn lane at Site Access #4 	
Vehicular Access (Sec. 5.8)	Ten points of access, including existing and proposed movements	
Bicycle Improvements (Sec. 5.8)	Bicycle improvements along Estes Drive frontage including 10' multi-use path; 4.5' bicycle lane on Willow Drive	
Pedestrian Improvements (Sec. 5.8)	Pedestrian improvements along Estes Drive frontage including 10' multi-use path	
Traffic Impact Analysis (Sec. 5.9)	TIA completed	

Vehicular Parking (Sec. 5.9)	<i>Proposed:</i> Modification to standards, see chart in application	M
Transit (Sec. 5.8)	Incorporate bus stop and related amenities	
Bicycle Parking (Sec. 5.9)	<i>Proposed:</i> Modification to standards, see chart in application	M
Electric Vehicle Parking	Minimum of 20% of the new surface parking spaces provided will be prewired for electric charging stations. In all pods, new parking spaces in parking lots with more than 50 spaces shall have electric vehicle charging stations provided on at least 3% of all new parking spaces. The internal main street driveway shall be exempt from this requirement.	
Parking Lot Standards (Sec. 5.9)	Built to Design Standards	M
Technical		
Fire	Built to Town Standards	
Site Improvements	Built to Design Standards	
Schools Adequate Public Facilities (Sec. 5.16)	Application must comply	
Inclusionary Zoning Ordinance (Sec. 3.10)	<i>Required:</i> 15% <i>Proposed:</i> 15%	
Recreation Area (Sec. 5.5)	<i>Required:</i> 1.81 Acres <i>Proposed:</i> 1.81 Acres	
Lighting Plan (Sec. 5.11)	Built to Town Standards; Maximum of 0.3 footcandles at property line	FP
Homeowners Association (Sec. 4.6)	Required for Residential	

Project Summary Legend

Symbol	Meaning
	Meets Requirements
M	Seeking Modification
FP	Required at Final Plan
NA	Not Applicable

REVISED RESOLUTION A
(Approving the Request)

**A RESOLUTION APPROVING AN APPLICATION FOR SPECIAL USE PERMIT
MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE (2021-XX-XX/R-)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Jessica Hardesty of McAdams, on behalf of RRPV University Chapel Hill Limited Partnership, located at 201 S. Estes Drive on property identified as Orange County Property Identifier Number 9799-12-5797, if developed according to the plans dated November 15, 2019 and last revised November 12, 2020, the Design Standards dated November 13, 2020, and the conditions below would:

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

MODIFICATIONS TO REGULATIONS

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

Section 3.8.2 Dimensional Regulations: to modify the setbacks and height as noted in the tables below:

LOCATION	MODIFIED SETBACK
Street Setback (Willow Drive)	0-20 foot Build-to-Zone
Street Setback (Fordham Blvd)	0 foot min Max with parking: 77 feet Max
Interior Setback	0 foot
Solar Setback	0 foot

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the standard setback requirements would be replaced with build-to-zone requirements outlined in the proposed Design Standards.

BUILDING HEIGHT	MODIFIED POD A AND C	MODIFIED POD D
Setback Height	75 feet (5 stories)	34 feet (3 stories)

Core Height	90 feet (7 stories)	45 feet (3 stories)
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Please refer to Design Standards, November 13, 2020 for details and on file with the Town of Chapel Hill Planning Department.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the effort to reduce the building footprints on the parcel while still creating a high-density, high-intensity mixed-use center, increases the maximum building heights. This modification will allow for vertically mixed-use buildings while reducing building footprints to conserve the available land area. This modification will also give the development a sense of place.

Section 3.8.2 Impervious Surface Ratio: to allow a maximum impervious surface ratio of 75 percent.

The current impervious surface maximums were not in place when University Place was constructed over 40 years ago and approximately 78 percent of the site is covered with impervious surfaces. This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree since as part of the redevelopment of this parcel, the applicant is proposing to remove some of the existing impervious surfaces and replace them with open spaces, landscaping, or other permeable features. Removal of at least 3 percent of the existing impervious surface will result in over 52,000 square feet of land being converted to pervious surfaces while allowing the redevelopment of the proposed mixed-use center at the density and intensity envisioned by the Future Land Use Map.

Section 5.6.6 Schedule of Required Buffers: to allow a modification to the perimeter buffers as well as detailed streetscape:

LOCATION	MODIFIED BUFFER
East (Fordham Blvd)	0 foot (NO BUFFER REQUIRED)
South (Estes Drive)	0 foot (NO BUFFER REQUIRED)
West (Willow Drive)	0 foot (NO BUFFER REQUIRED)
North (Binkley Baptist Church)	10 foot TYPE B

In place of buffers, perimeter streetscape configurations are described for each street below:

Willow Drive Streetscape:

- Sidewalk (minimum): 5 foot (existing sidewalk to remain)
- Planting strip (minimum): 3 foot
- Outdoor Amenity Space/Tree Planting Zone (minimum): 8 foot (preserve existing mature trees where possible)
- Tree Spacing (on center, average): 40 foot (space proposed trees around and between existing mature trees as needed)
- Bike Lane (minimum): 4.5 foot

Fordham Boulevard Streetscape:

- Sidewalk (minimum): N/A (Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10 foot (with 2 foot clear zone)
- Tree Planting Zone (minimum): 8 foot (preserve existing mature trees where possible)

- Tree Spacing (on center, average): 40 foot (space proposed trees around and between existing mature trees as needed)

S. Estes Drive Streetscape:

- Sidewalk (minimum): N/A (Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10 foot (with 2 foot clear zone)
- Tree Planting Zone (minimum): 8 foot (preserve existing mature trees where possible)
- Tree Spacing (on center, average): 40 foot (space proposed trees around and between existing mature trees as needed)

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the modifications support active engagement with the public realm. If buffers were installed that met the minimum requirements of the LUMO, University Place would be separated from the surrounding public streets with dense vegetation. This arrangement is not conducive to the development of a well-connected, high-density, high-intensity mixed-use development.

Section 5.7.2 Tree Protection: to allow the following modifications to the required tree canopy coverage:

TREE CANOPY	
USE	MODIFIED
MULTIFAMILY	20%
COMMERCIAL	20%
OFFICE	20%
MIXED-USE	20%

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the requirements were not in place at the time of the original approval of University Place. The development also proposes affordable housing and satisfies goals of the Comprehensive Plan, which may be the basis for modification of these standards according to LUMO section 5.7.2 (b).

Section 5.9.7 Minimum and Maximum Off-Street Parking Space Requirements: to allow for a 30 percent reduction in parking for parking areas to be shared by multiple uses. In addition to shared parking for the entire project, the following modifications to parking requirements for specific uses are proposed:

VEHICLE PARKING REQUIREMENTS	PROPOSED	
	MIN.	MAX.
2 bedrooms	1.25 per dwelling unit	1.75 per dwelling unit
Independent Senior Living Facility	0.5 per Senior unit	1 per Senior unit
All Commercial Uses, except:	1 per 300 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Business, Convenience Restaurant	1 per 150 sq. ft. of floor area	1 per 75 sq. ft. of floor area
All Office Uses	1 per 300 sq. ft. of floor area	1 per 200 sq. ft. of floor area

BICYCLE PARKING REQUIREMENTS		PROPOSED
	MIN.	SHORT/LONG TERM
Residential	As per LUMO	As per LUMO
Independent Senior Living Facility	1 per 2 units	As per LUMO
All Commercial Uses	1 per 2,500 SF	As per LUMO
All Office Uses	1 per 2,500 SF	50% / 50%

This finding is based on a determination that public purpose is satisfied to an equivalent or greater degree as the reduction of parking and increased density also reduces the amount of impervious surface on the site. Improved bicycle and pedestrian connectivity through added sidewalks, multi-use paths, and bike lanes allows for alternative modes of transportation to and from the site, benefiting both the environment and visitor experience.

Section 5.14 Signs: The applicant is requesting modifications to commercial sign regulations to allow for a Gateway sign in addition to the permitted commercial center signs. Currently, the maximum number of commercial center signs per street frontage is one (1). This request would allow for one additional sign on Fordham Boulevard. The proposed modifications would apply only to the Gateway sign:

COMMERCIAL SIGN	MODIFIED
Height	24 feet
Width	12 feet
Thickness	24 inches
Sign Structure Plus Display Surface	288 square feet
Maximum Number Per Street Frontage	2 (Fordham Blvd only)
Illumination	Permitted during business hours and non-business hours

Section 5.14 Signs: to allow for modifications to outparcel ground signs:

GROUND SIGN	MODIFIED
Distance (From Other Commercial Ground Signs)	100 feet
Maximum Number Per Street Frontage	No maximum; must have minimum 100 feet spacing
Maximum Number Per Lot	No maximum; must have minimum 100 feet spacing
Ground Signs Permitted On The Same Zoning Lot With A Projecting Sign	Yes; must have minimum 100 feet spacing

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree in that the modifications are in line with what is currently permitted. These changes would generate increased economic development and expand the non-residential tax base.

Section 3.6.3 Resource Conservation District (RCD): to allow the expansion of University Place within the existing floodplain and RCD associated with proposed buildings, and other improvements.

This finding is based on a determination that the public purposes are satisfied to an equivalent or greater degree as the modelling of the floodplain of Bolin Creek shows that the improvements have no impact to, and create no increase to, the existing floodplain elevation. Furthermore, the redevelopment of University Place will reduce the impervious area within the floodplain and RCD. Therefore, the redevelopment will reduce nutrient run-off associated with impervious surfaces as well as the water quantity run-off from the site.

STIPULATIONS SPECIFIC TO UNIVERSITY PLACE

The stipulations provided shall supersede the existing Special Use Permit Modification granted by the Town Council on March 20, 2000.

1. Construction Deadline: Construction shall begin by _____ (2 years from the date of approval) and be completed by _____ (10 years from the date of approval).
2. Detailed Plan Review and Approval: Town staff will review the individual building proposals for compliance with the Special Use Permit Modification, including the Land Use Management Ordinance and the applicant's Design Standards dated November 13, 2020. The Community Design Commission will then review and approve final building elevations and building lighting for each individual building, before Final Planning Inspection.

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. Such plans shall conform to plans approved by the Council and demonstrate compliance with all applicable regulations and standards of the Land Use Management Ordinance and the Design Manual.

Plans, plats, and associated detailed requirements as set forth in the stipulations of this resolution and incorporated into the Special Use Permit shall be reviewed and approved by the Town Manager, or his designee, as well as outside agencies, such as NC Department of Transportation (NC DOT), Orange Water and Sewer Authority (OWASA) and Duke Energy, where indicated.

3. Design Standards Certification: Submission of each Final Plan shall include a signed and sealed certification that the proposed plan complies with the approved Design Standards for the University Place project.
4. Subdivision of Lots: All proposed new lots shall front or have direct access to a public street right-of-way, 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. Review and approval of new subdivision lots shall be processed as an administrative approval of a minor subdivision or commercial subdivision during the Final Plan Review process.
5. Land Use Intensity: This Special Use Permit Modification authorizes the following:

Use: Permitted Uses listed in Stipulation #6 and as defined in the University Place, Design Standards, dated November 23, 2020		
Gross Land Area	43.4 acres	
Number of Buildings	No maximum	
Height	Up to 90 feet	
Floor Area	810,914 sq. ft. Maximum	
	Minimum	Maximum
Residential	0 sq. ft.	300 DU*
Commercial	300,000 sq. ft.	450,000 sq. ft.*
Office	0 sq. ft.	150,000 sq. ft.*
Hotel	0 Rooms	150 Rooms*
Maximum # of drive-in windows	6	
Vehicular Parking Spaces (Range)	In accordance with Design Standards	
Maximum Impervious Surface	1,417,682 sq ft. (32.55 acres)	
Minimum Tree Canopy Coverage	20% (modification to regulations)	
Minimum Recreation Space	1.81 acres	

*maximum of 300 residential units shall be permitted and shall be transferable between pods A and C. In the event that less than 600,000 square feet of office and commercial are constructed at the property, unused commercial and office square footage may be converted to additional residential units at a rate of one (1) additional residential unit per 1,000 square feet of unused commercial or office square footage; however, the total number of residential units shall not exceed 500 total units including conversions and no single pod shall contain more than 300 units. Maximum of 150 hotel rooms shall be permitted and shall be transferable between pods A and C. In the event that less than 300 residential units are constructed at the property, unused residential units may be converted to additional hotel rooms at a rate of one (1) additional hotel room per one (1) unused residential unit; however, the total number of hotel rooms shall not exceed 275 rooms including conversions.

The maximum commercial square footage shall not exceed 450,000 square feet, the maximum office square footage shall not exceed 150,000 square feet and the combined commercial and office square footage shall not exceed 600,000 square feet. Up to 50,000 square feet may be converted between office and commercial; however, the total combined square footage shall not exceed 600,000 square feet including conversions.

6. Permitted Uses: Permitted uses shall be limited to those outlined in the Design Standards dated November 13, 2020.

PERMITTED USES					
RESIDENTIAL USES	POD A	POD B	POD C	POD D	POD E
Dwelling Units, as listed below:					
Multifamily - 3 to 7 dwelling units	P	--	P	--	--
Multifamily - Over 7 dwelling units	P	--	P	--	--
Home Occupation	A	--	A	--	--
Independent Senior Living Facility	P	--	P	--	--
OFFICE USES	POD A	POD B	POD C	POD D	POD E
Business, Office-Type	P	P	P	P	P
Clinic	P	P	P	P	P
Institutional Uses, as listed below:					
College or University	P	P	P	P	P
Fine Arts Educational Institution	P	P	P	P	P
Place of Worship	P	P	P	P	P
Public Cultural Facility	P	P	P	P	P
Public Service Facility	A	A	A	A	A
Public Use Facility	P	P	P	P	P
School, Elementary or Secondary	P	P	P	P	P
Vocational School	P	P	P	P	P
Maintenance & Storage Facility	A	A	A	A	A
Research Activities	P	P	P	P	P
HOTEL USES	POD A	POD B	POD C	POD D	POD E
Hotel or Motel	P	--	P	--	--
COMMERCIAL USES	POD A	POD B	POD C	POD D	POD E
Adult Day Care Facility	A	A	A	A	A
Community Garden	A	A	A	A	A
Automatic Teller Machines (Walk-up)	P	P	P	P	P
Automatic Teller Machines (Drive-up)	P	P	P	P	P
Automotive Repair	P	P	P	P	P
Bank	P	P	P	P	P
Barber Shop / Beauty Salon	P	P	P	P	P
Business - Convenience	P	P	P	P	P
Business - General	P	P	P	P	P
Business - Wholesale	P	P	P	P	P
Car Wash	A	A	A	A	A
Child Day Care Facility	P	P	P	P	P
Club	P	P	P	P	P
Drive-in Window / Drive-thru Facilities	P	P	P	P	P
Essential Services	P	P	P	P	P
Food Truck	A	A	A	A	A
Kennel	A	A	A	A	A
Manufacturing, Light	A	A	A	A	A

Park/Ride	A	A	A	A	A
Parking, Off-Street	A	A	A	A	A
Personal Services	P	P	P	P	P
Place of Assembly, up to 2,000 Seating	P	P	P	P	P
Publishing and/or Printing	A	A	A	A	A
Recreation Facility, Commercial	P	P	P	P	P
Recreation Facility, Non-Profit	P	P	P	P	P
Recreation Facility, Outdoor Commercial	A	A	A	A	A
Service Station/Convenience Store	- -	- -	- -	P	P
Supply Yard	A	A	A	A	A
Temporary Portable Building,	A	A	A	A	A
Veterinary Hospital or Clinic	P	P	P	P	P
WIRELESS COMMUNICATION FACILITIES	POD A	POD B	POD C	POD D	POD E
Collocation on existing tower or base station	P	P	P	P	P
Small Wireless Facility concealed: new base station or new dual purpose tower	P	P	P	P	P
Small Wireless Facility non-concealed: new base station or new tower	P	P	P	P	P
Macrocell Facility: new concealed base station	P	P	P	P	P
Macrocell Facility: new concealed dual- purpose tower	S	S	S	S	S
Macrocell Facility: new non-concealed base station	P	P	P	P	P
Macrocell Facility: new non-concealed tower	S	S	S	S	S

P = Permitted as Principal Use; A = Permitted as Accessory Use; S = Permitted as Special Use; - - = Use Not Permitted

7. Design Standards: Prior to issuance of the first Zoning Compliance Permit, the developer shall receive input from the Community Design Commission (CDC), and work with the Town's Urban Designer, and other Town staff to review and evaluate the Design Standards subject to approval by the Town Manager. The approved documents will be recorded and cross-referenced with this Special Use Permit prior to issuance of the first Zoning Compliance Permit. CDC input, and Town review and approval of the Design Standards shall not exceed a total of 75 working days from a complete initial final plan submission, or within such further time consented to by written notice from the applicant.

Affordable Housing

8. Affordable Housing Plan/Performance Agreement: Prior to the issuance of a Zoning Compliance Permit for any residential uses, the developer must submit an Affordable Housing Plan to be incorporated into an Affordable Housing Performance Agreement to be executed by the developer, the Town Manager (or designee), and the non-profit agency that will administer the affordable housing units that will contain the following information:

General information about the nature and scope of the covered development, including:

- a. All affordable dwelling units within residential uses designated as "for sale" shall be subject to the requirements of Section 3.10 (LUMO).
- b. 15 percent of the rental dwelling units to be designated as affordable units
- c. The developer will construct 15 percent of the rental affordable unit(s) on-site, available to households earning 80 percent of the AMI.
- d. If the project is age-restricted (55 plus), the affordable housing requirements shall not apply as long as the units remain age-restricted.
- e. The Plan will include information on:
 - i. The total number of market rate units and Affordable Dwelling Units in the development.
 - ii. The number of bedrooms and bathrooms in each Affordable Dwelling Unit.
 - iii. The approximate square footage of each Affordable Dwelling Unit.
 - iv. The pricing for each Affordable Dwelling Unit. The pricing of each unit or lot shall be determined prior to issuing a Zoning Compliance Permit. At the time of sale, this price may be adjusted if there has been a change in the median income or a change in the formulas used in this ordinance.
 - v. Documentation and plans regarding the exterior appearance, materials and finishes of the development for each of the Affordable Dwelling Units.
- f. Any and all other information that the Town Manager may require that is needed to demonstrate compliance with the Council's Affordable Housing Policies.

The Affordable Housing Plan and Performance Agreement shall be reviewed and approved by the Town Manager prior to issuance of a Zoning Compliance Permit.

9. Housing Plan: The developer shall provide the following:
 - g. 15 percent of the rental rate homes will be affordable and available to those making 80% of the median income.
 - h. Size of the affordable rental units shall meet or exceed the minimum size requirements found in Table 3.10-2 of the Land Use Management Ordinance.
 - i. The affordable units shall be placed within an organization ensuring their continued affordability for at least thirty years.
 - j. The affordable dwelling units shall be integrated into the community. Preference is to intersperse the affordable dwelling units throughout the development.
 - k. The affordable dwelling units shall be finished with exterior trim and finishes used on the market-rate homes.
10. Homeowners' Association: If necessary, 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. The Homeowners' Association covenants shall not exclude home occupation businesses as regulated by the Town of Chapel Hill. The Homeowners' Association covenants or other applicable covenants and restrictions shall prohibit short-term rentals of 30 days or less.
11. Affordable Housing: At least forty percent of the affordable housing units shall be completed prior to Zoning Final Inspection of half of the market rate dwelling units. The

remaining affordable dwelling units shall be completed prior to Zoning Final Inspection of 90 percent of the market rate dwelling units.

12. Affordable Housing Homeowners' Association Dues: The affordable housing owners shall contribute one-third (1/3) of the dues amount expected of the master association home owners.

Stormwater

13. Floodproofing: Prior to Zoning Final Inspection, the perimeter of the building/entrance doors shall be floodproofed to 2 feet above the base flood elevation and entrance doors shall have flood barrier gates. The flood barrier gates/perimeter walls shall be designed to withstand hydrostatic and hydrodynamic forces and be impermeable to water during a 100-year 24-hour storm event. Utilities around the building shall be elevated 2 feet above the base flood elevation.
14. Flood Barrier Gates: The flood barrier gates provided for this site shall show the design calculation for the hydrostatic and hydrodynamic forces. The design calculation shall be provided prior to issuance of a Zoning Compliance Permit.
15. Flood Emergency Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall develop an emergency plan for residents during flooding events.
16. Stormwater Treatment: Stormwater treatment shall be designed to achieve average annual eighty-five (85) percent total suspended solids (TSS) removal and must apply to the volume of post-development runoff resulting from the first one-inch of precipitation. Alternative treatment methods to achieve eighty-five (85) percent average annual TSS removal may be acceptable. The eighty-five (85) percent requirement applies to eighty-five (85) percent of the additional suspended solids that are the result of the new development.
17. Stormwater Runoff Volume: The stormwater runoff volume leaving the site post-development shall not exceed the stormwater runoff volume leaving the site pre-development (existing conditions) for the local 2-year frequency, 24-hour duration storm event for all development. This may be achieved by hydrologic abstraction, recycling and/or reuse, or drawdown with 2-5 days.
18. Stormwater Runoff Rate: The stormwater runoff rate leaving the site post-development shall not exceed the stormwater runoff rate leaving the site pre-development (existing conditions) for the local 1-year, 2-year, and 25-year 24-hour storm events.
19. Floodplain: The proposed development in the floodplain shall meet the requirements of Chapter V, Article IV of the Town's Flood Damage Prevention Ordinance and FEMA regulation.
20. Flood Damage Prevention Ordinance: Town's Flood Damage Prevention Ordinance requires proposed new non-residential constructions in the floodplain to be elevated or floodproofed two (2) feet above the base flood elevation; however, due to the flooding situation in this area, instead of floodproofing the building, Town staff recommend elevating the building on piers and putting parking of vehicles under the building to minimize the loss of flood storage and diversion of flood waters onto surrounding properties. To ensure No Adverse Impact of Flooding on the neighboring properties, the development should ensure that it meets the No-Rise requirement of the Flood Damage

Prevention Ordinance. Any flood storage loss due to proposed building in the floodplain shall be compensated for. Construction techniques and materials used for the proposed buildings shall comply with the general standard of Section 5.59 of the Town's Flood Damage Prevention Ordinance. Construction office trailer used on the site shall be elevated two (2) feet above the base flood elevation and anchored to the ground. Temporal structures used on the site that are not anchored shall be removed, a minimum of seventy-two (72) hours before landfall of a hurricane or immediately upon flood warning notification. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

21. Elevation Certificate: Elevation certificate FEMA Form 086-0-33 signed and sealed by North Carolina-registered Professional Land Surveyor will required to be provided prior to construction of the proposed building and one at the end of construction, prior to the issuance of certificate of occupancy. Floodproof certification FEMA Form 086-0-34 signed and sealed by a North Carolina-registered Professional Engineer or Architect will be required for modification of existing building that triggers substantial improvement or makes the building more non-conforming.
22. No-Rise Model: The developer shall submit "No-Rise" hydraulic model for completeness review prior to approval of the Final Zoning Compliance Permit. A complete "No-Rise" submittal shall include the following:
 - a. Hydraulic models in a currently approved FEMA hydraulic model, including:
 - b. Effective Model (may be older than a currently approved model);
 - c. Duplicate Effective Model (Effective Model run on the modeler's software and hardware)
 - d. Corrected Effective Model (if needed to correct errors in the model);
 - e. Existing Conditions Model (model the existing project area and man-made changes since the Effective Model);
 - f. Proposed Conditions Model (model the proposed project area);
 - g. The existing Letter of Map Revision (LOMR) of the University Place shall be used for the No-Rise impact study.
23. Orange County Erosion Control Division: 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. 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.

Road Improvements

24. Prior to issuance of the Certificate of Occupancy, the developer shall install the following roadway improvements including applicable traffic signal upgrades. The design, and construction standards shall be approved by the Town Manager and North Carolina Department of Transportation (NCDOT) prior to issuance of the Zoning Compliance Permit:
 - a) U.S. 15-501 and S. Estes Drive Intersection: Extend existing northbound dual left turn lanes to provide a minimum storage length of 700 feet each in Phase 1 and extend to 850 feet each in Phase 3. To simplify constructability and reduce impacts to road users, the improvement is best installed in its entirety as a single operation in Phase 1.

- b) U.S. 15-501 and Willow Drive Intersection: The applicant shall make good faith efforts to obtain necessary right-of-way, construct dual eastbound left turn lanes with 450 feet of full storage each in Phase 1.
- c) U.S. 15-501 and Access 1 Intersection:
- Retain existing southbound exclusive right turn lane on U.S. 15-501
 - Retain existing Right-In/Right-Out access with one ingress lane and one ingress lane.
 - Provide a minimum internal protected stem length of 225 feet and provide appropriate laneage and traffic controls at internal intersections to ensure acceptable operation and avoid spillback.
- d) S. Estes Drive and Site Access 2 Intersection: Construct a westbound exclusive right turn lane on S. Estes Drive with a minimum of 100 feet of full storage and appropriate deceleration taper in Phase 1.
- e) S. Estes Drive and Access 3 Intersection:
- Construct a westbound exclusive right turn lane on S. Estes Drive with a minimum of 100 feet of full storage and appropriate deceleration taper in Phase 1.
 - Provide a minimum three-lane access consisting of one ingress lane and two egress lanes consisting of an exclusive left turn lane with a minimum 150 feet full storage and an exclusive right turn lane with a minimum 100 feet full storage.
 - Provide minimum internal protected stem length of 200 feet.
- f) S. Estes Drive and Access 4 Intersection:
- Construct a westbound exclusive right turn lane on S. Estes Drive with a minimum of 100 feet of full storage and appropriate deceleration taper no later than Phase 3.
 - Provide a minimum three-lane access consisting of one ingress lane and two egress lanes consisting of a combination thru-left turn lane with a minimum 250 feet full storage and an exclusive right turn lane with a minimum 100 feet full storage.
 - Provide minimum internal protected stem length of 250 feet.
 - Monitor intersection for signalization warrants.
- g) S. Estes Drive and Access 5 Intersection:
- Construct right-in/right-out access with one ingress lane and one egress lane.
 - Provide median island on S. Estes Drive to effectively restrict left turn movements at the site access.
25. Street Lighting: Prior to issuance of a Zoning Final Inspection, the developer shall design and install street lighting along the site frontage on Estes Drive, US 15-501, and Willow Drive. Design and construction details including at signalized and unsignalized intersections must be approved by the Town Manager and NCDOT prior to issuance of a Zoning Compliance Permit. An approved phasing plan may detail the installation sequence for the lighting installation.
26. 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.

27. Multi-Use Path: Prior to Zoning Inspection Final for Pod D, the developer shall construct a 10' wide multi-use path along the north side of S. Estes Drive and along the west side of Fordham Blvd in accordance with the Town's Design Manual.
28. Willow Drive Bicycle Lane: Prior to Zoning Inspection Final for Pod A, the developer shall construct a 4.5 foot wide bicycle lane along the east side of Willow Drive in accordance with the University Place Design Standard.
29. Transportation Management Plan: Prior to issuance of a Zoning Compliance Permit for each phase, the developer shall provide either a new or updated transportation management plan for all non-residential uses for each pod area.
30. 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.
31. 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.
32. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible.
33. 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.
34. Street Closure Plan: Prior to issuance of a Zoning Compliance Permit, the developer shall provide a public or publicly accessible street closure plan, subject to Town Manager and NCDOT approval, for any work requiring street, sidewalk, or lane closure(s).
35. 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.
36. Traffic Signal Timing: Prior to issuance of the initial Zoning Compliance Permit, the developer shall provide a payment-in-lieu of \$25,000 to the Town for optimizing signal timing at several signalized intersections. An approved phasing plan may detail the timing of the required payment-in-lieu. The timing of the payment shall be related to the anticipated traffic volumes.

37. Willow Drive and Estes Drive: Prior to issuance of the Zoning Final Inspection, unless detailed in an approved phasing plan, for Pod A, the developer shall upgrade the traffic signal with pedestrian signals, high visibility crosswalks, APS Push buttons, and bicycle activated loops. The design, and construction standards shall be approved by the Town Manager and NCDOT prior to issuance of the Zoning Compliance Permit.
38. New Unsignalized Crosswalks: Prior to issuance of the Zoning Final Inspections in Pods A or D, whichever is first, the developer shall install high visibility crosswalks, appropriate wheel chair ramps, and rectangular rapid flashing beacons at all approved new unsignalized crosswalks on Estes Drive and Willow Drive accessing the site (on Estes Drive at entrance to Brookwood Condominiums; on Willow Drive at Conner Drive) unless modified by an approved phasing plan. The design, and construction standards of the above shall be approved by the Town Manager and NCDOT prior to issuance of the Zoning Compliance Permit.

TOWN OF CHAPEL HILL – SPECIAL USE PERMIT 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 Special Use Permits.

Access

39. 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

40. 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]
41. 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]
42. 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]
43. 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]
44. Lighting: Prior to issuance of a Zoning Inspection Final, 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) prior to issuance of a Zoning Compliance Permit.

45. 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.
46. 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.
47. 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]
48. 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]
49. Low Vision Design Features: Any proposed pedestrian facilities should incorporate low vision design features as feasible. [LUMO 4.5.2]
50. 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]
51. 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]
52. 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

53. 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]
54. 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]

55. 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]
56. 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]
57. 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]
11. 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]
58. 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.
59. 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).
60. 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]
61. 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

62. Stormwater Management Plan: Development projects must comply with *Section 5.4 Stormwater Management* of the Chapel Hill Land Use Management Ordinance. [LUMO 5.4]

63. Phasing Plan: If phasing of the project is proposed, then the developer 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]
64. 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]
65. 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]
66. 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]
67. 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]
68. 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]
69. 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]
70. 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]
71. 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]

72. 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 developer 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]

73. 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 developer 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]
74. 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

75. 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.
76. 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

77. 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]
78. 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]
79. 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]
80. 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]
81. 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

82. Homeowners' Association: That 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 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.

83. 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.
84. Dedication and Maintenance of Common Area to Homeowners' Association: That the developer 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.
85. 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

86. 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]
87. 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]
88. 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]
89. 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.
90. 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]

91. 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.
92. 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]
93. 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]
94. 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.
95. 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]
96. Fire Access: Prior to issuance of a Certificate of Occupancy, fire access shall be reviewed and approved by the Town of Chapel Hill.
97. 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]
98. 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]

99. 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]
100. 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]
101. 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]
102. 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]
103. 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.
104. 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.
105. 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]
106. 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.
107. 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]

108. 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]
109. 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

110. 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]
111. 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]
112. 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

113. 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]
114. 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

115. 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]

116. 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]

117. 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]

118. 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]

119. Open Burning: The open burning of trees, limbs, stumps, and construction debris associated with site development is prohibited. [Town Code 7-7]

120. 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]

121. 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.

122. Traffic Signs: The developer shall be responsible for placement and maintenance of temporary regulatory signs before issuance of any Certificates of Occupancy.
123. 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.
124. 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]
125. Vested Right: This Special Use Permit or Special Use Permit Modification constitutes a site specific development plan (and is defined as such in the Chapel Hill Land Use Management Ordinance) establishing a vested right as provided by N.C.G.S. Section 160A-385.1 and the Chapel Hill Land Use Management Ordinance. 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.
126. Continued Validity: Continued validity and effectiveness of this approval shall be expressly conditioned on the continued compliance with the plans and conditions listed above.
127. Non-Severability: If any of the above conditions is held to be invalid, approval in its entirety shall be void.
128. 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 Special Use Permit Modification for University Place at 201 S. Estes Drive.

This the ____ day of _____, 2021.

RESOLUTION B
(Denying the Request)

**A RESOLUTION DENYING AN APPLICATION FOR SPECIAL USE PERMIT
MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE (2021-X-X/R-)**

BE IT RESOLVED by the Council of the Town of Chapel Hill that it finds that a Special Use Permit Modification application, proposed by Jessica Hardesty of McAdams, on behalf of RRPV University Chapel Hill Limited Partnership, located at 201 S. Estes Drive on property identified as Orange County Property Identifier Number 9799-12-5797, if developed according to the plans dated November 15, 2019 and last revised November 12, 2020, the Design Guidelines dated November 13, 2020, and the conditions below would not:

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

BE IT FURTHER RESOLVED that the Council hereby denies the request for the University Place Special Use Permit Modification at 201 S. Estes Drive.

This the ____ day of _____, 2021.

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 THE SPECIAL USE PERMIT MODIFICATION FOR UNIVERSITY PLACE, 201 S. ESTES DRIVE

April 6, 2021

Recommendation to Council: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: Commissioner Bench moved and Commissioner Losos seconded to recommend Town Council adopt Resolution A, approving the application for Special Use Permit Modification for University Place, 201 Estes Drive with the following conditions and recommendations:

- Decrease the allowed impervious surface area to meet current ordinance standard of 70% maximum impervious surface ratio.
- Increase the amount of required tree canopy coverage to meet the current required ordinance standard of 30% minimum tree canopy coverage.
- Further reduce parking totals and reduce required minimum parking on-site.
- Greatly increase the amount of bicycle parking on-site.
- Provide unbundled parking options, granting tenants the option of paying for parking spaces or not.
- Engage with the Chapel Hill Farmers Market to provide permanent and shared-use infrastructure that suits their long-term needs.
- New constructed stand-alone buildings shall be more than one story in height.
- Reduce the number of proposed signs and sign size along Fordham Boulevard.

Vote: 9-0

Ayes: Chair Michael Everhart, Vice Chair James Baxter, Neal Bench, Melissa McCullough, John Rees, Stephen Whitlow, Elizabeth Losos, Louie Rivers, Buffie Webber

Nays:

Prepared by: Michael Everhart, Chair, Planning Commission
Jake Lowman, Senior Planner, Staff Liaison to Planning Commission

COMMUNITY DESIGN COMMISSION

The charge of the Community Design Commission is to assist the Council in guiding the Town's vision on aesthetics, character, and function to focus community growth through advice, advocacy and implementation of the Council's policies and review of proposed development in key areas of the community.

RECOMMENDATION FOR SPECIAL USE PERMIT AT UNIVERSITY PLACE

April 27, 2021

Recommendation: **Approval** ☒ **Approval with Conditions** ☐ **Denial** ☐

Motion: John Weis moved and Ted Hoskins seconded a motion to recommend for approval of the block plan, noting specific support for block square footages, specific uses and the road network. Support was not included for min/max for building footprints as proposed.

Vote: 5-0

Yeas: Dancy, Hoskins, Lyons, Patnaik and Weis

Nays: NA

Prepared by: Adam Nicholson, Senior Planner

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 SPECIAL USE PERMIT FOR UNIVERSITY PLACE LOCATED AT 201 S. ESTES DRIVE

March 30, 2021

Recommendation to Council: Approval ☐ Approval with Conditions ☒ Denial ☐

Motion: Bruce Sinclair moved and Tom Henkel seconded a motion to recommend that the Council approve the special use permit for a mixed used redevelopment of existing University Place mall, located at 201 S. Estes Dr., with the following conditions and special considerations.

Vote: 6-3

Aye: Chair Maripat Metcalf, Grace Elliott, Julie Gras-Najjar, Thomas Henkel, Bruce Sinclair, and Lucy Vanderkamp

Nay: Vice-Chair Adrienne Tucker, Julie McClintock, and Marirosa Molina

Reasons Cited for Voting Against:

- Adrienne Tucker: acknowledged that this is a difficult lot to build on, but would like to see more from the applicant regarding sustainable design.
- Marirosa Molina: expressed concern that the project is in the floodplain and that the applicant isn't doing enough to meet the minimum requirements for tree canopy and impervious surface.
- Julie McClintock: acknowledged that this is a difficult place to build, but would like to see something more cutting edge regarding sustainable design.

Conditions:

- Present more detail about: energy consumption, types of energy used, rainwater and stormwater
- Meet with the Stormwater Management Utility Advisory Board
- Utilize solar energy to reduce greenhouse gas emissions

- Due to heat and environmental health concerns, plant only natural vegetation and if an artificial turf is used, avoid crumb rubber base
- Support the increase in tree canopy and encourage a higher percentage than the proposed 20%, which is below the 30% standard
- Upon termination of leases, explore opportunities for additional green spaces
- Support the decrease in impervious surface and encourage a lower percentage than the proposed 75%, which is above the 70% standard
- Place reflective surfaces on roofs before installing solar
- Install rooftop rainwater capture for irrigation and non-potable water use and to reduce stormwater impacts

Special Considerations:

- Build structured parking to reduce impervious surface and increase area for tree planting
- Install stormwater retention tanks to moderate runoff
- Suggest that Council ask for additional detail about the multi-family units (e.g., mix of unit types, parking, amenities, appliance types)

Prepared by: Maripat Metcalf, 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 University Place Redevelopment (Project #19-130) March 23, 2021

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

Motion: Vice-Chair Susanne Kjemtrup-Lovelace moved, and Denise Matthews seconded, to recommend approval of the special use permit modification with the following conditions:

- a) Developer coordinate with Chapel Hill Transit to explore additional bus stop(s) within development.
- b) Developer meets with community bicycle advocacy groups to determine ideal bicycle parking locations.
- c) Developer install additional traffic calming treatments on the interior roadway network.
- d) Developer coordinate with Town Staff to consider pedestrian, bicycle, and non-motorized routes within the development to prioritize safety, directness, and experience for all ages and abilities.

Vote: 7-1

**Ayes: Heather Brutz (Chair), Susanne Kjemtrup-Lovelace (Vice-Chair),
Eric Allman, Brian Hageman, Nikki Abija, Denise Matthews and
Katie Huge**

Nays: Rudy Juliano

Prepared by: Heather Brutz, Chair, Transportation and Connectivity Advisory Board
Jomar Pastorelle, Transportation Planner I

HOUSING ADVISORY BOARD
March 9, 2021

The charge of the Housing Advisory Board is to assist the Chapel Hill Town Council in promoting and developing a full spectrum of housing opportunities that meet the needs of the Chapel Hill community.

RECOMMENDATION
UNIVERSITY PLACE DEVELOPMENT APPLICATION
201 S. ESTES DRIVE

Recommendation: Approval ☒ Approval with Conditions ☐ Denial ☐

Motion: A motion was made by Mark Shelburne seconded by Anne Hoole, that the University Place Application be recommended for approval by the Town Council. The motion carried by a unanimous vote.

Vote: 5-0

Ayes: Sue Hunter (Chair), Dustin Mills (Vice-Chair), Anne Hoole,
Laura Cowen, Mark Shelburne

Nays:

Prepared by: Sue Hunter, Housing Advisory Board Chair
 Nate Broman-Fulks, Staff

MEMORANDUM

TO: Mayor and Town Council

FROM: Chad Pickens, Chair, Stormwater Management Utility Advisory Board

SUBJECT: University Place recommendations

DATE: April 27, 2021

On behalf of the Stormwater Management Utility Advisory Board (Board), I present the following recommendations concerning the University Place Modification to the Special Use Permit (SUP) application.

The Board held a virtual meeting on Thursday, April 22, 2021 to receive a presentation from the applicant; to receive input from residents; and to prepare recommendations, which were finalized at the Board's meeting on April 27, 2021.

Given that flooding is a persistent and increasingly destructive problem in the larger Bolin Creek watershed, the Town needs to take advantage of every retrofit and redevelopment project as an opportunity to improve stormwater management.

Therefore, any positive comment made by this Board in terms of stormwater will, at a minimum, meet all three of the following general standards:

- Reduced impervious surface, or at least no net increase in impervious surface;
- Reduced footprint in the floodplain or at least no net increase; and
- Increased stormwater treatment (water quality).

Specific recommendations:

1. The Board does not support the request for modification to the regulations for the impervious area ratio (75% proposed by the applicant). The Board supports the reduction of the impervious area ratio to 70% for the 17.5-acre portion of the property that is subject to this SUP modification application. This would still require approval of a modification to the regulations as the overall impervious area ratio would be approximately 72%.
2. If the 70% impervious area ratio cannot be met for this portion of the site, then the use of green roofs or rainwater harvesting for reuse should be included to account for the difference.
3. Future phases should incorporate additional measures to further meet the 70% impervious area ratio requirement.
4. There should be no loss of effective flood storage on this site, which is in addition to meeting the no-rise in the Base Flood Elevation requirement.
5. The Board supports the use of pervious pavement and the approximately 30,000 sq. ft. of additional impervious area that is proposed to be treated in the enlarged and improved bioretention basins.

A motion to approve these recommendations was made by Mr. Klakovich; Mr. Bevington seconded the motion. In a roll call vote, the motion was approved unanimously (9-0).

Members present: Pickens; Post; Clarke; Stowe; Schultz; Wang; Klakovich; Hearn; Bevington
Member(s) absent: None

Thanks for the opportunity to review this latest draft of the University Place Design Standards. Below are comments addressing specific sections or pages of the standards.

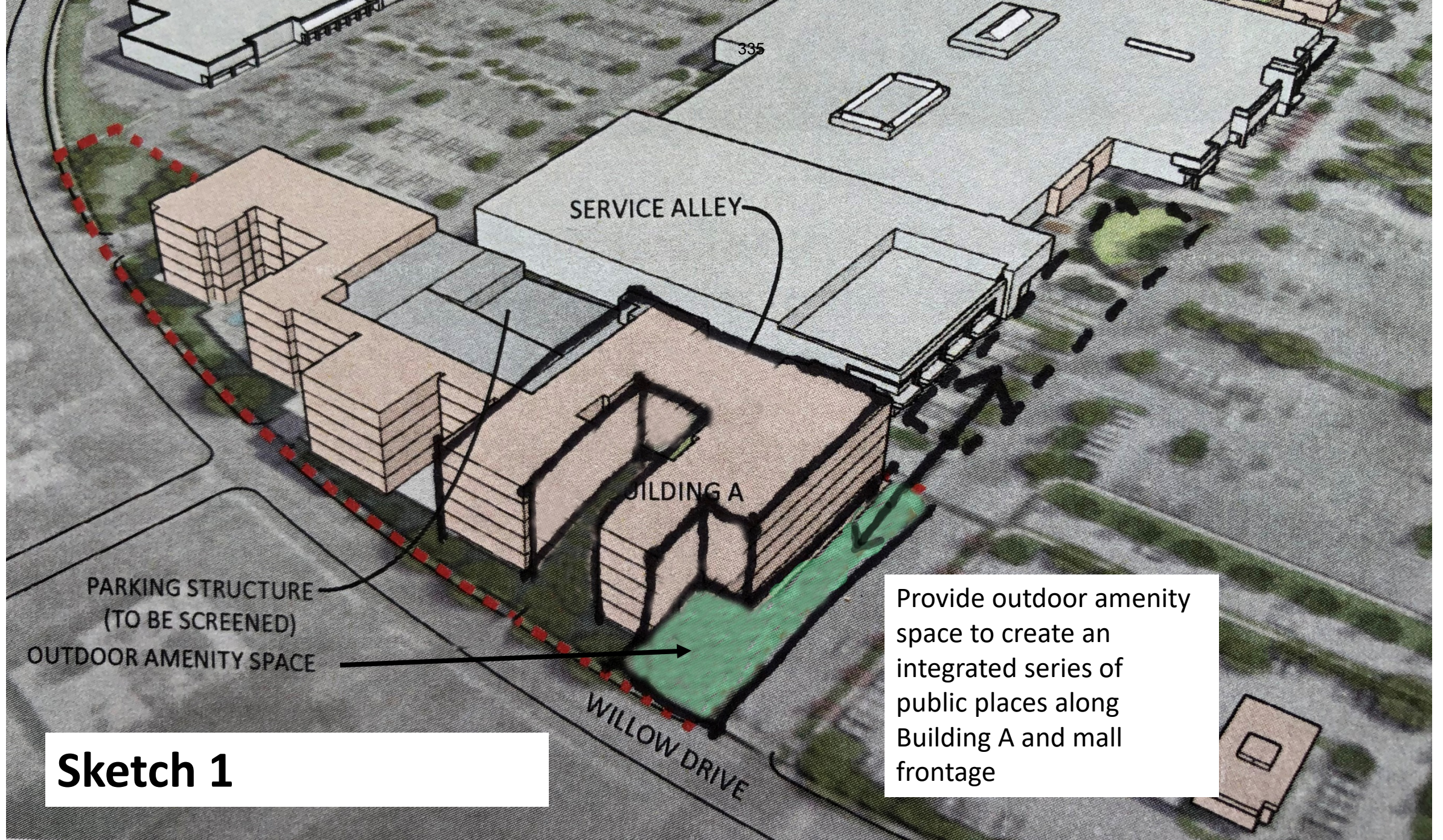
Design Criteria: Street Frontages

1. Page 22-Internal Main Street Driveway: In the “Streetscape” section, “Outdoor Amenity Space”, the passage states “min, if provided: 10 feet”. This will be a key public space for enhancing the character of the town center, and will be a space with a community focus as well. While recognizing that the exact size, configuration, and character of the space will be determined in the future according to development conditions, it is recommended to remove the words “if provided” to reinforce the understanding that some kind of public amenity space will be provided. Also, the noted 10’ minimum width is very narrow, not allowing for much of any useful space. Suggest increasing to 20’, with flexibility for alternatives per staff review and approval.
2. Page 23-5. Internal Typical Driveway: In the ultimate buildout of University Place, all of these streets should resemble typical urban streets with sidewalks, street trees, and other streetscape amenities such as bike racks, trash receptacles, urban pedestrian-scaled street lighting, etc. Suggest adding the passage “Pedestrian accommodation and enhancements will be provided along of all the Internal Typical Driveways, according to the specific cross sectional properties of each street segment as future redevelopment occurs” with flexibility for alternatives per staff review and approval.

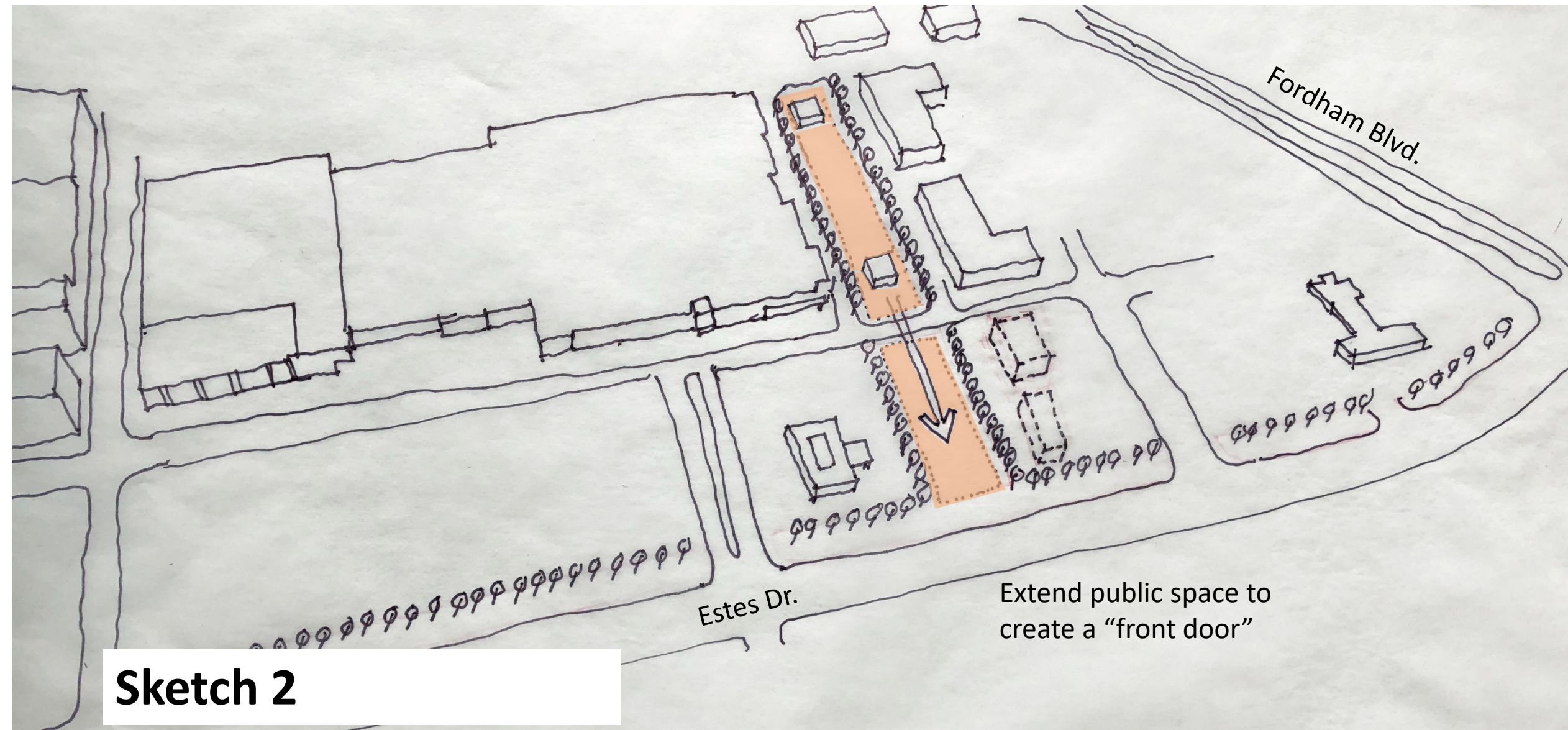
Development Options-Pods

Although these examples are very conceptual in nature, they are helpful in beginning to portray some of the place character qualities that can be realized by application of the Framework Plan and Design Standards. The Outdoor Amenity Space character examples are illustrating active mixed-use places that fit with idea of a town center. My main comment about the public place character and distribution is that they are spaces mostly internal to the property and while distributed throughout the redevelopment area, the proposed public place network could be better connected to the edges of the site, to create vibrant places where the community interfaces with University Place and offering some “front door” spaces or landscapes that draw pedestrians into the new walkable town center. Attached are two sketches illustrating some ideas in this regard.

3. Sketch 1 (Pod A): Rather than providing the outdoor amenity space in a liner lawn strip along Willow Drive, suggest focusing it at the corner of Willow and the mall entrance drive, extending east to connect to the outdoor pedestrian area in front of the cinema and to the proposed new public place further east, creating an integrated series of public places connecting the community and the town center. Also, given that the proposed street between Pod A and the cinema is now considered a service street for loading and service, suggest having the conceptual Private Courtyard for Building A open up to the Willow Drive frontage, which can also serve to break down Building A’s massing along the street.
4. Sketch 2 (Pod D): Suggest looking for ways to make it seem like the central park/green space/plaza in Pod “C” extends southward to Estes. The character of this space could take various forms. It could be green space, a plaza, or a combination of both. Another possibility would be for it to still accommodate some parking, but feature some decorative paving and landscape that would allow the area to become a kind of “mixed use” parking lot, where a farmer’s market or other occasional gathering could occur. Whatever its character becomes, it is suggested that proposed new buildings A & B be located along this extension to help spatially define it.



Sketch 1

**Sketch 2**

UNIVERSITY PLACE

TOWN COUNCIL PRESENTATION

MAY 5, 2021

~ **DRAFT** ~

ram
people making places

PHASE 1

- ~350,000 SF Retail
- ~250 Multifamily Rental Units



PHASE 1

- ~350,000 SF Retail
- ~250 Multifamily Rental Units

**FULL BUILD OUT**

MAXIMUM OF:

- 450,000 SF Retail
- 150,000 SF Office
- 300 Multifamily Units
- 150 Hotel Rooms

UNCERTAINTY THAT COMES WITH BLOCK PLAN APPROACH

Comments received:

- *Site should remain commercial as primary use*
- *Concern that site could become all apartments*
- *Too much flexibility for the developer and/or not enough control for town*

SITE SHOULD REMAIN COMMERCIAL AS PRIMARY USE

- Plan requires a minimum of 300,000 SF of retail and allows for up to 450,000 SF of retail and 150,000 SF of office

RETAIL CENTER	SIZE (SF)
UNIVERSITY PLACE (PHASE 1)	350,000
EASTGATE CROSSING	157,757
CARR MILL MALL	142,814
RAMS PLAZA	128,593
TIMBERLYNE	125,718
VILLAGE PLAZA (WHOLE FOODS)	74,530

- First phase of University Place redevelopment would still be more than 2x larger than any other retail center in Chapel Hill/Carrboro

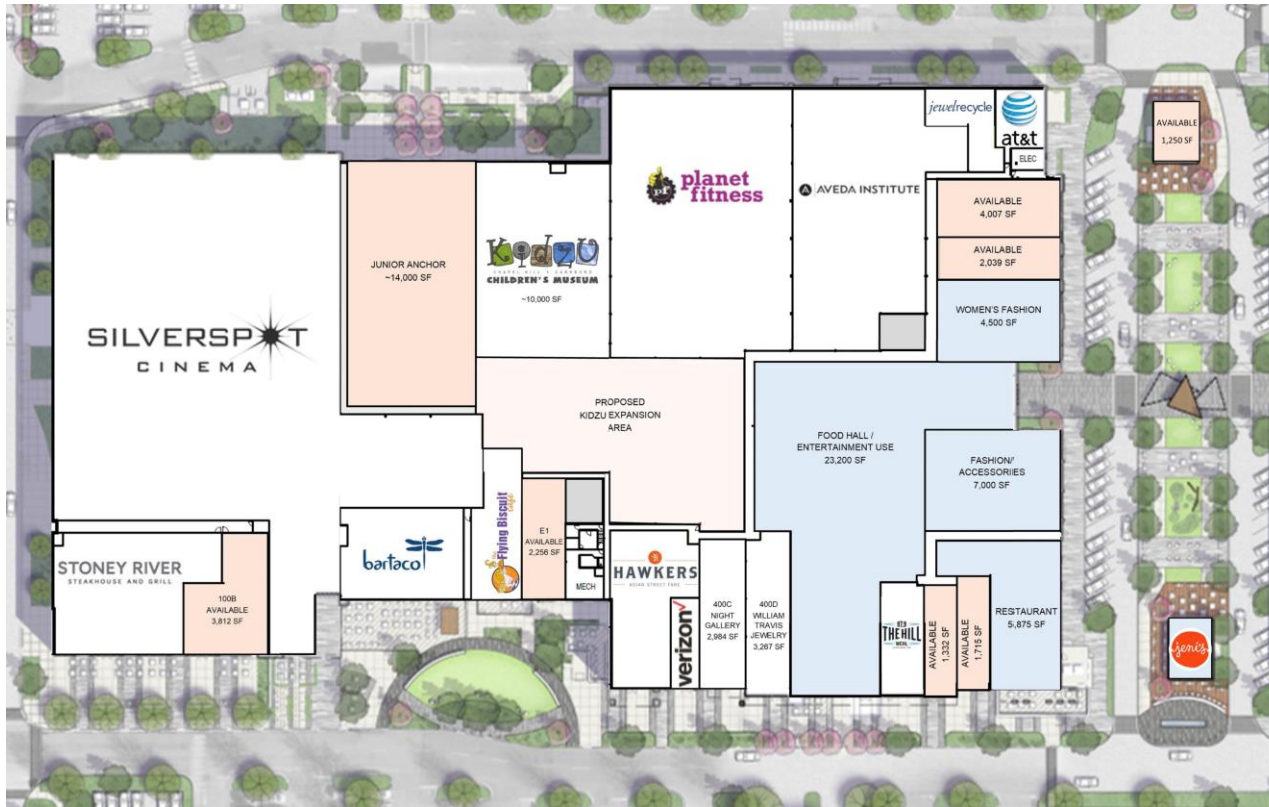
SITE SHOULD REMAIN COMMERCIAL AS PRIMARY USE

- CONCERN OVER PHASE 1 REDUCING EXISTING RETAIL SQUARE FOOTAGE FROM ~420,000 TO ~350,000 SF.***



SITE SHOULD REMAIN COMMERCIAL AS PRIMARY USE

Plan to fully utilize remaining mall space:



CONCERN THAT SITE COULD BECOME ALL APARTMENTS

- Minimum of 300,000 SF of retail required
- Multifamily only permitted on Pod A & Pod C – Approx. 1/3 of total site
- Total of 300 units permitted; however, conversion rights would allow up to 500 total
 - Phase 1 proposes 253 multifamily units on ~2.5 acres (density of 100 dwelling units per acre) on Pod A
 - Through conversion rights, Pod C could then contain no more than 247 units, likely at the same density as Pod A
 - Combined, that would account for ~5 acres of the 39.5 acre site, or 12.5%
 - By square footage, the 500 units at an average unit size of 775 SF would equal 387,500 SF. That's compared to the 350,000 SF of retail proposed in Phase 1, and any future phase of apartments would also include ground floor retail, so the multifamily uses would still be less than 50% of the net square footage at the property.
 - If conversion rights were utilized, result would be additional affordable units – up to 75 total.

TOO MUCH FLEXIBILITY FOR DEVELOPER AND/OR NOT ENOUGH CONTROL FOR TOWN

- 32 existing retail tenants with various lease rights over parking, driveways, view corridors that could hold up or block plans from moving forward if we can't modify leases without the built-in flexibility of the block plan
- Since starting SUP process in August 2019, have had three major “pivots” that demonstrate the need for flexibility:
 - Municipal Services Center potentially relocating to site
 - Southern Season vacating
 - COVID-19
- Retail is changing faster than ever before and being able to adapt in real time is critical to survival of brick and mortar
- Although past examples of the block plan approach have lacked detail or did not capture the intent of what was proposed, the Design Standards created for University Place are comprehensive and account for “lessons learned” from other projects

HEIGHT/MASSING CONCERNS

Comments received:

- *Concern over single story buildings next to 5+ story buildings*
- *Height and massing of apartments needs to look very different than others in Blue Hill District*

CONCERN OVER SINGLE STORY BUILDINGS NEXT TO 5+ STORY BUILDINGS

Reason for concern:



Retail Height - 19'

Apartment Height - 90'

Height Difference - 71'

Distance Between Uses - 10'

CONCERN OVER SINGLE STORY BUILDINGS NEXT TO 5+ STORY BUILDINGS

As Proposed:



Silerspot Height - 36'

Stoney River Height - 31'

Apartment Height - 74'*

**Height at corner near retail*

Height Difference – 38-43'

As compared to 71' in example

Distance Between Uses - 50'

As compared to 10' in example

CONCERN OVER SINGLE STORY BUILDINGS NEXT TO 5+ STORY BUILDINGS

- Blue Hill District contains dozens of individual owners with competing interests
- University Place has the benefit of single ownership and a single interest of creating a cohesive environment with buildings of different size and scale
- When street level experience is focused on pedestrians, buildings of all sizes can work together
 - Examples:



HEIGHT AND MASSING OF APARTMENTS NEEDS TO LOOK VERY DIFFERENT THAN OTHERS IN BLUE HILL DISTRICT

Reason for concern:



Apartment Height at Public
ROW - 90'

Minimal articulation

~5,700 SF of open courtyards

HEIGHT AND MASSING OF APARTMENTS NEEDS TO LOOK VERY DIFFERENT THAN OTHERS IN BLUE HILL DISTRICT

As Proposed:



Apartment Height at Public ROW:

Willow (North) - 59'

Willow (South) – 70'*

**Raised corner feature extends to 75'
As compared to 90' in example*

Existing mature trees to remain are similar height to building along Willow Dr. To help ensure trees remain healthy through construction, building is setback further (typically 30' - 40' from curb).

Building includes significant articulation along public ROW

Over 18,000 SF of open courtyards
As compared to ~5,700 SF in example

ENVIRONMENTAL CONCERNS

Comments received:

- *Project may negatively impact likelihood of flooding both on- and off-site*
- *Project should address stormwater despite no code requirement to do so*
- *Project should decrease impervious and add more green space*

PROJECT MAY NEGATIVELY IMPACT LIKELIHOOD OF FLOODING

- All plans submitted will require flood modeling showing “no rise” as a result of those plans to ensure no negative impacts to flood conditions
- All new and renovated buildings within floodplain will include floodproofing measures
- Proposed plans for redevelopment include reduction to impervious area of approx. 55,000 SF and reduction to overall building footprints, which should create additional flood capacity and be a net benefit to surrounding properties

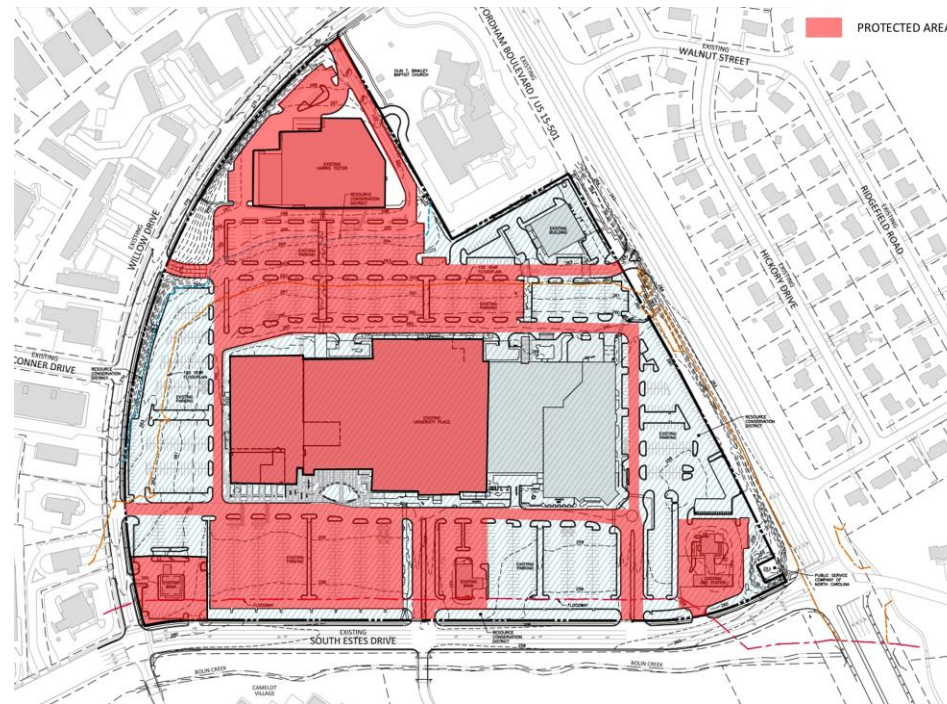
PROJECT SHOULD ADDRESS STORMWATER DESPITE NO CODE REQUIREMENT TO DO SO

- Have proposed adding stormwater measures to increase drainage area treated by over 30,000 SF, increasing total drainage area to ~105,000 SF
 - This proposal was supported by the Stormwater Advisory Board
 - Proposed locations:



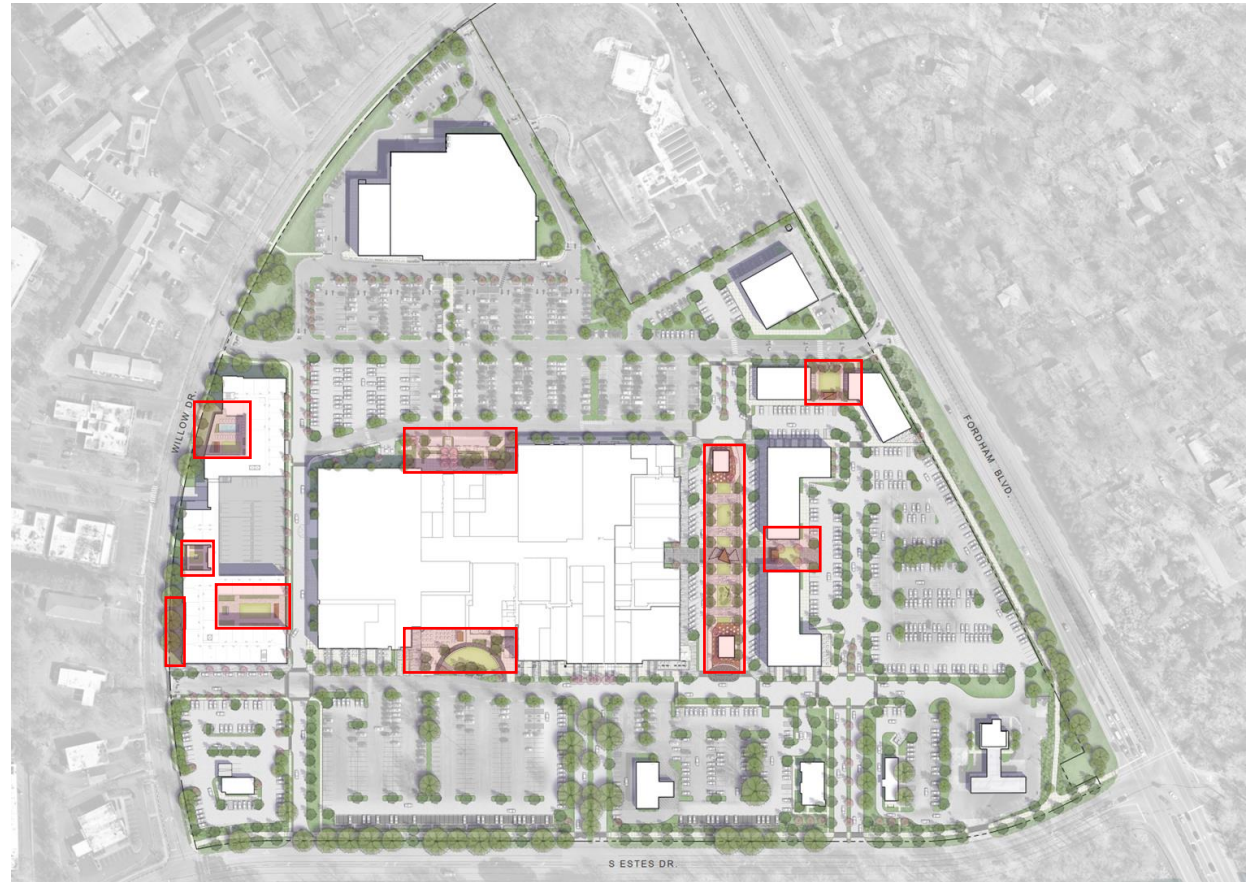
PROJECT SHOULD DECREASE IMPERVIOUS AND ADD MORE GREEN SPACE

- ~55,000 SF or 1.2 acres proposed as impervious area reduction from existing conditions
- Significant constraints with existing leases that control parking areas, number of spaces, etc.
 - ~55% of site (as shown in red) controlled by lease rights
 - ~45% or 17.75 acres is where majority of improvements would need to occur

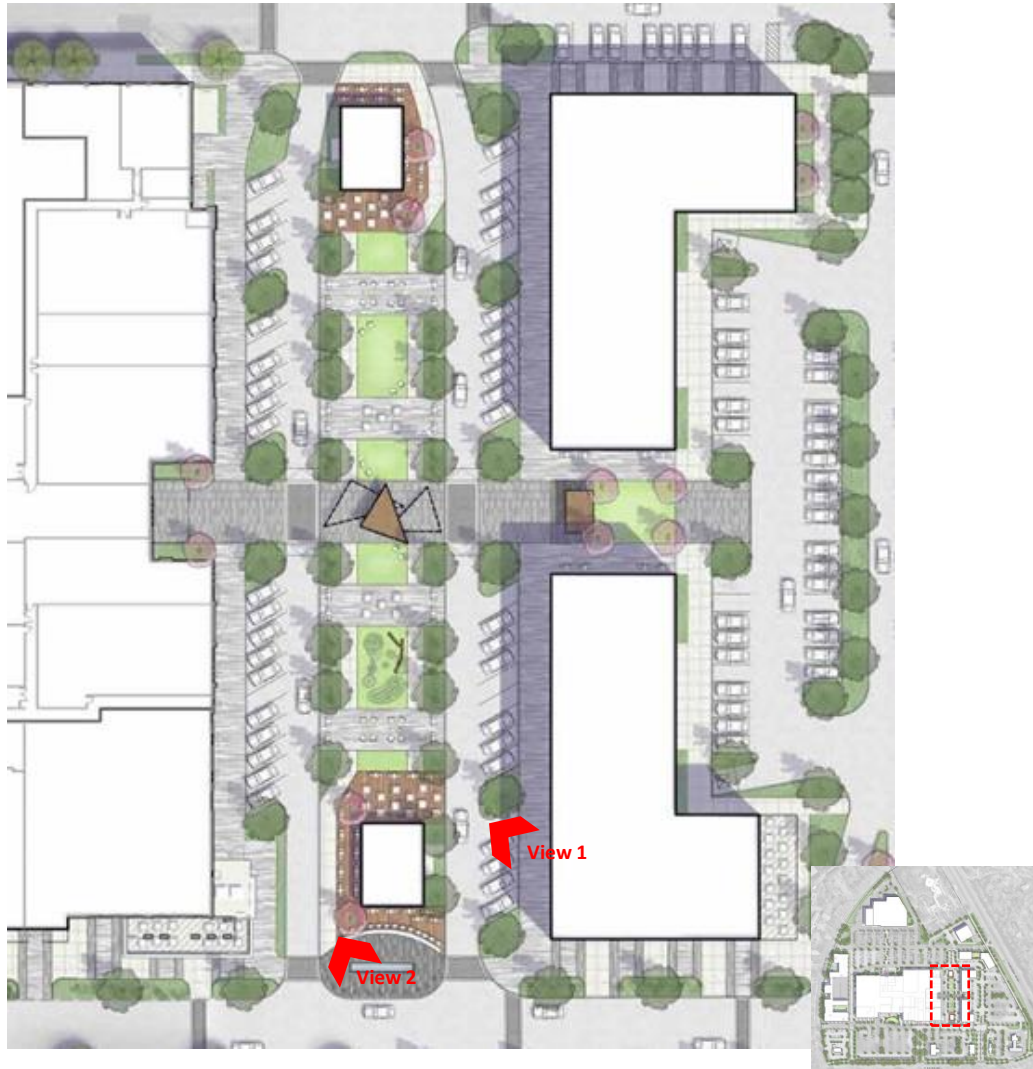


PROJECT SHOULD DECREASE IMPERVIOUS AND ADD MORE GREEN SPACE

- New green spaces will be focal point of redevelopment



PROJECT SHOULD DECREASE IMPERVIOUS AND ADD MORE GREEN SPACE



4.5.2 Standards and Findings of Fact.

- (a) No special use permit shall be recommended by the town manager or planning commission for approval and no special use permit shall be approved by the town council unless each of the following findings is made concerning the proposed special use or planned development:
1. That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
 2. That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations;
 3. That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity; and
 4. That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.

(1) That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare

[Initial notes to include]

- Connectivity improvements
 - Multi-use paths, bike lanes, internal connectivity
- Traffic improvements
- Environmental improvements
 - Reduction to impervious
 - Addition of green space and active amenity space
 - Improvement to flood conditions
 - Addition of trees (+250 proposed) and maintaining existing mature trees
 - Reduction to urban heat island effect
 - Increased energy efficiency throughout project
- Addition of jobs to community (250-300 temp and ~375 permanent)
- Addition of tax base to community (~\$1.2 million increase to annual real estate tax bill from Phase 1 alone – increase to sales tax revenue)
- Increased access to goods and services for community
- Increase to supply of affordable housing in community
- Incubator retail with 20% designated for minority owned businesses allows for more opportunity for local business creation

(2) That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (article 6), and with all other applicable regulations

[Initial notes to include]

- *McAdams to present compliance slides with references to LUMO sections*
- *Note that the LUMO requirements that require modifications were not in place when the mall was approved/constructed.*

(3) That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity

[Initial notes to include]

- *Expert witness to attest to monetary value impact to contiguous property*
- *Non-monetary value enhancements include:*
 - *Improved connectivity*
 - *Improved safety*
 - *Improvements to environmental conditions*

(4) That the use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan.

[Initial notes to include]

- McAdams to present evidence to this finding

SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL
Planning Department
 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): 9799125797

Date: 05/13/2020

Section A: Project Information

Project Name: University Place

Property Address: 201 S. Estes Drive Zip Code: 27514

Use Groups (A, B, and/or C): A, B, C Existing Zoning District: CC

Project Description: Redevelopment of existing commercial mall

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

Applicant Information (to whom correspondence will be mailed):

Name: Jessie Hardesty

Address: 2905 Meridian Parkway

City: Durham State: NC Zip Code: 27713

Phone: 919-361-5000 Email: hardesty@mcadamsco.com

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

Signature: Jessie Hardesty Date: 05/13/2020

Owner/Contract Purchaser Information:

☒ Owner

☐ Contract Purchaser

Name: RRPV University Chapel Hill LP attn: Ashley Saulpaugh

Address: 127 W. Worthington Avenue Suite 290

City: Charlotte State: NC Zip Code: 28203

Phone: 704-377-6730 Email: asaulpaugh@ramrealestate.com

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

Signature: [Signature] Date: 5/13/20

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

**PROJECT FACT SHEET**TOWN OF CHAPEL HILL
Planning Department**Section A: Project Information****Use Type:** (check/list all that apply)☐ Office/Institutional ☐ Residential ☒ Mixed-Use ☐ Other: _____
Residential, Office/Institutional, Commercial,**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=	1,718,403	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=	171,840	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=	1,890,243	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)	TBD
Area of Land Disturbance within RCD	TBD
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)	1,472,295 sf	TBD	1,417,682 sf	TBD
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	77.9%	TBD	75%	TBD
If located in Watershed Protection District, % of impervious surface on 7/1/1993	80.6%	TBD	-	-



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	6	u")	TBD	TBD
Number of Floors	2 (max)	2 (max)	1-7	1-7
Recreational Space	1033	TBD	TBD	TBD

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)	0	0	TBD	TBD
Total Square Footage of All Units	0	0	TBD	TBD
Total Square Footage of Affordable Units	0	0	TBD	TBD
Total Residential Density	0	0	TBD	TBD
Number of Dwelling Units	0	0	TBD	TBD
Number of Affordable Dwelling Units	0	0	TBD	TBD
Number of Single Bedroom Units	0	0	TBD	TBD
Number of Two Bedroom Units	0	0	TBD	TBD
Number of Three Bedroom Units	0	0	TBD	TBD

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	376,845	TBD			
Restaurant	42,455	TBD	# of Seats		
Government	0	TBD			
Institutional	0	TBD			
Medical	0	TBD			
Office	0	TBD			
Hotel	0	TBD	# of rooms		
Industrial	0	TBD			
Place of Worship	0	TBD	# of Seats		
Other	0	TBD			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22	61.2	0-77 BTZ
	Interior (neighboring property lines)	8	53.8	0
	Solar (northern property line)	9	N/A	0
Height (maximum)	Primary	34	34	34/75
	Secondary	60	60	45/90
Streets	Frontages	N/A	N/A	N/A
	Widths	N/A	N/A	N/A

**PROJECT FACT SHEET**

TOWN OF CHAPEL HILL

Planning Department

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
FORDHAM BLVD	VARIABLE	48'-72'	R-6	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
ESTES DRIVE	90'	65'	5	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW DRIVE	60'	33'	3	X Yes	X 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	TBD	TBD	TBD
Handicap Spaces	TBD	TBD	TBD
Total Spaces	TBD	TBD	TBD
Loading Spaces	TBD	TBD	TBD
Bicycle Spaces	TBD	TBD	TBD
Surface Type	ASPHALT		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
ESTES (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW (COLLECTOR)	20'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
FORDHAM (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
ADJACENT TO PIN 9799234058	20'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

See Design Standards for Streetscapes



PROJECT FACT SHEET

TOWN OF CHAPEL HILL

Planning Department

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
CC	.429	.046			.75	810,914	N/A
		see outdoor amenity space in Design Standards					
TOTAL							
RCD Streamside	.001	0.01					
RCD Managed	.019	0.019					
RCD Upland	.429						

Section J: Utility Service

Check all that apply:

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS**
TOWN OF CHAPEL HILL
Planning Department

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.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	80,000.00
X	Pre-application meeting –with appropriate staff		
X	Digital Files – provide digital files of all plans and documents		
X	Recorded Plat or Deed of Property		
X	Project Fact Sheet		
X	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
	Description of Public Art Proposal		
	Statement of Justification		
	Response to Community Design Commission and Town Council Concept Plan comments		
X	Affordable Housing Proposal, if applicable see master plan		
N/A	Provide existing Special Use Permit, if Modification		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	567.00
X	Written Narrative describing the proposal		
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
X	Reduced Site Plan Set (reduced to 8.5" x 11")		

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



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

- 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



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

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

**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS****TOWN OF CHAPEL HILL
Planning Department****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



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

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)

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20181228000243170 DEED
Bk:RB6561 Pg:266
12/28/2018 02:22:41 PM 1/6

FILED Mark Chilton
Register of Deeds, Orange Co, NC
Recording Fee: \$26.00
NC Real Estate TX: \$103230.00

344

NORTH CAROLINA SPECIAL WARRANTY DEED

Parcel Identifier No. 9799-12-5797 **YKB**

Verified by Register of Deeds, Orange County, North Carolina on the ___ day of ___, 2018
By: _____

Mail after recording to: Kirk Palmer & Thigpen, P.A., 1300 Baxter Street, Suite 300,
Charlotte, NC 28204

This instrument was prepared by: Bobby D. Hinson, Esq., Kirk Palmer & Thigpen, P.A.

Excise Tax: \$103,230.00

Brief description for the Index: 201 South Estes Drive, Chapel Hill, Orange County, North
Carolina

THIS DEED is made as of December 27, 2018, by and between

GRANTOR

MM/PG UNIVERSITY PROPERTIES LLC,
a Delaware limited liability company
c/o Madison Marquette
670 Water Street, SW
Washington, D.C. 20024

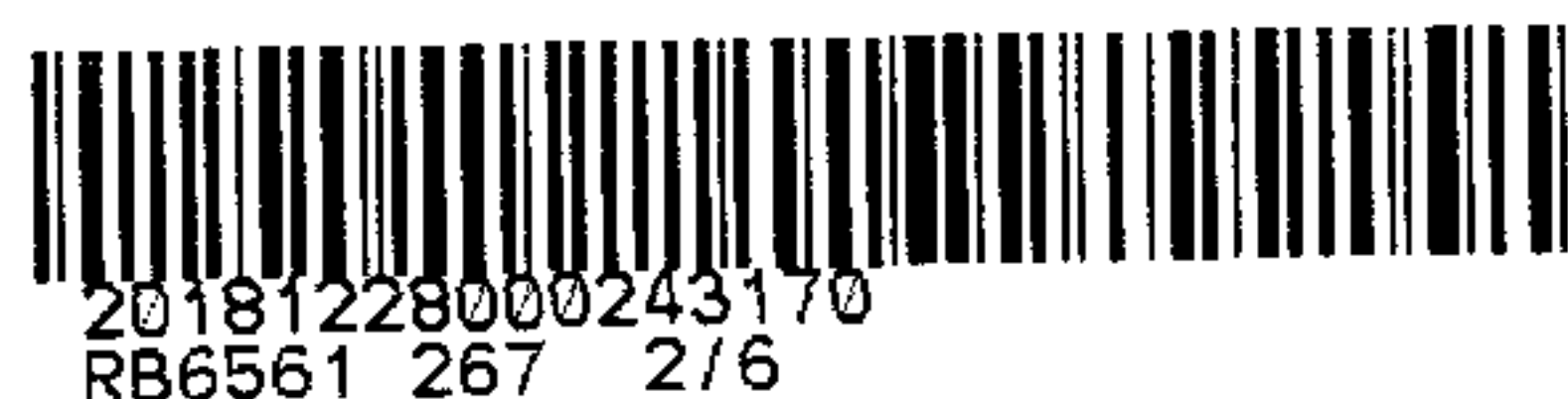
GRANTEE

**RRPV UNIVERSITY CHAPEL
HILL LP,**
a North Carolina limited partnership
c/o Ram Realty Advisors
4801 PGA Boulevard
Palm Beach Gardens, FL 33418

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

00154692.2

Submitted electronically by "First American Title Insurance Company - Charlotte NCS"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Orange County Register of Deeds.



WITNESSETH, that Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in the Town of Chapel Hill, Orange County, North Carolina, and more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

THIS PROPERTY DOES NOT INCLUDE THE GRANTOR'S PRINCIPAL RESIDENCE.

The Property was acquired by Grantor by instrument recorded in Deed Book RB6136, Page 429.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple, subject, however, to the encumbrances mentioned below and on EXHIBIT "B" attached hereto and incorporated herein by reference.

AND GRANTOR for itself and its successors in interest does by these presents expressly limit the covenants of this Deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming, by, through or under said Grantor and not otherwise, Grantor will forever warrant and defend the described real estate, except with respect to utilities physically located on the Property, ad valorem taxes for calendar year 2019 and any subsequent years, and any local, county, state or federal laws, ordinances or regulations relating to zoning, environment, subdivision, occupancy, use, construction or development of the Property.

(Remainder of Page Intentionally Left Blank)



IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed as of the day and year first above written.

GRANTOR:

MM/PG UNIVERSITY PROPERTIES LLC,
a Delaware limited liability company

By: [Signature]

Name: David Bruner

Title: Vice President

CB
STATE OF District)

COUNTY OF of Columbia) SS.

I, Kathleen Brennan, a Notary Public of the County and State aforesaid, certify that David Bruner personally came before me this day and acknowledged that he/she is the Vice President of **MM/PG UNIVERSITY PROPERTIES LLC**, and that he/she, as Vice President, being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official stamp or seal this 14th day of December, 2018.



[Signature]
Notary Public

KATHLEEN BRENNAN: Kathleen Brennan
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires August 31, 2021

My commission expires: _____

The foregoing certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR ORANGE
COUNTY, NORTH CAROLINA

By _____ Deputy/Assistant-Register of Deeds



EXHIBIT A
To Special Warranty Deed

LEGAL DESCRIPTION

Lying and being in Orange County, North Carolina, and more particularly described as follows:

Beginning at a right of way monument located at the intersection on the western edge of the right of way of U.S. 15-501 Bypass and the northeastern edge of the right of way of Estes Drive, and running thence with said right of way of Estes Drive four (4) calls as follows: (1) North 81° 05' 29" West 94.80 feet to a right of way monument; (2) in a northwesterly direction along a curve to the right, having a radius of 592.27 feet, an arc distance of 270.20 feet and a chord bearing and distance of North 68° 00' 29" West 267.86 feet to a right of way monument; (3) North 54° 55' 29" West 1183.99 feet to a point; and, (4) in a northwesterly direction along a curve to the left, having a radius of 682.27 feet, an arc distance of 153.67 feet and a chord bearing and distance of North 61° 22' 38" West 153.34 feet to a point located in the northeastern edge of the right of way of Willow Drive; thence with said right of way of Willow Drive two (2) calls as follows: (1) in a northeasterly direction along a curve to the right, having a radius of 1476.95 feet, an arc distance of 1525.00 feet and a chord bearing and distance of North 49° 26' 10" East 1458.16 feet to a point; and (2) in an easterly direction along a curve to the right, having a radius of 1228.11 feet, an arc distance of 194.36 feet and a chord bearing and distance of North 83° 07' 19" East 194.16 feet to a point, having N.C. grid coordinates (NAD 1983) of N = 793,540.735 and E = 1,992,386.347; thence leaving said right of way of Willow Drive, South 05° 35' 31" West 607.53 feet to a point; thence South 84° 24' 29" East 350.00 feet to a point located in the western edge of the right of way of U.S. 15-501 Bypass; thence with said right of way of U.S. 15-501 Bypass three (3) calls as follows: (1) South 05° 35' 31" West 599.72 feet to a point; (2) South 07° 07' 31" West 282.98 feet to a point; and (3) South 08° 51' 31" West 257.07 feet to a point; thence leaving said right of way of U.S. 15-501 North 81° 08' 29" West 50.00 feet to a point; thence South 08° 51' 31" West 50.00 feet to a point; thence South 81° 08' 29" East 50.00 feet to a point located in the western edge of the right of way of U.S. 15-501 bypass; thence with said right of way of U.S. 15-501 Bypass South 08° 51' 31" West 20.75 feet to the point and place of Beginning, containing 39.405 acres, more or less, according to plat of survey entitled "Survey for University Mall for University Mall Properties, LLC", dated June 26, 1994 and last revised August 26, 1997, prepared by Stephen D. Puckett, Registered Land Surveyor.

[END OF LEGAL DESCRIPTION]

University Place Special Warranty Deed

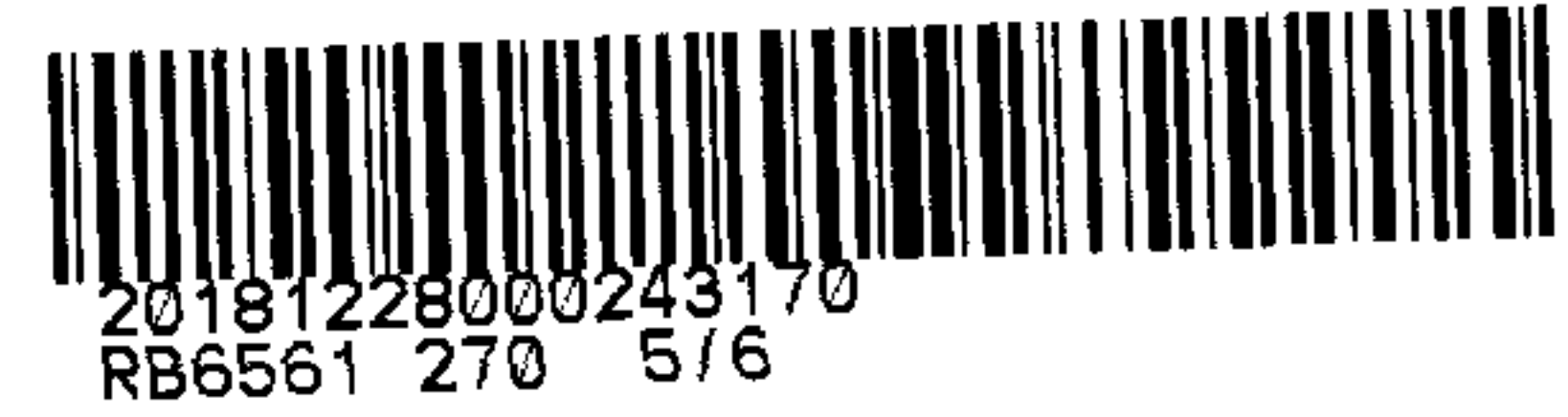


EXHIBIT B
To Special Warranty Deed

TITLE EXCEPTIONS

1. Taxes for the year 2019 and all subsequent years.
2. Terms and provisions of that certain unrecorded Lease executed by Madison University Mall LLC, a Delaware limited liability company to The Pantry, Inc., a Delaware corporation dated July 27, 2011, as evidenced by a Memorandum of which is recorded in Book 5201, Page 452, Orange County Registry.
3. Terms and provisions of that certain unrecorded Lease executed by Madison University Mall LLC, a Delaware limited liability company to Harris Teeter, Inc., a North Carolina corporation dated December 8, 2011, as evidenced by a Memorandum of which is recorded in Book 5291, Page 476, Orange County Registry.
4. Right(s) of way to Public Service Company of North Carolina, Incorporated, a North Carolina corporation, its successors and assigns recorded in Book 144, Page 378; and Shown on Plat Book 13, Page 134, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.
5. Terms and provisions of that certain unrecorded Lease executed by University Mall Properties, LLC, a North Carolina limited liability company to A Southern Season, Incorporated, a North Carolina corporation dated October 23, 2003, as evidenced by a Memorandum of which is recorded in Book 3243, Page 338; Assigned by Book 6206, Page 307, Orange County Registry.
6. Easement to Olin T. Binkley Memorial Baptist Church recorded in Book 4128, Page 128, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.
7. Special Use Permits recorded in Book 228, Page 1206; Modified by Book 237, Page 386; Book 240, Page 1718; Book 244, Page 263; Book 250, Page 1472; Book 262, Page 1081; Book 302, Page 68; Book 338, Page 354; Book 1071, Page 222, Book 1310, Page 485; and Book 2152, Page 167 and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018, Orange County Registry.
8. Power line Easement and easement to Public Service Company of North Carolina, right of way of Estes Drive, Willow Drive and US15-501 Bypass as shown on plat recorded in Book 13, Page 124, Orange County Registry and as approximately shown on Survey by Stephen D. Puckett, dated June 21, 2018.



9. Terms and provisions of that certain unrecorded Lease executed by MM/PG University Properties to Bartaco Chapel Hill, LLC dated as evidenced by a Memorandum of which is recorded in Book 6142, Page 379, Orange County Registry.
10. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Stephen D. Puckett on June 21, 2018: a) gas line; b) fence corner 0.1" west of line; c) fence corner 13.2' north of property line; d) fence corner 12.1' north of property line; d) 24' setback line; e) curb cut; f) phone pedestal & telephone manhole; g) wall; h) 10' setback; i) wood/board all; j) concrete steps extend 0.3' over line in several places, concrete pad and concrete sidewalk extend into adjoining property; k) recycling bins; l) water valve(s); m) telephone pole(s), light pole(s); n) trench drain, drop basins and drop inlet basins; o) reinforced concrete pipe; p) sanitary sewer manhole(s) and cleanout; q) transformer(s).



November 12, 2020

Judy Johnson and Jake Lowman
Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

As described in §6.18.2 of the LUMO, **Permitted Modifications of Regulations,**

“Where actions, designs, or solutions proposed by the development are not literally in accord with applicable planned development regulations, general regulations, or other regulations in this appendix, but the Town Council makes a finding in the particular case that the public purposes are satisfied to an equivalent or greater, the Town Council may make specific modification of the regulations in the particular case. Any modifications of regulations shall be explicitly indicated in the special use permit or modification of the special use permit.”

University Mall is an existing commercial mall that has been located on the subject parcel for over 40 years. Since the construction of this project, local, state, and federal regulations pertaining to the development of land have changed such that a high-intensity, high-density development could not be developed on the subject parcel. Since construction, University Place has become an integral part of the Town of Chapel Hill and redevelopment will create a gateway location developed as a high-density, high-intensity center in keeping with trends for the redevelopment of older commercial malls. University Place will create a vibrant mixed-use community including open spaces, and construction of public greenways and sidewalks. Constraints on this parcel include the existing developed areas of the parcel that do not conform with current LUMO standards, the presence of sensitive environmental features such as floodways and floodplains, and the extent of the Town’s Resource Conservation District.

Due to the peculiarities of the existing development and the LUMO, modifications to required standards are necessary to create a mixed-use center that meets the Town’s vision and intent for such developments. The requested modifications are the minimum necessary to allow the redevelopment of this parcel.

Sincerely,

MCADAMS

A handwritten signature in cursive script that reads 'Jessie Hardesty'.

Jessie Hardesty
Planner, Planning + Design

October 29, 2020

Jake Lowman, Senior Planner
Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

SETBACK MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the following minimum setbacks for development in the CC, Community Commercial, zoning district:

YARD	REQUIRED SETBACK
STREET SETBACK	22'
INTERIOR SETBACK	8'
SOLAR SETBACK	9'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required setbacks:

YARD	REQUIRED SETBACK
STREET SETBACK (WILLOW DRIVE)	0-20' BTZ
STREET SETBACK (FORDHAM BLVD)	0' min Max with parking: 77' Max without parking: 0-20'
INTERIOR SETBACK	0'
SOLAR SETBACK	0'

Please refer to Design Standards for details.

In creating a vibrant mixed-use community, an important design consideration is the relation of structures to the public realm. In place of standard setbacks, the above build-to-zones are requested along Willow Drive and Fordham Blvd. Given the nature of the mixed-use development with various uses abutting one another, a 0-ft interior setback is requested. Where large setbacks are required from public streets, the community can feel removed from the public travel ways which can negatively impact the development's ability to draw users and residents. The requested dimensional standards will allow proposed buildings to be closer to the street and engage the public realm, creating a mixed-use development that draws users and is an asset to the Town of Chapel Hill.

BUFFER MODIFICATION

The Land use Management Ordinance Article 5.6.6 sets forth the following required perimeter buffers for the redevelopment of University Place:

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	30' TYPE D
ESTES DRIVE	30' TYPE D
WILLOW DRIVE	20' TYPE D
ADJACENT TO PIN 9799234058	20' TYPE B

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required perimeter buffers. In place of buffers, streetscape configurations are described for each street below.

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	0' (NO BUFFER REQUIRED)
ESTES DRIVE	0' (NO BUFFER REQUIRED)
WILLOW DRIVE	0' (NO BUFFER REQUIRED)
ADJACENT TO PIN 9799234058	10' TYPE B

Please refer to Design Standards for details.

Similar to the requested modifications to the required setbacks, this modification will allow the proposed redevelopment of University Place to actively engage the public realm, which will contribute to the success and overall vibrancy of the center. If buffers were installed that met the minimum requirements of the LUMO, University Place would be separated from the surrounding public streets with dense vegetation. This arrangement is not conducive to the development of a high-density, high-intensity mixed-use development. In place of buffers, a streetscape alternative is proposed:

Willow Drive Streetscape:

- Sidewalk (min): 5' (Existing to remain)
- Planting strip (min): 3'
- Outdoor Amenity Space/Tree Planting Zone (min): 8' (preserve existing mature trees where possible)

- Tree Spacing (on center, avg): 40' (space proposed trees around and between existing mature trees as needed)
- Bike Lane (min): 4.5'

Fordham Boulevard Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

Estes Drive Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

TREE CANOPY COVERAGE MODIFICATION

The Land Use Management Ordinance Article 5.7.2 sets forth the following minimum tree canopy coverage requirements for the redevelopment of University Place:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	30%
COMMERCIAL	30%
OFFICE	30%
MIXED-USE	40%

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required tree canopy coverage:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	20%
COMMERCIAL	20%
OFFICE	20%
MIXED-USE	20%

Per §5.7.2.b of the Chapel Hill LUMO, “The town council may allow a modification to these regulations when public purposes are met and canopy removal supports other goals of the Town, including but not limited to:

- > Goals of the Comprehensive Plan
- > LEED or “green” building and low impact development, including solar access and “daylighting”
- > Affordable housing
- > Stormwater management
- > Community character of adjoining development, or established managed landscape, or established streetscapes

University Place is requesting the tree canopy coverage modification due to several factors related to redevelopment.

University Place is an existing non-residential development constructed prior to the current Land Use Management Ordinance. Tree canopy coverage requirements were not in place at the time of the original approval of University Place so meeting this requirement during the redevelopment of the parcel is problematic when the intention is to increase the density and intensity of the development. The requested reduction is a more reasonable tree canopy coverage requirement given the existing development on the parcel.

Additionally, University Place is envisioned as a mixed-use community with up to 600,000 square feet of non-residential uses, up to 300 residential dwelling units, and up to 150 hotel rooms. A development of this scope requires impervious surfaces that are not suitable for the planting of vegetation. The requested reduction is the minimum necessary to create a substantial tree canopy cover without limiting the ability to redevelop the site.

The redevelopment of University Place is in keeping with the goals of the Town of Chapel Hill Comprehensive Plan.

- > **A Place for Everyone:** University Place is, and will continue to be, a part of the fabric of Chapel Hill. The redevelopment and increased square footage for non-residential uses will create even more places and spaces for residents and visitors.
- > **Community Prosperity and Engagement:** University Place is an aging mall at a time when traditional malls all across the country are failing. The redevelopment of University Place will allow it to prosper into the future, which will ultimately contribute to the success and prosperity of Chapel Hill as a whole.
- > **Getting Around:** As part of the redevelopment, greenways, walking trails, and sidewalks will be constructed. Additionally, improvements to the transportation network will be constructed as required by the Traffic Impact Analysis. The requested special use permit will enhance the ability of pedestrians, bikes, and vehicles to move around Chapel Hill.
- > **Good Place, New Spaces:** The requested special use permit allows for a new mixed-use center where an aging commercial mall is located. The redeveloped University Place will be a 'good space' and will include new open spaces in areas that will add interest throughout the site and allow residents and visitors to gather and enjoy the outdoors while staying on site.
- > **Nurturing Our Community:** University Place was constructed prior to modern environmental regulations intended to protect and preserve natural resources, which means that stormwater treatment and impervious surfaces do not meet the modern standards for environmental protection. As part of the redevelopment, impervious surfaces will be removed from the site to provide some increased level of environmental protection.

BUILDING HEIGHT MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the building height maximums in the CC, Community Commercial zoning district:

BUILDING HEIGHT, SETBACK	34'
BUILDING HEIGHT, CORE	60'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the maximum permitted building height:

POD A and C	
BUILDING HEIGHT, SETBACK	75' (5 STORIES)
BUILDING HEIGHT, CORE	90' (7 STORIES)

POD D	
BUILDING HEIGHT, SETBACK	34' (3 STORIES)
BUILDING HEIGHT, CORE	45' (3 STORIES)

Please refer to Design Standards for details.

In an effort to reduce the building footprints on the parcel while still creating a high-density, high-intensity mixed-use center, University Place is requesting a modification to allow increased maximum building heights. This modification will allow for vertically mixed-use buildings that will create more interesting spaces and places while reducing building footprints to conserve the available land area. This modification will also give the development a sense of place and identity that will enhance the vibrancy and long-term viability of the project.

IMPERVIOUS SURFACE RATIO MODIFICATION

The Land Use Management Ordinance Article 3.8.2 limits the maximum impervious surface ratio in the CC, Community Commercial district to **70%** of the total lot area. As part of the approval of the requested special use permit, University Place is requesting a modification to allow a maximum impervious surface ratio of **75%**.

The current impervious surface maximums were not in place when University Place was constructed over 40 years ago. As such, approximately **78%** of the site is currently covered with impervious surfaces. As part of the redevelopment of this parcel, the applicant is proposing to remove some of the existing impervious surfaces and replace them with open spaces, landscaping, or other features. Removal of at least 3% of the existing impervious surface will result in over 55,000 square feet of land being converted to pervious surfaces while allowing the redevelopment of the proposed mixed-use center at the density and intensity envisioned by the associated special use permit master plan.

PARKING MODIFICATION

The Land Use Management Ordinance Article 5.9.7 sets forth minimum and maximum parking requirements for potential residential, commercial, and office uses on site. As part of the approval of the requested special use permit, University Place is requesting a modification to allow for a 30% reduction in parking for parking areas to be shared by multiple uses.

In effort to reduce impervious surface on the site while increasing the density of uses on the site, allowing for a parking reduction will serve to benefit the overall site design, intent of the site, and Town goals. Improved bicycle and pedestrian connectivity through added sidewalks, multi-use paths, and bike lanes allows for alternative modes of transportation to and from the site, benefiting both the environment and visitor experience.

In addition to shared parking for the project as a whole, the following modifications to parking requirements for specific uses are requested. An asterisk (*) in the chart below denotes the modifications to the LUMO.

Required by LUMO:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
RESIDENTIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.4/Unit	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	0.7/Unit	Min. 4; 1 per senior unit	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses:				
			Under 100,000 sq. ft. floor area: Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area for 1st 10,000 sq. ft.; then 1 additional space per 5,000 sq. ft.; Over 100,000 sq. ft. floor area: 1 space per 10,000 sq. ft. floor area	
Business, general	1 per 300 SF	1 per 200 SF		80% / 20%
Bank	1 per 250 SF	1 per 150 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Other Convenience Businesses	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Manufacturing, Light (accessory use only)	1 per 1,250 SF	1 per 9,000 SF	Min 4	80% / 20%
Movie Theater	1 per 5 seats	1 per 4 seats	Min 8; 1 per 50 seats	80% / 20%
Personal Services	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Assembly	1 per 4 persons	1 per 2.5 persons	Min 8; 1 per 40 seats	80% / 20%
Restaurant/Bar	1 per 110 SF	1 per 75 SF	Min 4; 2 additional spaces per every 1,000 sq. ft. of floor area	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses:				80% / 20%
Business, office type	1 per 350 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Clinic	1 per 225 SF	1 per 200 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Worship	1 per 5 seats	1 per 2 seats	Min 8; 1 per 50 seats	80% / 20%
Public Cultural Facility	1 per 500 SF	1 per 350 SF	Min 8; 2 additional spaces per every 5,000 sq. ft. of floor area	80% / 20%
Public Use Facility	1 per 350 SF	No max	Min 8; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
Research Activities	1 per 350 SF	1 per 225 SF	Min 4; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
School - Elementary/Middle	1 per staff member	1 per 1.25 staff members	Min 8; 1 per 10 students	80% / 20%
School - High School	1 per 4 students	1 per 3 students	Min 8; 1 per 10 students	80% / 20%
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

Proposed:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
RESIDENTIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.25/Unit*	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	1.0/Unit*	1 per 2 units*	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses, Except:	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	80% / 20%
Restaurant/Bar	1 per 150 SF*	1 per 75 SF*	1 per 2,500 SF*	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	50% / 50%*
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

*Denotes a modification from LUMO Standards.

SIGN MODIFICATION

The Land Use Management Ordinance Article 5.14 sets forth sign regulations for type, size, display, maximum number, and illumination. Modifications are requested to allow for a Gateway sign in addition to the commercial center signs permitted. Currently, the maximum number of commercial center signs per street frontage is one (1), and this request would allow for one additional sign on Fordham Blvd.

COMMERCIAL SIGN	LUMO REQUIREMENTS
HEIGHT	14'
WIDTH	10'
THICKNESS	12"
SIGN STRUCTURE PLUS DISPLAY SURFACE	144 SF
MAX # PER STREET FRONTAGE	1
ILLUMINATION	Permitted during business hours only

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the commercial sign regulations, applicable only to the gateway sign:

COMMERCIAL SIGN	PROPOSED MODIFICATIONS
HEIGHT	24'
WIDTH	12'
THICKNESS	24"
SIGN STRUCTURE PLUS DISPLAY SURFACE	288 SF
MAX # PER STREET FRONTAGE	2 (Fordham Blvd only)
ILLUMINATION	Permitted during business hours and non-business hours

Additionally, modifications are requested for outparcel ground signs.

GROUND SIGN	LUMO REQUIREMENTS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	150'
MAX # PER STREET FRONTAGE	1
MAX # PER LOT	1
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	No, unless signs are located on different street frontages

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the ground sign regulations:

GROUND SIGN	PROPOSED MODIFICATIONS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	100'
MAX # PER STREET FRONTAGE	No max; must have minimum 100' spacing
MAX # PER LOT	No max; must have minimum 100' spacing
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	Yes; must have minimum 100' spacing

The current approved unified sign plan allows for five (5) ground signs for outparcels (K&W, Harris Teeter, Fuel, SunTrust, and former Wells Fargo bank as the five) in addition to the three (3) commercial center signs, therefore the request is in line with what is currently permitted. These changes will ultimately be incorporated into a revised unified signage package to be submitted and approved before any of the signage modifications are permitted to be constructed.

November 12, 2020

Ms. Judy Johnson
Mr. Jake Lowman
Planning & Development Service
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, North Carolina 27514

**RE: University Place – Special Use Permit Modification
Resource Conservation District Modification Request
RAM-19000**

Ms. Johnson / Mr. Lowman,

On behalf of the owner, RRPV University Chapel Hill LP (dba - Ram Realty Advisors), and in conjunction with the submittal of the Special Use Permit (SUP) Modification application for the University Place project at 201 S. Estes Drive we are providing this Resource Conservation District (RCD) modification request. The proposed modification is to address accommodation of the changes to the already existing RCD impacts on the site as opposed to permitting new impacts to the RCD. The proposed encroachments associated with the pending SUP and eventual Zoning Compliance Permit (ZCP) applications show an overall reduction in the impacts to the RCD. Two exhibits are attached - one depicting the existing conditions and existing RCD impacts and the second showing the proposed redevelopment with the reduced RCD impacts.

Existing Conditions

The mall was developed in the 1970's prior to the implementation of the Town's resource conservation district overlay. The majority of the site then, and now, lies within the floodplain associated with Bolin Creek, located on the south side of S. Estes Drive and therefore within the RCD set at 3-feet above the 100-year floodplain elevation. University Place is not impacted by the typical 150-foot wide, 3-zone, RCD buffer measured from the top-of-bank of Bolin Creek. The existing buildings, sidewalks, parking and drive aisles, with the exception of the Harris Teeter and K&W buildings, all lie within the RCD based on floodplain. In recent years, as improvements have been made to University Place to attract new tenants and remain a viable asset for the owner and economic contributor to the Town the required flood proofing modifications have been completed where required by FEMA regulations and the Town's Flood Damage Prevention Ordinance.

The original mall total site impervious area 1,472,295 square feet (77.9%) of buildings, sidewalks, parking and drive aisles was constructed prior to the establishment of the RCD. The impervious area of the mall

within the RCD and floodplain is 1,300,267 sf. The comparison of this high existing impervious percentage and the proposed reduction in impervious area spelled out below provides a quantifiable measure of the improvement that will be provided by the redevelopment.

Proposed Condition

The redevelopment of University Place being requested with the SUP Modification will remove, relocate, or reconfigure the existing RCD encroachments. The total encroachment by buildings, sidewalks, parking and drive aisles will reduce the amount of impervious area in the RCD. The current concept plan for University Place proposes a total of 1,416,737 sf of impervious area (75%) for the entire site. An overall reduction of 55,558 sf or 1.27-acres represents a 3.8% reduction in overall impervious area. Of that total, the current concept plan proposes 1,247,810 sf is in the RCD. A reduction of 52,466 sf or 1.20-acres, representing a 4.0% reduction of impervious area in the RCD.

The Town's Land Use Management Ordinance, Section 3.6.3 is geared toward the protection of undeveloped RCD throughout the Town's jurisdiction. The existing improvements at University Place, constructed well before the implementation of the RCD, obviously does not reflect the requirements of the RCD ordinance. The redevelopment of University Place as proposed in the current SUP application is necessary to allow University Place to remain a valuable asset for both the Town and the owner. While the redevelopment cannot meet the specific requirements of Section 3.6.3 it can provide significant improvements to the current impacts in areas identified in the RCD ordinance.

LUMO Sec. 3.6.3.(i)(4) - Application of the resource conservation district to the reconstruction, rehabilitation renovation, or expansion of development existing within the regulatory floodplain and floodway.

- a. *Within the regulatory floodplain, the reconstruction, rehabilitation, or renovation of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless the reconstruction, rehabilitation, or renovation complies with the requirements of the Federal Emergency Management Agency, or its successor agency, in place at the time of reconstruction, rehabilitation, or renovation*
- b. *Within the regulatory floodplain, the expansion of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless:*
 1. *The expansion is permitted by subsection (e) and meets the design standards of subsection (g) of this section; or*
 2. *The expansion is permitted by a variance authorized by this article and approved by the board of adjustment*

The previous improvements that have been made at University Place fall within Section 3.6.3.(i)(4)a. above and have met the requirements of the LUMO, FEMA regulations and the Town's Flood Damage Prevention Ordinance. Future improvements, whether renovations or demolition & reconstruction of the existing buildings within the footprint of the existing building, will continue to be designed and constructed to meet these requirements.

New construction beyond the footprints of the existing mall building, or other buildings, fall under Section 3.6.3.(i)(4)b. The Use Table referenced in subsection (e) provides a list of uses permitted, prohibited, or permitted with a SUP or subdivision approval. The items in the table are adapted from the State's Use Table for uses within riparian stream buffers. The Town's ordinance extends the stream buffers adjacent to perennial streams to 150-feet compared to the State's 50-foot requirement. The application of the Use Table also extends within that 150-foot buffer. The existing buildings at University Place are 175-feet, (former SunTrust Bank branch building, now First Horizon Bank) to 425-feet (the main enclosed mall building) from the banks of Bolin Creek. While it is understandable that the Use Table would apply to the Town's extension of the stream buffer and potentially for RCD associated with floodplain on undeveloped property, the application to the expansion and improvement of an existing development would cause University Place to continue to diminish in value as an asset to the owner and the Town.

As such, we request a modification to the application of the RCD ordinance to University Place to allow the expansion of University Place within the existing floodplain and RCD associated with that floodplain for all proposed buildings, and other improvements. The proposed buildings and site improvements will be required to meet the requirements of the FEMA regulations and the Town's Flood Damage Prevention Ordinance. These requirements include the modelling of the floodplain of Bolin Creek to show that the improvements have no impact to, and create no increase to, the existing floodplain elevation. Furthermore, the redevelopment of University Place will reduce the impervious area within the floodplain and RCD. Therefore, the redevelopment will reduce nutrient run-off associated with impervious surfaces as well as the water quantity run-off from the site. These reductions are in keeping with the goals stated in the LUMO Section 3.6.3 for the establishment of the RCD.

Thank you for your consideration of the request for approval of an RCD Exemption for these necessary impacts.

Sincerely,

MCADAMS



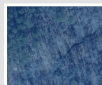





William H. Derks, PE
VP – Land Development

WHD/ca

Enclosures



FLOOD HAZARD INFORMATION

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, A99 With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with Average Depth Less Than One Foot or With Draining Areas of Less Than One Square Mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
OTHER AREAS		Area with Reduced Flood Risk due to Levee See Notes Zone X
		Areas Determined to be Outside the 0.2% Annual Chance Floodplain Zone X
GENERAL STRUCTURES	-----	Channel, Culvert, or Storm Sewer
	=====	Accredited or Provisionally Accredited Levee, Dike, or Floodwall
		Non-accredited Levee, Dike, or Floodwall
	BM5510 x	North Carolina Geodetic Survey bench mark
	BM5510 @	National Geodetic Survey bench mark
	BM5510 @	Contractor Est. NCFMP Survey bench mark
	①2-18.2	Cross Sections with 1% Annual Chance Water Surface Elevation (BFE)
	⑧ - - - -	Coastal Transect
	- - - - -	Coastal Transect Baseline
	- - - - -	Profile Baseline
OTHER FEATURES	- - - - -	Hydrographic Feature
	- - - - -	Limit of Study
	- - - - -	Jurisdiction Boundary

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. An accompanying Flood Insurance Study report, Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) revising portions of this panel, and digital versions of this FIRM may be available. Visit the North Carolina Floodplain Mapping Program website at <http://www.ncfloodmaps.com> or contact the FEMA Map Service Center.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in the community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Flood Insurance Study (FIS) assesses an examination, evaluation, and determination of flood hazards, corresponding water surface elevations, flood hazard risk zones, and other flood data in a community issued by the North Carolina Department of Transportation (NCDOT) and the Federal Emergency Management Agency (FEMA). The data are collected using together: the Digital Flood Hazard Database, the Water Surface Elevation Raster, the digitally derived, autogenerated Flood Insurance Rate Map and the Flood Insurance Survey Report. A Flood Insurance Survey is a compilation and presentation of flood risk data for specific waterscapes, lakes, and coastal flood hazard areas within a community. The survey is a compilation of information from the Flood Insurance Rate Map, the Flood Insurance Study completed for the NFIP, the digital information, reports and maps are assembled into an FIS. Information shown on this FIRM is provided in digital format by the NCFMIP. Base map information shown on this FIRM was provided in digital format by the NCFMIP. The metadata associated with the data is available in the metadata available in the digital FIRM provided and in the Technical Support Data Notebook (TSDN).

ACCREDITED LEVEE NOTES TO USERS: If an accredited levee note appears on this panel check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Action Plan, on the levee system(s) shown as providing protection. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing or other protective measures. For more information on flood insurance, interested parties should visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtm>.

PROVISIONALLY ACCREDITED LEVEE NOTES TO USERS: If a Provisionally Accredited Levee (PAL) note appears on this panel, check with your local community to obtain more information, such as the estimated level of protection provided (which may exceed the 1-percent-annual-chance level) and Emergency Management plans, on the basis of the information provided. The community may be required to submit the data and documentation necessary to comply with Section 65.10 of the NFIP regulations. If the community or owner does not provide the necessary data and documentation or if the data and documentation are insufficient to support the accreditation, the community will be required to submit additional hazard and risk information for this area to reflect de-accreditation of the levee system. To mitigate flood risk in residual risk areas, property owners and residents are encouraged to consider flood insurance and floodproofing options. For more information on flood insurance, including information on federal flood insurance, visit the FEMA Website at <http://www.fema.gov/business/nfip/index.shtml>.

LIMIT OF MODERATE WAVE ACTION NOTES TO USERS: For some coastal flooding zones the AE Zone category has been divided by a Limit of Moderate Wave Action (LiMWA). The LiMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LiMWA (or between the shoreline and the LiMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) NOTE

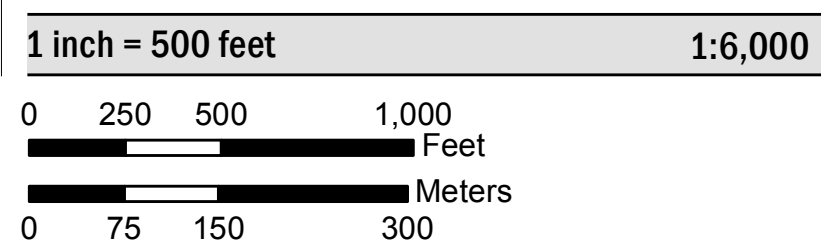
This map may include approximate boundaries of the CBRS for informational purposes only. Flood insurance is not available within CBRS areas for structures that are newly built or substantially improved on or after the date(s) indicated on the map. For more information see <http://www.fws.gov/cbra>, the FIS Report, or call the U.S. Fish and Wildlife Service Customer Service Center at 1-800-344-WILD.

 CBRS Area **Otherwise Protected Area**

SCALE



Map Projection:
North Carolina State Plane Projection Feet (Zone 3200)
Datum: NAD 1983 (Horizontal), NAVD 1988 (Vertical)



PANEL LOCATOR



NORTH CAROLINA FLOODPLAIN MAPPING PROGRAM
NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

NORTH CAROLINA

PANEL 9799



Panel Contains:

COMMUNITY
CHAPEL HILL, TOWN OF
DURHAM, CITY OF

CID	PANEL	SUFFIX
370180	9799	L
370086	9799	L

VERSION NUMBER

2.3.3.2

MAP NUMBER

MAP REVISED

January 19, 2019

Orange Water and Sewer Authority

Project Fact Sheet

Project Information									
Project: University Place					Parcel PIN No.: 9799125797				
Location: 201 S. Estes Drive					Tax Map No.:				
Project Owner: RAM Realty Advisors					Project Engineer: McAdams				
Contact Person: Ashley Saulpaugh					Contact Person: Bill Derks				
Address: 127 W. Worthington Ave. Suite 290 Charlotte, NC 28203					Address: 2905 Meridian Parkway Durham, NC 27713				
E-mail: asaulpaugh@ramrealestate.com					E-mail: derks@mcadamsco.com				
Telephone: 704-377-6730					Telephone: 919-361-5000				
Project Description									
<input type="checkbox"/> Residential		No. of Buildings: 13			Pool		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<input type="checkbox"/> Commercial/Industrial		No. of Dwelling Units: 300			Clubhouse		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<input checked="" type="checkbox"/> Mixed Use		No. of Commercial Units:			Elevator		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<input checked="" type="checkbox"/> Other (describe project) 450,000 sf Commercial, 150,000 sf Office, 150 room Hotel									
Food Cooking, Preparation, or Serving Facility							<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes provide detailed letter of explanation.									
Will there be a facility cooling system (i.e. Evaporative Cooling System)							<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes provide detailed letter of explanation.									
Project Water Demand and Wastewater Discharge									
Estimated Water Demand (gpd):									
Estimated Wastewater Discharge (gpd): 190,250 gpd (x 2.5 = 475,625 sf) includes extg. sf									
Un-metered Water returned to OWASA Sewer Collection System							<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes provide detailed letter of explanation + calculations of estimated discharges (avg. day).									
Estimated Wastewater Discharge from Un-metered Systems (gpd):									
Public Water and/or Sewer Line Extension Footage									
Diameter (in.)		Off-Site			On-Site				
		Water Line (ft.)		Sewer Line (ft.)	Water Line (ft.)		Sewer Line (ft.)		
2"				NA			NA		
4"				NA			NA		
6"				NA			NA		
8"									
12"									
16"									
Other									
Total (ft.)									
Certifications									
Owner Signature:							Date:		
Engineer Signature:							Date:		
OWASA Office Use									
Plan Review Fee					Construction Observation Fee				
	Ft.		Rate	Fee		Ft.		Rate	Fee
Water		x	=		Water		x	=	
Sewer		x	=		Sewer		x	=	
Total Plan Review and Construction Observation Fees:									
Calculated by					Received by				
Date Calculated					Date Received				

University Place Redevelopment - Estimated Sewer Flows
Chapel Hill, North Carolina

RAM Realty Advisors
Revised 11/12/2020

<u>GENERAL OFFICE</u>						
gsf	# employees	Daily flow		GPD		
150,000	1,500	25	gpd/person	37,500		
<u>RETAIL</u>						
gsf	# sf	Daily flow		GPD		
450,000	450	130	gpd/1,000 sf	58,500		
<u>CINEMA</u>						
gsf	# employees	Daily flow		GPD		
50,000	50	25	gpd/person	1,250		
<u>HOTEL</u>						
gsf	# rooms	Daily flow		GPD		
116,000	150	120	gpd/room	18,000		
<u>RESIDENTIAL</u>						
gsf	# units	Daily flow		GPD		
300,000	300	250	gpd/unit	75,000		
<u>TOTAL PROGRAM</u>						
gsf				GPD	peaking factor	Total GPD
1,066,000				190,250	2.5	475,625

November 11, 2020

Town of Chapel Hill
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514-5705

RE: **University Place (Permit #19-130)**
Estes Drive
Round 2 – SUP Submittal
RAM-19000

The following are the response comments for the above-mentioned project. Our response comments are in **bold**.

DEVELOPMENT SERVICES:

Jake Lowman 919. 969. 5082

1. Please include phasing plan in the special use permit application
Response: The exact phasing of the University Place development has not yet been determined and will be dependent on market parameters. A note has been added to the note sheet on the plan depicting that the project will be completed in phases which may include subphases.
1. Please include as much information as possible/ practical per block. Comment Revision: It seems that less information is provided per block with this iteration. Can you please explain why.
Response: More detailed information may be found in the Design Standards booklet submitted with the plan set.
2. Please include and incorporate the details of a Resource Conservation District Encroachment Request with the revised application in order to address RCD standards or requested modifications to those standards.
Response: An RCD modification request document has been included in this submittal.
3. Provide a full description of modifications to regulations. Provide LUMO Section references for all requested Modifications to regulations. Clearly state the LUMO requirement, the extent of the modification, and the justification for such modification in bulleted or tabular format for easy cross-reference.
Response: A modifications document has been included in this submittal.
4. Please be consistent in using terms relating to use as seen in the Land Use Management Ordinance.
Response: Language has been revised to remain consistent with language used in the Land Use Management Ordinance.

5. Statements suggest a max of 150 hotel rooms on site, but the alternate conversion plan shows max of 275 rooms in general notes section. It may be in your best interest to combine statements 4 and 6 on the cover sheet to justify the caps for hotels rooms.

Response: Note 4 and 6 have been combined. Note 4 has been revised to include the following statement "MAXIMUM OF 150 HOTEL ROOMS SHALL BE PERMITTED AND SHALL BE TRANSFERABLE BETWEEN PODS A & C. IN THE EVENT THAT LESS THAN 300 RESIDENTIAL UNITS ARE CONSTRUCTED AT THE PROPERTY, UNUSED RESIDENTIAL UNITS MAY BE CONVERTED TO ADDITIONAL HOTEL ROOMS AT A RATE OF ONE (1) ADDITIONAL HOTEL ROOM PER ONE (1) UNUSED RESIDENTIAL UNIT; HOWEVER, THE TOTAL NUMBER OF HOTEL ROOMS SHALL NOT EXCEED 275 ROOMS INCLUDING CONVERSIONS."

6. Can you provide more information on the potential subdivision of lots?

Response: At this time the plan remains as a pod-style layout. Subdivision of lots will be determined at the time of ZCP. Note 1 on the cover sheet details that the project may be subdivided into up to 14 parcels.

ENGINEERING:

Ingrid Norby 919. 969. 5097

7. General Notes: clarify number of total possible hotel rooms between comments 9 and 11.

Response: I believe this comment is referencing note 4 and 6, which have been combined to a single note clarifying maximum number of hotel rooms with and without the multifamily conversion.

8. General Notes: Validate source and math behind parking maximum in note 12.

Response: Note 12 referenced was not included in our second submittal.

9. General Notes: Validate source of a 20% reduction in required parking spaces in note 20.

Response: The note referenced is Note 13 in our second submittal, and now Note 12. Per conversations with staff, a 30% reduction in required parking is allowable for shared parking between uses on the site.

10. General Notes: Validate sources of notes 18 and 19.

Response: The note referenced was not included in our second submittal.

11. Recommend developing an emergency plan for potential residents during flooding events.

Response: Noted, thank you. This may be incorporated at the time of ZCP/building permit.

FIRE:

Chris Kearns 919. 969. 5080

Response: Per our discussions, the Fire comments (13 – 45 below) are noted and will be addressed/incorporated at the time of ZCP.

13. NCFPC 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.
14. PRIVATE FIRE SERVICE MAINS [FIRE SPRINKLER LATERAL(S)]: Private fire service mains and appurtenances shall be installed in accordance with NFPA 24. 2018 NCFC Section 507
15. SPRINKLERS: Any building with more than 6000 sf of floor space is required to have a sprinkler system. Town Ordinance 7-56.
16. FDC/STANDPIPES;3313.1 Where required. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12192 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department vehicle access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairways. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. 2018 NCFC Section 313
17. CONSTRUCTION/DEMOLITION; All Construction and demolition conducted shall be in compliance of the current edition of the NC Fire Code. 2018 NCFC Chapter 33
18. 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 NCFC Section 3304.5
19. FIRE COMMAND CENTER; 508.1 General. Where required by sections of this code and in all buildings classified as a high-rise buildings by the International Building Code, a fire command center for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.6. 2018 NCFC Section 508
20. 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 NCFC Section 912

21. 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 NCFC and Town Ordinances; 7-38 for location. FDCs shall be installed on the street/address side of the building and within 100' of a hydrant or unless otherwise approved by the fire code official and shall not be obstructed or hindered by parking or landscaping.
22. 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 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.
23. 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.
 - (1) In new non-residential structures if:
 - a. The building has more than 6,000 square feet of floor area;
 - b. 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
 - c. 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.
 - (2) In a structural addition to a non-residential building of more than six thousand (6,000) square feet where the cost of the addition exceeds fifty (50) per cent of the value of the building. Fire sprinklers are required in the addition.
 - (3) In a non-residential building of more than six thousand (6,000) square feet which is either renovated at a cost greater than fifty (50) per cent of value or which is damaged and rebuilt at a cost greater than fifty (50) per cent of value. 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
24. FIRE HYDRANTS; C103.1 Hydrant spacing. Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the International Fire Code shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be in accordance with Sections C103.2 and C103.3. C103.2 Average spacing. The average spacing between fire hydrants shall be in accordance with Table C102.1. Exception: The average spacing shall be permitted to be increased by 10 percent where existing fire hydrants provide all or a portion of the required number of fire hydrants. C103.3 Maximum spacing. The maximum spacing between fire hydrants shall be in accordance with Table C102.1. 2018 NCFC Appendix C
25. FIRE HYDRANTS; D103. Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). 2017 NCFC D 103

26. **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 NCFC 3312
27. **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 NCFC 506.1
28. **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 front the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers 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 NCFC 505.1
29. **AERIAL FIRE APPARATUS ACCESS ROADS; D105.1** Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
 D105.2 Width. Aerial fire apparatus access roads a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
 D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 ft (4572 mm) and a maximum of 30 feet (9144) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned or shall be approved by the fire code official.
 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 NCFC Appendix D105
30. **DEVELOPMENTS; D104.1** Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.
 D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet (11520 m²) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. 2018 NCFC Appendix D104

31. REMOTENESS; D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. 2018 NCFC D106.3
32. MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS; D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads. Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.1.1 or 903.3.1.2.
D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system. 2018 NCFC Appendix D 106
33. 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 NCFC Section 503.3 and Appendix D D 103.6, D 103.6.1, D 103.6.2
34. GATES AND BARRICADES; 503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways; not including public streets, alleys, or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200. 2018 NCFC Section 503 and Appendix D103
35. 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 NCFC Section 503
36. MINIMUM SPECIFICATIONS; D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1). 2018 NCFC Appendix D
37. GRADE AND APPROACH; 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

D 103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. Exception: Grades steeper than 10 percent as approved by the fire chief. 2018 NCFC Section 503 and Appendix D.

38. DEAD END ACCESS ROADS; D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) shall be provided with width and turnaround provisions in accordance with Table D 103.4 2018 NCFC Appendix D D103.4
39. FIRE APPARATUS ACCESS ROADS; 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3
503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provide for every facility, building, or portion fo a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this seciton and shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
Exceptions:
 1. The fire code official is authorized to increase the dimension of 150 feet (45720 mm) where any of the following conditions occur:
 - 1.1. When the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 the dimension shall increase to a minimum of 200 feet (60960 mm).
 - 1.2 Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades, or other similar conditions, and an approved alternative means of fire protection is provided.
 - 1.3. There are not more than two Group R-3 or Group U occupancies.
 2. The fire code official is authorized to modify or exempt fire apparatus access roads for solar photovoltaic power generation facilities. 2018 NCFC Section 503
40. 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 NCFC 3312
41. TRAFFIC CALMING DEVICES. Traffic calming devices shall be prohibited unless approved by the fire code official. 2018 NCFC 503.4.1
42. OBSTRUCTION OF FIRE APPARATUS ACCESS ROADS. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum width and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times. 2018 NCFC 503.4
43. 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 NCFC Section 505.2

44. FIRE DEPARTMENT ACCESS/CONSTRUCTION: Fencing around projects shall include access gates with a 20 foot swing or slide motion. Any areas which will be inaccessible for firefighting or rescue operations shall be noted. Emergency access designation for apparatus shall be provided. 2018 NCFC Section 503, Appendix D.
45. 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 NCFC Section 503, Appendix D.

INSPECTIONS:

Travis Crabtree 919. 969. 5042

Response: Per our discussions, the Inspections comments (46 and 48-63 below) are noted and will be addressed/incorporated at the time of ZCP.

46. New addresses with street names will be needed to assist with first responder responses.
47. All new buildings will need to be raised to clear the flood plain.

Response: Per our discussions with Stormwater, buildings can be flood protected and do not have to be raised to clear the floodplain.

48. Provide finish floor elevation on the plan sheet and label the height of the flood panel gate. Flood panel gates must be at least 2 feet above the base flood elevation. The base flood elevation on the site must be shown on the plan sheet.
49. HVAC and electrical utilities installation are to be elevated 2 feet above Base Flood Elevation.
50. All public site elements must comply with NCBC 2018 Ch 11 and ICC A 117.1.
51. Building plans for High-rise, covered mall buildings, group A over 1000 occupants, and group R over 4 stories or 100 units and others must be reviewed by the NCDOT. Please submit plans to NCDOT engineering division. (919) 647-0000.
52. A fire sprinkler system will be required for this project per town ordinance 7-56.
53. Buildings to be demolished must be inspected by a NC accredited asbestos professional. Submit report with demo permit application.
54. Separate demo permit is required for each building.
55. A fire hydrant will be required within 100 feet of the fire department connection (FDC).
56. Temporary street or road signs are required at each street intersection when construction of new roads allows for the passage of vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. NC FPC 2018, section 505.2
57. Provide onsite parking for inspectors at each building for the duration of the construction project.
58. Provide a tire wash for trucks onsite before they hit the main roads.

- 59. Curb and gutter and at least the first lift of asphalt for the roads must be down ahead of construction.
- 60. A single electrical service shall be provided to serve the structure with the exception of the fire pump. Article 230.2 (A) 2017 edition of North Carolina Electric Code.
- 61. A separate submittal and permit will be required for the construction trailer.
- 62. A door from the exterior will be required to immediately access the fire sprinkler riser room.
- 63. A separate submittal and permit will be required for any signage on the building or ground mounted signs.

STORMWATER:

Mary Beth Meumann 919. 969. 7233

Response: Stormwater comments (65-74 below) are noted and will be addressed/incorporated at the time of ZCP.

- 64. Demolition and rebuilding in the RCD will require a variance/modification to the RCD regulation. (Stormwater)

Response: Per discussions with Ernest Odei-Larbi a variance is not required. An RCD modification request has been included with this submittal and a note is included on the Cover Sheet.

- 65. An elevation certificate FEMA Form 086-0-33 signed and sealed by a North Carolina- registered Professional Land Surveyor should be provided with the final plan application. Within seven (7) calendar days of establishment of the reference level elevation, a second elevation certificate certify the elevation of the reference level, in relation to NAVD 1988 shall be provided to the Stormwater Management Division. (Stormwater)
- 66. Flood certification form FEMA Form 086-0-34 should be provided with final plan application if applicable. (Stormwater)
- 67. The applicant must show that 1,2 and 25 year 24 hour storm event post development peak discharge living the site does not exceed the pre-development. (Stormwater)
- 68. Flood –resistant material with the capability of withstanding of withstanding direct and prolong contact(minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair should be used for improvement below the base flood elevation and up to two feet above base flood elevation. (Stormwater)
- 69. A flood study report using HEC-RAS showing a NO-RISE and NO ADVERSE IMPACT on neighboring properties should be provided. (Stormwater)
- 70. All electrical, heating, ventilation, plumbing, air conditioning equipment and other service equipment shall be located at least two feet above the base flood elevation. Anchoring to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including effect of buoyance, during flood condition for HVAC units and tanks located on the ground. (Stormwater)
- 71. All new and replacement water supply system/sanitary sewage system shall be designed to minimize or eliminate infiltration of floodwaters into the systems. (Stormwater)
- 72. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. (Stormwater)
- 73. Driveway and encroachment agreement is required from NCDOT for all proposed entrances to

- the site. (Stormwater)
74. Erosion control permit approval from Orange County Erosion Control is required for land disturbance greater than 20,000 sf. (Stormwater)

PARKS AND RECREATION:

Bill Webster 919. 969. 2891

75. Provide a 12 ft wide multi-modal path along the property's frontage with Fordham Blvd. that would connect directly with the proposed multi-modal path along Estes Drive.

Response: A 10-ft wide multi-modal path with 1-ft of clear on each side is now shown along Fordham Blvd connecting to the path on Estes Drive.

76. The green space along Estes Drive is greatly appreciated. However, the eventual size and configuration should be dependent on what the space is meant to achieve. Will the space be primarily a seating and dining area such as Carr Mill in Carrboro or will it be a location for the farmers market? Or both? The use should be determined early and then the size and configuration determined before buildings, parking, and other uses are designed.

Response: Potential uses of the green space along Estes Drive are listed on the plan. This may for activities or spaces such as a small ice cream shop or similar vendor, seating areas, outdoor activities such as a farmers market, cornhole or similar may be utilized in the active green space. Additional green spaces have been identified.

LONG RANGE/TRANSPORTATION:

Jomar Pastorelle 919. 969. 5061

77. Bicycle Facilities:
- The Mobility and Connectivity Plan proposes for bike lanes to be built on S. Estes Drive and on Willow Drive.
 - Bike lanes must be at least 4' width, preferably 5' width.

Response: A 4-foot bike lane will be provided on Willow Drive. A street cross section has been included on the plan per conversations with Planning and Transportation staff. We are waiting on an update to the TIA.

-In addition to the proposed 12' multi-use path on north side of S. Estes Drive, the Mobility and Connectivity Plan proposes a multi-use side path / greenway to be built on the west side of Fordham Boulevard / US 15-501. The multi-use side paths must be consistent. Please reference the Town's Design Manual, page 53, on examples of center line markings.

Response: A 10' multi-use path with 1' of clear on each side on Fordham Blvd is now illustrated on the plan. Details of the Design Manual will be addressed at the time of site plan.

-Please include the design of the bicycle parking facilities on your site plans. Reference the Town's Design Manual, page 50 - 51, for bicycle parking requirements.

Response: Location and design of bicycle parking areas has been added to previous Note 23 (now Note 22) on the plans: "NUMBER, TYPE, LOCATION AND DESIGN OF BICYCLE RACKS REQUIRED WILL BE DETERMINED AS PART OF ZONING COMPLIANCE PERMIT."

78. Pedestrian Facilities:

-The Mobility and Connectivity Plan purposes a 5' sidewalk on the south side of S. Estes Drive.

Response: Per discussion with Transportation, it is not the responsibility of the developer to provide sidewalks on the south side of S Estes Drive across the street from the proposed project.

-Add 5' wide pedestrian crosswalk at each site access entrances.

Response: Crosswalks will be added at the time of ZCP. Note 30 has been added: "All sidewalks and multiuse paths crossing site entrances will have a minimum 5 foot wide pedestrian crosswalk."

-Will there be additional sidewalks built within each POD? Please provide detailed sidewalk network of each POD sites.

Response: Yes, additional sidewalks will be provided throughout the development. We have included this sidewalk network and connectivity on the plan.

79. Transit Facilities:

-Any impacts on existing transit stop facilities along S. Estes Drive and Willow Drive, must be noted in the site plan(s).

-If there are impacts, please contact Nick Pittman from Chapel Hill Transit.

Response: We have been in contact with Nick Pittman. At this time we do not anticipate changes to transit stop facilities, however they may be relocated. Stops will be revisited for review by Nick/Chapel Hill Transit at the time of ZCP. See Note 10 on Cover Sheet.

80. Traffic Impact Analysis Study:

-Please incorporate the recommendations VHB has provided in the TIA. In addition, please inquire VHB why the TIA study did not take into account bicycle and pedestrian accommodations.

Response: The TIA is currently under revision. Once revised, we can incorporate recommendations from VHB.

81. Greenway Facilities:

-Staff is curious as to why the proposed greenway / multi-use path along Fordham Boulevard does not connect to the proposed green / multi-use path along S. Estes Drive.

Response: This has been revised and the multi-use path on Fordham Blvd now connects to the multi-use path on S Estes Dr.

82. Pod A:

- Staff is curious to why Pod A does not indicate the amount of existing SF and/or proposed SF.
- Pod A is being labeled mixed use. Please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail), business, office-type, and/or multi-family residential use
- With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.
- In addition, please designated 20% of all total parking spaces as "electric vehicle ready"
- this includes the installation of dedicated electrical circuit and underground conduits.
- The applicant could consider of providing a bicycle fix-it station(s) at Pod A.

Response: There is no existing square footage in Pod A. Square footage maximums have been provided for the project, the exact proposed square footage for this area is not yet set in stone. The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

Pod B:

- The existing building has 295,000 SF, please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail) use.
- With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.
- In addition, please designated 20% of all total parking spaces as "electric vehicle ready"
- this includes the installation of dedicated electrical circuit and underground conduits.
- The applicant could consider of providing a bicycle fix-it station(s) at Pod B.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be

shown on ZCP plans.

83. Pod C:

- Pod C is being proposed as a 'mixed-use' with approximately 118,000 SF, please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail), business, office-type, and/or multi-family uses.
- With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.
- In addition, please designated 20% of all total parking spaces as "electric vehicle ready"
- this includes the installation of dedicated electrical circuit and underground conduits.
- The applicant could consider of providing a bicycle fix-it station(s) at Pod C.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

84. Pod D:

- Pod D is being proposed as a commercial / office site with approximately up to 25,000 SF. Please provide the correct amount of vehicle and bicycle parking spaces according to LUMO 5.9.7 - business, general (retail) and business, office-type uses.
- With development(s) providing parking lots with more than 50 spaces, please provide electric vehicle charging stations at least 3% of all parking spaces.
- In addition, please designated 20% of all total parking spaces as "electric vehicle ready"
- this includes the installation of dedicated electrical circuit and underground conduits.
- The applicant could consider of providing a bicycle fix-it station(s) at Pod D.

Response: The total number of parking spaces (vehicle and bicycle) have been calculated based on potential uses, and the exact number will be provided for the ZCP. Note 14 on the submitted plans states that 20% of new surface parking spaces will be designated as electric vehicle ready. In all pods, new parking spaces in parking lots with more than 50 spaces shall have EV charging spaces provided on at least 3% of all new parking spaces. Parking spaces along Private Main Street are exempt from any such requirement. Bicycle fix-it stations will be shown on ZCP plans.

OWASA:

Nick Parker

86. I looked at your drawings dated 11/1/19 which are obviously a harbinger for a massive project to replace University Mall, so I have only a few comments now about the Proposed Site Plan:
- This property is currently served by private potable water and sanitary sewer systems. I'll assume the private systems will be replaced with public mains and services for the five Pods and that this property will remain as one parcel.
 - We were not expecting a lot of growth in this area. We will need a Project Fact Sheet and summary of the net increase in wastewater flow and its impact to the Rogerson Drive Pump Station.
 - Most of the site is encumbered by the Town's Resource Conservation District.
Can this project be approved by TOCH?
 - We will need to discuss the phasing when you share details for specific projects.

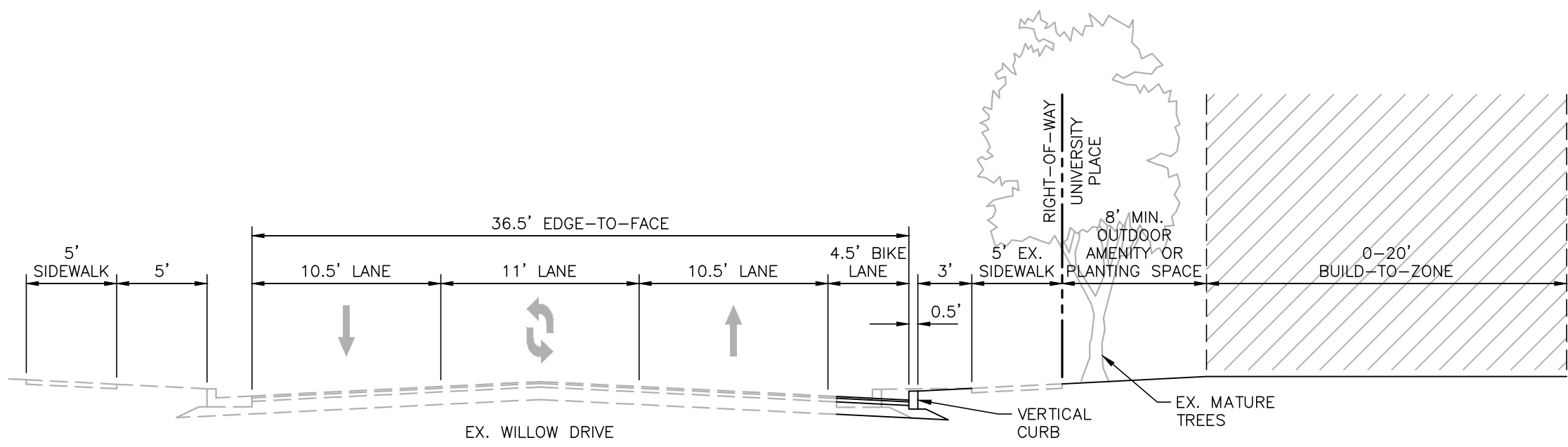
Response: A Project Fact Sheet is included with this submittal. An RCD Modification Request has also been included in the submittal. The project may be completed in phases and subphases to be determined at ZCP.

Consideration of this response is greatly appreciated. If you should have any questions or require additional information, please do not hesitate to contact me at 919. 361. 5000.

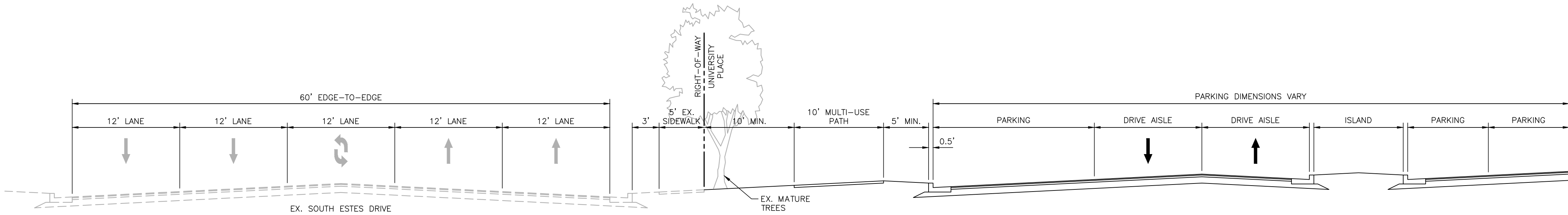
Sincerely,
MCADAMS



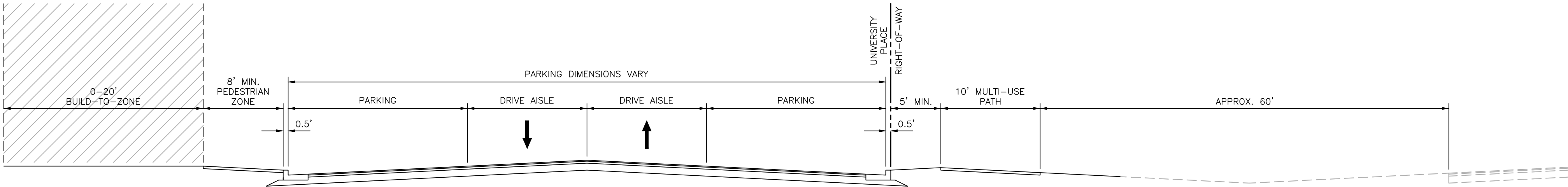
Jessie Hardesty
Planner, Planning + Design Group



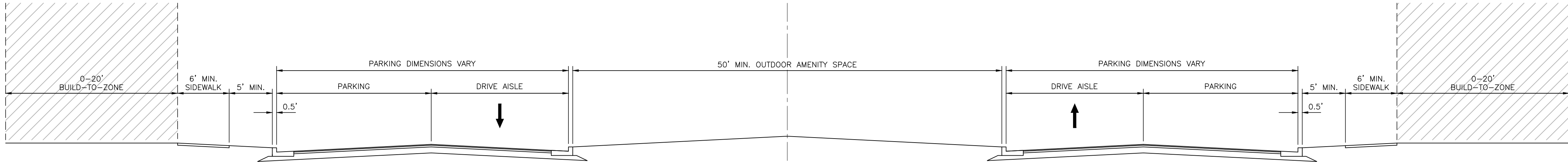
TYPICAL SECTION
WILLOW DRIVE FRONTAGE



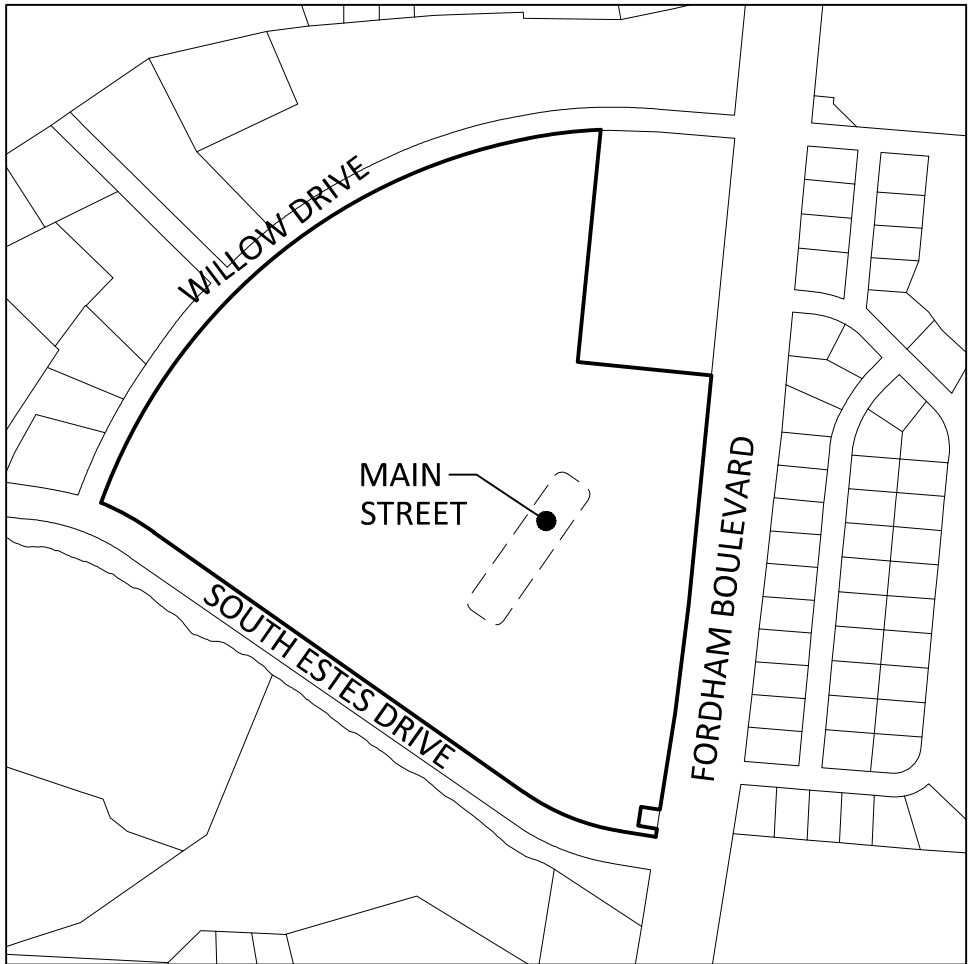
TYPICAL SECTION
SOUTH ESTES DRIVE FRONTAGE



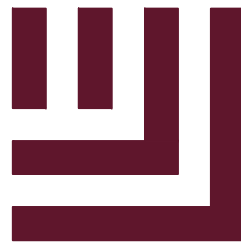
TYPICAL SECTION
FORDHAM BOULEVARD FRONTAGE



TYPICAL SECTION
INTERNAL MAIN STREET



STREET KEY



McAdams

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CHARLOTTE, NORTH CAROLINA 28203



UNIVERSITY PLACE
SPECIAL USE MASTER PLAN
201 SOUTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA



REVISIONS

NO.	DATE	REVISION
1	02.18.2020	PER TOWN COMMENTS
2	11.12.2020	PER TOWN COMMENTS
3	05.13.2021	PER TOWN COMMENTS

PLAN INFORMATION

PROJECT NO.	RAM-19000
FILENAME	RAM19000-D1
CHECKED BY	WHD
DRAWN BY	GLJ
SCALE	N/A
DATE	11.15.2019

SHEET

TYPICAL SECTIONS

C8.00

UNIVERSITY PLACE

201 SOUTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA

SPECIAL USE MASTER PLAN

PROJECT NUMBER: RAM-19000

DATE: NOVEMBER 15, 2019

REVISED: NOVEMBER 12, 2020

SHEET INDEX

C0.00	AREA MAP
C1.00	EXISTING CONDITIONS
C2.00	PROPOSED SITE PLAN

NOTES

1. THE PROJECT MAY BE SUBDIVIDED INTO UP TO 14 PARCELS. PUBLIC ACCESS EASEMENTS WILL BE ESTABLISHED AND THE PARCELS WILL FRONT A PUBLIC RIGHT-OF-WAY OR INTERNAL PUBLIC ACCESS EASEMENT. FINAL NUMBER OF LOTS, LOT CONFIGURATIONS AND LOCATION OF PROPERTY LINES WILL BE DETERMINED DURING THE PREPARATION OF FINAL PLANS (ZCP) FOR EACH POD.

2. DRIVE THRU SERVICES MAY BE PROPOSED IN ALL PODS. THE MAXIMUM NUMBER OF DRIVE THRUS WILL NOT EXCEED SIX (6) FOR THE ENTIRE DEVELOPMENT (INCLUSIVE OF TWO EXISTING DRIVE THRUS).

3. MAXIMUM OF 300 RESIDENTIAL UNITS SHALL BE PERMITTED AND SHALL BE TRANSFERABLE BETWEEN PODS A & C. IN THE EVENT THAT LESS THAN 600,000 SQUARE FEET OF OFFICE AND COMMERCIAL ARE CONSTRUCTED AT THE PROPERTY, UNUSED COMMERCIAL AND OFFICE SQUARE FOOTAGE MAY BE CONVERTED TO ADDITIONAL RESIDENTIAL UNITS AT A RATE OF ONE (1) ADDITIONAL RESIDENTIAL UNIT PER 1,000 SQUARE FEET OF UNUSED COMMERCIAL OR OFFICE SQUARE FOOTAGE; HOWEVER, THE TOTAL NUMBER OF RESIDENTIAL UNITS SHALL NOT EXCEED 500 TOTAL UNITS INCLUDING CONVERSIONS AND NO SINGLE POD SHALL CONTAIN MORE THAN 300 UNITS.

4. MAXIMUM OF 150 HOTEL ROOMS SHALL BE PERMITTED AND SHALL BE TRANSFERABLE BETWEEN PODS A & C. IN THE EVENT THAT LESS THAN 300 RESIDENTIAL UNITS ARE CONSTRUCTED AT THE PROPERTY, UNUSED RESIDENTIAL UNITS MAY BE CONVERTED TO ADDITIONAL HOTEL ROOMS AT A RATE OF ONE (1) ADDITIONAL HOTEL ROOM PER ONE (1) UNUSED RESIDENTIAL UNIT; HOWEVER, THE TOTAL NUMBER OF HOTEL ROOMS SHALL NOT EXCEED 275 ROOMS INCLUDING CONVERSIONS.

5. THE MAXIMUM COMMERCIAL SQUARE FOOTAGE SHALL NOT EXCEED 450,000 SQUARE FEET, THE MAXIMUM OFFICE SQUARE FOOTAGE SHALL NOT EXCEED 150,000 SQUARE FEET AND THE COMBINED COMMERCIAL AND OFFICE SQUARE FOOTAGE SHALL NOT EXCEED 600,000 SQUARE FEET. UP TO 50,000 SQUARE FEET MAY BE CONVERTED BETWEEN OFFICE AND COMMERCIAL; HOWEVER, THE TOTAL COMBINED SQUARE FOOTAGE SHALL NOT EXCEED 600,000 SQUARE FEET INCLUDING CONVERSIONS.

6. PODS MAY BE DEVELOPED WITH PARKING TO SERVE THE USES WITHIN THE POD IN EXCESS OF THE MAXIMUM GIVEN THAT THE PARKING PROVIDED ON THE OVERALL SITE DOES NOT EXCEED THE MAXIMUM.

7. NO INCREASE IN IMPERVIOUS SURFACE AREA SHALL BE PERMITTED AS PART OF THE REDEVELOPMENT OF UNIVERSITY PLACE.

8. IF MINOR MODIFICATIONS ARE MADE TO EXISTING PARKING AREAS, OWNER WILL NOT BE REQUIRED TO BRING THE ENTIRETY OF THE PARKING AREAS INTO FULL COMPLIANCE SO LONG AS THE RESULT OF THE MINOR MODIFICATIONS ARE CLOSER TO COMPLIANCE THAN THE EXISTING CONDITIONS.

9. A 10' MULTI-USE PATH WILL BE CONSTRUCTED ALONG THE FRONTAGE OF ESTES DRIVE AND FORDHAM BOULEVARD. FINAL LOCATION OF THE 10' MULTI-USE PATH WILL BE DETERMINED AT THE TIME OF ZCP IN CONJUNCTION WITH THE TOWN OF CHAPEL HILL AND NCDOT. MULTI-USE PATH MAY BE PHASED WITH CONSTRUCTION.

10. BUS STOP MAY BE RELOCATED. LOCATION OF THE BUS STOP WILL BE DETERMINED IN CONJUNCTION WITH THE TOWN OF CHAPEL HILL-TRANSIT.

11. RECYCLING CENTER WITHIN THE DEVELOPMENT MAY BE REMOVED OR RELOCATED.

12. UP TO A 30% REDUCTION IN REQUIRED PARKING IS PERMITTED FOR PARKING AREAS TO BE SHARED BY MULTIPLE USES.

13. SHOULD TRIP GENERATION FOR THE DENSITY / INTENSITY OF THE USES WITHIN THE DEVELOPMENT EXCEED THE MAXIMUM PEAK HOUR TRIP GENERATION EXAMINED IN THE TRAFFIC IMPACT ANALYSIS, THE TRAFFIC IMPACT ANALYSIS MAY BE REVISED WITHOUT REQUIRING A REZONING OF THE PROPERTY OR REAPPROVAL OF THIS SPECIAL USE PERMIT.

14. A MINIMUM OF 20% OF THE NEW SURFACE PARKING SPACES PROVIDED WILL BE PRE-WIRED FOR ELECTRIC CHARGING STATIONS. IN ALL PODS, NEW PARKING SPACES IN PARKING LOTS WITH MORE THAN 50 SPACES SHALL HAVE ELECTRIC VEHICLE CHARGING STATIONS PROVIDED ON AT LEAST 3% OF ALL NEW PARKING SPACES. THE NEW PARKING ALONG THE INTERNAL MAIN STREET DRIVEWAY SHALL BE EXEMPT FROM THIS REQUIREMENT.

15. ALL NEW STRUCTURES WILL BE PRE-WIRED FOR SOLAR POWER. SOLAR PANELS ARE NOT REQUIRED ON NEW STRUCTURES.

16. OUTDOOR AMENITY SPACE SHALL BE PROVIDED FOR THE ENTIRETY OF THE PROPERTY AT A MINIMUM RATIO OF 4.6% OF GROSS LAND AREA AND SHALL BE DISTRIBUTED THROUGHOUT THE SITE. EACH POD SHALL BE REQUIRED TO PROVIDE OUTDOOR AMENITY SPACE AT A MINIMUM RATIO OF 3.6%, SO LONG AS OVERALL PROPERTY MINIMUM RATIO HAS BEEN MET.

17. UNIVERSITY PLACE WILL MEET ALL REQUIREMENTS OF THE UNIVERSITY PLACE DESIGN STANDARDS.

18. THE PROJECT WILL INCLUDE ONE COMMERCIAL CENTER SIGN PER STREET FRONTAGE AND ONE GATEWAY SIGN LOCATED NEAR THE INTERSECTION OF FORDHAM BLVD AND ESTES DRIVE. IN ADDITION, OUTPARCEL USERS SHALL BE PERMITTED TO CONSTRUCT COMMERCIAL GROUND SIGNS. ALL OUTPARCEL SIGNS SHALL BE A MINIMUM OF 100' FROM ANY OTHER COMMERCIAL GROUND SIGNS. A GATEWAY SIGN SHALL DIFFER FROM A COMMERCIAL CENTER SIGN BY INCREASING HEIGHT LIMIT FROM 14' TO 24' AND WIDTH FROM 10' TO 12' WITH A DISPLAY SURFACE OF 144 SF (VS 72 SF) AND THICKNESS OF 24" (VS. 12"). ILLUMINATION SHALL BE PERMITTED DURING NON-BUSINESS HOURS.

19. STREETS OR ACCESS POINTS IDENTIFIED MAY BE REQUIRED TO SHIFT TO ADDRESS THE FINAL LAYOUT OF THE PODS OR TO ACCOMMODATE TRANSPORTATION/TRAFFIC DESIGN REQUIREMENTS BY NCDOT AND/OR THE TOWN. FINAL ALIGNMENTS TO BE DETERMINED WITH FINAL PLANS (ZCP).

20. THE LOCATION AND SIZE OF THE PEDESTRIAN CIRCULATION WILL BE DETERMINED IN COORDINATION WITH THE TOWN OF CHAPEL HILL PARKS AND RECREATION STAFF DURING THE FINAL LAYOUT OF PODS "A, C & D". PEDESTRIAN ACCESS WILL BE PROVIDED THROUGHOUT THE UNIVERSITY PLACE DEVELOPMENT. PRIVATE PEDESTRIAN FACILITIES WILL CONNECT TO EXISTING AND FUTURE PUBLIC PEDESTRIAN FACILITIES ALONG FORDHAM BOULEVARD AND SOUTH ESTES DRIVE.

21. THE PROPOSED PLAZA/OUTDOOR AMENITY SPACE DESIGNS SHALL BE ADA ACCESSIBLE, PAVED OR LANDSCAPED AND MAY INCLUDE UN-ENCLOSED ROOFED OR COVERED AREAS.

22. NUMBER, TYPE, LOCATION AND DESIGN OF BICYCLE RACKS REQUIRED WILL BE DETERMINED AS PART OF ZONING COMPLIANCE PERMIT.

23. FINAL POD LAYOUT, VEHICULAR CIRCULATION, FLOOR AREAS, MIX OF USES, BUILDING HEIGHT AND PARKING AREAS ARE TO BE DETERMINED BY THE APPLICANT DURING PREPARATION OF FINAL PLANS (ZCP).

24. FOOD TRUCKS ARE A PERMITTED BY-RIGHT ACCESSORY USE. VENDORS SHALL BE REQUIRED TO RECEIVE AN APPROVED ZONING COMPLIANCE PERMIT IN COMPLIANCE WITH SECTION 6.20(A) OF THE LUMO.

25. GIVEN THAT SCREENING AND OTHER REQUIREMENTS ARE MET, STRUCTURED PARKING MAY BE LOCATED IN THE BUILD-TO ZONES.

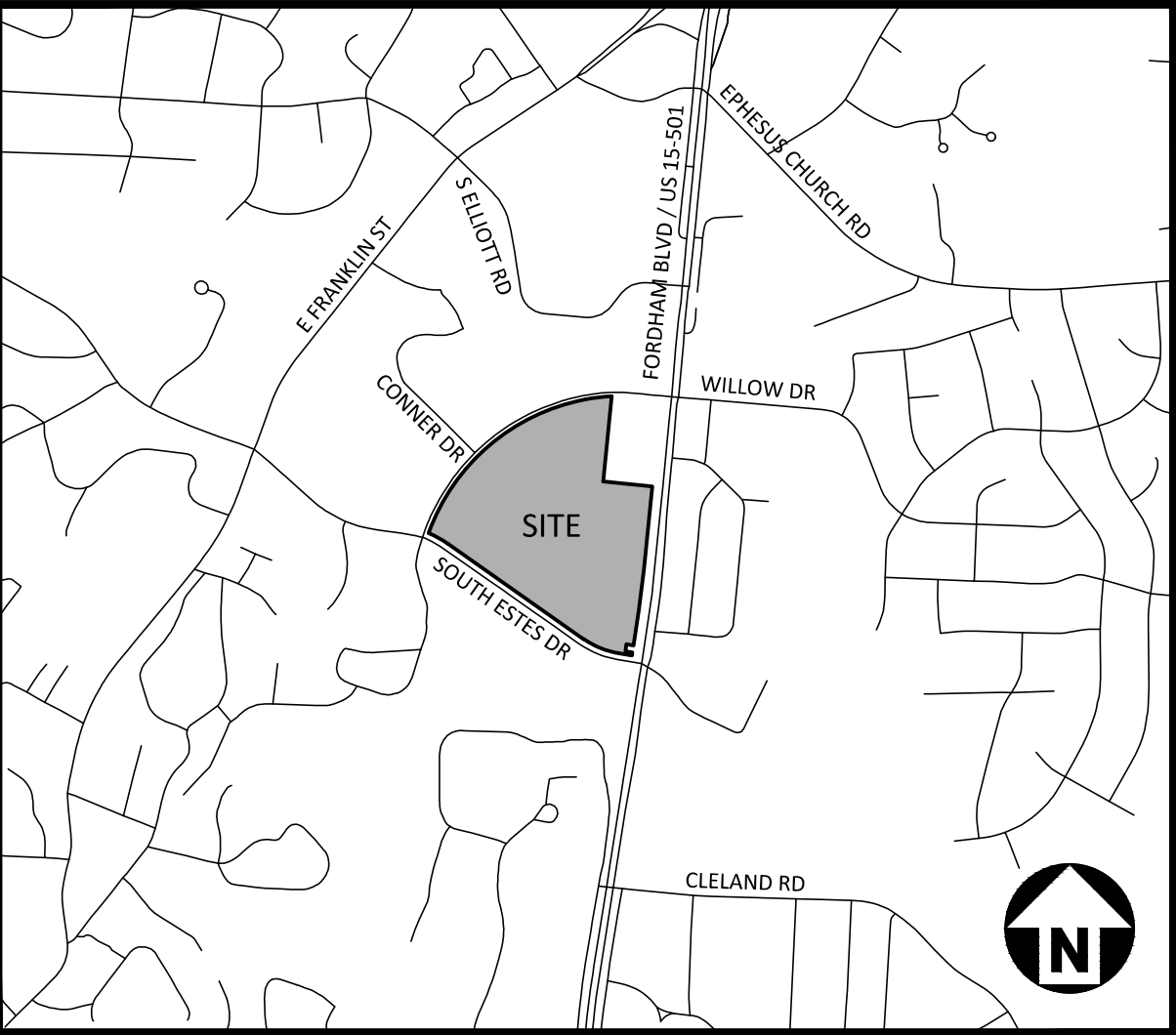
26. WHEN THERE IS A QUESTION AS TO COMPLIANCE WITH THE APPROVED SPECIAL USE PERMIT, ASSOCIATED MASTER PLAN AND DESIGN STANDARDS THE TOWN MANAGER SHALL HAVE THE AUTHORITY TO DETERMINE COMPLIANCE.

27. IF PARKING, ACCESS, OR OTHER INTERNAL DRIVEWAYS, ETC ARE MODIFIED TO ACCOMMODATE THE RECONFIGURATION OF EXISTING SPACE AND NO NEW BUILDINGS, THOSE MODIFICATIONS SHALL NOT BE SUBJECT TO ANY FRONTAGE, BUILD-TO ZONE, OR OTHER REQUIREMENTS UNLESS MODIFICATIONS ARE TO ACCOMMODATE NEW BUILDINGS, IN WHICH CASE THEY SHALL BE SUBJECT TO ALL REQUIREMENTS FOR NEW BUILDINGS, INCLUDING FRONTAGE, BUILD-TO ZONE, ETC.

28. MODIFICATION OF THE LUMO TO ALLOW EXISTING AND PROPOSED CONSTRUCTION WITHIN THE RESOURCE CONSERVATION DISTRICT.

29. THE OVERALL PROJECT WILL BE COMPLETED IN PHASES WHICH MAY INCLUDE SUBPHASES.

30. ALL SIDEWALKS AND MULTIUSE PATHS CROSSING SITE ENTRANCES WILL HAVE A MINIMUM 5-FOOT WIDE PEDESTRIAN CROSSWALK.



VICINITY MAP
N.T.S.



McAdams
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CONTACT

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CHARLOTTE, NORTH CAROLINA 28203
CONTACT: MR. ASHLEY SAULPAUGH
PHONE: 704. 377. 6730
EMAIL: asaulpaugh@ramrealestate.com



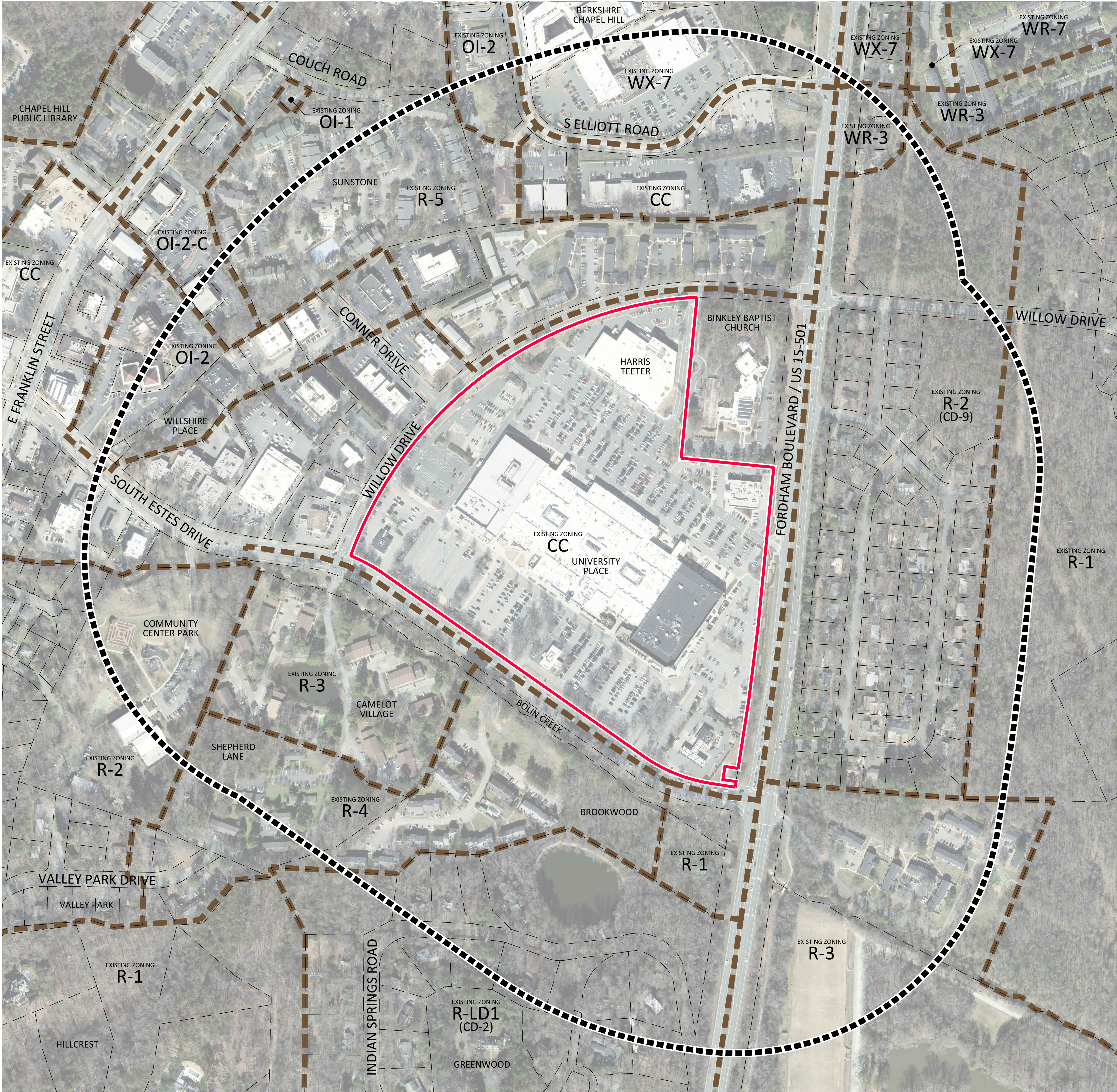
PROJECT DIRECTORY

OWNER
RRPV UNIVERSITY CHAPEL HILL LP
4801 PGA BOULEVARD
C/O RAM REALTY ADVISORS
PALM BEACH GARDENS, FLORIDA 33418



REVISIONS		
NO.	DATE	
1	11.12.2020	PER TOWN COMMENTS

**SPECIAL USE
MASTER PLAN FOR:**
UNIVERSITY PLACE
CHAPEL HILL, NORTH CAROLINA
PROJECT NUMBER: RAM-19000

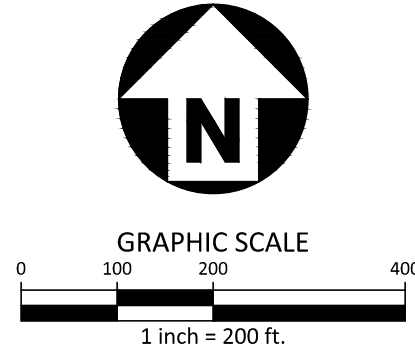


LEGEND

— SITE AREA (PIN 9799125797)

--- ZONING BOUNDARY LINE

- - - - 1,000' NOTIFICATION BUFFER



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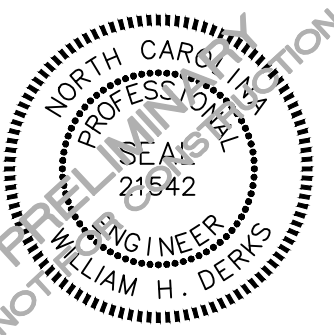
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UNIVERSITY PLACE
SPECIAL USE MASTER PLAN
201 SOUTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA



REVISIONS

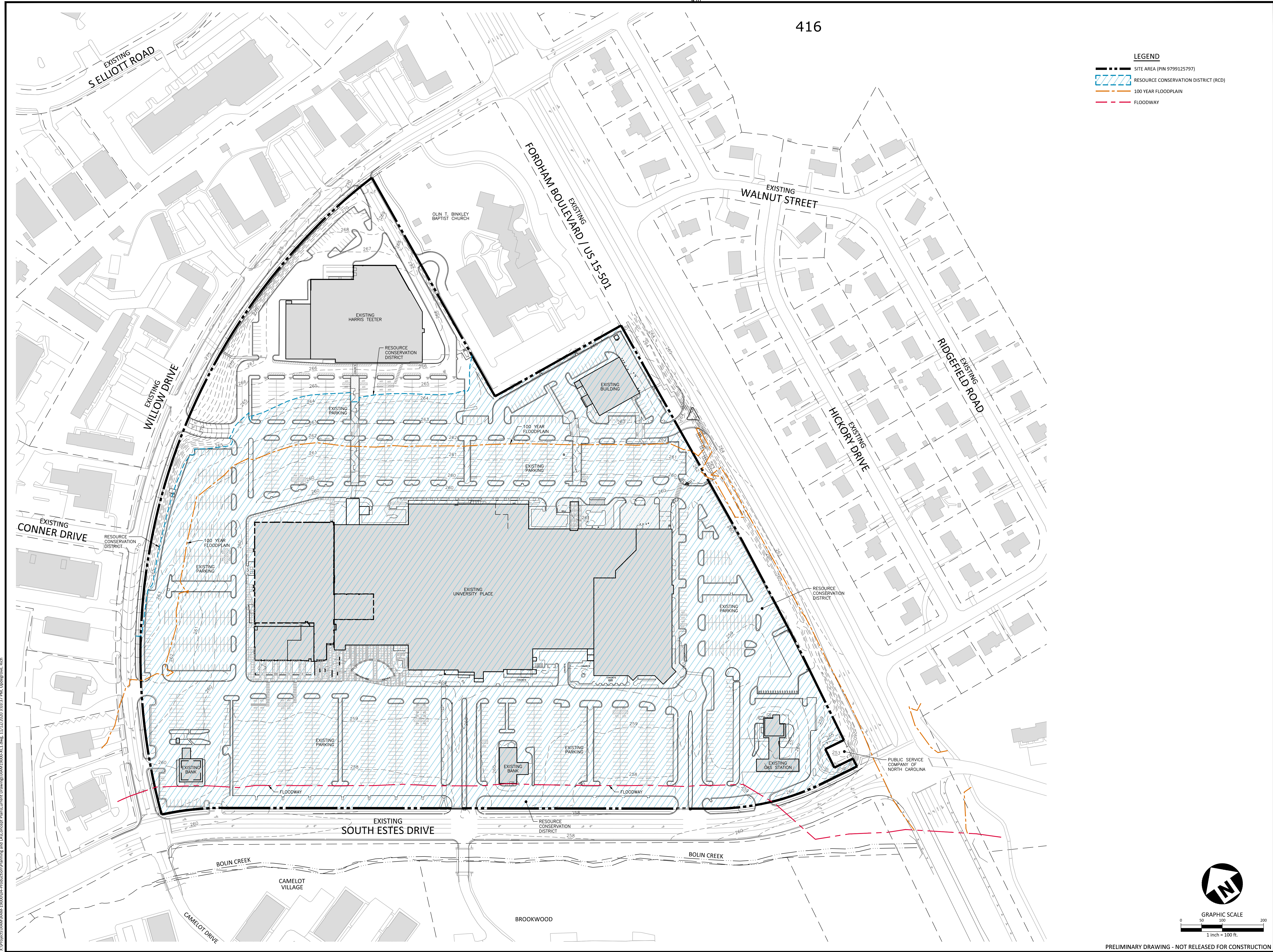
NO.	DATE	
1	11.12.2020	PER TOWN COMMENTS

PLAN INFORMATION

PROJECT NO.	RAM-19000
FILENAME	RAM19000-AM1
CHECKED BY	WHD
DRAWN BY	GLJ
SCALE	1"=200'
DATE	11.15.2019

SHEET

AREA MAP
C0.00





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UNIVERSITY PLACE
SPECIAL USE MASTER PLAN
201 SOUTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA



REVISIONS		
NO.	DATE	
1	11.12.2020	PER TOWN COMMENTS

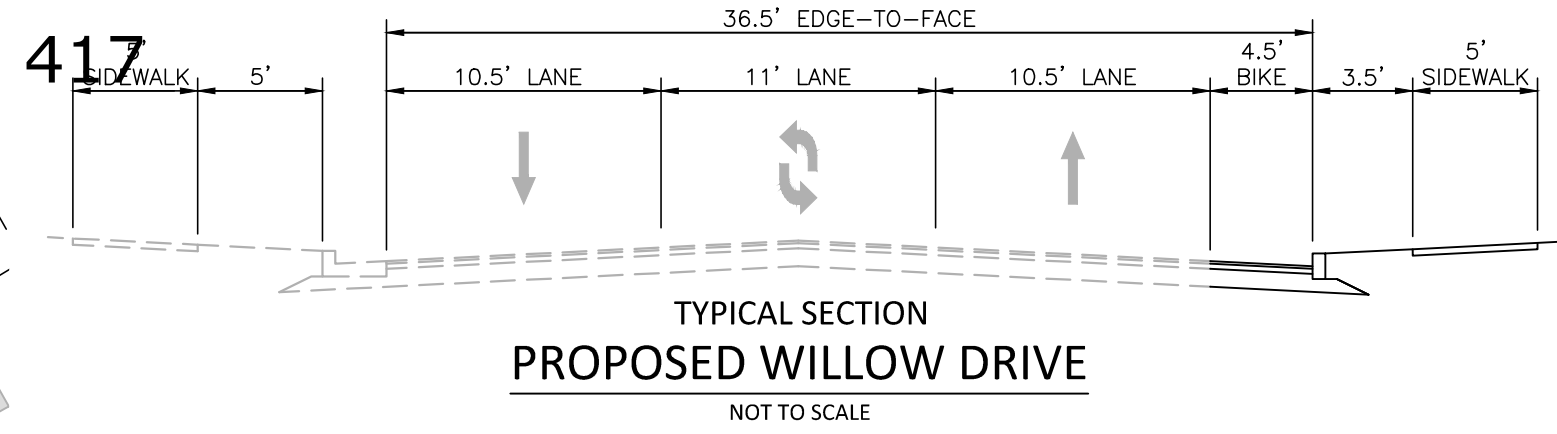
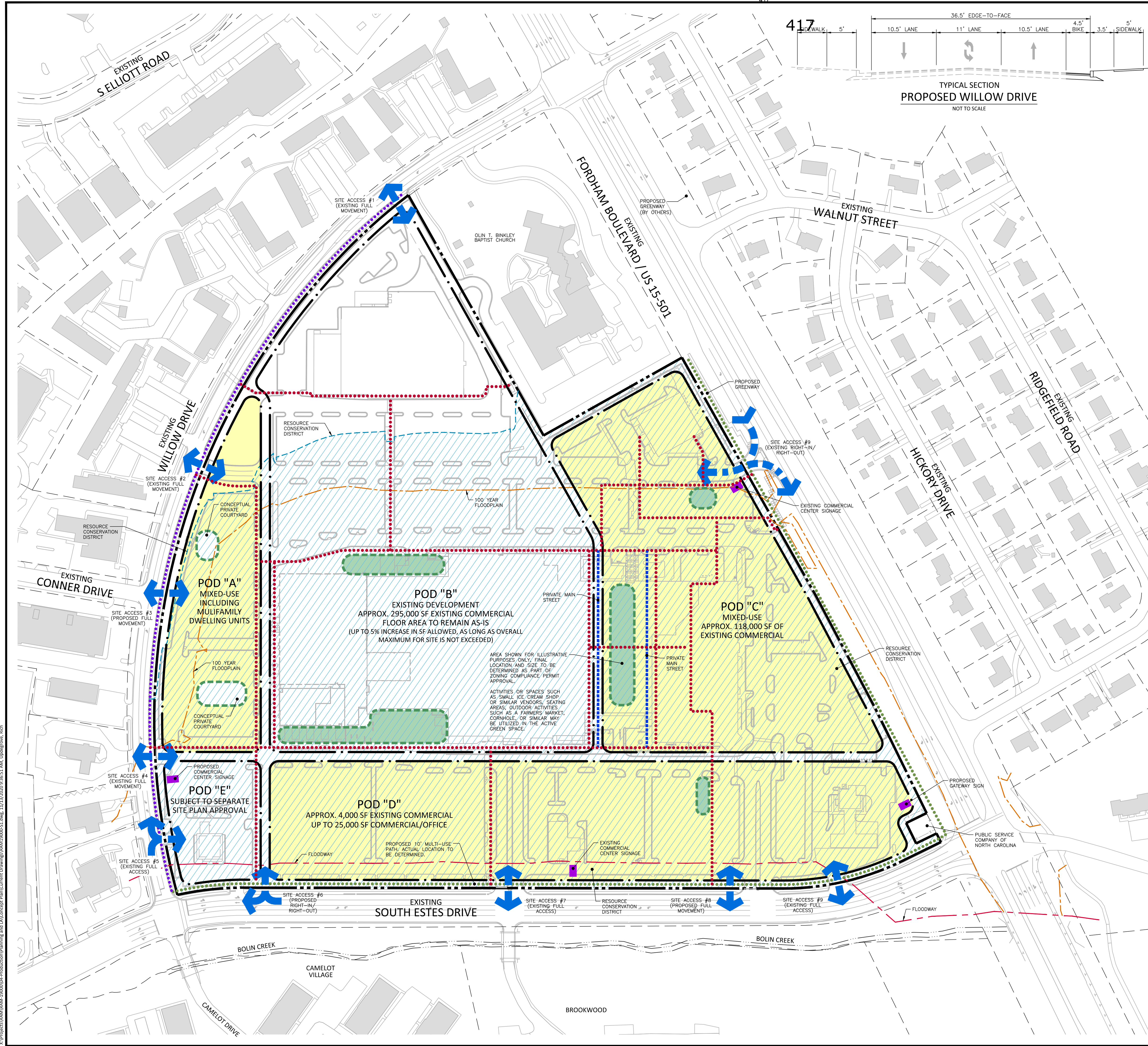
PLAN INFORMATION	
PROJECT NO.	RAM-19000
FILENAME	RAM19000-XC1
CHECKED BY	WHD
DRAWN BY	GLJ
SCALE	1"=100'
DATE	11.15.2019

SHEET

**EXISTING
CONDITIONS**
C1.00

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X:\Projects\RAM\RAM-19000\04-Production\Drawings\RAM19000-01.dwg, 11/13/2020 9:36:51 AM, Updgrd, Rich



SITE DATA TABLE				
SITE				
EXISTING AREA	39.4 AC	1,718,403 SF		
GROSS LAND AREA	43.4 AC	1,890,243 SF		
ZONING	CC			
PROPOSED				
AREA	39.4 AC	1,718,403 SF		
ZONING	CC			
FLOOR AREA RATIO				
EXISTING FLOOR AREA FAR ALLOWED	0.429			
EXISTING FLOOR AREA	419,300 SF			
EXISTING FAR	0.222			
PROPOSED FLOOR AREA				
PROPOSED FLOOR AREA (MAX)	810,914 SF			
PROPOSED FAR (MAX)	0.429			
MIX OF USES				
EXISTING USES				
RESIDENTIAL	0 DU			
COMMERCIAL	419,258 SF			
OFFICE	0 SF			
HOTEL	0 ROOMS			
PROPOSED USES				
	MAXIMUM	MINIMUM		
RESIDENTIAL	300 DU*			
COMMERCIAL	450,000 SF*	300,000 SF		
OFFICE	150,000 SF*			
HOTEL	150 ROOMS*			
*SEE NOTES 3-5 ON THE COVER PAGE				
PARKING				
PARKING WILL MEET THE STANDARDS PROVIDED IN THE UNIVERSITY PLACE DESIGN STANDARDS.				
IMPERVIOUS AREA				
EXISTING IMPERVIOUS	1,472,295 SF	77.9%		
PROPOSED IMPERVIOUS (MAX)	1,417,682 SF	75.0%		
SETBACKS				
EXISTING SETBACKS				
FORDHAM BLVD	22'			
ESTES DR	22'			
WILLOW DR	22'			
INTERIOR	8'			
SOLAR SETBACK				
	9'			
PROPOSED SETBACKS				
PROPOSED SETBACKS VARY. FRONTAGE REQUIREMENTS VARY BY STREET. SEE UNIVERSITY PLACE DESIGN STANDARDS.				
BUILDING HEIGHT				
ALLOWED HEIGHT (MAX)				
PRIMARY	34'			
SECONDARY	60'			
PROPOSED HEIGHT (MAX)				
PRIMARY	75' (5-STORY)	34' (3-STORY)		
SECONDARY	90' (7-STORY)	45' (3-STORY)		
LANDSCAPE BUFFERS				
EXISTING BUFFERS				
FORDHAM BLVD	30' - TYPE D			
ESTES DR	30' - TYPE D			
WILLOW DR	30' - TYPE D			
ADJACENT TO CHURCH	20' - TYPE D			
PROPOSED BUFFERS				
FORDHAM BLVD	0'			
ESTES DR	0'			
WILLOW DR	0'			
ADJACENT TO CHURCH	10'			
FRONTAGE REQUIREMENTS VARY PER STREET. SEE UNIVERSITY PLACE DESIGN STANDARDS.				
TREE CANOPY COVERAGE				
REQUIRED COVERAGE (MIN)				
MULTIFAMILY	30%			
COMMERCIAL	30%			
OFFICE	30%			
MIXED USE	40%			
PROPOSED COVERAGE (MIN)				
MULTIFAMILY	20%			
COMMERCIAL	20%			
OFFICE	20%			
MIXED USE	20%			
RECREATION AREA				
REQUIRED OUTDOOR AMENITY SPACE				
	RATIO	PROJECT AREA	REQ. REC. SPACE	
REQUIRED OUTDOOR AMENITY SPACE	0.046	39.4 AC	1.81 ac	
PROPOSED OUTDOOR AMENITY SPACE				
	RATIO	PROJECT AREA	REQ. REC. SPACE	
PROPOSED OUTDOOR AMENITY SPACE	0.046	39.4 AC	1.81 ac*	
*OUTDOOR AMENITY SPACE TO BE PROVIDED THROUGH A COMBINATION OF INTERNAL GREENS, PLAZAS AND PUBLIC SPACES.				
LEGEND				
SITE AREA (PIN 9799125797)				
RESOURCE CONSERVATION DISTRICT (RCD)				
100 YEAR FLOODPLAIN				
FLOODWAY				
DEVELOPMENT POD				
FUTURE GREENWAY / MULTI-USE PATH				
INTERNAL PEDESTRIAN CONNECTIVITY*				
5' SIDEWALK				
PRIVATE MAIN STREET				
PLAZA / OUTDOOR AMENITY SPACE				
CONCEPTUAL PRIVATE COURTYARD				
SITE ACCESS				
*INTERNAL PEDESTRIAN CONNECTIVITY IS PROPOSED AND SUBJECT TO CHANGE				
GRAPHIC SCALE				
0 50 100 200				
1 inch = 100 ft.				
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION				



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UNIVERSITY PLACE
SPECIAL USE MASTER PLAN
201 SOUTH ESTES DRIVE
CHAPEL HILL, NORTH CAROLINA



REVISIONS		
NO.	DATE	
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PLAN INFORMATION	
PROJECT NO.	RAM-19000
FILENAME	RAM19000-01
CHECKED BY	WHD
DRAWN BY	GLJ
SCALE	1"=100'
DATE	11.15.2019

SHEET

PROPOSED SITE PLAN

C2.00

UNIVERSITY PLACE

DESIGN STANDARDS

November 13, 2020



TABLE OF CONTENTS

I. INTRODUCTION

- Intent, Vision & Framework
- Defined Terms

II. FRAMEWORK

- Site Plan
- Uses

III. DESIGN CRITERIA

- Street Frontages
- Building Mass & Form
- Parking
- Drive-Thru Standards
- Outdoor Amenity Space

IV. DEVELOPMENT OPTIONS

- Pods

V. ADMINISTRATION

- Summary

I. INTRODUCTION

INTRODUCTION

INTENT, VISION & FRAMEWORK

INTENT

The Special Use Permit (“SUP”) modification is intended to accommodate the evolution of a traditional enclosed mall into a vibrant mixed use community. The owner intends to preserve existing buildings and infrastructure where possible while maintaining enough flexibility to develop new improvements in a manner and at a time that is responsive to market demand. The owner seeks to create a public realm with the pedestrian experience in mind. The owner proposes to modify and create an internal street network through the site to create a more complete street network that will allow pedestrian, bicycle and automobile traffic to travel through the site. The overall development plan is intended to allow the site to evolve with the surrounding area, resulting in a well-designed, quality experience for the visitors, employees and residents, as well as the larger community. These Design Standards provide the basic framework for the development plan, addressing allowable uses, street frontages, building massing, building locations, entry locations and glazing/transparency of each building.

VISION

The redevelopment will transform University Place into a walkable town center and introduce new uses to complement the existing commercial uses. To realize this vision, parts of the existing mall will be retained and other parts may be demolished over time to make room for new buildings and outdoor spaces. Those parts retained will be reconfigured to convert space internally focused into new outward facing shops and restaurants designed for the pedestrian. Several public gathering spaces will be created of varying scale with everything from smaller semi-private areas and outdoor space for smaller groups to large social spaces. The larger outdoor spaces will act as focal points, providing space for things like the farmers market, outdoor fitness classes and other regular programming as well as special events throughout the year.

FRAMEWORK

The redevelopment of University Place will be defined and guided by development standards specific to each pod, which includes the buildings’ massing, form, uses, location and relationships to the street frontages, along with the buildings’ entry locations and glazing. These elements are what will define the built environment and what will create the character of a walkable town center.



INTERPRETATION OF LANGUAGE

All provisions, terms, phrases and expressions contained in these Design Standards shall be liberally construed in order that the true intent and meaning of the Planning Staff may be fully implemented. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in the Town of Chapel Hill Land Use Management Ordinance and Design Manual or the context in which they are used clearly indicates to the contrary. The Planning Staff and/or Town Manager are responsible for making any interpretations of the language in these Design Standards. When vagueness or ambiguity is found to exist as to the meaning of any word or term used, any appropriate canon, maxim, principle or other technical rule of interpretations or construction used by the courts of this state may be employed to resolve vagueness and ambiguity in language.

TERMS

In addition to the terms listed below, refer to all definitions in the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual.

1. **Affordable dwelling unit (for sale):** A dwelling unit intended for sale that is restricted for occupancy by a household within the target income prescribed in Section 3.10 of the LUMO.
2. **Affordable dwelling unit (rental):** A dwelling unit intended for rent that is restricted for occupancy by a household within the target income as further defined herein.
3. **Applicant:** Any person or his/her duly authorized representative who submits an application as defined herein.
4. **Blank wall area:** Blank wall area means a portion of the exterior façade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than twelve (12) inches in depth; or a substantial material change (paint color is not considered a substantial change).
5. **Building depth:** The largest total dimension of a building footprint measured perpendicular to the primary frontage.
6. **Building façade:** The face of a building that delineates the edge of conditioned floor space.
7. **Building height:** Building height is measured in both the number of stories and in feet. Building height is the vertical distance from the average grade at the foundation to the highest portion of the structure. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback line.
8. **Build-to Zone (BTZ):** The area on the lot where a certain percentage of the front building façade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.
9. **Building pass-through:** Allows access from one side of a building to another in a large development as an alternative to a street. A pass-through should be designed to provide safe and enjoyable public passage.
10. **Building step back:** The building step back shall be measured as the horizontal change in the building wall plane, perpendicular to the applicable frontage or property line.
11. **Building width:** The largest total dimension of a building footprint measured parallel to the primary frontage.
12. **Certificate of occupancy:** A document issued by the building inspector certifying compliance with all applicable state and local laws, including all terms of an approved zoning compliance permit, and authorizing occupancy of a building or structure.
13. **Decision maker:** The entity or agency which has authority to render a final decision as to the approval, conditional approval, or denial of an application, modification or design alternative.
14. **Design alternative:** Where a proposed alternative to the requirements still satisfies the intent and provisions of the Design Standards in terms of building form, aesthetic quality, orderly development, and high-quality public realm, and where the Planning Staff makes a finding that a proposed design alternative could provide an equivalent or better result that meets the purpose and intent of the Design Standards, the Planning Staff may approve such an alternative design as part of a minor modification to the Special Use Permit (SUP). Design alternatives do not constitute a full modification to the SUP. If Planning Staff does not approve the design alternative, the applicant may seek approval from the Town Manager.

TERMS (CONTINUED...)

15. **Developer:** A person who undertakes development activities.
16. **Development:** Any man-made change to improved or unimproved real estate, including, but not limited to: the construction, structural alteration, enlargement, or rehabilitation of any buildings or other structures, including farm buildings; mining; dredging; filling; grading; paving; excavation or drilling operations; clearing vegetation; division of a parcel of land into two (2) or more parcels or some changes in use of structures or land. Development may also include any land disturbing activity on real estate that changes the amount of impervious surfaces on a parcel.
17. **Development project:** A project in which one (1) or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures, including, but not limited to, planned development and/or cluster development for residential, commercial, institutional, recreational, open space, and/or mixed uses as provided for in this zoning code.
18. **Driveway:** Vehicular way, other than a street or alley, that provides vehicular access from a street to or through off-street parking and/or loading areas.
19. **Dwelling unit:** A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
20. **Dwelling units, multifamily:** A dwelling or combination of dwellings on a single lot consisting of three (3) or more dwelling units.
21. **Exterior architectural features:** Exterior architectural features shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, exterior architectural features shall be construed to mean the style, material, size, and location of all such signs.
22. **Floor:** The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
23. **Floor area ratio (FAR):** A decimal fraction that, when multiplied by the gross land area of a zoning lot, determines the maximum floor area permitted within the zoning lot. The floor area ratios for the various zoning districts are in the schedule of intensity regulations.
24. **Front building setbacks:** Measured from the edge of the nearest right-of-way line.
25. **Gross land area:** All area within the boundaries of a zoning lot (net land area) plus half of the following areas located within or adjoining the lot: (1) publicly-owned or otherwise permanently dedicated open space, such as parks, recreation areas, water bodies, cemeteries and the like, and (2) public rights-of-way; provided that the total amount of credited open space and public streets shall not exceed ten (10) percent of the net land area of the zoning lot.
26. **Ground floor elevation:** The height of the ground floor relative to the height of the sidewalk and it is measured from top of the abutting curb to the top of the finished ground floor.
27. **Height (of a structure or part thereof):** The vertical distance from the average finished grade at the foundation along the street façade to the highest portion of the structure, or part thereof. To determine mean finished grade, take the spot elevations from the highest and lowest points of the foundation. The average of these two (2) spot elevations is the mean finished grade and the elevation from which height measurements are made.
28. **Height limitation, setback height:** The maximum height allowed for any structure located at the perimeter setbacks on a zoning lot, as defined by the applicable minimum setback lines. The setback height is the lower limit of the vertical portion of the building envelope. Setback heights are established in division 3.8.2(f).

TERMS (CONTINUED...)

- 29. Hotel or motel:** A building or group of buildings containing in combination ten (10) or more lodging units intended primarily for rental or lease to transients by the day or week, as distinguished from residence halls, in which occupancy is generally by residents rather than transients.
- 30. Impervious surface:** A surface composed of any material that impedes or prevents natural infiltration of water into the soil.
- 31. Land Use Management Ordinance (LUMO):** Appendix A of the Town of Chapel Hill Code of Ordinances.
- 32. Minimum parking requirements:** The minimum number of parking spaces required pursuant to subsection 5.9.7(c) of this appendix.
- 33. Minor modification to parking:** Minor modifications to parking areas shall include parking areas that are generally remaining the same and undergoing modifications to the layout of the spaces only.
- 34. Major modification to parking:** Major modifications include adding parking area somewhere where there was previously no parking area.
- 35. Minor Change or Modification of the Special Use Permit (SUP):** The Planning Staff is authorized to approve minor changes in the approved final plans as long as such changes continue to comply with the approving action of the town council and all other applicable requirements, but shall not have the authority to approve changes that constitute a modification of the special use permit. Any change requiring evidential support in addition to that presented at a public hearing on applications for the original special use permit or subsequent modifications of special use permit shall constitute a modification of the special use permit, instead of a minor change. This is a defined process that should reference Section 4.5.4 of the LUMO. If the proposed action is determined to be a modification, the Planning Staff shall require the filing of an application for approval of the modification. An application for modification of a special use permit shall be reviewed in accord with the procedures established in subsection 4.5.3 of the LUMO. If Planning Staff does not approve the minor change or modification to the SUP, the applicant may seek appeal and approval from the Town Manager.
- 36. Module offset:** The module offset shall be measured as the horizontal change of a portion of the building wall plane at ground level, perpendicular to the applicable frontage. The module width shall be measured for the portion of the wall plane closer to the sidewalk, while the width of offset shall be measured for the portion further from the sidewalk. The dimensions of modules and offsets should maintain a sense of proportion to the building as a whole.
- 37. Outdoor amenity space:** Outdoor amenity space must be provided on the lot, or lands permanently designated as publicly accessible open space, and must be available as unenclosed exterior space appropriately improved as a pedestrian amenity or for aesthetic appeal and cannot include areas used for vehicles, except for incidental service, maintenance or emergency actions. Outdoor amenity space shall be made available to the general public.
- 38. Pedestrian connectivity:** A publicly accessible route between buildings that allows pedestrians to move from one (1) side of a building or lot to another through a privately owned or publicly dedicated area. The route must connect to or allow future connection to other such routes, sidewalks, greenways, or thoroughfares. Pedestrian connectivity may include a through-street or alley, and may be designed as a trail, greenway or other similar passage. Vehicular use may be allowed as desired by the applicant, provided that the design of the pedestrian route prioritizes pedestrian movements.
- 39. Planning Staff:** The Planning Staff of the Town of Chapel Hill.
- 40. Primary elevation of a building:** The elevation is the side of a building which fronts the main street serving the building. It will usually contain the main architectural features such as large windows, the main entrance door, lighting, signage and canopies or awnings.
- 41. Primary height:** The primary height limitation is the maximum height allowed for any structure located at the minimum setback required for the structure.

TERMS (CONTINUED...)

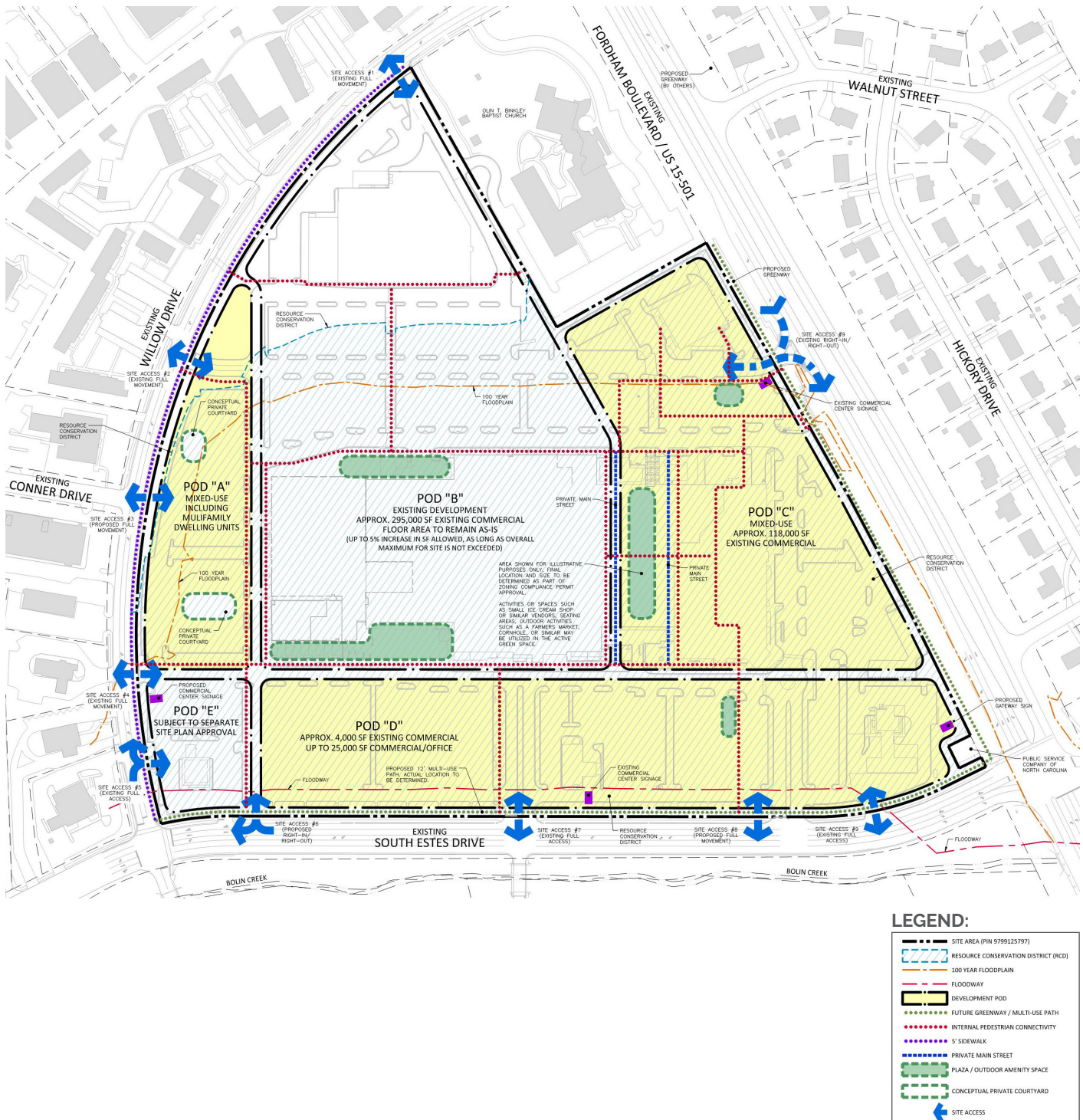
- 42. Primary entrance:** An entrance providing both ingress and egress, operable to residents at all times or to customers during normal business hours that is required along each side of the building facing a public streetscape or any other non-vehicular, publicly accessible area.
- 43. Proportions:** The ratios established by length, width and height and may exist as planar or volumetric measurements.
- 44. Proposed development:** The development requested by an applicant that includes all buildings and land uses subject to an application.
- 45. Public land:** Land owned by the Town of Chapel Hill, or any other governmental entity or agency thereof.
- 46. Public realm:** The streetscape or any other non-vehicular, publicly accessible area located along the designated frontage of a street, alley shared between sites, or non-vehicular thoroughfare.
- 47. Right-of-way:** A fee simple dedication of private property or an easement, whereby public access and utility easements are granted.
- 48. Reconfiguration:** A change in the form or design of an existing development or structure. Reconfiguration shall be treated as development if it involves substantial improvement as defined in this section.
- 49. Renovation:** The act of improving a structure or development by renewing and restoring component parts. Renovation shall be treated as development if it involves substantial improvement as defined in this section.
- 50. Resource Conservation District (RCD):** An overlay zoning district to protect stream corridors and prevent property damage from floods. The RCD is intended to preserve water quality, minimize danger and property damage from flooding, protect streams from erosion and sedimentation, and preserve urban wildlife corridors and plant habitats. The RCD is also used to manage development in FEMA regulatory floodplains.
- 51. Secondary height:** The secondary height is the absolute maximum height allowed for any structure and increases at a rate of one foot in height for every one foot of distance interior to the lot, measured away from the setback of any public street frontage. The secondary height allowed as measured in number of stories shall increase at a rate of 1 additional story for every 10' feet of distance interior to the lot, measured away from the setback of any public street frontage.
- 52. Setback, street:** The horizontal distance between the street lot line of a zoning lot and any structure on such zoning lot, measured perpendicular to the street lot line.
- 53. Sidewalk clear zone:** An area of the sidewalk equivalent to the minimum required width for which pedestrians have a safe and adequate place to walk free of any obstructions. Any entryways, doors, door swings, outdoor dining, sandwich boards, benches, lighting or other streetscape features shall be placed outside of the clear zone.
- 54. Site specific development plan:** A special use permit issued by the council authorizing the development of a zoning lot.
- 55. Special Use Permit (SUP):** A permit issued by the council authorizing the development of a zoning lot for a special use or a planned development.
- 56. Story height:** The height of each story of building and it is measured from the top of the finished floor to the ceiling above.
- 57. Street:** A right-of-way or easement thirty (30) feet or more in width containing a roadway which provides or is used primarily for vehicular circulation.
- 58. Street facing façade:** A building façade which directly abuts an arterial, collector, local or district street.
- 59. Street frontage width:** The horizontal distance measured along a straight line connecting the points at which the street lot line abutting a street intersects with interior lot lines and/or other street lot lines.
- 60. Street, private:** A street consisting of a private easement and a privately maintained roadway.

TERMS (CONTINUED...)

- 61. Street, public:** A street consisting of a publicly dedicated right-of-way and a roadway maintained by the Town of Chapel Hill or the State of North Carolina.
- 62. Thoroughfare:** A route provided for the purposes of creating connectivity and/or establishing blocks, to include all types of streets, alleys, and non-vehicular paths and greenways with a defined right-of-way.
- 63. Town council:** The governing body of the Town of Chapel Hill, consisting of a mayor and eight (8) council members, as established in the Charter of the Town of Chapel Hill.
- 64. Town Manager:** The Town Manager of the Town of Chapel Hill, or his or her designee.
- 65. Transparency:** The minimum percentage of windows and doors that must cover a ground or upper story façade. Transparency is required for any building façade facing a street.
- 66. Use:** The specific activity or function for which land, a building, or a structure is designated, arranged, intended, occupied, or maintained.
- 67. Use, accessory:** A use on the same lot or in the same structure with, and of a nature and extent customarily incidental and subordinate to, the principal use of the lot or structure.
- 68. Use, principal:** The primary or main use of land or structures, as distinguished from a secondary or accessory use.
- 69. Use, special:** A use of land, buildings, or structure that is identified in this appendix as a use that because of its inherent nature, extent, and external effects, requires special care in the control of its location, design, and methods of operation in order to ensure protection of the public health, safety, and welfare.
- 70. Variance:** A relaxation of the strict terms of a specific provision of this appendix authorized by the board of adjustment in accord with the provisions of section 4.6 of this appendix.
- 71. Vertical mixed use building:** A building in which commercial uses are located on the first floor; commercial, residential, or office uses are located on the second to fourth floors; and residential uses are located on any floors above the fourth floors. A building must include both (1) commercial and/or office uses, and (2) residential uses, in order to be considered a vertical mixed use building.
- 72. Zoning Compliance Permit (ZCP):** A permit issued by the town manager authorizing the recipient to make use of property in accord with the requirements of this appendix.

II. FRAMEWORK

The site plan configures the property into different development areas referred to as “Pods”. The configuration of each Pod is based on the current built environment (buildings, road network and areas protected by tenant’s lease rights), the proposed future built environment, as well as the natural resources surrounding the property such as the floodway, floodplain and Resource Conservation District (“RCD”). Within each Pod, development is dictated by specific rights designated to that Pod as well as overall densities allowed for the property as a whole. While overall densities are outlined in the Data Table on the site plan, the Design Standards will serve as the framework for development within each Pod. Plazas and green spaces are placed throughout the property’s development and are connected by pedestrian-oriented walkways and streetscapes.



Each Pod within the Site Plan contains allowable use types that include commercial, office, residential and hotel, each of which are further defined below. For uses not specifically defined within the Design Standards for University Place, the uses permitted within Community Commercial ("CC") zoning district shall govern allowed uses unless otherwise listed herein as specifically prohibited.

PERMITTED USES					
RESIDENTIAL USES	POD A	POD B	POD C	POD D	POD E
Dwelling Units, as listed below:					
Single Family	--	--	--	--	--
Single Family w/ accessory apartment	--	--	--	--	--
Duplex	--	--	--	--	--
Multifamily - 3 to 7 dwelling units	P	--	P	--	--
Multifamily - Over 7 dwelling units	P	--	P	--	--
Live-Work	--	--	--	--	--
Triplex	--	--	--	--	--
Upper Story	--	--	--	--	--
Fraternity Dwelling	--	--	--	--	--
Group Care Facility	--	--	--	--	--
Home Occupation	A	--	A	--	--
Home Occupation, Major	--	--	--	--	--
Independent Senior Living Facility	P	--	P	--	--
Manufactured Home Park	--	--	--	--	--
Manufactured Home, Class A	--	--	--	--	--
Manufactured Home, Class B	--	--	--	--	--
Residence Hall	--	--	--	--	--
Residential Support Facility	--	--	--	--	--
Rooming House	--	--	--	--	--
Shelter	--	--	--	--	--
Short-Term Rentals	--	--	--	--	--
Tourist Home	--	--	--	--	--
OFFICE USES	POD A	POD B	POD C	POD D	POD E
Business, Office-Type	P	P	P	P	P
Clinic	P	P	P	P	P
Hospital	--	--	--	--	--
Institutional Uses, as listed below:					
College or University	P	P	P	P	P
Fine Arts Educational Institution	P	P	P	P	P
Place of Worship	P	P	P	P	P
Public Cultural Facility	P	P	P	P	P

KEY

P = Permitted as Principal Use
A = Permitted as Accessory Use
S = Permitted as Special Use
-- = Use Not Permitted

Public Service Facility	A	A	A	A	A
Public Use Facility	P	P	P	P	P
School, Elementary or Secondary	P	P	P	P	P
Vocational School	P	P	P	P	P
Flex Office	--	--	--	--	--
Flex Space	--	--	--	--	--
Maintenance & Storage Facility	A	A	A	A	A
Research Activities	P	P	P	P	P
Research Activities, Light	--	--	--	--	--
HOTEL USES	POD A	POD B	POD C	POD D	POD E
Hotel or Motel	P	--	P	--	--
COMMERCIAL USES	POD A	POD B	POD C	POD D	POD E
Adult Day Care Facility	A	A	A	A	A
Agriculture, except as listed below:	--	--	--	--	--
Community Garden	A	A	A	A	A
Automatic Teller Machines (Walk-up)	P	P	P	P	P
Automatic Teller Machines (Drive-up)	P	P	P	P	P
Automotive Repair	P	P	P	P	P
Automotive, Trailer & Farm Sales or Rental	--	--	--	--	--
Bank	P	P	P	P	P
Barber Shop / Beauty Salon	P	P	P	P	P
Business - Convenience	P	P	P	P	P
Business - General	P	P	P	P	P
Business - Wholesale	P	P	P	P	P
Car Wash	A	A	A	A	A
Cemetery	--	--	--	--	--
Child Day Care Facility	P	P	P	P	P
Club	P	P	P	P	P
Drive-in Window / Drive-thru Facilities	P	P	P	P	P
Essential Services	P	P	P	P	P
Extraction of Earth Products	--	--	--	--	--
Food Truck	A	A	A	A	A
Funeral Home	--	--	--	--	--
Hangar, Medical Aircraft	--	--	--	--	--
Kennel	A	A	A	A	A
Landfill	--	--	--	--	--
Manufacturing, Light	A	A	A	A	A

KEY

P = Permitted as Principal Use
A = Permitted as Accessory Use
S = Permitted as Special Use
-- = Use Not Permitted

Outdoor Skateboard Ramp	--	--	--	--	--
Park/Ride	A	A	A	A	A
Parking, Off-Street	A	A	A	A	A
Personal Services	P	P	P	P	P
Place of Assembly, +2,000 Seating Capacity	--	--	--	--	--
Place of Assembly, up to 2,000 Seating Capacity	P	P	P	P	P
Publishing and/or Printing	A	A	A	A	A
Recreation Facility, Commercial	P	P	P	P	P
Recreation Facility, Non-Profit	P	P	P	P	P
Recreation Facility, Outdoor Commercial	A	A	A	A	A
Self-Storage Facility, Conditioned	--	--	--	--	--
Service Station/Convenience Store	--	--	--	P	P
Solid Waste Management Facility	--	--	--	--	--
Supply Yard	A	A	A	A	A
Temporary Portable Building, Construction Related	A	A	A	A	A
Temporary Portable Building, Not Construction Related	--	--	--	--	--
Veterinary Hospital or Clinic	P	P	P	P	P
Water & Wastewater Treatment Plant	--	--	--	--	--
WIRELESS COMMUNICATION FACILITIES	POD A	POD B	POD C	POD D	POD E
Collocation on existing tower or base station	P	P	P	P	P
Small Wireless Facility concealed: new base station or new dual purpose tower	P	P	P	P	P
Small Wireless Facility non-concealed: new base station or new tower	P	P	P	P	P
Macrocell Facility: new concealed base station	P	P	P	P	P
Macrocell Facility: new concealed dual-purpose tower	S	S	S	S	S
Macrocell Facility: new non-concealed base station	P	P	P	P	P
Macrocell Facility: new non-concealed tower	S	S	S	S	S

KEY

P = Permitted as Principal Use

A = Permitted as Accessory Use

S = Permitted as Special Use

-- = Use Not Permitted

NOTES

1. A lot or building must be occupied with only the principal uses permitted on the permitted use table above. Accessory uses and structures customarily incidental to a permitted principal or special use shall be permitted.
2. If residential uses are constructed as permitted herein, a minimum of 15% of all residential units constructed must be designated as affordable dwelling units.
3. All affordable dwelling units within residential uses designated as “for sale” shall be subject to the requirements of Section 3.10 of the Land Use Management Ordinance (LUMO).
4. All affordable dwelling units within residential uses designated as “rental units” shall be subject to the requirements contained herein:
 - a. Rental units designated as affordable dwelling units shall remain affordable for a period of 30 years from certificate of occupancy.
 - b. Rental units designated as affordable dwelling units shall be units provided for households earning 80% or less of the area median income (AMI) based on household size for the Durham-Chapel Hill Metropolitan Statistical Area, as determined by the United States Department of Housing and Urban Development (HUD).
 - c. If the required number of affordable dwelling units includes a fraction, the applicant shall have the option to (i) round up and provide one additional affordable dwelling unit, or (ii) the fraction of a unit shall be provided in the form of a payment in lieu of providing the affordable dwelling unit as further outlined in Section 3.10.3 of the LUMO.
 - d. Each rental unit designated as an affordable dwelling unit must meet the following minimum floor area:
 - i. Studio/Efficiency – 500 SF*
 - ii. 1 Bedroom – 700 SF*
 - iii. 2 Bedroom – 850 SF*
 - iv. 3 Bedroom – 1,100 SF*
 - v. 4 Bedroom – 1,200 plus 250 SF per additional bedroom above 4*

*If unrestricted, market rate units in a building are constructed at sized below those stated above, the minimum floor area for affordable units may be reduced to the size of such comparable unrestricted units in the building.
 - e. The owner may seek alternatives to on-site development of affordable dwelling units as outlined in Section 3.10.3 of the LUMO.
 - f. An affordable housing plan shall be required as outlined in Section 3.10.4 of the LUMO.
 - g. An affordable housing performance agreement shall be required as outlined in Section 3.10.5 of the LUMO.
 - h. The owner shall be entitled to all development cost offsets allowed under Section 3.10.6 of the LUMO.
 - i. Rental units designated as affordable dwelling units shall be subject to all requirements under Section 3.10.7 of the LUMO.
5. If residential uses are constructed as permitted herein and are designated as “senior housing/senior living” with minimum age requirements (typically 55+), the affordable dwelling unit requirements outlined above shall not apply so long as the units remain age restricted.
6. Food Trucks shall be a permitted use by right, however, Food Trucks will need to comply with all vendor requirements under Sec. 6.20 of the LUMO.

NOTES (CONTINUED...)

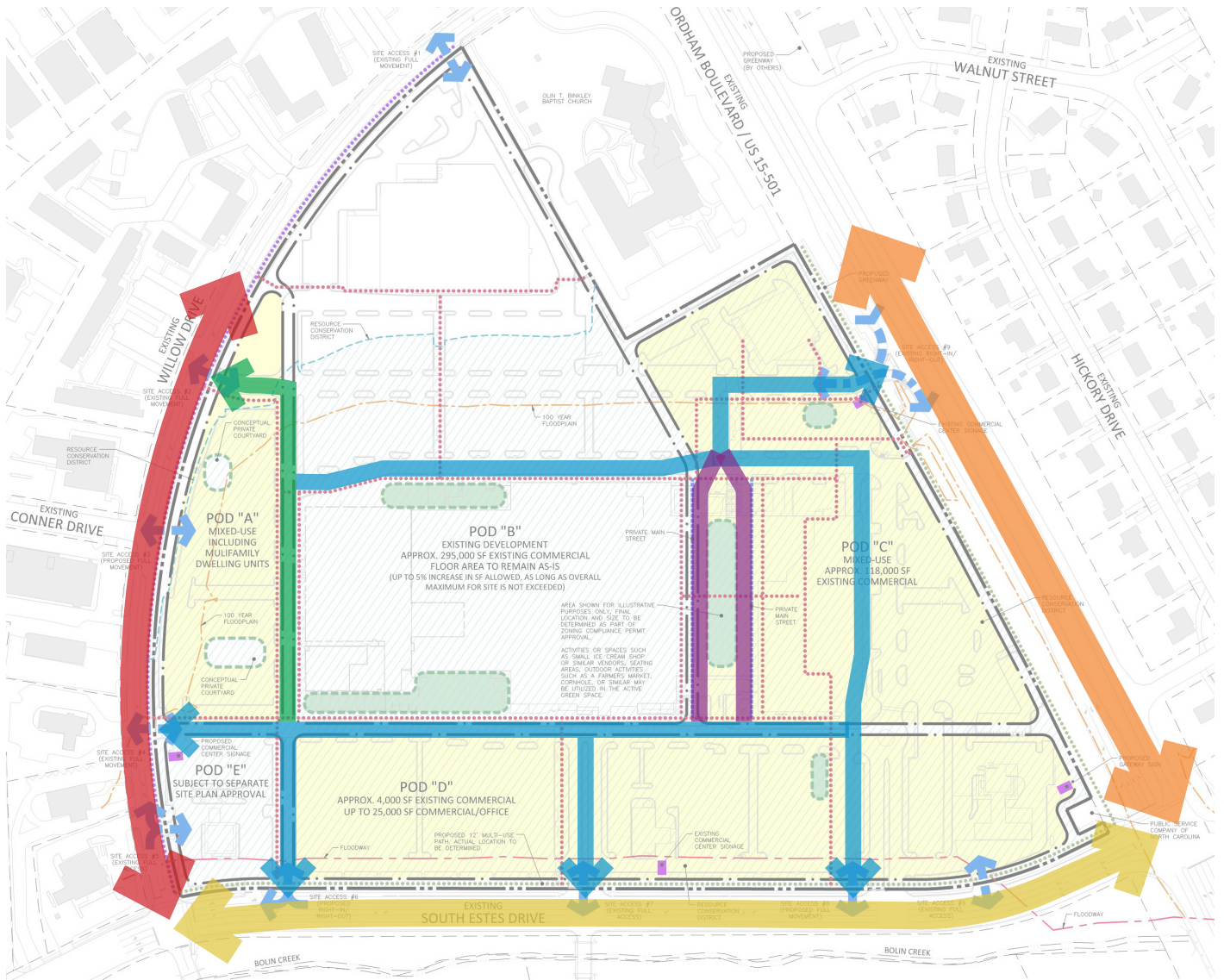
7. In order to regulate use, categories of uses have been established above, providing a systematic basis for assigning land uses to appropriate categories with other similar uses. Use categories classify land uses and activities based on common functional, product or physical characteristics. The Town Manager is responsible for categorizing all uses into the use categories above. When determining the use category in which a proposed use fits, the Town Manager must consider the following criteria:
 - a. the actual or projected characteristics of the proposed use
 - b. the relative amount of site area or floor area and equipment devoted to the proposed use
 - c. relative amounts of sales
 - d. the customer type
 - e. the relative number of employees
 - f. hours of operation
 - g. building and site arrangement
 - h. types of vehicles used and their parking requirements
 - i. the number of vehicle trips generated
 - j. how the proposed use is advertised
 - k. the likely impact on surrounding properties
 - l. whether the activity is likely to be found independent of the other activities on the site
 - m. where a use not listed is found by the Town Manager not to be similar to any other permitted use, the use is not permitted.
8. The Business - Convenience use as permitted herein which includes the use for eating and drinking establishments shall include brewery, cidery, seltzery, distillery & winery uses, so long as any such use includes a retail component open to the public. No production-only facilities shall be permitted.
9. Drive-thru facilities, including drive-up automatic teller machines and drive-in windows shall be permitted, subject to the drive-thru standards contained herein.
10. Co-working space shall be permitted under Business, Office-Type.
11. Short-Term Rentals, which is defined as the rental of a residence, or part thereof, to a transient for a limited duration, usually 30 days or less, shall be specifically prohibited.
12. The property contains an existing Service Station / Convenience Store use located on Pod D. No additional independent Service Station / Convenience Store uses shall be permitted by right without first obtaining a Special Use Permit.

III. DESIGN CRITERIA

DESIGN CRITERIA

STREET FRONTAGES

To help facilitate a pedestrian friendly and walkable environment, street frontage requirements shall be used to apply certain development standards along thoroughfares. Frontage requirements shall be used to dictate a building's proximity to the road through the use of a Build-to Zone ("BTZ"), where new buildings must be placed in order to qualify as a building frontage. New buildings shall also be required to have a minimum percentage of building facade along the linear street frontage. Given the environmental constraints along Estes Drive, there shall be no frontage requirements for buildings in Pod D that are fronting Estes Drive, however, streetscape standards shall apply as detailed herein. Note that these Design Standard street frontage requirements shall take the place of perimeter buffer requirements that are outlined in LUMO Section 5.6.



LEGEND:

—	WILLOW DRIVE
—	FORDHAM BOULEVARD
—	ESTES DRIVE
—	INTERNAL MAIN STREET DRIVEWAY
—	INTERNAL TYPICAL DRIVEWAY
—	SERVICE ALLEY

2. FORDHAM BOULEVARD

BUILDING LOCATIONS

- Front Setback/BTZ: 0 (min)
 - 77' (max with parking)
 - 0-20' (max without parking)
- Building Façade in BTZ (min): 40%

Given that development will occur in phases, the required building façade in BTZ shall be calculated based on the new building area within the BTZ against the land area being disturbed for that specific building or phase of development.

PEDESTRIAN ZONE

- Sidewalk (min): 8'
 - (See Street Frontages note 5)

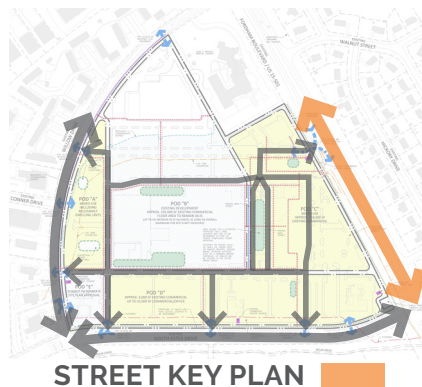
PARKING AREA

- Parking Area (max, if provided): 62'
- Hedge Planting Zone (min): 5' (only required when there is parking that is to be screened)

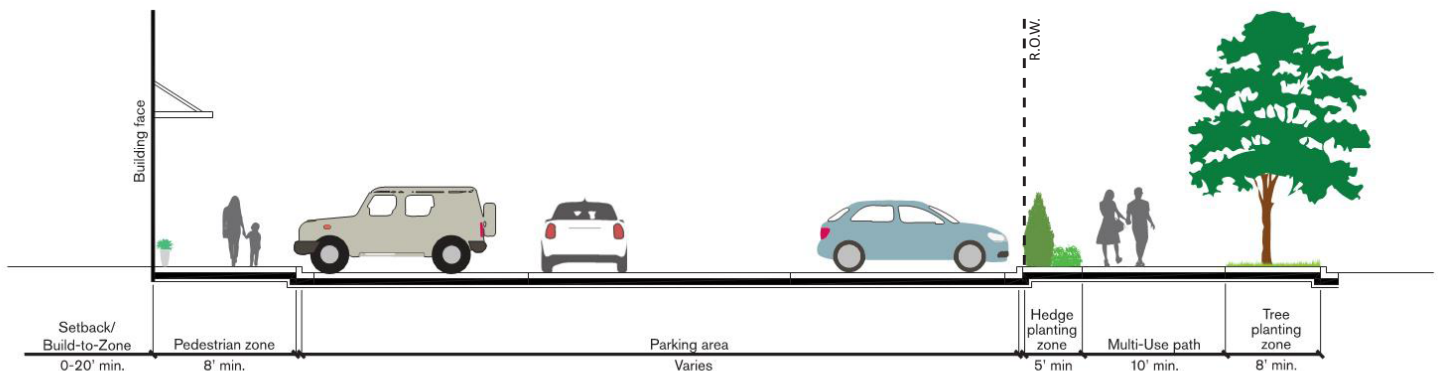
STREETSCAPE

- Sidewalk (min): N/A*
 - *Multi-use path proposed as alternative to sidewalk
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8'
 - Preserve existing mature trees where possible.
- Tree Spacing (on center, avg): 40'
 - Space proposed trees around and between existing mature trees as needed.

Where conflicts exist due to utility locations, fire access, required sight lines or other existing conditions, an alternative design shall be proposed, reviewed and approved by the Planning Staff.



STREET KEY PLAN



SECTION

3. ESTES DRIVE

BUILDING LOCATIONS

- Front Setback/BTZ (min/max): N/A
- Building Façade in BTZ (min): N/A

Given that the Estes Drive frontage is within the FEMA floodway, there shall be no required BTZ since buildings cannot be placed within the floodway.

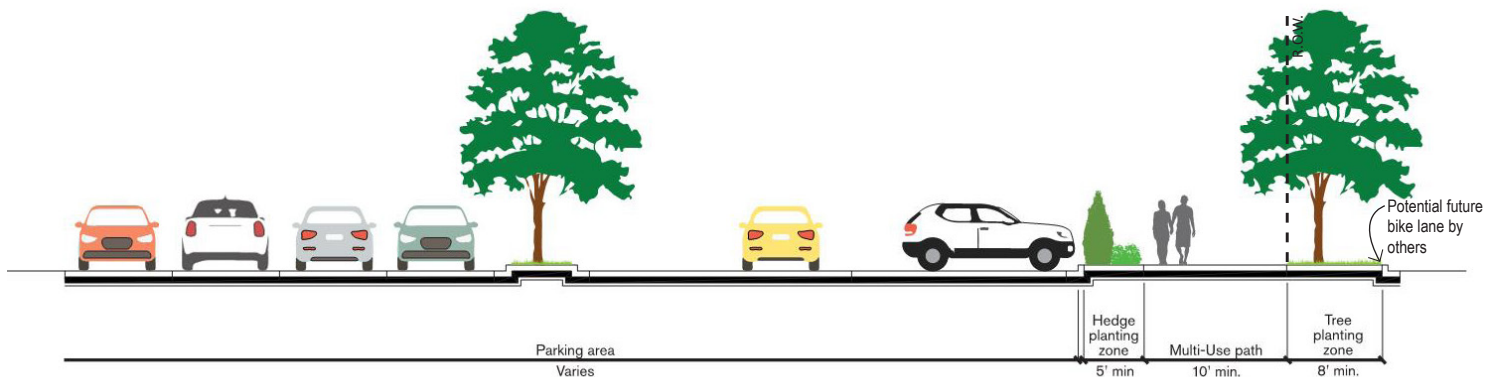
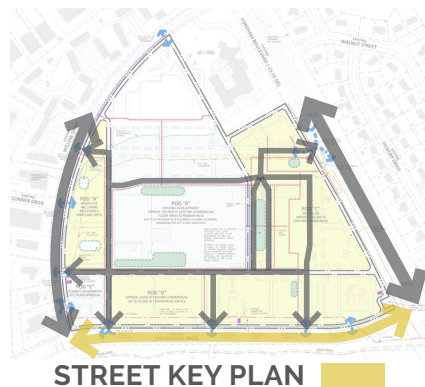
PARKING

- Parking Area (min): Varies
- Hedge Planting Zone (min): 5' (only required when there is parking that is to be screened)

STREETSCAPE

- Sidewalk (min): N/A*
 - *Multi-use path proposed as alternative to sidewalk.
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8'
 - Preserve existing mature trees where possible.
- Tree Spacing (on center, avg): 40'
 - Space proposed trees around and between existing mature trees as needed.

Where conflicts exist due to utility locations, fire access, required sight lines or other existing conditions, an alternative design shall be proposed, reviewed and approved by the Planning Staff.



SECTION

4. INTERNAL MAIN STREET DRIVEWAY

DESIGN INTENT & FLEXIBILITY

The internal main street driveway section shown below is mainly shown for design intent only. There may be a need for flexibility in this layout to accommodate specific urban amenities and groups that will utilize this space such as a farmer's market, events lawn, and other events such as hosting larger community gatherings.

****Note that if a design alternative is proposed for this example streetscape section, Planning Staff can approve the alternative so long as it meets the overall intent.**

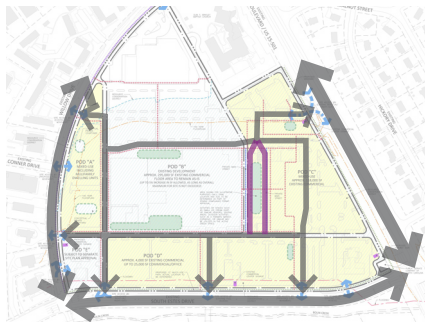
BUILDING LOCATIONS

- Front Setback/BTZ (min/max): 0-20'
- Building Façade in BTZ (min): 50%

Given that development will occur in phases, the required building façade in BTZ shall be calculated based on the new building area within the BTZ against the land area being disturbed for that specific building or phase of development.

PARKING

- Angled or parallel parking
- Ensure pedestrians have convenient access from the parking area directly to the sidewalk and building facades.

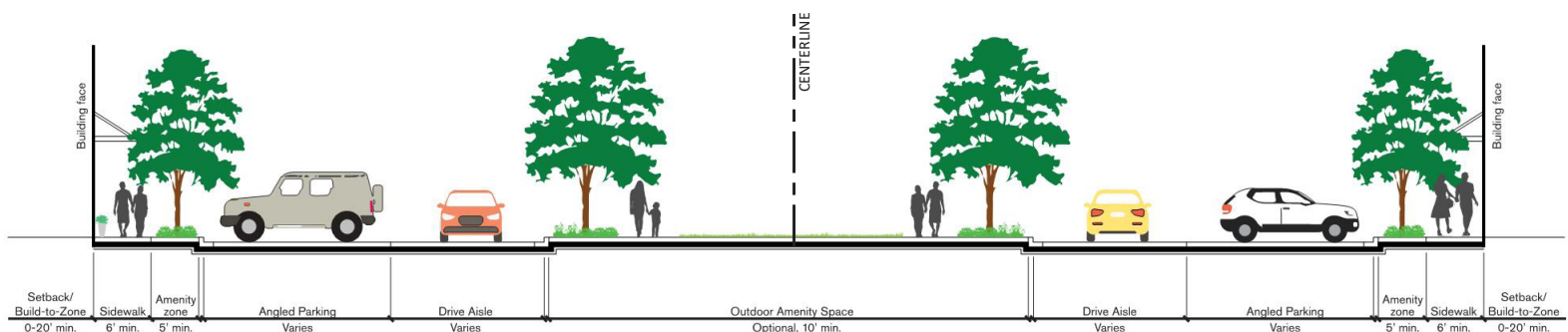


STREET KEY PLAN

STREETSCAPE

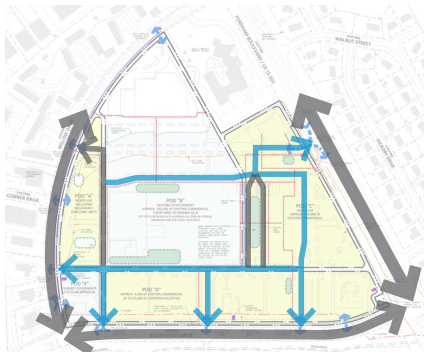
- Sidewalk (min): 6'
- Amenity Zone (min): 5'
 - Includes but not limited to: tree planting zone, light poles, bollards, tree grates, benches, planters, street furnishings, and hardscape areas/ extended sidewalk.
- Tree Spacing (on center, avg): 40'
 - A tree shall be provided at least every 40' measured linearly along each side of the internal main street driveway. These trees may be placed within the outdoor amenity space, streetscape amenity zone or in the parking islands; however, only the trees located on each side of the centerline may count towards that half of the streetscape's tree requirement.
 - Tree planting requirements of the parking landscape standards in section 5.9.6 of the LUMO shall apply.
- Outdoor Amenity Space (min, if provided): 10'
 - Refer to requirements in these Design Standards to follow.
 - Retail kiosks and other structures may be placed in the outdoor amenity space.

Where conflicts exist due to utility locations, fire access, required sight lines or other existing conditions, an alternative design shall be proposed, reviewed and approved by the Planning Staff.



EXAMPLE SECTION**

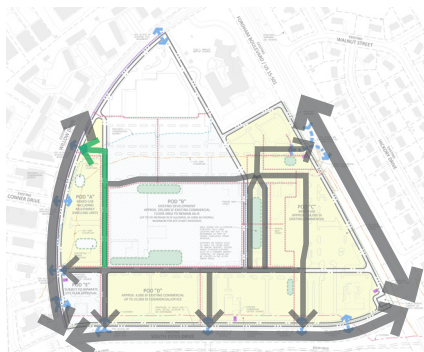
5. INTERNAL TYPICAL DRIVEWAY



STREET KEY PLAN

Throughout the site there are numerous existing internal driveways that may remain as-is or be modified over time. Given the various configurations existing today, internal drives shall not be subject to any specific cross-section; however, for proposed buildings with a primary entrance facing an internal drive, a minimum 6' sidewalk and 5' amenity zone shall be required between the building and the internal drive. Alternative designs may be proposed, reviewed and approved by the Planning Staff where conflicts exist due to utility locations, fire access, required sight lines or other conditions merit.

6. SERVICE ALLEY



STREET KEY PLAN

The service alley is located near the rear of the building and not visible from the public right-of-ways as much as possible given existing parameters of the site. The alley is oriented to easily access necessary service areas around Pod A and Pod B.

NOTES

1. Setbacks/BTZ shall be measured from the edge of the right-of-way line. No interior, side or rear yard setbacks shall be required; however, if building is not placed on the side or rear property line and a setback is provided, it must be a minimum of 5 feet from the property line.
2. The required percentage of building façade in the BTZ is measured by the width of the building along the street frontage divided by the buildable width of the lot. Since the project may occur in phases, the buildable width of the lot shall only include the portion of the lot included and being disturbed in any such phase of construction. If any such phasing creates a non-conforming frontage request until a future phase is built, a design alternative may be reviewed and approved by the Town Manager.
3. Outdoor seating and dining areas shall qualify as building façade for the purposes of calculating the BTZ percentage so long as the outdoor seating and dining area is not more than 2/3 the width of the building and is separated from the sidewalk by a wall or fence no higher than 4' above the sidewalk. Each outdoor seating and dining area may only include up to 20' of qualifying width with no more than two outdoor seating and dining areas included in the BTZ calculation for any one building.
4. Drive-thru windows or similar structures related to drive-thru facilities, whether attached or detached to the use it serves shall not be counted towards the BTZ percentage requirement, nor shall walk-up automatic teller machines.
5. Along Fordham Blvd. frontage, if the primary building entrance is facing Fordham Blvd, an 8' sidewalk shall be required within the pedestrian zone. If the primary building entrance is perpendicular to Fordham Blvd., an 8' sidewalk shall be required along the primary building façade and a 5' sidewalk shall be required adjacent to the building façade parallel to and fronting Fordham Blvd. If no building fronts Fordham Blvd., then a pedestrian zone sidewalk is not required in addition to the multi-use path.
6. While only one row of parking (62' max) shall be permitted between any new buildings constructed and the Fordham Blvd. right-of-way, so long as the minimum BTZ percentage requirement has been met, additional rows of parking shall be allowed beside those buildings constructed or in the areas between where buildings are constructed along Fordham Blvd.
7. Where a new building is being constructed on a portion of the property that is outside of the BTZ, such construction shall be permitted when the BTZ percentage required has been met for the frontage directly adjacent to where the non-conforming building is being proposed. Note that if a building fronts the Main Street it is exempt from other frontage/BTZ requirements.
8. Building additions to any existing structures shall be permitted and shall not be subject to BTZ requirements unless the building addition proposed is within the BTZ of any street frontage. Note that this statement also applies to a structure that exists in the future and is then expanded.
9. Buildings within 100' of a second right-of-way shall be subject to the frontage requirements of both streets. Any building outside of 100' of a second right-of-way shall only be subject to one frontage requirement based on the nearest right-of-way to the building being constructed unless otherwise exempt from frontage requirements. This requirement excludes the plans that are currently under review in Pod E.
10. Note that streetscape improvements are only required along areas that are being redeveloped.
11. All landscaping for street fronts shall meet requirements set forth in Section 5.9.6 of the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual, with the exception of any modifications, variances or design alternatives that are approved with the Special Use Permit. For any NCDOT roads, streetscape & landscaping requirements are subject to NCDOT approval and may be modified as needed so long as Planning Staff agrees with the requested changes.
12. Given that screening and other requirements are met, structured parking may be located in the BTZs.

MASS

Building mass variation is the way the form and shape of a building changes to establish a sense of human scale. This may be achieved by changing the heights of different parts of a building and by creating offsets in wall planes to express individual building modules. All new buildings in University Place shall be subject to the building height requirements listed below. In addition, all buildings 4 stories in height or greater shall meet either the building step back or module offset criteria listed below.

1. BUILDING HEIGHT

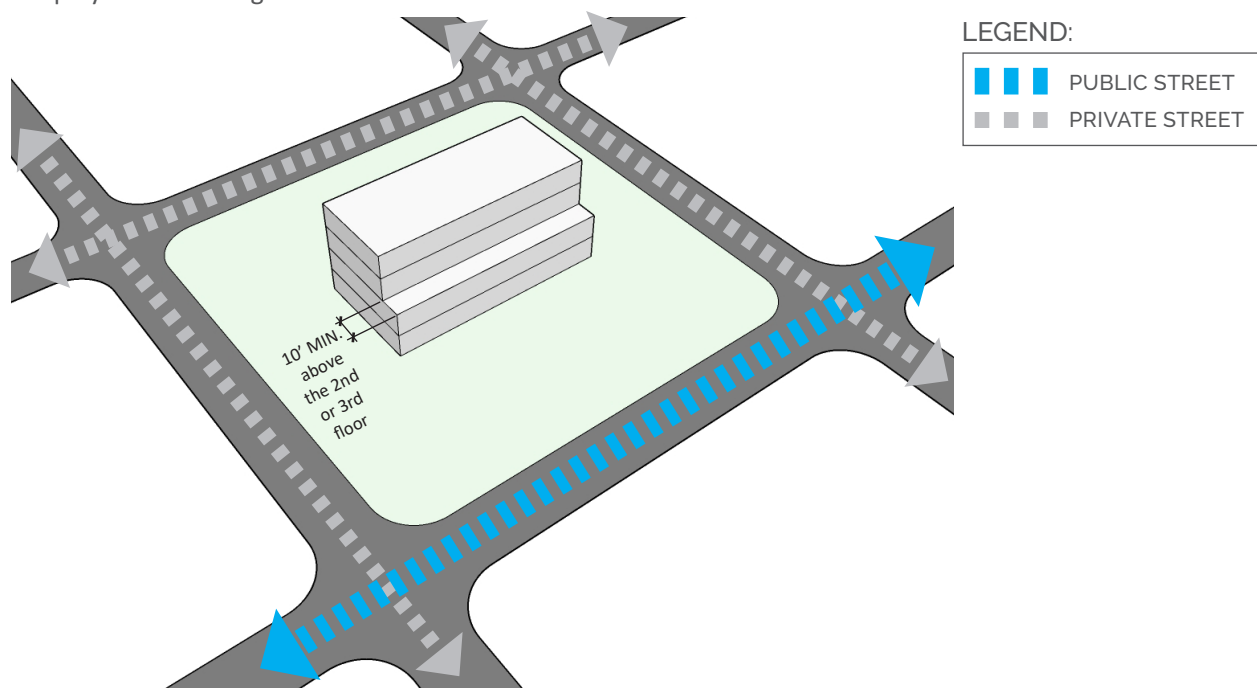
Building height shall be measured from the average grade at the foundation to the highest portion of the structure. Building height requirements are broken down into primary and secondary. Primary height shall be the maximum height allowed for any structure located at the minimum setback required for such structure, while secondary height shall be the absolute maximum height allowed for any structure. The maximum heights for University Place shall be as follows:

	Primary Height (max.)	Secondary Height (max.)
Pod A	75' (5-story)	90' (7-story)
Pod B	N/A - No Change	N/A - No Change
Pod C	75' (5-story)	90' (7-story)
Pod D	34' (3-story)	45' (3-story)
Pod E	N/A - No Change	N/A - No Change

Ground Floor Height: In addition, ground floor height for residential and hotel uses shall be a minimum of 9' from floor to ceiling and a minimum of 12' from floor to ceiling for commercial and office uses with upper story height being a minimum of 9' from floor to ceiling for all permitted uses.

2. BUILDING STEP BACK

The building step back shall be measured as the horizontal change in the building wall plane, perpendicular to the applicable frontage or property line. Stepped heights of buildings are to be proposed only from buildings directly fronting public streets. A 10' foot building step back above the second or third floor is required for buildings 4 stories or greater, unless module offset is provided. The building step back requirements are also displayed in the diagram below:



BUILDING STEP BACK DIAGRAM

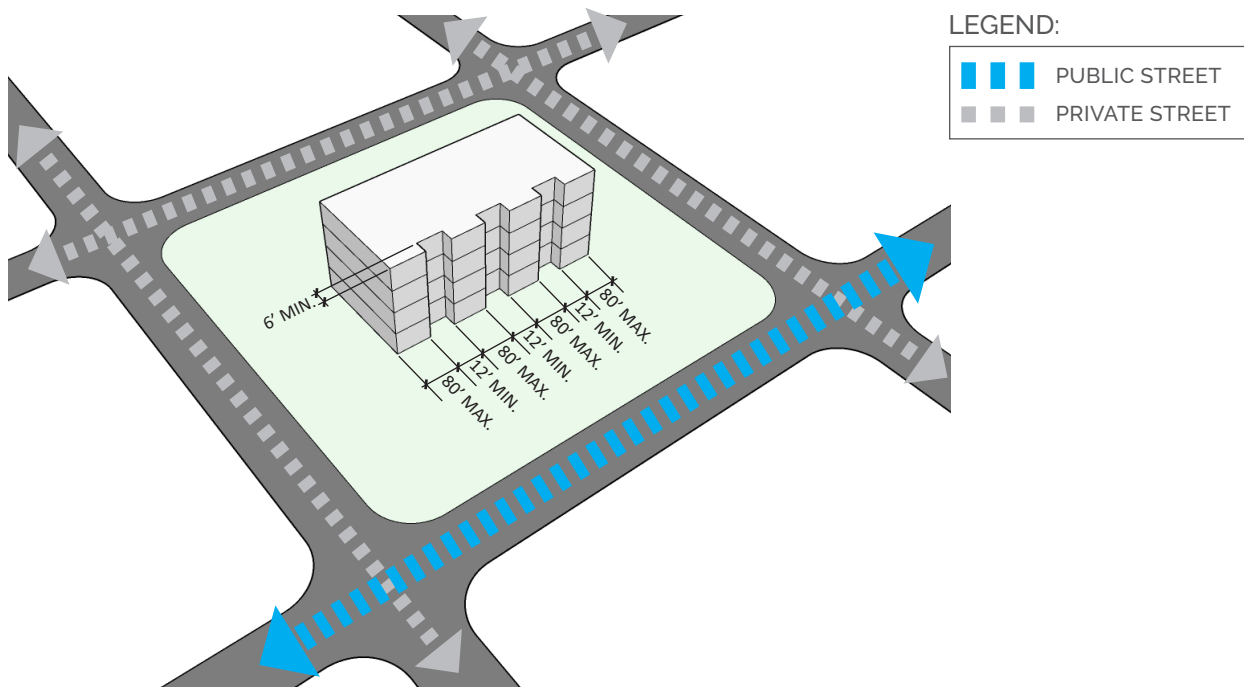
MASS (CONTINUED...)

3. MODULE OFFSET

Building modules refer to a set of subordinate volumes that compose the total mass of a building. Modularity also can be expressed by the following, but not limited to, changes in wall planes, building materials and architectural details. The module offset requirement shall be measured as the horizontal change of a portion of the building wall plane at ground level, perpendicular to the applicable frontage. The module width shall be measured for the portion of the wall plane closer to the sidewalk, while the width of offset shall be measured for the portion further from the sidewalk. The dimensions of modules and offsets should maintain a sense of proportion to the building as a whole. Module offset is required for buildings 4 stories or greater, unless a building step back is provided. Requirements for module offset in University Place shall be as follows:

Average Module Width (max)	80'
Depth of Offset (min)	6'
Width of Offset (min)	12'

The module offset requirements are also displayed in the diagram below:



MODULE OFFSET DIAGRAM

FORM

The building form design requirements should encourage human interaction and activity at the street level with clear connections to building entries and edges. In conjunction, the Street Frontage standards defined in this package will ensure an appropriate pedestrian framework is created to safely connect people to different buildings. Primary entrances should be distinctive and identifiable to pedestrians with clear lines of sight. There should be an emphasis on street level transparency to facilitate interaction between people in the interior of a building and people near the exterior of a building. The primary elevation of a building is considered as that side which fronts the main street serving the building. It will usually contain the main architectural features such as large windows, one or more primary entries, lighting, signage and canopies or awnings. To facilitate these goals mentioned above, the following shall be required on the primary elevations of buildings:

Transparency - Ground Floor (min)	20% (Residential/Hotel Uses)
	50% (Commercial/Office Uses)
Transparency - Upper Floors (min)	20% (All Uses)
Blank Wall Distance (max)	50'
Primary Entrance Facing Public Realm	Required
Building Pass-through	330' maximum spacing
Width (min)	12'
Width (min) for Buildings 4-stories or more	20'
Height (min)	Equal to height of adjacent first floor ceiling



NOTES

1. The primary height limitation is the maximum height allowed for any structure located at the minimum setback required for the structure. The secondary height is the absolute maximum height allowed for any structure and increases at a rate of one foot in height for every one foot of distance interior to the lot, measured away from the setback of any public street frontage. The secondary height allowed as measured in number of stories shall increase at a rate of 1 additional story for every 10' feet of distance interior to the lot, measured away from the setback of any public street frontage.
2. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story façade. Transparency is required for any building façade facing a public street. The transparency requirement on ground story façades is measured between 2 and 9 feet above the adjacent sidewalk. The transparency requirement on upper story façades is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%. Windows must be clear, unpainted, or made of similarly-treated glass; spandrel glass or back-painted glass does not comply with this provision. Transparency applies to street-facing façades only. For ground story commercial uses, a minimum of 60% of all windows must allow views into the ground story for a depth of at least 6 feet.
3. Blank wall area and distance means a portion of the exterior façade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth, art or murals, or a substantial material change (paint color is not considered a substantial change). Blank wall area and distance applies in both a vertical and horizontal direction. Blank wall area is not permitted to exceed the maximum blank wall distance as measured in both the vertical and horizontal direction. Blank wall area and distance applies only to ground and upper story street-facing façades.
4. An entrance providing both ingress and egress, operable to residents at all times or to customers during normal business hours, is required along each side of the building facing a public streetscape or any other non-vehicular, publicly accessible area to meet the public realm primary entrance requirements. Additional entrances are permitted. An angled (clipped corner) entrance may be provided at any corner of a building along the street to meet the street entrance requirements. A primary entrance may be oriented perpendicular to the adjacent public realm where the entrance is clearly defined by a building element. For a residential building façade, entries to individual units are considered primary entrances.
5. Building pass-throughs shall be a minimum height equal to the first floor ceiling height of the adjacent building except when life safety service is required. For buildings 4-stories or greater, a building pass-through shall be a minimum width of 20'. For building 4-stories or less, the building pass-through shall be a minimum width of 12'. Building pass-throughs shall be adequately lit. Building pass-throughs shall serve as a publicly accessible passage between or through buildings that allows pedestrians to move from one side of a building to another, through a privately owned or publicly dedicated area.
 - a. The maximum building pass-through spacing may be increased by five percent (5%) through a minor modification where one or more of the following applies:
 - i. proposed to protect sensitive natural areas or save healthy existing trees
 - ii. required to protect natural conditions, such as watercourses, riparian buffers, natural rock formations or topography
 - iii. required based on some unusual aspect of the development site or the proposed development that is not shared by landowners in the surrounding area (e.g., unusual lot size or configuration)
 - iv. required due to the presence of existing utilities or other easements
 - v. proposed because there are no other options for ingress and egress.

NOTES (CONTINUED...)

- b. Where the Planning Staff makes a finding that a proposed design alternative for building pass-through will provide access that at a minimum meets the purpose or intent the pass through requirement and where one or more of the site constraints listed below applies, the Planning Staff may approve an alternatively designed building pass-through:
 - i. proposed to protect sensitive natural areas or save healthy existing
 - ii. required to protect natural conditions, such as watercourses, riparian buffers, natural rock formations or topography
 - iii. required based on some unusual aspect of the development site or the proposed development that is not shared by landowners generally in the surrounding area (e.g., unusual lot size or configuration)
 - iv. required due to the presence of existing utilities or other easements.
 - c. Modifications to existing structures shall not trigger any requirement for a building pass-through. Only new buildings shall be subject to the pass-through requirement.
 - d. Where building pass-throughs cannot be implemented because of limitations caused by existing conditions, a public amenity must be provided in its place to continue a piece of the pedestrian experience in an alternative way. Given the significant grade change and the interior street being a service alley for trash and deliveries, no building pass-through shall be required on Pod A; however, a public outdoor amenity space will be provided in lieu of the building pass-through.
- 6. Average grade of a building is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback line.
- 7. Any height encroachment not specifically listed is expressly prohibited except where the Town Manager determines that the encroachment is similar to a permitted encroachment listed below.
 - a. The maximum height limits do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks/towers or other similar structures which, by design or function, must exceed the established height limits.
 - b. The following accessory structures may exceed the established height limit of the district provided they do not exceed the maximum height by more than fifteen (15) percent of the maximum height limitation that defines the portion of the building envelope penetrated by such structures:
 - i. Chimney, flue or vent stack, spire, smokestack, water tank, windmill
 - ii. Rooftop deck, patio, shade structure
 - iii. Monument, steeple, flagpole
 - iv. Accessory radio or television antenna, relay tower
 - v. Transmission pole, tower or cable
 - vi. Garden, landscaping
 - vii. Skylight
 - viii. Cupola, clock tower or decorative tower not exceeding twenty (20) percent of the principal building footprint
 - ix. Parapet wall
 - x. Solar panel, wind turbine, rainwater collection system
 - c. The following accessory structures may exceed the established height limits provided they do not exceed the maximum building height by more than ten (10) feet, do not occupy more than twenty-five (25) percent of the roof area, and are set back at least ten (10) feet from the edge of the roof: Elevator or stairway access to roof, Greenhouse and Mechanical equipment.
 - d. An accessory structure located on the roof must not be used for any purpose other than a use incidental to the principal use of the building.

DESIGN CRITERIA

PARKING

Parking is an essential element to a successful mixed use project, but access and sight-lines must not interfere with the pedestrian experience or safety. Given that the project has existing tenants with varying degrees of protection over existing parking areas, a portion of the existing surface lots will remain as-is in the near-term, but will offer more opportunities for redevelopment over time. In addition to the parking regulations outlined in the Street Frontage requirements herein, the minimum and maximum number of required parking spaces for vehicles and bicycles for new buildings shall be as follows:

PARKING REQUIREMENTS

	VEHICLE		BICYCLE	
	MIN.	MAX.	MIN.	SHORT/ LONG TERM
RESIDENTIAL USES				
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0 per Unit	1.25 per Unit	1 per 4 units	20% / 80%
2 Bedroom	1.25 per Unit*	1.75 per Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75 per Unit	2.25 per Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0 per Unit	2.5 per Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5 per Unit	1.0 per Unit*	1 per 2 units*	20% / 80%
COMMERCIAL USES				
All Commercial Uses, Except:	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	80% / 20%
Restaurant/Bar	1 per 150 SF*	1 per 75 SF*	1 per 2,500 SF*	80% / 20%
OFFICE USES				
All Office Uses	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	50% / 50%*
HOTEL USES				
Hotel or Motel	0.9 per Lodging Unit	1.25 per Lodging Unit	1 per 15 Lodging Units	20% / 80%

*Denotes a modification from LUMO Standards.

NOTES

1. Existing buildings may be renovated or otherwise modified without providing additional bicycle or vehicular parking, so long as there is no increase to the overall building's finished square footage. If an existing building's overall finished square footage is increased, additional parking is only required for the new square footage added. A change of use to any existing structure shall not require additional parking. Note that this statement also applies to a structure that exists in the future and is then expanded.
2. Minor modifications to parking areas shall include parking areas that are generally remaining the same and undergoing modifications to the layout of the spaces only. Major modifications include adding parking area somewhere where there was previously no parking area. If minor modifications are made to existing parking areas, the owner will not be required to bring those entire parking areas into full compliance so long as the result of the minor modifications are closer to compliance than the existing conditions. If major modifications are made, the parking area must be brought into full compliance per requirements of the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual. If the applicant and Planning Staff disagree, the Town Manager shall ultimately determine whether or not changes to the parking fields are considered major or minor modifications.
3. If parking, access or other internal driveways, etc. are modified to accommodate the reconfiguration of existing buildings and not new buildings, those modifications shall not be subject to any frontage, BTZ or other requirements unless modifications are to accommodate new buildings, in which case they shall be subject to all requirements for new buildings including frontage, BTZ, etc.
4. The minimum parking requirement (vehicle or bicycle) may be reduced by up to 30% for shared parking between a mix of uses. Any reduction to the minimum parking shall be reviewed and approved by the Town Manager.
5. Short-term bicycle parking minimums required may be reduced if existing short-term bicycle parking is located within 100' of the proposed building. The requirement shall be reduced on a one for one basis for each space located within 100' up to 25% of the total required short-term bicycle parking.
6. Any structured parking visible to the public shall be required to include architectural screening compatible with the principal building it serves. All parking structure screening must be reviewed and approved by the Planning Staff. When feasible, consideration shall be given to providing commercial, office or other active uses on the ground floor of parking structures.
7. In the event that on-street parking is constructed as part of the construction of new buildings at the property, each on-street parking space may be used to count towards the required minimum parking.
8. Bicycle parking shall be required in accordance with the table above. Short-term parking shall be publicly accessible and be located within 100' from a building entrance that the bicycle rack is intended to serve. Long-term parking is intended for employees and residents and must be covered, weather-resistant and within 100 feet from a building entrance that the bicycle rack is intended to serve. Long-term bike parking can also be provided interior to a building or parking structure, without the need for a distance requirement.
9. All landscaping for parking areas shall meet requirements set forth in the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual, with the exception of any modifications, variances or alterations that are approved with the Special Use Permit.
10. Pods may be developed with parking to serve the uses within the pod in excess of the maximum given that the parking provided on the overall site does not exceed the maximum.
11. A minimum of 20% of the new, modified surface parking spaces provided will be pre-wired for electric charging stations. In all pods, modified parking lots with more than 50 spaces shall have electric vehicle charging stations provided on at least 3% of all new or modified parking spaces. The new parking along the internal main street driveway shall be exempt from this requirement.

NOTES

Drive-thru facilities shall be permitted in each pod, but must adhere to the following guidelines:

1. Drive-thru windows, lanes, menu boards, trash receptacles, ordering box, and other objects associated with the drive-thru, may not be placed along the public street facing façade of the associated building. This shall exclude any exit lanes from a drive-thru when necessary for adequate vehicular circulation so long as it does not conflict with primary pedestrian access points to and from the associated building.
2. Adequate stacking space must be made available on-site for any use having a drive-thru. No more than 2 drive-thru lanes are permitted for any single use with drive-thru, with the exception of a bank being allowed to have 3 drive-thru lanes maximum. Required stacking shall be as follows:
 - a. restaurant (including a coffee shop) with a drive-thru must provide a minimum of 5 spaces before the order board, with another 3 spaces provided between the order board and the transaction window
 - b. a bank with a drive-thru must provide a minimum of 3 spaces measured from the teller box
 - c. a pharmacy with a drive-thru must provide a minimum of 3 spaces measured from the order box
 - d. a dry cleaner with a drive-thru must provide a minimum of 3 spaces measured from the pick up door
 - e. stacking required for all other uses will be determined by the Town Manager. The number of required stacking spaces includes the space at the window or communication/ mechanical device (e.g., order board, pick up window). If a drive-thru has multiple order boxes, teller boxes or pick up windows, the number of required stacking spaces may be split between each order box, teller box or pick up window.
3. Vehicles may not encroach on or interfere with the public use of streets and sidewalks by vehicles, bicycles or pedestrians. Drive-thru lanes must be separated by striping or curbing from other parking areas. Individual lanes must be striped, marked or otherwise distinctly delineated.
4. Drive-thru windows and lanes must be screened from the public realm and any adjacent ground floor residential use for the entire length of the drive-thru lane, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-thru must be screened. Screening must be a continuous compact evergreen hedge. At the time of installation, the screening must be at least 3 feet in height and reach a height of 4 feet within 3 years of planting. In lieu of the compact evergreen hedge, a screening wall with a minimum height of 4 feet may be installed. The wall must be compatible with the principal building in terms of texture, quality, material and color.
5. The above standards are not applicable to existing drive-thru facilities located at the property.

DESIGN CRITERIA

OUTDOOR AMENITY SPACE

Outdoor amenity space shall be provided and may include green space, courtyards, plazas, water features, amphitheaters, patios, rooftops, art, dog parks, playgrounds, pavilions, sport courts, community gardens and other public elements. It should be designed and furnished to encourage activity and create comfortable space for all to enjoy. The outdoor amenity space shall include trees for shade along with other landscaped areas that coordinate with the overall site development. When possible, use these green spaces or plazas to link adjoining buildings and provide clear connections to pedestrian circulation routes. Conceptual examples of those spaces are as follows:



EXAMPLE 1



EXAMPLE 2

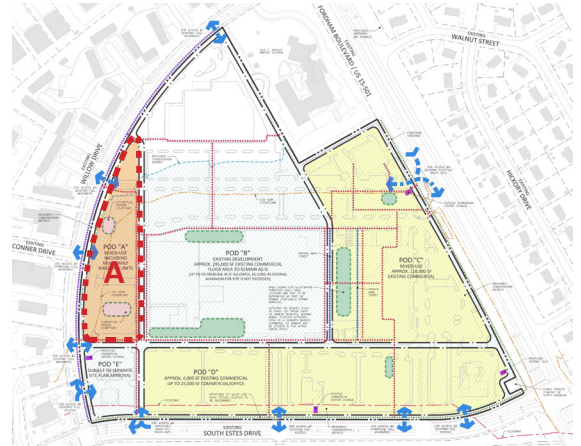
NOTES

1. Outdoor amenity space shall be provided for the entirety of the property at a minimum ratio of 4.6% of gross land area and shall be distributed throughout the site. Each Pod shall be required to provide outdoor amenity space at a minimum ratio of 3.6% of Pod area, so long as overall property minimum is met.
2. Outdoor amenity space shall be calculated as a function of gross land area of the development. Outdoor amenity space may be met in one contiguous open area or in multiple open areas on the lot and must meet minimum dimensions described as follows:
 - a. Where not located adjacent to a building, or where located adjacent to a building that is three stories in height or less, an outdoor amenity space must be at least 10 feet in width and length, with a minimum area of 100 square feet.
 - b. Where located adjacent to a building that is four stories in height or greater, the outdoor amenity space shall have greater dimensions, such that the space is in proportion to the associated building, provides a comfortable scale for pedestrians, and invites public use and enjoyment. In no case shall the area of a single outdoor amenity space be required to exceed the minimum outdoor amenity space ratio as specified for the property.
 - c. Where located in the build-to zone and used to create inviting space along a street facing façade, the width of the outdoor amenity space measured perpendicular to the right-of-way may be less than the dimension prescribed above, subject to approval of a design alternative.
3. Outdoor amenity space may be counted to meet the build-to-zone percentage requirements; however, only half the width of the applicable outdoor amenity space can be counted toward the required percentage.
4. Where pedestrian pass-throughs are provided, they may qualify as outdoor amenity space if they are unobstructed above by any building elements and meet all other requirements of this section. A building element used for shade purposes, such as a pergola or canopy, which allows partial views to the sky, may be considered as unobstructed above.
5. Outdoor amenity space cannot be parked or driven upon, except for emergency access and permitted temporary events.
6. Note that streetscape components and parking lot landscaping shall not be included in the outdoor amenity space calculations.
7. Outdoor amenity spaces may include but are not limited to facilities such as examples listed below:
 - a. green space
 - b. courtyards
 - c. seating area plazas
 - d. water features
 - e. amphitheaters
 - f. patios
 - g. parks
 - h. rooftops
 - i. public art
 - j. dog parks
 - k. playgrounds
 - l. pavilions
 - m. sport courts
 - n. community gardens
 - o. other outdoor public elements
8. Outdoor amenity space shall meet ADA accessibility standards.

IV. DEVELOPMENT OPTIONS

POD A

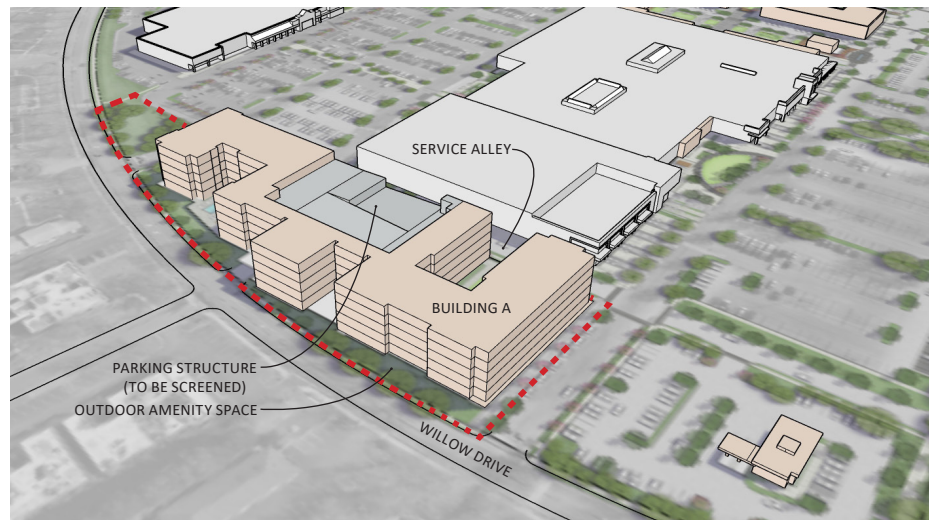
Pod A converts an existing surface parking area into a more dense, multi-use part of the site. A new parking structure is proposed with a residential wrap screen. Given the significant grade change along Willow Drive and the interior street being a service alley for trash and deliveries, no building pass-through shall be required on Pod A; however, a public outdoor amenity space will be provided in lieu of the building pass-through along Willow Drive.



KEY MAP

DEVELOPMENT EXAMPLE

- Building A:
 - ±250 units Residential
 - ±4,000 SF Incubator retail
 - 2 private resident amenity courtyards
- Parking Structure: Parking Spaces for covered retail parking + multifamily residents/guests
- Outdoor Amenity Space



CONCEPT MASSING*

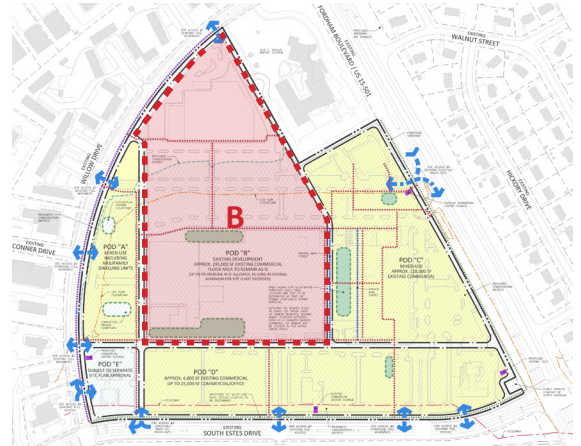
*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

DEVELOPMENT OPTIONS

PODS

POD B

There is $\pm 295,000$ SF of existing commercial to remain and be renovated, with conversion of interior mall space into exterior space. Enhanced outdoor amenity and green spaces are to be provided throughout Pod B along with parking improvements. Examples of conceptual facade and outdoor amenity space improvements to occur in Pod B are shown in the storefront rendering views below.

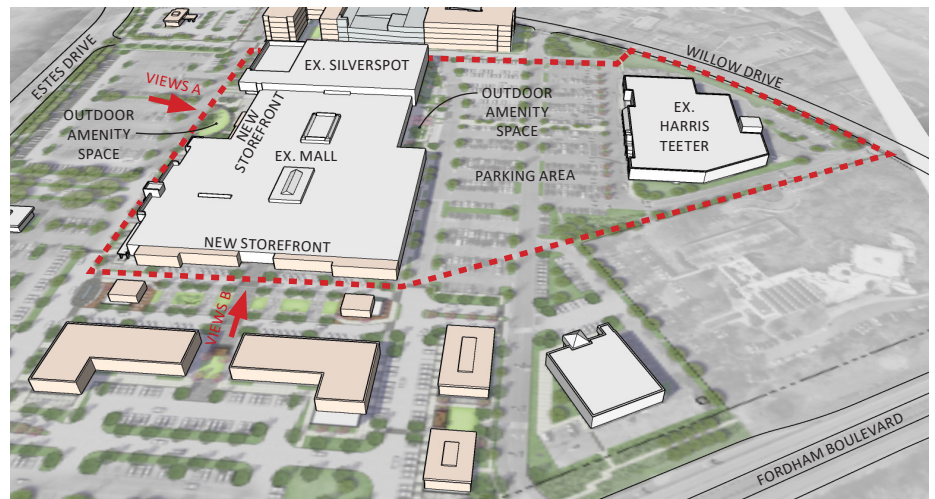


KEY MAP

DEVELOPMENT EXAMPLE

- $\pm 295,000$ SF Existing Commercial to Remain
- New Storefronts along portions of existing mall (see views below)
- Outdoor Amenity Space

*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.



CONCEPT MASSING*



CONCEPT STOREFRONT VIEWS A



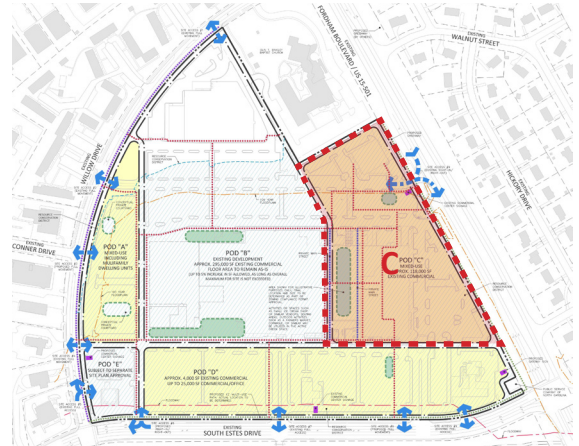
CONCEPT STOREFRONT VIEWS B

DEVELOPMENT OPTIONS

PODS

POD C

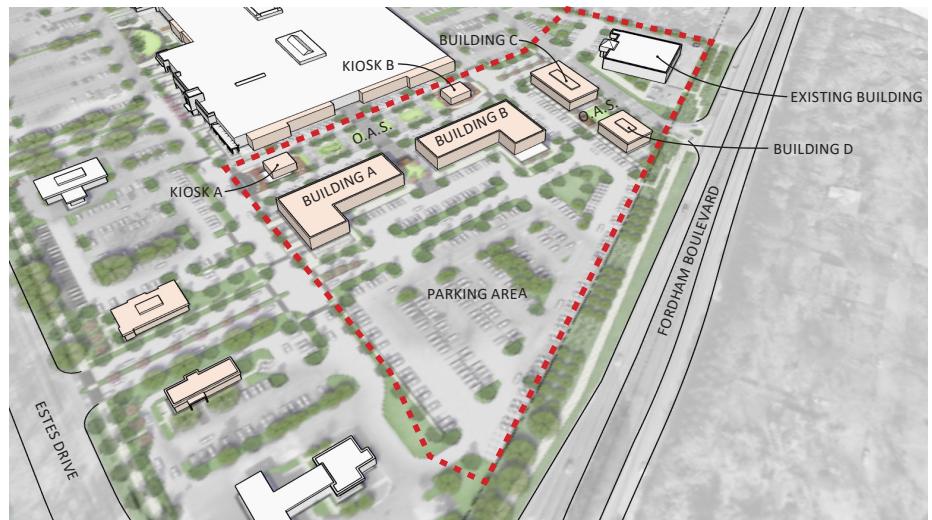
Pod C will be focused around a central park or green space that will be pedestrian focused and include programmed space for the farmers market and other recurring events. The central park area will be flanked by urban 'main streets' with a consistent streetscape experience that is designed to promote safety and minimize pedestrian-vehicle conflicts. This area will act as the heart of the project, with pathways busy during the day and into the evening in this vibrant urban environment.



KEY MAP

DEVELOPMENT EXAMPLE 1

- Demolition of ±105,000 SF of Existing Mall
- Existing Building: ±11,200 SF Commercial
- Building A: ±13,500 SF Commercial
- Building B: ±13,500 SF Commercial
- Building C: ±6,000 SF Commercial
- Building D: ±3,300 SF Commercial
- Kiosk A: ±1,200 SF Commercial
- Kiosk B: ±1,200 SF Commercial
- Outdoor Amenity Space (O.A.S.)



CONCEPT MASSING*

DEVELOPMENT EXAMPLE 2

- Demolition of ±105,000 SF of Existing Mall
- Existing Building: ±11,200 SF Commercial
- Building A: ±13,500 SF Commercial
- Building B: ±13,500 SF Commercial
- Building C: ±6,000 SF Commercial
- Building D: ±3,300 SF Commercial
- Building E: ±45,000 SF Office
- Building F: ±125 room Hotel
- Kiosk A: ±1,200 SF Commercial
- Kiosk B: ±1,200 SF Commercial
- Outdoor Amenity Space (O.A.S.)

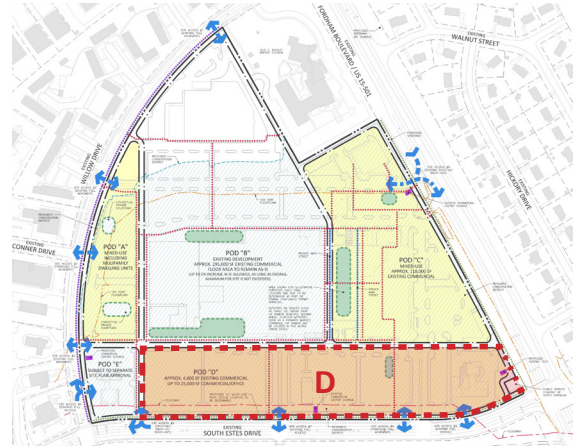


CONCEPT MASSING*

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POD D

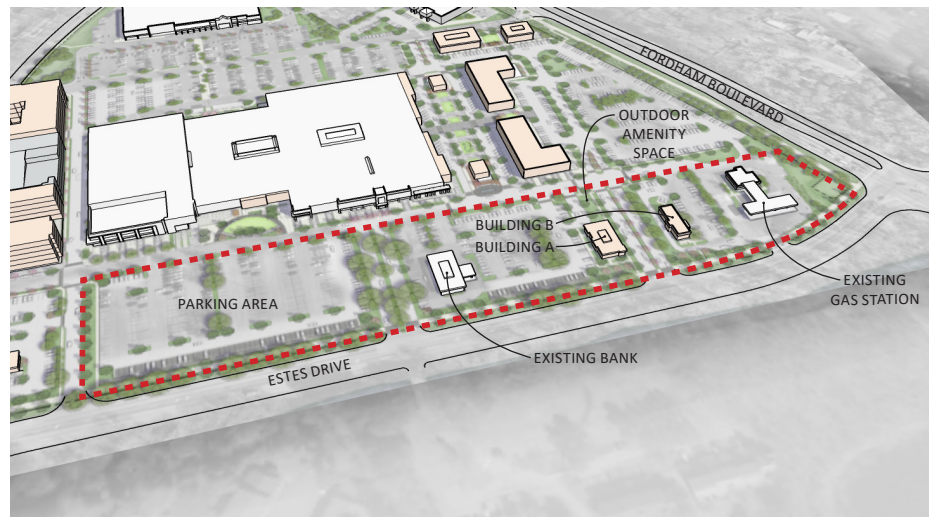
Pod D includes existing parking areas and buildings to remain, amongst 2 proposed commercial buildings lining a relocated driveway. Note that this pod faces limitations to major design changes because of sensitivity to being in a floodplain. The proposed development should assist with flooding concerns because it overall reduces the amount of impervious area on site.



KEY MAP

DEVELOPMENT EXAMPLE

- Existing Gas Station: $\pm 2,000$ SF
- Existing Bank: $\pm 2,400$ SF
- Building A: $\pm 3,500$ SF Bank
- Building B: $\pm 2,800$ SF Commercial
- Outdoor Amenity Space



CONCEPT MASSING*

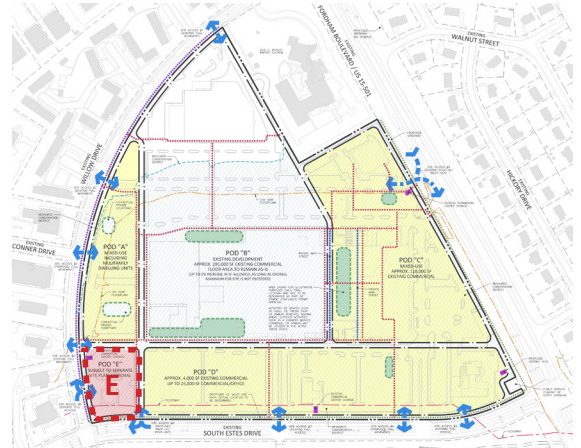
*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

DEVELOPMENT OPTIONS

PODS

POD E

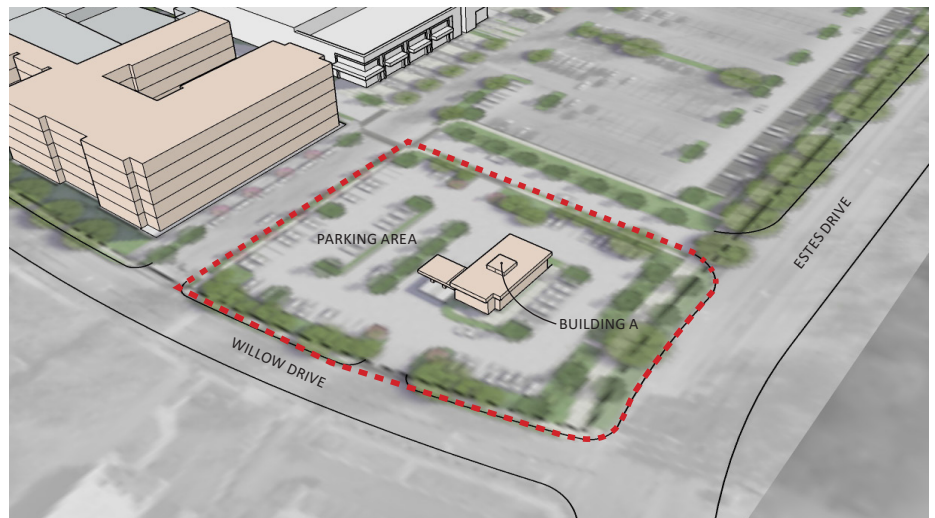
In Pod E, the Zoning Compliance Permit (ZCP) is under review for minor modifications to the existing SUP. The bank use is to remain and only parking modifications and potential driveway relocation are to occur in Pod E.



KEY MAP

DEVELOPMENT EXAMPLE

- Building A: ±2,000 SF Bank



CONCEPT MASSING*

*This concept massing view is conceptual in nature and is provided for reference only. Building locations, access points, outdoor amenity space locations, and other design decisions shall be finalized during the Zoning Compliance Permit (ZCP) process.

V. ADMINISTRATION

SUMMARY OF MINOR CHANGES, MODIFICATIONS AND/OR DESIGN ALTERNATIVES REQUESTED IN THESE DESIGN STANDARDS:

This list is provided for convenience only and is not meant to be exhaustive. Refer to the balance of the document for more information.

1. Where the street frontage standards listed herein conflict due to utility locations, fire access, required sight lines or other existing conditions, an alternative design shall be proposed, reviewed and approved by the Planning Staff.
2. Building pass-throughs shall be a minimum height equal to the first floor ceiling height of the adjacent building except when life safety service is required. For buildings 4-stories or greater, a building pass-through shall be a minimum width of 20'. For building 4-stories or less, the building pass-through shall be a minimum width of 12'. Building pass-throughs shall be adequately lit. Building pass-throughs shall serve as a publicly accessible passage between or through buildings that allows pedestrians to move from one side of a building to another, through a privately owned or publicly dedicated area.
 - a. The maximum building pass-through spacing may be increased by five percent (5%) through a minor modification where one or more of the following applies:
 - i. proposed to protect sensitive natural areas or save healthy existing trees
 - ii. required to protect natural conditions, such as watercourses, riparian buffers, natural rock formations or topography
 - iii. required based on some unusual aspect of the development site or the proposed development that is not shared by landowners in the surrounding area (e.g., unusual lot size or configuration)
 - iv. required due to the presence of existing utilities or other easements
 - v. proposed because there are no other options for ingress and egress.
 - b. Where the Planning Staff makes a finding that a proposed design alternative for building pass-through will provide access that at a minimum meets the purpose or intent the pass through requirement and where one or more of the site constraints listed below applies, the Planning Staff may approve an alternatively designed building pass-through:
 - i. proposed to protect sensitive natural areas or save healthy existing
 - ii. required to protect natural conditions, such as watercourses, riparian buffers, natural rock formations or topography
 - iii. required based on some unusual aspect of the development site or the proposed development that is not shared by landowners generally in the surrounding area (e.g., unusual lot size or configuration)
 - iv. required due to the presence of existing utilities or other easements.
 - c. Modifications to existing structures shall not trigger any requirement for a building pass-through. Only new buildings shall be subject to the pass-through requirement.
 - d. Where building pass-throughs cannot be implemented because of limitations caused by existing conditions, a public amenity must be provided in its place to continue a piece of the pedestrian experience in an alternative way. Given the significant grade change and the interior street being a service alley for trash and deliveries, no building pass-through shall be required on Pod A; however, a public outdoor amenity space will be provided in lieu of the building pass-through.
3. Willow Drive street frontage section modified from current streetscape requirements in the Town's mobility plan to preserve existing mature trees along Willow Drive frontage. A 4.5' foot bike lane and 5' foot sidewalk shall be provided along the Willow Drive frontage.
4. Estes Drive street frontage section modified from current streetscape requirements in the Town's mobility plan due to environmental constraints and to preserve existing mature trees along Willow Drive. A 10' foot multi-use path shall be provided with 2' foot clear zone along Estes Drive in lieu of a 5' foot bike lane and 5' foot sidewalk.

SUMMARY OF MINOR CHANGES, MODIFICATIONS AND/OR DESIGN ALTERNATIVES REQUESTED IN THESE DESIGN STANDARDS (CONTINUED...):

5. No build-to-zone shall be required on Estes Drive due to the flood sensitivity and proximity to the FEMA floodway where buildings may not encroach.
6. As of the date of these Design Standards, a ZCP and minor modification to the current SUP is under review and shall not be subject to these Design Standards unless future modifications occur following completion of the pending minor modification and subsequent construction related to the minor modification.
7. The alley between Pod A and Pod B currently functions as a service area for commercial tenant's trash, grease disposal, loading/unloading and to access parking. Given that the function of that alley is not intended to change, certain modifications to the Design Standards have been requested herein to specifically address how new development interacts with the alley versus how it would otherwise interact with a street (public or internal).
8. The property contains several mature trees around the perimeter, which are intended to remain. As such, all tree requirements shall allow flexibility to address those mature trees, which may require modifications from the required standards contained herein.
9. Outdoor amenity space shall be provided for the entirety of the property at a minimum ratio of 4.6% of gross land area and shall be distributed throughout the site. Each Pod shall be required to provide outdoor amenity space at a minimum ratio of 3.6% of Pod area, so long as overall property minimum is met.
10. For any NCDOT roads, streetscape & landscaping requirements are subject to NCDOT approval and may be modified as needed so long as Planning Staff agrees with the requested changes.
11. Note that these Design Standard street frontage requirements shall take the place of perimeter buffer requirements that are outlined in LUMO Section 5.6.
12. Note that if a building fronts the Main Street it is exempt from other frontage/BTZ requirements.
13. The required percentage of building façade in the BTZ is measured by the width of the building along the street frontage divided by the buildable width of the lot. Since the project may occur in phases, the buildable width of the lot shall only include the portion of the lot included and being disturbed in any such phase of construction. If any such phasing creates a non-conforming frontage request until a future phase is built, a design alternative may be reviewed and approved by the Town Manager.
14. Co-working space shall be permitted under Business, Office-Type.
15. The internal main street driveway section shown below is mainly shown for design intent only. There may be a need for flexibility in this layout to accommodate specific urban amenities and groups that will utilize this space such a farmer's market, events lawn, and other events such as hosting larger community gatherings. Note that if a design alternative is proposed for this example streetscape section, Planning Staff can approve the alternative so long as it meets the overall intent.
16. Retail kiosks and other structures may be placed in the outdoor amenity space along the internal main street driveway.
17. A tree shall be provided at least every 40' measured linearly along each side of the internal main street driveway. These trees may be placed within the outdoor amenity space, streetscape amenity zone or in the parking islands; however, only the trees located on each side of the centerline may count towards that half of the streetscape's tree requirement.

SUMMARY OF MINOR CHANGES, MODIFICATIONS AND/OR DESIGN ALTERNATIVES REQUESTED IN THESE DESIGN STANDARDS (CONTINUED...):

18. Minor modifications to parking areas shall include parking areas that are generally remaining the same and undergoing modifications to the layout of the spaces only. Major modifications include adding parking area somewhere where there was previously no parking area. If minor modifications are made to existing parking areas, the owner will not be required to bring those entire parking areas into full compliance so long as the result of the minor modifications are closer to compliance than the existing conditions. If major modifications are made, the parking area must be brought into full compliance per requirements of the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual. If the applicant and Planning Staff disagree, the Town Manager shall ultimately determine whether or not changes to the parking fields are considered major or minor modifications.
19. The minimum parking requirement (vehicle or bicycle) may be reduced by up to 30% for shared parking between a mix of uses. Any reduction to the minimum parking shall be reviewed and approved by the Town Manager.
20. All landscaping for parking areas shall meet requirements set forth in the Town of Chapel Hill Land Use Management Ordinance (LUMO) and Design Manual, with the exception of any modifications, variances or alterations that are approved with the Special Use Permit.
21. When outdoor amenity space is located in the build-to zone and used to create inviting space along a street facing façade, the width of the outdoor amenity space measured perpendicular to the right-of-way may be less than the dimension prescribed in those criteria notes, subject to approval of a design alternative.

**UNIVERSITY PLACE
REDEVELOPMENT
TRAFFIC IMPACT STUDY - *DRAFT***

EXECUTIVE SUMMARY



Prepared for:

The Town of Chapel Hill
Public Works Department - Engineering

Prepared by:

VHB Engineering NC, P.C.

*940 Main Campus Drive, Venture 1
Suite 500
Raleigh, NC 27606*

NCBELS License #: C-3750

March 2021



UNIVERSITY PLACE REDEVELOPMENT

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Executive Summary

Ram Realty Advisors plans to redevelop the current University Place site, west of Fordham Boulevard (US 15-501) in Chapel Hill, NC. The site is bordered by S Estes Drive (SR 1750) to the south, Willow Drive to the west and north, and Fordham Boulevard (US 15-501) to the east (Figure ES-1). The current site consists of a 55,929 square foot multiplex movie theater, a service station with 8 fueling positions, a 53,371 square foot grocery store, a 4,578 square foot drive-in bank, and 302,237 square feet of retail. The proposed redevelopment will consist of a 55,929 square foot multiplex movie theater, a service station with 8 fueling positions, a 53,371 square foot grocery store, 300 multifamily housing dwelling units, 325,000 square feet of retail, a 7,950 square foot drive-in bank, 7,000 square feet of fast-food restaurant, 150,000 square feet of office, and a 150-room hotel.

The redevelopment is expected to be constructed in three (3) phases. Phase 1 includes the majority of land use totals with an anticipated build year of 2023, Phase 2 will add 50,000 square feet (sf) of office space by 2025, and Phase 3 will add an additional 45 multi-family dwelling units, 100,000-sf of office space, and 100,000-sf of retail space by 2027. Note that this total represents a mixture of land uses that are occupied today and will remain as is (supermarket, gas station), new uses (residential, fast food, office, hotel) and uses that will be expanded or modified (retail, bank). This document summarizes the traffic impacts associated with this redevelopment and improvements needed to mitigate those impacts.

Project Background

Based on the conceptual site plan (Figure ES-2), access to the development is proposed via ten (10) connections along Fordham Blvd (US 15-501), Willow Drive, and S Estes Drive (SR 1750). All of the existing site access points will be maintained and one (1) new one will be constructed as part of the redevelopment (Future Site Access) along Willow Drive. As a result, traffic may access the site from multiple directions as follows:

- › Fordham Boulevard (US 15-501) at Site Access #1 (unsignalized, RIRO)
- › S Estes Drive (SR 1750) at Site Access #2 (unsignalized, full access)
- › S Estes Drive (SR 1750) at Site Access #3 (unsignalized, full access)
- › S Estes Drive (SR 1750) at Site Access #4/ Brookwood Condos (unsignalized, full access)

- › S Estes Drive (SR 1750) at Site Access #5 (unsignalized, full access)
- › Willow Drive at Site Access #6 (unsignalized, full access)
- › Willow Drive at Site Access #7 (unsignalized, full access)
- › Willow Drive at Site Access #8 (unsignalized, full access)
- › Willow Drive at Site Access #9 (unsignalized, full access)
- › Willow Drive at Future Site Access/Conner Drive (unsignalized, full access)

Based on discussions with Town of Chapel Hill staff, the following intersections were included in the study area and analyzed for existing and future conditions, where appropriate:

- › Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) (signalized)
- › Fordham Boulevard (US 15-501) at S Elliott Road (signalized)
- › Fordham Boulevard (US 15-501) at Willow Drive (signalized)
- › Fordham Boulevard (US 15-501) at S Estes Drive (SR 1750) (signalized)
- › Willow Drive at Future Site Access/Conner Drive (unsignalized)
- › S Estes Drive (SR 1750) at Willow Drive/Shepherd Lane (signalized)
- › E Franklin Street (SR 1010) at Estes Drive (SR 1750) (signalized)
- › Fordham Boulevard (US 15-501) at Site Access #1 (unsignalized, RIRO)
- › S Estes Drive (SR 1750) at Site Access #2 (unsignalized, full access)
- › S Estes Drive (SR 1750) at Site Access #3 (unsignalized, full access)
- › S Estes Drive (SR 1750) at Site Access #4/ Brookwood Condos (unsignalized, full access)
- › S Estes Drive (SR 1750) at Site Access #5 (unsignalized, full access)
- › Willow Drive at Site Access #6 (unsignalized, full access)
- › Willow Drive at Site Access #7 (unsignalized, full access)
- › Willow Drive at Site Access #8 (unsignalized, full access)
- › Willow Drive at Site Access #9 (unsignalized, full access)

The Town of Chapel Hill requires that future year analysis of the traffic conditions be conducted for the projected build year(s) plus one (+1). Therefore, the AM and PM peak hour analyses were performed under the following ten (10) scenarios:

- › Existing (2019)
- › No-Build (2024)
- › Build (2024) Phase 1
- › Build (2024) Phase 1 with Improvements
- › No-Build (2026)
- › Build (2026) Phase 2
- › Build (2026) Phase 2 with Improvements
- › No-Build (2028)
- › Build (2028) Phase 3
- › Build (2028) Phase 3 with Improvements

The Existing (2019) scenario includes AM and PM peak hour analysis based on turning movement count data collected in 2019. The No-Build (2024), No-Build (2026), and No-Build

(2028) scenarios include existing traffic with annual growth rates applied to the study area roadways between the base year (2019) and build years (2024; 2026; 2028) and additional trips generated by background approved developments in the study area. The Build (2024), Build (2026), and Build (2028) scenarios include the No-Build (2024), No-Build (2026), and No-Build (2028) volumes with the addition of site trips generated by Phase 1, Phase 2, and Phase 3 of the proposed development, respectively. The Build (2024) with Improvements, Build (2026) with Improvements, and Build (2028) with Improvements scenarios include future conditions with the recommended improvements for each individual phase in place.

Intersection analyses were conducted using *Synchro/SimTraffic Version 10* and *TransModeler (TSM) Version 5.0 Build 7255*. The overall level of service (LOS) and delay for each intersection and the approach LOS and delay are shown in the Summary Level of Service table on page xviii.

Existing (2019) Conditions

Existing analyses were conducted based on current roadway geometrics and intersection turning movement counts. The existing turning movement counts were obtained from multiple sources. Turning movement counts from several intersections that overlapped with the University of North Carolina (UNC) Traffic Impact Analysis (TIA) 2019 Update, submitted in December 2019, were used in the analysis. The turning movement counts from those intersections were taken in September and October 2019. Intersections that were not included in the UNC TIA were counted in November 2019. Slight balancing adjustments were made to account for variations related to different count days. The balancing adjustments were typically made by adding to upstream or downstream through movements.

Study Area

The site is located in the northwest corner of the Fordham Boulevard (US 15-501) and S Estes Drive (SR 1750) intersection in Chapel Hill, North Carolina. The site has nine existing access points along Fordham Boulevard (US 15-501), Willow Drive, and S Estes Drive (SR 1750). Fordham Boulevard (US 15-501) is a north-south principal arterial and S Estes Drive (SR 1750) is an east-west minor arterial.

Bicycle lanes are not currently present within the study area. Sidewalks, however, are present on one or both sides of Fordham Boulevard (US 15-501), S Estes Drive (SR 1750), and Willow Drive adjacent to the proposed development location. Six (6) bus stops are also present, with three on the south side of the property, two on the west side, and one on the north side.

Crash Analysis

Five-year crash data (12/01/2014 - 11/30/2019) was obtained from the North Carolina Department of Transportation (NCDOT) Traffic Engineering Accident Analysis System (TEAAS) along Willow Drive, Fordham Boulevard (US 15-501), and S Estes Drive (SR 1750).

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page xviii, all signalized intersections operate at an overall acceptable level of service (i.e., LOS D or better) during both

peak hours, with one exception. The intersection of E Franklin Street (SR 1010) at Estes Drive (SR 1750) operates at LOS E during the PM peak hour. All stop-controlled approaches operate at acceptable levels of service during both peak hours.

No-Build (2024) Conditions

Background Growth

As directed by Town staff, future growth rates were derived from the Ephesus Church Road – Fordham Boulevard Area 2030 Future Year Analysis technical memorandum, submitted in August 2017. An annual growth rate of one percent (1%) was applied along Fordham Blvd (US 15-501) and a rate of one quarter of a percent (0.25%) was applied along all other study area roadways to account for growth between the base year (2019) and the Phase 1 build year (2024). Three (3) background developments were identified in the Ephesus Church Road – Fordham Boulevard Area 2030 Future Year Analysis for inclusion in this study. Three (3) additional background developments were identified within the project study area and are identified as to be constructed before the Phase 1 build year (2024). The Wegmans Supermarket is proposed along US 15-501 (Durham-Chapel Hill Boulevard) north of Old Durham Road. The existing UNC Health Care Medical Office Buildings complex is proposed to be redeveloped and expanded along US 15-501 (Durham-Chapel Hill Boulevard) and Eastowne Drive. The existing Glen Lennox neighborhood is also proposed to be redeveloped along NC 54 (Raleigh Road) and Fordham Boulevard (US 15-501). The site trips that are projected to be generated by the above additional developments were used in the No-Build (2024) analysis.

One (1) background roadway improvement project was identified within the study area. The Elliott Road Extension project plans to construct a fourth leg at the current intersection of Fordham Boulevard (US 15-501) and S Elliott Road. The committed background improvements from this project were included in the future year (2024; 2026; 2028) analyses.

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page xviii, all signalized intersections, except for one, continue to operate at an acceptable level of service during both peak hours. The Synchro results indicate that the signalized intersection of E Franklin Street (SR 1010) and Estes Drive (SR 1750) maintains an overall LOS E during the PM peak hour. All stop-controlled approaches continue to operate at acceptable levels of service during both peak hours.

Trip Generation and Assignment

Trip generation for the updated site plan will be conducted based on the most appropriate corresponding trip generation codes included in the *ITE Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" spreadsheet. A summary of the current and proposed uses is included in Table ES-1 and the trip generation results are shown in Table ES-2, Table ES-3, and Table ES-4. Due to the robust transit service

in the study area, a transit reduction factor of 5% will be applied to the future volumes. To be conservative, no walking or bicycling reductions will be applied. For the purpose of this study, the existing site trips were removed from the study area driveways and network.

As shown in Table ES-2, Phase 1 of the University Place redevelopment is projected to generate up to 18,748 external daily site trips with 830 trips (453 entering, 377 exiting) occurring in the AM peak hour and 2,521 trips (1,338 entering, 1,183 exiting) occurring in the PM peak hour. The proposed site trips generated include the existing land uses that are to remain in the future year scenarios in addition to the square footage associated with the redevelopment.

As shown in Table ES-3, Phase 1 and Phase 2 of the University Place redevelopment (with existing land uses to remain) is projected to generate up to 18,812 external daily site trips with 871 trips (506 entering, 365 exiting) occurring in the AM peak hour and 2,589 trips (1,337 entering, 1,252 exiting) occurring in the PM peak hour. The proposed site trips generated include the existing land uses that are to remain in the future year scenarios in addition to the square footage associated with the redevelopment.

As shown in Table ES-4, the full build-out of the University Place redevelopment (with existing land uses to remain) is projected to generate up to 22,548 external daily site trips with 1,025 trips (646 entering, 379 exiting) occurring in the AM peak hour and 2,959 trips (1,484 entering, 1,475 exiting) occurring in the PM peak hour. The proposed site trips generated trips include the existing land uses that are to remain in the future year scenarios in addition to the square footage associated with the redevelopment.

Table ES-5 was requested as a guide to give the applicant flexibility to swap uses in the future. Using ratios in the upper table allows the applicant to compare rates between uses and the lower three tables provide some example calculations. For example, the developer may remove 1,000 square feet of retail and offset that with approximately three additional multifamily dwelling units or 780 square feet of office and still remain under the AM or PM external peak hour trips calculated in Table ES-4. The lower two tables calculate equivalent rates for 1,000 square feet of general office or ten dwelling units. Note that removal of too much of one use can result in a loss of internal capture reduction, which is not reflected in this table. As a result, this can be used as a guide, however a full trip generation of the entire site should be conducted to ensure that the total trips remain under the total trips contained in Tables ES-4 or earlier phases.

Table ES-1 Build (2024) Phase 1 Trip Generation Rates (Vehicle Trips)

Category	Use	Existing	Phase 1	Phase 2	Phase 3
Residential	Multifamily Housing	0 units	255 units	255 units	300 units
Lodging	Hotel	0 rooms	0 rooms	0 rooms	150 rooms
Office	Office	0 sf	0 sf	50,000 sf	150,000 sf
Commercial	Movie Theater	55,929 sf	55,929 sf	55,929 sf	55,929 sf
	General Retail	302,237 sf	225,000 sf	225,000 sf	325,000 sf
	Supermarket	53,371 sf	53,371 sf	53,371 sf	53,371 sf
	Bank	4,578 sf	7,950 sf	7,950 sf	7,950 sf
	Restaurant	0 sf	7,000 sf	7,000 sf	7,000 sf
	Gas Station	8 fueling positions	8 fueling positions	8 fueling positions	8 fueling positions

Table ES-2 Build (2024) Phase 1 Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips ²									
221	Multifamily Housing (Mid-Rise)	255 du	1,388	22	64	86	66	43	109
445	Multiplex Movie Theater	55,929 sf		0	0	0	577	418	995
820	General Retail	225,000 sf	10,435	164	100	264	475	515	990
850	Supermarket	53,371 sf	5,699	122	82	204	251	242	493
912	Drive-In Bank	7,950 sf	795	44	32	76	82	81	163
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	3,297	143	138	281	119	110	229
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,643	51	49	100	57	55	112
Development Total			23,257	546	465	1,011	1,627	1,464	3,091
Trip Reduction Due to Internal Capture ³									
221	Multifamily Housing (Mid-Rise)	255 du	505	1	14	15	44	12	56
445	Multiplex Movie Theater	55,929 sf		0	0	0	44	41	85
820	General Retail	225,000 sf	1,069	9	13	22	48	58	107
850	Supermarket	53,371 sf	574	6	11	17	26	27	53
912	Drive-In Bank	7,950 sf	80	2	4	7	8	9	18
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,131	48	20	68	42	65	107
945	Gasoline/Service Station with Convenience Market	8 fueling positions	164	3	7	9	6	6	12
Development Total			3,525	69	69	138	218	219	437
Total External Site Trips									
221	Multifamily Housing (Mid-Rise)	255 du	883	21	50	71	22	31	53
445	Multiplex Movie Theater	55,929 sf		0	0	0	533	377	910
820	General Retail	225,000 sf	9,366	155	87	242	427	457	884
850	Supermarket	53,371 sf	5,125	116	71	187	225	215	440
912	Drive-In Bank	7,950 sf	715	42	28	70	74	72	146
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	2,166	95	118	213	77	45	122
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,479	48	42	90	51	49	100
Development Total			19,734	477	396	873	1,409	1,246	2,655
Total External Site Trips - With Transit Reduction (5%)									
221	Multifamily Housing (Mid-Rise)	255 du	839	20	48	68	21	29	50
445	Multiplex Movie Theater	55,929 sf		0	0	0	506	358	864
820	General Retail	225,000 sf	8,898	147	83	230	406	434	840
850	Supermarket	53,371 sf	4,869	110	67	177	214	204	418
912	Drive-In Bank	7,950 sf	679	40	27	67	70	68	138
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	2,058	90	112	202	73	43	116
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,405	46	40	86	48	47	95
Development Total			18,748	453	377	830	1,338	1,183	2,521
Pass-by Site Trips ⁴									
221	Multifamily Housing (Mid-Rise)	255 du		0	0	0	0	0	0
445	Multiplex Movie Theater	55,929 sf		0	0	0	0	0	0
820	General Retail	225,000 sf		0	0	0	143	143	286
850	Supermarket	53,371 sf		0	0	0	75	75	150
912	Drive-In Bank	7,950 sf		10	9	19	24	24	48
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		49	50	99	29	29	58
945	Gasoline/Service Station with Convenience Market	8 fueling positions		27	26	53	27	26	53
Development Total				86	86	172	298	297	595
Non-Pass-by Site Trips									
221	Multifamily Housing (Mid-Rise)	255 du		20	48	68	21	29	50
445	Multiplex Movie Theater	55,929 sf		0	0	0	506	358	864
820	General Retail	225,000 sf		147	83	230	263	291	554
850	Supermarket	53,371 sf		110	67	177	139	129	268
912	Drive-In Bank	7,950 sf		30	18	48	46	44	90
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		41	62	103	44	14	58
945	Gasoline/Service Station with Convenience Market	8 fueling positions		19	14	33	21	21	42
Development Total				367	291	658	1,040	886	1,926

Notes:

1. Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*

2. Total site trips are determined based on the suggested method in the NCDOT Rate Vs Equation Spreadsheet

3. Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet

4. Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Table ES-3 Build (2026) Phase 2 Trip Generation Rates (Vehicle Trips)

Land Use Code¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips²									
221	Multifamily Housing (Mid-Rise)	255 du	1,388	22	64	86	66	43	109
445	Multiplex Movie Theater	55,929 sf		0	0	0	577	418	995
710	General Office	50,000 sf	542	79	11	90	22	98	120
820	General Retail	225,000 sf	10,435	164	100	264	475	515	990
850	Supermarket	53,371 sf	5,699	122	82	204	251	242	493
912	Drive-In Bank	7,950 sf	795	44	32	76	82	81	163
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	3,297	143	138	281	119	110	229
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,643	51	49	100	57	55	112
Development Total			23,799	625	476	1,101	1,649	1,562	3,211
Trip Reduction Due to Internal Capture³									
221	Multifamily Housing (Mid-Rise)	255 du	534	1	15	16	45	14	59
445	Multiplex Movie Theater	55,929 sf		0	0	0	44	42	86
710	General Office	50,000 sf	124	14	10	24	13	11	24
820	General Retail	225,000 sf	1,164	10	14	24	53	62	116
850	Supermarket	53,371 sf	627	7	12	19	28	29	57
912	Drive-In Bank	7,950 sf	87	3	5	7	9	10	19
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,280	55	31	86	43	69	112
945	Gasoline/Service Station with Convenience Market	8 fueling positions	180	3	7	10	6	7	13
Development Total			3,996	93	94	187	242	244	486
Total External Site Trips									
221	Multifamily Housing (Mid-Rise)	255 du	854	21	49	70	21	29	50
445	Multiplex Movie Theater	55,929 sf		0	0	0	533	376	909
710	General Office	50,000 sf	418	65	1	66	9	87	96
820	General Retail	225,000 sf	9,271	154	86	240	422	453	875
850	Supermarket	53,371 sf	5,072	115	70	185	223	213	436
912	Drive-In Bank	7,950 sf	708	41	27	68	73	71	144
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	2,017	88	107	195	76	41	117
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,463	48	42	90	51	48	99
Development Total			19,803	532	382	914	1,408	1,318	2,726
Total External Site Trips - With Transit Reduction (5%)									
221	Multifamily Housing (Mid-Rise)	255 du	811	20	47	67	20	28	48
445	Multiplex Movie Theater	55,929 sf		0	0	0	506	357	863
710	General Office	50,000 sf	397	62	1	63	9	83	92
820	General Retail	225,000 sf	8,807	146	82	228	401	430	831
850	Supermarket	53,371 sf	4,818	109	67	176	212	202	414
912	Drive-In Bank	7,950 sf	673	39	26	65	69	67	136
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,916	84	102	186	72	39	111
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,390	46	40	86	48	46	94
Development Total			18,812	506	365	871	1,337	1,252	2,589
Pass-by Site Trips⁴									
221	Multifamily Housing (Mid-Rise)	255 du		0	0	0	0	0	0
445	Multiplex Movie Theater	55,929 sf		0	0	0	0	0	0
710	General Office	50,000 sf		0	0	0	0	0	0
820	General Retail	225,000 sf		0	0	0	141	142	283
850	Supermarket	53,371 sf		0	0	0	75	74	149
912	Drive-In Bank	7,950 sf		9	10	19	24	24	48
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		46	45	91	28	28	56
945	Gasoline/Service Station with Convenience Market	8 fueling positions		27	26	53	26	27	53
Development Total				82	81	163	294	293	587
Non-Pass-by Site Trips									
221	Multifamily Housing (Mid-Rise)	255 du		20	47	67	20	28	48
445	Multiplex Movie Theater	55,929 sf		0	0	0	506	357	863
710	General Office	50,000 sf		62	1	63	9	83	92
820	General Retail	225,000 sf		146	82	228	260	288	548
850	Supermarket	53,371 sf		109	67	176	137	128	265
912	Drive-In Bank	7,950 sf		30	16	46	45	43	88
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		38	57	95	44	12	56
945	Gasoline/Service Station with Convenience Market	8 fueling positions		19	14	33	22	19	41
Development Total				424	284	708	1,043	959	2,002

Notes:

1. Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*

2. Total site trips are determined based on the suggested method in the NCDOT Rate Vs Equation Spreadsheet

3. Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet

4. Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Table ES-4 Build (2028) Phase 3 Trip Generation Rates (Vehicle Trips)

Land Use Code¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips²									
221	Multifamily Housing (Mid-Rise)	300 du	1,633	26	74	100	77	50	127
310	Hotel	150 rooms	1,267	41	29	70	44	42	86
445	Multiplex Movie Theater	55,929 sf		0	0	0	577	418	995
710	General Office	150,000 sf	1,572	209	28	237	41	189	230
820	General Retail	325,000 sf	13,400	195	119	314	624	676	1,300
850	Supermarket	53,371 sf	5,699	122	82	204	251	242	493
912	Drive-In Bank	7,950 sf	795	44	32	76	82	81	163
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	3,297	143	138	281	119	110	229
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,643	51	49	100	57	55	112
Development Total			29,306	831	551	1,382	1,872	1,863	3,735
Trip Reduction Due to Internal Capture³									
221	Multifamily Housing (Mid-Rise)	300 du	640	1	18	19	53	17	70
310	Hotel	150 rooms	365	2	13	15	17	13	30
445	Multiplex Movie Theater	55,929 sf		0	0	0	51	50	101
710	General Office	150,000 sf	377	45	26	71	21	20	41
820	General Retail	325,000 sf	1,598	15	19	35	73	85	158
850	Supermarket	53,371 sf	676	9	13	23	29	30	60
912	Drive-In Bank	7,950 sf	94	3	5	9	10	10	20
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,623	72	51	123	50	78	128
945	Gasoline/Service Station with Convenience Market	8 fueling positions	198	4	8	12	7	7	14
Development Total			5,571	152	154	306	311	310	621
Total External Site Trips									
221	Multifamily Housing (Mid-Rise)	300 du	993	25	56	81	24	33	57
310	Hotel	150 rooms	902	39	16	55	27	29	56
445	Multiplex Movie Theater	55,929 sf		0	0	0	526	368	894
710	General Office	150,000 sf	1,195	164	2	166	20	169	189
820	General Retail	325,000 sf	11,802	180	100	280	551	591	1,142
850	Supermarket	53,371 sf	5,023	113	69	182	222	212	434
912	Drive-In Bank	7,950 sf	701	41	27	68	72	71	143
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,674	71	87	158	69	32	101
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,445	47	41	88	50	48	98
Development Total			23,735	680	398	1,078	1,561	1,553	3,114
Total External Site Trips - With Transit Reduction (5%)									
221	Multifamily Housing (Mid-Rise)	300 du	943	24	53	77	23	31	54
310	Hotel	150 rooms	857	37	15	52	26	28	54
445	Multiplex Movie Theater	55,929 sf		0	0	0	500	350	850
710	General Office	150,000 sf	1,135	156	2	158	19	161	180
820	General Retail	325,000 sf	11,212	171	95	266	523	561	1,084
850	Supermarket	53,371 sf	4,772	107	66	173	211	201	412
912	Drive-In Bank	7,950 sf	666	39	26	65	68	67	135
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf	1,590	67	83	150	66	30	96
945	Gasoline/Service Station with Convenience Market	8 fueling positions	1,373	45	39	84	48	46	94
Development Total			22,548	646	379	1,025	1,484	1,475	2,959
Pass-by Site Trips⁴									
221	Multifamily Housing (Mid-Rise)	300 du		0	0	0	0	0	0
310	Hotel	150 rooms		0	0	0	0	0	0
445	Multiplex Movie Theater	55,929 sf		0	0	0	0	0	0
710	General Office	150,000 sf		0	0	0	0	0	0
820	General Retail	325,000 sf		0	0	0	184	184	368
850	Supermarket	53,371 sf		0	0	0	74	74	148
912	Drive-In Bank	7,950 sf		9	10	19	24	24	48
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		37	37	74	24	24	48
945	Gasoline/Service Station with Convenience Market	8 fueling positions		26	26	52	26	26	52
Development Total				72	72	144	332	332	664
Non-Pass-by Site Trips									
221	Multifamily Housing (Mid-Rise)	300 du		24	53	77	23	31	54
310	Hotel	150 rooms		37	15	52	26	28	54
445	Multiplex Movie Theater	55,929 sf		0	0	0	500	350	850
710	General Office	150,000 sf		156	2	158	19	161	180
820	General Retail	325,000 sf		171	95	266	339	377	716
850	Supermarket	53,371 sf		107	66	173	137	127	264
912	Drive-In Bank	7,950 sf		30	16	46	44	43	87
934	Fast-Food Restaurant with Drive-Through Window	7,000 sf		30	47	77	42	6	48
945	Gasoline/Service Station with Convenience Market	8 fueling positions		19	13	32	22	20	42
Development Total				574	307	881	1,152	1,143	2,295

Notes:

1. Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*
2. Total site trips are determined based on the suggested method in the NCDOT Rate Vs Equation Spreadsheet
3. Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet
4. Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Table ES-5 Land Use Trip Generation Comparison Matrix**External Trip Comparison Ratios Per Use (Maximum Build-Out)**

ITE Code	Use	Daily	AM	PM
221	Multifamily Housing (unit)	3.14	0.26	0.18
310	Hotel (rooms)	5.71	0.35	0.36
445	Movie Theater (1,000 sf)	-	-	15.20
710	Office (1,000 sf)	7.57	1.05	1.20
820	Retail (1,000 sf)	34.50	0.82	3.34
850	Supermarket (1,000 sf)	89.41	3.24	7.72
912	Drive-In Bank (1,000 sf)	83.77	8.18	16.98
934	Fast-Food (1,000 sf)	227.14	21.43	13.71
945	Gas Station (fueling position)	171.63	10.50	11.75

Equivalency Table for 1,000 sf General Square Feet of General Retail

ITE Code	Use	Daily	AM	PM	Minimum (Rounded)
221	Multifamily Housing (unit)	11	3	19	3 du
310	Hotel (rooms)	6	2	9	2 rooms
445	Movie Theater (sf)	-	-	219	220 sf
710	Office (sf)	4559	777	2779	780 sf
820	Retail (sf)	1000	1000	1000	1000 sf
850	Supermarket (sf)	386	252	432	250 sf
912	Drive-In Bank (sf)	412	100	196	100 sf
934	Fast-Food (sf)	152	38	243	40 sf
945	Gas Station (fueling Positions)	0	0	0	0 pumps

Equivalency Table for 1,000 sf General Square Feet of General Office

ITE Code	Use	Daily	AM	PM	Minimum (Rounded)
221	Multifamily Housing (unit)	2	4	7	4 du
310	Hotel (rooms)	1	3	3	3 rooms
445	Movie Theater (sf)	-	-	79	80 sf
710	Office (sf)	1000	1000	1000	1000 sf
820	Retail (sf)	219	1287	360	360 sf
850	Supermarket (sf)	85	325	155	160 sf
912	Drive-In Bank (sf)	90	129	71	70 sf
934	Fast-Food (sf)	33	49	88	50 sf
945	Gas Station (fueling Positions)	0	0	0	0 pumps

Equivalency Table for 10 Multifamily Dwelling Units

ITE Code	Use	Daily	AM	PM	Minimum (Rounded)
221	Multifamily Housing (unit)	10	10	10	10 du
310	Hotel (rooms)	6	7	5	5 rooms
445	Movie Theater (sf)	-	-	118	120 sf
710	Office (sf)	42	2437	1500	1500 sf
820	Retail (sf)	9	3136	540	540 sf
850	Supermarket (sf)	4	792	233	230 sf
912	Drive-In Bank (sf)	4	314	106	110 sf
934	Fast-Food (sf)	1	120	131	120 sf
945	Gas Station (fueling Positions)	0	0	0	0 pumps

Build (2024) Conditions

The volumes associated with the No-Build (2024) scenario were utilized, and the generated site trips were distributed through the network based on existing turning movement counts and current land uses to calculate the volumes for the Build (2024) scenario.

Level of Service Summary

Based on the Build (2024) analysis shown on page xviii, three (3) signalized study intersections experience poor operations during the PM peak hours. The signalized intersection of Fordham Boulevard (US 15-501) at Willow Drive operates at a LOS D; however, has significant eastbound left-turn queuing. Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) operates at LOS E during the PM peak hour. The signalized intersection of E Franklin Street (SR 1010) at Estes Drive (SR 1750) also maintains a LOS E during the PM peak hour. Additionally, the eastbound stop-controlled approach along Site Access #1 at Fordham Boulevard (US 15-501) operates at LOS E during the PM peak hour.

No-Build (2026) Conditions

Background Growth

As conducted in the No-Build (2024) scenario, the annual growth rate of one percent (1%) was applied along Fordham Boulevard (US 15-501) and a rate of one quarter of a percent (0.25%) was applied along all other study area roadways to account for growth between the base year (2019) and the completion of Phase 2 (2026). No additional background developments were identified to be included in the No-Build (2026) scenario. Background development site trips that were utilized in the No-Build (2024) analysis were also used in the No-Build (2026) scenario.

The committed roadway improvements from the S Elliott Road Extension project that were analyzed in the No-Build (2024) scenario were also analyzed in the No-Build (2026) scenario.

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page xviii, two (2) signalized intersections operate at an unacceptable level of service during the PM peak hour. The signalized intersection of Franklin Street (SR 1010) and Estes Drive (SR 1750) maintains an overall LOS E during the PM peak hour. The signalized intersection of Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) operates at LOS E during the PM peak hour. All stop-controlled approaches continue to operate at acceptable levels of service during both peak hours.

Build (2026) Conditions

The volumes associated with the No-Build (2026) scenario were utilized and the generated site trips were distributed through the network based on existing turning movement counts and current land uses to calculate the volumes for the Build (2026) scenario.

Level of Service Summary

Based on the Build (2026) analysis shown on page xviii, three (3) signalized study intersections experience poor operations during the PM peak hours. The signalized intersection of Fordham Boulevard (US 15-501) at Willow Drive operates at a LOS D; however, has significant eastbound left-turn queuing. Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) operates at LOS E during the PM peak hour. The signalized intersection of Franklin Street (SR 1010) at Estes Drive (SR 1750) also maintains a LOS E during the PM peak hour. Additionally, the eastbound stop-controlled approach along Site Access #1 at Fordham Boulevard (US 15-501) operates at LOS F during the PM peak hour.

No-Build (2028) Conditions

Background Growth

As conducted in the No-Build (2026) scenario, the annual growth rate of one percent (1%) was applied along Fordham Boulevard (US 15-501) and a rate of one quarter of a percent (0.25%) was applied along all other study area roadways to account for growth between the base year (2019) and the full build-out year (2028). The third phase of the Glen Lennox redevelopment is scheduled to be completed in 2028, and the site trips associated with that phase were included in the No-Build (2028) analysis. Background development site trips that were utilized in the No-Build (2026) analysis were also used in the No-Build (2028) scenario.

The committed roadway improvements from the S Elliott Road Extension project that were analyzed in the No-Build (2026) scenario were also analyzed in the No-Build (2028) scenario.

Level of Service Summary

As reported in the Summary Level of Service (LOS) table on page xviii, two (2) signalized intersections operate at an unacceptable level of service during the PM peak hour. The signalized intersection of E Franklin Street (SR 1010) and Estes Drive (SR 1750) maintains an overall LOS E during the PM peak hour, and the signalized intersection of Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) operates at LOS E during the PM peak hour. All stop-controlled approaches continue to operate at acceptable levels of service during both peak hours.

Build (2028) Conditions

The volumes associated with the No-Build (2028) scenario were utilized and the generated site trips were distributed through the network based on existing turning movement counts and current land uses to calculate the volumes for the Build (2028) scenario.

Level of Service Summary

Based on the Build (2026) analysis shown on page xviii, four (4) signalized study intersections experience poor operations during the PM peak hours. The signalized intersections of Fordham Boulevard (US 15-501) at Willow Drive and Fordham Boulevard (US 15-501) at S Estes

Drive operate at a LOS E during the PM peak hour. The intersections of Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) and Franklin Street (SR 1010) at Estes Drive (SR 1750) degrade to LOS F during the PM peak hour. Additionally, the eastbound stop-controlled approach along Site Access #1 at Fordham Boulevard (US 15-501) operates at LOS F during the PM peak hour.

Roadway Improvement Recommendations

The proposed redevelopment is expected to impact operations at multiple study intersections under Build (2024), Build (2026), and Build (2028) conditions. The project study area includes several intersections that have current operational deficiencies or projected future deficiencies based on background growth or approved developments. Multiple improvements were identified but are not directly adjacent to the site and are not caused solely by the University Place redevelopment. As a result, these improvements are not considered to be the responsibility of the applicant.

E Franklin Street (SR 1010) at Estes Drive (SR 1750) (signalized)

The signalized intersection is projected to operate at LOS E during the PM peak hour under existing conditions. Additional degradation of operations is expected with background growth, additional approved development trips, as well as site generated trips. Since poor operations exist already, this is not a requirement of the applicant, however, is an improvement that has been identified to help improve operations at this location:

- › Construct an exclusive southbound right-turn lane with at least 350 feet of storage and appropriate taper.

Fordham Boulevard (US 15-501) at Ephesus Church Road (SR 1742) (signalized)

The signalized intersection is projected to operate at LOS E during the PM peak hour under Build (2024) and Build (2026) conditions, this is not a requirement of the applicant, however, is an improvement that has been identified to help improve operations at this location:

- › Construct an exclusive eastbound right-turn lane with at least 100 feet of storage and appropriate taper.

The following offsite roadway improvements have been identified due to direct impacts from the increase in site traffic from the proposed redevelopment and should be implemented with the construction of Phase 1:

Fordham Boulevard (US 15-501) at S Estes Drive (SR 1750) (signalized)

The signalized intersection is projected to operate at LOS D during the PM peak hour under Build (2024) and Build (2026) conditions, but site adds a considerable volume to the northbound left-turn, which creates 95th percentile PM peak hour queues of approximately 650 feet, which exceeds the existing available storage. Therefore, the following lane geometric improvements are recommended:

- › Extend the storage of both turn lanes to at least 700 feet of full width storage with appropriate taper.

Fordham Boulevard (US 15-501) at Willow Drive (signalized)

The signalized intersection is projected to operate at LOS D during the PM peak hour under Build (2024) and Build (2026) conditions, but site adds a considerable volume to the eastbound left-turn, which creates 95th percentile PM peak hour queues of over 750 feet, which more than doubles the existing available storage. Therefore, the following lane geometric improvements are recommended:

- › Construct a second exclusive eastbound left-turn and extend the storage of both turn lanes to at least 450 feet with appropriate taper.

Fordham Boulevard (US 15-501) at Site Access #1

The stop-controlled driveway is projected to operate at LOS E during the PM peak hour under Build (2024) and LOS F during the PM peak hour under Build (2026) conditions. The following intersection configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway.
- › Provide a high visibility painted crosswalk across the eastbound driveway approach.

S Estes Drive (SR 1750) at Site Access #2

The stop-controlled driveway is projected to operate at LOS D during the PM peak hour under Build (2024) and Build (2026) conditions. The eastbound queueing from the Fordham Boulevard (US 15-501) at Estes Drive (SR 1750) intersection is expected to spill back to this driveway during both peaks, which increase potential for left-turning crashes. With internal connections in place, left-turning vehicles can divert to Site Access #3 or Site Access #4 to make the left-turning ingress or egress movements and have better spacing from Fordham Boulevard (US 15-501). In addition, there is high right-turn volume that can impede vehicles along Estes Drive, particularly when there is a platoon of vehicles turning left onto Estes Drive from Fordham Boulevard. The separated right-turn lane helps minimize conflicts and improve efficiency for the westbound Estes Drive. The following intersection configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway.
- › Reconfigure the driveway to right-in/right-out only access.
- › Construct an exclusive westbound right-turn lane with at least 100 feet of full storage with appropriate taper.
- › Provide a high visibility painted crosswalk across the southbound driveway approach.

S Estes Drive (SR 1750) at Site Access #3

The stop-controlled driveway is projected to operate at LOS B during the AM peak hour and LOS D during the PM peak hour under Build (2024) and Build (2026) conditions. There is high right-turn volume that can impede vehicles along Estes Drive and the separated right-turn lane helps minimize conflicts and improve efficiency for the westbound Estes Drive. Due to the limited space between Site Access #3 and Site Access #2 The following intersection configuration is recommended:

- › Provide two ingress lanes and two egress lanes along the driveway.

- › Construct an exclusive westbound right-turn lane with continuous storage back to Site Access #2.
- › Provide a high visibility painted crosswalk across the southbound driveway approach.

S Estes Drive (SR 1750) at Brookwood Apartments Driveway/Site Access #4

The stop-controlled driveway is projected to operate at LOS B during the AM peak hour and LOS D during the PM peak hour under Build (2024) and Build (2026) conditions. The following driveway configuration is recommended:

- › Provide one or two ingress lanes and two egress lanes along the driveway.
- › Monitor for possible future signalization.

S Estes Drive (SR 1750) at Site Access #5

The stop-controlled driveway is projected to operate at LOS B during both peak hours under Build (2024) and Build (2026) conditions. The westbound queueing from the Estes Drive (SR 1750) at Willow Drive intersection is expected to spill back to this driveway during the PM peak, which increases potential for left-turning crashes. With internal connections in place, left-turning vehicles can divert to Site Access #6 or Site Access #4 to make the left-turning ingress or egress movements and have better spacing from the adjacent intersection. The following driveway configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway.
- › Reconfigure the driveway to right-in/right-out only access.
- › Provide a high visibility painted crosswalk across the southbound driveway approach.

Willow Drive at Site Access #6

The stop-controlled westbound driveway is projected to operate at LOS B during the AM peak hour and LOS C during the PM peak hour under Build (2024) and Build (2026) conditions. The following driveway configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway.
- › Provide a high visibility painted crosswalk across the westbound driveway approach.

Willow Drive at Site Access #7

The stop-controlled westbound driveway is projected to operate at LOS B during both peak hours under Build (2024) and Build (2026) conditions. The following driveway configuration is recommended:

- › Provide one ingress lane and two egress lanes along the driveway. The egress lanes should consist of a through/left-turn lane and an exclusive right-turn lane.
- › Provide a high visibility painted crosswalk across the westbound driveway approach.

Willow Drive at Conner Drive/Future Site Access

The stop-controlled southbound approach along Conner Drive is projected to operate at LOS D during the PM peak hour under Build (2024) and Build (2026) conditions. The following intersection configuration is recommended:

- › Provide single-lane stop-controlled approaches along Conner Drive and the future Site Access driveway.
- › Provide one ingress lane and two egress lanes along the driveway
- › Provide a high-visibility painted crosswalk across the two stop-controlled approaches.

Willow Drive at Site Access #8

The stop-controlled driveway is projected to operate at LOS B during both peak hours under Build (2024) and Build (2026) conditions. The following driveway configuration is recommended:

- › Provide one ingress lane and two egress lanes along the driveway.
- › Provide a high visibility painted crosswalk across the northbound driveway approach.

Willow Drive at Site Access #9

The stop-controlled driveway is projected to operate at LOS A during the AM peak hour and LOS B during the PM peak hour under Build (2024) and Build (2026) conditions. However, queues along the eastbound approach at the intersection of Fordham Boulevard (US 15-501) and Willow Drive are expected to back up through the site access driveway. In addition, the proposed eastbound left-turn lanes at the Fordham Boulevard (US 15-501) and Willow Drive intersection will extend past this driveway. Therefore, the following intersection configuration is recommended:

- › Provide one ingress lane and one egress lane along the driveway.
- › Reconfigure the driveway to right-in/right-out only access.
- › Provide a high visibility painted crosswalk across the northbound driveway approach.

No additional offsite improvements are recommended with the construction of Phase 2. The increase in site traffic from Phase 3 will require the implementation of these additional offsite roadway improvements.

Fordham Boulevard (US 15-501) at Estes Drive (SR 1750) (signalized)

The signalized intersection is projected to operate at LOS D during the PM peak hour under Build (2028) conditions, but Phase 3 of the site will add additionally northbound left-turning traffic to the intersection. Queuing from this increase in traffic is expected to exceed the available storage provided in Phase 1. Therefore, the following lane geometric improvements are recommended:

- › Extend the storage of both turn lanes to at least 850 feet of full width storage with appropriate taper.

- › Converting the Fordham Boulevard at Estes Drive intersection to a Reduced Conflict Intersection (RCI) design may be considered as an alternative improvement at this location. This would result in substantially improved operations at the intersection, however, would require further evaluation to determine the upstream and downstream signalized U-turn configurations and locations along Fordham Boulevard, likely at Access #1 to the north and Cleland Drive to the south.

S Estes Drive (SR 1750) at Brookwood Apartments Driveway/Site Access #4

The stop-controlled driveway is projected to operate at LOS E during the PM peak hour under Build (2028) conditions, worsening to a LOS F with re-routed trips included. The following additional improvement is recommended to make the ingress more efficient and reduce delay for the egress movement:

- › Construct an exclusive westbound right-turn lane with at least 100 feet of storage and appropriate taper.

Fordham Boulevard (US 15-501) at Site Access #1

The following intersection configuration may be considered as an alternative improvement at this location:

- › Accommodating a signalized left-turn ingress with exclusive left-turn lane at this location may be considered as an alternative improvement in conjunction with the conversion of the Fordham Boulevard at Estes Drive intersection to a Reduced Conflict Intersection (RCI) design.

Due to restricting access to right-in/right-out only at several development driveways, some intersection levels of service degrade after the improvements are in place as a result of the associated volume reroutes. However, the impacts to the level of service and delay at the intersections are minor and the restrictions will reduce conflict points along the network roadways within the study area. Also note that the Build without improvements levels of service do not reflect improvements from previous phases such as turn lanes and driveway access restrictions.

The recommended offsite roadway improvements for each Phase of the development are outlined in Table ES-6. The level of service summaries for the Build (2024), Build (2026), and Build (2028) scenarios with all network improvements in place can be found in Table ES-7.

Table ES-6 Summary of Offsite Roadway Improvements and Trip Thresholds Per Phase

Phase (Year)	Total AM External Trips	Total PM External Trips	Required Roadway Requirements
Phase 1 (2024)	830 trips	2,521 trips	<ul style="list-style-type: none"> • 450 ft dual EB left-turn lanes at Fordham Blvd/Willow Drive • 700 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive • 100 ft WB right-turn lane at Site Access #2 • Continuous WB right-turn lane at Site Access #3 • Right-in, right-out restrictions at Accesses #2, #5, and #9
Phase 2 (2026)	871 trips	2,589 trips	<ul style="list-style-type: none"> • None
Phase 3 (2028)	1,025 trips	2,959 trips	<ul style="list-style-type: none"> • 850 ft dual NB left-turn lanes at Fordham Blvd/Estes Drive • 100 ft WB right-turn lane at Site Access #4

Table ES-7

Intersection and Approach	Traffic Control	Existing (2019)		No-Build (2024)		Build (2024) Phase 1		Build (2024) Phase 1 with Improvements		No-Build (2026)		Build (2026) Phase 2		Build (2026) Phase 2 with Improvements		No-Build (2028)		Build (2028) - Phase 3		Build (2028) Phase 3 with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Fordham Boulevard (US 15-501) at Estes Drive (SR 1750)	Signalized	C (24.6)	C (31.4)	C (28.5)	D (35.7)	C (28.7)	D (48.2)	C (24.3)	D (42.2)	C (29.0)	D (36.3)	C (29.6)	D (51.3)	C (24.9)	D (43.6)	C (29.8)	D (37.8)	C (32.1)	E (61.9)	C (26.7)	D (52.6)
Eastbound		E-65.8	E-58.0	E-65.1	E-56.3	E-65.6	D-52.0	E-74.4	E-67.0	E-65.0	E-56.5	E-64.6	D-52.2	E-73.4	E-66.8	E-64.7	E-56.3	E-62.5	D-54.0	E-73.2	E-70.0
Westbound		F-91.5	F-92.7	F-91.5	F-92.7	F-91.5	F-92.7	F-94.0	F-96.8	F-91.5	F-92.7	F-91.5	F-92.7	F-94.0	F-96.8	F-91.5	F-92.7	F-91.5	F-92.7	F-94.0	F-96.8
Northbound		C-24.0	C-30.1	C-25.1	C-33.0	C-25.0	D-37.1	C-24.3	D-37.2	C-25.3	C-33.4	C-25.6	D-37.2	C-26.2	D-37.3	C-25.9	C-33.9	C-27.4	D-43.4	C-26.4	D-40.1
Southbound		B-15.0	C-23.6	C-23.8	C-32.6	C-24.3	E-61.8	B-13.0	D-40.7	C-24.8	C-33.8	C-26.2	E-70.0	B-12.7	D-44.2	C-26.1	D-37.1	C-30.5	F-89.2	B-16.9	E-63.3
Fordham Boulevard (US 15-501) at Willow Drive	Signalized	B (11.5)	C (25.2)	B (13.9)	C (28.5)	B (15.6)	D (41.9)	B (16.5)	C (30.3)	B (14.1)	C (29.3)	B (15.8)	D (46.2)	B (16.6)	C (31.3)	B (14.5)	C (30.9)	B (16.8)	E (62.2)	B (18.4)	D (38.8)
Eastbound		E-72.2	E-71.6	E-73.0	E-72.3	E-75.9	F-152.3	F-88.5	F-84.7	E-73.1	E-72.3	E-75.5	F-172.8	F-88.4	F-86.6	E-73.1	E-72.6	E-76.4	F-242.8	F-88.2	F-87.6
Westbound		F-83.0	F-81.6	F-81.7	F-80.6	F-81.6	F-83.1	F-83.2	F-93.3	F-81.7	F-80.4	F-81.6	F-82.8	F-83.4	F-96.9	F-81.7	F-80.5	F-81.7	F-83.3	F-83.3	F-105.6
Northbound		A-6.0	B-17.1	A-7.8	C-24.8	A-8.7	C-25.8	A-9.4	C-23.8	A-8.1	C-26.3	A-9.1	C-27.0	A-9.3	C-24.3	A-8.6	C-28.9	A-9.8	C-29.3	B-11.3	C-29.0
Southbound		A-6.0	B-18.2	B-10.3	C-20.4	B-11.5	C-23.5	B-11.7	B-17.6	B-10.6	C-20.8	B-11.9	C-25.3	B-12.1	B-18.2	B-11.2	C-22.0	B-13.3	C-34.3	B-14.0	C-28.8
Fordham Boulevard (US 15-501) at Elliott Rd	Signalized	A (7.6)	B (18.1)	B (15.4)	C (29.4)	B (15.9)	C (32.2)	B (16.5)	C (33.7)	B (15.8)	C (29.9)	B (16.4)	C (32.8)	B (17.0)	C (34.0)	B (16.0)	C (30.8)	B (17.3)	D (39.8)	B (18.8)	D (39.3)
Eastbound		F-84.3	E-75.6	F-86.1	F-97.5	F-85.3	F-93.7	F-85.9	F-97.9	F-86.2	F-97.4	F-85.6	F-93.3	F-85.6	F-97.6	F-85.7	F-97.7	F-85.4	F-92.9	F-84.6	F-98.8
Westbound		---	---	F-92.2	F-94.4	F-93.8	F-100.3	F-93.8	F-103.5	F-92.2	F-94.4	F-94.0	F-100.3	F-93.6	F-103.5	F-92.2	F-94.4	F-94.7	F-100.9	F-94.3	F-107.8
Northbound		A-3.7	B-10.0	A-9.0	B-12.4	A-9.3	B-12.6	B-10.1	B-14.6	A-9.3	B-12.8	A-9.7	B-12.2	B-10.5	B-14.6	A-9.7	B-13.1	A-9.9	B-12.6	B-10.8	B-14.9
Southbound		A-3.9	B-13.9	A-8.7	C-29.7	A-9.0	D-36.2	A-9.5	D-36.4	A-9.3	C-30.7	A-9.8	D-38.7	B-10.2	D-37.6	A-9.8	C-32.7	B-11.8	E-56.3	B-14.0	D-50.6
Fordham Boulevard (US 15-501) at Ephesus Church Rd (SR 1742)	Signalized	C (33.7)	D (45.7)	D (40.5)	D (54.4)	D (40.5)	E (62.5)	D (39.0)	E (55.2)	D (41.2)	E (56.2)	D (41.5)	E (66.9)	D (39.7)	E (56.6)	D (42.2)	E (60.0)	D (43.8)	F (81.2)	D (41.0)	E (61.8)
Eastbound		F-91.6	F-98.9	F-90.6	F-94.3	F-90.8	F-94.1	F-82.5	F-87.1	F-90.9	F-94.4	F-91.3	F-94.3	F-82.4	F-90.5	F-91.2	F-94.9	F-92.3	F-94.6	F-82.0	F-90.6
Westbound		E-79.1	E-79.8	F-91.5	F-87.0	F-91.5	F-84.6	F-99.7	F-104.1	F-91.4	F-86.1	F-91.4	F-84.2	F-99.0	F-105.9	F-91.4	F-85.6	F-91.2	F-83.2	F-104.0	F-117.3
Northbound		B-16.4	C-27.6	B-18.9	D-40.8	B-19.4	D-49.5	B-19.9	D-44.9	B-19.5	D-43.2	B-19.8	E-55.7	C-20.2	D-46.3	C-20.3	D-47.7	C-20.9	E-73.8	C-20.8	D-52.4
Southbound		C-33.8	D-43.9	D-43.6	D-53.6	D-43.4	E-65.4	D-38.4	D-48.5	D-44.9	E-55.8	D-45.3	E-70.2	D-40.0	D-49.6	D-46.6	E-60.7	D-49.6	F-86.5	D-41.6	D-53.6
Franklin Street at Estes Drive (SR 1750)	Signalized	D (48.0)	E (57.1)	D (49.9)	E (65.6)	D (50.7)	E (70.4)	D (45.3)	E (62.8)	D (50.1)	E (66.1)	D (50.9)	E (72.7)	D (45.4)	E (60.2)	D (50.5)	E (67.4)	D (51.8)	F (81.2)	D (46.3)	E (66.5)
Eastbound		E-60.1	E-66.4	E-61.6	E-69.7	E-61.6	E-77.7	D-50.6	E-73.8	E-62.0	E-69.9	E-62.0	E-77.9	D-50.9	E-73.3	E-62.1	E-71.2	E-63.0	F-84.8	D-51.6	F-80.2
Westbound		D-51.6	E-58.6	D-53.0	E-76.3	D-54.1	F-86.7	D-53.0	E-71.0	D-53.2	E-77.7	D-54.0	F-96.1	D-52.8	E-70.5	D-53.6	F-82.5	D-54.4	F-123.5	D-54.7	E-78.9
Northbound		D-39.9	D-54.9	D-41.7	E-58.6	D-42.6	E-61.3	D-45.1	E-60.2	D-41.8	E-58.9	D-42.7	E-61.4	D-45.2	E-62.3	D-42.4	E-58.9	D-43.7	E-63.0	D-45.8	E-69.8
Southbound		D-41.7	D-52.1	D-43.9	E-61.4	D-44.9	E-61.9	D-36.6	D-51.5	D-44.1	E-61.6	D-45.0	E-62.0	D-36.7	D-41.6	D-44.6	E-61.5	D-46.0	E-62.2	D-37.2	D-44.0
Estes Drive (SR 1750) at Shepherd Lane/Willow Drive	Signalized	B (13.4)	B (19.6)	B (13.2)	B (19.0)	B (12.9)	B (17.5)	B (12.8)	B (17.8)	B (13.2)	B (19.1)	B (12.9)	B (17.7)	B (12.7)	B (18.1)	B (13.2)	B (19.0)	B (13.2)	B (17.8)	B (12.8)	B (18.0)
Eastbound		B-10.4	B-19.2	B-10.2	B-17.5	A-9.4	B-14.9	A-9.3	B-15.6	B-10.2	B-17.5	A-9.7	B-14.9	A-9.3	B-16.0	B-10.3	B-17.3	B-10.6	B-14.6	A-9.9	B-14.9
Westbound		A-8.3	B-16.6	A-8.5	B-17.8	A-8.3	B-16.7	A-8.3	B-16.7	A-8.5	B-18.0	A-8.5	B-16.9	A-8.5	B-16.9	A-8.5	B-18.2	A-8.9	B-18.3	A-8.9	B-18.3
Northbound		C-27.4	C-28.2	C-27.2	C-27.5	C-27.2	C-29.3	C-27.2	C-29.3	C-27.2	C-27.5	C-27.2	C-29.2	C-27.2	C-29.2	C-27.2	C-27.5	C-27.2	C-29.2	C-27.2	C-29.2
Southbound		C-23.7	C-22.4	C-23.8	C-22.0	C-24.4	C-21.9	C-24.4	C-22.0	C-23.9	C-21.8	C-24.0	C-22.2	C-24.0	C-22.2	C-23.9	C-21.8	C-23.4	C-21.8	C-23.4	C-21.8
Willow Drive at Conner Drive/Future Site Access	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		---	---	---	---	B-11.5	C-16.8	B-11.5	C-16.9	---	---	B-11.6	C-17.2	B-11.5	C-17.3	---	---	B-12.0	C-20.3	B-12.1	C-20.3
Southbound		B-10.7	B-14.6	B-11.2	C-15.4	B-12.8	D-31.6	B-12.8	D-32.0	B-11.2	C-15.5	B-12.9	D-34.0	B-12.9	D-34.5	B-11.2	C-15.7	B-13.6	E-47.6	B-13.6	E-47.6
Fordham Boulevard (US 15-501) at Site Access #1	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound	C-17.0	C-18.6	C-22.7	D-25.1	D-26.8	E-48.9	D-26.8	E-48.9	C-23.4	D-26.1	D-27.3	F-56.9	D-27.5	F-56.9	C-24.1	D-27.8	D-28.5	F-94.9	D-28.7	F-94.9	
Estes Drive (SR 1750) at Site Access #2	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Southbound	B-13.4	C-16.5	B-14.2	C-18.5	B-13.0	D-31.5	A-9.6	B-11.1	B-14.3	C-18.5	B-13.2	D-33.7	A-9.6	B-11.1	B-14.5	C-18.9	B-14.2	F-51.1	A-9.8	B-11.4	
Estes Drive (SR 1750) at Site Access #3	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Southbound	B-12.2	C-15.8	B-12.9	C-17.9	B-13.0	D-29.5	B-12.6	C-23.9	B-12.9	C-18.0	B-13.4	D-30.6	B-12.9	C-24.8	B-13.0	C-18.2	B-14.1	E-44.4	B-13.3	D-32.7	
Estes Drive (SR 1750) at Site Access #4/ Brookwood Condos	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		B-10.8	B-11.2	B-11.5	B-11.8	B-11.8	B-12.5	B-11.9	B-13.0	B-11.5	B-11.8	B-11.9	B-12.6	B-12.1	B-13.1	B-11.6	B-11.9	B-12.3	B-13.2	B-12.6	B-13.7
Southbound		A-9.6	B-13.9	A-9.9	C-15.3	B-13.2	D-26.4	C-15.7	F-131.9	A-9.9	C-15.5	B-13.3	D-27.7	C-15.9	F-152.6	B-10.0	C-15.6	B-14.0	E-37.6	C-17.0	F-230.3
Estes Drive (SR 1750) at Site Access #5	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Southbound	B-10.5	A-9.6	B-10.9	A-9.9	B-11.4	B-13.7	A-9.3	B-10.0	B-10.9	A-9.9	B-11.2	B-13.9	A-9.3	B-10.1	B-11.0	A-9.9	B-11.2	B-14.5	A-9.4	B-10.2	
Willow Drive at Wells Fargo Driveway/Site Access #6	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-12.5	B-13.6	B-12.8	B-13.9	B-12.4	B-13.4	B-12.4	B-13.4	B-12.8	B-13.9	B-12.5	B-13.6	B-12.5	B-13.6	B-12.8	B-14.0	B-12.9	B-14.2	B-12.9	B-14.2
Westbound		A-0.0	C-18.1	A-0.0	C-18.7	B-11.6	C-16.3	B-11.6	C-16.3	A-0.0	C-18.8	B-11.7	C-16.8	B-11.7	C-16.8	A-0.0	C-19.0	B-12.8	C-18.1	B-12.0	C-17.6
Willow Drive at Site Access #7	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-11.1	C-15.0	B-11.3	C-15.3	B-11.1	C-15.3	B-11.1	C-15.3	B-11.3	C-15.4	B-11.2	C-15.5	B-11.1	C-15.5	B-11.3	C-15.5	B-11.4	C-16.4	B-11.4	C-16.4
Westbound		B-12.1	C-17.8	B-12.3	C-18.5	B-11.0	B-14.5	B-10.9	B-14.6	B-12.3	C-18.7	B-11.1	B-14.8	B-11.1	B-14.8	B-12.3	C-18.8	B-11.5	C-15.7	B-11.5	C-15.7
Willow Drive at Site Access #8	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Northbound	B-10.9	B-13.3	B-11.0	B-13.6	B-10.2	B-14.0	B-10.6	C-16.3	B-11.0	B-13.6	B-10.3	B-14.3	B-10.7	C-16.9	B-11.0	B-13.6	B-10.5	C-15.7	B-11.1	C-19.8	
Willow Drive at Site Access #9	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Northbound	A-9.7	B-11.6	A-9.7	B-11.7	A-9.7	B-14.3	A-9.3	B-13.3	A-9.7	B-11.7	A-9.7	B-14.7	A-9.3	B-13.7	A-9.7	B-11.8	A-9.9	C-16.4	A-9.4	C-15.3	

X (XX.X) = Overall intersection LOS (average delay), **X-XX** = Approach LOS and average delay.



Figure ES-1
Vicinity Map



UNIVERSITY PLACE CHAPEL HILL • ILLUSTRATIVE SITE PLAN

PN 1019418 | 11.09.2020 | RAM REALTY | BB+M ARCHITECTURE

LandDesign.



Figure ES-2
Site Plan
(1 of 2)








University Place Redevelopment
Traffic Impact Analysis
Chapel Hill, NC

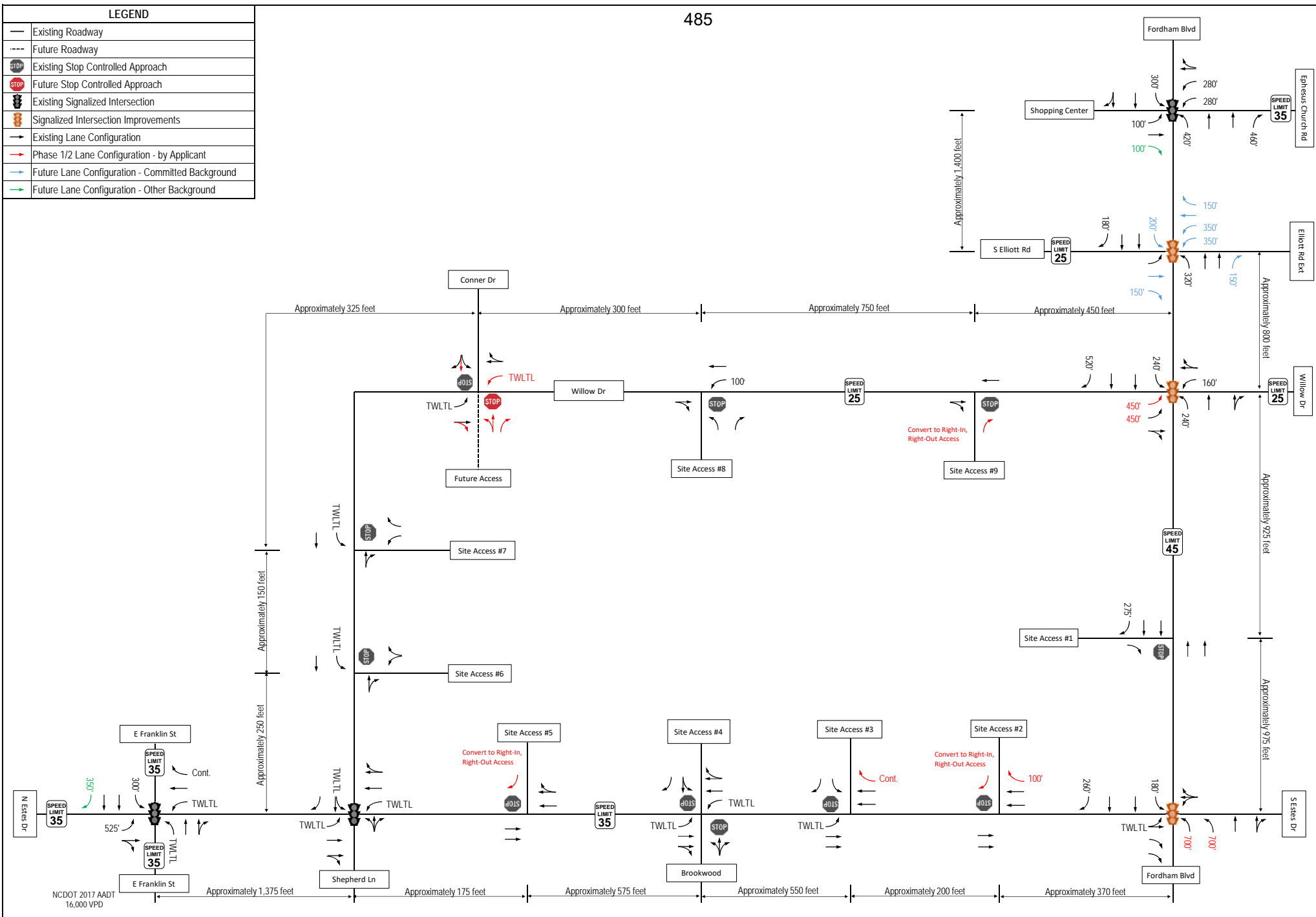


UNIVERSITY PLACE CHAPEL HILL • ILLUSTRATIVE SITE PLAN

PN 1019418 | 11.09.2020 | RAM REALTY | BB+M ARCHITECTURE

LandDesign.

LEGEND	
—	Existing Roadway
---	Future Roadway
	Existing Stop Controlled Approach
	Future Stop Controlled Approach
	Existing Signalized Intersection
	Signalized Intersection Improvements
→	Existing Lane Configuration
	Phase 1/2 Lane Configuration - by Applicant
	Future Lane Configuration - Committed Background
	Future Lane Configuration - Other Background



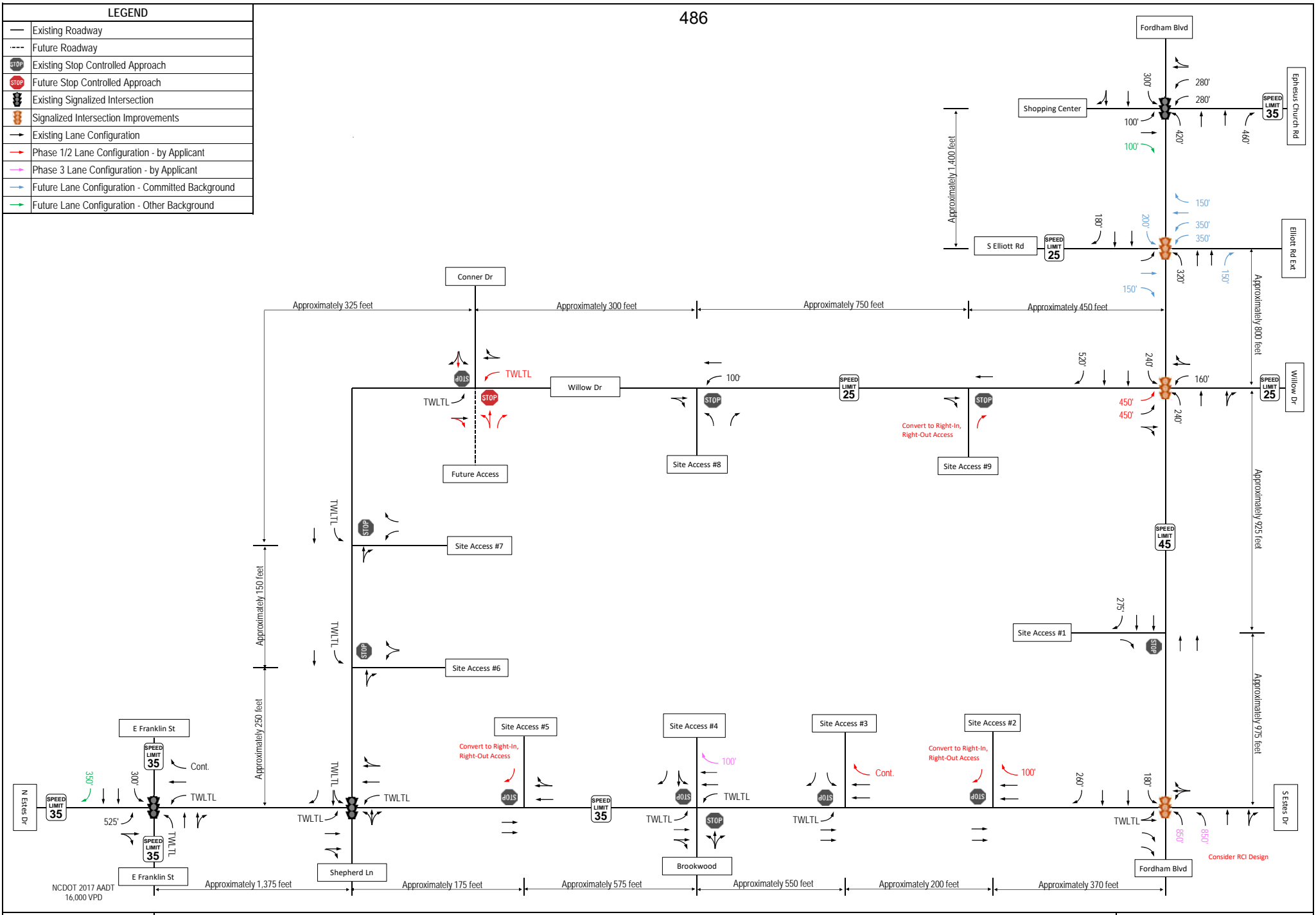


Figure ES-4
Build (2028) Lane Geometrics and Traffic Control



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TOWN OF CHAPEL HILL

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

Item Overview

Item #: 12., **File #:** [21-0450], **Version:** 1

Meeting Date: 5/19/2021

Open the Public Hearing: Land Use Management Ordinance Text Amendments - Proposed Changes to Articles 3, 4, 6, and Appendix A Related to Short-Term Rentals.

See Staff Report on Next Page.

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

PRESENTER: Anya Grahn, Senior Planner

- a. Introduction and preliminary recommendation
- b. Recommendation of the Planning Commission and Historic District Commission
- c. Comments from the public
- d. Comments and questions from the Mayor and Town Council
- e. Referral to the Manager and Attorney
- f. Motion to close the Public Hearing and receive written public comments for 24 hours following the closed public hearing
- g. Consider enacting the Ordinance on June 23, 2021.

RECOMMENDATION: That the Council open the public hearing, receive public comments, and make a motion to schedule the proposed Land Use Management Ordinance text amendment decision at the June 23, 2021 Council meeting.



OPEN THE PUBLIC HEARING: LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENTS - PROPOSED CHANGES TO ARTICLES 3, 4, 6, AND APPENDIX A RELATED TO SHORT-TERM RENTALS

STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Anyah Grahn, Senior Planner

AMENDMENT REQUEST	DATE	APPLICANT
Amend the Land Use Management Ordinance (LUMO) to provide regulations related short-term rentals (STRs).	May 19, 2021	Planning Department
STAFF'S RECOMMENDATION That the Council open the public hearing regarding the Land Use Management Ordinance (LUMO) text amendment, receive public comment, close the public hearing, accept public comments for 24 hours, and consider enacting the ordinance on June 23, 2021.		
PROCESS The item before the Council is for approval of a Land Use Management Ordinance (LUMO) Text Amendment. The Council must consider whether one or more of the <i>three findings</i> for enactment of the Land Use Management Ordinance Text Amendment applies: <ol style="list-style-type: none">To correct a manifest error in the chapter; orBecause of changed or changing conditions in a particular area or in the jurisdiction generally; orTo achieve the purposes of the Comprehensive Plan.	DECISION POINTS <ul style="list-style-type: none">Allow primary residence short-term rentals (STRs) in all zoning districts, but limit dedicated short-term rentals to high density residential, mixed use, and commercial zoning districts.Disallow dedicated STRs in the historic districts.Place a cap on the number of dedicated STRs permitted within multi-family dwelling developments.Establish operational standards.Permit simultaneous rentals only when the STR operator is on-site with guests as part of a primary residence STR.Provide a six-month period in which existing STRs shall come into compliance with the enacted ordinance.Require all STR operators to apply for an STR permit within six months of the enactment of the ordinance.	
Background An STR is the renting of all or part of a residential dwelling unit for a period of less than 30 days. The emerging phenomenon in the number of STRs has significantly increased in the last five years with the support of hosting platforms such as Airbnb, Homeaway, and VRBO. Staff believes that there are currently about 230 STRs operating in Chapel Hill, a decrease compared to the estimated 300 STRs that existed prior to the pandemic. The current Land Use Management Ordinance (LUMO) predates the phenomenon of the shared economy and the rise of STRs. Currently, the LUMO allows residents to rent their primary residence on a weekly basis without a permit, and the North Carolina General Statutes explicitly exclude the rental of private residences for fewer than 15 days per year from paying sales and occupancy tax on accommodation rentals; however, STRs are not specifically addressed. STRs may be considered under the following LUMO definitions which do not accurately reflect the STR use: <ul style="list-style-type: none">Home Occupation (allowed in most zoning districts)Tourist Home (allowed in non-residential zoning districts)Overnight Lodging (limited to the Blue Hill District) On June 12, 2019, Chapel Hill Alliance for a Livable Town (CHALT), Chamber for a Greater Chapel Hill-Carrboro, and local hoteliers submitted a petition ¹ asking that the Town regulate short-term rentals (STRs). That same month ² , Council asked staff to develop updated standards for STRs with input from community stakeholders. In fall 2019 ³ , Council appointed a taskforce of thirteen community stakeholders, including STR advocates and operators, neighborhood residents, and hoteliers. The task force met monthly from October 2019 through February 2020 to discuss topics related to dedicated STRs. Staff and Rebecca Badgett, an attorney with the UNC School of Government, provided guidance on subjects including the legal authority for municipalities to regulate STRs, health and safety requirements, and common STR ordinance provisions based on state and national		

¹ <https://chapelhill.legistar.com/View.ashx?M=F&ID=7306654&GUID=5BAABE66-6F2E-4458-9F12-C2FE2F1F209E>

² <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3985501&GUID=BFA3AA22-D1D1-4D51-9285-1C4FE6B2FF99>

³ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4126810&GUID=F8BA0754-AAA2-474C-B0EB-4D344C4711C9>

examples. The Task Force completed their study with a final set of [findings](#)⁴, reflecting the various convictions of taskforce members. Council accepted these findings and dissolved the taskforce in [June 2020](#)⁵.

Since that time, staff has met with Council to receive input on possible STR ordinance provisions. Staff has received the following feedback from Council on proposed ordinance provisions:

- Support for allowing primary residence STRs.
- Dedicated STRs do not belong in residential neighborhoods; they may be appropriate in mixed use and commercial areas, but there should be a cap on the number of dedicated STRs permitted.
- Concerns for the impact of STRs on residents and residential neighborhoods.
- Consider a cap on the number of STRs within multi-family dwelling developments, such as apartment complexes.
- Interest in requiring permits to collect data and clarify the number of STRs operating in the community.

Staff held a public information meeting on April 19, 2021 regarding STRs. Community feedback included:

- Concerns for protecting residential neighborhoods from impacts of STRs.
- Demand for STRs as not all guests are interested in staying at a hotel and STRs provide a home-like experience, particularly for longer stays.
- STRs provide opportunities to save for homeownership.
- Neighbors feared that enforcement required them to submit complaints to the Town, while STR operators found that the review system on hosting platforms, such as Airbnb, prevented nuisances to their neighbors.
- Interest in providing a sunset clause for existing STRs.

For more information regarding past meetings, materials, and recordings, please see the project website: <https://chplan.us/ChapelHillSTRs>⁶.

TEXT AMENDMENT OVERVIEW

Staff proposes permitting two types of STRs:

- **Primary Residence STR:** The rental of a dwelling unit or dwelling unit with an accessory apartment on a property in which the host resides a majority of the year and is rented to transient guests for a fee for fewer than 30 consecutive days.
- **Dedicated STR:** The rental of a residential dwelling unit(s) on a property that is not used as a primary residence and is rented in its entirety to one party of transient guests at a time for a fee for fewer than 30 consecutive days.

Primary Residence STRs would be permitted in all zoning districts that allow for residential uses, whereas, Dedicated STRs would only be permitted in high-density residential, mixed-use, and commercial areas. Staff would develop a STR permit that requires annual renewal.

The STR ordinance would:

1. Allow Primary Residential STRs in all residential zoning districts and limit Dedicated STRs to only high-density residential, mixed-use, and commercial zoning districts.
2. Require a Zoning Compliance Permit (STR permit).
3. Place a cap on the number of STRs permitted in any multi-unit dwelling building to two (2) units or no more than three (3) percent, whichever is greater.
4. Amend Article 6- Special Regulations for Particular Uses to provide operational requirements for STRs.
5. Provide enforcement provisions including a "Three strikes, you're out" stipulation.

These LUMO text amendments are proposed to create a program for regulating STRs. Following adoption of the ordinance, staff will collect data on existing STRs through the permitting process and gain a better understanding of where STRs exist, types of STRs, and the number of STRs in the community. The ordinance will provide an opportunity for additional monitoring, community feedback, and identifying issues that need to be addressed. Staff proposes scheduling six-month and annual check-ins with Council, as necessary, to discuss the progress of the STR program. Staff will initiate text amendments to amend the STR ordinance as necessary based on our data collection.

ATTACHMENTS

1. Text Amendment Summary
2. Draft Staff Presentation
3. Resolution of Consistency (For proposed Land Use Management Ordinance amendment)
4. Ordinance A (Enactment of Land Use Management Ordinance Text Amendment Proposal)
5. Resolution B (Deny Land Use Management Ordinance Text Amendment Proposal)
6. Planning Commission Recommendation
7. Emails from the public

⁴ <https://www.townofchapelhill.org/home/showdocument?id=45087>

⁵ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4569907&GUID=3243B43C-A063-46AB-8885-7BC99D867FC1>

⁶ <https://chplan.us/ChapelHillSTRs>



PROPOSED CHANGES: TEXT AMENDMENTS TO THE LAND USE MANAGEMENT ORDINANCE ARTICLES 3, 4, 6, AND APPENDIX A

The following is a summary of the proposed text amendments to amend the LUMO to include STR regulations:

1. Allow Primary Residence STRs in all residential zoning districts and limit Dedicated STRs to only high-density residential, mixed-use, and commercial zoning districts.

This amendment will modify the use table in order to specifically allow primary residence and dedicated STRs in certain zoning districts.

2. Require a Zoning Compliance Permit (STR permit).

This amendment will require that STR operators obtain a STR permit annually. A permit number will be assigned to each residential unit and this permit number shall be included in all online advertisements.

3. Place a cap on the number of Dedicated STRs permitted in any multi-unit dwelling building to no more than two (2) units or three (3) percent of units, whichever is greater.

This amendment will permit only three (3) percent of units within a multi-unit dwelling development, such as apartment and condo complexes, to operate as Dedicated STRs. Permits will be issued on a first-come, first-served basis.

4. Amend Article 6- Special Regulations for Particular Uses to provide definitions and operational requirements for STRs.

A. Staff proposing adding definitions for:

- Primary Residence
- Short-term rental (STR)
- STR, Dedicated
- STR, Primary Residence
- STR Local Designated Responsible Party
- STR Hosting Platform
- STR Permit

B. Operational requirements include the following:

- Limiting simultaneous rentals to primary residence STRs and only when STR operator is on-site.
- Maximum overnight occupancy of two (2) persons per bedroom + two (2) additional persons, not including children under 12 years of age
- Designated Responsible Party that is available to respond on-site within two (2) hours to address any emergency situations stemming from the STR use
- Adequate on-site parking
- Prohibition of signs advertising the STR use
- STR operators are responsible for paying all applicable taxes and fees
- Minimum rental age of 18 years of age
- Minimum rental duration not less than overnight

5. Provide enforcement provisions including a "Three strikes, you're out" stipulation.

Similar to other zoning compliance permits, the STR permit is subject to enforcement. Should a property receive three (3) separate violations related to the use of the property as a STR within a rolling 12-month period, the STR permit may be revoked and the applicant shall have to submit a new STR permit. Notices of violation will only be issued to those found to be in violation of the code following investigation of a complaint.

6. Amend Appendix A to clarify that these definitions do not apply to STRs.

Staff proposes amending the following definitions to clarify that they do not apply to STRs:

- Lodging Unit
- Tourist Home



Land Use Management Ordinance Text Amendment Short-Term Rentals

May 19, 2021

DRAFT

Recommendation

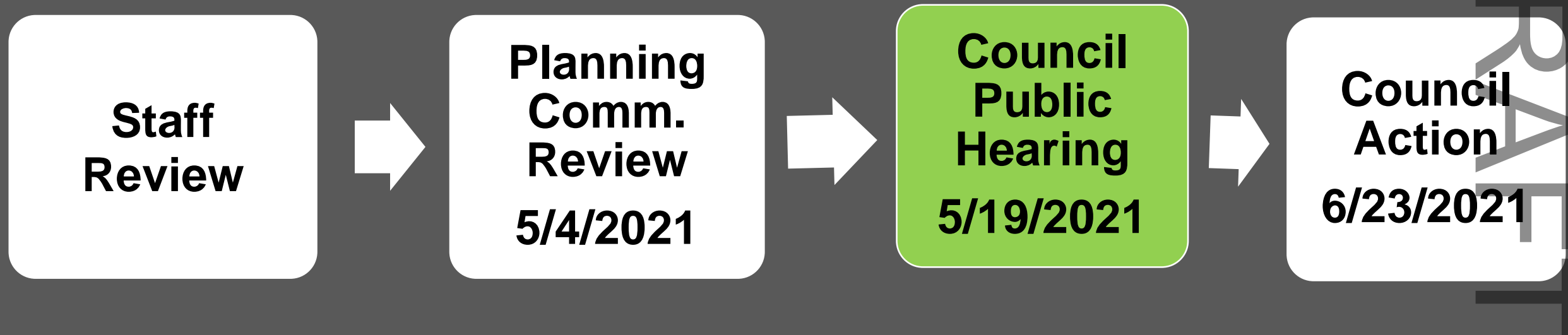
493

- Open the Public Hearing;
- Receive comments in this meeting and up to 24 hours via email at planning@townofchapelhill.org
- Move to close the public hearing at that point
- Enact the Ordinance on June 23, 2021

DRAFT

Text Amendment Process

494



What's in your packet?

495

- Staff Report
- Resolution A, Resolution of Consistency
- Ordinance A
- Resolution B, denying the amendment
- Planning Commission Recommendation

DRAFT

Text Amendment Background

496



- Short-Term Rentals (STRs): Rental of residential dwelling units for a period of less than 30 days
- Current LUMO only permits STRs as:
 - Home Occupation
 - Tourist Home
 - Overnight Lodging

DRAFT

Text Amendment Background

497

June 2019	<ul style="list-style-type: none">• CHALT, Chamber for a Greater Chapel Hill-Carrboro, and local hoteliers submit a petition• Council directs staff to develop updated standards for STRs
Fall 2019 – Winter 2020	<ul style="list-style-type: none">• Council appoints a 13-member taskforce focused on dedicated STRs• Taskforce meets monthly from October – February• Taskforce creates a final set of findings
March 2020	<ul style="list-style-type: none">• Staff reviews taskforce findings with CCES
June 2020	<ul style="list-style-type: none">• Council accepts taskforce findings and dissolves taskforce
Fall 2020 – Spring 2021	<ul style="list-style-type: none">• Staff meets with Town Council to receive input on possible STR ordinance provisions

DRAFT

Council Feedback

498

- Support for primary residence STRs
- Dedicated STRs do not belong in residential neighborhoods; they may be appropriate in mixed-use and commercial areas
- There should be a cap on the number of dedicated STRs
- Concerns for the impact of STRs on residents and residential neighborhoods
- Interest in requiring permits to collect data and clarify the number of STRs operating in the community

DRAFT

Community Feedback

499

- Concerns for protecting residential neighborhoods from STRs
- Demand for STRs as not all guests are interested in staying at a hotel and STRs provide a home-like experience, particularly for longer stays
- STRs provide opportunities to save for homeownership
- Neighbors fear enforcement responsibility falls on them
- STR operators found that the review system on hosting platforms prevent neighborhood nuisances
- Interest in providing a sunset clause for existing STRs

DRAFT

Summary of Proposed Changes

500

- Require zoning compliance permit (STR permit) for all STRs
- Allow primary residence STRs in all zoning districts
- Permit dedicated STRs in high-density residential, mixed-use, and commercial zoning districts, but not the historic districts
- Limit dedicated STRs to only 2 units or 3% of units, whichever is greater in multi-family developments
- Provide operational requirements for STRs
- Three strikes, you're out clause



DRAFT

Definitions

501

- **Short-term rental (STR):** A dwelling unit rented in whole or in part for fewer than thirty (3) consecutive days for a fee or other valuable consideration as defined in section 6.27.
 - **Dedicated STR:** A residential dwelling unit(s) located on a property not used as a primary residence in which the dwelling unit is rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.
 - **Primary residence STR:** A primary residence rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.
- **Primary residence:** A dwelling unit, a single-family dwelling unit with accessory apartment, or a dwelling unit with an attached duplex unit owned by the same property owner, in which the host resides a majority of the year (219 days per year or 60 percent or more of the time).

Definitions

502

STR local responsible party: the local contact responsible for responding to emergency complaints or issues stemming from the use of the dwelling unit as a short-term rental.

STR hosting platform: a public platform that allows an operator to advertise a residential dwelling unit for use as a short-term rental and facilitates the booking transaction between the operator and the guest.

STR property owner: The owner of record of the short-term rental property as recorded in the Orange County Register of Deeds. The property owner maybe an individual or individuals or any form of business entity recognized by the State of North Carolina. If the property owner is a form of business entity, it shall maintain current registration with the North Carolina Secretary of State.

DRAFT

Definitions

503

Short-term rental (STR) operator: A property owner or authorized agent advertising, managing, and/or facilitating the use of the property as a primary residence STR or dedicated STR.

Short-term rental (STR) permit: The zoning permit issued by the Town to property owners or designated agents to certify that a residential dwelling unit or accessory structure may be used as a primary residence STR or dedicated STR.

DRAFT

Operational Requirements

504

(a) Rentals

- Primary residence STR – rent out accessory apartment and/or single-family dwelling unit. No simultaneous rentals if operator is not on-site.
- Dedicated STR – No simultaneous rentals.

(b) Maximum Overnight Occupancy

- 2 guests/bedroom + 2 guests
- Does not include children 12 and under

(c) Designated Responsible Party

- Someone local able to respond on-site within 2 hours



Operational Requirements

505

(e) Parking

- Provided on-site and not in the right-of-way

(f) Signs

(g) Taxes

(h) Minimum Rental Age of 18

(i) Minimum Rental Duration of overnight



Enforcement & Compliance

506

- **“Three strikes, you’re out” clause**
- **6 months from the effective date of the ordinance:**
 - Existing STRs shall come into compliance
 - STR permits



DRAFT

Recommendation

507

- Open the Public Hearing;
- Receive comments in this meeting and up to 24 hours via email at planning@townofchapelhill.org
- Move to close the public hearing at that point
- Enact the Ordinance on June 23, 2021

DRAFT

**RESOLUTION A
RESOLUTION OF CONSISTENCY**

(Enacting the Land Use Management Ordinance Text Amendment proposal)

**A RESOLUTION REGARDING AMENDING THE CHAPEL HILL LAND USE
MANAGEMENT ORDINANCE ARTICLES 3, 4, 6, AND APPENDIX A TO REGULATE
SHORT-TERM RENTALS (2021-__-__ / O-#)**

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Sections 3.7, 4.9, 6.27, and Appendix A on May 4, 2021. The Planning Commission found the proposed text amendments were not consistent with the Comprehensive Plan and took no action on the proposed text amendments; and

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council held that public hearing on May 19, 2021, receiving comments through 11:59 PM on May 20, 2021, and closed the public hearing at that point; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- 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. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

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

This the ____ day of _____, 2021.

ORDINANCE A

(Enacting the Land Use Management Ordinance Text Amendment)

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 3, 4, 6, AND APPENDIX A TO REGULATE SHORT-TERM RENTALS (2021-__-__ / O-#)

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Sections 3.7, 4.9, 6.27, and Appendix A on May 4, 2021. The Planning Commission found the proposed text amendments were not consistent with the Comprehensive Plan and took no action on the proposed text amendments; and

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- 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. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

WHEREAS, a short-term rental (STR) is a dwelling unit that is rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration; and

WHEREAS, short-term rentals provide additional opportunity for overnight accommodations to guests wishing to stay in a home-like environment. These guests benefit the local economy by investing in local restaurants, shops, and museums; and

WHEREAS, short-term rentals provide many Chapel Hill residents the opportunity to supplement their income and afford housing in the community; and

WHEREAS, the Residential-1 (R-1), Residential-1A (R-1A), Residential-2 (R-2), Residential-2A (R-2A), Residential-3 (R-3), Residential-Low Density 1 (R-LD1), Residential- Low Density 5 (R-LD5), Rural Transition District (RT), and Historic Rogers Road (HR) zoning districts are primarily comprised of single family, single family with accessory apartment, and duplex dwelling units. The low-density residential development and full-time residents of these neighborhoods contribute to their economic stability and neighborhood character. Restricting dedicated STRs in these neighborhoods will prevent the conversion of residential units into short-term rentals, maintain housing opportunities for full-time residents, reduce nuisances to full-time residents, and preserve neighborhood character; and

WHEREAS, the Residential-4 (R-4), Residential-5 (R-5), and Residential-6 (R-6) zoning districts allow greater densities of residential development than the other residential zoning districts, provide greater availability of public services, and allow greater accessibility to major activity centers supporting tourists. These zones provide a transition between lower density single family residential neighborhoods and mixed-use and commercial areas; and

WHEREAS, multifamily dwelling units of three or more units are permitted in the Residential-4 (R-4), Residential-5 (R-5), and Residential-6 (R-6) zoning districts. Therefore, a limited number of STRs are appropriate in these zoning districts. However, placing a cap on the number of dedicated STRs within each higher density residential development will limit the conversion of residential units into short-term rentals, maintain housing opportunities for full-time residents, reduce nuisances to full-time residents, and preserve neighborhood character; and

WHEREAS, the intent of this article is to establish minimum operational standards for the use of residential dwelling units as primary residence and dedicated short-term rentals and to minimize the impact of changed regulations on existing land uses established as of the effective date of the changed regulations; and

WHEREAS, the Town Council agrees that this ordinance amendment is consistent with the Chapel Hill Land Use Management Ordinance (LUMO), and helps to promote the health, safety, and general welfare of the residents of the Town of Chapel Hill; and

WHEREAS, a short-term rental (STR) permit shall be required to operate a primary residence or dedicated short-term rental within the planning and regulation jurisdiction of the Town of Chapel Hill; and

WHEREAS, the requirements and provisions of this ordinance shall apply to primary residence and dedicated short-term rentals. This ordinance shall not apply to other types of lodging uses, such as hotels, motels, tourist homes, or rooming houses.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that Council amends the Town Code of Ordinances, Appendix A, Land Use Management Ordinance as follows:

Section 1. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.7. Use regulations, Section 3.7.2 Use Matrix, Table 3.7-1: Use Matrix is hereby amended to add Short-term rental, dedicated and Short-term rental, primary residence uses and a footnote as follows:

Table 3.7-1: Use Matrix

		General Use Zoning District																				Historic Rogers Road Neighborhood District				Planned Development (PD-)								
Uses	Use Group	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-CZD	TC-1, TC-2,	CC	N.C.	OI-1	OI-2	OI-3	OI-4	I	LI-CZD	MH	HR-L	HR-M	HR-X	HR-C	H	SC(N)	SCI	OI	MU	I	DA-1
<u>Short-term rental, dedicated</u>	A	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P
<u>Short-term rental, primary residence</u>	A	A	A	A	A	A	A	A	A	A	A	A	-	A	A	A	A	A	A	A	-	-	-	A	A	A	A	A	-	-	-	A	-	A

"—" Not Permitted;

"S" Permitted as a special use or as a CZ in the parallel conditional zoning districts enumerated in 3.4.3 (a);

"A" Permitted as an accessory use; In LI-CZD refer to [Article 6](#) of this appendix for standards applicable to accessory uses labeled as "AY".

"P" In OI-3, OI-4, LI-CZD and MH: Permitted as a principal use;

"CZ" Permitted as a principal use in the parallel conditional zoning district and in the defined conditional zoning districts;

"Y" In LI-CZD, permitted under additional prescribed standards in [Section 6.22](#)

Section 2: Article 4. Procedures, Section 4.9 Zoning compliance permit is hereby revised to add Section 4.9.8 Short-Term Rental Permit Required as follows:

"4.9.8 Short-Term Rental Permit Required. No dwelling unit shall be used for short-term rentals until a short-term rental permit has been issued indicating compliance with the provisions of this chapter, Section 6.27, and Appendix A (Definitions)."

Section 3: Article 6. Special Regulations for Particular Uses is hereby amended to add Section 6.27 Short-term rentals as follows:

"6.27 Short-Term Rentals

6.27.1 Applicability.

Unless otherwise specified, the requirements and provisions of this section shall apply to primary residence short-term rentals and dedicated short-term rentals (collectively called "short-term rentals" or "STRs"). This section shall not apply to other types of lodging uses, such as hotels, motels, tourist homes, or rooming houses.

Except as provided in this section, nothing herein shall be construed to prohibit, limit, or otherwise supersede existing local authority to regulate the short-term rental of property through general land use and zoning authority.

6.27.2 Purpose and Intent.

The purpose of this Ordinance is to establish general requirements for the operation of short-term rentals. The purposes and intent of this Ordinance are to:

- (a) Promote the health, safety, and general welfare of the public by establishing minimum operational standards for the use of residential dwelling units as primary residence and dedicated short-term rentals.**
- (b) Preserve the character and stability of the historic districts immediately surrounding the downtown and campus areas around the University.**
- (c) Maintain the economic stability and neighborhood character of low-density residential zoning districts.**
- (d) Maintain housing opportunities for full-time residents by prevent the conversion of residential units into dedicated short-term rentals.**
- (e) Reduce nuisances to full-time residents by prohibiting dedicated short-term rentals in low-density residential neighborhoods and the historic districts.**
- (f) Provide opportunities for the operation of dedicated short-term rentals in high-density residential, mixed-use, and commercial zoning districts where there is greater availability of public services and access to major activity centers supporting tourists.**

6.27.3 Definitions.

For the purpose of this Section 6.27, the following are defined terms:

Primary residence: A dwelling unit, a single-family dwelling unit with accessory apartment, or a dwelling unit with an attached duplex unit owned by the same property owner, in which the host resides a majority of the year (219 days per year or 60 percent or more of the time).

Short-term rental (STR): the rental of a dwelling unit that is rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.

Short-term rental (STR), dedicated: A residential dwelling unit(s) located on a property not used as a primary residence in which the dwelling unit is rented in

whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.

Short-term rental (STR), host: see definition for STR operator.

Short-term rental (STR) hosting platform: A public platform that allows an operator to advertise a residential dwelling unit for use as a short-term rental and facilitates the booking transaction between the operator and the guest.

STR Designated Local Responsible Party: The local contact responsible for responding to emergency complaints or issues stemming from the use of the dwelling unit as a short-term rental.

Short-term rental (STR) operator: A property owner or authorized agent advertising, managing, and/or facilitating the use of the property as a primary residence STR or dedicated STR.

Short-term rental (STR), primary residence: A primary residence rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration.

Short-term rental (STR) property owner: The owner of record of the short-term rental property as recorded in the Orange County Register of Deeds. The property owner maybe an individual or individuals or any form of business entity recognized by the State of North Carolina. If the property owner is a form of business entity, it shall maintain current registration with the North Carolina Secretary of State.

Short-term rental (STR) permit: The zoning permit issued by the Town to property owners or designated agents to certify that a residential dwelling unit or accessory structure may be used as a primary residence STR or dedicated STR.

6.27.4 Permitting.

- (a) A short-term rental (STR) permit shall be assigned to each residential dwelling unit that satisfies the requirements of this section and is used as a primary residence STR or dedicated STR for more than fourteen (14) days per calendar year. A permit number shall be assigned to each STR, and the permit number shall be clearly noted in any rental advertisements.
- (b) STR permits shall be renewed annually before the expiration date. Failure to timely renew may result in expiration of the STR permit. The Manager may consider a grace period.
- (c) No more than two (2) units or three percent (3%) of units, whichever is greater, in a multifamily development shall be used as a Dedicated STR. For the purposes of this section, "multifamily development" is defined as a residential development consisting of a building or group of buildings containing three (3) or more dwelling units on one zoning lot.
- (d) Grounds for Denial. The Town Manager may deny an application for a short-term rental (STR) permit if any of the following has occurred:
 - (1) The applicant submits an incomplete application; or
 - (2) The proposed short-term rental fails to meet a specified standard set forth in this appendix.

The applicant may appeal the denial of a short-term rental permit to the Board of Adjustment pursuant to the requirement set forth in the Chapel Hill Land Use Management Ordinance 4.10.

6.27.5 Operational Requirements.

(a) Rentals.

(1) Operators of dedicated STRs consisting of residences with an accessory apartment may, at any given time, offer for short-term rental either the single-family dwelling unit or the accessory apartment, or both units. The simultaneous rental of both the single-family dwelling unit and the accessory apartment to more than one party under separate contracts is prohibited. The units may, however, be rented out together to one party under a single contract.

(2) Operators of primary residence STRs consisting of single-family residences with an accessory apartment or a duplex unit on the same lot may rent the single-family dwelling unit, the accessory apartment, or one dwelling unit in the duplex as a short-term rental. The simultaneous rental of all more than one dwelling units on the zoning lot to more than one party under separate contracts is permitted only when the STR operator is onsite.

(b) Maximum Overnight Occupancy. The overnight occupancy shall not exceed two (2) persons per bedroom plus two (2) additional persons, excluding children under twelve (12) years of age. The occupancy limit shall be posted prominently within the short-term rental and be included in property listings on hosting platforms.

(c) STR Designated Local Responsible Party. Operators shall designate a short-term rental local responsible party available to respond within two (2) hours to handle emergency situations stemming from the short-term rental use. The responsible party shall be available 24 hours per day and seven (7) days a week during all times the property is under rental. The name, telephone number, and email address of the designee shall be conspicuously posted within the short-term rental and match the name, telephone number, and email address provided in the short-term rental permit. The designee may be the property owner. A designee's repeated failure to timely respond to renter issues, resident concerns, or Town initiated communications may result in revocation of the STR permit.

(d) Noise. The noise regulations set forth in Chapter 11, Article III of the Code of Ordinances shall apply to short-term rentals. Among other requirements, Article III regulates nuisance noises and makes it unlawful to create, cause, or allow the continuance of any unreasonably loud noise, particularly during nighttime, which interferes seriously with neighboring residents' reasonable use of their properties.

(e) Parking. Sufficient parking for each STR shall be provided on site and shall not be permitted in the right of way. Each STR is further subject to the parking regulations in LUMO [Section 5.9](#).

- (f) **Signs.** Signs on the property advertising it as the location of a short-term rental are prohibited.
- (g) **Taxes.** Short-term rental operators are responsible for paying the state sales tax, personal property taxes, the transient occupancy tax and any other applicable taxes and fees as established by law.
- (h) **Minimum Rental Age.** An STR operator shall ensure that the primary responsible renter of a short-term rental shall be at least eighteen (18) years old.
- (i) **Minimum Rental Duration.** The operator shall not make the short-term rental available for a period of less than 18 hours, which period shall include the overnight hours.

6.27.6. Enforcement.

- (a) **Enforcement.** The procedures for the enforcement of this ordinance are set forth in LUMO Section 4.13 Violations and penalties.
- (b) **Penalties and Remedies for Violations.** The penalties and remedies for violations of this ordinance are set forth in LUMO Section 4.13 Violation and penalties.
- (c) **Permit Revocations.** If the Town issues three (3) separate violations relating to the use of a property as a short-term rental within a rolling twelve (12) month period that are not successfully appealed, the STR permit for that property shall be revoked.
- (d) **Operating Without a Permit.** Any person who operates a short-term rental property without a valid STR permit shall be in violation of LUMO Section 4.9.8.
- (e) **Registration Termination.** Registration shall terminate upon failure to comply with the annual renewal requirement in section 6.27.4.
- (f) **Action for Recovery of Civil Penalty.** If payment of a civil penalty is not made or if violations are not cured or corrected within the time specified in the citation or within 30 days of the conclusion of an appeal, the Town may initiate a civil action in the nature of a debt. The manager is authorized to reach equitable settlement of unpaid penalties.

6.27.8 Existing short-term rentals.

- (a) **Any short-term rental existing at the time of the adoption of this ordinance ("existing STR") is subject to the requirements of sections 3.7, 4.9.8, 6.27, and all other relevant requirements of the LUMO.**
- (b) **Any existing STR that is not a permitted use under section 3.7 shall nevertheless be allowed to continue operating as a short-term rental for six months after the effective date of this ordinance, provided it is operated in**

December 20, 2021, continued operation as an STR is a violation of the LUMO.

Section 4: Appendix A. Definitions is hereby revised to modify Lodging unit and Tourist home, and add Short-term rental (STR) as follows:

"Lodging unit: A room or group of rooms forming a separate habitable unit used or intended to be used for living and sleeping purposes by one (1) family only, without independent kitchen facilities; or a separate habitable unit, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or lease basis for periods of less than one (1) week. **This term does not include short-term rentals.**"

"Short-term rental (STR): A **dwelling unit rented in whole or in part for fewer than thirty (30) consecutive days for a fee or other valuable consideration as defined in section 6.27.**"

"Tourist home: A building or group of buildings containing in combination three (3) to nine (9) lodging units intended for rental or lease primarily to transients for by the day or week with or without board, as distinguished from rooming houses in which occupancy is generally by residents rather than transients. Emergency shelters for homeless persons and residential support facilities, as defined elsewhere in this appendix, are not included.

A tourist home shall not be considered an accessory use or as a home occupation. This term does not include short-term rentals."

Section 6. This ordinance shall be effective upon enactment.

This the _____ day of _____, 2021.

RESOLUTION B**(Denying the Land Use Management Ordinance Text Amendment Proposal)****A RESOLUTION DENYING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 3, 4, 6, AND APPENDIX A TO REGULATE SHORT-TERM RENTALS (2021-__-/R-#)**

WHEREAS, the Council called a Public Hearing for the May 19, 2021 Council meeting to amend Sections 3.7, 4.9, 6.27, and Appendix A of the Land Use Management Ordinance (LUMO) as they relate to short-term rentals; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendments to LUMO Sections 3.7, 4.9., 6.27, and Appendix A related to short-term rentals, and finds that the amendments, if enacted, are not reasonable and in the public's interest and are warranted, to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A welcoming and friendly community that provides all people with access to opportunities. (Place for Everyone.4)
- Foster success of local businesses. (Community Prosperity and Engagement.2)
- 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. (Good Places, New Spaces.5)
- A community that welcomes and supports change and creativity. (Good Places, New Spaces.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment. (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development, such as stormwater runoff, light and noise pollution, and traffic. (Nurturing Our Community.8)

WHEREAS, a short-term rental (STR) is the rental of a dwelling unit that is rented wholly or partly for a fee for fewer than thirty (30) consecutive days; and

WHEREAS, the Town's historic districts are intended to protect and conserve the heritage and character of the Chapel Hill community. Preserving the character and stability of historic districts immediately surrounding the downtown and campus areas as the University expands is vital. Tourists wanting to be close to campus for university tours, sporting events, conferences, hospital stays, and visiting students and close to downtown amenities creates a demand for dedicated short term rentals (STR) in the historic districts. The character-defining features of each district contribute to their unique identities and Chapel Hill's sense of place. As such, the demand for dedicated STRs in these areas may significantly alter the character of these neighborhoods and detract from their special character; and

WHEREAS, the Residential-1 (R-1), Residential-2 (R-2), Residential-2A (R-2A) and Residential-3 (R-3) zoning districts are primarily comprised of single family, single family with accessory apartment, and duplex dwelling units. The low-density residential development and full-time residents of these neighborhoods contribute to their economic stability and neighborhood character. Restricting dedicated STRs in these neighborhoods will prevent the conversion of residential units into short-term rentals, maintain housing opportunities for full-time residents, reduce nuisances to full-time residents, and preserve neighborhood character; and

WHEREAS, the Residential-4 (R-4), Residential-5 (R-5), and Residential-6 (R-6) zoning districts allow greater densities of residential development than the other residential zoning districts, provide greater availability of public services, and allow greater accessibility to major activity centers supporting

tourists. These zones provide a transition between lower density single family residential neighborhoods and mixed-use and commercial areas; and

WHEREAS, multi-family dwelling units of three or more units are permitted in the Residential-4 (R-4), Residential-5 (R-5), and Residential-6 (R-6) zoning districts. Placing a cap on the number of dedicated STRs within higher density residential developments will prevent the conversion of residential units into short-term rentals, maintain housing opportunities for full-time residents, reduce nuisances to full-time residents, and preserve neighborhood character; and

WHEREAS, the intent of this article is to establish minimum operational and safety standards for the use of residential dwelling units as primary residence and dedicated short-term rentals and to minimize the impact of changed regulations on existing land uses established as of the effective date of the changed regulations.

WHEREAS, the Town Council agrees that this ordinance amendment is consistent with the Chapel Hill LUMO, and helps to promote the health, safety, and general welfare of the residents of the Town of Chapel Hill.

WHEREAS, a short-term rental (STR) permit shall be required to operate a primary residence or dedicated short-term rental within the planning and regulation jurisdiction of the Town of Chapel Hill; and

WHEREAS, the requirements and provisions of this ordinance shall apply to primary residence and dedicated short-term rentals. This ordinance shall not apply to other types of lodging uses, such as hotels, motels, tourist homes, or rooming houses; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Land Use Management Text Amendments to be unreasonable, not in the public interest, and inconsistent with the Town's Comprehensive Plan.

This the ____ day of _____, 2021.

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 LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – PROPOSED CHANGES TO ARTICLES 3,4,6 AND APPENDIX A REGARDING SHORT-TERM RENTALS (STRS)

May 5, 2021

Recommendation: Approval ☐ Approval with Conditions ☐ Denial ☒

Motion: Melissa McCullough moved and Neal Bench seconded a motion to recommend that the Council deny the Resolution of Consistency.

Vote: 8 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Stephen Whitlow

Nays:

Excused: Buffie Webber

Recommendation: Approval ☐ Approval with Conditions ☐ Denial ☐
 No Action ☒

Motion: Neal Bench moved and Melissa McCullough seconded a motion to recommend that the Council take no action on Ordinance A, amending the Chapel Hill Land Use Management Ordinance Section 3.6.2 Historic Districts related to review criteria and Section 8.4 Historic District Commission.

Vote: 8 – 0

Yeas: Michael Everhart (Chair), James Baxter (Vice-Chair), Neal Bench, Elizabeth Losos, Melissa McCullough, John Rees, Louie Rivers, Stephen Whitlow

Nays:

Excused: Buffie Webber

Reasons for No Action:

- The Planning Commission is generally in support of an updated STR ordinance but is concerned that the scope and magnitude of the problems caused by STRs to the Town are unclear and do not necessarily merit some of the proposed changes to the ordinance.
- Support for providing a sunset clause to bring existing STRs into compliance and grandfather STRs that cannot come into compliance.
- Many STR hosts and operators are financially dependent on their STRs and any new ordinance should allow them to maintain their businesses.
- STRs should be permitted in all zoning districts that allow residential uses.
- Create a dedicated framework for collecting data. Interest in reviewing the data collected in two years.
- No STR permit fee should be charged, to promote compliance, to facilitate data collection, and not drive STR operators underground.
- Concerns that other details of the proposed ordinance are overly burdensome on some STR operators (e.g. 2-hour requirement for an on-site designated party, the 3-strikes provision, simultaneous rental prohibition, trash collection rules)

Prepared by: Anya Grahn, Senior Planner

April 30, 2021

**VIA E-MAIL TO
& 1st CLASS U.S. MAIL**

Anya Grahn
Senior Planner
Town of Chapel Hill
Planning Department/
Long Range Planning Div.
405 Martin Luther King, Jr. Blvd.
Chapel Hill, North Carolina 27514

Re: Town of Chapel Hill – Draft Short-Term Rental Ordinance

Dear Anya:

This letter is to follow up the telephone conversation I had with you and others in the Chapel Hill Planning Department and with Town Attorney Ann Anderson a week or two ago regarding the above-referenced matter. Please share this letter with the Planning Commission prior to Tuesday evening's meeting.

I am working with Eric Plow, the owner of seven (7) residential dwelling units known as "Chapel Hill Inn Town" located at 609 Hillsborough Street in Chapel Hill. Mr. Plow has actively participated in the Short Term Rentals Task Force process, so I am sure you are familiar with his property, operations, and concerns. Mr. Plow has peacefully, professionally and continuously operated his property as "short-term rental" units for nearly 20 years. The Town's draft ordinance to regulate short-term rentals, in its current form, will severely restrict, if not eliminate, his ability to continue to operate and manage his property in a way he has done, without any negative consequences to his neighbors, for nearly 20 years.

Mr. Plow's situation may be unique. He owns all 7 dwelling units in the multifamily dwelling (as defined in the Land Use Management Ordinance; "LUMO") on the Property, and since the time he acquired the Property in 2001 has continuously offered each of the units for short term rental residential use. The Property is zoned R-4, for residential use. There is no limitation in the LUMO on Mr. Plow's historic use of the Property for short-term residents, and Mr. Plow has never been cited by the Town of Chapel Hill for any violation of the LUMO with respect to

his use, though he has carried on that use openly. Mr. Plow has lawfully managed his property as short-term rental units for the entire time since 2001. According to LUMO Section 3.7 and Table 3.7-1, multi-family dwellings with up to seven (7) units are permitted as of right in the R-4 district. Each unit fully meets the definition of the term “dwelling unit” established in the LUMO. The Property is zoned for residential use, and has been used for residential purposes, consistent with the Town of Chapel Hill Land Use Management Ordinance. The short-term residential rental use of the Property was not prohibited by the Land Use Management Ordinance and, therefore, we contend that the use is a lawful, conforming use of the Property.

I also respectfully suggest that any attempt to regulate short-term rentals in Chapel Hill is premature and essentially amounts to “a solution looking for a problem.” That is certainly the case with respect to Mr. Plow’s property. The statistics available on the Town’s short-term rentals web page suggest that there are a limited number of properties being used as “short-term rentals”, and it is likely that the majority of these are hosted or unhosted rentals, with very few dedicated rentals. The data also seem to suggest that there have been relatively few incidents of real problems with properties that are used that way, and the one thing we are certain of is that there have been no problems whatsoever with Mr. Plow’s Property. Mr. Plow has always complied with the applicable regulations, and has paid room and occupancy taxes as and when due. His use is a model for how short-term rentals should be operated.

We are aware of case law in North Carolina, *Schroeder v. City of Wilmington*, in particular, a 2020 New Hanover County Superior Court case, which struck down the portion of a City of Wilmington short-term rental ordinance which required “registration” of short term rental units. Other than that, there seems to be little North Carolina, if any, precedent regarding regulations of short-term rental units.

All that being said, Mr. Plow does not object to some sort of registration and periodic inspection requirement, provided that such requirements apply to all rental units in the Town’s jurisdiction. Mr. Plow maintains that the length of stay in a rental unit has no bearing whatsoever on safety requirements, and therefore if safety is the concern, then the registration and inspection regulations should apply equally to all rental units. He would not object to some sort of cap of the number of units in a multi-dwelling building that could be used for short-term rental purposes (provided, of course, that it would not prohibit him from continuing to use all seven (7) in his building at 609 Hillsborough Street for short-term rental purposes, as he has used it that way for nearly 20 years).

We suggest that the proposed Use Matrix Table 3.7-1 in the draft “Ordinance Amending the Chapel Hill Land Use Management Ordinance Articles 3, 4, and 6 of Appendix A to Regulate Short-Term Rentals” be amended to “permit as a principal use” up to seven (7) dwellings in a multifamily dwelling located in the R-4 zoning district. You might also consider amending draft section 4.9.8(f) by adding the phrase “...provided that up to 7 units may be used as dedicated STR’s in any one building in the R-4 district,” or words to that effect. You could even qualify the right to have up to 7 STR units in a building in the R-4 district by limiting that right to those units being used as STR’s as of a certain date, such as the effective date of the ordinance, or even some earlier date such as January 1, 2021. We think that these simple edits to the draft ordinance you circulated during the past week would enable Mr. Plow to continue his use of his Property

consistent with the past 20 years of use and allow the Town to accomplish its purpose of establishing reasonable regulations for short-term rentals.

We know that in some existing neighborhoods, particularly where the homes are detached, single family dwellings, the homeowners' association has authority to enforce covenants prohibiting short-term rentals. In fact, it is commonplace these days for covenants in new residential developments to have such restrictions. We suggest to the Town that it might be appropriate to leave the short-term rental regulation and enforcement power in the hands of the association where one exists. If the Town desires to regulate short-term rentals in newly developed neighborhoods moving forward, then require restrictions on short-term rentals in those neighborhoods consistent with the Town's short-term rental regulations once they are adopted.

We understand that hotel owners and operators in Chapel Hill object to short-term rentals, which compete with them for business. The "misinformation campaign" organized by the "Short Term Rental Regulations Improvement Committee" which sent out postcards claiming that the Town Council had directed the Planning Department to "change your neighborhood's zoning rules so that investors from other cities can buy multiple houses on your street and run them like hotels on the short term rental market" was a scare tactic and an attempt to create a false narrative. This Committee urged residents to "say no to investor-owned homes (operated as hotels) everywhere." This Committee is doing its best to create an issue which simply does not exist, as borne out by the Town's own statistics thus far.

While there may be some legitimate reasons to regulate short term rentals in detached, single-family residential neighborhoods, those reasons simply do not apply to Mr. Plow's situation. Moreover, in many neighborhoods, the restrictive covenants can, and may already, prohibit the short-term rental use and provide a vehicle by which homeowners associations can regulate the short-term rental uses in their own neighborhoods if the property owners in the neighborhood object to them. There simply is no need for the Town of Chapel Hill to adopt any across the board zoning regulations to restrict short-term rental uses in the R-4 district, such as Mr. Plow's at the Chapel Hill Inn Town apartments.

We will continue to monitor the Town's progress, and sincerely hope that the Town will consider Mr. Plow's unique situation and, should the Town adopt any short-term rental regulations, find a way to accommodate Mr. Plow's continued operation of the Chapel Hill Inn Town Property.

Thank you.

Sincerely,

THE BROUGH LAW FIRM, PLLC



Robert E. Hornik, Jr.

REHjr:las

Anya Grahm

From: Judy Johnson
Sent: Friday, May 7, 2021 8:09 AM
To: Anya Grahm
Subject: FW: Proposed Ordinance on STRs in Chapel Hill

From: Joe Valentine <joevalentine@gmail.com>
Sent: Thursday, May 6, 2021 3:39 PM
To: Planning Department <planning@townofchapelhill.org>
Subject: Re: Proposed Ordinance on STRs in Chapel Hill

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

A dedicated short-term rental is defined in the draft ordinance as the rental of a residential dwelling unit(s) on a property that is not used as a primary residence and is rented in its entirety to one party of guests at a time for a fee for fewer than thirty (30) consecutive days.

There are some homeowners who own two homes. While one is the primary home, the other is a second home. The owners stay in both homes for certain periods of time each year, but spend more time residing in their primary home. It is possible that a home which may be their primary home in one year, may be their second home in a different year and vice-versa.

The current definition has some ambiguity in terms of how such homes should be treated. Would a second home that the owner uses occasionally or several times a year be treated as a dedicated STR if rented in its entirety to one party of guests at a time for a fee for fewer than thirty (30) consecutive days? What if the homeowner converts their second home to their primary home?

These second homes are not solely used for rentals and are often or sometimes occupied by the primary occupant. However, the homeowner may use them as STRs while he or she is not residing there, so as to meet the cost of mortgage and expenses. So these are not really dedicated for the purpose of STRs and the definition ought to be clear enough to avoid ambiguity in the case of second homes owned by a homeowner that is used for his or her own living as well as STRs. These homes ought not to be classified as dedicated STRs.

Best regards,
 Joe Valentine
 Phone: [\(919\) 923 4280](tel:9199234280)

On Thu, May 6, 2021 at 9:50 AM Joe Valentine <joevalentine@gmail.com> wrote:

Dear Sir/Madam,

I would like to register my strong objection to the Town Council's proposed ordinance which seeks to ban STRs in residential zones.

My home in Chapel Hill was my primary residence for over 11 years until I moved to Washington D.C. and then to Florida for study and employment reasons. I continue to maintain my home in Chapel Hill as a second residence and visit as well as stay there several times each year. To maintain the home and pay the mortgage, I listed it as an STR on Airbnb and VRBO.

Over 50 families have stayed at my STR in Chapel Hill over the past over 4 years. These families visited Chapel Hill for various reasons including for:

- i. medical treatment of a loved one at UNC
- ii. attending marriages, engagements, family reunions, graduations
- iii. visiting friends in the area
- iv. attending corporate events

Most of these families or groups do not wish to stay in hotels but prefer the comfort, space and amenities of a home. Further, they are able to cook their own food and save money. We have excellent ratings on Airbnb and VRBO and there has been zero complaints from any neighbors in the past 4 years. We insist on strict rules and do not permit any parties or other nuisance.

We have also been paying all applicable taxes and fees to the local government as well as the STR operators. In our STR, we provide employment to four people - a cleaner, a landscaper, a handyman, and a pond maintenance company. The families who stay in our STR spend money on local purchases and help other small businesses in the area.

The proposal to ban STRs is a draconian solution in search of a problem that does not exist, at least in our community. One can understand the need for regulation in the interest of health, safety and overall welfare of the community. However, STRs meet a genuine need of the traveling public and there is a segment that wishes to travel and stay in private homes, not in hotel rooms.

During the time of the Corona pandemic, there is a greater need for families or small groups of people to socially distance themselves from others and private homes facilitate this much better by providing secure and private spaces than hotels cannot. Forcing STRs to close and driving everyone towards hotel accommodation tends to place people at greater risk of exposure to others in a hotel environment. This is an unwise step which is against the interest of public health safety. It also infringes on the right to travel and stay anywhere within the country.

Banning existing STRs in residential zones would amount to a regulatory taking by the government for which just compensation needs to be paid to the owners. A better option would be to grandfather in existing STRs and regulate them to ensure the health, safety and welfare of the traveling public.

What we need is common sense regulation, not excessive over regulation. I would request the Town Council to review the draft ordinance keeping in view the above critical objections and considerations.

Please confirm receipt.

Best regards,
Joe Valentine
Phone: [\(919\) 923 4280](tel:9199234280)

Anya Grahn

From: Jeffrey Fisher <jeff@uniqueplacesllc.com>
Sent: Tuesday, May 4, 2021 5:12 PM
To: Anya Grahn
Subject: Airbnb

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Anya,

I understand you are taking comments on the potential regulation of Airbnb usage in Chapel Hill. I own several properties in Chapel Hill, and a farm in Orange Co. that will likely end up in Chapel Hill at some point in the future. I am also an attorney.

I'm writing to say PLEASE stop trying to regulate Airbnb. On farms, it is one of the few ways we can actually subsidize an already impossible situation of trying to make a farm work in a real estate market that keeps climbing (and real estate taxes that in turn climb).

In town, between COVID restrictions that have hurt entrepreneurs, having an additional municipal restriction on my ability to make ends meet, when Airbnb has been a tool that has enabled us to pay our mortgage, just could not be a worse policy. Please STOP trying to regulate people's ability to cover their mortgage by sharing the one thing they partially own. STOP trying to kill the sharing economy, PLEASE.

If renting a property causes nuisances to neighbors, there are plenty of ways for neighbors to start a cause of action to stop that. Current NC law puts the burden on the landowner to ensure Airbnb renters do not negatively affect their neighbors. And, Neighbors already have the tools they need to file an action to stop nuisance behaviors. Chapel Hill should not add an additional layer of government that gives the Town more rationale to raise taxes to cover additional administrative staff.

Respectfully,

Jeff Fisher
Owner of the Honeysuckle Tea House
Owner of several properties in Chapel Hill.
Attorney at the Forrest Firm

Anya Grahn

From: BJ Warshaw <benjarwar@gmail.com>
Sent: Thursday, May 13, 2021 2:31 PM
To: Anya Grahn
Subject: STR email RE Planning Commission for Town Council

External email: Don't click links or attachments from unknown senders. To check or report forward to reportspam@townofchapelhill.org

Hello Anya,

I've updated what I wrote to the Planning Commission a bit to make it more direct to Council. Please feel free to forward the below.

Thanks much,
 BJ

Hello Mayor Hemminger and Town Council,

I attended the Planning Commission meeting on Tuesday, May 4th, and was heartened by their decision to unanimously vote the STR Draft Ordinance as inconsistent with Town Planning, as well as rejecting the Draft for adoption in its present state.

When the STR Task Force initially kicked off, I raised multiple questions at the Task Force and to the Town Council around the process. I was especially concerned, like Stephen Whitlow, about whether or not the Town was acting in a data-driven and objective manner, or merely responding to pressure from the hotel industry and/or unquantified fears around STRs from certain members of the community. I fear it's mostly the latter.

As I stated at the Planning Commission meeting, I'm absolutely in favor of updating the Town's outdated ordinances to create a path for compliance for responsible STR hosts, including licensing and sensible safety restrictions. But, repeatedly, Town Staff has included regulations that reach beyond what is currently necessary, seeking to discriminate STRs from other rentals in an unfair way.

Michael Everheart in particular acknowledged my suggestions for alterations to the ordinance, which I feel will make it a lot easier for STR hosts to run our businesses, with no appreciable negative impact to neighborhood safety. I hope that the Town Council, when further reviewing this Draft, will continue to note that STRs aren't really much different from other properties, that there are already existing laws on the books, including noise ordinances, that serve to mitigate any disturbances. And I hope that Staff will further simplify the ordinance, emphasizing the licensing process to STRs, continuing to gather data before passing unnecessary regulation. I fear that as is, the Draft is filled with solutions seeking problems.

Please see my more specific concerns with the current Draft below.

Thanks for your attention,
 BJ Warshaw

Operational Requirements 6.27.2.c

Requires the Designated Responsible Party be onsite within 2 hours, 24/7, in an emergency.

- This rule will be extremely prohibitive to hosts, who often have multiple jobs and responsibilities, may need to travel or even simply run errands, or tend to their own emergencies.
- The vast majority of hosts will be attentive to our properties and guests needs. Requiring us to be "on site" in an emergency won't practically do much that we aren't already doing, but *will* subject us to a regulation that could result in license revocation through no fault of our own.
- We already maintain direct contact with our guests, and emergency/first responders/911 will be best equipped to immediately be on site in case of emergency, as with all rental/commercial/residential properties.
- That said, I agree that appointing a Designated Responsible Party is important for communication between hosts, the Town, first responders, and neighbors. Therefore, I suggest removing the "on site within 2 hours" requirement.
- Instead consider stipulating that the DRP must *respond* within a set period of time, with phone/email being acceptable response methods.
- I'd further prefer the window of response be much longer, in the range of 12-24 hours, to accommodate hosts' other vocations, potential for own emergencies, travel affordances, etc.
- I'd also suggest a process/affordance for temporarily updating the DRP when hosts need to travel, tend to their own emergencies/jobs, etc.

Enforcement 6.27.4.c

STR permit shall be revoked if a property receives three (3) separate violations

- Rather than three-strikes-you're-out, I think license revocation should be handled on a case-by-case basis, with input from hosts, and with oversight by whichever Town entity is responsible for enforcement of these regulations. This will help to avoid revenge/fraudulent complaints aimed at hosts by angry neighbors who have biased fears/aversions towards STRs.
- At minimum, adjust the language to say "may be subject to revocation after adjudication" rather than "shall be revoked".
- But preferably please include an appeal process to ensure hosts have the ability to counter complaints before losing their licenses.

Operational Requirements 6.27.2.a

Prohibits rental of a primary residence and ADU simultaneously

- This has never come up during any STR Task Force meeting, and it seems to be overly concerned about the number of STR guests.
- There's already a guest capacity limit (originally 2 per bedroom + 4, now reduced in this draft to 2 per bedroom + 2). How hosts divide this amongst available space in their homes/ADUs should be up to them.
- Other regulations, though, such as capping dedicated STRs, already do the bulk of preventing properties operating like hotels. In the case of "simultaneous" rental contracts, homeowners would merely be capitalizing on their available space.
- An alternative would be applying licenses to each building on a property, rather than a property as a whole. This would allow the Town to independently monitor a homeowner renting out a room in their primary residence with one license, and their ADU with another.

Operational Requirements 6.27.2.e

Instructions for trash collection shall be posted prominently

- This seems sensible on paper, but is nonsensical from the perspective of how we hosts actually run our STRs. We can't maintain a good business without taking out the trash. So what purpose does this serve?
- Many hosts, myself included, take care of trash disposal for guests. So we **can't** actually follow this regulation to the letter.
- Posting this information detracts from our home aesthetics.
- And it could be much easily conveyed through the AirBnB platform's and house rules rather than posting it physically anyway.



TOWN OF CHAPEL HILL

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

Item Overview

Item #: 13., **File #:** [21-0374], **Version:** 1

Meeting Date: 5/19/2021

Concept Plan Review: Jay Street Apartments, 66 Jay Street.

See the Summary Report on the next page.

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

PRESENTER: Judy Johnson, Assistant Planning Director

- a. Review of process
- b. Presentation by the applicant
- c. Comments from the Community Design Commission and the Housing Advisory Board
- d. Comments from the public
- e. Comments and questions from the Mayor and Town Council
- f. Motion to adopt a resolution transmitting Council comments to the applicant.

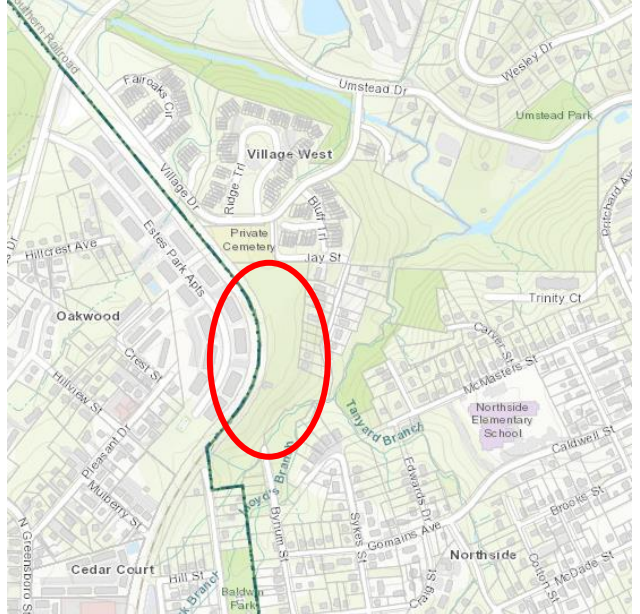
RECOMMENDATION: That the Council adopt the resolution transmitting comments to the applicant.



CONCEPT PLAN REVIEW: JAY STREET APARTMENTS, 66 JAY STREET (PROJECT #21-027)

SUMMARY REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT
Colleen Willger, Director
Judy Johnson, Assistant Director
Becky McDonnell, Planner II

PROPERTY ADDRESS 66 Jay Street	MEETING DATE May 19, 2021	APPLICANT Taft-Mills Group, LLC, on behalf of Town of Chapel Hill
STAFF RECOMMENDATION That the Council adopt the resolution transmitting comments to the applicant regarding the proposed development.		
PROCESS <ul style="list-style-type: none"> The Council will hear the applicant's presentation, receive comments from the Community Design Commission, Housing Advisory Board, and Town Urban Designer, hear public comments, and offer suggestions to the applicant. Because this review is a Concept Plan submittal, statements by individual Council members this evening do not represent an official position or commitment on the part of a Council member with respect to the position he or she may take when and if the Council considers a formal application. The Community Design Commission reviewed a concept plan for this site on May 10, 2021. The Housing Advisory Board reviewed a concept plan for this site on May 11, 2021. 	DECISION POINTS <ul style="list-style-type: none"> A Special Use Permit (SUP) or Conditional Zoning review is typically required for the formal application. Alternatively, the applicant could request a Development Agreement. The applicant has been advised to discuss their preferred process with Council tonight. 	
PROJECT OVERVIEW <p>The 7.5-acre site consists of a parcel situated south and west of Jay Street, to the east of the Southern Railroad right-of-way and is south of Village West. The site is currently zoned Residential-3 (R-3) and is mostly wooded.</p> <p>The proposal is to construct two apartment buildings with approximately 48-52 dwelling units. The proposal is an affordable housing complex. The Town has entered into a Memorandum of Understanding and is negotiating an agreement with a development partner to develop affordable housing on this Town-owned property. The site contains approximately 1.9 acres of Resource Conservation District buffer area associated with the Tanyard Branch.</p>	PROJECT LOCATION 	
ATTACHMENTS	<ol style="list-style-type: none"> 1. Concept Plan Report 2. Draft Staff Presentation 3. Resolution A 4. Advisory Board Comments 5. Applicant Materials 	



LONG-RANGE PLANS EVALUATION

Jay Street Apartments

The following report provides an evaluation by Planning Staff of the Concept Plan site, based on long-range planning considerations.

PROPERTY ADDRESS 66 Jay Street	APPLICANT Taft-Mills Group, LLC on behalf of the Town of Chapel Hill	CURRENT ZONING DISTRICT Residential-3 (R-3)
--	---	---

EXISTING LAND USE Vacant	PROPOSED LAND USE Multifamily Residential
------------------------------------	---

SURROUNDING PROPERTIES – EXISTING LAND USES


Mixture of Residential uses (single-family, townhomes, low-rise multifamily) as well as a cemetery to the north

FUTURE LAND USE MAP (FLUM) FOCUS AREA Not included	FLUM SUB-AREA Not applicable
--	--

OTHER APPLICABLE ADOPTED PLANS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Mobility and Connectivity Plan | <input checked="" type="checkbox"/> Cultural Arts Plan |
| <input checked="" type="checkbox"/> Parks Comprehensive Plan | <input checked="" type="checkbox"/> Stormwater Management Master Plan |
| <input checked="" type="checkbox"/> Greenways Master Plan | <input type="checkbox"/> West Rosemary Street Development Guide |
| <input checked="" type="checkbox"/> Chapel Hill Bike Plan | <input type="checkbox"/> Central West Small Area Plan |

SUMMARY OF PLAN CONSIDERATIONS AFFECTING JAY STREET SITE

Map excerpts on following pages demonstrate the Plan Considerations listed below. The location of Jay Street property is marked with the  symbol.

Future Land Use Map (FLUM)

The Future Land Use Map (2050) was adopted on December 9, 2020. It supersedes the 2020 Land Use Plan.

- The project area is shown as Medium Residential, generally 4-8 units/acre.

Mobility and Connectivity Plan

- The site is located adjacent to the Northside Neighborhood Conservation District. There are existing sidewalks nearby.
- The Bolin Creek Greenway and Tanyard Branch Greenway are located nearby, as well as a proposed extension of the greenway along the Southern Railroad right of way.

Parks Comprehensive Plan

- The site falls in the Neighborhood Park Service Radius of Umstead Park, and in the Community Park Service Radius of the Community Center Park.
- No additional Neighborhood Parks or Community Parks are proposed in this area.

Greenways Master Plan

- The existing Bolin Creek Greenway and Tanyard Branch Greenway are nearby, and a greenway along the Southern Railroad right of way is proposed, adjacent to the site.

Chapel Hill Mobility and Connectivity Plan

- The Mobility and Connectivity Plan was adopted by Council in October 2020.

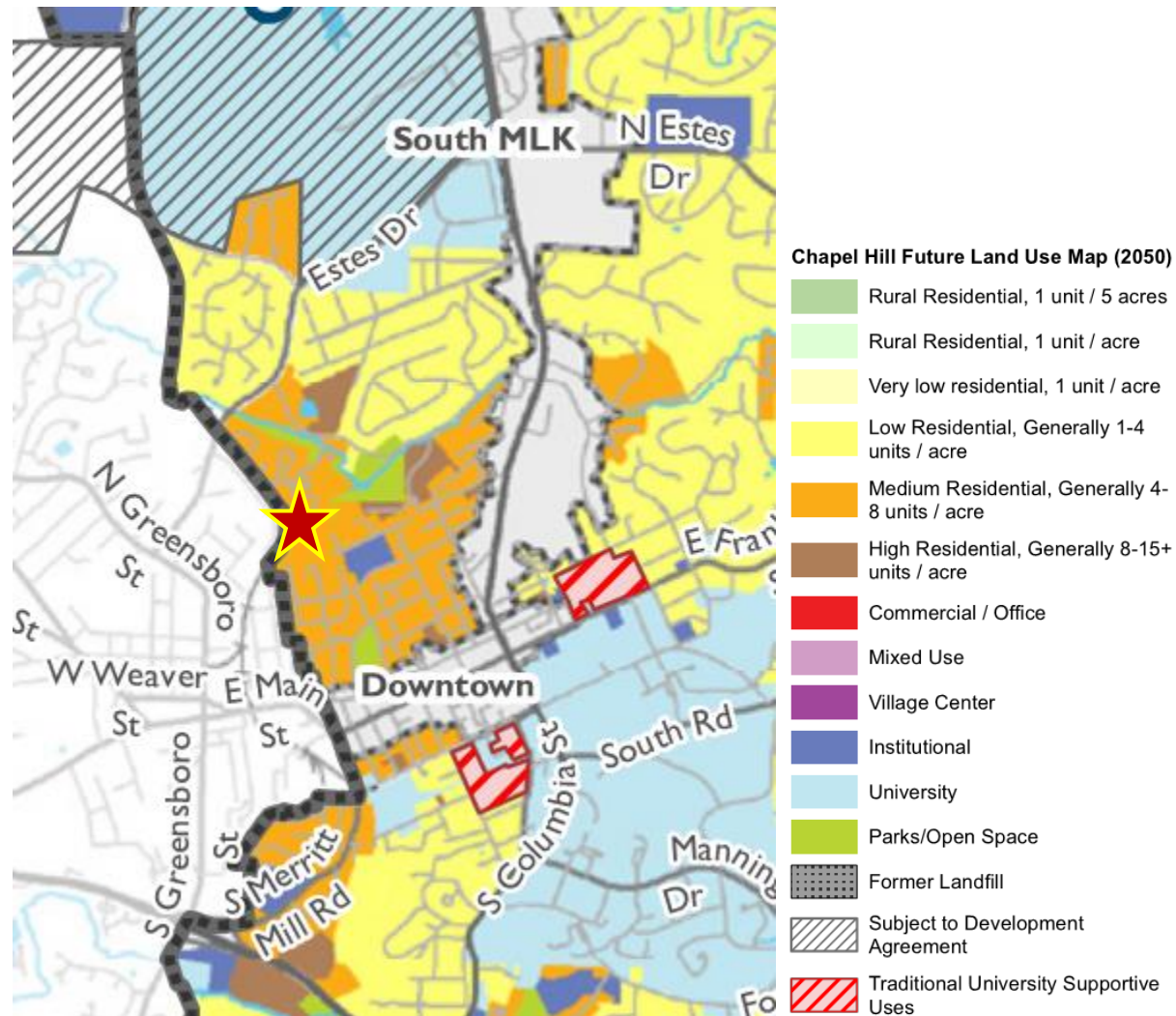
Cultural Arts Plan

- The Cultural Arts Plan identifies locations that are opportunities for integrating public art. No locations are proposed adjacent to this site.

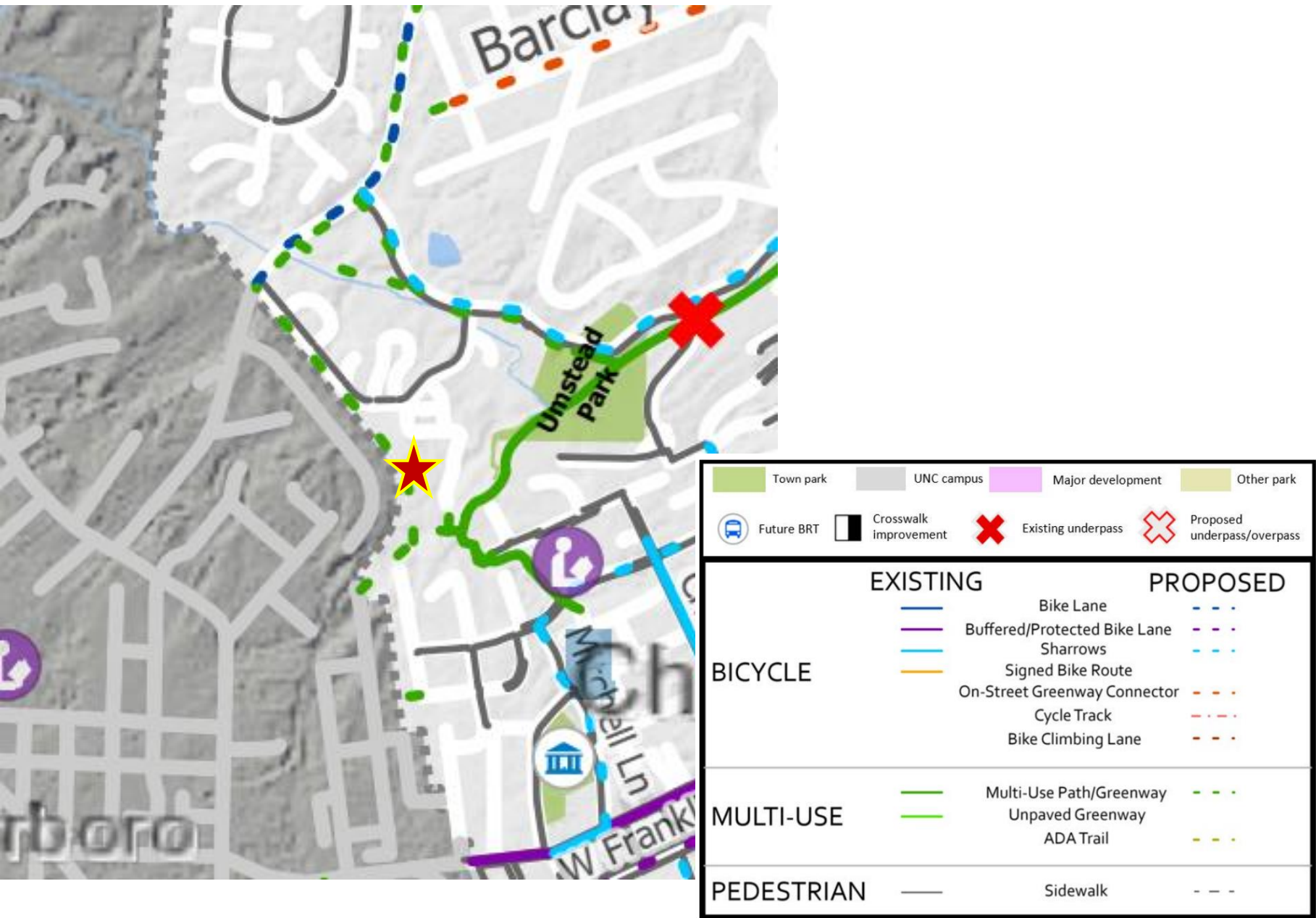
Stormwater Management Master Plan

- The site is located in the Middle Bolin Street Subwatershed (BL4). The applicant should coordinate with Chapel Hill's Stormwater Management Division to understand relevant stormwater considerations.

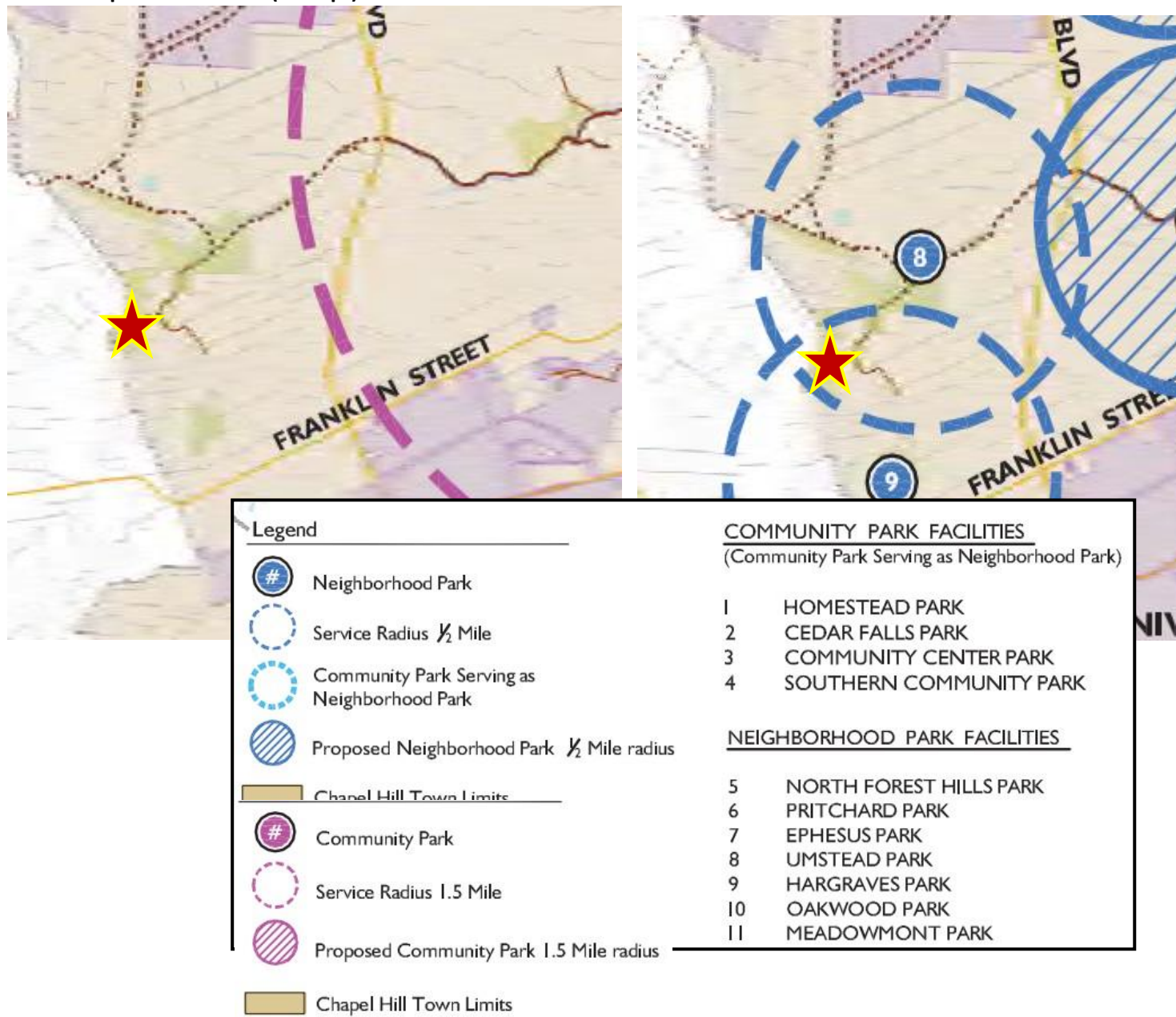
Future Land Use Map (Excerpt)



Mobility & Connectivity Plan (Excerpt)



Parks Comprehensive Plan (Excerpt)



Greenways Master Plan (Excerpt)



Cultural Arts Plan (Excerpt)



Legend

Opportunities for Integrating Public Art into Town Master Plans & Action Plans

- Gateway
- Node of Intersecting Plans
- Shared Improvement Corridor
- Entranceway or Major Cross-Connector

Future Non-Street Pedestrian and Transit Facilities

- Future Nature Trail
- Proposed Paved Greenway
- TTA Rail Corridor (Adopted 9-14-05)

Town Public Art: Existing or Funded

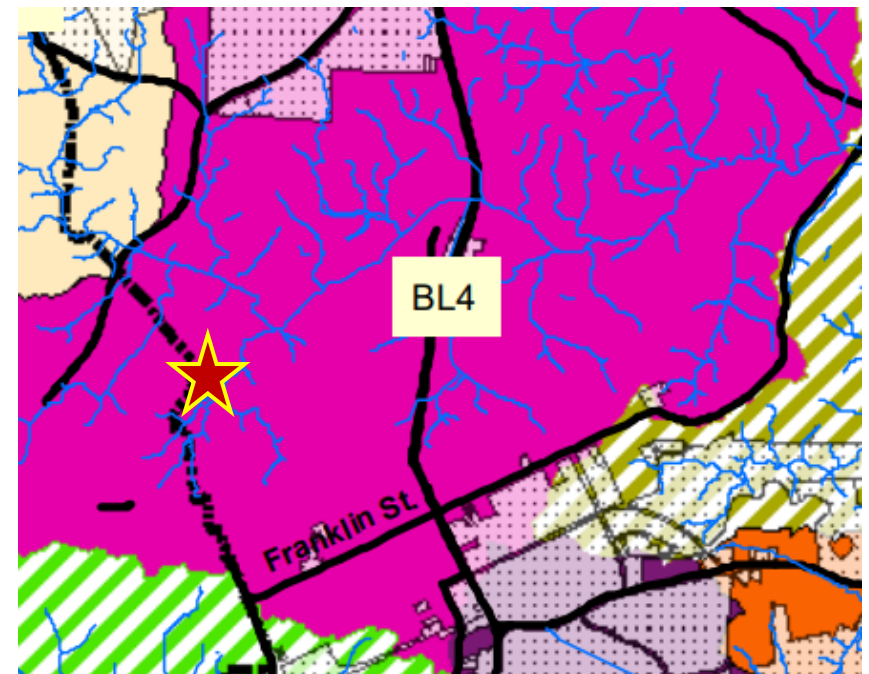
- Existing Public Art
- Funded & Planned Public Art

Public Lands & Town Boundaries

- Town Owned Land
- UNC Owned Land
- Chapel Hill Town Limits
- Chapel Hill Urban Services Boundary



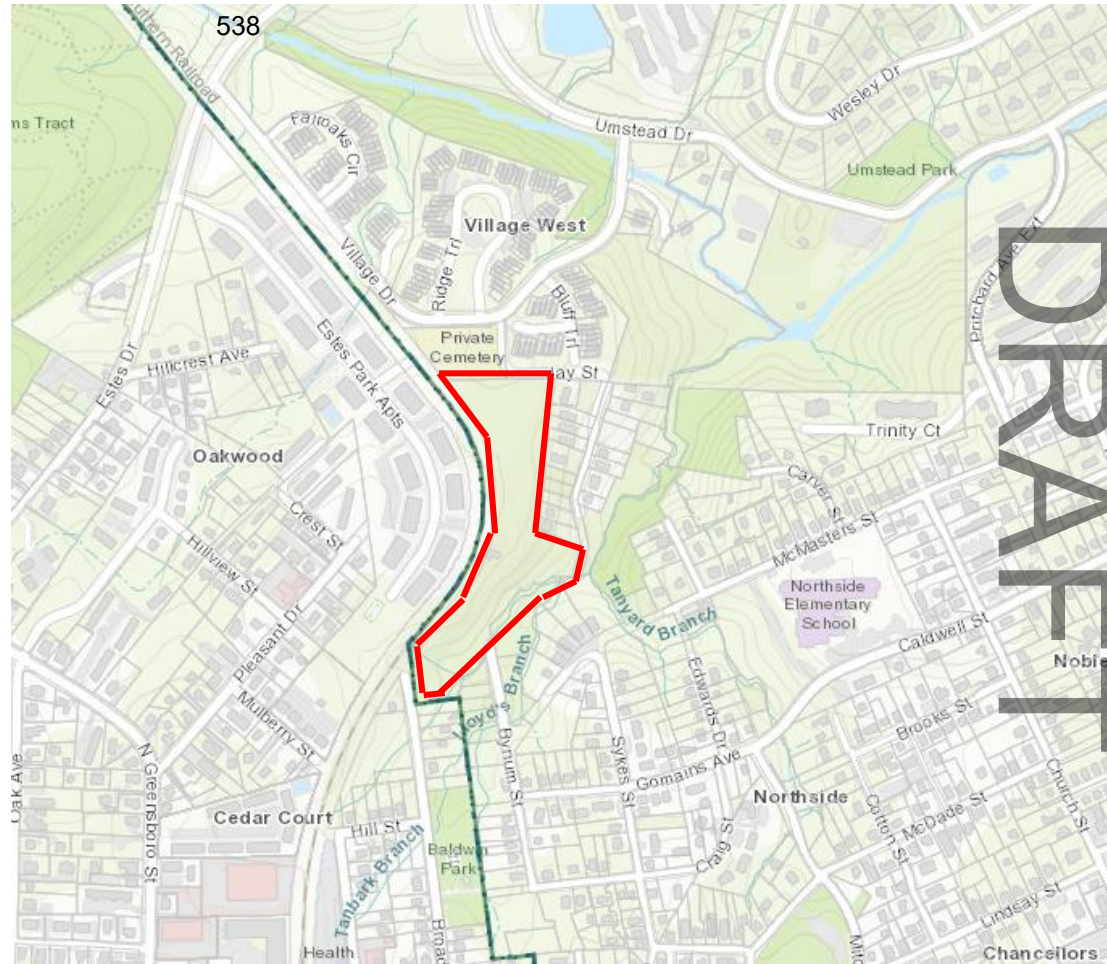
Stormwater Management Master Plan (Excerpt)

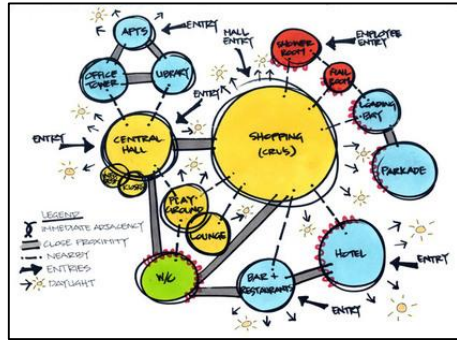




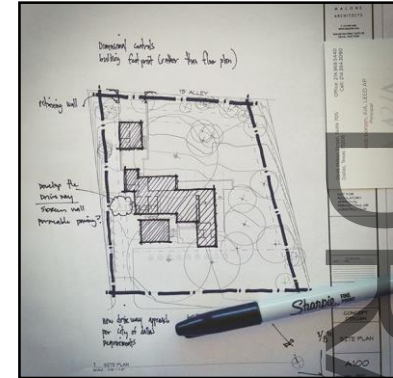
Jay Street Apartments Concept Plan

Town Council May 19, 2021

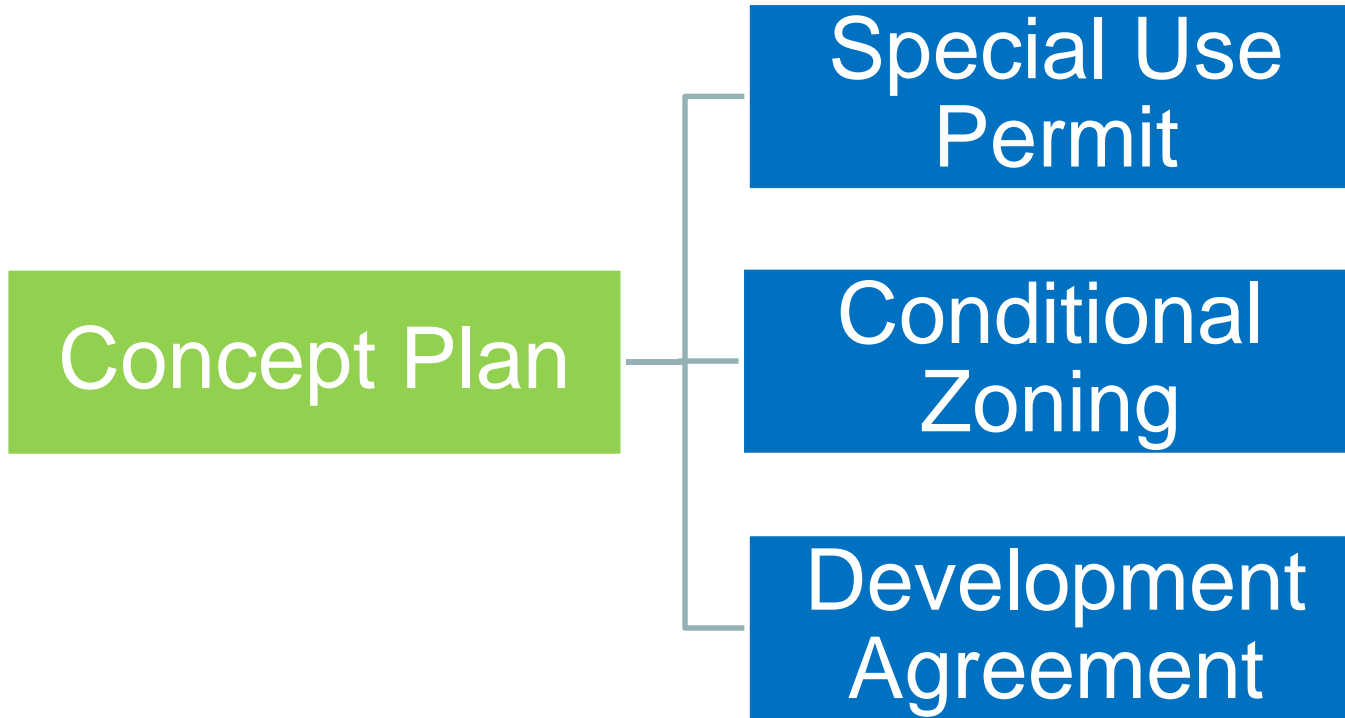




Concept Plans



- **No Decision; Feedback Only**
 - Applicant presents rough initial sketch
 - Staff does not conduct formal review of concept
 - Instead forwards sketch for preliminary feedback



DRAFT

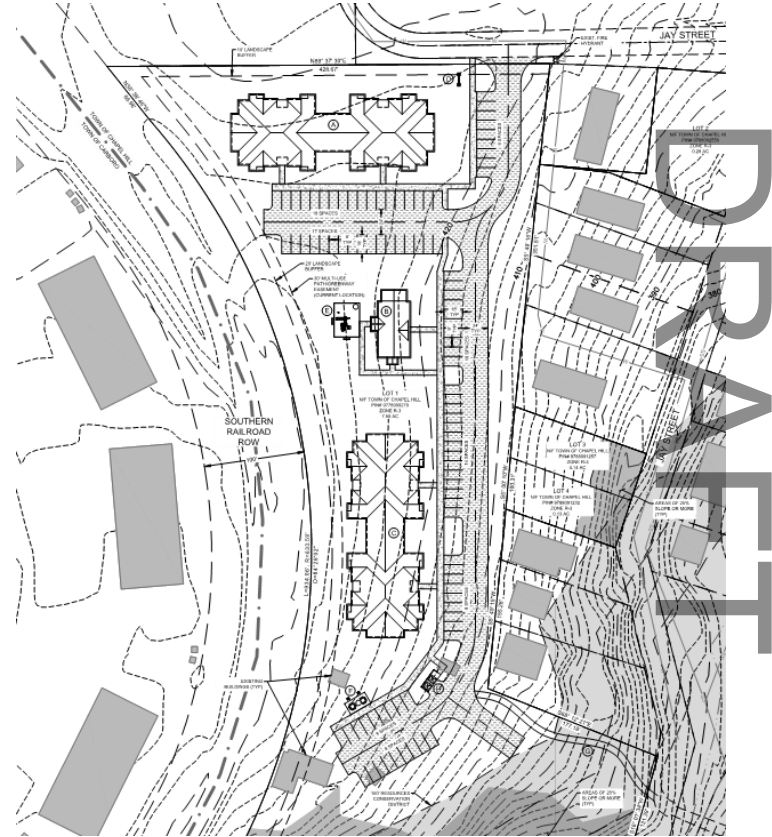
Adopt a resolution transmitting comments to the Applicant regarding the proposed development (R-#)

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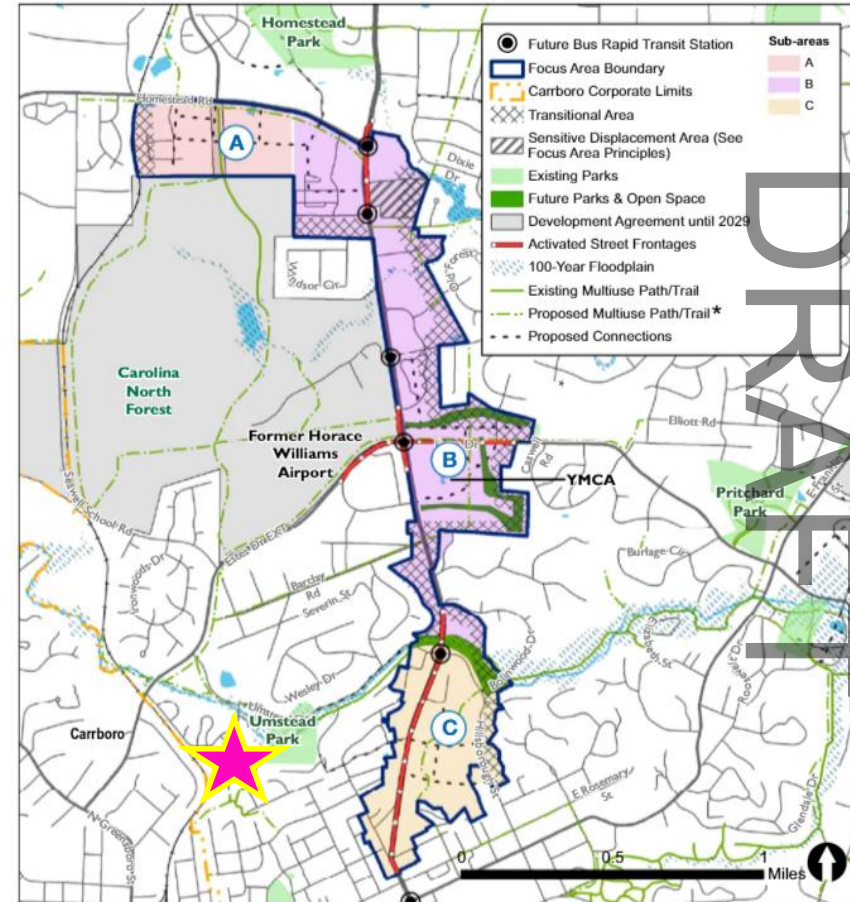
Jay Street Apartments – Project Summary

542

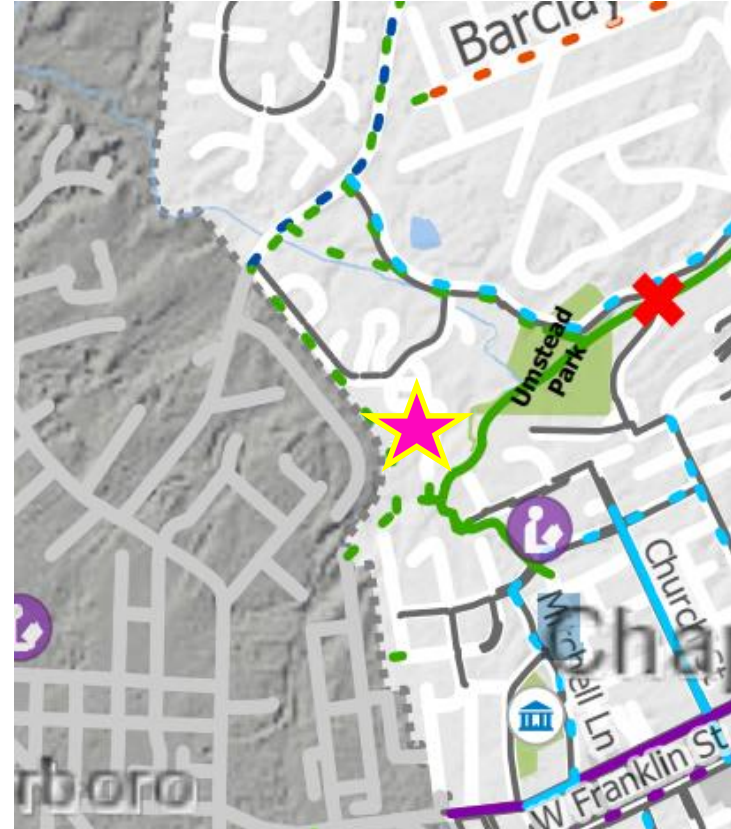
- Affordable housing complex
- 48-52 Units
- 3-story apartment buildings with mix of 1, 2, and 3 bedrooms units
- Amenities: community building, playground, and picnic shelter



- Future Land Use Map
 - Project site is outside of Focus Areas of the map.



- Mobility & Connectivity Plan
 - Adjacent to Northside NCD with existing sidewalks
 - Bolin Creek Greenway & Tanyard Branch Greenway nearby
 - Proposed greenway extension along the RR right-of-way



DRAFT

Adopt a resolution transmitting comments to the Applicant regarding the proposed development (R-#)

DRAFT

A RESOLUTION TRANSMITTING COUNCIL COMMENTS ON A CONCEPT PLAN FOR JAY STREET APARTMENTS, 66 JAY STREET (PROJECT #21-027) (2021-05-19/R-7)

WHEREAS, a Concept Plan has been submitted for review by the Council of the Town of Chapel Hill for Jay Street Apartments, 66 Jay Street, further identified by Orange County PIN 9778-99-9279; and

WHEREAS, the Council has the opportunity tonight to hear this applicant's presentation, receive a set of comments from the Community Design Commission and the Housing Advisory Board, hear public comments, and offer suggestions to the applicant; and

WHEREAS, the Council has heard presentations from the applicant and members of the public; and

WHEREAS, statements by individual Council members this evening are not an official position or commitment on the part of a Council member with respect to the position he or she may take when and if a formal application for development is subsequently submitted to the Council for formal consideration; and

WHEREAS, the Council has discussed the proposal, with Council members offering reactions and suggestions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council transmits comments to the applicant regarding this proposal, as expressed by Council members during discussions on May 19, 2021 and reflected in minutes of that meeting.

This the 19th day of May, 2021.

CONCEPT PLAN COMMENTS
Jay Street Affordable Housing
COMMUNITY DESIGN COMMISSION

May 10th, 2021

The Community Design Commission conducted a Concept Plan review for Jay Street Affordable Housing at a meeting on May 10th, 2021. The project proposes a housing complex w/ approx. 50 units.

**Key points made by members of the Commission about the Concept Plan are listed below.*

- Multiple Commissioners expressed concern over the difficulties of the site. Those include constrained parcel layout, topographical concerns and adjacent road improvements.
- Multiple commissioner expressed concern over the adjacent road network and the improvements that would be needed to create a viable project.
- Multiple commissioners expressed concern over the future residences of the site not having access to bus routes and public transportation.
- Multiple commissioners expressed concern over the proposed loss of vegetation on the site and clear cutting which would reduce tree canopy.
- Multiple commissioners expressed concern over the vast increase in impervious surface and the stormwater measures that would be required to treat that area.
- Multiple commissioners suggested an enhanced landscape plan to help reduce the tree loss impact.
- Multiple commissioners expressed support of the project as meeting goals of affordable housing.
- Multiple commissioners expressed appreciate for using multiple buildings to work w/ the site topography. Commissioners shared that additional building or reducing the size of the current buildings may help work w/ the topographic challenges even better.
- Multiple commissioners shared w/ the applicant the need to think creatively to solve the issues presented and that additional community engagement would be beneficial.
- One commissioner expressed their support of the conceptual images of the project including potential elevations and materials. But did reiterate the difficulties the project faced.
- One commissioner thought integrating the community center into another building may help with building massing the site topography.

CONCEPT PLAN COMMENTS
Jay Street Affordable Housing
COMMUNITY DESIGN COMMISSION

- One commissioner supported created a permanent preservation easement on the portion of the site not developed as part of this application.
- One commissioner expressed concern on the selection of this site and encouraged the applicant to select another site.

DRAFT

**HOUSING ADVISORY BOARD
SUMMARY OF A CONCEPT PLAN REVIEW:
JAY STREET AFFORDABLE HOUSING
110 JAY STREET**

May 11, 2021

Key points made by members of the Housing Advisory Board during its review of the concept plan include:

- Project is vital to addressing affordable housing in Chapel Hill
- Great location with bus stop and Tanyard Branch Trail connection
- The project must get developed and it is going to take many affordable housing developments to begin to make a dent in what is an affordable housing crisis
- Grateful the Town identified this parcel and that Council approved identifying a development partner
- The development partner selected on this project is one of the elite developers in the field
- Strongly encourage the applicant to accept housing vouchers at the site

Six members of the public spoke on the concept plan. Feedback included being in favor of the proposal to create more affordable housing, appreciate serving lower incomes, positive the site will be connected to Tanyard Branch Trail. Concerns on the projected focused on the destruction of the woods, the potential dislocation of wildlife, the project having too much proposed parking, an increase in traffic, and the parcel being overdeveloped.

Submitted by: Sue Hunter, Chair

Drafted by: Emily Holt, Staff Liaison



Concept Plans are intended to be an opportunity for the Town Council and some Boards and Commissions, and the community to review and consider major development proposals and their potential benefits and impacts. Applicants propose a Concept Plan with the expectation of receiving feedback on their development idea.

The following are questions that the Council may ask of an applicant during the discussion of a Concept Plan. The attached application addresses the topics below. Please contact our staff if you have any questions or if we can provide additional information (planning@townofchapelhill.org)

1. Would this project demonstrate compliance with the Comprehensive Plan? **Yes**
 - a. Compliance with:
 - Small Area Plan
 - Overlay Zone / NCD
 - Study Area:
 - Land Use Plan
2. Would the proposed project comply with the Land Use map? **Yes**
3. Would the proposed project require a rezoning? **Yes**
4. What is the proposed zoning district? **R-SS-CZD**
5. Would the proposed project require modifications to the existing regulations? **None anticipated**
6. If there is a residential component to the project, does the applicant propose to address affordable housing?
 - Has the applicant presented its Concept Plan to the Housing Advisory Board (this is a voluntary step in the process)? **No**
 - Has the applicant met with appropriate Town staff to discuss affordable housing policy, expectations and options? **Yes**
 - Is the project for ownership or rental? **Rental**
7. Are there existing conditions that impact the site design (i.e. environmental features such as RCD, slopes, erosion and sedimentation, retention of trees and tree stands, stormwater drainage patterns, significant views into and out of the site) **Yes, RCD, slopes and topography**
8. Has the applicant addressed traffic impacts? Traffic and circulation issues? **Traffic issues TBD**
9. How is the application compatible with the surrounding neighborhood and/or district?
It falls within the Medium Density Residential use for this area
10. Has the applicant discussed the project with adjacent neighbors? **No, but will soon.**



CONCEPT PLAN APPLICATION

Parcel Identifier Number (PIN): 9778999279

Date: 3/22/2021

Section A: Project Information

Project Name: Jay Street Apartments

Property Address: Jay Street Zip Code: 27516

Use Groups (A, B, and/or C): A Existing Zoning District: R-3

Project Description: Two 3-story apartment buildings with a total of 48-52 units, community center building with associated parking and pedestrian connectivity

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

Applicant Information (to whom correspondence will be mailed)

Name: Taft-Mills Group, LLC

Address: P.O. Box 566

City: Greenville State: NC Zip Code: 27835

Phone: 252-916-2691 Email: dustin@taftmillsgroup.com

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

Signature:  Date: 3-23-2021

Owner/Contract Purchaser Information:

☐ Owner

☒ Contract Purchaser

Name: Taft-Mills Group, LLC

Address: P.O. Box 566

City: Greenville State: NC Zip Code: 27835

Phone: 252-916-2691 Email: dustin@taftmillsgroup.com

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

Signature:  Date: 3-23-2021



Concept Plan Project Fact Sheet

Site Description	
Project Name	Taft Mills - Jay St. Affordable Housing
Address	Jay Street, Chapel Hill, NC 27516
Property Description	Existing Vacant Wooded Land
Existing Land Use	Vacant
Proposed Land Use	Affordable Housing Apartments
Orange County Parcel Identifier Numbers	9778999279
Existing Zoning	
Proposed Zoning	R-SS-CZD
Application Process	Special Use Permit (SUP)
Comprehensive Plan Elements	Affordable Housing; Medium Density Residential
Overlay Districts	RCD

Topic	Requirement	Proposal	Status
Use/Density (Sec. 3.7)	N/A	48-52 Apartment Units	✓
Dimensional Standards (Sec. 3.8)	Street = N/A Height @ setback=39' Side = N/A Height @ core=60' Solar = N/A	Per R-SS-CZD Zoning	✓
Floor area (Sec. 3.8)	FAR=1.10	0.14	✓
Modifications to Regulations (Sec. 4.5.6)	None anticipated	Unknown at this time	UNK
Adequate Public Schools (Sec. 5.16)	Per LUMO	TBD	UNK
Inclusionary Zoning (Sec. 3.10)	15% required	100% provided	✓
Landscape			
Buffer – North (Sec. 5.6.2)	Per LUMO	TBD	UNK
Buffer – East (Sec. 5.6.2)	Per LUMO	TBD	UNK
Buffer – South (Sec. 5.6.2)	Per LUMO	TBD	UNK
Buffer - West (Sec. 5.6.2)	Per LUMO	TBD	UNK



Tree Canopy (Sec. 5.7)	30% - Multifamily Residential	TBD	UNK
Landscape Standards (Sec. 5.9.6)	Retain exist. vegetation	TBD	UNK
Environment			
Resource Conservation District (Sec. 3.6)	RCD requirements apply to this site	All of RCD to be protected	✓
Erosion Control (Sec. 5.3.1)	Per LUMO	Requirements shall be met	✓
Steep Slopes (Sec. 5.3.2)	Per LUMO	All steep slope areas to be undisturbed	✓
Stormwater Management (Sec. 5.4)	Per LUMO	Underground treatment	✓
Land Disturbance	Per LUMO	TBD	UNK
Impervious Surface (Sec. 3.8)	Non-residential; 0.70	0.22	✓
Solid Waste & Recycling	Per LUMO	TBD	UNK
Jordan Riparian Buffer (Sec. 5.18)	50-ft. on either side of creek	100% of buffer to be protected	✓
Access and Circulation			
Road Improvements (Sec. 5.8)	Public Street Access	Improvements as req. on Jay St.	UNK
Vehicular Access (Sec. 5.8)	Public Street Access	Access to be provided off Jay St.	✓
Bicycle Improvements (Sec. 5.8)	Per LUMO	TBD	UNK
Pedestrian Improvements (Sec. 5.8)	Sidewalks required	TBD	UNK
Traffic Impact Analysis (Sec. 5.9)	TBD	Unknown at this time	UNK
Vehicular Parking (Sec. 5.9)	Per LUMO	95 spaces currently proposed	✓
Transit (Sec. 5.8)	Bus Service	Access to exist. bus route	✓
Bicycle Parking (Sec. 5.9)	1 per 4 dwelling units	TBD	UNK
Parking Lot Standards (Sec. 5.9)	Per LUMO	Parking areas shall meet LUMO standard	✓
Technical			



Fire	Per Code	Access and circulation shall meet fire code standards	✓
Site Improvements	Per LUMO	All improvements shall meet LUMO standards	✓
Schools Adequate Public Facilities (Sec. 5.16)	Per LUMO	TBD	UNK
Recreation Area (Sec. 5.5)	0.05 ratio	TBD	UNK
Lighting Plan (Sec. 5.11)	Per LUMO	Site lighting shall meet LUMO standards	✓
Homeowners Association (Sec. 4.6)	N/A	Property will fall under the Housing Authority Management	✓

Symbol	Meaning	Symbol	Meaning
	Meets Standard	M	Modification necessary
NA	Not Applicable	UNK	Not known at this time



Checklist

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 and Sustainability at (919)968-2728 or at planning@townofchapelhill.org.

N/A	Application fee (refer to fee schedule)	Amount Paid \$ <input type="text"/>
✓	Pre-application meeting – with appropriate staff	
✓	Digital Files - provide digital files of all plans and documents	
✓	Concept Project Fact Sheet	
✓	Statement of Compliance with Design Guidelines (1 copies)	
✓	Statement of Compliance with Comprehensive Plan (1 copies)	
✓	Affordable Housing Proposal, if applicable (Rezoning Policy or Inclusionary Ordinance)	
✓	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)	
✓	Mailing fee for above mailing list	Amount Paid \$ <input type="text"/>
✓	Developer's Program – brief written statement explaining how the existing conditions impact the site design. Including but not limited to:	
	<ul style="list-style-type: none">• Natural features of site• Access, circulation, and mitigation of traffic impacts• Arrangement and orientation of buildings• Natural vegetation and landscaping• Impact on neighboring properties• Erosion, sedimentation, and stormwater	
✓	Resource Conservation District, Floodplain, & Jordan Buffers Determination - necessary for all submittals	
✓	Reduced Site Plan Set (reduced to 8.5"x11")	

Plan Sets (1 copies to be submitted no larger than 24"x36")

Plans should be legible and clearly drawn. All plan sets 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 and buffers
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable



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

Proposed Site Plan

- a) Existing building locations
- b) General location of proposed structures
- c) Parking areas
- d) Open spaces and landscaped areas
- e) Access points and circulation patterns for all modes of transportation
- f) Approximate locations of trails, pedestrian and bicycle connections, transit amenities, and parking areas
- g) Approximate location of major site elements including buildings, open areas, natural features including stream buffers, wetlands, tree stands, and steep slopes
- h) Proposed land uses and approximate location

March 23, 2021

JAY STREET APARTMENTS – DEVELOPER’S PROGRAM CONCEPT PLAN REVIEW

This Program accompanies a request for review of a Concept Plan application by the Town of Chapel Hill.

Introduction

The Jay Street Apartment project is located south and west of Jay Street, to the east of the Southern Railroad rights-of-way, and is south of the Village West. The project is proposing is an Affordable Housing apartment units. The developer understands the significance of affordable and has done this successfully throughout North Carolina.

Site Description

The project area is described as Lot 1 and is approximately 7.5 acres. The site is mostly wooded, with some existing structures located near the center area of the parcel. Due to the existing topography and parcel location, the project is proposing a single access to Jay Street.

The project site is bounded by West Chapel Hill Cemetery to the north, a mix of existing single family and multi-family residential to the east and south, and the Southern Railroad to the west.

The site slopes significantly from west to east, with slopes becoming steeper to the south due to the close proximity to Tanyard Branch.

Site Access, Circulation, and Pedestrian Connectivity

The project will seek ingress/egress from the only public right-of-way adjacent to the property, Jay Street. Onsite parking will be provided for the apartments and a community building. A turnaround area will be provided at the southern end and will meet Town requirements.

The closest bus stops are located on Village Drive, but none are directly adjacent to the site.

The project will meet the requirements for recreational space, will align with the Greenway Master Plan, and is proposing a connection to the Tanyard Branch Trail.

Building Layout

The proposed structures are situated to meet buffer and setback requirements. The buildings are located in the central area of the property to provide separation from adjacent parcels and the RCD buffer area. The architectural elements will meet the LUMO requirements.

Environmental and Landscaping

The 7.5 acre site contains approximately 1.9 acres of protected RCD buffer area, extending 150’ from Tanyard Branch along the south eastern property line. New landscaping and street trees will be provided

for the developed portion of the site. Required tree coverage, landscaping, and buffers will provide screening and visual interest.

Stormwater

The existing site currently does not have any stormwater treatment measures. The proposed development will comply with the current stormwater quality and quantity regulations. The project will comply with all sedimentation and erosion control requirements utilizing on and offsite protection measures.

Utilities

The project site is currently served by OWASA for water and sewer services. The water and sewer services for the new apartment buildings will be designed to the most current standards and specifications.

March 23, 2021

JAY STREET APARTMENTS – AFFORDABLE HOUSING PLAN CONCEPT PLAN REVIEW

The Chapel Hill Town Council has identified affordable housing as one of its strategic goals and is implementing a comprehensive plan to preserve and increase the availability of affordable housing. The approval of the \$5.25 million funding plan is a major step in the Town's efforts to reach its affordable housing goals.

The Town Council approved funding awards from the Town's Affordable Housing Bond and Affordable Housing Development Reserve. In November 2018, Chapel Hill voters approved a \$10 million Affordable Housing Bond Referendum.

In June 2018, the Town of Chapel Hill Council prioritized three Town-owned sites for affordable housing and authorized the Town Manager to pursue affordable housing on those sites. This property, on Jay Street, was one of those locations. Town Staff proposed the following goals for the Jay Street site based on Council feedback, Council's FY2020-22 Strategic Goals & Objectives, and the Town's affordable housing policies and goals:

- Provide housing affordable to a range of income levels with priority for units serving households earning 60% or less of Area Median Income
- Maintain long term affordability
- Minimize need for Town funding through leverage of outside funding
- Utilize environmentally friendly and sustainable principles for development
- Facilitate connections within the community and surrounding neighborhood

The concept plan for this site will be the first formal step in beginning a Town and public participation process. The concept plan will be reviewed, and receive input from, two of the Town's advisory boards, the Community Design Commission and the Housing Advisory Board. The concept plan developed through this process will shape the proposed project.

These homes will be apartments and will be developed by the Taft-Mills Group. "Taft-Mills' primary focus is delivering high-quality, affordable rental housing developments that blend seamlessly into the communities in which they are located. Possessing a specialized knowledge of Housing Tax Credits, Tax-Exempt Bonds, State and Federal Housing Programs, and various other forms of debt/equity structures, Taft-Mills develops communities that are attractive, safe, and affordable to both families and seniors of modest means."

In total, the partners propose to develop 48-52 affordable rental units serving households earning from below 30% to 60% Area Median Income (AMI). In Chapel Hill, this is near \$64,500 a year for a family of four. The apartments will range from 1-bedroom units to 4-bedroom units.

The apartments will be available to low and moderate-income households that meet the respective development partners' eligibility requirements. In addition, the range of unit sizes and types will provide opportunities to serve several target populations, including persons with disabilities, individuals or families transitioning out of homelessness, holders of housing vouchers, survivors of domestic violence, and veterans, among others.

The developer will provide a 30-year pro forma for the two apartment buildings, from the date of issuance of C of O, which is standard for affordable multi-family new construction projects.

March 23, 2021

Jay Street Apartments
Affordable Housing Development
Jay Street, Chapel Hill, NC 27516

STATEMENT OF COMPLIANCE CHAPEL HILL DESIGN GUIDELINES

Chapel Hill's Design Guidelines provide guidance for the design elements of new projects. The purpose of the Design Guidelines document "is to assure that new designs remain in continuity with the Town's existing design 'successes,' and at the same time inspire exciting and creative additions to the community's blend of distinctive buildings from many eras".

The Chapel Hill Design Guidelines provide five categories of town-wide criteria for design. The Jay Street Apartments Concept Design development proposal demonstrates compliance with each of the following design criteria.

Chapel Hill General Design Criteria

Design Criteria: Livability

Buildings and outdoor spaces should be designed to fit human scale, harmonize with design of streets, and accommodate pedestrian traffic.

Design Criteria: Visual Impact

New public and private projects should be visually appealing and compatible with other developments in the surrounding area.

Design Criteria: Vegetation

Landscape design concepts should preserve existing trees and incorporate new trees and shrubbery with native species. The landscape theme should be aesthetically compatible with that of the surrounding neighborhood.

Design Criteria: Mobility

Land design concepts should provide a network of roads, bicycle paths, lanes, and sidewalks that provide consideration for the safety of motorists, cyclists, joggers, and walkers.

Design Criteria: Activity Centers

Structures and complexes should enhance community life by use of "destination points" such as arcades, lobbies, and ground-level retail stores, while at the same time providing for safe movement of vehicles and pedestrians.

Design Criteria: Views

Streets, buildings, and parking lots should enhance the urban environment by providing pleasant vistas and geographic orientations.

Jay Street Apartments Compliance**Livability**

The Jay Street Apartments project will provide human scale architecture with building fenestrations for entrances and windows that harmonize with the surrounding development and communities. Outdoor open space areas, playground, community building and other pedestrian and bicycle amenities will be provided for enjoyment of the proposed amenities areas. The proposed development promotes access to public transportation, as well as bicycle and pedestrian activity. There will be a connection to the existing Greenway Trail off McMasters Street and the Tanyard Branch Trail.

Visual Impact

The visual impact of the proposed development will be compatible with the surrounding neighborhoods and will be buffered with existing and proposed vegetation on all sides of the property. An aesthetically pleasing architectural design with a blend of materials and accents will provide for a softened visual impact. There will be no visual impact on the southern side of the project, as this entire wooded area will be preserved as part of the Resource Conservation District Buffer. On-site landscaping with parking shade trees and foundation plantings will also provide for a softer visual impact.

Vegetation

The site is currently wooded with a mix of mature hardwood and pine trees. These existing trees will be preserved in the buffer areas on the north, west and east sides of the property. The tree canopy of entire southern half of the property will also be preserved as part of the Resource Conservation District Buffer. Within the developed portion of the property, landscaping will be

provided in accordance with the LUMO requirements, including tree canopy, parking lot shade trees and foundation plantings around the buildings.

Mobility

The proposed development will provide the required amount of parking for each unit per the ordinance. This parking will be provided by means of a surface parking lot adjacent to each of the new buildings. The site is designed to provide pedestrian, bicycle and vehicular access to the existing and surrounding streets and neighborhoods. An existing bus stop is located just to the north of the site off Village Drive and is within a short walking distance to access public transportation. The Bolin Creek Extension and Tanyard Branch Greenway Trails are located adjacent to the property and the proposed development will provide connectivity to these pedestrian and bicycle facilities.

Activity Centers

The proposed development will also include a community center building and will provide opportunities for a variety of activities among all age groups. The recreation facilities adjacent to the community building will also provide opportunities for social interaction and engagement.

Views

The design of this project will provide an enhanced urban environment with pleasing views both looking into the site and from within looking out. As previously noted, the preservation of existing vegetation and proposed new landscaping will provide an integrated site that blends in with the natural surroundings and will enhance the existing neighborhood.

March 23, 2021

Jay Street Apartments
Affordable Housing Development
Jay Street, Chapel Hill, NC 27516

STATEMENT OF COMPLIANCE
With the Chapel Hill 2020 Comprehensive Plan

The Chapel Hill Town Council has identified affordable housing as one of its strategic goals and is implementing a comprehensive plan to preserve and increase the availability of affordable housing. The approval of the \$5.25 million funding plan is a major step in the Town's efforts to reach its affordable housing goals.

The Jay Street Apartments Affordable Housing project is proposed to be developed in accordance with the Chapel Hill 2020 Comprehensive Plan. We provide this statement of compliance to demonstrate adherence to the general concepts set forth in the CH2020 Comprehensive Plan. Two general concepts within CH2020 Comprehensive Plan fall under Community Vision and are noted as Community Choices and Community Connections. These are defined in the plan as:

Community Choices:

The community would like more choices about where and how people can live and house their families and more choices about how they travel through town. The community also would like more choices about where to shop and how to meet daily needs. Community members also would like choices about where they can work and play in Chapel Hill.

Community Connections:

The community also desires more connections and improved opportunities to meet others and to embrace the diversity of those who live, work, and play in the community. Community members want more connections in how they can get around and a real commitment to safe pedestrian and bicycle transportation. They want real connections between the decisions town leaders make and the ideals that the community has expressed in the Chapel Hill 2020 comprehensive plan. Chapel Hill wants a sense of connectedness from many perspectives.

The other components of the CH2020 Comprehensive Plan fall under the five **Big Ideas**:

1. **Implement a bikeable, walkable, green communities plan by 2020.**
2. **Create an entrepreneurial enterprise hub in the Rosemary Street Corridor.**
3. **Create entertainment/dining/arts hubs to capitalize on Chapel Hill's strengths as a recreational destination.**
4. **Increase the ratio of workforce housing by 2020 and develop a plan for student housing in the community.**

5. Establish a structure to support community and neighborhood engagement in a proactive manner.

Comprehensive Plan Themes

The new affordable housing development proposed off Jay Street is being designed to comply with the major themes developed within the Chapel Hill 2020 Comprehensive Plan.

A Place for Everyone

This theme is intended to explore and provide diversity and inclusion in a family-friendly, creative environment. It also focuses on the need for affordable housing. The Jay Street development is designed to provide affordable housing for inclusion of all within the community. It will also provide a community center within the project to offer a space to gather for a variety of programs and creative opportunities. The project will be a major step in the Town's efforts to reach its affordable housing goals.

Community Prosperity and Engagement

Part of the focus for this theme is to provide a safe, vibrant and connected community, as well as healthy neighborhoods. The development is designed to provide a safe location for the proposed apartment units, with good vehicular and pedestrian access. It will also provide additional connectivity to the existing Greenway Trail between McMasters Street and Jay Street and the Tanyard Branch Trail.

Getting Around

This theme focuses on all modes of transportation for an inclusive and connected community. The proposed development will offer pedestrian connectivity to the surrounding neighborhoods, as well as the Greenway Trail connecting to McMasters Street. Sidewalks will be provided throughout the site and a proposed extension of the Greenway will be reserved through the site. The site is also adjacent to an active Town of Chapel Hill Transit route and the residents will be able to take advantage of that service.

Good Places, New Spaces

This theme focuses on the various types of neighborhoods throughout Chapel Hill and providing a balanced respect for the old with the prospect of the new. Consideration is also given for open space and the rural buffer. The Jay Street development is located adjacent to some older single-family neighborhoods to the south and east, Village West Apartments to the north and Estes Park Apartments to the west on the other side of the railroad tracks. The development of this vacant property will provide a complimentary neighborhood with a similar balance among the surrounding properties. There is a stream that runs along the southeast side of the property and this area will be fully preserved as Open Space and a Resource Conservation District.

Nurturing Our Community

This theme is focused on environmental sustainability. The proposed development will have two 3-story buildings and a 1-story community building, which is a low density design for the 7.5 acre parcel. The remaining property will be preserved in Open Space and a Resource Conservation District buffer. The proposed impervious area for the project will only be 23% of the property and there will be a significant amount of existing tree canopy preserved on the site. Water quality will also be preserved with the design and installation of Stormwater Control Measures per the requirements of NCDEQ and the Town of Chapel Hill Stormwater Management Program.

Town and Gown Collaboration

This theme focuses on collaboration with the University of North Carolina as well as the UNC Health Care System. While this project is not close in proximity to the UNC Campus, it will provide affordable housing opportunities for both students and university and staff. As previously discussed, it will have access to Greenway and Bicycle routes, as well as bus service, so getting to the campus will be out of reach. Both of these means of transportation will help promote active lifestyle opportunities to include walking to a bus stop or cycling through Town to the campus.

C:\AB-Civil\JULIUS\005\2021\Twp Mills - Jay Street - Chapel Hill\Civil\Current Drawings\00-XXXX-Site Maps\EnC-Crossing.dwg, 3/23/2021, 1:18:23 AM, DWG To PDF.pcl3



Know what's below.
Call before you dig.



Line Table		
Line #	Length	Direction
L1	31.740	S36° 23' 43.00"W
L2	32.000	S47° 33' 23.00"W
L3	50.000	S12° 45' 21.00"W
L4	39.740	S25° 13' 13.00"W
L5	75.870	S41° 33' 00.00"W
L6	17.930	S57° 04' 12.00"W
L7	114.990	S32° 51' 22.00"W
L8	17.300	N50° 44' 50.00"W
L9	22.100	S62° 21' 53.00"W
L10	29.270	S36° 23' 15.00"W
L11	28.130	N87° 38' 17.00"W
L12	48.640	S61° 19' 04.00"W
L13	35.820	S81° 38' 07.00"W
L14	32.000	S77° 32' 57.00"W

NOTES:

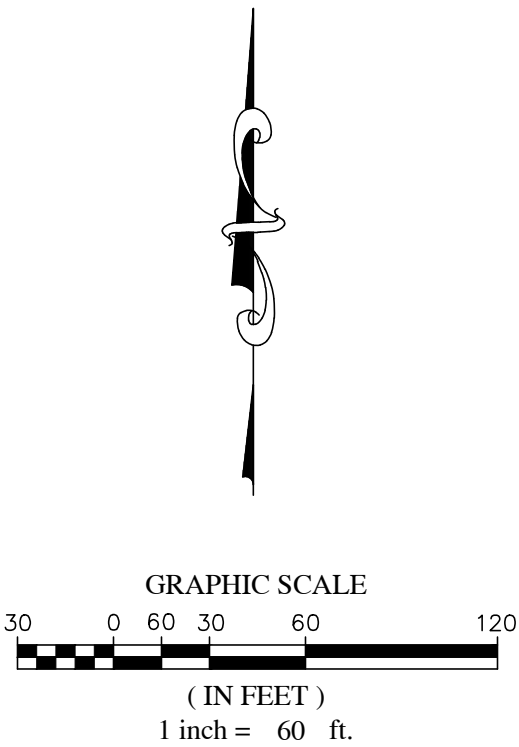
- EXISTING CONDITIONS ARE BASED ON ORANGE COUNTY GIS DATA.
- THIS PROPERTY IS LOCATED WITHIN ZONE "X" (OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER FLOOD INSURANCE MAPS NUMBER 3710977800K AND 3710978800K, DATED 11/17/2017.
- THIS PROPERTY IS WITHIN THE LAKE JORDAN WATERSHED, CAPE FEAR RIVER BASIN.

LEGEND:

WATER -	W
FIRE HYDRANT -	⌘
SEWER -	SS
STREAM -	---
MUNICIPAL BOUNDARY -	---
ZONE -	---
SOILS -	---
SLOPES 25% OR GREATER -	---

SOILS LEGEND:

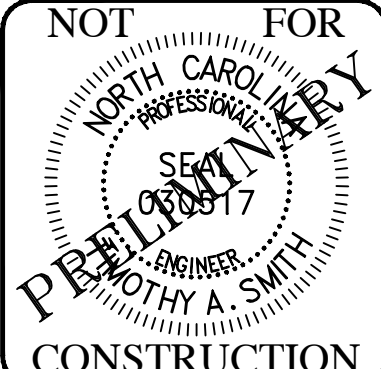
- EnB - ENON LOAM, 2 TO 6 PERCENT SLOPES
EnC - ENON LOAM, 6 TO 12 PERCENT SLOPES
IrB - IREDELL GRAVELLY LOAM, 1 TO 4 PERCENT SLOPES
LuB - IREDELL - URBAN LAND COMPLEX, 1 TO 8 PERCENT SLOPES
WmE - WEDOWEE SANDY LOAM, 15 TO 25 PERCENT SLOPES



BY	DATE	REVISIONS
7		
6		
5		
4		
3		
2		
1		

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03-23-2021



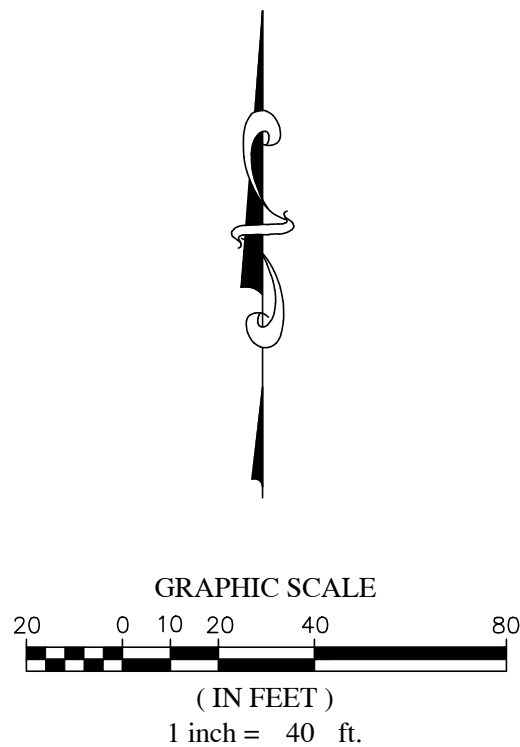
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www.summitde.net

CONCEPT PLANS FOR
JAY STREET APARTMENTS
JAY STREET
CHAPEL HILL, ORANGE COUNTY, NC
EXISTING CONDITIONS PLAN

PROJECT NO.
DRAWING NAME:
SHEET NO.
C-2

[illegible]

APPLICANT:
TAFT-MILLS GROUP
CONTACT: DUSTIN MILLS
P.O. BOX 566
GREENVILLE, NC 27835
(252) 916-2691 (PHONE)
DUSTIN@TAFTMILLSGROUP.COM

[illegible]



570
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 14., **File #:** [21-0451], **Version:** 1

Meeting Date: 5/19/2021

Appointments to the Board of Adjustment.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs
Technology Solutions and CaPA



Recommendation(s):

That the Council make appointments to the Board of Adjustment for four (4) Town-appointed seats.



Attachments:

- Council Committee Recommendation
- BOA Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Council Committee: Board of Adjustment Interviews
(Council Members Buansi, Gu and Parker)

SUBJECT: Recommendation for the vacancy(s)

DATE: April 28, 2021

RECOMMENDATION: The Council Committee: Board of Adjustment Interviews met on Wednesday, April 28, 2021 at 9 AM and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Geoffrey Green, Reappointment, Town Resident
- Eton Hito, Reappointment, Town Resident
- Kathryn Jagoda, Appointment, Town Resident

SPECIAL REQUEST(s): The Committee supports the Board of Adjustment recommendations. The Committee acknowledged that Gayathri Balasubramanian withdrew and that Blaine Schmidt currently seeking reappointment on the Chapel Hill Public Library Advisory Board.

BACKGROUND: Geoffrey Green and Eton Hito have served the Board well. Kathryn Jagoda's legal background will support the interest for the Board.

Note: Communications and Public Affairs notes that the Council Committee Board of Adjustment Interviews reviewed the following applications: Gayathri Balasubramanian, Geoffrey Green, Justin Hall, Eton Hito, Kathryn Jagoda, and Blaine Schmidt. Gayathri Balasubramanian, and Justin Hall withdrew applications on April 27. On May 4, the Orange County Board of Commissioners reappointed Daniel Hatley to the Commission. No other applications were received between April 28 and May 12 or April 28, 2021, for the Board of Adjustment.

MEMORANDUM

TO: Mayor and Town Council

FROM: Joseph Parrish, Board of Adjustment Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: April 1, 2021

RECOMMENDATION: The Board of Adjustment met on Thursday, April 1, 2021 and by a 7 to 1 vote made the following recommendation(s) to the Town Council for consideration:

- Geoffrey Green, Reappointment, Town Resident
- Tony Hito, Reappointment, Town Resident
- Kathryn Jagoda, Appointment, Town Resident
- Gayathri Balasubramanian, Appointment, Town Resident

SPECIAL REQUEST(s): None

BACKGROUND: None.

Note: Communications and Public Affairs notes that the Board of Adjustment reviewed the following applications: Geoffrey Green, Justin Hall, Daniel Hatley, Enton Hito, and Kathryn Jagoda. One (1) additional applications have been received between April 1, 2021 and May 12, 2021 for the Board of Adjustment.

BALLOT**BOARD OF ADJUSTMENT****MAY 19, 2021**

Total Membership: 15 (The Board of Adjustment consists of ten (10) members. Eight (8) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's extraterritorial planning jurisdiction (ETJ). One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's ETJ or Joint Planning Transition Area (JPA), as outlined in the Joint Planning Agreement. The Town appoints four alternate members and the County appoints one (1) alternate member.)

Current Membership: 14 (2 Female, 12 Male; 13 Caucasian, 1 prefer not to answer; [1] 18-24, [3] 25-34, [7] 35-54, [3] over 55)

Current Vacancies: 1

Terms ending June 30 3

Number of Applicants: 4

Board of Adjustment
Please vote for up to (4) Town Residents.

_____ Geoffrey Green (incumbent)	_____ Kathryn Jagoda*
_____ Enton Hito (incumbent)	_____ Blaine Schmidt*
_____ Other; please list_____	

*Applicant applied for more than one board.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

geoff@stuebegreen.com

Email Address

Geoffrey

First Name

Green

Last Name

Middle Initial

111 Simerville Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (617) 308-1576

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Board of Adjustment: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

☒ Chapel Hill Town Resident

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

None Selected

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have a masters' degree in City and Regional Planning from UNC Chapel Hill and have worked as a professional planner since 2013. In my current job, which is located in Chapel Hill I have held since July 2019, I work with local governments throughout the country to help them plan their communities and revise their development codes. In addition, my primary means of transportation is my electric bike and I perform most of my regular errands such as grocery shopping via bike. Relying on my bike for transportation gives me a good perspective into how and where Chapel Hill succeeds in making it easy to live, work, and play without relying on a car, as well as where the Town falls short. In light of the growing threat of climate change and our desire to increase the Town's commercial tax base, relieving residents of some of the Town's relatively high property tax burden, I think my perspective using very low-carbon means of transportation would be useful.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have a law degree (I am not admitted to practice in the North Carolina), which helps me understand the legal limitations around the types of zoning regulations that the Town can implement and enforce, as well as the role of the Board of Adjustment in adjudicating appeals from decisions of the Planning Commission and the Historic District Commission, among others.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

Yes. As discussed above, I have a master's degree in City and Regional Planning from UNC and have worked as a professional planner for more than seven years.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

Yes. As discussed above, I have a master's degree in City and Regional Planning from UNC and have worked as a professional planner for more than seven years. For five years I worked at GoTriangle on various regional transit-related transportation planning projects.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Planner

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☐ I Agree *

Question applies to multiple boards

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

tonyhito@gmail.com

Email Address

Enton

First Name

P.

Middle Initial

Hito

Last Name

109 Partin St.

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 247-3959

Primary Phone

Mobile: (919) 247-3959

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Board of Adjustment: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

☒ Chapel Hill Town Resident

Question applies to Chapel Hill Downtown Partnership

Select a Seat Category for the Chapel Hill Downtown Partnership *

☒ Chapel Hill Town Resident

Which Board is your First Choice? *

☒ Board of Adjustment

How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

None Selected

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have been a Chapel Hill resident for the past 10 years and have lived in the Triangle area for almost 25 years. I was born and raised in Albania, a small country in Eastern Europe which for many years was under a communist dictatorship. While I grew up in a communist regime, I was also fortunate enough to experience the raise of democracy in the country during my teenage years. Upon moving to the United States at age 18 I was even more fortunate to experience the democracy and the law and order that a western society like ours enjoys. I moved to the triangle area in 1995 and I have since called NC my home and loved it. My background as an immigrant is unique and so is my perspective that comes with it. What I have seen and experienced in the first 20 years of my life is something that most societies do not experience in a generations. - This is what is unique and interesting about me. The rest is probably quite boring, but also very useful for the position that I am volunteering for. Other than the above, I am an accountant and a licensed CPA. I read various agreements and contracts on a daily basis and I actually enjoy doing it. Reading complex laws and regulations (such as the IRS tax code or software licensing agreements) and applying those regulations and mandates to real life business issues and making decisions is what I do on a daily basis. I also manage a team of over a dozen individuals from various backgrounds, so while I can be considered a financial geek, I am also quite personable and work very well with people from all backgrounds and walks of life.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a licensed CPA in the state of NC and I currently serve as the CFO of a local technology company where I am responsible for all financial decisions of a privately held corporation which employs 150+ people worldwide. I also serve as the Vice President of Sales for the same company, where I manage a team of over a dozen individuals. Concurrently I also serve in the Board of Directors of the company that I work for, as well as another technology company headquartered in the area. In my early career I worked as an Auditor for KPMG, one of the big 4 accounting firms. I have also worked for the North Carolina State Auditors Office for a limited time during the early days of my career. I hold a BS and a Masters degree in Accounting from North Carolina State University. For additional information, you can visit my LinkedIn profile at: <https://www.linkedin.com/in/tony-hito-cpa-7a984312/>

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Executive

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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Profile

Question applies to multiple boards

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Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

kathryn.jagoda@gmail.com

Email Address

Kathryn

First Name

B

Middle Initial

Jagoda

Last Name

112 Virginia Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (703) 269-7300

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Board of Adjustment: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

☒ Chapel Hill Town Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Bicycle Advocate and Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I went to UNC for my undergraduate education (graduated 2010) and my family and I have lived in Chapel Hill since 2017. I have two young children (ages 3 and 4) and stay at home full time with them. I am also a licensed North Carolina attorney and worked for the North Carolina Department of Transportation for several years before having kids. I care about this community, how the space is used, and how it can be shaped to benefit those who live and work here. My husband and I were drawn to Chapel Hill, in part, because of the small town feel with big town amenities. I would love to see expansion of greenways and ease of pedestrian and bicycle connectivity. I can provide ideas and input from the perspective of a parent, advocating for families who want to explore Chapel Hill and its surrounding areas on foot, bike, or by bus. In addition, I am familiar with some of the legal framework and challenges that surround towns trying to develop and implement transportation plans. This will make me an asset to the Transportation Advisory Board. Finally, I enjoy cycling in my free time and have ridden around Chapel Hill numerous times and have gone on longer rides out near Hillsborough and the surrounding areas. I have high hopes that the forthcoming Bus Rapid Transit route will allow not only me, but my whole family, to bike to campus, Franklin Street, and other areas we have yet to explore. I would love to be a part of the discussion and help shape Chapel Hill's transportation future.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a lawyer licensed to practice in the state of North Carolina, and have several years of experience working with the North Carolina Department of Transportation. I am a parent and want my family to have opportunities to walk, bike, and take the bus around Chapel Hill to explore and enjoy our town. I have a vested interest in how bicycles are considered in the overall transportation picture because cycling is a serious hobby of mine.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

I am a licensed attorney and studied a bit of land use planning in law school, and did an internship in the Raleigh City Attorney's Office while the city of Raleigh was working to update their Unified Development Ordinance. Beyond that, I have a personal interest in how land gets used and developed because I live in Chapel Hill and care about how the city grows and develops.

[Jagoda Resume 2021.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic**Gender ***

☒ Female**If other, please describe:**

Please select your age from the following list. *

☒ 25-34**Attorney/Stay at Home Parent**Occupation**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No**Have you participated in the Peoples Academy?**

☐ Yes ☒ No**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Question applies to multiple boards

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

KATHRYN BARGE JAGODA

112 Virginia Drive, Chapel Hill, NC 27514
 (703) 269-7300 kathryn.jagoda@gmail.com

Education

CAMPBELL UNIVERSITY SCHOOL OF LAW 2010-2013

- o Admitted – State of North Carolina
- o Campbell Law Observer (Associate Editor); Military Law Student Association (Vice President)
- o Book Awards (Criminal Law, Government Litigation)

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL 2006-2010

- o B.A., History (Minors: Spanish, Christianity & Culture)
 - o Dean's List (5 semesters)
 - o Phi Alpha Theta Historical Honor Society
 - o Study Abroad Program in Sevilla, Spain (Fall 2008)
-

Work Experience

LEGAL AID OF NORTH CAROLINA MAY 2018 - PRESENT

VOLUNTEER - LAWYER ON THE LINE

- o Advise clients regarding landlord-tenant issues, including assisting with small claims court processes and communicating with landlords and other adverse parties

NORTH CAROLINA DEPARTMENT OF JUSTICE JANUARY 2014 – MAY 2016

ASSOCIATE ATTORNEY – TRANSPORTATION SECTION

- o Focused on environmental, administrative, and federal appellate litigation surrounding transportation projects
- o Researched and analyzed various state and federal case law, statutes, and administrative codes
- o Wrote motions, prepared for, defended, and took depositions; reviewed documents for discovery production; participated in administrative hearings
- o Ensured compliance with the North Carolina Public Records Act

BROOKS PIERCE LAW FIRM AUGUST – DECEMBER 2013

CONTRACT ATTORNEY

- o Researched and proposed ways to ensure that military bases complied with the Endangered Species Act

DURHAM DISTRICT ATTORNEY'S OFFICE JANUARY – APRIL 2013

INTERN

- o Prepared, analyzed, and tried cases in traffic, criminal district, and domestic violence courts
- o Increased effective negotiation skills by discussing pleas with defendants

NORTH CAROLINA COURT OF APPEALS JUNE – AUGUST 2012

INTERN

- o Drafted and edited opinions and briefs recommending optimal legal arguments to Judge and staff
- o Researched relevant case law and reduced findings to analytical and logical legal opinions

RALEIGH CITY ATTORNEY'S OFFICE JANUARY – APRIL 2012

INTERN

- o Worked primarily with land use and eminent domain cases
- o Executed title searches, attended mediations, and participated in meetings with clients and city officials

RALEIGH FEDERAL PUBLIC DEFENDER'S OFFICE AUGUST – DECEMBER 2011

INTERN

- o Wrote a memorandum on federal drug sentencing guidelines to assist staff attorneys
 - o Reviewed probation reports and briefed clients and families before scheduled hearings
-

Professional Memberships

ORANGE COUNTY BAR ASSOCIATION

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

bschmidt@extemporaneous.org

Email Address

Blaine

First Name

W

Middle Initial

Schmidt

Last Name

409 Perry Creek Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 519-0256

Primary Phone

Home: (919) 448-8066

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Board of Adjustment: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

☒ Chapel Hill Town Resident

Question applies to Chapel Hill Public Library Advisory Board

Select a Seat Category for the Chapel Hill Public Library Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Chapel Hill Library Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

For the Library Board of Trustees position, I offer that I am passionate about education in general -- and about media and books in particular. I owned and operated a bookstore for years, and definitely feel that libraries play an integral part in fostering a love of reading and education. If possible, I would like to offer my background as an attorney, IT professional, and bookstore owner to assist in preserving the values of and promoting the goals of the Library Board of Trustees. For the Planning Commission, I am extremely interested in land use in and near the town of Chapel Hill - as I believe in efficient land use, as well as maintaining the area's beautiful character. In terms of background, I am a IT business professional and licensed attorney, with over thirty years management and executive experience. I have been directly responsible for developing long-term plans, policies, and standards for multiple departments and organizations. It would be an honor to serve on the Commission and take part in building a beautiful and well-planned Chapel Hill!

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Current member of the Chapel Hill Library Advisory Board, so know the members and processes.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

Interested in the planning for the Town. No special experience.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Information Security

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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595
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 15., **File #:** [21-0452], **Version:** 1

Meeting Date: 5/19/2021

Appointments to the Community Design Commission.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs
Technology Solutions and CaPA



Recommendation(s):

That the Council make appointments to the Community Design Commission for five (5) seats.



Attachments:

- Council Committee Recommendation
- CDC Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Council Committee: Community Design Commission Interviews
(Council Members Anderson, Buansi, Parker and Ryan)

SUBJECT: Recommendation for the vacancy(s)

DATE: April 22 and 28, and May 11, 2021

RECOMMENDATION: The Council Committee: Community Design Commission Interviews met on Thursday, April 22, 2021 from 11:30 AM to 12:38 PM, on April 28 from 6 to 6:34 PM, and May 11 from 12:00 to 12:03 and 1:30 to 1:37 PM. By a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Megan Patnaik, Reappointment, Town Resident
- Scott Levitan, Appointment Town Resident

SPECIAL REQUEST(s): The Committee recommends leaving two seats vacant for now as the Council tests reducing the Commission to 7 members at a future meeting.

BACKGROUND: Megan Patnaik is an architect and is detail oriented. She has served the Commission well for almost three years.

Scott Levitan is also an architect who has served on other similar boards in multiple other communities. He will be able to hit the ground running.

Note: Communications and Public Affairs notes that the Council Committee: Community Design Commission Interviews reviewed the following applications: Hallie Cherry, Brian Daniels, Thomas Henkel, Jennifer Hoffman, Scott Levitan, Craig Longnecker, and Megan Patnaik. Jennifer Hoffman withdrew application. The Council appointed Brian Daniels to the Historic District Commission on May 5. One other application was determined eligible between May 11 and May 12, 2021 for the Community Design Commission.

MEMORANDUM

TO: Mayor and Town Council

FROM: Susan Dancy, Design Community Commission Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: May 10, 2021

RECOMMENDATION: The Community Design Commission met on Monday, May 10, 2021 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Megan Patnaik, Reappointment, Chapel Hill Resident
- Scott Levitan, Appointment, Chapel Hill Resident

SPECIAL REQUEST(s): The Community Design Commission requests to leave tow (2) seats vacant pending Council reducing the board membership. The Community Design Commission is seeking architects for the final vacant position.

BACKGROUND: No Comment

Note: Communications and Public Affairs notes that the Community Design Commission reviewed the following applications: Hallie Cherry, Brian Daniels, E. Thomas Henkel, Scott Levitan, Craig Alan Longnecker, and Megan Patnaik. One additional application has been received between May 10, 2021 and May 12, 2021 for the Community Design Commission.

BALLOT**COMMUNITY DESIGN COMMISSION****MAY 19, 2021**

- Total Membership: 9 (Nine (9) members must live within the municipal limits of the Town of Chapel Hill and have demonstrated special training or experience in a design field such as architecture, landscape design, horticulture, city planning or a closely related field).
- Preference given to applicants who also have demonstrated special training or experience in a design field such as architecture, landscape design, horticulture, city planning or a closely related field.
- Current Membership: 6 (4 Female, 2 Male; 6 Caucasian; [2] 35-54, [4] over 55)
- Current Vacancies: 3 Town Residents
- Upcoming Vacancies: 2 Town Residents
- Number of Applicants: 6

Community Design Commission
Please vote for up to five (5) applicants.

_____ Hallie Cherry	_____ Scott Levitan*
_____ Gregory Georges	_____ Craig Alan Longnecker*
_____ E. Thomas Henkel*	_____ Megan Patnaik (incumbent)
_____ Other, please specify_____	

**Denotes applicant applied for more than one board.*

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

halliem@gmail.com

Email Address

Hallie

First Name

M

Middle Initial

Cherry

Last Name

107 alba lane

Street Address

107 alba lane

Suite or Apt

Durham

City

NC

State

27707

Postal Code

Home:

Primary Phone

Home:

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than three groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

☒ Chapel Hill Resident

Question applies to multiple boards

Which Board is your First Choice? *

☒ Community Design Commission

How did you find out about this opportunity? (select all that apply)

- ☒ Internet
- ☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

Question applies to multiple boards

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am interested in serving on the Community Design Board because I have a strong interest in the shared communal spaces in our community. I have done personal research on playgrounds and other public spaces in the US, as well as in England and Denmark. I'm interested in the ways our unique community can enhance and expand on our public spaces.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have completed training on playground design through NCSU's Natural Learning Initiative. I have had a long standing commitment to learning about and enhancing natural space for children and families to enjoy.

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

As mentioned above, I completed an online certification course on designing outdoor learning environments. I've been a teacher of young children for over 20 years and have dedicated a lot of time to outdoor learning experiences and design. In 2018 created a self-guided study that took me to Copenhagen and London, looking at their outdoor learning environments and how children there access nature, play structures as well as how they approach risk.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 35-54

teacher

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

greg@gregorygeorges.com

Email Address

Gregory

First Name

Georges

Last Name

Middle Initial

914 Kings Mill Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (919) 306-5545

Primary Phone

Home: (919) 306-3378

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Orange County-ETJ (Blue)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Community Design Commission

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Two years Architecture/City Planning Cornell University, B.S. Mktg & Mgt Univ of Utah, eight years draftsman for architects and civil engineering firm, two years draftsman Las Vegas Valley Water District, six months Planner's Adie for six months grant to make Las Vegas Regional Plan, 15 years software marketing and sales, plus 15 years photography/video including writing and publishing 11 books with JC Wiley & Sons on the same topics.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

My wife and two children have lived in Chapel Hill for 27 years. We all have grown and prospered in this exceptional town with outstanding education and community. My wife retired from UNC Hospitals as a member of the medical faculty. We plan to live here for the remaining part of our lives. Our daughter Lauren was a soccer goalie at N.C. State and graduated with a communication degree. She then went to UNC and became a nurse, where she worked for five years before becoming a travel nurse. Our son graduated from ECU with a degree in construction management. As an aside, I was the founding president of Triangle Youth Hockey when the Hillsborough ice hockey rink opened, plus I coached hockey and soccer in youth leagues. In short, this community has treated us very well, and I'd like to put something back into the community.

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

I have had considerable experience here, as noted in the perspective question stated above. Growing up and working in Las Vegas for various design studios/firms, I have watched how the city grew and how many plans and ideas worked or were way off from the plans. At the Las Vegas Regional Planning Council, I was part of a team that expected the population to be limited to 750,000 people. It now has 2.7 million residents. Working for the architect who designed the Tropicana hotel, the decision was to turn to the high-rise hotel at a 45-degree angle to the "Strip" as the hotel was the last hotel on the strip. There are dozens past the Tropicana today.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Retired doing documentary
video

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree *

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Public Records Statement

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☒ I Agree

thenkel1@nc.rr.com

Email Address

E. Thomas

First Name

Henkel

Middle Initial

Last Name

3 Mt. Bolus Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Business: (919) 960-2589

Primary Phone

Mobile: (919) 593-5510

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

☒ Chapel Hill Resident

Question applies to Environmental Stewardship Advisory Board

Select a Seat Category for the Environmental Stewardship Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Environmental Stewardship Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a sustainable energy professional with over 40-years experience in solar energy and in energy efficient buildings. My experience includes performing energy audits for the New York State Energy Office from 1988 to 1994, managing an energy audit program for Consolidated Edison of NY from 1996 to 1998, and performing energy audits and other building energy projects from Lockheed Martin Energy Services from 2008 to 2016. I have performed and reported on approximately 650 energy audits of commercial, industrial, and institutional buildings. My solar energy experience includes managing or consulting to ten solar/gas absorption chiller HVAC projects, solar hot water projects including the UNC Morrison Dorm project, and I am currently under contract to the Veterans Administration to perform third-party commissioning of solar PV electric plants being installed at VA Medical Centers nation-wide. Among other responsibilities, the CDC is charged with reviewing building envelopes for new construction projects brought to the Town for review and approval. With climate change probably the most important issue facing the world today, it is important that the Town of Chapel Hill do all that it can to reduce the carbon footprints of all buildings within its borders over which it has any regulatory authority. Almost half of all energy use in the US today is for the heating and cooling of buildings and for the production of hot water. A properly-designed building envelope using state-of-the-art techniques is the first place to start to insure that this building will be energy efficient in order to reduce its carbon footprint. I am very familiar with most of these sustainable energy building design techniques through my energy audit and building-integrated solar energy work, and through working with one of the leading sustainable building architects in the US to design low carbon-footprint buildings. Therefore, I will add this unique sustainable energy experience to the CDC to enable it to better carry out its responsibilities. I was a charter member of the Million Solar Roofs Committee and the Sustainability Committee, and I currently serving on the Environmental Stewardship Advisory Board.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

My leadership skills have enabled me to lead a successful effort to form a nonprofit corporation (Chelsea Art Theater, Inc.) as its President, to pull together a team of professionals, and to raise sufficient funds to purchase the Chelsea Theater from the owners Bruce and Mary Jo Stone. We began operations as the new owner on March 30, 2018, and we were very successful by increasing attendance and developing a membership of over 1400 Chapel Hillians! The pandemic caused us to suspend operations in March 2020, and we will resume on April 16, 2021. We used the down time to renovate the theater through fundraising of approximately \$120,000.

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

As a Solar Developer, I have worked with Innovative Design of Raleigh to design building-integrated solar PV and solar thermal systems. I have managed two projects and consulted to 4 other solar thermal/natural gas absorption chiller cooling and heating projects. Three of these projects used 2E absorption chillers, and these were the first such projects in the US.

[HenkelResume112513.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

President, Sustainable Energy
Consulting

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

E. Thomas Henkel, Ph.D
Henkel Solar Incorporated
3 Mount Bolus Rd., Chapel Hill, NC 27514
Telephone/Fax: 919-960-2589
E-Mail: thenkel1@nc.rr.com

General Background and Skills Highlights

Over 40 years of experience with scientific education, energy conservation, renewable energy systems, and personnel management. Previous experience includes the design, development and management of commercial solar energy heating and cooling installations and management of energy audit programs.

Relevant Experience

- ◆ Managed the Consolidated Edison Company Energy Audit Program for Lockheed Martin Energy Services. This project involved comprehensive energy audits with full building simulations and analysis.
- ◆ Concept design and energy performance studies of solar electric, solar thermal CHP, and solar thermal systems.
- ◆ Energy Advisor for the New York State Energy Advisory Service to Industry. Performed and wrote reports on 320 energy audits of commercial and industrial buildings.
- ◆ Designed, developed and implemented four commercial solar energy heating and cooling installations.
- ◆ Consultant for Solar Enterprises International and Solargenix Energy in the design and marketing of solar energy systems including solar thermal electric, solar thermal CHP, and solar absorption HVAC.
- ◆ Collaborated with Dr. Richard Christensen of the Ohio State University in the design, fabrication, and testing of a dual fuel/hot fluid heat exchanger for absorption cycle heat pumps, chillers, heat engines, and refrigeration equipment. Patent issued in June, 2006.
- ◆ Independent commissioning of solar PV systems for the Veterans Administration.

Education

Ph.D, Physics Education, The University of Toledo, Toledo, Ohio, 1965
 M.S., Physics, The University of Toledo, Toledo, Ohio, 1965.
 M.Ed, Science Education, The University of Toledo, Toledo, Ohio, 1963
 A.B., Pre-Engineering, Columbia College, New York, New York, June, 1958

Solar Projects Managed or Consultancy

1978: Manager, Wagner College solar-driven 320-ton 1E absorption chiller HVAC. \$1,100,000.
 1997: Co-manager, Sacramento CA solar-driven 20-ton 2E absorption chiller HVAC. \$650,000.
 2002: Consulted to Austin TX solar-driven 30-ton 1E absorption chiller HVAC. \$350,000.
 2003: Consulted to Raleigh NC solar-driven 50-ton 2E absorption chiller HVAC. \$900,000.
 2006: Consulted to Carnegie Mellon University solar-driven 4.6-ton 2E absorption chiller HVAC. \$85,000.
 2008: Consulted to Steinway & Sons, New York, NY solar/gas-driven 83/99-ton 2E absorption

- space cooling and LP steam system. \$900,000.
- 2010: Consulted to SunQuest Energy, Orlando FL, solar-driven 40-ton 1E absorption chiller HVAC. \$880,000
- 2011: Consulted to Synergy California, 75-ton solar-driven 75-ton 1E absorption chiller HVAC in Hermosillo Mexico.

Selected Job History

Lockheed Martin Energy Services Rockville, Maryland

1996 to present

Project Manager. 1996 to 1998 — Managed the Lockheed Martin New York City office. Principle activities included administering the Consolidated Edison Company Energy Audit Program which involved personally performing 130 comprehensive energy audits with full building simulations and analysis. This project included the management of field engineers along with supervision of preparation, printing, and mailing of reports to Consolidated Edison. Additional work involves projects for the New York Energy Research & Development Authority FexTech Program and Energy audits for New York commercial, industrial, and institutional customers. Management responsibilities included payroll, budget administration, revenue/costs forecasting, personnel evaluation, and project reporting.

Project Engineer. 1998 to Present — Works on a variety of projects involving building energy systems analysis and technical application studies for manufacturers, utilities, and others including solar electric and solar thermal applications.

Solar Enterprise International, LLC Chicago, Illinois Solargenix Energy, LLC Sanford, NC

1994 to 2010

Consultant. He designed and co-managed a project in Sacramento, CA to demonstrate new higher temperature solar energy technology for commercial HVAC systems. This \$600,000 project, finished in 1997 and funded primarily by the California Energy Commission, installed a 1200 sq.ft. array of Integrated Compound Parabolic Concentrator evacuated tube collectors which powers a 20-ton double-effect absorption water chiller as part of a complete HVAC system for an 8,000 sq.ft. commercial building. This is the first time that a non-tracking solar thermal collector array is successfully powering a double-effect absorption water chiller to meet the air conditioning needs of a building. He collaborated with the Mechanical Engineering Department of The Ohio State University in the design, fabrication and testing of an integrated solar and natural gas fired 2E absorption chiller. A patent on this technology was issued in June, 2006. He now assists Solargenix in designing and marketing solar hot water and solar absorption and other HVAC systems. These include a 50-ton 2E absorption chiller in Raleigh, NC, a 30-ton 1E absorption chiller in Austin, TX, and a 172 collector solar hot water system for UNC Chapel Hill. A 1000 collector solar hot water plant is under design for a NC industrial plant. He consulted to Carnegie Mellon University for the installation and commissioning of a solar-driven Broad 4.6-ton dual-fired 2E absorption chiller. He prepared concept plans for Duke Energy Carolinas for a metered solar hot water program. Dr. Henkel is presently consulting to ERS, Inc. for the design, installation and commissioning of a solar-driven 99-ton 2E absorption chiller project in New York City partially funded by NYSERDA, to SunQuest Energy of

Orlando FL for a 40-ton solar 1E absorption chiller system at Fort Bliss, El Paso TX, and to Synergy California for a solar-driven 75-ton 1E absorption chiller system in Hermosillo Mexico.

Facility Strategies Group, LLC
Fort Mill, SC

2008 – 2011

Performed energy audits of 20 government buildings in Montgomery County, Maryland.
 Prepared solar feasibility studies.

Wagner College
Staten Island, New York

1967-1996

Professor of Physics and Chairman of the Physical Sciences Department, 1967 to 1996—

Taught courses in Physics, other Physical Sciences, Mathematics, and the History of Science. Responsibilities included the management of the department budget, supervision of faculty, and maintenance of chemistry and physics laboratories, equipment, and chemical stockrooms, curriculum development, and coordination of grant proposals.

Solar Energy Demonstration Project Director, 1977 to 1986 — Developed the project concept, raised \$1.1 million in funding, organized and administered the Project Management Team consisting of representatives from the Brooklyn Union Gas Co., Consolidated Edison of New York, Owens-Illinois Inc., Carrier Corporation, New York State Energy Research and Development Authority and a large New York City architectural firm. Responsibilities included the development of financial plans, the project accounting system, negotiating and administering construction contracts, supervision of the construction of the solar energy system, direction and monitoring of the operation of the system which heated and cooled two campus buildings.

BEEAH Architects, Planners, & Engineers
Riyadh, Saudi Arabia

1994 to 1996

Consultant, 1994 to 1996— Designed a 1600-ton solar energy absorption cooling project.

Parsons-Brinckerhoff, Inc
New York, New York

1992 to 1993

Consultant. 1992 to 1993— Prepared technical assistance studies for the New York State Institutional Conservation program

VTEC Laboratories, Inc
Bronx, New York

1988 to 1992

Energy Advisor for New York State Energy Advisory Service to Industry, 1988 to 1992—
 Performed and wrote reports for 320 energy audits of commercial and industrial buildings.

Electrides Corporation
Staten Island, New York

1975 to 1978

Consultant. 1975 to 1978— Researched and developed an electronic fluorescent lamp ballast.

U.S. Naval Reserve**1958 to 1996**

Engineering Officer 1958 to 1996— Experience includes naval steam systems, engineering casualty control, damage control, fire fighting, and nuclear biological-chemical warfare defense. Includes active duty from 1958 to 1960 and retirement after 20 years of satisfactory service with the rank of Commander.

Selected Studies

- ◆ “Residential Solar CHPC System: Technical and Market Analyses”. New York State Energy Research and Development Authority. February, 2004
- ◆ “Solar Cooling for a District Chiller Plant”. Jacksonville Electric Authority. November, 2004. Comparison of a solar PV-driven VP chiller and solar thermally-driven 1E and 2E absorption chillers.
- ◆ “Design and Performance of a Building-Integrated Solar Thermal Combined Heat, Power, and Cooling Plant”. Solargenix Energy, June, 2005
- ◆ “Feasibility Study with Pricing for a Solar-Driven 200-ton 2E Absorption Chiller HVAC System for Honolulu, HI”, ARUP consulting engineers, San Francisco, 2007.
- ◆ “Feasibility Study with Pricing for a Solar-Driven 600-ton 2E Absorption Chiller HVAC System for Florence, SC”, Roche Carolina Inc., 2007.
- ◆ “Feasibility Study and Design with Pricing for a Solar-Driven 200-ton 1E Absorption Chiller HVAC System for Wilmington, NC”, UNC Wilmington.
- ◆ “Feasibility Study for Using Tracking Trough Collectors in New York City for Solar Water Heating”, New York State Energy Research & Development Authority. 2008.
- ◆ “Short Feasibility Study for Exelon Peach Bottom Nuclear Plant for Installation of a Solar PV Generating System and a Solar Hot Water System”, Lockheed Martin, October, 2008.
- ◆ “Solar Electric Power for Base Camp Djibouti Al Noor Bridge”, Lockheed Martin, October, 2008. Feasibility study for solar PV and solar thermal electric systems including costs and performance.
- ◆ “Feasibility Study for Solar Heating System at Lockheed Martin Sunnyvale Plant”, including costs and performance. Lockheed Martin, June, 2010.
- ◆ “Feasibility Study for Solar 2E Absorption Chiller Plant at Lockheed Martin Palmdale Plant, including costs and performance. Lockheed Martin, July, 2010.

Specialized Training/Certifications

- ◆ Certification as Energy Auditor by New York State Energy Department, 1982.
- ◆ Certification as Boiler Efficiency Auditor by Boiler Efficiency Institute, 1990.
- ◆ Energy systems performance modeling.

Professional Affiliations

- ◆ American Solar Energy Society, 1978 to present
- ◆ International Solar Energy Society, 1978 to present
- ◆ North Carolina Sustainable Energy Association, 1998 to present. Past member, Board of Directors

Selected Presentations

- ◆ “The Principles of Solar Energy-Driven Absorption Water Chillers”. Department of Physics Graduate Seminar, University of Chicago, February 1999.
- ◆ “Advances in Renewable Energy Technologies”. Net Impact 2001 Conference, University of North Carolina at Chapel Hill Keenan-Flagner School of Business, November 2001.
- ◆ “Solar HVAC Using ICPC Solar Energy Collectors”. Building as Power Plant Ascending Strategies Workshop, Carnegie-Mellon University, December 2001.
- ◆ “Today’s Solar Thermal Technologies”. Air Conditioning Contractors of America 2002 Conference, February, 2002.
- ◆ “New Solar Thermal Energy Applications for Commercial, Industrial, and Government Facilities” World Energy Engineering Congress. November, 2003.
- ◆ “Solar Energy Applications for Non-Imaging Optics”. Enrico Fermi Institute Symposium, University of Chicago. May, 2003.
- ◆ “Design, Installation and Early Operation of a Roof-Integrated Solar Cooling and Heating System”. American Solar Energy Society conference. July, 2003.
- ◆ “Recent Advances in Solar Thermal Electric Power”. North Carolina Energy Conference. March, 2004.
- ◆ “New Developments in Building-Integrated Solar Thermal HVAC and CHP Systems”. Electric Power 2004. March, 2004.
- ◆ “Solar Energy Applications for the Southeast United States”. Southeast Student Renewable Energy Conference, University of North Carolina – Chapel Hill. April, 2004
- ◆ “New Possibilities for Solar Thermal HVAC: Solar Absorption Cooling”. American Solar Energy Society conference. July, 2006.
- ◆ “Appropriate Solar Technologies for Afghanistan”. Meeting of the Afghan-American Chamber of Commerce; Washington, DC. October, 2006.
- ◆ “New Jobs and New Opportunities in Solar Thermal Applications”. 2007 North Carolina Sustainable Energy Conference; North Carolina State University, Raleigh, NC, March, 2007.
- ◆ “A Solar-Driven 2E Absorption Chiller Cooling and Low Pressure Steam Project in New York City”. American Solar Energy Society conference. May, 2009.
- ◆ “The Steinway & Sons Solar 2E Absorption Cooling and Low Pressure Steam System”. IEA Solar Cooling Workshop, Las Vegas, NV. February, 2011.
- ◆ Presentations about the Steinway & Sons Solar 2E Absorption Cooling and Low Pressure Steam System to the American Solar Energy Society Solar 2011, Raleigh NC, May 2011 and Solar 2012, Denver CO, May 2012.

Awards and Prizes

October, 2009: North Carolina Sustainable Energy Association 2009 Hall of Fame award

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

levitan@rtp.org

Email Address

Scott

First Name

Levitan

Last Name

Middle Initial

314 Granville Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (410) 916-2241

Primary Phone

Business: (919) 433-1661

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Community Design Commission

How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Carrboro Chapel Hill Chamber of Commerce

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I support responsible development in Chapel Hill, Orange County and our region. I am interested in being considered for the Community Design Commission because I have concerns regarding the quality of design that I see in projects that have been recently constructed in Chapel Hill. Our Town and Region in general will face tremendous development / redevelopment pressure over the next decades and we have a responsibility to insure that we carry on precedents for outstanding building and urban design. North Carolina was a bright spot in our country during the second half of 20th Century for design and planning and we have a responsibility to carry forward this tradition as our population is projected to double during the next 20 years.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a licensed architect in NC. My career includes serving in senior positions administering major design and community development projects at Harvard University, Georgia Tech and Johns Hopkins University. I am currently the President and CEO of the Research Triangle Foundation which administers the activities of RTP. I have previously served on the Design Advisory Board for both Harvard and Central Squares in Cambridge, MA, and was the Chair of the Special Planning Unit (SPU) - E in Atlanta, Georgia which reviewed all design and planning projects proposed in Midtown Atlanta. I currently serve on the Planning & Design Commission for Georgia Tech which reviews architect selection and building/landscape design projects on the Georgia Tech campus.

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

Bachelor of Architecture, Louisiana State University (1981) Master of Architecture & Urban Design, Harvard University (1984) Master of Science, Conservation Studies, University of York, England (1983) Member, AIA Board Member, Treasurer, Association of University Research Parks Sample of projects that I have led or served in senior management roles: World Financial Center, New York City Project Executive, 4-year renovation of the buildings and landscape of Harvard Yard (17 buildings spanning 3 centuries) Project Executive, Technology Square in Midtown Atlanta Project Director, Redevelopment of the East Baltimore Community and Science & Technology Park at Johns Hopkins Currently: Redevelopment of the Frontier, Boxyard and new HUB RTP projects in Research Triangle Park

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

President & CEO

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree *

Question applies to multiple boards

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Profile

Question applies to multiple boards

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☒ I Agree

schlesnecker1962@gmail.com

Email Address

Craig

First Name

Alan

Middle Initial

Longnecker

Last Name

800 Pritchard Avenue Extension Apartment B4

Street Address

Suite or Apt

Chapel Hill

City

WA

State

27516

Postal Code

Mobile: (919) 525-9927

Primary Phone

Home: (984) 999-4352

Alternate Phone

Question applies to multiple boards

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

None Selected

Which Board is your First Choice? *

☒ Community Policing Advisory Committee

How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I want to be involved as a citizen on participating in one of the advisory board to be involved with my community from a citizen prospective so any any advisory group that I can participate in would be greatly appreciated I have a fast and wanting to be a part of any opportunity to expand my growth through the city with any talents and abilities to assist the city to progressively grow to the next level in the future. So I find participation important as my part to assist the city in it's future growth. An advisory board that I can be placed on would be greatly appreciated and an opportunity to show watch the city what I have to offer the city as a citizen of chapel Hill. Any place you place me with the city so I can assist as a citizen would be my honor. Please let me know if there is any way I can assist the city through any available opportunity. Thanks in advance Craig Longnecker schlesnecker1961@gmail.com cell: 919-525-9927 home: 984-999-4352

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Any board that will allow me to voluntarily become involved with them so that I can be productively involved with the progression of the city in a matter that city deems fit for myself. Involvement with the city is important for the citizens of chapel hill so that they can also have an integrate involvement of policy decisions, future procedures, and future growths for the city and anything else deemed important that is necessary for discussion or action that may take place or decision making process to change and growth in the near future for Chapel Hill

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

disabled

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree

megan@ellencassillyarchitect.com

Email Address

Megan

First Name

Middle Initial

Patnaik

Last Name

617 Shady Lawn Rd

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 699-8484

Primary Phone

Alternate Phone

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

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Which Boards would you like to apply for?

Community Design Commission: Eligible

Question applies to Community Design Commission

Select a Seat Category for the Community Design Commission

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Community Design Commission

How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Currently on board

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I moved to Chapel Hill a few years ago as I fell in love with a rustic mid century modern home designed by mid century designer Harriet Gordon. I have always been drawn to Chapel Hill's rich history in the built environment that meshes the historic with modern, which shares a commonality of well designed and crafted architecture that responds to the hilly wooded landscape. I have a passion for design and how it shapes our community. The foundation of my perspective is rooted in working with various commercial, non-profit, and residential clients who have shaped their own community in Durham, Chapel Hill, Raleigh, and Greensboro. My experience has allowed me to understand what draws individuals and groups to design and build in the Triangle.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have over ten years of a diverse architectural experience ranging from residential design, construction management, commercial interior design, and community based design. I work for a Durham based architectural firm Ellen Cassilly Architect whose work focuses in residential and commercial architecture in both Durham and Chapel Hill. The work that our firm has produced has helped to reshape Durham's landscape. I was able to explore my interest in community based design while studying for my masters in architecture at North Carolina State University. I worked with a Raleigh based non-profit who built work force housing neighborhoods in downtown Raleigh. Today I continue to work with non-profit organizations with several of my projects at Ellen Cassilly Architect. My passion for design has lead me to serve on a few advisory boards over the years. Spent time on the advisory council for George Smart's North Carolina Modernist House initiative as well as served as the advisory board chair for the interior architecture program at the University of North Carolina in Greensboro where I received my undergraduate degree. I currently am on the Chapel Hill Community Design Commision. For my digital resume you can visit: <http://meganpatnaik.com/aboutme/>

Question applies to Community Design Commission

Do you have special interest, experience, or education/training in design field, architecture, landscape design, horticulture, city planning, green design, place making or related fields? If yes, please explain.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Architect

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.



631
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 16., **File #:** [21-0453], **Version:** 1

Meeting Date: 5/19/2021

Appointments to the Planning Commission.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs

Technology Solutions and CaPA



Recommendation(s):

That the Council make appointments to the Planning Commission for five (5) seats.



Attachments:

- Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Council Committee: Board of Adjustment Interviews
(Council Members Anderson, Huynh, and Stegman)

SUBJECT: Recommendation for the vacancy(s)

DATE: May 10, 2021

RECOMMENDATION: The Council Committee: Planning Commission Interviews met on Monday, May 10, 2021 from 11:30 AM to 12:37 PM and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Louie Rivers III, Reappointment, Environmental Stewardship Advisory Board Champion
- Stephen Whitlow, Reappointment, Housing Advisory Board Champion
- Jonathan Mitchell, Appointment, Town Resident

SPECIAL REQUEST(s): The Council Committee suggests keeping two Town-resident positions vacant pending future interviews.

BACKGROUND: The Council Committee supports the Planning Commission's recommendation. Louie Rivers, III and Stephen Whitlow bring relevant skills and have served the Commission well. Jonathan Mitchell is knowledgeable about the LUMO rewrite process and other Planning topics, involved in Town deliberations in a productive way, and makes data driven decisions.

Note: Communications and Public Affairs notes that the Council Committee Planning Commission Interviews reviewed the following applications: Alexandra Allman, Ian Bowater, James Faron, Jesus Gonzalez, Justin Hall, Joshua Levenson, Jonathan Mitchell, Louie Rivers III, Stephen Whitlow and Benjamin Williams. Justin Hall withdrew applications on May 5. No other applications were received between May 10 and May 12, 2021, for the Planning Commission.

MEMORANDUM

TO: Mayor and Town Council

FROM: Michael Everhart, Board Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: April 20, 2021

RECOMMENDATION: The Planning Commission met on Tuesday, April 20, 2021, and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Louie Rivers, Reappointment, Town Resident
- Stephen Whitlow, Reappointment, Housing Advisory Board Champion
- Johnathan Mitchell, Applicant, Town Resident

SPECIAL REQUEST(s): None

BACKGROUND: None

Note: Communications and Public Affairs notes that the Planning Commission reviewed the following applications: Alexandra Allman, Ian Bowater, James Faron, Jesus Gonzalez, Justin Hall, Joshua Levenson, Johnathan Mitchell, Louie Rivers III, Stephen Whitlow, and Benjamin Williams. No additional applications have been received between April 20, 2021 and May 12, 2021 for the Planning Commission.

BALLOT**PLANNING COMMISSION****MAY 19, 2021**

- Total Membership: 10 (The Planning Commission is composed of ten (10) members. Eight (8) members, appointed by the Council, shall reside within the corporate limits of Chapel Hill. One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's extraterritorial planning jurisdiction (ETJ). One (1) member, appointed by the Orange County Board of Commissioners, shall reside within the Town's ETJ or Joint Planning Transition Area (JPA)).
- Current Membership: 9 (3 Females, 6 Males; 1 African American and 8 Caucasian; [1] 25-34, [2] 35-54, [6] over 55)
- Current Vacancies: 1 (Town Resident)
- Terms Ending June 30: 4 ([3] Town Resident, [1] Environmental Stewardship Advisory Board Champion, and [1] Housing Advisory Board Champion)
- Number of Applicants: 9

Planning Commission**Please vote for up to three (3) Town Residents.**

_____ Alexandra Allman	_____ Joshua Levenson
_____ Ian Bowater*	_____ Jonathan Mitchell*
_____ James Faron*	_____ Benjamin Williams*
_____ Jesus Gonzalez*	
_____ Other; please list _____	

Planning Commission**Please vote for up to one (1) ESAB Champion.**

_____ Louie Rivers, III (incumbent)	_____ Other; please list _____
-------------------------------------	--------------------------------

Planning Commission**Please vote for up to one (1) HAB Champion.**

_____ Stephen Whitlow (incumbent)	_____ Other; please list _____
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**Applicant applied for more than one board.*

Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

alexandra.allman@gmail.com

Email Address

Alexandra

First Name

Allman

Last Name

Middle Initial

1100 West NC Highway 54 Byp Apt 81

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (704) 713-8921

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

None Selected

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

My relevant experience included and includes: NYS Senator Michael Nozzolio (Intern), TX State Representative Rafael Anchia (Intern), NYS Department of Health (Legal Assistant), Nancy Mace for US Senate (Correspondence Manager), South Carolina Parents Involved in Education (Public Relations Director), York County Republican Women (Secretary), Allman Communication Strategies (Co-Founder and Consultant), UNC (Research Analyst).

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

My relevant skills include basic computer skills on both Apple and PC (along with Google docs, Microsoft Outlook, etc.). I am familiar with various technology from campaigns, banks, insurance, boards, and schools, to help produce tailored reports, briefs, sensitive information, memos, reports/talks to the public.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Other**Gender**

☒ Female**If other, please describe:**

Please select your age from the following list. *

☒ 25-34**Doctoral Candidate**

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

ianbowater7@gmail.com

Email Address

Ian

First Name

Bowater

Last Name

125 Windsor Circle

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (310) 871-3906

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Cultural Arts Commission

Select a Seat Category for the Cultural Arts Commission *

☒ Chapel Hill Town Resident

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Cultural Arts Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

- ☒ Internet
☒ Speaker at an event

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Over fifty years of professional experience as a writer, actor and director in theatre and film industry. Served on drama and theatre panels for the London arts council. Served on the Dance panel of Greater London arts. Director of the Shaw Theatre in London. Directed of three international festivals. Former member of the Orange County Art Commission. Wrote and performed in plays locally. Currently a performer, and screenwriter. Latest release out this year is "Gilpin" a film about the actor to first play Emperor Jones on Broadway, About the perform at the Oslo Impro festival with my company Paul and Ian's One Man show,

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Throughout my career as an Arts practitioner I have a vast amount of experience of writing grants and budget proposals. I am very active in the approach to finding new performance spaces, both formal and new/unusual venues. A major feature of my career in the Arts is as an advocate for the under-served communities. I am not afraid to take on established and reactionary forces who want to keep the Arts safe and bourgeois.

[Resume-Ian.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Screenwriter/actor/director

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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Ian Bowater

125 Windsor Circle, Chapel Hill NC 27514

Tel - 310 871 3906

E-mail - ianbowater7@gmail.com

Nationality: British and American

British Equity #: 109029

Screenwriter

Full-time freelance writer since 1992. Contracted by a number independent producers in the U.S. and Europe including, Mark Damon Productions; Raju Patel; Movies Film Production, Netherlands; Legende Films, Paris; Prodigy Productions; LCS productions; Odessa Films, Paris. MPS Produktions Munich, Michael Goerden Production, Cologne, Masterbond Film, London. Melwood Pictures, Los Angeles. Written over thirty screenplays.

Produced Credits

1994 - "Unconditional Love" with Arthur Bjorn Egeli, director. Winner of the Jury Prize, Hampton Film Festival (1994). Winner Gold Medal, Houston Film Festival. Second Prize, Delhi Film Festival.

2001 - "Fiendliche Übernahme" (Hostile Takeover) for MPS Produktions Munich - Carl Schenkel, Director - Susanne Porsche & Michael Roehrig, Producers

2013 - "Ghost Forest" Arthur Egeli Director - premiered at Arizona Film Festival.

2014 - "Into The Breach" Stageplay for the ArtsCenter Carrboro - Producer Jeri Lynn Schulke, Director Gregor McElvogue.

2017 - Murder On The Cape - Director Arthur Egeli - available on Netflix

2019 - Gilpin - Director Arthur Egeli - release date late 2019

Current projects in active development

"Coyote Gold" – Arthur Bjorn Egeli, director, Prodigy Productions.

"Ninety Feet Closer To Hell" – Nadim George director – in pre-production.

Recent Theatre Experience - (2013 to Present)

"My Name Is Yin" – Director for 10x10 In the Triangle.

"Celebration" – Granddad – for Little Green Pig Theatrical Concern

"HMLT" – The Ghost – for Little Green Pig Theatrical Concern

"Paris '76" – Jacques Dirigible, The Deconstructivist Comedian.

"Glorious" – St. Clair – for Theatre In The Park

"The Changeling" – Alibius for Little Green Pig.

Paul and Ian's One Man Show – one half of the thought provoking duo.

Other Film Industry experience.

Script Consultant - Legende Productions, Paris. Working with Producer Alain Goldman (1492 - Conquest of Paradise; Casino) and writer Roselyne Bosch (1492). Worked on two Bosch projects, "The Experiment" with Costa Gavras and "En Cas De Malheur" developed with Sidney Pollack. Roselyne is French but writes in English. Translation work involves polishing dialogue and Americanizing the descriptive passage. Both scripts were American stories, set in the U.S. with American characters.

1993 – Contract Screenwriter – Contracted for one year by Odessa Films, Paris to create three scripts. These included an adaptation of a contemporary novel plus two original pieces.

1992/3 – Director of Creative Affairs – Odyssey Distributors. Responsible for acquisitions and development of film projects destined for foreign distribution.

1990 – Free-lance reader and script doctor – Various film companies and independent producers including HBO, Carolco and Prodigy Productions. Raju Patel on "Jungle Book".

1989 – Story Analyst – Odyssey Entertainment, Los Angeles. Reading scripts and other published material this film production company, averaging ten scripts per week.

Previous Theatre Life

1985-1988 – Teacher/Director – The Actor's Center, London – This training center founded by British Actors Equity, provides training to working actors based in London.

1983-1988 – Director, The Shaw Theatre – A community theatre in the heart of London. The theatre's eclectic program presented theatre, music, dance, mime and children's events. The theatre was a host venue for the London International Theatre Festival, the London Mime Festival. Some of the international companies presented by the Shaw Theatre included the London debuts of The Negro Ensemble Company (USA); Grips Theater (Berlin); Teatro Cambray (Cuba) and the Ballet Folklorico de Nicaragua.

1979-1983 – Associate Director, Theatre Royal Stratford East – Stratford East has an illustrious history as the home of Joan Littlewood's famous Theatre Workshop. That work continues to the present under the direction of Philip Hedley. Presenting children's theatre and community tours. Founding Director of Actorshop – a bespoke improvisational theatre working in the East End and further afield.

1973-1979 - Director, Writer and actor with Newham Theatre-in-Education company, creating theatre for all ages from Kindergarten to High School.

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

jim@faronproperties.com

Email Address

James F.

First Name

F

Middle Initial

Faron

Last Name

308 Lancaster Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (217) 377-4677

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

- ☒ Internet
☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Personal Contacts

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

As a recent resident to Chapel Hill, I seek to increase my involvement in the community. This is consistent with my previous forty-year residency in the Champaign-Urbana Illinois region. I have experience in real estate, privately-owned business, health care (Dr. of Optometry), and education. I consider myself a lifelong learner and am always interested in diverse points of view and problem solving.

James F. Faron

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have moved from a community similar to Chapel Hill in terms of a recognized university (University of Illinois) and a diverse population base. I have served on a number of Boards, including the Champaign-Urbana Mass Transit District, Champaign-Urbana Symphony, and the Champaign County Mental Health Board. I practiced for thirty-three years as an Optometrist in a large multi-specialty practice in Urbana, Illinois, served as an administrator/counselor in Greenville, South Carolina public schools, and am currently still a property owner in Illinois. All of these experiences have put me in a position to deal with various people and viewpoints and to work collaboratively in a group setting.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

I feel that I have skills and experiences that lend themselves to membership on the Planning Commission. Until recently, I owned 300 moderately priced rental units in Champaign, Illinois and personally managed all facets of my business. With regard to transportation, I served on the Board of the Champaign-Urbana Mass Transit District, with a 55 million dollar budget, 250 employees, and a monthly ridership of over one million passengers. Within these business and public spheres, I had involvement with city government, schools, not-for-profit organizations, and legal entities. I feel this breadth of expertise would serve me well in the work of the Planning Commission.

[resume_James_Faron_1_.docx](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Retired

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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JAMES F. FARON

PERSONAL

Date of birth: October 3, 1946

Address: 308 Lancaster Drive, Chapel Hill, North Carolina 27517

Email: jim@faronproperties.com

EDUCATION

DePaul University, B.A., 1968

The Ohio State University, M.A., 1971

Illinois College of Optometry, O.D., 1979

EMPLOYMENT HISTORY

High School Counselor/Administrator, Greenville, S.C., 1971-1974

Optometrist, Carle Foundation, Urbana, Illinois 1979-2012

Owner/Manager, Faron Properties LLC., 1982-present

COMMUNITY INVOLVEMENT

Board Member, Champaign-Urbana Mass Transit District

Board Member, Champaign-Urbana Symphony

President, Central Illinois Apartment Association

President, East Central Illinois Optometric Society

Team Optometrist, University of Illinois Athletic Department

Member, Champaign County 708 Board (mental health)

INTERESTS

Real Estate, Eye Care, Politics, Fitness, Reading, Travel,
Architecture

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

jesusagv5@gmail.com

Email Address

Jesus

First Name

Gonzalez

Last Name

993 CLELAND DRIVE

Street Address

APT RR

Suite or Apt

CHAPEL HILL

City

NC

State

27517

Postal Code

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Environmental Stewardship Advisory Board

Select a Seat Category for the Environmental Stewardship Advisory Board *

☒ Chapel Hill Resident

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Newspaper

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

First generation, historically excluded groups, working poor upbringing

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

BA in Public Policy

Jesus Gonzalez

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

MCRP candidate prospective start ago 2021

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Other

Gender *

☒ Nonbinary or third gender

If other, please describe:

Please select your age from the following list. *

☒ 25-34

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree *

Question applies to multiple boards

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Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

jameslevenson@gmail.com

Email Address

Joshua

First Name

J

Middle Initial

Levenson

Last Name

142 Lincoln lane

Street Address

Suite or Apt

Chapel hill

City

NC

State

27516

Postal Code

Home:

Primary Phone

Home: (360) 739-9335

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 0-12 months

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Speaker at an event

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Living internationally in intentional ecovillage and progressive cities. Where I participated in dozens of environmental and education based service projects. Masters in applied mathematics and volunteer with NC warn NC climate justice summit and several other activism groups.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Generally able to do most tasks, focus/skill in integrative problem solving, interest in green communities, bike lanes/times, zero waste composting community gardens and permaculture, tree houses.

[CV - Josh Levenson.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Joshua J Levenson

Ethnicity

☒ Other**Gender**

☒ Male**If other, please describe:**

Mixed race small part Pacific Islander larger part caucasian

Please select your age from the following list. *

☒ 25-34**Teacher**

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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Josh Levenson

5101 East North st.

Bellingham WA 98226

001-360-739-9335

jameslevenson@gmail.com

▯Objective

-I hope to earn a PhD and work on research in biomolecular dynamics for medical applications.

▯Education

-MS, in Mathematics, Western Washington University

(Bellingham WA 98226) 3.8 GPA MS/BS program June 2008

-BS, in Mathematics, Western Washington University

(Bellingham WA 98226) 3.6 GPA MS/BS program June 2006

-Focus in (Differential equations, Statistics and Modeling)

-AA, Whatcom Community College (Bellingham WA 98226)

▯Teaching and Tutorial Experience

-Lecturer for Western Washington University (2006-2008) for algebra, precalculus and calculus.

-Private tutor for Western Washington University (2004-2006) recommended to both high school and college students for algebra, trigonometry, Differential calculus and integral calculus.

-Tutor in Whatcom Community College's math center (2003-2004)

▯Awards

-Designated as Meritorious Winner in the Mathematical Contest in Modeling (NSA) 2005, 2006.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

capt.jdm@gmail.com

Email Address

Jonathan

First Name

Mitchell

Last Name

Middle Initial

216 Huntington Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a bank regulatory lawyer with fourteen years combined experience in public service (as a regulator) and private practice. As such, I have a background in developing, interpreting, and administering technical regulations. I also bring the perspective of a citizen who has lived in Chapel Hill for five years, is raising young kids here, and frequently gets around Town via bicycle (after bicycle commuting for years in Washington, DC). Least interestingly, I have actually studied multiple Traffic Impact Analyses commissioned by the Town. Over the past several years, I have attended several meetings of the Town Council, advisory commissions, and neighborhood groups to understand and participate as a citizen in certain land use decisions affecting my neighborhood and the larger community. This has increased my interest in contributing to town governance. I generally approach questions of growth, development, and transportation planning from a pragmatic perspective and focus on thoroughly analyzing the facts and trade-offs involved in each case.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

In addition to the qualifications described above, I am experienced in the research and development of policies and rules affecting multiple stakeholders, and in public speaking. For example, during my time as a federal bank regulator, I represented my agency in a multi-year rulemaking project involving seven other agencies. As a bank regulatory consultant and project lead, one of my core responsibilities has been to conduct working meetings involving – and present information to – diverse stakeholders, from junior-level financial institution employees to executives. I believe this background in negotiation and communication will be useful in the context of a public advisory commission.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

As mentioned above, I have a legal/regulatory background. I am not a technical specialist in the fields mentioned; my experience in these areas has been as a citizen observer of Town processes over the past several years. This has kindled my interest in becoming more involved. I work only part-time and have the capacity to get up to speed on the issues and context.

[jm_resume_2020.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic**Gender ***

☒ Male**If other, please describe:**

Please select your age from the following list. *

☒ 35-54

bank regulatory
lawyer/consultant

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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Jonathan D. Mitchell

216 Huntington Drive
Chapel Hill, NC 27514
(917) 940-5712
e-mail: capt.jdm@gmail.com

EXPERIENCE

PROMONTORY FINANCIAL GROUP, AN IBM COMPANY, Washington, DC

Special Adviser, 2017 - Present

Director, 2015 - 2017

Senior Principal, 2012 - 2015

Principal, 2009 - 2011

Advise and assist banks and other financial services companies in navigating regulatory challenges, e.g.: designing, implementing, and evaluating compliance programs and systems; bank charter/license applications (especially written business plans), suitability analyses, and readiness assessments; regulatory policy analysis and white papers; regulatory due diligence for potential acquirers of banks, non-bank finance companies, and financial technology companies; responding to regulatory criticism and correcting identified deficiencies. Specialty areas include design and implementation of compliance obligation inventories and projects to map requirements to operating controls; affiliate transaction restrictions (Regulation W); regulatory capital rules (Basel III); restrictions on proprietary trading and funds activities (the Volcker Rule); housing finance policy; and general banking law matters. Experienced in leading on-site teams of fifteen or more consultants. In 2017, voluntarily converted from a full time employee to a part time independent consultant engaged in select projects.

OFFICE OF THE COMPTROLLER OF THE CURRENCY, Washington, DC

Attorney, Legislative and Regulatory Activities Division, 2006 - 2009

Assisted in the development and drafting of banking regulations, including representing the OCC in interagency rulemaking project on consumer privacy disclosures. Analyzed pending financial services legislation. Conducted legal research and drafted memoranda on a variety of banking-related topics, as well as topics in constitutional law and administrative law. Provided legal advice and drafted opinions on the applicability of state laws to national banks. As part of secondary assignment in enforcement division, participated in document discovery, fact development, and settlement negotiations relating to enforcement actions against bank affiliated parties.

OFFICE OF NEW YORK STATE ATTORNEY GENERAL ELIOT SPITZER, New York, New York

Law Clerk, Investor Protection and Securities Bureau, Fall Semester 2005

Assisted with fact development in complex financial derivatives case, including assistance in writing document subpoena, reviewing documents that were produced, and preparing questions for witnesses. Conducted research in areas of fiduciary duties and taxation. Assisted in writing a complaint.

U.S. SECURITIES AND EXCHANGE COMMISSION, Miami, Florida

Summer Law Clerk, Enforcement Division, 2005

Researched and drafted memoranda on securities law, civil procedure, evidence, and accounting questions that arose in the course of corporate, broker-dealer, and investment advisor investigations and trials. Also reviewed subpoenaed documents, assisted in preparations for depositions, participated in witness interviews, and drafted declarations.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D., May 2006

Honors: Moot Court Board, Casebook Division, Research and Writing Editor

CORNELL UNIVERSITY, COLLEGE OF ARTS AND SCIENCES, Ithaca, New York

B.A. in Modern Literature and Philosophy, *magna cum laude*, May 2002

Honors: College Scholar, Distinction in All Subjects

BAR ADMISSION

Member, The District of Columbia Bar

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

lriversiii@gmail.com

Email Address

Louie

First Name

Rivers Iii

Middle Initial

Last Name

226 N. Graham

Street Address

Suite or Apt

Chape Hill

City

NC

State

27516

Postal Code

Mobile: (571) 226-0533

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Environmental Stewardship Advisory Board Champion

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Have previously served on the Planning Commission

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have several primary interests in serving on the planning commission. 1) I am a five year resident of Chapel Hill and my time in the town has provided my family and I with a high quality of life. I see service on the commission as a way of saying thank you to the town, which has given us so much. 2) I am interested in the status of affordable housing in Chapel Hill. This concern is directly, linked to my first point. I would like to examine the opportunities to provide a high quality of life to individuals that have traditionally been unable to find housing in Chapel Hill due to limited housing stock and a somewhat high cost of living. 3) Finally and somewhat paradoxically, I am interested in maintaining the small town aesthetic of Chapel Hill while expanding that accessibility to more people. My time on the board has also led to a greater interest in examining the tension between expanding housing options (especially affordable housing) and addressing climate change at the local level.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have served on the Planning Commission for approximately 4 years. Over this time I have learned about the responsibilities of the commission and it's role in town governance. I would like to continue to serve to make use of this experience in service to the town and to learn more. Additionally, I am interested in continuing my participation in the processes involved in rewriting the town's LUMO. Specifically, I am focused on the inclusion of underrepresented voices in this process. I also believe that my professional experience with examining environmental justice issues, and the inclusion of minority populations in the management of risky environmental issues provides useful insights into many of the issues that face the commission. Furthermore, this professional experience would facilitate my role as the Environmental Stewardship Advisory Board Champion.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

I have a PhD in natural resources, with a focus on risk perception and decision making from a cognitive psychology theoretical perspective. My current research agenda focuses on the greater inclusion of the core principles of environmental justice (recognition justice, procedural justice and distributional justice) in environmental policy and decision making processes at the local, state and federal level. I currently serve on the U.S. EPA Office of Research and Development (ORD) Board of Scientific Counselors (BOSC) Subcommittee (SC) for the Air and Energy (A-E) Research Program.

[Louie.Rivers.CV.docx](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

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Ethnicity *☒ African American**Gender ***☒ Male**If other, please describe:****Please select your age from the following list. ***☒ 35-54**Associate Professor**

Occupation

Are you a caregiver for or identify with a disability?☐ Yes ☒ No**Have you participated in the Peoples Academy?**☐ Yes ☒ No**Are you a Town of Chapel Hill employee?**☐ Yes ☒ No

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☒ I Agree *

Question applies to multiple boards

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Louie Rivers III

(a) Professional Preparation

Kentucky State University	Frankfort, KY, USA.	Biology	B.Sc., 2001
The Ohio State University	Columbus, OH, USA.	Natural Resources	M.Sc., 2003
The Ohio State University	Columbus, OH, USA.	Natural Resources	PhD, 2006

(b) Appointments

2020-Current	Associate Professor. Department of Forestry and Environmental Resources, North Carolina State University, Raleigh, NC
2013-2020	Assistant Professor. Department of Forestry and Environmental Resources, North Carolina State University, Raleigh, NC
2008-2013	Assistant Professor. Environmental Science & Policy Program / Criminal Justice, Michigan State University, East Lansing, MI
2006-2008	Science Assistant. Economic, Decision, and Management Sciences Cluster, National Science Foundation, Washington, DC

(b) Products

(ii) Significant related products

Jurjonas, Matthew, Seekamp, E., Rivers III, L., & Cutts, B "Uncovering climate (in) justice with an adaptive capacity assessment: A multiple case study in rural coastal North Carolina." *Land Use Policy* 94 (2020): 104547.

Hasala, Dresden, Stacy Supak, and Louie Rivers. "Green infrastructure site selection in the Walnut Creek wetland community: A case study from southeast Raleigh, North Carolina." *Landscape and Urban Planning* 196 (2020): 103743.

Carson, Brittany, B. Cooper, C., R. Larson, L., & Rivers III, L. "How can citizen science advance environmental justice? Exploring the noise paradox through sense of place." *Cities & Health* (2020): 1-13.

Barnhill-Dilling, S. Kathleen, Louie Rivers, and Jason A. Delborne. "Rooted in Recognition: Indigenous Environmental Justice and the Genetically Engineered American Chestnut Tree." *Society & Natural Resources* 33, no. 1 (2020): 83-100.

Wood, Alexa L., Prince Ansah, Louie Rivers III, and Arika Ligmman-Zielinska. "Examining climate change and food security in Ghana through an intersectional framework." *The Journal of Peasant Studies* (2019): 1-20.

(ii) Other significant products

Olabisi, Laura Schmitt, Saweda Liverpool-Tasie, Louie Rivers, Arika Ligmman-Zielinska, Jing Du, Riva Denny, Sandra Marquart-Pyatt, and Amadou Sidibé. "Using participatory modeling processes to identify sources of climate risk in West Africa." *Environment Systems and Decisions* (2018): 1-10.

Hubbell, Bryan J., Amanda Kaufman, Louie Rivers, Kayla Schulte, Gayle Hagler, Jane Clougherty, Wayne Cascio, and Dan Costa. "Understanding social and behavioral drivers and impacts of air quality sensor use." *Science of The Total Environment* 621 (2018): 886-894.

Whitley, Cameron Thomas, Louie Rivers III, Seven Mattes, Sandra T. Marquart-Pyatt, Arika Ligmman-Zielinska, Laura Schmitt Olabisi, and Jing Du. "Climate-induced migration: using mental models to explore aggregate and individual decision-making." *Journal of Risk Research* (2017): 1-17.

Gibbs, C., Cassidy, M. B., & Rivers, L. (2013). A Routine Activities Analysis of White-Collar Crime in Carbon Markets. *Law & Policy*, 35(4), 341-374.

Rivers III, Louie, Carole Gibbs, and Raymond Paternoster. "Integrating criminological and decision research theory: implications for understanding and addressing crime in marginalized communities." *Deviant behavior* 38, no. 1 (2017): 74-93.

(c) Synergistic Activities

- Invited member of the Technical Advisory Committee for the Consortium for Resilient Gulf Communities, link to the consortium website: <http://www.rand.org/gulf-states/resilient-communities.html>
- Member of the EPA Board of Scientific Counselors (BOSC) for Air & Energy
- Organized the review and selection of a participant for the Building Future Faculty program for the department; Organized the selected participant's (Dr. Manik) departmental seminar and visit (2014)
- A discussion moderator for ScienceOnline Together 2014 on 2/28/14, "Data Based Communication: Insights from Science Communication"
- <http://scio14.sched.org/sponsor/lrivers1#.VOdYq1PF9uY>
- Elected Member of the Chapel Hill Planning Commission, responsible for voting on and recommending development projects in the town of Chapel Hill

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

sbwhitlow@gmail.com

Email Address

Stephen

First Name

Whitlow

Last Name

Middle Initial

428 Whitehead Circle

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 260-0809

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Housing Advisory Board Champion

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

Reapplying for current seat (liaison to housing advisory board)

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Reapplying for current seat (liaison to housing advisory board)

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

Degree in city & regional planning from UNC, professional work focuses on local housing strategies (<https://www.localhousingsolutions.org>), local government innovation, and providing technical assistance to state and local governments on fair housing and equity, disaster recovery, rental assistance, etc.

[Stephen_Whitlow_2017.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Researcher and technical
assistance provider

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Question applies to multiple boards

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

STEPHEN WHITLOW

428 Whitehead Circle Chapel Hill NC 27514
919.260.0809

sbwhitlow@gmail.com

Education

University of North Carolina at Chapel Hill

Department of City and Regional Planning: Master of Regional Planning, May 2007

Department of Sociology: Master of Arts in Sociology, December 2005

University of North Carolina at Charlotte

Bachelor of Arts in Sociology, Magna Cum Laude, May 2001

Work Experience

Abt Associates (2010 - present)

Project Director, Evaluation of Bloomberg Philanthropies' Innovation Team Initiative (2016 - present). Abt Associates is working with Bloomberg Philanthropies to assess the impact of their Innovation Team (i-team) initiative. The i-team initiative provides grants to U.S. and Israeli cities to hire expert, in-house consultants to help address longstanding challenges affecting local governments and community residents. The Abt team is evaluating the impact of the i-teams on how cities address complex challenges and the extent to which i-teams contribute to a culture of innovation in their host cities. Responsibilities have included overall project management, including development of the evaluation's research design, development of surveys and interview protocols, leading site visits, authoring reports, managing client relations, and overseeing project quality, budget, and schedule. (Client: Bloomberg Philanthropies)

Technical Assistance Provider, Affirmatively Furthering Fair Housing Training and Guidance (2015 - present). Abt Associates, in partnership with Enterprise Community Partners, is the primary provider of training and

technical assistance to recipients of federal funds that are required to submit an Assessment of Fair Housing (AFH) to HUD. The AFH is a data-driven approach to understanding and removing barriers to fair housing choice and improving access to opportunity for members of protected class groups. Responsibilities have included development of training materials to orient governments and public housing authorities to the requirements and goals of the fair housing rule released by HUD in 2015, presenting at AFH group trainings across the U.S., and leading one-on-one technical assistance engagements to aid individual communities in preparing and submitting their AFH. (Client: U.S. Department of Housing and Urban Development)

Technical Assistance Provider, Online Resource Development for the Community Development Block Grant Program (2013 - present). As a member of a technical assistance team with expertise in community development and housing strategies for local governments, develops digital technical assistance products and materials for HUD's OneCPD model in order to build the capacity of community development organizations that receive CPD funds. Regularly collaborates with HUD on content development and creative techniques for conveying information, and managers Abt's creative staff throughout product development. (Client: U.S. Department of Housing and Urban Development)

Task Lead, Evaluation of the Transitional Living Program (2015-present). Under contract with the U.S. Department of Health and Human Services, Abt Associates is evaluating the Transitional Living Program. The program provides supervised shelter and services to older homeless youth (ages 16-22). The shelter can take several forms—including group homes, host family homes, and supervised apartments—and the program provides an array of services to improve youth housing, education, employment, social, and emotional outcomes. The evaluation includes site visits to TLP programs nationwide to describe program models and a randomized control trial to measure program impacts. The impact analysis will randomly assign 1,250 youth to treatment and control groups and will focus on key youth outcomes related to youth safety, permanent connections, self-sufficiency, and well-being. Responsible for developing survey instruments and monitoring random assignment and data collection. (Client: U.S. Department of Health and Human Services)

Task Lead, The Pre-Purchase Homeownership Counseling Demonstration and Impact Evaluation. (2013-present). The Pre-Purchase Homeownership Counseling Demonstration and Impact Evaluation is examining the impact that different types of pre-purchase counseling have on mortgage preparedness, homeowner outcomes, and loan performance for

prospective low-to moderate income, first time FHA homebuyers. Specifically, this evaluation will determine the impact of two different pre-purchase and counseling interventions through a randomized experimental design. The study has recruited approximately 6,000 individuals in 28 jurisdictions across the country who have pre-qualified for a home loan. Responsibilities include data collection, tracking remote treatment study participants, report writing, and serving as liaison to counseling agencies participating in the study. (Client: U.S. Department of Housing and Urban Development)

Senior Analyst, Evaluation of the Strong Cities, Strong Communities Initiative (SC2) (2012-2014). The Strong Cities, Strong Communities Initiative (SC2) is a White House sponsored effort focused on encouraging the economic stabilization and recovery in six economically distressed cities in the U.S. Abt is evaluating a core component of the SC2, the Community Solutions Teams (CST). The CSTs are teams of agency staff from across the federal government working to improve how between federal and local government systems interact, increasing the coordination of federal resources, and assisting local leaders and institutions with economic development. Responsibilities included leading site visits, conducting cross-site analysis, and authoring the final report. (Client: U.S. Department of Health and Human Services.)

Senior Analyst, Neighborhood Stabilization Program (NSP) Tracking Panel (2012-2014). This study evaluates the impacts of the second round of the Neighborhood Stabilization Program (NSP2). The project involves (1) an implementation assessment of NSP2 grantees; (2) a descriptive analysis of neighborhood outcomes over time; (3) an impact analysis of the effectiveness of NSP2 activities on neighborhood stability outcomes; and (4) a cross-site analysis of the factors that moderate NSP2 effectiveness. (Client: U.S. Department of Housing and Urban Development, Office of Policy Development and Research.) Responsible for leading site visits and property-level data collection across 19 jurisdictions. (Client: U.S. Department of Housing and Urban Development)

Senior Analyst, Cities of Service Evaluation (2012-2013). Abt conducted a six month outcomes and process study of the Cities of Service Leadership Grants program, jointly funded by Bloomberg Philanthropies and the Rockefeller Foundation. The study documented the outcomes achieved by 20 leadership grantee cities and identified factors contributing to strong outcomes and other lessons learned. (Client: Bloomberg Philanthropies.)

Senior Analyst, Office of University Partnerships University Program Evaluation (2010-2012). In collaboration with Econometrica and ACKCO,

Abt Associates completed the first outcomes evaluation of the HUD's Office of University Partnerships (OUP) university programs. The evaluation assessed the projects undertaken, the outcomes of those projects on the participating universities and the populations and communities they serve, and the effects partnership structure, grant purpose and program design on outcomes. The study featured telephone interviews with a representative sample of OUP grantees, site visits to nine grantees, and analysis of OUP administrative data. (Client: U.S. Department of Housing and Urban Development).

Senior Analyst, Evaluation of the Sustainable Employment in a Green Economy (SEGUE) Initiative (2012). Abt Associates received a grant from the Rockefeller Foundation to conduct a six-month developmental evaluation to assess the relevance, efficiency, and effectiveness of the Foundation's SEGUE initiative. The Foundation seeks assistance in refining the definition of the original problem, developing a theory of change, testing the potential for innovative interventions, engaging a broad range of stakeholders, and shaping a longer-term strategy for the initiative, currently in the "Development" stage. Responsibilities involve developing a Theory of Change framework to document previous tacit assumptions about how change will occur, and leading a collaborative approach to articulate, document and provide feedback about the learning gained from SEGUE's development phase. This process will inform decision making about the future of the initiative, and those aspects of the initiative that are most relevant and have the most potential and viability for carrying forward or adapting into the "Execution" stage. (Client: The Rockefeller Foundation)

Senior Analyst, Case Studies to Illustrate CNCS' Four Strategic Priorities and the Return on Investment in National Service (2010-present). Abt is developing case studies of CNCS grantees that illustrate CNCS's four strategic priorities and six focus areas. The grantees selected for the case studies are to be representative of the CNCS's portfolio of programs (AmeriCorps, Senior Corps, Learn and Serve America). Associated tasks include the development of case studies using the Harvard Business School case study method to describe one or a combination of CNCS grantees and their processes and outcomes in relation to the CNCS's four Strategic Priorities and six Focus Areas, and the development of preliminary return-on-investment (ROI) analyses for programs based on information acquired during those case studies.

Senior Analyst, Office of University Partnerships University Program Evaluation (2010-present). In collaboration with Econometrica and ACKCO, Abt Associates is completing the first outcomes evaluation of the HUD's Office of University Partnerships (OUP) university programs. Using a mixed-methods approach to data collection, the evaluation will assess projects undertaken, the outcomes of those projects on the participating universities

and the populations and communities they serve, and the effects partnership structure, grant purpose and program design have on accomplished outcomes. Our research design relies heavily on telephone interviews with a representative sample of OUP grantees, and site visits to nine grantees in order to provide a deeper understanding of both the effects of OUP-funded projects on their sponsor institution and the surrounding community, and the nature of partnerships formed over the course of the project. (Client: U.S. Department of Housing and Urban Development).

Senior Analyst, Homelessness Pulse Project (2010). This project collects data on sheltered homeless persons on a quarterly basis from a sample of communities nationwide. The data include quarterly point-in-time counts of shelter users and counts of the newly homeless. The data are used to describe current trends in shelter use and assess the potential impacts of the economic and foreclosure crisis on homelessness. (Client: U.S. Department of Housing and Urban Development).

Senior Analyst, Serve America Act Evaluation Plan (2010). The Serve America Act requires a significant number of changes in programs and regulations, authorizes significant expansion of the Corporation for National and Community Service's core programs, and includes several new initiatives. This project involves assisting CNCS in developing and implementing the research and evaluation requirements of the Serve America Act, including organizing and analyzing public input on the agency's new strategic plan, gathered from a series of public dialogues and webinars. The analysis will result in production of a public report that reflects the breadth and depth of public comment across all six CNCS focus areas. Responsibilities including analytic coding of qualitative data and report writing. (Client: Corporation for National and Community Service)

Southern Growth Policies Board (2007-2010)

Senior Policy Analyst for a regional public policy think tank charged with promoting economic growth and enhancing quality of life in thirteen southern states.

- Initiated the development of a publicly-available databank of southern economic, demographic, and social trends and statistics
- Originated a new research focus on the role geography plays in economic development problems and solutions
- Participated in the writing and editing of annual reports, policy briefs, guidebooks, and grants
- Participated in analyses of economic and community development policies and practices

- Prepared data presentations and maps for publication and online distribution
- Worked with a team to introduce new-media communication strategies to broaden the organization's reach and effectiveness

SJF Advisory Services (2007-2007)

Research assistant for short-term assignment promoting the expansion of social entrepreneurship in Appalachia. Co-authored a summary report of findings and resource guide from a series of interviews with technical assistance providers in nine states

Center for Urban and Regional Studies (2005-2007)

Research assistant for study examining home rehabilitation and energy usage patterns in impoverished neighborhoods. Managed the distribution and collection of survey instruments, and created and maintained a database management system for data collection.

North Carolina Metropolitan Coalition (2005-2005)

Research assistant for academic credit in the Department of City and Regional Planning at UNC Chapel Hill. Co-authored *The State of North Carolina Urban Distressed Communities*. The report, an analysis of urban and rural poverty in North Carolina, was distributed to the North Carolina General Assembly and was instrumental in the inclusion of Urban Progress Zones in the 2006 renewal of the William S. Lee Tax Act.

Math/Science Equity Project (2002-2003)

Research assistant for a study examining racial disparities in the academic trajectories of high school students in the Charlotte-Mecklenburg school system.

- Prepared an in-depth analysis comparing factors commonly seen as affecting the race gap among middle-class students, including residential segregation, student anti-achievement attitudes, teacher expectations, and school effects
- Conducted field interviews with students, parents, teachers, counselors, and school administrators
- Participated in coding and qualitative analysis of interview data

Selected Publications and Papers

- 2016 *Interim Report, Bloomberg Philanthropies i-Teams Evaluation*, by Stephen Whitlow, David Robinson, Elizabeth Giardino, Porsha Cropper, Madeline Colety, and Galen Savidge.
- 2014 *Evaluation of the Strong Cities, Strong Communities Community Solutions Team Pilot Initiative*, by Stephen Whitlow, Amy Minzner, Elizabeth Giordano, Gabe Schwartz, Beth Seigel, Devon Winey, and Alyssa Rosen.
- 2014 *Neighborhood Stabilization Program Tracking Panel*, by Jonathan Spader, Alvaro Cortes, Christian Redfearn, Jenny Schuetz, Kimberly Burnett, Larry Buron, Michael DiDomenico, Anna Jefferson, Stephen Whitlow, Jennifer Lewis Buell.
- 2013 *Challenges and Opportunities in Community Development: A Framing Paper*, by Jeffrey Lubell, Stephen Whitlow, and Sophia Heller.
- 2013 *Evaluation of the Sustainable Employment in a Green US Economy (SEGUE) Initiative in Development*, by Carlos Martin, Jennifer Bagnell-Stuart, Kimberly Burnett, and Stephen Whitlow.
- 2012 *The State of the Residential Construction Industry*, by Carlos Martin and Stephen Whitlow.
- 2012 *Evaluation of Cities of Service Leadership Grants*, by Jennifer Turnham, Amy Minzner, Stephen Whitlow, and Anna Jefferson.
- 2012 *Evaluation of HUD's Office of University Partnerships' University Programs: Universities Investing in Communities*, by Amy Minzner, Jennifer Turnham, Elizabeth Copson, Stephen Whitlow, and Scott Brown.
- 2011 *Serving Communities: How Four Organizations are Using National Service to Solve Community Problems*, by JoAnn Jastrzaab, Glen Schneider, Stephen Whitlow, Michael DiDominico, Sophia Heller, and Mary Joel Holin.
- 2010 *Summary of Public Input on the CNCS Strategic Plan*, by Diana Epstein, Katie Spaenburg, and Stephen Whitlow
- 2009 *A Conversation on Southern Energy: The 2009 Report on the Future of the South*, by Scott Doron, Charity Pennock, Linda Hoke, Stephen Whitlow, and Ted Abernathy

- 2008 *Brave New South: The 2008 Report on the Future of the South*, by Linda Hoke, Jim Clinton, Stephen Whitlow, Scott Doron, Charity Pennock, and Ray Taylor
- 2008 *Building Tomorrow's Civic Actors: The Roles of Civic Education, Leadership Development, & Service-Learning Programming*, by Stephen Whitlow
- 2007 *Technical Assistance Providers for Social Enterprise in Appalachia*, by Stephen Whitlow and Tina Prevatte
- 2005 *The State of North Carolina Urban Distressed Communities*, by Stephen Whitlow and Allen Serkin
-

Honors and Awards

2007 Impact Award recipient for research benefiting North Carolina citizens. Awarded for *The State of North Carolina Urban Distressed Communities*.

Volunteer Experience

Planning Board Member, Hillsborough, NC(2008 - 2010)

Park & Recreation Board Member, Hillsborough, NC(2007 - 2010)

Rail Station Task Force Member, Hillsborough, NC (task force concerned with establishment and siting of multi-modal transit station in Hillsborough, 2008 - 2009)

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

bzbschriswilliams@hotmail.com

Email Address

Benjamin

First Name

C

Middle Initial

Williams

Last Name

706 Highgrove Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (704) 975-9245

Primary Phone

Business: (888) 217-9295

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Planning Commission: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☒ Homeowner or Tenant

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Housing Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I've lived in a variety of locations around the country and in five different areas of Chapel Hill/Carrboro. I have worked in Residential construction, rehab, and remodeling. I am a real estate appraiser trainee. I live in Chapel Hill and have a son in the public school system and active in local sports leagues.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

General interest and curiosity in housing and planning impacts on the local community's culture.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

NC Real Estate Appraisal course work House measuring services Math Major/Art Minor Chapter Board Member of the Risk Management Association Prior Board Member for Cub Scout pack 283

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Software Development &
Professional Services

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.



Item Overview

Item #: 17., File #: [21-0454], Version: 1

Meeting Date: 5/19/2021

Appointments to the Stormwater Management Utility Advisory Board.**Staff:**

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs
Technology Solutions and CaPA

**Recommendation(s):**

That the Council make appointments to the Stormwater Management Utility Advisory Board for three (3) seats.

**Attachments:**

- Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Chad Pickens, Chair, Stormwater Management Utility Advisory Board

SUBJECT: Recommendation for the vacancy(s)

DATE: April 27, 2021

RECOMMENDATION: The Stormwater Management Utility Advisory Board met on Tuesday, April 27, 2021 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- CHAD PICKENS, REAPPOINTMENT, COMMERCIAL PROPERTY MEMBER
- SHUGONG WANG, REAPPOINTMENT, RESIDENTIAL PROPERTY OWNER
- EVAN KIRK, APPOINTMENT, BUSINESS MEMBER

SPECIAL REQUEST(s): None.

BACKGROUND: Mr. Pickens is the Chair of the Stormwater Management Utility Advisory Board (SMUAB) and was appointed to a full term in 2018 in a Business seat. He is a strong advocate of the stormwater management program and the Stormwater Management Utility Advisory Board, and he coordinated the board's successful flood workshop for residents and businesses in 2019.

Mr. Wang is the Vice-Chair of the Stormwater Management Utility Advisory Board and was appointed to his first term in 2018 as a Residential representative. Mr. Wang's education and work experience in water resources engineering, GIS, and remote sensing techniques provide strong benefits to the Board.

Mr. Pickens' and Mr. Wang's experience and continuity as Board members are valued assets to the Stormwater Management Utility Advisory Board and the Board recommends their reappointment.

Mr. Kirk works as the Project Director at the Environmental Finance Center (University of North Carolina at Chapel Hill). His background in environmental science and city and regional planning, with a concentration in land use and environmental planning, should prove to be beneficial skills to the Board.

Note: Communications and Public Affairs notes that the Stormwater Management Utility Advisory Board reviewed the following applications: Todd Bender, Evan Kirk, Chad Pickens, and Shugong Wang. No additional applications have been received between April 27, 2021 and May 12, 2021 for the Stormwater Management Utility Advisory Board.

BALLOT**STORMWATER MANAGEMENT UTILITY ADVISORY BOARD****MAY 19, 2021**

- Total Membership: 9 (Nine (9) members appointed by the Town Council. Board representation shall include five (5) members who are owners of single-family residential property within Chapel Hill, three (3) members who are owners or employees of companies owning property within Chapel Hill used for multi-family, business, commercial, or non-profit purposes, and one (1) member employed by the University of North Carolina at Chapel Hill.)
- Current Membership: 9 (3 Female, 6 Male; 1 Asian or Pacific Islander and 8 Caucasian; [0] 18-25, [0] 25-34, [5] 35-54, [4] over 55)
- Term Ending June 30: 3 (2 Commercial Property Member, 1 Residential Property Owner)
- Number of Applicants: 4

Commercial Business Owner
Please vote for up to one (2) applicant.

_____ Evan Kirk
 _____ Chad Pickens (incumbent)
 _____ Other; please list _____

Residential Property Owner
Please vote for up to one (1) applicant.

_____ Todd Bendor*
 _____ Shugong Wang (incumbent)
 _____ Other; please list _____

*Applicant applied for more than one board.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

tbendor@gmail.com

Email Address

Todd

First Name

Bendor

Last Name

904 Coker Dr.

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (217) 417-6355

Primary Phone

Home: (919) 843-5990

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Stormwater Management Utility Advisory Board: Eligible

Question applies to Stormwater Management Utility Advisory Board

Select a Seat Category for the Stormwater Management Utility Advisory Board *

☒ Owners of Single-Family Residential Property within Chapel Hill

Which Board is your First Choice? *

☒ Stormwater Management Utility Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have been a UNC professor for 13 years, and my research and teaching focus on environmental planning, specifically on ecological restoration, environmental markets, urban flooding, and urban climate adaptation. I have also a Chapel Hill/Carrboro resident since 2007. When I moved here, this region was in the midst of the 2nd drought of record (behind 2001), which definitely gave me an appreciation for how the infrastructure is managed

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Stormwater Advisory Board: I have worked with CH stormwater employees for years with regards to research and teaching. I have performed many studies of stormwater issues in the Triangle, including work on stormwater utilities. My skills span from planning, GIS, analysis, grant writing, research design, OWASA: I have worked with the OWASA sustainability and planning staff (Mary Tiger, Pat Davis, Ed Holland) for many years, who have taken part in a course I teach on impact assessment. I have a strong interest in water infrastructure and have significant experience with environmental and infrastructure planning.

Question applies to multiple boards

[bendor_cv_7-23-](#)

[20_ForCHApplication.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

UNC Professor

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.” Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Question applies to multiple boards

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Todd BenDor

CONTACT INFORMATION

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Professional Website: <http://todd.bendor.org>

Departmental Website: <https://planning.unc.edu/faculty/bendor/>

EDUCATION

Ph.D. in Regional Planning

May 2007

University of Illinois at Urbana-Champaign (UIUC), Champaign, IL

- Dissertation topic: *Redistribution Effects of Wetland Mitigation over Space and Time.*
- Committee: Varkki Pallathucheril (Chair), Bruce Hannon, Nick Brozovic, and David Kovacic.
- Earned Center for Teaching Excellence 'Graduate Teaching Certificate.'

2004 Santa Fe Institute Complex Systems Summer School

July 2004

- Selected to enroll in course and project work at highly selective complexity workshop.
- Created agent-based model of land-use change and climate interaction.

M.S. in Environmental Science

August 2003

Washington State University (WSU), Pullman, WA

- Thesis topic: *Simulating Scrappage and Feebate Programs for Reduced Automobile Emissions.*
- Advisor: Andrew Ford.

B.S. in System Dynamics (Distinction)

May 2002

Worcester Polytechnic Institute (WPI), Worcester, MA

- Senior thesis: *The System Dynamics of Automobile Fuel Economy.* Advisor: Jim Lyneis.
 - Junior thesis: *Risk Amplification of GMOs in Europe* (Completed in Basel/Zurich, Switzerland). Advisor: Wesley Jamison.
-

PROFESSIONAL EXPERIENCE

Assistant (2007-2013)/Associate (2013-2018)/ Professor (2018- 2020)/ Distinguished Professor of Sustainable Community Design (2020-)

2007 - Present

Department of City and Regional Planning, University of North Carolina at Chapel Hill

- Director, Odum Institute for Research in Social Science (2018-Present)
- Faculty Fellow, Center for Urban and Regional Studies (CURS)
- Faculty Member, UNC Environment, Ecology, and Energy Program

Honorary Visiting Professor

Fall 2016

Center for Advanced Spatial Analysis, University College-London, London, UK

2012 Frederick J. Clarke Fellow

Spring 2012

Institute for Water Resources, U.S. Army Corps of Engineers, Alexandria, VA

Visiting Scholar

Spring 2012

Department of Urban Studies and Planning, Massachusetts Institute of Technology, Cambridge, MA

Visiting Professor

Fall 2011

Géographie-cités (CNRS Research Project), Institut de Géographie, Université Paris 1 (Panthéon-Sorbonne), Paris, France

HONORS

- UNC Center for Urban and Regional Studies (CURS) Scholar in Residence (Fall 2017)
 - Outstanding Summer Course Award, Huazhong Agricultural University, Wuhan, China (Summer 2014)
 - Frederick J. Clarke Scholar – Institute of Water Resources, U.S. Army Corps of Engineers (Spring 2012)
 - Lone Mountain Fellow – Property and Environment Research Center (July, 2010)
 - Sigma Xi National Scientific Research Society (Full Member, Elected 2009)
 - GlaxoSmithKline Faculty Fellow – Institute for Emerging Issues, N.C. State University (2009)
 - Outstanding Ph.D. Award, UIUC Department of Urban and Regional Planning (May 2007)
 - Dana Meadows Award, Best student paper presented at 2005 International System Dynamics Society Conference
 - University of Illinois Conference Travel Award: Omaha, Nebraska (May, 2004), Fort Worth, TX (Nov., 2006)
 - Philip Abelson Fellowship, Washington State University (2003)
 - Edward R. Meyer Scholarship, Washington State University (2003)
 - Institute Scholarship, Worcester Polytechnic Institute (2000-2002)
 - Admitted to WPI Zurich Project Center to complete junior thesis (2001)
 - Member of Phi Theta Kappa, international two-year honor society (1997)
-

BIBLIOGRAPHY

Books

BenDor, Todd K. and Jürgen Scheffran. 2019. *Agent-Based Modeling of Environmental Conflict and Cooperation*. Boca Raton, FL: CRC Press.

Refereed Articles (* Denotes Student Author)

64. Schwaller, Nora Louise*, Sophie Kelmenson*, Danielle Spurlock, Todd K. BenDor. 2020. Political ideology and household-level attitudes towards flood protection in the face of coastal flooding. *Environmental Science and Policy (In Press)*.
63. Onda, Kyle*, Jordan Branham*, Todd K. BenDor, Nikhil Kaza, David Salvesen. 2020. Does removal of federal subsidies discourage development? An evaluation of the US Coastal Barrier Resources Act. *PLoS ONE* 15(6): e0233888.
62. BenDor, Todd K., David Salvesen, Christian Kamrath*, and Brooke Ganser*. 2020. Floodplain buyouts and municipal finance. *Natural Hazards Review* 21(3): 04020020.
61. Whittemore, Andrew H. and Todd K. BenDor. Rhetorical Framing in Planning: An Empirical Investigation of How Planners Discuss Density. *Journal of Planning Education and Research (In Press)*: <https://doi.org/10.1177/0739456X18774824>.
60. Whittemore, Andrew H. and Todd K. BenDor. 2019. Opposition to housing development in a suburban US County: Characteristics, origins, and consequences. *Land Use Policy* 88: 104158.
59. Frerichs, Leah, Natalie Smith, Kristen Hassmiller Lich, Todd K. BenDor, Kelly R. Evenson. 2019. A scoping review of simulation modeling in built environment and physical activity research: current status, gaps, and future directions for improving translation. *Health and Place* 57:122-130.
58. Tully K, Gedam K, Strong A, Bernhardt E, BenDor T.K., Mitchell M, Kominoski J, Jordan T, Neubauer S, Weston N. 2019. The invisible flood: the chemistry, ecology, and consequences of saltwater intrusion. *Bioscience* 69(5): 368-378.
57. Shoemaker, Douglas A., Todd K. BenDor, and Ross K. Meentemeyer. 2019. Integrating Urbanization and Ecosystem Service Models to Explore Alternative Regional Futures. *Computers, Environment, and Urban Systems* 74: 114–125
56. Sterling, E.J., Zellner, M., Jenni, K.E., Leong, K., Glynn, P.D., BenDor, T.K., Bommel, P., Hubacek, K., Jetter, A.J., Jordan, R., Schmitt Olabisi, L., Paolisso, M. and Gray, S., 2019. Try, try again: Lessons learned from success and failure in participatory modeling. *Elementa science of the Anthropocene* 7(1): 9.
55. Whittemore, Andrew H. and Todd K. BenDor. 2019. Reassessing NIMBY: The demographics, politics, and geography of opposition to high-density residential infill. *Journal of Urban Affairs* 41(4): 423-442.
54. Whittemore, Andrew H. and Todd K. BenDor. 2018. Exploring the Acceptability of Densification: How Positive Framing and Source Credibility Can Change Attitudes. *Urban Affairs Review* 55(5): 1339-1369.
53. Voinov, Alexey, Karen Jenni, Steven Gray, Nagesh Kolagani, Pierre D. Glynn, Pierre Bommel, Christina Prell, Moira Zellner, Eleanor Sterling, Michael Paolisso, Laura Schmitt Olabisi, Philippe J. Giabbanelli, Zhanli Sun, Christophe

- Le Page, Sondoss Elawah, Todd K. BenDor, Klaus Hubacek, Bethany K. Laursen, Alison Singer, Jessica Brunacini, Laura Young. 2018. Tools and methods in participatory modeling: selecting the right tool for the job. *Environmental Modelling and Software* 109: 232-255.
52. Jordan, Rebecca, Steven Gray, Moira Zellner, Pierre D. Glynn, Alexey Voinov, Beatrice Hedelin, Eleanor J. Sterling, Kirsten Leong, Laura Schmitt Olabisi, Klaus Hubacek, Pierre Bommel, Todd K. BenDor, Antonie J. Jetter, Bethany Laursen, Alison Singer, Philippe J. Giabbanelli, Nagesh Kolagani, Laura Basco Carrera, Karen Jenni, and Christina Prell. 2018. Twelve Questions for the Participatory Modeling Community. *Earth's Future* 6(8): 1046-1057.
 51. Bhattachan, Abinash, Ryan Emmanuel, Todd K. BenDor, and Marcelo Ardon-Sayao. 2018. Evaluating the effects of land-use change and future climate change on vulnerability of coastal landscapes to saltwater intrusion. *Elementa: Science of the Anthropocene* 6: 62.
 50. Woodruff, Sierra, Todd K. BenDor, and Aaron Strong. 2018. Fighting the inevitable: infrastructure investment and coastal community adaptation to sea level rise. *System Dynamics Review* 34(1-2): 48-77.
 49. BenDor, Todd K., Vivek Shandas, Brian Miles, Kenneth Belt, and Lydia Olander. 2018. Ecosystem Services and U.S. Stormwater Management: An Agenda for Improving Urban Stormwater Decisions. *Environmental Science and Policy* 88: 92-103.
 48. Gray, Steven, Alexey Voinov, Michael Paolisso, Rebecca Jordan, Todd K. BenDor, Pierre Bommel, Pierre Glynn, Beatrice Hedelin, Klaus Hubacek, Josh Introne, Nagesh Kolagani, Bethany Laursen, Christina Prell, Laura Schmitt-Olabisi, Alison Singer, Eleanor Sterling, and Moira Zellner. 2018. Purpose, Processes, Partnerships, and Products: 4Ps to advance Participatory Socio-Environmental Modeling. *Ecological Applications* 28(1): 46-61.
 47. Whittemore, Andrew H., and Todd K. BenDor. 2018. Talking about Density: An Empirical Investigation of Framing. *Land Use Policy* 72: 181-91.
 46. Vitro, Kristen A.*, Miranda E. Welsh*, Todd K. BenDor, Aaron Moody. 2017. Ecological theory explains why diverse island economies are more stable. *Complex Systems* 26(30): 135-156.
 45. Vitro, Kristen A.*, Todd K. BenDor, and J. Adam Riggsbee. 2017. Pre-listing conservation of candidate species under the endangered species act: An evaluation of prevalence, accessibility, and market-based conservation efforts. *Environmental Science and Policy* 74: 68-74.
 44. Galik, Christopher, Todd K. BenDor, Julie DeMeester and David Wolfe. 2017. Improving Habitat Exchange Planning Through Theory, Application, and Lessons from Other Fields. *Environmental Science and Policy* 73: 45-51.
 43. Vitro, Kristen A.*, Todd K. BenDor, Tania V. Jordanova*, Brian Miles*. 2017. A geospatial analysis of land use and stormwater management on fecal coliform contamination in North Carolina streams. *Science of the Total Environment* 603-604: 709-727.
 42. BenDor, Todd K., Danielle Spurlock, Sierra Woodruff*, and Lydia Olander. 2017. A research agenda for ecosystem services in American environmental and land use planning. *Cities* 60 (Part A): 260-271.
 41. Woodruff, Sierra* and Todd K. BenDor. 2016. Ecosystem services in urban planning: Comparative paradigms and guidelines for high quality plans. *Landscape and Urban Planning* 152: 90-100.
 40. Widis, Daniel C. *, Todd K. BenDor, and Michael Deegan. 2015. Prioritizing Wetland Restoration Sites: A Review and Application to a Large-Scale Coastal Restoration Program. *Ecological Restoration* 33(4): 358-377.
 39. Woodruff, Sierra* and Todd K. BenDor. 2015. Is Information Enough? The Effects of Watershed Approaches and Planning on Targeting Ecosystem Restoration Sites. *Ecological Restoration* 33(4): 378-387.
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 37. BenDor, Todd K., Avery Livengood*, T. William Lester, Adam Davis, and Logan Yonavjak*. 2015. Defining and Evaluating the Ecological Restoration Economy. *Restoration Ecology* 23(3): 209-219.
 36. Berry, Marisa* and Todd K. BenDor. 2015. Integrating Sea Level Rise into Development Suitability Analysis. *Computers, Environment, and Urban Systems* 51: 13-24.
 35. BenDor, Todd K., Douglas A. Shoemaker*, Jean Claude Thill, Monica Dorning*, Ross K. Meentemeyer. 2014. A Mixed-Methods analysis of socio-ecological feedbacks between urbanization and forest persistence. *Ecology and Society* 19(3): 3.
 34. Robertson, Morgan, Todd K. BenDor, Rebecca Lave, J. Adam Riggsbee, J.B. Ruhl, and Martin Doyle. 2014. Stacking ecosystem services. *Frontiers in Ecology and the Environment* 12: 186-193.
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29. Kaza, Nikhil and Todd K. BenDor. 2013. Land Value Impacts of Wetland Restoration. *Journal of Environmental Management* 127: 289-299.
28. BenDor, Todd K., James Westervelt, and Yan Song. 2013. Modeling park development through regional land use change simulation. *Land Use Policy* 30(1): 1-12.
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25. Oppenheimer, Kathleen* and Todd K. BenDor. 2012. A Comprehensive Solution to the Biofouling Problem for the Endangered Florida Manatee and other Species. *Environmental Law Review* 42(2): 415-467.
24. Doyle, Martin and Todd K. BenDor. 2011. Evolving Law and Policy for Freshwater Ecosystem Service Markets. *William & Mary Environmental Law & Policy Review* 36(1): 153-191.
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22. BenDor, Todd K., Philip Berke, Dave Salvesen, Yan Song, and Nora Lenahan*. 2011. Assessing Local Government Capacity to Manage and Model Military-Induced Growth in Eastern North Carolina. *Planning Practice and Research* 26(5): 531-553.
21. Van Schaack, Chandler* and Todd K. BenDor. 2011. A Comparative Study of Green Building in Urban and Rural North Carolina. *Journal of Environmental Planning and Management* 54(8): 1125-1147.
20. BenDor, Todd K. and J. Adam Riggsbee. 2011. Regulatory and Ecological Risk under Federal Requirements for Compensatory Wetland and Stream Mitigation. *Environmental Science and Policy* 14: 639-649.
19. BenDor, Todd K., Sara Metcalf, Mark Paich. 2011. The Dynamics of Brownfield Redevelopment. *Sustainability* 3(6): 914-936
18. BenDor, Todd K. and J. Adam Riggsbee. 2011. Effects of Federal Mitigation Rules on Wetland and Stream Mitigation Banking Risk. *Environmental Science and Policy* 14(3): 301-314.
- Selected as Editor's Choice in Science: "Banking on Wetlands" (29 April, 2011; Science 332: 514)**
17. BenDor, Todd K. and Audrey Stewart*. 2011. Land Use Planning and Social Equity in North Carolina's Compensatory Wetland Mitigation Program. *Environmental Management* 47(2): 239-253.
16. Westervelt, James, Todd K. BenDor and Joseph Sexton. 2011. A Technique for Rapidly Assessing Regional Scale Urban Growth. *Environment and Planning: B* 38(1): 61-81.
15. Berg, Hannah* and Todd K. BenDor. 2010. A Case Study of Form-Based Solutions for Watershed Protection. *Environmental Management* 46: 436-451.
14. Metcalf, Sara S., Emily Wheeler, Todd K. BenDor, Ken Lubinski, and Bruce M. Hannon. 2010. Sharing the Floodplain: Finding Common Ground through Mediated Modeling. *Environmental Modelling and Software* 25(11): 1282-1290.
13. BenDor, Todd K. and Martin Doyle. 2010. Planning for Ecosystem Service Markets. *Journal of the American Planning Association* 76(1): 59-72.
12. Hamstead, Zoe* and Todd K. BenDor. 2010. Nutrient Trading for Enhanced Water Quality: A Case Study of North Carolina's Neuse River Compliance Association. *Environment and Planning: C* 28(1): 1-17.
11. BenDor, Todd K., Joel Sholtes*, Martin Doyle. 2009. Landscape Characteristics of a Stream and Wetland Mitigation Banking Program. *Ecological Applications* 19(8): 2078-2092
10. BenDor, Todd K. Jim Westervelt, J.P. Aurambout, and William Meyer. 2009. Simulating Population Variation and Movement within Fragmented Landscapes: A Spatial Dynamic Model of the Gopher Tortoise (*Gopherus polyphemus*). *Ecological Modelling* 220: 867-878.
9. Scheffran, Jürgen, Todd K. BenDor, and Bruce M. Hannon. 2009. Bioenergy and Land Use: A Spatial-Agent Dynamic Model of Energy Crop Production in Illinois. *International Journal of Environment and Pollution* 39(1/2): 4-27.

8. BenDor, Todd K., Jürgen Scheffran, and Bruce M. Hannon. 2009. Ecological and Economic Sustainability in Fishery Management: A Multi-Agent Model for Understanding Competition and Cooperation. *Ecological Economics* 68(4): 1061-1073.
7. BenDor, Todd K. 2009. A Dynamic Analysis of the Wetland Mitigation Process and Its Effects on No Net Loss Policy. *Landscape and Urban Planning* 89: 17-27.
6. BenDor, Todd K., Nicholas Brozovic, and Varkki George Pallathucheril. 2008. The Social Impacts of Wetland Mitigation Policies in the United States. *Journal of Planning Literature* 22: 341-357.
5. BenDor, Todd K. and Nicholas Brozovic. 2007. Determinants of Spatial and Temporal Patterns in Compensatory Wetland Mitigation. *Environmental Management* 40(3): 349-364
4. BenDor, Todd K., Nicholas Brozovic, and Varkki George Pallathucheril. 2007. Assessing the Socioeconomic Impacts of Wetland Mitigation in the Chicago Region. *Journal of the American Planning Association* 73(3): 263-282.
3. BenDor, Todd K., Sara S. Metcalf, Lauren E. Fontenot, and Brandi Sangunett. 2006. Modeling the Emerald Ash Borer Spread: A Decision Support System for Invasive Species Eradication. *Ecological Modelling* 197: 221-236.
2. BenDor, Todd K. and Sara S. Metcalf. 2006. The Spatial Dynamics of Invasive Species Spread. *System Dynamics Review* 22(1): 27-50.
1. BenDor, Todd K. and Andrew Ford. 2006. Simulating a Combination of Feebates and Scrappage Incentives to Reduce Automobile Emissions. *Energy* 31: 1197-1214.

Book Chapters

- Woodruff*, Sierra, Kristen A Vitro*, and Todd K BenDor. 2018. GIS and Coastal Vulnerability to Climate Change. In: *Comprehensive Geographic Information Systems, Volume 2*. Elsevier: Oxford, England. Pgs. 236–257
- Kelmenson, Sophie*, Todd K. BenDor, and T. William Lester. 2017. The economic impacts of a single restoration project. In: *Economia Da Restauração Florestal (Forest Restoration Economy)*, edited by Rubens Benini and Sergio Adeodato. The Nature Conservancy: São Paulo, Brazil. (Published in Portuguese and English). Pgs. 92-105.
- Auerbach, Daniel A.* and Todd K. BenDor. Prospects for Pre-Listing Conservation in Freshwater Ecosystems. 2014. In: *Markets and the Endangered Species Act: Incentivizing Conservation Upstream of Regulation*, edited by Josh Donlan and Todd Gardner. University of California Press: Berkeley, CA. Pgs. 149-166.
- Westervelt, James and Todd K. BenDor. (2012). A Technique for Rapidly Forecasting Regional Urban Growth. In: *Ecologist-Developed Spatially-Explicit Dynamic Landscape Models*, edited by James Westervelt and Gordon Cohen. Springer-Verlag: New York. Pgs. 223-234.
- BenDor, Todd K, James Westervelt, J.P. Aurbout, and William Meyer. (2012). Simulating Gopher Tortoise (*Gopherus polyphemus*) Populations in Fragmented Landscapes: an Application of the FRAGGLE model. In: *Ecologist- Developed Spatially-Explicit Dynamic Landscape Models*, edited by James Westervelt and Gordon Cohen. Springer- Verlag: New York. Pgs. 171-195.
- Doyle, Martin and Todd K. BenDor. 2012. Markets for freshwater ecosystem services. In: *Aquanomics: Water Markets and the Environment*. Edited by D. Gardener and R. Simmons. Independent Institute Press: San Francisco, CA. Pgs. 17-42.
- Jamison, Wesley, Todd K. BenDor, Adrienne L. Kolpak, and Maureen A. McDonnell. 2004. Political and Social Risk Amplification of GMOs. In: *Handbook of Plant Biotechnology*, edited by Paul Christou. John Wiley & Sons: London. Pgs. 949-957.

Non-Refereed Published Works

- BenDor, Todd K. 2020. An Infrastructure Package Could Help America's Economy and the Environment. RealClear Energy. https://www.realclearenergy.org/articles/2020/06/23/an_infrastructure_package_could_help_americas_economy_-_and_the_environment_497042.html
- Martin Doyle, Lydia Olander, Ori Sharon, Sara Mason, and Todd K. BenDor. 2020. Compensatory Mitigation on Federal Lands. Duke University: Durham, NC. Nicholas Institute for Environmental Policy Solutions. <https://nicholasinstitute.duke.edu/publications/compensatory-mitigation-federal-lands>
- BenDor, Todd K, and David Salvesen. 2018. Improving NC's Floodplain Buyout Program. Coastal Review Online. November 2, 2018: <https://www.coastalreview.org/2018/11/improving-ncs-floodplain-buyout-program/>
- Salvesen, David, Todd K. BenDor, Christian Kamrath, and Brooke Ganser. 2018. Floodplain buyouts and municipal finance. Final report for UNC Policy Collaboratory. Chapel Hill, NC: University of North Carolina.
- BenDor, Todd K. 2017. Tampering with scientific advisory boards destroys public trust. Op-ed in the Raleigh News and Observer." May 17, 2017: <http://www.newsobserver.com/opinion/op-ed/article151130352.html>

- Final Report of the EPA Board of Scientific Counselors, Sustainable and Healthy Communities Subcommittee. 2017. SHC Topic 3: Sustainable Approaches for Contaminated Sites and Materials Management. Prepared by the Sustainable and Healthy Communities Subcommittee. Submitted to the Board of Scientific Counselors Executive Committee. January 26, 2017
- BenDor, Todd K. 2017. Analysis of Trail User Spending for the Rails to Trails Conservancy's Northeastern Trail Network. Rails to Trails Conservancy: Washington, D.C.
- Kelmenson, Sophie*, Todd K. BenDor, and T. William Lester. 2016. Economic Impacts of the US Ecological Restoration Sector. *Communities & Banking* Summer: 25-27.
- BenDor, Todd K. 2015. Saltwater intrusion a threat. Op-ed in the "Greenville Reflector." June 15, 2015: <http://www.reflector.com/opinion/other-voices/bendor-saltwater-intrusion-threat-2905969>
- BenDor, Todd K. and Kristen Vitro. 2014. Comments on "Policy Regarding Voluntary Prelisting Conservation Actions (Rulemaking)" by USFWS. [Action: FWS-R9-ES-2011-0099-0111] Comment ID: 1jy-8fck-g2cr.
- Hesselgrave, Taylor, Cathy Kellon, Todd K. BenDor, and Noah Enelow. Proposal for 2017 North American Industry Classification System (NAICS) Revision [NAICS designation for firms engaging in the ecological restoration industry]. In Response to 29 Fed Reg 99, 5/22/14. Docket number 17-0070. 29 pages.
- BenDor, Todd K. and Sierra Woodruff*. 2014. Comments on the Environmental Defense Fund and American Habitat Center Habitat Credit Exchange (HCEX) (FWS-R2-ES-2013-0134) by USFWS, "Notice of Intent to Prepare an Environmental Impact Statement for a Habitat Conservation Plan for Commercial Developments, Including Energy Developments, and Agricultural and Conservation Activities Within Six States" (79 FR 7472).
- BenDor, Todd K., T. William Lester, Avery Livengood*, Adam Davis, and Logan Yonavjak*. 2014. Exploring and Understanding the Restoration Economy. Final report to Walton Family Fund. Also UNC Center for Urban and Regional Studies white paper [Online]: <https://curs.unc.edu/files/2014/01/RestorationEconomy.pdf>
- BenDor, Todd K. and Sierra Woodruff*. 2014. Comments on the temporary/permanent nature of LPC habitat impacts. Formal comments submitted to federal rulemaking (FWS-R2-ES-2012-0071; 4500030113) by USFWS, "Endangered and Threatened Wildlife and Plants; Listing the Lesser Prairie-Chicken as a Threatened Species with a Special Rule" (50 CFR Part 17).
- BenDor, Todd K. and Sierra Woodruff*. 2014. Comments on the Western Association of Fish and Wildlife Agencies' Lesser Prairie-Chicken Range-Wide Conservation Plan. Formal comments submitted to federal rulemaking (FWS-R2-ES-2012-0071; 4500030113) by USFWS, "Endangered and Threatened Wildlife and Plants; Listing the Lesser Prairie-Chicken as a Threatened Species with a Special Rule" (50 CFR Part 17). Also published as UNC Institute for the Environment Whitepaper.
- BenDor, Todd K. and Sierra Woodruff*. 2014. Moving targets and biodiversity offsets for endangered species habitat: Is habitat a stock or flow? UNC Institute for the Environment Whitepaper.
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- Berkey, Kathleen Oppenheimer* and Todd K. BenDor. 2013. A Comprehensive Solution to the Biofouling Problem for the Endangered Florida Manatee & Other Species. *Planning and Law* (Summer 2013): 7. Planning and Law Division of the *American Planning Association*.
- BenDor, Todd K. and Robert Goodspeed. 2013. Keeping Up with the Field: Computerized Tools for Tracking Research and New Ideas. *Planetizen* (Tuesday, Feb 5, 2013). [Online]: <http://www.planetizen.com/node/60607>
- Leitelt, Lyle* and Todd K. BenDor. 2010. Developing a Solar Energy Potential Map for Chapel Hill, NC. *Planning Advisory Service Memo*. (November/December 2010). [Also Online]: <http://www.planning.org/pas/memo/2010/nov/>
- BenDor, Todd K., Joel Sholtes*, and Martin Doyle. 2010. Landscape Characteristics of a Stream and Wetland Mitigation Banking Program (abstract). *National Wetlands Newsletter* 32(4): 16
- BenDor, Todd K. and Martin Doyle. The Authors Respond. *National Wetlands Newsletter* 32(4): 21
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- BenDor, Todd K. and J. Adam Riggsbee. A National Survey of Federal Mitigation Regulations and their Impacts on Wetland and Stream Banking. Report to the National Mitigation Banking Association (NMBA) (Orlando, FL).
- BenDor, Todd K. "BRAC Demands Require Creativity," Op-Ed in *Fayetteville Observer* (Fayetteville, NC: July 9, 2009): <http://www.fayobserver.com/Articles/2009/07/08/915698>.
- Berke, Phillip, Todd K. BenDor, Dave Salvesen, Yan Song and Nora Lenahan*. 2009. "Building Local Government Capacity to Manage Growth in Eastern North Carolina." A Report to support the Southeast Regional Partnership for Planning and Sustainability (SERPPAS). Center for Sustainable Community Design, Institute for the Environment. University of North Carolina at Chapel Hill: Chapel Hill, NC.
- BenDor, Todd and Martin Doyle. "Build the Environment, Too," Op-Ed in *Raleigh News and Observer* (Raleigh, NC: March 5, 2009): <http://www.newsobserver.com/opinion/columns/story/1428828.html>.
- BenDor, Todd K. and Nicholas Brozovic. 2007. The Role of Regulatory Change on Wetlands Mitigation. *The National Wetlands Newsletter*, 29(4): 10-13, 21.
- BenDor, Todd K., Jeff M. Bielicki, Brian S. Powell, and Derrick T. Robinson. 2004. Modeling Feedback Mechanisms Between Land Use and Climate Change. Proceedings of the 2004 Santa Fe Institute Complex Systems Summer School, Santa Fe, NM (June 6–July 3, 2004). Paper and plenary session presentation.

Conference Papers and Presentations (list available upon request)

TEACHING ACTIVITIES

Courses Taught (All syllabi available at: <http://todd.bendor.org/teaching>)

- PLAN 055: *Freshman Seminar – Sustainable Cities*. Fall 2014 (15 students)
 - PLAN 641: *Ecology and Land Use Planning*. Fall 2014 (16 students), Fall 2015 (20 students), Fall 2017, Fall 2018, Spring 2020
 - PLAN 721: *Advanced Planning Methods*. Spring 2015 (25 students), Spring 2016 (21 students), Spring 2017 (14 students), Spring 2018
 - PLAN 722: *Systems Thinking and Modeling for Planners*. Spring 2015 (22 students), Spring 2016 (18 students), Spring 2017 (16 students), Spring 2018, Fall 2018
 - PLAN 745: *Development Impact Assessment*. Spring 2015 (11 students), Spring 2016 (13 students), Spring 2017 (22 students), Spring 2018, Fall 2019, Fall 2020 (22 students)
 - PLAN 911: *Academic Publishing for Planning Graduate Students (PhD seminar)*. Fall 2015 (15 students), Spring 2019 (9 students)
 - PLAN 911: *Grant and Proposal Writing in Planning (PhD seminar)*. Spring 2016 (11 students)
 - PLAN 911: *Professional Development (PhD seminar)*. Fall 2018 (10 students)
 - Teaching activities at UNC Odum Institute for Research in the Social Sciences: *Introduction to Agent-Based Modeling, Introduction to Systems Thinking and System Dynamics Modeling, Academic Publishing 101* (2014–Present)
 - 2015-2016 Instructor in "Data Matters" Data Science Short Course Series" for National Consortium on Data Science: *Simulation Strategies in Data Science: System Dynamics and Agent-based Modeling*
-

GRANTS

- 2019-2020: Innovating floodplain buyouts: evaluating the buyout process and physical risk reduction through buyout targeting. Improving North Carolina's Resilience to Coastal Riverine Flooding. UNC Policy Collaboratory (PI) (\$424,878, 11.11% effort)
- 2019-2020: Improving North Carolina's Resilience to Coastal Riverine Flooding. UNC Policy Collaboratory (Co-PI) (\$91,375 [\$337,000 total], 0% effort)
- 2019-2020: Mitigating the impacts of WOTUS uncertainty on North Carolina. UNC Policy Collaboratory (Co-PI) (\$34,166, 0% effort)

- 2019-2021: Dynamics of Extreme Events, People, and Places (DEEPP). UNC Office of the Vice Chancellor for Research, Creativity Hub Pilot Award (Co-PI) (\$500,000, 0% effort)
- 2018-2019: Development of Water Quality Trading Data and Resources to Support Environmental Markets. USDA Office of Environmental Markets (PI) (\$25,000, 22.22% effort)
- 2018-2021: RCN: Smart Civic Engagement in Rapidly Urbanizing Regions. NSF Smart & Connected Communities (SCC # 1737563) (Co-PI), (\$41,237, 11.11% effort)
- 2017-2018: Are Floodplain Buyouts a Smart Investment for Local Governments? UNC Policy Collaboratory (Co-PI) (\$75,000, 11.11% effort)
- 2017-2020: "How does removal of infrastructure subsidies alter development? Evaluating the impact of the U.S. Coastal Barrier Resources Act." NSF Geography and Spatial Sciences (GSS #1660450) (PI) (\$348,507, 11.11% effort)
- 2015-2020: Salinization of the inland coastal plain through saltwater intrusion: landscapes in transition along the leading edge of climate change." NSF Coastal SEES (#1427188) (Co-PI) (\$357,340 total amount, 11.11 % effort)
- 2013: "The Restoration Economy." The Conservation Fund (PI) (\$10,000, 0% effort)
- 2013-2014: "A National Survey of Jobs Associated with The Restoration Economy." Blue Moon Fund (PI) (\$58,000, 6.3% effort)
- 2013: "Understanding and Exploring the Restoration Economy." Walton Family Fund (PI) (\$30,000, 4% effort)
- 2012 – 2014: "Ecosystem Services as an Alternative Foundation for Development, Urban Planning, and New Water Infrastructure in the U.S." National Academies Keck Futures Initiative (NAKFI) (Co-PI) (\$25,694, 5.2% effort)
- 2010 – 2012: "Decision Support System Frameworks for Eastern North Carolina." DoD Southeast Regional Partnership for Planning and Sustainability Program (SERPAS) (Co-PI) (\$50,000, 5% effort)
- 2010 – 2013: "Hierarchical Analysis of Socio-Ecological Interactions in the Charlotte Metropolitan Region: Can Urbanization, Forest and Working Lands Coexist?" NSF ULTRA-Ex (#0949170) (Co-PI). (\$13,966, 5.55% effort)
- 2010 – 2012: "Reconciling Human and Natural Systems for the Equitable Provision of Ecosystem Services in the Triangle of North Carolina." NSF Ultra-Ex (#0948181) (Senior personnel) (\$92,903, 0% effort)
- 2010: "Urban Growth and Environmental Markets to Achieve Pollution Neutrality." UNC Junior Faculty Development Grant (PI) (\$7,500, 0% effort)
- 2008 – 2010: "Academic Workshop Follow-up: Research to Promote a Sustainable Southeast." DoD Southeast Regional Partnership for Planning and Sustainability Program (SERPAS) (Co-PI) (\$64,685, 7.5% effort)
- 2009 – 2010: "Academic Workshop Follow-up: Research to Promote a Sustainable Southeast." DoD Southeast Regional Partnership for Planning and Sustainability Program (SERPAS) (Co-PI) (\$55,120, 8% effort)
- 2009 – 2011 "Does Environmental Restoration increase Land Values and Tax Base?: Wetlands as a New Type of Infrastructure Amenity." UNC University Research Council Grant (PI) (\$5,000, 0% effort)
- 2009 – 2009 GlaxoSmithKline Faculty Fellowship. Institute for Emerging Issues, NC State University (PI) (\$15,000, 0% effort)
- 2008 – "Assessment of North Carolina Ecosystem Enhancement Program." UNC Institute of the Environment, Center of Landscape Change and Health (PI) (\$7,000, ~6% effort)
- 2007 – "Urban Land Use Modeling Feasibility Study for North Carolina." Renaissance Computing Institute (RENCI). (PI) (\$7,200, 8.3% effort)

PROFESSIONAL SERVICE

Department of City and Regional Planning (UNC-Chapel Hill) Service

- Director, Graduate Studies (MCRP 2013-2015; PhD 2015-2019)
- Director, Land Use and Environmental Planning Specialization (2013-2019)
- Associate Director, PhD Program (2012-2013)

UNC- Chapel Hill Service

- Director, Odum Institute for Research in Social Science (Fall 2018-Present)
- Team Lead, UNC Provost's "Carolina Next" Strategic Planning Committee (Obj. 6.2: Faculty outreach) (Summer 2020-Present)
- Member, UNC Chancellor's Buildings and Grounds Committee (Fall 2017-Present)
- Member, UNC Provost's DataScience@Carolina Committee (Liaison to Research Sub-committee) (2018-2020)
- Member, Evaluation Committee for Odum Institute for Research in the Social Sciences (2016)
- Member, Evaluation Committee for Institute for Marine Sciences (2019)

- Faculty Advisor, Students for the New Urbanism/Carolina Urbanists, UNC Student Group (2012-2014); Epsilon Eta, Co-Ed Environmental Honors Fraternity, UNC Alpha Chapter (2009-2010); UNC Home Brewers (2014-2016)

Disciplinary Service

- Editorial board, *Landscape and Urban Planning* (2018-Present)
- Track Chair, Resources, *International System Dynamics Conference* (2017-Present)
- Associate Editor, *Environmental Science and Policy* (2016-2018)
- Member, EPA Board of Scientific Counselors (BOSC) Sustainable & Healthy Communities Subcommittee (2014-2017)
- Member, Scientific Review Committee, *National Socio-Environmental Synthesis Center* (SESYNC) (2013-2018)
- Member, Advisory Board for the System Dynamics Major, *Worcester Polytechnic Institute* (2008-2011)
- Advisor, Land Use Impact Assessment Team, *State of NC Sea Level Rise Risk Management Study* (2007-2008)
- Reviewer for many journals, including (but not limited to): *Journal of the American Planning Association*, *Luxembourg FNR (NSF Grant-making equivalent)*, *Portuguese Foundation for Science and Technology (FCT; Portuguese Research Council)*, *Diversity and Distributions*, *Journal of Planning Education and Research*, *Environmental Management*, *Journal of Environmental Management*, *Ecological Modeling*, *Ecological Economics*, *Biological Conservation*, *Environmental Management Review*, *System Dynamics Review*, *Ecological Restoration*, *Ecological Applications*, *Ecological Engineering*, *Landscape Ecology*, *Journal of Environmental Planning and Management and Ecology*, and others.
- Facilitator, 2009 Emerging Issues Forum, *N.C. State University Institute for Emerging Issues*
- Community Facilitator for Champaign County “big.small.all” visioning and planning project, 2006-2007
- Facilitator for UIUC Graduate College Workshop (2007), “Three Magic Letters: Getting to Ph.D.: A Symposium for Graduate Faculty, Students, and Alumni.”
- Professional memberships: *International System Dynamics Society*, *American Planning Association*, *Ecosystem Services Partnership (Foundation for Sustainable Development)*

Profile

Whenever possible, applications should be submitted prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

evankirk29@gmail.com

Email Address

Evan

First Name

M

Middle Initial

Kirk

Last Name

706A Greenwood Rd

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 810-9845

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Stormwater Management Utility Advisory Board: Eligible

Question applies to Stormwater Management Utility Advisory Board

Select a Seat Category for the Stormwater Management Utility Advisory Board *

☒ University of North Carolina at Chapel Hill Employee

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Bicycle Advocate and Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I commute to work at the University daily by bicycle. I also work for Carrboro Recreation and Parks and routinely travel to assignments by bicycle. I ride an e-bike, mainly on streets with no bicycle lane or painting. For stormwater, I have 3 years of experience studying stormwater finance at the Environmental Finance Center at UNC Chapel Hill School of Government. I have surveyed every utility in the state for stormwater rates in the last two years and I have drafted multiple reports on stormwater financing and funding. I also was a researcher for the Jordan Lake Nutrient Management study commissioned by the NC Legislator. My colleague and I explored governance and finance models for meeting the requirements under the Jordan Lake Rules. I spoke at the Nutrient Symposiums at the NC Botanical Garden and met with stormwater and elected officials throughout the Jordan Lake watershed, including our very own Mayor Hemminger.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

Masters Degree in City and Regional Planning at UNC Masters Certificate in GIS Sciences 6 months of bicycle commuting as an employee and 7 years of bicycle and bus commuting as a student.

[Evan_Kirk_CV.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 25-34

Research Project Director

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Evan M. Kirk

Project Director, Environmental Finance Center at the University of North Carolina at Chapel Hill

UNC School of Government CB# 3330 • Chapel Hill, North Carolina • 27599-3330
(919) 962-2789 • emkirk@sog.unc.edu

Professional Experience

Project Director, Environmental Finance Center **2019–Present**

University of North Carolina at Chapel Hill | Chapel Hill, NC

- Conducts applied research on water and wastewater finance.
- Provides analysis and technical assistance for environmental service providers.
- Leads educational workshops related to water and wastewater rate-setting.
- Uses data to create visual aids and draft decision guides for policy decisions.

Research Assistant, Environmental Finance Center **2017–2019**

University of North Carolina at Chapel Hill | Chapel Hill, NC

- Conducted 2019 NC Stormwater Fees Survey including 88 fee structures; presented findings to 2019 Charlotte Elected Officials Stormwater Workshop
- Conducted applied research for Jordan Lake Nutrient Management Study and created 'revenue' funding Excel tool
- Co-presented two webinars for 2016 Hawaii water rates survey

Leaders in Environment and Finance Fellow **Summer 2018**

Envirolink | Raleigh, NC

- Researched and drafted report on the nutrient trading framework in North Carolina
- Created management capacity survey for water and wastewater utilities using technical, managerial, and financial metrics
- Assisted in the creation of utility asset management program database framework

Student Rates Specialist, Environmental Finance Center **2016–2017**

University of North Carolina at Chapel Hill | Chapel Hill, NC

- Collected data and performed QAQC for water and wastewater rates in 8 states
- Drafted water and wastewater rates survey summary reports

Relevant Reports

Riggs E., Kirk E. (2019). **The Stormwater Finance Landscape: Where We've Come from and Where We've Yet to Go**. UNC Environmental Finance Center. https://efc.sog.unc.edu/sites/default/files/2019/NC%20Stormwater%20Landscape_Final%20Draft_0.pdf.

Riggs E., Hughes J., Kirk E. (2018). **Paying for Nutrient Reduction and Management in Jordan Lake: Summary of Second Year of Research**. UNC Environmental Finance Center. <https://efc.sog.unc.edu/sites/default/files/2018/Paying%20for%20Nutrient%20Management%20Nutrient%20Study%20Final%20Report%20Year%202.pdf>.

Riggs E., Hughes J., Leopard K., Kirk E. (2017). **Paying for Nutrient Reduction and Management in Jordan Lake: Summary of First Year of Research**. UNC Environmental Finance Center. <https://efc.sog.unc.edu/sites/default/files/2017/Paying%20for%20Nutrient%20Management%20Nutrient%20Study%208.15.pdf>.

EDUCATION

Master of City and Regional Planning
UNC-Chapel Hill (2019)

Masters Certificate in GIS Sciences
UNC-Chapel Hill (2017)

B.S. in Environmental Sciences
UNC-Chapel Hill (2016)

FIELDS OF WORK

Land Use Planning
Environmental Planning
Energy and Sustainability
Environmental Finance

RELEVANT SKILLS

ArcGIS
Visual Basic
Microsoft Excel
Microsoft Access
Qualtrics
SQL

Profile

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Public Records Statement

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☒ I Agree

chadp@greatoutdoorprovision.com

Email Address

Chad

First Name

R

Middle Initial

Pickens

Last Name

Great Outdoor Provision Co.

Street Address

1800 E Franklin St., Ste. 1

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 828-5783

Primary Phone

Business: (919) 933-6148

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

None Selected

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

None Selected

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Stormwater Management Utility Advisory Board: Eligible

Question applies to Stormwater Management Utility Advisory Board

Select a Seat Category for the Stormwater Management Utility Advisory Board *

☒ Owners or Employees of companies owning property within Chapel Hill used for multi-family, business, commercial, or non-profit purposes

Which Board is your First Choice? *

None Selected

How did you find out about this opportunity? (select all that apply)

- ☒ Advisory Board or Council member
☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Julie McClintock

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

The primary reason that I'd like to serve as a business representative for the Stormwater Management Utility Advisory Board is because in my capacity as the general manager of a business in the Ephesus Fordham District that's impacted by the occasional floodwaters of Booker Creek, I've had a chance to personally experience the impact of stormwater related flooding events. I believe that my perspective can be useful to the board as they advise on existing and future projects.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have contacts in the business community and two years of experience serving on the Stormwater Management Utility Advisory Board.

[Town of Chapel Hill - 2-25-16.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

General Manager

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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717
CHAD R. PICKENS
1615 Lawrence Rd.
Hillsborough, North Carolina 27278
(919) 828-5783
chad.pickens@gmail.com

EDUCATION:

Colorado State University – Business Management – 2013-2016
North Carolina State University, Raleigh, NC – Mechanical Engineering – 1994-2000
Northwest Guilford High School, Greensboro, NC - 1994

WORK EXPERIENCE:

General Manager, Great Outdoor Provision Company, Chapel Hill, NC.
September 2011 – Present

- Assumed management responsibility for Great Outdoor Provision Company's Chapel Hill location – As one of America's largest independent specialty outdoor retailers, Great Outdoor Provision Company offers gear and clothing for life outside, including hiking and backpacking, fly fishing, travel, kayaking and canoeing
- Twice nominated for Chapel Hill Chamber of Commerce's Business of the Year (2011 and 2012)
- Established relationships with local university adventure programs, outdoor guides, and local outdoor retailers
- Led volunteer crews in support of Clean Jordan Lake's Adopt-a-Shoreline location on Lystra Rd. (2012 – present)

General Manager, Great Outdoor Provision Company, Greenville, NC.
October 2005 – September 2011

- Planned and opened new 8,500 sq. ft. store location - responsibilities included recruiting, hiring and training of new staff, purchasing store supplies and merchandising fixtures, and marketing
- Scheduled employees to ensure efficiency and appropriate customer service levels
- Trained and developed staff to ensure technical proficiency and salesmanship
- Coordinated human resources functions including maintaining personnel files and coordinating with government services
- Maintained facility by performing general housekeeping duties, electrical repairs, and hiring contractors for additional maintenance
- Successfully planned and opened 4,000 sq. ft. addition in fall of 2007

Assistant Manager, Sales Associate, Great Outdoor Provision Company, Raleigh, NC.
June 1998 – October 2005

- Assisted customers with selection of outdoor recreation equipment and clothing
- Coordinated activities of store employees to ensure superior customer satisfaction
- Served as manager of paddlesports department
- Developed staff training curriculum

Part-Time Supervisor – Human Resources Recruiter, UPS, Raleigh, NC.
April 2002 – December 2004

- Developed and implemented efficient methods for establishing contact with and conducting thorough screenings of potential candidates for UPS jobs
- Established and maintained relationships with local college and university officials
- Assisted current employees in resolving payroll and benefit issues
- Tracked recruiter and departmental effectiveness using weekly performance metrics

CHAD R. PICKENS

1615 Lawrence Rd.
 Hillsborough, North Carolina 27278
 (919) 828-5783
 chad.pickens@gmail.com

Part-Time Package Handler – Primary Sorter, UPS, Raleigh, NC.
 February 2001 – March 2002

- Identified shipping address labels and routed packages to their appropriate destinations
- Assisted in training of new employees
- Served as chairman of Co-Chaired Employee Retention Committee (C.E.R.C.)

Field Engineering Support and Mechanical Team Co-op, Nortel Networks, Morrisville, NC.
 May 1999 – September 1999, August 1998 – January 1999, January 1998 – May 1998

- Provided technical phone assistance to regional Nortel field engineers
- Performed assorted departmental purchasing tasks
- Addressed issues raised in monthly Field Engineering Focus Calls
- Composed and edited chapters in equipment installation manuals with emphasis on improving worker safety, improving time efficiency, and therefore saving money.
- Revised departmental procedures

Materials Engineering Co-op, Nortel Networks, Creedmoor, NC.
 May 1997 – August 1997, August 1996 – January 1997, January 1996 – May 1996

- Served as materials engineering prime for Brock Telecom units portfolio
- Communicated with vendors in order to establish and maintain quality standards
- Created and implemented engineering changes to redesign components used on digital switching equipment
- Supervised supplier and manufacturing issues while serving as production cell engineering prime
- Served on supplier audit teams at customer sites throughout North Carolina

ACTIVITIES:

Kayaking, hiking, landscaping, traveling

REFERENCES:

Available upon request.

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

shugong.wang@icloud.com

Email Address

Shugong

First Name

Wang

Last Name

163 Kingston Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (412) 805-2189

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Stormwater Management Utility Advisory Board: Eligible

Question applies to Stormwater Management Utility Advisory Board

Select a Seat Category for the Stormwater Management Utility Advisory Board *

☒ Owners of Single-Family Residential Property within Chapel Hill

Which Board is your First Choice? *

☒ Stormwater Management Utility Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

As a scientist with academic trainings in civil and environmental engineering, information sciences and earth sciences, I will bring scientific knowledge and engineering technologies for environment protection and planning in Chapel Hill. With many years work experiences in the Hydrological Sciences Laboratory at NASA Goddard Space Flight Center, I will bring expertise in water resource engineering, flood control, geographic information system (GIS) and remote sensing techniques for supporting decision making. All in all, as a resident, I would like to contribute my part to the development of Chapel Hill.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

(1) environment planning based Geographic Information System (GIS) and satellite images (2) environment visualization using images, videos (e.g. YouTube), and 3D modeling (e.g. Google Earth) (3) flood mitigation and flood control (4) data analysis and result presentation (5) Gardening

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Asian or Pacific Islander

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Scientist

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Question applies to multiple boards

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.



723
TOWN OF CHAPEL HILL

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

Item Overview

Item #: 18., **File #:** [21-0455], **Version:** 1

Meeting Date: 5/19/2021

Appointments to the Transportation and Connectivity Advisory Board.

Staff:

Sabrina Oliver, Director/Town Clerk
Amy Harvey, Deputy Town Clerk
Alisha Cordell, Administrative Assistant

Department:

Communications and Public Affairs

Technology Solutions and CaPA



Recommendation(s):

That the Council make appointments to the Transportation and Connectivity Advisory Board for three (3) seats.



Attachments:

- Recommendation
- Ballot
- Applications

Note: Applications submitted prior to February 20, 2018 were completed before changes were made to the application and may appear incomplete.

MEMORANDUM

TO: Mayor and Town Council

FROM: Susanne Kjemtrup-Lovelace, Transportation and Connectivity Advisory Board Chair

SUBJECT: Recommendation for the vacancy(s)

DATE: April 28, 2021

RECOMMENDATION: The Transportation and Connectivity Advisory Board met on Tuesday, April 27, 2021 and by a unanimous vote made the following recommendation(s) to the Town Council for consideration:

- Brian Hageman, Reappointment, Regional Collaboration
- Alvaro Villagran, Appointment, Greenways Advocate
- Mary Breeden Appointment, Regional Collaboration

SPECIAL REQUEST(s): None

BACKGROUND: None

Note: Communications and Public Affairs notes that the Transportation and Connectivity Advisory Board reviewed the following applications: Eric Allman, Adrian Bischoff, Mary Breeden, James Faron, Brian Hageman, Kathryn Jagoda, Jay Levensohn, Sparkle Lucas, Jonathan Mitchell, Paul Neebe, Ryan Phillips, Amber Smith, Alvaro Villagran, and Neal Wolin, and. Two (2) additional applications have been received between April 27, 2021 and May 12, 2021 for the Transportation and Connectivity Advisory Board.

BALLOT**TRANSPORTATION AND CONNECTIVITY ADVISORY BOARD****MAY 19, 2021**

- Total Membership: 9 (The Transportation and Connectivity Advisory Board consists of nine (9) members. Four (4) must be residents of the Town, one (1) bicycle advocate, one (1) greenways advocate, two (2) residents from Orange, Durham Alamance, or Chatham county. In addition, one (1) will be appointed by the UNC Chapel Hill Student Body President.)
- Current Membership: 8 (4 Female, 3 Male, 1 unknown; 1 Asian or Pacific Islander, 6 Caucasian and 1 unknown; [1] 18-24, [0] 25-34, [4] 35-54, [2] over 55)
- Current Vacancies: 3 (1 Regional Collaborator)
- Terms Ending June 30: 2 (1 Regional Collaborators and 1 Greenways Advocate)
- Number of Applicants: 15

Transportation and Connectivity Advisory Board
Please vote for up to one (2) Regional Collaboration applicants.

_____ Mary Breeden*	_____ Ryan Phillips*
_____ Brian Hageman (incumbent)	_____ Amber Smith
_____ Other; please list_____	

Transportation and Connectivity Advisory Board
Please vote for up to one (1) Greenways Advocate applicant.

Note: We do not have anyone who applied for the Greenways Advocate category. Below are Town residents you may consider.

_____ Adrian Bischoff	_____ Paul Neebe
_____ James Faron*	_____ Anthony Parrish
_____ Eleanor Howe*	_____ Alvaro Villagran
_____ Kathryn Jagoda*	_____ Neal Wolgin
_____ Jay Levinsohn	_____ Other; please list_____
_____ Sparkle Lucas	
_____ Jonathan Mitchell*	

*Applicant applied for more than one board.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

chboard@adrianbischoff.com

Email Address

Adrian

First Name

Bischoff

Last Name

311 McCauley St

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Home: (704) 324-1064

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Social Media

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I walk, bike, push my kids in a stroller, ride the bus and occasionally drive my car on many of the streets of Chapel Hill and the surrounding area. I'm passionate about designing streets for everyone to use. I've lived in German, the Netherlands and Taiwan and seen interesting and useful ways to help people get around. Even my almost 15 years of living in Boston and San Francisco have informed how I look at streets and transit.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

While training for a long distance walk, I walked almost all of the greenways of Chapel Hill. I've walked from Chapel Hill to Durham. I converted our bakfiets-style cargo bike to an electric-assist bike to more easily transport our kids around.

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Engineer

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Question applies to multiple boards

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Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

breeden.maggie@gmail.com

Email Address

Mary

First Name

M

Middle Initial

Breeden

Last Name

3208 Spring Meadow Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (480) 254-6500

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Durham County (not Chapel Hill limits)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 0-12 months

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Justice in Action Committee

Select a Seat Category for the Justice in Action Committee *

☒ Outside of Chapel Hill or Carrboro planning jurisdictions

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Non-Chapel Hill Resident from Orange, Durham, Alamance, or Chatham County

Which Board is your First Choice? *

☒ Justice in Action Committee

How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

If selected for a position on a committee, I would bring a blend of public administration, non-profit, and technology experience. Much of my education focused on justice and ethics. In undergrad (BA in Justice Studies), I studied intersectional and cross cultural justice, from women's rights, children's rights, racial justice, and economic justice. In my master's program (Master of Public Administration), I concentrated in non-profit management, taking courses about immigration law, justice in urban planning, and nonprofit economics. From there, I took those skills and put them to action working on local and global LGBTQ health and human services programs in conjunction with a popular dating app. I gained so much insight into grassroots advocacy at home as well as international advocacy in places where it is most dangerous to be LGBTQ. In my current work, I manage mobile product for a software company, using all of my experiences in nonprofit and advocacy to bring the best experience possible to our end users.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

In my day to day job, I lead a cross-functional team of people from different departments, so I bring a lot of project management skills and organization to any role I'm in. I also read, write, and speak Spanish at an intermediate level, and I have tutored writing and Spanish the past. If the committee would need any technical expertise, from mobile app development to Excel spreadsheets, I would be able to assist in that as well.

[Mary Breeden Resume 3.24.21.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 25-34

Senior Product Manager
(Mobile)

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Mary M Breeden

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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Mary “Maggie” Breeden

Chapel Hill, NC

(480) 254-6500; breeden.maggie@gmail.com

PROFESSIONAL EXPERIENCE

Senior Product Manager/Burner Product Owner, Ad Hoc Labs -- Los Angeles CA (remote) January 2020- Present

- Owns product roadmap, manages stakeholder and leadership relationships, and leads development scrum team for Ad Hoc Labs' largest mobile Android and iOS apps
- Plans and executes fast paced experimentation plan in order to capitalize on highest possible revenue while maintaining subscriber number
- People manager for product/growth team and designers

Product Manager, Grindr -- West Hollywood, CA

February 2019 - January 2020

Associate Product Manager, Grindr -- West Hollywood, CA

May 2018 - February 2019

- Leads a myriad of new feature sets from conception to market, including covering all internal/external stakeholder needs, overseeing the full development lifecycle, and aggregating both granular and high-level findings to rapidly iterate and deliver business goals
 - For example, a UI redesign of the app's homepage raised key engagement metrics by 12%, while an internal reporting flow increased productivity with 50% of users providing additional report information to the team
- Defines and constructs product roadmap that will achieve company and team KPIs by identifying desired outcomes, user opportunities, and potential solutions
- Coordinates with data analysts before and after new feature implementation to determine success metrics for each feature or initiative and conduct AB tests that will yield robust results and statistically significant insights

Marketing Coordinator, Grindr -- West Hollywood, CA

March 2017 - May 2018

- Project manager overseeing marketing timelines, budgets, creative planning and development, and execution and success of marketing initiatives including in-app messaging, Grindr's digital magazine INTO, subscription messaging, CRM, email marketing, photo and video shoots, and various other multimedia content initiatives
 - INTO Magazine nominated for Best News and Reporting at the Shorty Awards
- Liaised with the Growth and Subscriptions teams in West Hollywood and Beijing to launch Grindr's in-app marketing program by creating a product development plan and strategy to migrate all CRM and messaging to a new online CRM platform
- Led Grindr For Equality initiatives, including traveling internationally to build partnerships with LGBTQ organizations around the world and determine how we can best support their missions and organizations through in-app messaging

Development Associate, Los Angeles Ronald McDonald House -- Los Angeles, CA

June 2015 - March 2017

- Crafted and executed a social media strategy to expand online presence and engage supporters in a meaningful way
- Planned and provided support for various fundraising events throughout the year, including an annual gala and Walk for Kids event. Both events exceed \$350,000 in funds.
- Created and maintained marketing materials and research between donors and supporters of the organization

Social Media Coordinator, PR Vega -- Los Angeles, CA

August 2015 - June 2017

- Developed and managed short- and long-term social media marketing campaigns for four clients to increase brand awareness within various demographics and industry verticals
- Built monthly social analytic reports to draw and communicate insights for clients to leverage in digital strategy planning, streamlining data processing operations and optimizing organic reach with an average post reach of over 300,000 unique viewers and expanding audience to over 80,000 followers

EDUCATION

University of Southern California, Los Angeles, CA

May 2016

- Master of Public Administration – Ranked 2nd for Public Affairs

Arizona State University, Tempe, AZ

May 2014

Barrett, The Honors College, Summa Cum Laude

- Bachelor of Arts, Political Science
- Bachelor of Arts, Justice Studies (Social Justice and Ethics)

Mary “Maggie” Breeden

Chapel Hill, NC

(480) 254-6500; breeden.maggie@gmail.com

SKILLS

- Intermediate skills in reading, writing, and speaking Spanish
- Working knowledge of CRM, project management, and analytics tools Braze, Fabric, Firebase, Superset, Phabricator, Asana, Localytics Mobile App Analytics, Microsoft Office, and statistical programming languages “R” and SQL

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

jim@faronproperties.com

Email Address

James F.

First Name

F

Middle Initial

Faron

Last Name

308 Lancaster Dr

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Mobile: (217) 377-4677

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

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Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Internet

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Personal Contacts

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

As a recent resident to Chapel Hill, I seek to increase my involvement in the community. This is consistent with my previous forty-year residency in the Champaign-Urbana Illinois region. I have experience in real estate, privately-owned business, health care (Dr. of Optometry), and education. I consider myself a lifelong learner and am always interested in diverse points of view and problem solving.

James F. Faron

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have moved from a community similar to Chapel Hill in terms of a recognized university (University of Illinois) and a diverse population base. I have served on a number of Boards, including the Champaign-Urbana Mass Transit District, Champaign-Urbana Symphony, and the Champaign County Mental Health Board. I practiced for thirty-three years as an Optometrist in a large multi-specialty practice in Urbana, Illinois, served as an administrator/counselor in Greenville, South Carolina public schools, and am currently still a property owner in Illinois. All of these experiences have put me in a position to deal with various people and viewpoints and to work collaboratively in a group setting.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

I feel that I have skills and experiences that lend themselves to membership on the Planning Commission. Until recently, I owned 300 moderately priced rental units in Champaign, Illinois and personally managed all facets of my business. With regard to transportation, I served on the Board of the Champaign-Urbana Mass Transit District, with a 55 million dollar budget, 250 employees, and a monthly ridership of over one million passengers. Within these business and public spheres, I had involvement with city government, schools, not-for-profit organizations, and legal entities. I feel this breadth of expertise would serve me well in the work of the Planning Commission.

[resume_James_Faron_1_.docx](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Retired

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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JAMES F. FARON**PERSONAL**

Date of birth: October 3, 1946

Address: 308 Lancaster Drive, Chapel Hill, North Carolina
27517

Email: jim@faronproperties.com

EDUCATION

DePaul University, B.A., 1968

The Ohio State University, M.A., 1971

Illinois College of Optometry, O.D., 1979

EMPLOYMENT HISTORY

High School Counselor/Administrator, Greenville, S.C.,
1971-1974

Optometrist, Carle Foundation, Urbana, Illinois 1979-2012

Owner/Manager, Faron Properties LLC., 1982-present

COMMUNITY INVOLVEMENT

Board Member, Champaign-Urbana Mass Transit District

Board Member, Champaign-Urbana Symphony

President, Central Illinois Apartment Association

President, East Central Illinois Optometric Society

Team Optometrist, University of Illinois Athletic
Department

Member, Champaign County 708 Board (mental health)

INTERESTS

Real Estate, Eye Care, Politics, Fitness, Reading, Travel,
Architecture

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

brian.hageman@gmail.com

Email Address

Brian

First Name

Hageman

Last Name

1227 Hillsborough Rd

Street Address

Suite or Apt

CHAPEL HILL

City

NC

State

27516

Postal Code

Mobile: (415) 699-1019

Primary Phone

Home: (415) 881-7696

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Carrboro Town limits (Light Pink)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

None Selected

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Non-Chapel Hill Resident from Orange, Durham, Alamance, or Chatham County

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I believe that transit and transportation are key factors in the economic development of any municipal district and are essential for building a vibrant and diverse community. I also believe that direct community involvement is essential for building a transportation policy that reflects the goals and needs of the community.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I work at TransLoc which is a software company in the transit industry. I work extensively with transit agencies throughout the United States.

[BrianHageman-Resume.docx](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Senior Customer Success
Manager

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

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☒ I Agree *

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Brian Hageman

brian.hageman@gmail.com, 415.699.1019

Professional Profile

Throughout my business development and sales career, I have been able to consistently identify strategic business opportunities for both start-up companies and established businesses. Utilizing my experience and technical expertise, I have been able to build lean, high-performance sales teams utilizing cutting-edge business and marketing infrastructure to build products and programs that have all exceeded customer expectations and business goals.

Major Career Accomplishments

- Developed go to market strategy and built a sales structure that grew to \$10+ million annually in less than two years. High margins and low overhead contributed strongly to bottom line. (Avid Technology/Digidesign)
- From 2009 to 2012, grew total revenue from \$800,000 to \$3,600,000 (Snibbe Interactive)
- From 2009 to present, developed and maintain an on-going Google AdWords campaign in which the cost per conversion is \$38.90 on an average deal size of \$99,558 with a 5% close rate (Snibbe Interactive)
- Built business development program and advised in product development for an early stage start-up which resulted in first signed client, Pacific Gas & Electric for over \$1.5M in 2016 (Dispatchr)
- Developed and managed SEO and CPC programs with Google and Yahoo! including development of a proprietary keyword management system. Increased keywords under management from 500 to 5,000 in fewer than 30 days and drove a 100% increase in traffic in one quarter. (DinnerBroker)

Professional Experience

July 2014 **TransLoc, Inc.**, Durham, NC
To Present Account Executive

- Responsible for managing a multi-state sales territory including lead generation, product demonstrations, webinars, and conference & panel presentations.

January 2014 **Dispatchr.co**, San Francisco, CA
To June 2016 Director, Business Development

- All aspects of business development, sales, marketing, including extensive product development for an early-stage start-up company targeting Mobile Workforce Management for electric utilities.
- First deal signed: Pacific Gas & Electric. Expanded from initial pilot to full deployment for 2016.

October 2009 **Snibbe Interactive, Inc.**, San Francisco, CA
To December 2013 Vice President, Business Development

- Built and managed all aspects of sales operations for an interactive software development company with clients worldwide and annual sales of over \$3,600,000 (2012)
- Deals signed include: Walt Disney Company, Coca Cola Corporation, Dell Computer, Prudential Insurance

January 2008 **Consultant**, San Francisco, CA
To September 2009 *Self-employed*

- Served as a consultant to several early-stage start-up companies and sales

organizations including EatNation, DailyFog/brightMinds, Telekenex, myGengo, and Tapatap

December 2005 **Earthlink, Inc.**, San Francisco, CA
To Nov 2007 *Account Manager*

- Responsible for the launch of channel partners including technical aspects, marketing strategy, retail installations, and fulfillment with such partners as AARP, Best Buy, Circuit City, American Airlines, Delta Airlines, Northwest Airlines, SAP, and others

July 2004 **DinnerBroker**, San Francisco, CA
To Dec 2005 *Business Development Manager*

- Responsible for development of new strategic alliances and management of existing distribution partnerships.

Dec 2003 **DELICA rf-1**, San Francisco, CA
To Aug 2004 *Sales Manager*

- Responsible for initial planning, implementation, and ongoing operations for all aspects of front-of-house operations including all daily store operations. Achieved annual sales volume targets in excess of \$1 million within four months of store opening.

June 2002 **1-800 Wine Shop, Inc.**, San Francisco, CA
To Oct 2003 *Sales Training Manager, Private Tasting Events*

- Recruited, trained, and managed a network of wine sales associates responsible for wine tasting events throughout the United States including an in-depth wine knowledge and sales training program.

Oct 2000 **Kick, Inc.**, San Francisco, CA
To Dec 2001 *Senior Director of Business Development*

- Led all aspects of business development for a cutting edge provider of personalization software for the music industry including identifying potential clients, sales presentations, negotiations, and drafting of all related contractual documents.

Nov 1999 **HarmonyCentral**, Palo Alto, CA
To Aug 2000 *Director of Brokered Services*

- Developed the initial concept for brokering a wide variety of retail-to-consumer services online including auctions, classified ads, and price quotes for products and services for music retailers and musicians.

Oct 1993 **Digidesign, a division of Avid Technology, Inc.**, Palo Alto, CA
To Sep 1999 *Director of Business Development and Site Operations*

- Developed a business plan for providing integrated storage and network services to ProTools users.

Manager, Worldwide Electronic Marketing & E-Commerce

- Managed all aspects of electronic marketing including corporate web site, selecting e-commerce vendors, e-mail campaigns, and global electronic marketing strategy.

TeleSales Manager

- Built and managed all of the first North American TeleSales Center, Digidesign's initial direct sales effort. After initial success in North America, expanded telesales activity to Europe with offices in London and Munich.

Jun 1990 to Sep 1993 **Dun & Bradstreet Corporation**, San Jose, CA
Business Analyst

- Responsible for gathering, analyzing, interpreting, and reporting financial information on businesses including personal and telephone interviews with business principals and related finance personnel.

Education

University of Iowa, Iowa City, IA

Bachelor of Arts awarded May 1990; Political Science

Other Interests

- **2011 - 2016:** Committee Leader, Online Ticketing/Marketing: Oaktoberfest. Oaktoberfest is a one-day street festival that draws over 15,000 people to the Dimond District of Oakland and raises funds for the Dimond Improvement District. Responsible for online ticket sales and Kickstarter fund raising efforts.
- **2009 - 2016:** Volunteer: CALICO (Child Abuse Listening Interviewing and Coordination Center), Oakland, CA. CALICO serves as a multi—disciplinary hub of police officers, child welfare workers, and prosecutors that respond collaboratively to child abuse allegations.

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

eleanorhowe@icloud.com

Email Address

Eleanor

First Name

Howe

Last Name

Middle Initial

135 Stateside Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Submitted

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☒ Homeowner or Tenant

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Housing Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

☒ Newspaper

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

HOUSING: I'm a homeowner, a landlord, and an advocate for affordable housing. My husband and I purchased our home in 1992 so my mother could live in the 1-bedroom attached accessory apartment. Some years after she died, my father-in-law also lived there. Between those years and since his death we have rented out the apartment to long-term tenants. The current occupant has lived here eight years without a rent increase. Assisted a Karen refugee family through the process of purchasing a townhome at Rosemary Place, Meadowmont (2000). Board member (2002-2004) & staff member (2004-2006) Orange Community Housing & Land Trust (now Community Home Trust). Advisory Committee member, IFC Good Neighbor Plan (2011) and IFC@SECU Community House (2015). Grantwriter, Inter-Church Council Housing Corporation (InChuCo), for successful Orange County Affordable Housing Bond Program funding (2020). TRANSPORTATION: Carpooled or took NS bus from Stateside Dr to Southern Village office (2006-2015). Chapel Hill Transportation Advisory Board member (2000-2006), chair (2005-2006). Still driving 2004 Prius.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

MS Journalism (Columbia University). Former newspaper staff reporter covering town hall and city planning in CA; freelance journalist, editor & grantwriter in NC. Now over 70, I'm particularly interested in housing and transit facilities that accommodate seniors, especially those with disabilities and limited income.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ over 55

Retired grantwriter

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

kathryn.jagoda@gmail.com

Email Address

Kathryn

First Name

B

Middle Initial

Jagoda

Last Name

112 Virginia Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (703) 269-7300

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Board of Adjustment

Select a Seat Category for Board of Adjustment *

☒ Chapel Hill Town Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Bicycle Advocate and Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I went to UNC for my undergraduate education (graduated 2010) and my family and I have lived in Chapel Hill since 2017. I have two young children (ages 3 and 4) and stay at home full time with them. I am also a licensed North Carolina attorney and worked for the North Carolina Department of Transportation for several years before having kids. I care about this community, how the space is used, and how it can be shaped to benefit those who live and work here. My husband and I were drawn to Chapel Hill, in part, because of the small town feel with big town amenities. I would love to see expansion of greenways and ease of pedestrian and bicycle connectivity. I can provide ideas and input from the perspective of a parent, advocating for families who want to explore Chapel Hill and its surrounding areas on foot, bike, or by bus. In addition, I am familiar with some of the legal framework and challenges that surround towns trying to develop and implement transportation plans. This will make me an asset to the Transportation Advisory Board. Finally, I enjoy cycling in my free time and have ridden around Chapel Hill numerous times and have gone on longer rides out near Hillsborough and the surrounding areas. I have high hopes that the forthcoming Bus Rapid Transit route will allow not only me, but my whole family, to bike to campus, Franklin Street, and other areas we have yet to explore. I would love to be a part of the discussion and help shape Chapel Hill's transportation future.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a lawyer licensed to practice in the state of North Carolina, and have several years of experience working with the North Carolina Department of Transportation. I am a parent and want my family to have opportunities to walk, bike, and take the bus around Chapel Hill to explore and enjoy our town. I have a vested interest in how bicycles are considered in the overall transportation picture because cycling is a serious hobby of mine.

Question applies to Board of Adjustment

Do you have special interest, experience, or education/training in city planning or related fields? If yes, please explain.

I am a licensed attorney and studied a bit of land use planning in law school, and did an internship in the Raleigh City Attorney's Office while the city of Raleigh was working to update their Unified Development Ordinance. Beyond that, I have a personal interest in how land gets used and developed because I live in Chapel Hill and care about how the city grows and develops.

[Jagoda Resume 2021.pdf](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic**Gender ***

☒ Female**If other, please describe:**

Please select your age from the following list. *

☒ 25-34Attorney/Stay at Home ParentOccupation**Are you a caregiver for or identify with a disability?**

☐ Yes ☒ No**Have you participated in the Peoples Academy?**

☐ Yes ☒ No**Are you a Town of Chapel Hill employee?**

☐ Yes ☒ No

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☒ I Agree *

Question applies to multiple boards

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KATHRYN BARGE JAGODA

112 Virginia Drive, Chapel Hill, NC 27514
 (703) 269-7300 kathryn.jagoda@gmail.com

Education

CAMPBELL UNIVERSITY SCHOOL OF LAW 2010-2013

- o Admitted – State of North Carolina
- o Campbell Law Observer (Associate Editor); Military Law Student Association (Vice President)
- o Book Awards (Criminal Law, Government Litigation)

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL 2006-2010

- o B.A., History (Minors: Spanish, Christianity & Culture)
 - o Dean's List (5 semesters)
 - o Phi Alpha Theta Historical Honor Society
 - o Study Abroad Program in Sevilla, Spain (Fall 2008)
-

Work Experience

LEGAL AID OF NORTH CAROLINA MAY 2018 - PRESENT

VOLUNTEER - LAWYER ON THE LINE

- o Advise clients regarding landlord-tenant issues, including assisting with small claims court processes and communicating with landlords and other adverse parties

NORTH CAROLINA DEPARTMENT OF JUSTICE JANUARY 2014 – MAY 2016

ASSOCIATE ATTORNEY – TRANSPORTATION SECTION

- o Focused on environmental, administrative, and federal appellate litigation surrounding transportation projects
- o Researched and analyzed various state and federal case law, statutes, and administrative codes
- o Wrote motions, prepared for, defended, and took depositions; reviewed documents for discovery production; participated in administrative hearings
- o Ensured compliance with the North Carolina Public Records Act

BROOKS PIERCE LAW FIRM AUGUST – DECEMBER 2013

CONTRACT ATTORNEY

- o Researched and proposed ways to ensure that military bases complied with the Endangered Species Act

DURHAM DISTRICT ATTORNEY'S OFFICE JANUARY – APRIL 2013

INTERN

- o Prepared, analyzed, and tried cases in traffic, criminal district, and domestic violence courts
- o Increased effective negotiation skills by discussing pleas with defendants

NORTH CAROLINA COURT OF APPEALS JUNE – AUGUST 2012

INTERN

- o Drafted and edited opinions and briefs recommending optimal legal arguments to Judge and staff
- o Researched relevant case law and reduced findings to analytical and logical legal opinions

RALEIGH CITY ATTORNEY'S OFFICE JANUARY – APRIL 2012

INTERN

- o Worked primarily with land use and eminent domain cases
- o Executed title searches, attended mediations, and participated in meetings with clients and city officials

RALEIGH FEDERAL PUBLIC DEFENDER'S OFFICE AUGUST – DECEMBER 2011

INTERN

- o Wrote a memorandum on federal drug sentencing guidelines to assist staff attorneys
 - o Reviewed probation reports and briefed clients and families before scheduled hearings
-

Professional Memberships

ORANGE COUNTY BAR ASSOCIATION

Profile

Question applies to multiple boards

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☒ I Agree

jay.levinsohn@gmail.com

Email Address

Jay

First Name

R

Middle Initial

Levinsohn

Last Name

608 Kenmore Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 929-6728

Primary Phone

Mobile: (919) 928-6063

Alternate Phone

Question applies to multiple boards

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What district do you live in? *

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[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

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Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Chapel Hill Downtown Partnership

Select a Seat Category for the Chapel Hill Downtown Partnership *

☒ Chapel Hill Town Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Question applies to multiple boards

Which Board is your First Choice? *

☒ Chapel Hill Downtown Partnership

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a long term resident of Chapel Hill, over 55 years. I have been a student, homeowner, business owner, and researcher in this time. I have lived in Chapel Hill and raised my family here and now have a grandchild in town. I have a long term interest in the future of Chapel Hill and view its future from many different perspectives.

Question applies to multiple boards

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have 20 plus years of business experience as a partner and the treasurer of an air freight business operating out of RDU. This business grew from 3 to 75 people over its 30 years of operation and it various times operated aircraft from Florida to West Virginia. At the same time I also worked in research and as a software developer at RTI for over 35 years. At RTI I employed the tools that I learned as a graduate student at UNC and gained experience in analysis, project management and communication.

Question applies to multiple boards

[JRL Resume 2020.doc](#)

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

retired

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

Question applies to multiple boards

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☒ I Agree *

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JAY R. LEVINSOHN

I was born and raised in Englewood, New Jersey. I lived in Englewood from 1945 through graduation from Englewood's Dwight Morrow High School in 1963. In the Fall of 1963 I enrolled at the University of North Carolina in Chapel Hill. I have lived in Chapel as an undergraduate and graduate student at UNC from 1963 to 1974. In 1974 I decided to stay in Chapel Hill and I started work at The Research Triangle Institute where I worked until 2011 when I retired. Also in 1982 I started a second job when I became a partner and Treasurer of an air freight company operating out of RDU airport, Ram Air Freight, Inc. This business was in operation from 1982 to 2012. In summary I have been a student, researcher, business operator, home owner and raising a family in Chapel for over 55 years.

I married in 1969 to my wife, Hunter, whom I met while she was a UNC graduate student. We have two children, a daughter and son, who both were students in the Chapel Hill school system before leaving for college. My daughter now lives in Chapel Hill and her daughter attends middle school in Chapel Hill. Our son lives and works in Asheville.

In summary I have been a student, researcher, business operator, home owner and raising a family in Chapel for over 55 years.

Education

PhD, Quantitative Psychology (minor in Computer Science), University of North Carolina, 1975.
MA, Quantitative Psychology, University of North Carolina, 1973.
BS, Psychology, University of North Carolina, 1968.

Business Experience

1982 to 2012 Partner and Treasurer Ram Air Freight, Inc

Ram Air Freight was a cargo airline based in Morrisville, North Carolina, United States. It specialized in prompt freight transportation. The airline had its main base at the Raleigh-Durham International Airport. It ceased operations on March 2, 2012. ([Wikipedia](#))

Headquarters: Morrisville, NC

Founded: 1982

Ceased operations: 2012

Fleet size: at largest, 50 light aircraft

Operating bases: Raleigh-Durham International Airport, [Concord-Padgett Regional Airport](#)

Professional Experience

1974 to 2011	<p>RTI International, Research Triangle Park, NC.</p> <p><u>Retired August 2011</u></p> <hr/> <p><u>Senior Research Programmer/Analyst</u> (1998 to 2011) Software developer and project task leader for data collection projects. In the last 10 years focusing on mobile data collection technologies.</p> <p><u>Department Head</u> (2002 to 2007). Oversees technical support group and NSDUH project group within RTI's Research Computing Division.</p> <p><u>Manager of Technology Issues</u> (2001 to 2007). Oversees software and equipment purchases and deployment, coordinates infrastructure needs, and leads technology planning.</p> <p><u>Manager, Information Technology Services</u> (1990 to 1998). Coordinated and developed applications software on a large VAX cluster (8650, 785, 780, 8530). Managed transition from VAX to PC-based network, desktop support, and PC software development.</p> <p><u>Manager</u> (1980 to 1990). Provided system and operations support. Operated IBM microcomputers for RJE to remote computer sites, a DEC VAX 11/785, a DEC VAX 11/780, and a DEC VAX 11/750 for CATI data entry and in-house data processing. Provided systems and applications support for 40 CCA staff programmers (software development, user service, hardware support, purchase of external computer time, and maintenance of a network of over 120 terminals).</p> <p><u>Senior Research Psychologist</u> (1974 to 1980). Participated in the National Longitudinal Study of the High School Class of 1972 in database preparation and analysis, analysis of Talent Search/Upward Bound Evaluation, Upward Bound Evaluation 1976 Follow-up, Title I Migrant Evaluation Design Project. Beginning in August 1977, Project Director of National Longitudinal Study of the High School Class of 1972.</p>
1977	<p>Duke University, Durham, NC.</p> <p><u>Graduate School Instructor</u>. Taught research methods for the Department of Education.</p>
1973 to 1974	<p>University of North Carolina at Chapel Hill.</p> <p><u>Research Assistant</u>. Assisted with research for the Social Science Statistical Laboratory, Institute for Research in Social Science. Served as a consultant on</p>

data processing, design and analysis of social science research for undergraduate, graduate, faculty projects.

1968 to 1973 Research and Teaching Assistant. Served as a research and teaching assistant for L.L. Thurstone Psychometric Laboratory.

Books, Book Chapters, and Monographs

Levinsohn, J., & Meyer, M. (2003). Prospects for survey data collection using pen-based computers. In D. L. Cook, M. L. Cohen, R. Groves, & W. Kalsbeek (Eds.), *National research council survey automation: Reports and proceedings*. Oversight Committee for the Workshop on Survey Automation, Committee on National Statistics, Washington, DC: The National Academic Press.

Levinsohn, J., & Burkheimer, G. J. (1988). Implementing the Mitofsky-Waksberg sampling design with accelerated sequential replacement. In Groves, R. M. et al. (Eds.), *Telephone survey methodology*. New York: John Wiley & Sons, Inc.

Levinsohn, J., & Davis, J. A. (1979). The NLS study of the high school class of 1972: A resource for educational and human development researchers. In J. E. Milholland (Ed.), *New directions for testing and measurement: Insights from large scale surveys*, Number 2. San Francisco: Jossey-Bass, Inc.

Peer-Reviewed Journal Articles

Levinsohn, J., Rapoport, A., Funk, S. G., & Jones, L. V. (1977). Effects of differing return rates on multistage betting decisions. *Journal of Mathematical Psychology*, 15(2), 169–198.

Levinsohn, J., & Young, F. W. (1974). SCALAR-1130 and SCALAR-360: Two special purpose programs that perform nonmetric multidimensional scaling. *Journal of Marketing Research*, XI, 314–315.

Presentations and Proceedings

Levinsohn, J. R., Medeiros, D. D., Yost, P. A., Litavecz, S. D., Duke, J. C., Schmitt, C. L., et al. (2010, March). Recent innovations in the General Survey System: A mobile technologies system for collecting and managing study data. Presented at FedCASIC 2010, Washington, DC.

Levinsohn, J. R., Palipudi, P. S., Medeiros, D. D., Thalji, L. M., Litavecz, S. D., Karlsen, R., Yost, P. A., & Zhang, Y. (2009, September). *Innovation in global data collection using integrated mobile computing technologies*. Presented at 7th annual CDC PHIN conference, Atlanta, GA.

Yetukuri, V. S., Zhang, Y., Hughes, R. W., Cirella, J. M., & Levinsohn, J. R. (2009, July). *Survey data collection systems using handheld computers*. Presented at the 13th World Multi-Conference on Systemics, Cybernetics and Informatics: WMSCI 2009, Orlando, FL.

Sikes, R. N., & Levinsohn, J. R. (2009, May). *Technological innovations in data collection using a mobile computing device*. Presented at 2009 International Field Directors and Technologies Conference, Delray Beach, FL.

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- Levinsohn, J. R., Sikes, R. N., Filippenko, L. V., Pendergraph, R. L., Hughes, R. W., Karlsen, R., & Grouverman, V. (2009, March). Technological innovations in data collection for the American National Election Study. In *2009 FedCASIC Conference*, Washington, DC.
- Zhang, Y., Levinsohn, J. R., Olive, B. J., & Hill, C. A. (2008, May). *Best practices for developing smart phone based web surveys and systems*. Presented at International Field Director's & Technologies Conference (IFD&TC), New Orleans, LA.
- Zhang, Y., Kizakevich, P., Whitmore, R. W., Duncan, S. E., Levinsohn, J. R., Furberg, R. D., & Schulman, D. M. (2007). *Pilot study result using mobile and Bluetooth wireless technologies in longitudinal data collection*. Presented at International Field Director's & Technologies Conference (IF&DTC), Santa Monica, CA.
- Zhang, Y., Kizakevich, P., Whitmore, R. W., Duncan, S. E., Levinsohn, J. R., Furberg, R. D., & Schulman, D. M. (2007, March). *Mobile and Bluetooth wireless technologies in longitudinal surveys of human exposure-related behavior*. Presented at the 2007 FedCasic Conference, Nashville, TN.
- Savage, W. H., Levinsohn, J. R., & Trahan, S. R. (2006). *Bugzilla at RTI*. Presented at RTI's Research Computing Division, Research Triangle Park, NC.
- Kizakevich, P., Whitmore, R. W., McCartney, M. L., Duncan, S. E., Roe, D. J., Furberg, R. D., Waters, H. L., Zhang, Y., Johnson, T., & Levinsohn, J. R. (2006). *Mobile and Bluetooth wireless technologies in longitudinal surveys of human exposure-related behavior*. Presented at IFDTC Conference, Montreal, Canada.
- Rodriguez, G. (2006). *Automated testing of the census CFU instrument*. Presented at Federal CASIC Conference, Washington, DC. Invited.
- Kizakevich, P. N., Whitmore, R. W., McCartney, M. L., Waters, H. L., Johnson, T. R., Duncan, S. E., Cooper, G. E., Levinsohn, J. R., & Zhang, Y. (2005). *Technologies for measuring human exposure-related behavior*. Presentation at the International Society of Exposure Analysis (ISEA) 2005 Conference, Phoenix, AZ.
- Ganapathi, N., Meyer, M. D., Chen, T. X., Levinsohn, J. R., Frick, G. G., Rodriguez, G., Hewitt, D. K., Peri, R. V., Liu, S., Mai, Y., Caviness, L. L., Butler, J. S., Trahan, S. R., & Pratt, J. G. (2004). *Handheld devices – field data collection and transmission techniques*. Presented at International Field Directors and Technologies Conference, Scottsdale, AZ.
- Levinsohn, J. R., & Thissen, M. R. (2004). *New CASIC technologies for collecting health data*. Presented at 2004 RTI Fellows Symposium From Technology to Health Policy, Durham, NC.
- Rodriguez, G., & Levinsohn, J. (2003). *A random walk application for Blaise instruments*. Presented at the International Blaise Users Conference, Copenhagen, Denmark.
- Meyer, M., Levinsohn, J., Chen, T., & Rodriguez, G. (2002). *An analysis of state of the art mobile and handheld computing services for survey data collection*. Joint Statistical Meeting, New York, NY.
- Levinsohn, J., & Meyer, M. (2002). *Prospects for survey data collection using pen-based computers*. Survey Automation Workshop, National Academy of Sciences, Washington, DC.
- Levinsohn, J., & Rodriguez, G. (2001). *Automated testing of Blaise questionnaires*. *Proceedings of the International Blaise Users Conference*, Washington, DC.
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- Levinsohn, J., & Rodriguez, G. (2001). *Automated testing of Blaise questionnaires*. Presented at the 2001 International Field Directors and Technologies Conference, Montreal, Canada.
- Levinsohn, J., & Burkheimer, G. J. (1987). *Implementing the Mitofsky-Waksberg sampling design with accelerated sequential replacement*. Presented at the International Conference on Telephone Survey Methodology, Charlotte, NC.
- Levinsohn, J., & DeWitt, D. (1987). *Computer-assisted data collection*. Presented at the North Carolina Society of Applied Research and Evaluation Fall 1987 Program, North Carolina State University, Raleigh, NC.
- Levinsohn, J. (1985). *A discussion of the cost and feasibility of statistical computing on VAX computer systems, specifically SAS and INDAS*. Presented at the Washington Statistical Society, Washington, DC.
- Levinsohn, J. (1983). *Issues in the planning and execution of longitudinal surveys*. Presented at the American Educational Research Association Annual Meeting, Montreal, Canada.
- Levinsohn, J., Rapoport, A., Funk, S., & Jones, L. V. (1976). *Effects of differing return rates on multistage betting games*. Presented at the 9th Annual Mathematical Psychology Meetings, New York, NY.
- Levinsohn, J., & Riccobono, J. A. (1975). *The national longitudinal study of the high school class of 1972: A description of the merged base-year and first follow-up data file*. Presented at the American Educational Research Association Annual Meeting, Washington, DC.
- Levinsohn, J. (1973). *A comparison of several models for multistage betting games*. Presented at the 6th Annual Mathematical Psychology Meetings, Montreal, Canada.
-

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

sparklelucas9@gmail.com

Email Address

Sparkle

First Name

Lucas

Last Name

200 Westminster Drive

Street Address

B15

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Mobile: (919) 923-8439

Primary Phone

Mobile: (919) 923-8439

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Radio

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have been a resident of Chapel Hill all my life. This is home, I have raised my children here. I have lived through lot of growth within the town.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

My name is Sparkle and I have a son with Cerebral Palsy. I would like to recommend Chapel Hill consider a special needs park for adults and children with all types of disabilities that would allow for play for all. Wheelchair access, sensory stations, water play, adaptive equipment for play. etc. This is an attainable goal, Chapel Hill has the needs and I am sure the town can come up with funds with the right people advocating, I am one of them. I would like for my son to have an adaptive park in his own community to go play , then go to another town (Cary's Kids together park). Just a thought form a mother advocating for her son.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ African American

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Occupation

Are you a caregiver for or identify with a disability?

☒ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.

Profile

Question applies to multiple boards

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

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☒ I Agree

capt.jdm@gmail.com

Email Address

Jonathan

First Name

Mitchell

Last Name

216 Huntington Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Planning Commission

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Non-Chapel Hill Board Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a bank regulatory lawyer with fourteen years combined experience in public service (as a regulator) and private practice. As such, I have a background in developing, interpreting, and administering technical regulations. I also bring the perspective of a citizen who has lived in Chapel Hill for five years, is raising young kids here, and frequently gets around Town via bicycle (after bicycle commuting for years in Washington, DC). Least interestingly, I have actually studied multiple Traffic Impact Analyses commissioned by the Town. Over the past several years, I have attended several meetings of the Town Council, advisory commissions, and neighborhood groups to understand and participate as a citizen in certain land use decisions affecting my neighborhood and the larger community. This has increased my interest in contributing to town governance. I generally approach questions of growth, development, and transportation planning from a pragmatic perspective and focus on thoroughly analyzing the facts and trade-offs involved in each case.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

In addition to the qualifications described above, I am experienced in the research and development of policies and rules affecting multiple stakeholders, and in public speaking. For example, during my time as a federal bank regulator, I represented my agency in a multi-year rulemaking project involving seven other agencies. As a bank regulatory consultant and project lead, one of my core responsibilities has been to conduct working meetings involving – and present information to – diverse stakeholders, from junior-level financial institution employees to executives. I believe this background in negotiation and communication will be useful in the context of a public advisory commission.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

As mentioned above, I have a legal/regulatory background. I am not a technical specialist in the fields mentioned; my experience in these areas has been as a citizen observer of Town processes over the past several years. This has kindled my interest in becoming more involved. I work only part-time and have the capacity to get up to speed on the issues and context.

[jm_resume_2020.doc](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

The Town Council seeks to attract persons from diverse backgrounds and believes that childcare and transportation is a potential barrier for qualified and interested applicants. See the [Childcare and Transportation Assistance pilot](#) for further details. In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity *

☒ Caucasian/Non-Hispanic**Gender ***

☒ Male**If other, please describe:**

Please select your age from the following list. *

☒ 35-54

bank regulatory
lawyer/consultant

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree *

Question applies to multiple boards

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Jonathan D. Mitchell

216 Huntington Drive
Chapel Hill, NC 27514
(917) 940-5712
e-mail: capt.jdm@gmail.com

EXPERIENCE

PROMONTORY FINANCIAL GROUP, AN IBM COMPANY, Washington, DC

Special Adviser, 2017 - Present

Director, 2015 - 2017

Senior Principal, 2012 - 2015

Principal, 2009 - 2011

Advise and assist banks and other financial services companies in navigating regulatory challenges, e.g.: designing, implementing, and evaluating compliance programs and systems; bank charter/license applications (especially written business plans), suitability analyses, and readiness assessments; regulatory policy analysis and white papers; regulatory due diligence for potential acquirers of banks, non-bank finance companies, and financial technology companies; responding to regulatory criticism and correcting identified deficiencies. Specialty areas include design and implementation of compliance obligation inventories and projects to map requirements to operating controls; affiliate transaction restrictions (Regulation W); regulatory capital rules (Basel III); restrictions on proprietary trading and funds activities (the Volcker Rule); housing finance policy; and general banking law matters. Experienced in leading on-site teams of fifteen or more consultants. In 2017, voluntarily converted from a full time employee to a part time independent consultant engaged in select projects.

OFFICE OF THE COMPTROLLER OF THE CURRENCY, Washington, DC

Attorney, Legislative and Regulatory Activities Division, 2006 - 2009

Assisted in the development and drafting of banking regulations, including representing the OCC in interagency rulemaking project on consumer privacy disclosures. Analyzed pending financial services legislation. Conducted legal research and drafted memoranda on a variety of banking-related topics, as well as topics in constitutional law and administrative law. Provided legal advice and drafted opinions on the applicability of state laws to national banks. As part of secondary assignment in enforcement division, participated in document discovery, fact development, and settlement negotiations relating to enforcement actions against bank affiliated parties.

OFFICE OF NEW YORK STATE ATTORNEY GENERAL ELIOT SPITZER, New York, New York

Law Clerk, Investor Protection and Securities Bureau, Fall Semester 2005

Assisted with fact development in complex financial derivatives case, including assistance in writing document subpoena, reviewing documents that were produced, and preparing questions for witnesses. Conducted research in areas of fiduciary duties and taxation. Assisted in writing a complaint.

U.S. SECURITIES AND EXCHANGE COMMISSION, Miami, Florida

Summer Law Clerk, Enforcement Division, 2005

Researched and drafted memoranda on securities law, civil procedure, evidence, and accounting questions that arose in the course of corporate, broker-dealer, and investment advisor investigations and trials. Also reviewed subpoenaed documents, assisted in preparations for depositions, participated in witness interviews, and drafted declarations.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D., May 2006

Honors: Moot Court Board, Casebook Division, Research and Writing Editor

CORNELL UNIVERSITY, COLLEGE OF ARTS AND SCIENCES, Ithaca, New York

B.A. in Modern Literature and Philosophy, *magna cum laude*, May 2002

Honors: College Scholar, Distinction in All Subjects

BAR ADMISSION

Member, The District of Columbia Bar

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

neebetc@gmail.com

Email Address

Paul

First Name

M

Middle Initial

Neebe

Last Name

1002 Highland Woods Road

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home: (919) 929-3344

Primary Phone

Mobile: (919) 929-9394

Alternate Phone

Question applies to multiple boards

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Parks, Greenways and Recreation Commission

Select a Seat Category for the Parks, Greenways and Recreation Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Bicycle Advocate and Chapel Hill Resident

Which Board is your First Choice? *

☒ Parks, Greenways & Recreation Commission

How did you find out about this opportunity? (select all that apply)

☒ Advisory Board or Council member

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I have previously served on the BIPED advisory board, Friends of Parks and Greenways Board and Transportation advisory board. I am a current Board member of BACH (Bicycle Alliance of Chapel Hill).

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I travel often to look at other cities and Countries biking, pedestrian and public transportation infrastructure.

[Paul_Neebe_GenResume_2016.doc](#)

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Musician/Real Estate Broker

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

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☒ I Agree *

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784
Paul M. Neebe
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Chapel Hill, NC 27517
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www.paulneebep.com

EDUCATION

The Catholic University of America	
Doctorate of Musical Arts	1999
The Juilliard School	
Master of Music	1985
Bachelor of Music	1984

Certifications/Licenses

Real Estate Broker License, North Carolina and Virginia	1989-2016
GRI Designation	

Language Proficiency

German Goethe Institute Rothenburg ob der Tauber, Germany, Summers	1997-2003
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Employment/Work experience

Neebe Real Estate-	2000-2016
Broker in Charge Chapel Hill, North Carolina	
The Roanoke Symphony Orchestra, Virginia	1998-2016
Principal Trumpet, David Wiley, Music Director	
The Wintergreen Summer Music Festival Orchestra	2000-2016
Principal Trumpet, Larry Alan Smith Executive Director	
The University of Virginia	1995-2013
Music Artist Faculty (Trumpet)	
Carolina Realty	1995-2000
Real Estate Broker	
The Durham Symphony Orchestra	1990-1994
Principal Trumpet, Alan Neilson, Music Director	
American Airlines	1989-1995
Reservations Agent, Cary, North Carolina	

Boards and Commissions

Chapel Hill Transportation & Connectivity Board, Board Member	2015-2016
Friends of Chapel Hill Parks & Recreation Board Member	2014-2016
Bicycle Alliance of Chapel Hill (BACH), Board Member	2014-2016
The Chapel Hill Bicycle and Pedestrian Advisory Board, Board Member	2011-2014
The North Carolina Boys Choir, Board Member	2005-2007
The Durham Symphony, Board Member	1992-1994

Computer Skills

Microsoft Office, Networking, Webpage editing, Accounting

Volunteering

Durham GLFF	2013-2015
Carrboro Bicycling Coalition	2013-2015
Habitat for Humanity (various Bike Rides)	2011-2012
Volunteers with International Students and Staff Program at the University of Virginia,	2009-2010

Profile

Whenever possible, submit your application prior to the scheduled meeting of the affected advisory board so that they can consider all applications prior to making a recommendation to Council.

Public Records Statement

I acknowledge that all information submitted in this application becomes a public record and will be searchable online. The Town is not able to remove information from the public record once it has been posted.

☒ I Agree

parrishanthony85@gmail.com

Email Address

Anthony

First Name

M

Middle Initial

Parrish

Last Name

123 Cole Street Apt. B

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (984) 261-4725

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Housing Advisory Board

Select a Seat Category for the Housing Advisory Board *

☒ Non-Market Rate Housing Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Housing Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

pure coincidence

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

That minorities who are residents of Chapel Hill, have been residents for a specified amount of time (to be determined on a later date), are single parents (man or woman) of at least one child under the age of thirteen, AND are currently enrolled either as a graduate student at an institute of higher education (University of North Carolina at Chapel Hill, North Carolina State University, or Duke University), or are at least a part time students at a community college (online or on campus attendees) in this state should be given the opportunity to apply for a town sponsored grant that mitigates a negotiable (on the second year after approval by the Housing Advisory Board) percentage of their monthly rent to be put toward their permanent (and current) residence to be determined by the sitting members of the Housing Advisory Board. If not the rent, then the utilities (only water and electric) should be negated from the applicants expenses for the duration of the applicants school semesters as long as the applicant continues to attend all classes (online or on-campus) until the next session at which time this grant will be debated. This act will support those who are obviously eager to improve themselves and their ability to contribute to the progress of their community and chosen career field. Without the much needed assistance that the town of Chapel Hill could provide, anyone with less than adequate skills or job experience, or requires a certification and/or degree to enhance their capability to care for their child(ren) will most likely be held hostage by their own deficiencies, which may or may not be, of their own making. The ambition a person can in no way be measured by others, and even those who are currently seated as members of the Housing Advisory Board on this day did not know that they would still be there at this same time last year. If life, and community, and the human experience is able to guarantee us anything, it is the certainty that we will be sure to expire if we do not continuously improve ourselves. Therefore those who are minorities in our community and are already victimized by obvious economic disadvantages, yet are resilient, brave, and inspired to evolve should be given the assistance needed to alleviate the stresses incurred by other responsibilities that must be attended to during their development.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I don't have and relevant qualifications but I do have the experience of growing up in the same duplex I live in now with a single parent who struggled with being able to provide for her only child (me) whom she was ill equipped to care for. Even with eleven different adults that were related to her by virtue of being the nieces, nephews, or siblings of her own father. Even though some of them were Ivy League graduates, and worked for the University of North Carolina at Chapel Hill. It would be a shame if I were not to take advantage of this opportunity to share her story with someone who will surely deny me a seat at the table (because you'd be crazy not to) but would at the very least read this and hopefully understand that many of the children who have the potential to make it out of Chapel Hill and don't were overlooked by teachers, counselors, and other adults because no one thought to ask the child "how can I help you?". I wish I could show you all of the assignments I aced in my first semester of high school before I asked the fateful question "Mom how am I going to pay for college?". The answer caused me to give up on myself and my future. I do not want another child to make that same mistake, so please at least consider this to a warning. That quite literally, this idea could be the difference between a single parent, who is not me, with three children currently living with him (two girls, one boy who is the youngest; all under thirteen) deciding to remain working at Jiffy Lube for ten years before he finally becomes a manager, instead of being able to apply for a grant that will give him a chance to acquire a laptop from Durham Tech to take online business management courses (or something similar to that) to push him toward his goals quicker.

Demographics

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Ethnicity *

☒ African American

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Recording Artist

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

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Profile

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Public Records Statement

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☒ I Agree

ryanphillips.nc@gmail.com

Email Address

Ryan

First Name

Phillips

Last Name

705 Keystone Park Dr

Street Address

Unit 55

Suite or Apt

Morrisville

City

NC

State

27560

Postal Code

Primary Phone

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Durham County (not Chapel Hill limits)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

None Selected

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Justice in Action Committee

Select a Seat Category for the Justice in Action Committee *

☒ Outside of Chapel Hill or Carrboro planning jurisdictions

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Non-Chapel Hill Resident from Orange, Durham, Alamance, or Chatham County

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Chapel Hill Peoples Academy

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I lived and worked in Chapel Hill for nearly two years, during which, I used the bus system for my work commute to UNC. I now work at NC State, and have moved to Durham County, but I still use regional transit for my work commute and frequent Chapel Hill (driving to its businesses and riding bikes or walking on the greenways). I would also bring the perspective of knowing what it's like to not feel included or safe. I initially struggled with my identity as a gay man, partially due to the culture of the area I grew up in, but the Chapel Hill community helped me overcome those struggles. Despite some challenges (sexual orientation, visual/hearing impairments), I grew up with the privileges of having access to exemplary healthcare, high quality education, and family support to help me in various facets of life. I want to help ensure that all who interact with Chapel Hill aren't held back by things out of their control, like systemic obstacles or discrimination, by preserving the town's commitment to racial, economic, and social justice, (which includes advocating for a more connected community with accessible and sustainable multi-modal transportation).

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I enjoy collaborating with people of various backgrounds, to promote dialogue and action to build common ground and remove division. I believe progress is possible in the areas of transportation and justice, and I want to help the town serve as a model for other communities. I had the privilege to participate in the 2021 Peoples Academy, and found the program to be very interesting and would be delighted to have the opportunity to be more involved with the town. A few extra thoughts: *Currently in the GLBT Staff/Faculty Network at NC State *Served as a diversity mentor for new students while attending NC State *Focused on serving the community *Diligent and collaborative *Heavy user and advocate of alternative transportation methods *Geek out over maps and transportation-related topics

[Resume_Ryan_Phillips.pdf](#)

You may upload a supporting document (e.g., CV or resume). Please be advised that any information submitted becomes a public record and may be searchable online.

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 25-34

Accounting Technician

Occupation

Are you a caregiver for or identify with a disability?

☒ Yes ☐ No

Have you participated in the Peoples Academy?

☒ Yes ☐ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

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RYAN PHILLIPS

Durham, NC | [linkedin.com/in/ryanpphillips1](https://www.linkedin.com/in/ryanpphillips1)

EXPERIENCE

NC State College of Agriculture and Life Sciences, Accounting Tech, Raleigh, NC **March 2020 - present**

- Reconcile transactions and approve monthly statements for 275 cardholders using MyPack
- Completed coursework to become a Certified Departmental Purchasing Representative

UNC School of Medicine, Accounting Tech, Chapel Hill, NC **2018 - 2020**

- Processed travel, voucher, and requisition requests for Dean's Office, ENT, Neurosurgery departments
- Trained two new employees on use of RASR, Infoporte, ConnectCarolina, Adobe, and Microsoft Office

Vanguard, PI Brokerage Investment Professional, Charlotte, NC **2017 - 2018**

- Provided efficient account support and accurate investment guidance for clients with less than \$1 million
- Utilized strong relationship management skills to answer questions for 30+ clients per day via phone

EDUCATION

North Carolina State University **Raleigh, NC**

B.S. Business Administration, Concentration: Finance

May 2017

Minors: English, Accounting

Sandhills Community College **Pinehurst, NC**

A.A. University Studies

2015

LEADERSHIP

- **Employee Wellness Champion**, facilitate culture of wellness within campus department **2020 - 2021**
- **Student Network Group Mentor**, Poole College of Management, NC State University **2016 - 2017**
- **President**, NC State Finance Club, NC State University **2015 - 2017**
- **Eagle Scout Award**: Raised and donated 13,000+ books to village schools in Africa **2011**

SERVICE

- **GLBT Staff Network Member**: GLBT Advocate and Project SAFE ally for NCSU **2020 - 2021**
- **Durham Community Food Pantry**: Served 40+ hours to reduce food insecurity during Covid-19 **2020**
- **Election Assistant**: Handled flow of 1,800+ voters on Election Day in Wake Co. precinct 01-23 **2016**
- **VITA volunteer**: Provided free income tax assistance to those in the NC State community **2016**

SKILLS & INTERESTS

Hard Skills: Office Suite, Google Workspace, PeopleSoft, event planning/leading, project management

Soft Skills: resourceful, collaborative, self-directed, detail-oriented, growth mindset, attentive communicator

Interests: music, disc golf, health & fitness, reading, writing, exploring outdoors, travel (49 states, 8 countries)

Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

am.smith1600@gmail.com

Email Address

Amber

First Name

Smith

Last Name

101 Oliver Ln

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27516

Postal Code

Mobile: (704) 221-0805

Primary Phone

Alternate Phone

Question applies to multiple boards

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chatham County

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 4-9 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Planning Commission

Select a Seat Category for the Planning Commission *

☒ Chapel Hill Resident

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Non-Chapel Hill Resident from Orange, Durham, Alamance, or Chatham County

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Email

If you chose "Other" from the advertising opportunity listed above, please specify:

Interests & Experiences

Question applies to multiple boards

How do you describe your previous advisory board experience?

☒ Little or No Experience

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I've lived in Chapel Hill for 7 years now and while not originally from the town, I truly consider it my home. I think our town has done a lot of great things, but I also see a lot of potential and would relish the opportunity to help shape its future. I have a young child and would love for him to grow up in a place that has a small town feel but is simultaneously a cultural, intellectual, and diversity powerhouse. About transportation specifically, I've become very interested in how transportation grows as needs change. I am worried about climate change and how Chapel Hill will adapt its transportation infrastructure to meet the changing climate needs, as well as residents' changing needs (ie preferring to bike instead of drive to work). I visited The Netherlands for the first time a few years ago and I was wowed (and jealous) by how different its transportation is, and I believe the US, including our town, could take some cues from other countries and locales.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have a Master's Degree in a Life Science and have spent the last several years a project coordinator/project lead. I'm very organized, as well as passionate about positive change, and I believe I could bring a lot to this Advisory Board.

Question applies to Planning Commission

Do you have special interest, experience, or education/training in city planning, design field, environment, housing, transportation or related fields? If yes, please explain.

No

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Caucasian/Non-Hispanic

Gender *

☒ Female

If other, please describe:

Please select your age from the following list. *

☒ 25-34

Research Project Lead
(Scientist)

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☒ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

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☒ I Agree *

Question applies to multiple boards

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Profile

Question applies to multiple boards

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Public Records Statement

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☒ I Agree

alvarocvillagran@gmail.com

Email Address

Alvaro

First Name

Villagran

Last Name

Middle Initial

2 Banbury Lane

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27517

Postal Code

Home:

Primary Phone

Home:

Alternate Phone

Question applies to multiple boards

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What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ 1-3 years

Question applies to multiple boards

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Question applies to multiple boards

Which Board is your First Choice? *

☒ Transportation and Connectivity Advisory Board

How did you find out about this opportunity? (select all that apply)

☒ Other (provide additional information below)

If you chose "Other" from the advertising opportunity listed above, please specify:

Town of Chapel Hill Newsletter

Interests & Experiences

Question applies to multiple boards

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a resident of Chapel Hill interested in supporting multi modal transportation options, promoting initiatives for a safe and comfortable use of streets and roads for all users, and advocating for a sustainable and equitable approach to transportation land use, infrastructure, and planning.

Question applies to multiple boards

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I am a transportation planner. I believe my experience working on mobility projects across the country can contribute to the conversations about transportation issues in the Town of Chapel Hill. Based on my personal experience walking, biking, riding transit and driving in Chapel Hill, I am particularly interested in addressing issues of connectivity regarding infrastructure for pedestrians, bikes, people with disabilities, and kids. Lastly, having worked at a metropolitan planning organization in the past, I am interested in approaching the town's transportation issues in the larger picture of the Triangle Area as a fast growing region.

Question applies to multiple boards

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

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Ethnicity *

☒ Hispanic

Gender *

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ 35-54

Occupation

Are you a caregiver for or identify with a disability?

☐ Yes ☐ No

Have you participated in the Peoples Academy?

☐ Yes ☒ No

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

Question applies to multiple boards

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☒ I Agree *

Question applies to multiple boards

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Profile

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Public Records Statement

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☒ I Agree

neal@ti-law.com

Email Address

Neal

First Name

Wolgin

Last Name

212 Sierra Drive

Street Address

Suite or Apt

Chapel Hill

City

NC

State

27514

Postal Code

Home: (919) 321-6245

Primary Phone

Home:

Alternate Phone

Residency within the Town limits is required for membership on most Council advisory bodies. Memberships of some committees and task forces may be composed of up to forty percent of non-Town residents.

What district do you live in? *

☒ Chapel Hill Town limits (Purple)

[Please consult the town maps HERE if you are unsure.](#)

If you are a Chapel Hill Resident, How long have you lived here?

☒ Greater than 10 years

The Council encourages you to visit a meeting of the group that you are interested in serving on. Please choose no more than two groups from the list below to which you would like to apply.

Which Boards would you like to apply for?

Transportation and Connectivity Advisory Board: Eligible

Question applies to Transportation and Connectivity Advisory Board

Select a Seat Category for the Transportation and Connectivity Advisory Board *

☒ Chapel Hill Resident

Which Board is your First Choice? *

☒ Historic District Commission

How did you find out about this opportunity? (select all that apply by holding down the shift key)

☒ Internet

If you chose "Other" from the advertising opportunity listed above, please specify specify:

Interests & Experiences

What perspective(s) do you bring to the board(s), commission(s), committee(s) or task force(s) to which you are applying?

I am a long-time resident, and student/keen observer of transportation policy at the local and state level. I believe there are opportunities for improvement in our current local transportation infrastructure.

Please provide a brief summary of any other relevant qualifications (skills, abilities, interests and/or experience) you bring.

I have an engineering background, good visualization skills, excellent budgetary skills, and knowledge of transportation construction issues.

Question applies to Historic District Commission

Do you have special interest, experience, or education in history, architecture, archaeology, or related fields? If yes, please explain.

I have an interest in local history, historic preservation, and architecture, as well as practical experience in construction trades.

You may upload a supporting document (e.g., CV or resume). **Please be advised that any information submitted becomes a public record and may be searchable online.**

Demographics

In order to consider this application and provide some balance to the various boards, this personal information is required:

Ethnicity

☒ Caucasian/Non-Hispanic

Gender

☒ Male

If other, please describe:

Please select your age from the following list. *

☒ over 55

Attorney

Occupation

Are you a Town of Chapel Hill employee?

☐ Yes ☒ No

Ethics Statement

ETHICS GUIDELINES FOR TOWN ADVISORY BOARDS AND COMMISSIONS

Members of advisory boards and commissions shall not discuss, advocate, or vote on any matter in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. In addition, members of the Historic District Commission and Board of Adjustment, when these boards are hearing cases, serve as quasi-judicial bodies. Pursuant to State Statute 106A-388(e)(2), members of these boards “shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.”

Any member who violates these Ethics Guidelines may be subject to removal from the board or commission. If the advisory board or commission member believes he/she has a conflict of interest then that member should ask the advisory board or commission to be recused from voting. The advisory board or commission should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the advisory board or commission establishes a conflict of interest, then the advisory board or commission member shall remove themselves from the voting area. Any advisory board or commission member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the advisory board or commission member should excuse himself/herself from voting. The advisory board or commission member may request the Town Attorney respond in writing.

☒ I Agree *

Applications will be kept on file from July 1st to June 30th of the same fiscal year. Please reapply each fiscal year if you are still interested in serving on an Advisory Board, Commission, Committee or Task Force and have not yet been appointed.